

H.R. 2881, FAA REAUTHORIZATION ACT OF 2007

FUNDING LEVELS

H.R. 2881, the “FAA Reauthorization Act of 2007”, provides historic funding levels for the Federal Aviation Administration’s (“FAA”) capital programs between FY 2008 and FY 2011:

- **\$15.8 billion for the Airport Improvement Program (AIP)** – over \$4 billion more than the Administration’s proposal;
- **\$13 billion for FAA Facilities & Equipment (F&E)** – over \$1 billion more than the Administration’s proposal;
- **\$37.2 billion for FAA Operations.**

AIR TRAFFIC CONTROL MODERNIZATION AND NEXTGEN

- *Funding:* \$13 billion for FAA F&E to accelerate the implementation of Next Generation Air Transportation System (“NextGen”); enable FAA to make needed repairs and replacement of existing facilities and equipment; provide for the implementation of high-priority safety-related systems.
- *Authority:* Elevates the Director of the Joint Planning and Development Office (“JPDO”) to the status of Associate Administrator of NextGen within the FAA, reporting directly to the FAA Administrator.
- *Accountability:* Annual reporting requirements on NextGen-related deliverables; and provisions to ensure FAA vendor accountability for providing safe, quality services for automatic dependant surveillance broadcast (ADS-B) and flight service stations.
- *Oversight:* Authorizes Government Accountability Office, Department of Transportation Inspector General, and National Research Council audits and reports related to NextGen that will assist Congress in exercising its oversight responsibilities.

FINANCING

- *Recommendation to the House Ways & Means Committee:* Modest increase in the general aviation jet fuel tax rate for inflation from 21.8 cents per gallon to 30.7 cents per gallon; and increases the aviation gasoline tax rate from 19.3 cents per gallon to 24.1 cents per gallon to provide for the robust capital funding required to modernize the Air Traffic Control system, as well as to stabilize and strengthen the Airport and Airway Trust Fund.

AIRPORTS

- *Passenger Facility Charge:* Increases PFC cap to \$7.00 from \$4.50 to combat inflation and to help airports meet increased capital needs. Provides significant increases in AIP funding for smaller airports that are particularly reliant on AIP for capital financing.

SAFETY

- *Inspector Staffing:* Increases the number of aviation safety inspectors.
- *Foreign Repair Stations:* Requires FAA to certify that all part 145 certificated foreign repair stations are inspected twice a year.
- *Runway Safety:* Provides \$42 million over four years for runway incursion reduction programs; and \$74 million over four years for runway status light acquisition and installation.

- *Flight Crew Fatigue*: Requires the FAA to contract with the National Academy of Sciences to conduct a study on pilot fatigue, and then to consider the findings of the Academy and update, where appropriate, its regulations with regard to flight time limitations and rest requirements for pilots.
- *OSHA*: Directs the FAA to initiate long-overdue action to ensure crewmember safety by applying occupational health standards on board aircraft.

ENVIRONMENT

- *Phases Out Noisy Stage II Aircraft*: Requires, within 5 years, all civil subsonic jet aircraft under 75,000 pounds to meet stage 3 noise levels within the 48 contiguous states, with limited exceptions for certain temporary operations.
- *CLEEN Engine and Airframe Technology Partnership*: Directs the FAA to enter into a 10-year cooperative agreement with an institution, entity, or eligible consortium to carry out a program for the development, maturing and certification of continuous lower energy, emissions and noise engine and airframe technology.
- *Environmental Mitigation Pilot Program*: Authorizes the FAA to fund six projects at public-use airports to take promising environmental research concepts into the actual airport environment to demonstrate measurable reductions or mitigation of aviation impacts on noise, air quality or water quality in the airport environment.
- *Aircraft Departure Queue Management Pilot Program*: Authorizes the FAA to establish a pilot program at five public-use airports to design, develop, and test new air traffic flow management technologies to better manage the flow of aircraft on the ground and reduce ground holds and idling times for aircraft to decrease emissions and increase fuel savings.
- *A New "Green" Air Traffic Control Facilities Program*: Calls for the FAA, to the maximum extent possible, to implement environmentally-beneficial practices for new construction and major renovation of air traffic control facilities.

SMALL COMMUNITIES

- *Funding*: Increases total authorized funding for Essential Air Service each year from \$127 million to \$133 million (including \$50 million derived from overflight fees), and authorizes \$35 million annually for the Small Community Air Services Development program.
- *Air Service Quality*: Authorizes the Secretary to incorporate financial incentives into EAS contracts based on specified performance goals and to encourage increased air carrier participation in the EAS program, and to enter into long-term EAS contracts that would provide more stability for participating air carriers.

OTHER

- *Age 60*: Allows pilots to fly until age 65 under certain conditions.
- *Consumer Protection*: Requires airlines and airports to have emergency contingency plans in place to take care of passengers that are involved in long flight and tarmac delays. These plans must account for the provision of food, water, clean restrooms and medical care for passengers. The plans would need to be updated by the airlines every three years and every five years by airports.