COMMITTEE ON
TRANSPORTATION &INFRASTRUCTURE
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HOUSE ARMED SERVICES COMMITTEE

H.R. 7613, the *Airspace Location and Enhanced Risk Transparency Act of 2026* or *ALERT Act*
Section-by-Section

Sec. 1. Short Title; Table of Contents.

This section states that the bill may be cited as the *Airspace Location and Enhanced Risk Transparency of 2026* or *ALERT Act* and provides for the table of contents.

Sec. 2. Definitions.

This section provides global definitions for the terms "Administrator," "Appropriate Committees of Congress," "FAA," and "Secretary." These definitions apply throughout the legislation.

Title I - Civil Aviation Matters

Sec. 101. Airborne Collision Avoidance System Xa Inhibit Altitude.

This section requires the Administrator to complete an evaluation of the feasibility of decreasing the traffic advisory (TA) and resolution advisory (RA) inhibit altitudes in the Airborne Collision Avoidance System Xa (ACAS-Xa) to enable improved alerting throughout more of the flight maneuvering envelope of an aircraft than is required under the RTCA minimum operation performance standards for ACAS. In conducting the evaluation, the Administrator shall consider (1) human factors; (2) air traffic control procedures during critical phases of flight; (3) the impact to pilot and air traffic controller focus during critical phases of flight; (4) the benefits and detriments to pilot and air traffic controller situational awareness; (5) pilot training requirements, (6) air traffic controller training requirements; and (7) whether there is potential for overlapping, conflicting, and simultaneous alerts.

This section addresses National Transportation Safety Board (NTSB) DCA midair collision Final Report recommendation A-26-34.

Sec. 102. Airborne Collision Avoidance System Upgrades.

This section requires the Administrator to establish an aviation rulemaking committee (ARC) to review and develop findings and recommendations to require selected aircraft (aircraft that are required to be equipped with traffic alert and collision avoidance systems under part 121.356 and

part 135.180 of title 14, Code of Federal Regulations, respectively) to be equipped with Airborne Collision Avoidance System Xa (ACAS-Xa). The ARC shall consider: (1) anticipated modifications to the minimum operational performance standards of ACAS-Xa; (2) the results of the evaluation under section 101; (3) an anticipated certification deadline for ACAS-Xa; (4) the soonest practicable deadline for equipping newly manufactured selected aircraft; (5) the soonest practicable deadline to retrofit existing selected aircraft with ACAS-Xa; (6) actions the Administrator can take to prioritize the certification and installation of ACAS-Xa; and (7) related training for air traffic controllers, pilots, and others. Furthermore, the ARC is directed to complete their work within a year of its formation and submit to the Administrator and the appropriate committees of Congress a report on the findings and recommendations developed by the ARC.

Additionally, within 18 months of receiving the report, the Administrator shall: (1) issue a notice of proposed rulemaking (NPRM) to require selected aircraft to be equipped with ACAS-Xa and (2) modify the minimum operational performance standards for ACAS-Xa to support traffic advisory aural alerts (including clock position, relative altitude, range and vertical tendency) and the integration of directional traffic symbols. The NPRM shall include (1) appropriate guidance for the certification of ACAS-Xa; (2) defined standards for the modification of ACAS-Xa to support the modifications listed above; (3) a deadline for any newly manufactured selected aircraft to be equipped with ACAS-Xa; and (4) a deadline for selected aircraft to be retrofitted with ACAS-Xa.

Lastly, this section directs the Administrator to issue a final rule carrying out the requirements of this section no later than 18 months after the issuance of the NPRM.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-29, 30, 32, 33, and 35.

Sec. 103. Airborne Collision Avoidance Systems for Rotorcraft.

This section requires the Administrator to take the actions necessary to work with the appropriate standards setting organization to develop, finalize, and publish minimum operational performance standards for the collision avoidance system known as “Airborne Collision Avoidance System Xr” (ACAS-Xr).

Not later than 30 days after the minimum operational performance standards are published, the Administrator is required to establish an ARC to review the minimum operational performance standards and develop findings and recommendations to require selected rotorcraft (civil rotorcraft operating in Class B airspace) be equipped with ACAS-Xr. As part of their work, the ARC is directed to consider: (1) any modifications that may need to be made to the minimum operational performance standards to carry out the requirements of this section; (2) an anticipated certification timeline for ACAS-Xr; (3) a projected deadline for equipping newly manufactured selected rotorcraft with ACAS-Xr; (4) a projected deadline to retrofit selected

rotorcraft with ACAS-Xr; (5) actions that the Administrator can take to prioritize the certification and installation of ACAS-Xr; and (6) related training for air traffic controllers, pilots, and others. Furthermore, the ARC is directed to complete their work within a year of its formation, and submit to the Administrator and the appropriate committees of Congress a report on the findings and recommendations developed by the ARC.

Additionally, within 18 months of receiving the report, the Administrator shall: (1) issue an NPRM to require all selected rotorcraft to be equipped with ACAS-Xr, and (2) take the necessary actions to modify the minimum operational performance standards for ACAS-Xr to support traffic advisory aural alerts (including clock position, relative altitude, range, and vertical tendency) and the integration of directional traffic symbols. The NPRM shall include (1) appropriate guidance for the certification of ACAS-Xr; (2) defined standards for the modification of ACAS-Xr to support the modifications listed above; (3) a deadline for any newly manufactured selected rotorcraft to be equipped with ACAS-Xr; and (4) a deadline for selected rotorcraft to be retrofitted with ACAS-Xr.

Lastly, this section directs the Administrator to issue a final rule carrying out the requirements of this section no later than 18 months after the issuance of the NPRM.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-29, 30, 36, and 57.

Sec. 104. Collision Mitigation Systems.

This section requires the Administrator to initiate a negotiated rulemaking within 45 days of enactment to require covered aircraft be equipped with collision mitigation technology. Not later than 18 months after initiation, the rulemaking committee is required to provide the Administrator a report with a proposed rule, or a proposed rule with partial consensus and an explanation of issues preventing total consensus. Not later than two years after receiving the rulemaking committee's recommendation, the Administrator shall issue a final rule.

The final rule shall require the capability to receive Automatic Dependent Surveillance-Broadcast data (referred to as ADS-B In) and provide audible alerts to pilots and flight crews for covered aircraft or in covered airspace. For any technology that issues resolution advisories, the rule shall require that such advisories be derived from at least two sources of data. The final rule must establish an equipage compliance date of no later than December 31, 2031.

Further, this section requires the Administrator to allow alternative means of compliance, including the use of portable ADS-B In receivers that display on portable devices, such as electronic flight bags or panel mounted displays. Additionally, it allows for the continued use of any portable or installed collision mitigation technology in use at the time of the effective date of December 31, 2031.

In this section, the term "covered aircraft" means turbine engine aircraft required to be equipped with ADS-B Out and civil aircraft that operate in Class B and Class C airspace, as well as within the lateral boundaries of Class B and Class C airspace up to 10,000 feet mean sea level. This section also requires civil aircraft with a limited category special airworthiness certificate or an experimental airworthiness certificate manufactured before the date of enactment of this Act to request permission from air traffic control prior to transversing such airspace without collision mitigation technology.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-31.

Sec. 105. Time-On-Position Practices.

This section allows the Administrator and the air traffic controllers' union to execute a memorandum of understanding (MOU) to review the time-on-position practices for air traffic control (ATC) operations supervisory personnel. The MOU may (1) include an evaluation of time-on-position practices for operations supervisory personnel, prioritizing such practices at Ronald Reagan Washington National Airport (DCA) and other ATC facilities with high volumes of mixed helicopter and airplane traffic; (2) provide recommendations for improving time-on-position practices for air traffic control operations supervisory personnel at these ATC facilities; (3) consider the operational oversight needs and staffing levels of these ATC facilities; and (4) include an other items determined appropriate by the Administrator and the air traffic controllers' union. Lastly, it clarifies that nothing in the section may be construed to interfere with any agreement between a governmental entity and the air traffic controllers' union.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-8.

Sec. 106. Controller Training Working Group.

This section requires the Administrator, no later than 180 days after enactment, to establish a working group to provide recommendations for revising regulations and standards on air traffic controller training regarding threat and error management (TEM) and visual separation procedures. Members of this working group will include air traffic controllers, aviation safety inspectors and engineers, airline pilots, air traffic control managers and operations supervisors; airports, air carriers, general aviation operators, and relevant aviation safety experts.

This section requires the working group to consider the findings of the National Transportation Safety Board (NTSB); current controller training and traffic management requirements; whether the frequency of training should be increased for air traffic controllers in high-volume or high-complexity air traffic control facilities; data and reports on human factors and TEM best practices; the appropriate use of tower simulator systems and other advanced training technologies to supplement controller training; the use of data analytics to identify systemic gaps in controller training; data gathered from aviation safety reporting programs; and any other factor determined appropriate by the working group.

No later than one year after its establishment, the working group must submit a report to the appropriate committees of Congress detailing its findings and recommendations. Furthermore, no later than 90 days after the submission of the working group's report, this section requires the FAA to publish an NPRM revising the training standards on TEM and visual separation procedures for air traffic controllers. The Administrator must then issue a final rule no later than 180 days after the NPRM is published. If the Administrator decides not to implement any of the working group's recommendations, the agency must submit the justification for the decision to the appropriate committees of Congress.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-9 and 17.

Sec. 107. Safety Risk Assessment Tool.

This requires the Administrator, no later than 180 days after enactment, to enter into an agreement with a Federally funded research and development center (FFRDC) to develop a safety risk assessment tool to assist air traffic controllers in airspace risk identification, mitigation, and operational decision-making. In developing the safety risk assessment tool, the FFRDC must consider, at a minimum, (1) developing a tool that can support air traffic controllers in identifying safety risks, analyzing the impact of and prioritizing such risks, and developing strategies to reduce or eliminate such risks in real time; (2) data, reports, studies, and best practices on TEM; (3) the findings and recommendations of the NTSB, National Airspace System Safety Review Team, and a frontline manager workload study required by the *FAA Reauthorization Act of 2024*; (4) air traffic control facility type and staffing level; (5) current Federal Aviation Administration (FAA) risk assessment guidance, policies, and regulations; (6) data gathered from aviation safety reporting programs; (7) best practices or similar relevant risk assessment tools and methods used by foreign civil aviation authorities; and (8) any other relevant factors.

Additionally, the section requires the FFRDC to consult with representatives of air traffic controllers; air traffic control operations supervisors; aviation safety experts with knowledge of TEM and human factors; and any other relevant stakeholders. Lastly, the section requires the Administrator to brief the appropriate committees of Congress on the development of the safety risk assessment tool and recommendations for implementation.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-10.

Sec. 108. Operational Rates at Ronald Reagan Washington National Airport.

This section requires the Administrator to initiate an assessment of the aircraft arrival rate at Ronald Reagan Washington National Airport (DCA). In conducting the assessment, the Administrator shall consider (1) the airspace complexity; (2) the airfield's limitations; (3) mixed-fleet operations; (4) traffic volume; (5) air carrier scheduling practices; (6) operation capacity of the airport; (7) current hourly instrument flight rules allocation practices at the airport; and (8)

expertise provided by the FAA's Air Traffic Organization (ATO). Following completion of the assessment, the Administrator shall submit the assessment to the appropriate committees of Congress, including any related findings and recommendations.

Furthermore, this section also requires the Administrator to initiate rulemaking proceedings to update the Code of Federal Regulations (CFR) to require allocated instrument flight rules operations at DCA to be prescribed in periods not greater than 30 minutes to ensure the airport does not exceed safe capacity.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-11 and 13.

Sec. 109. Time-Based Flow Management.

This section requires the Administrator, not later than one year after the date of enactment of this Act, to implement operational use of the time-based flow management (TBFM) system at the Potomac Consolidated Terminal Radar Approach Control and associated air traffic control towers.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-12.

Sec. 110. Air Traffic Control Facility Levels.

This section allows the National Validation Team, a joint working group comprised of the FAA and the air traffic controllers' union established in May 2011, to review the criteria and procedures used to assess, determine, and validate the classification level of ATC facilities. To conduct this review, the National Validation Team may consider (1) the accuracy of the factors and multipliers used to calculate the formulas used to determine ATC facility levels; (2) whether new relevant factors and multipliers should be incorporated into such formulas to more accurately reflect the complexity of facility operations; and (3) the findings and recommendations of the NTSB.

The section also allows the National Validation Team, upon completion of this review, to revise, as appropriate, the criteria and procedures used to assess, determine, and validate the classification level of ATC facilities; as well as recommend revisions to relevant FAA orders, policy, and guidance. Furthermore, this section requires the National Validation Team to reassess, considering any revised criteria and procedures, the ATC facility levels of Ronald Reagan Washington National Airport (DCA) and other ATC facilities with high volumes of mixed helicopter and airplane traffic. It then allows the National Validation Team to raise the classification level of these facilities if they determine it is appropriate to do so. This section then directs the Administrator to submit a report to the appropriate committees of Congress detailing the findings and recommendations from the reassessments.

Lastly, it clarifies that nothing in the section may be construed to interfere with any agreement between a governmental entity and the air traffic controllers' union.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-15 and 16.

Sec. 111. Working Group to Evaluate Shared Frequency Around Ronald Reagan Washington National Airport.

This section directs the Administrator to convene a working group to conduct a comprehensive evaluation of the safety benefits and risks of requiring all aircraft to use the same communications frequency during a period in which helicopter and local air traffic control positions are combined at Ronald Reagan Washington National Airport (DCA). Members of this working group will include air traffic controllers, air traffic control operational supervisors and managers, aircraft pilots, helicopter pilots and operators, air carriers, business aviation operators and pilots, human factors experts, the FAA, the Department of Defense (DOD), the United States Coast Guard, and other relevant stakeholders.

The working group is authorized to be in effect for one year, with an option for a one-year extension if the Administrator deems it necessary. To conduct the required comprehensive evaluation, the working group must consider the (1) benefits or detriments to pilot and air traffic controller situational awareness; (2) human factors; (3) pilot training requirements; (4) air traffic controller training requirements; (5) technological limitations or challenges that would impeded aircraft from using the same communications frequency; (6) potential for overlapping, conflicting, and simultaneous communication transmissions; (7) potential for misdirected communications on crowded frequencies; (8) relevant NTSB recommendations; and (9) feedback from air carriers and general aviation operators.

This section also requires the working group to submit a report to the Administrator and the appropriate committees of Congress detailing their findings and recommendations. No later than six months after the submission of this report, the Administrator must implement these recommendations.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-18.

Sec. 112. Anti-Blocking Technology.

This section requires the Administrator to initiate an assessment into the feasibility and maturity of technology that serves to alert an air traffic controller or flight crew to instances of potentially blocked transmissions when simultaneous broadcasting occurs.

Additionally, this section requires the Administrator to submit to Congress a report on the results of the assessment that includes: (1) a list of technologies identified by the Administrator as serving to alert air traffic controllers or flight crews to instances of blocked transmissions; (2) a list of the technologies that the Administrator proposes could alert air traffic controllers or flight crews to instances of blocked transmissions; and (3) the Administrator's plan to implement anti-blocking technology, including the projected costs and a projected timeline for implementation.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-19.

Sec. 113. Task Force to Identify Improvements to Air Traffic Controller Conflict Alert System.

This section requires the Administrator to convene a task force to develop a framework regarding the necessary improvements to the conflict alert system to provide more salient and meaningful alerts to air traffic controllers. The task force will consist of air traffic controllers, operators of Federal Contract Towers, air traffic control operational supervisors and managers, human factors experts, employees from the FAA's Air Traffic Organization (ATO) and Office of Finance and Management (AFN) with expertise in equipment procurement, and other relevant stakeholders.

The task force is authorized to be in effect for one year, with an option for a six-month extension if the Administrator determines it necessary. To develop the required framework, the task force must, at minimum, consider the (1) benefits and detriments to air traffic controller situational awareness; (2) opportunities and challenges of consolidating numerous systems and underlying data sources into a single display; (3) products by other working groups related to human factors in aviation safety; (4) air traffic controller training requirements; (5) advances in available technology currently not being utilized; (6) technological limitations; (7) relevant NTSB recommendations; (8) ATC modernization efforts by the FAA; and (9) feedback from manufacturers and entities involved in the FAA's ATC modernization initiative.

This section also requires the task force to submit a report to the Administrator and the appropriate committees of Congress detailing the framework. No later than eight months after the submission of this report, the Administrator must submit a two-year implementation plan to the appropriate committees of Congress. This implementation plan must include specific training requirements for air traffic controllers and a publicly available list of prioritized airports to receive upgrades to the conflict alert system. Lastly, this section requires semi-annual briefings to the appropriate committees of Congress on progress of the implementation.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-20 and 21.

Sec. 114. Postaccident and Postincident Drug and Alcohol Testing.

This section requires the Administrator to review and revise, as appropriate, the initial event response procedures of the FAA's ATO to ensure that an appropriate on-site supervisor makes a determination, in a timely manner, on the necessity of drug and alcohol testing following each postaccident and postincident event.

This section also requires the Administrator to develop standards for annual training on the revised postaccident and postincident drug and alcohol testing determination procedure for all ATO staff who have such responsibilities. The training standards developed under subsection (c) shall include a post-learning knowledge assessment.

Additionally, subsection (d) requires the Administrator to conduct a review of the ability of each air traffic control facility to routinely accomplish the required postaccident and postincident testing within the specified timeframes, within two hours for alcohol testing and within four hours for drug testing. Following the review, the Administrator shall submit a report to the Secretary demonstrating the ability of each air traffic control facility to complete such testing within the necessary timeframes. Lastly, subsection (d) requires the Administrator to develop and implement a process to ensure that air traffic control facilities without the ability to routinely accomplish postaccident and postincident drug and alcohol testing within the specified timeframes may do so.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-22, 23, and 54.

Sec. 115. Helicopter Route Chart Annual Review.

This section requires the Administrator to review helicopter route charts, in accordance with existing FAA orders, on an annual basis. The Administrator shall certify the recommended routes maintain minimum separation between helicopters and fixed-wing aircraft operating along airport approach and departure paths and publicly disclose when the reviews have been completed.

Furthermore, this section requires the Administrator to report annually to Congress a summary of changes to the charted helicopter routes, rationale or safety data justifying the changes, a summary of any consultation with helicopter and fixed-wing operators, and the associated safety risk management process documents. If the Administrator fails to submit an annual report, the chief operation officer of the FAA's ATO is required to brief Congress in-person within four weeks.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-24 and 27.

Sec. 116. Further Modifications to Ronald Reagan Washington National Airport Area Helicopter Routes.

This section requires the Administrator to evaluate all charted helicopter routes in the vicinity of Ronald Reagan Washington National Airport (DCA) to ensure that helicopter and fixed-wing aircraft routes do not conflict. For any remaining route conflicts, the Administrator shall revise such routes. Where routes cannot be physically separated, clear operating procedures shall be established to actively manage aircraft to ensure safe operations. The Administrator is required to report results of the evaluation to Congress and provide safety risk assessment documentation.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-25.

Sec. 117. Requiring Vertical Separation Near Airports During Critical Phases of Flight.

This section requires the Administrator to amend the helicopter route chart criteria to add minimum vertical separation requirements. The section requires that helicopter route charts include flight altitude ceilings and floors to ensure vertical separation is maintained between helicopters and fixed-wing aircraft on airport approach and departure paths. Further, this section requires the changes to be incorporated into the annual review of helicopter charts.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-26, and 27.

Sec. 118. Visual Charts.

This section requires the Administrator to initiate a study on incorporating the lateral location and published altitudes of helicopter routes into all instrument and visual approach and departure procedures for airports. The Administrator shall consider: (1) the spacing and legibility of information on the charts; (2) the workload of flight crews at lower altitudes during critical phases of flight; (3) the feasibility and decipherability of layered information on digital charts; (4) current best practices for pilots when landing at or departing from airports with high volumes of helicopter traffic that do not have charted helicopter routes; and (5) the human factors involved with approach and departure procedures.

Additionally, after completion of the study, this section requires the Administrator to make any necessary revisions to (1) Terminal Procedures Publications to include charted helicopter routes providing appropriate situational awareness to fixed-wing operators and (2) Helicopter Route Charts to include airport approach and departure paths to provide appropriate situational awareness to helicopter operators. If the Administrator revises any of the publications or charts, they are required to brief the appropriate committees of Congress on the revisions.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-28.

Sec. 119. Close Proximity Encounters.

This section requires the Administrator to establish a working group tasked with making recommendations on the definition of close proximity encounters, as well as the associated parameters that can be used to monitor the prevalence of such encounters and identify areas of potential traffic conflict. This section also requires the working group to make aggregated information about close proximity encounters publicly available.

The working group must consider (1) existing airborne separation rules and required loss of airborne separation reporting requirements; (2) development of a definition of, and associated parameters for, close proximity encounters; (3) data gathered from aviation safety reporting systems; (4) findings and recommendations of the NTSB; (5) FAA risk assessment guidance, policies, and regulations; and (6) any other relevant factors.

The working group's membership will include representatives from the National Aeronautics and Space Administration (NASA), aviation labor organizations, subject matter experts in safety management systems and safety data, air carriers, helicopter pilots and operators, and general aviation operators and pilots. Furthermore, the working group is required to publish a report detailing their recommendations and next steps on implementation.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-37.

Sec. 120. Notification of Close Proximity Encounters and Analysis of Data.

This section requires the Administrator to establish a process to notify parties involved in an airborne loss of separation event and to provide deidentified event data to the Aviation Safety Information Analysis and Sharing (ASIAS) program. The Administrator shall also establish and continuously monitor a database of loss of separation events to identify trends, ensure timely notification to involved parties to prevent the loss of data, consider informing frequent operators in affected airspace, and account for other close proximity encounters.

Furthermore, the Administrator shall report annually to Congress data on airborne loss of separation events, identified locations of concern, and action taken to mitigate identified risks and reduce the occurrence of such events.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-37 and 38.

Sec. 121. Safety Culture Review.

This section requires the Department of Transportation Inspector General to initiate a comprehensive audit of the FAA's ATO safety culture and Safety Management System, including its risk identification, data sharing, compliance with existing safety directives, and mitigation of collision risks within the National Airspace System, particularly in the Ronald Reagan Washington National Airport Class B airspace.

Furthermore, the Inspector General must submit a report to Congress that includes recommendations to strengthen adherence to safety management principles, enhance transparency, protect against retaliation, and foster a just culture. The section further requires the Secretary of Transportation to respond to those recommendations and submit an implementation plan to Congress within 120 days of the report's submission, ensuring timely oversight and corrective action.

This section addresses NTSB DCA midair collision Final Report recommendations A-26-39, 55, and 56.

Sec. 122. Documentation of Control Position Combinations.

This section requires the Administrator to review and revise, as appropriate, the regulations and standard operating procedures governing the documentation of combining air traffic control position responsibilities.

In conducting the review, the Administrator shall: (1) consider the current standard operating procedures, guidance, and regulations on the combination of air traffic control position responsibilities; (2) examine the feasibility of digitizing the documentation required under this section; (3) require the Operations Supervisor (OS) or Controller-in-Charge (CIC) to periodically review the documentation of combined controller position occurrences and submit a rationale for atypical occurrences of combined controller positions; (4) consider air traffic facility type and staffing level; and (5) consult with relevant stakeholders.

Additionally, the Administrator shall brief the appropriate committees of Congress on the implementation of this section no later than one year after completion of the review required under subsection (a). Lastly, it clarifies that nothing in the section may be construed to interfere with any agreement between a governmental entity and the air traffic controllers' union.

This section addresses NTSB DCA midair collision Final Report recommendation A-26-40.

Sec. 123. Review of Miles-In-Trail Procedures or Agreements.

This section requires the Administrator to complete a review of the miles-in-trail (MIT) standards in FAA Joint Order 7210.3EE to determine if the standards provide for a separation of aircraft traffic that is appropriate for operational safety. In conducting the review, the Administrator may consider the: (1) accuracy of the criteria used to determine MIT procedures for air traffic control (ATC) facilities; (2) where additional criteria should be incorporated to more appropriately reflect the traffic volume of ATC facilities; and (3) the findings and recommendations of the NTSB. The Administrator is required to update the standards in FAA Joint Order 7210.3EE to ensure the standards provide for a separation of traffic that is appropriate for operational safety.

After completing the review of the MIT standards in FAA Joint Orders 7210.3EE, the Administrator is directed to initiate an additional review of the MIT procedures or agreements at all ATC facilities located within Class B and Class C airspace to ensure the procedures provide for a separation of traffic that is appropriate for operational safety.

Finally, the Administrator is required to submit to the appropriate committees of Congress a report that includes: (1) a list of ATC facilities identified during the Administrator's review that did not have MIT procedures or agreements that allowed for the separation of traffic appropriate for operational safety and (2) steps that the Administrator has taken, or plans to take, to modify the MIT procedures or agreements at each facility to ensure they provide for a separation of traffic appropriate for operational safety.

This section addresses NTSB DCA mid-air collision Final Report recommendation A-26-14.

Title II – Department of Defense Matters

Sec. 201. Department of Defense Matters Relating to Aviation Safety.

Permanently codifies in law (via a new Chapter in Title 10) the following critical safety requirements for military aircraft:

Sec. 2655 – This section defines key terms to implement language in this new chapter of title 10, including terms for collision mitigation technology.

Sec. 2656 – This section requires the Secretary of Defense and Secretary of Transportation to reach an updated agreement regarding the use of collision mitigation technologies, including ADS-B In *and Out. This section requires ADS-B Out in the National Capital Region for rotary wing* aviation and requires collision mitigation technology with cockpit displays and audible alerts in the entire National Airspace System for certain Department aircraft. This section also addresses the proper configuration of ADS-B Out transmissions and requires new guidelines to clarify when flight crews can enable ADS-B Out at their discretion in response to air traffic or weather conditions.

This section addresses NTSB Recommendations A-26-44, A-26-51, A-26-52, and A-26-53.

Sec. 2657 – This section requires new rotary wing aviation safety management systems in each military departments guided by the Secretary and the Joint Safety Council. This approach ensures that practices are joint and repeatable across services. This section also requires that aviation safety duties be implemented in a way that allows for career progression and continued flying hours.

This section also requires aviator surveys on safety reporting, including encounters with civil air traffic, and the best ways to preserve reports of persistent issues with communications between military aircraft and air traffic controllers. The Department of Defense shall provide Congress a report outlining the findings of this section and the resources required to implement best practices.

This section addresses NTSB Recommendations A-26-46, A-26-47, A-26-48, and A-26-50.

Sec. 2658 – This section requires initial and recurring training on flights near congested airspace, including helicopter routes. The Department of Defense must consider the use of historical flight data to provide training informed by real world flight practices. The section also requires a report to Congress on how the training will be implemented consistently across the services.

This section addresses NTSB Recommendations A-26-41 and A-26-45.

Sec. 2659 - This section requires that the Department of Defense coordinate with the FAA on new flight data monitoring programs. These programs include new training and routing

evaluations based on historical flight data, and better integration of real-world data into pre-flight planning. This section focuses on pushing flight data tools down to the unit level to drive adoption and operational use. This section also requires new processes for sharing non-sensitive flight data with the FAA and other flight safety stakeholders to improve transparency.

Alongside flight data monitoring, the Department of Defense shall collect data regarding degraded communications between Department of Defense rotary aircraft and air traffic controllers. The Department of Defense must identify factors contributing to the degradation and possible remediations.

This section further requires prompt updates to manuals for Department of Defense rotary wing aircraft regarding barometric altimeters. These updates must address the expected margin of error for barometric altimeters and potential effects created by additional aircraft equipment. This must be informed by historical flight data observations.

The Department must report to Congress on the implementation of each of these items and their integration into the manned rotary wing aviation safety management system required by section 2657.

This section addresses NTSB Recommendations A-26-42, A-26-43, A-26-45, A-26-47, A-26-49, and A-26-50.

Sec. 2660 – Rule of Construction. – Protects inherent Department of Defense and Department of Transportation statutory authorities.

Sec. 202. Treatment of Superceded Memorandum of Agreement And Provision of Law.

This section repeals the *National Defense Authorization Act for Fiscal Year 2019* section and its associated memorandum on the effective date of the new memorandum required by this Act.

Sec. 203. Manned Rotary Wing Aircraft Safety.

This section repeals section 373(a) of the *National Defense Authorization Act for Fiscal Year 2026, codified in section 2654 of title 10, Unted States Code*.