



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 17, 2023
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 3935 – Securing Growth and Robust Leadership in American Aviation Act

The Administration supports enactment of a Federal Aviation Administration (FAA) reauthorization bill and applauds the bipartisan work of the House Transportation and Infrastructure Committee. The Administration is focused on ensuring that the aviation sector works well for the American people, and reauthorizing the FAA in a timely manner will help achieve that goal. H.R. 3935, the Securing Growth and Robust Leadership in American Aviation Act, would enhance aviation safety; invest in, and improve on-the-job safety for, our aviation workforce; integrate into the national airspace system new entrants such as Advanced Air Mobility and Commercial Space operators; strengthen passenger rights; and improve our aviation infrastructure.

The Administration looks forward to working with the Congress to address the Administration's concerns with this legislation, a number of which are outlined below.

Protection of Aviation Consumer Rights and Promotion of Competition. The Administration is strongly committed to protecting the rights of aviation consumers and promoting competition in the aviation industry. The Administration opposes provisions in the bill that would reverse important gains made by this Administration to combat junk fees in the airline industry and would eliminate longstanding consumer protections. The Administration believes that the disclosure requirements currently in place for passenger tickets are necessary to help consumers comparison shop for a ticket. The Administration encourages the Congress to include the Administration's proposals to expand consumer protections by banning family seating junk fees, requiring up-front disclosure of add-on fees, and requiring automatic refunds and additional compensation for controllable flight cancellations and delays. The Administration further supports opening up airport gate access and preventing anticompetitive practices that block new entrants.

International Commitments. While the Administration appreciates the language aimed at ensuring continued U.S. implementation of Open Skies agreements while promoting labor standards for U.S.-based aviation sector workers, the Administration also urges the Congress to add provisions to implement U.S. international commitments and ensure our aviation partners follow suit. The bill should be amended to include provisions for U.S. implementation of global market-based measures of the International Civil Aviation Organization, and to establish U.S. leadership relating to the understanding and mitigation of the non-Greenhouse Gas climate impacts of aviation.

Agency Restructuring. While the Administration supports the goal of improving the efficiency of the organizational structure of the FAA, it does not support the proposed changes in FAA rulemaking review and the weakening of the Administrator's ability and authority to determine the appropriate size and allocation of the air traffic controller workforce. The Administration also has concerns with provisions that would make fundamental changes to the agency's structure, eroding the discretion of the Administrator to manage the agency in the most efficient manner.

Implementation Timelines and Program Changes. The legislation includes multiple rulemakings, reviews, reports, and other requirements with aggressive timelines, along with the creation of numerous programs that are not conditioned on the availability of appropriations. The Administration is also concerned that proposed major structural changes to airport infrastructure programs are untested, and may be difficult to implement depending on the level of resources made available. The bill would also reduce the amount of competitive airport grant funding, which would reduce the FAA's ability to address important safety and capacity issues.

Standards for Airport Service Workers. The Administration urges the Congress to include provisions that will improve job quality for, and therefore aid in the recruitment and retention of, those who clean planes, handle baggage, assist passengers who use wheelchairs, and provide other services critical to safe, stable, and timely operations for aviation customers.

Age Standards for Pilots. The bill includes a provision that would raise the retirement age for pilots in commercial operations. Making this change without doing research and establishing any necessary policies would be outside the international standard.

Maintaining Safe and Secure Airspace During Major Sports Events. While the Administration supports the goal of providing accessibility to and public use of the national airspace, it is concerned that provisions proposed in the bill could introduce unnecessary risks to those attending major sporting events if the effectiveness of safety and security buffers currently provided by temporary flight restrictions were to be decreased. To the extent that the proposed provisions are intended to accommodate airshows, the Administration urges the Congress to consider alternative methods to deconflict airshows and major sports events rather than potentially put aviation operations in close proximity to events attended by millions of Americans each year.

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