



One Year Later: The FAA Reauthorization Act

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What were the Big Roadblocks?

Reagan National Airport Perimeter Rule

- Adding slots was hotly debated with Democrats and Republicans on both sides
- Safety concerns and additional delays from overcrowded schedule
- Effort to add 28 new flights was withdrawn at the last minute, ultimately 10 new slots agreed to
- In December 2024, DOT awarded two DCA slot exemptions to each of five carriers:
 - Alaska Airlines,
 - American Airlines,
 - Delta Air Lines,
 - Southwest Airlines, and
 - United Airlines
 - For nonstop round-trip service to San Diego, San Antonio, Seattle, Las Vegas, and San Francisco, respectively
- Airlines were ordered to start service no later than March 17, 2025

What Were the Roadblocks? 1,500 Hour Rule for Pilots

- Final compromise version did not include any changes to the computation of the required 1,500 hours of experience leaving the existing law intact
- Issue resurfaced recently in the hearing for new FAA Administrator Bryan Bedford
- Bedford had previously asked for an exemption from the FAA to use their advanced training program to count for 750 of the 1,500 hours of experience
- FAA rejected the exemption in 2022, finding that the FAA found that Republic's proposal would fail to provide an equivalent level of safety and not serve the public interest
- Questioned repeatedly on adherence to the 1,500 rule at his confirmation hearing:

"If confirmed, my highest priority will be maintaining and enhancing the safety of the U.S. aviation system. I recognize the importance of the Aviation Safety Act of 2010 and the significant reduction in commercial aviation fatalities since its implementation. Any decisions involving pilot certification standards, including flight hour requirements, will be based on data, improved safety outcomes, and a transparent rulemaking process. I will not authorize any changes that would compromise safety, and I will ensure that any evaluation of alternative pathways adheres strictly to statutory authority and established FAA procedures."

FAA Operations

Created new Assistant Administrator for Rulemaking and Regulatory Improvement who is responsible for the FAA's rulemaking agenda, updating outdated rules of the agency, evaluating existing regulations for effectiveness, redundancy, and accuracy, coordinating with offices of the agency and other Federal entities to maintain rulemaking timelines, and receiving and processing petitions for exemption

- One year later, the position is currently unfilled, with Chris Rocheleau both the Acting FAA Administrator and the Acting Assistant Administrator for Rulemaking and Regulatory Improvement

Improve Part 135 application processing

- Revised documentation requirements and approval process
- FAA claims applications are now processed in 31 days on average

Aviation Safety

Foreign Part 145 Operations

- Requires all foreign aircraft repair stations be subject to at least one unannounced safety inspection each year and sets forth minimum qualifications for mechanics and others working on United States-registered aircraft at foreign repair stations
- Requires drug and alcohol testing and a threat assessment of employees at foreign repair stations are implemented
- Final Rule (81 pages) on drug testing issued December 16, 2024 affecting 977 repair stations in 65 countries
- Still working on the increased inspections for overseas stations and how they are going to implement the requirement that foreign mechanics who return aircraft to service meet the FAA standards of part 65

NOTAMS

- NOTAM system overhaul required
- FAA accelerated procurement with new cloud-based system
- Delivery expected this month, with full deployment by September 2025

Aviation Safety (Cont.)

FAA's Organization Designation Authorization (ODA) Oversight Office

- Establish recurrent training requirement for ODA holders
- ODA holder code of ethics and ethics training requirement
- ODA holder safety reporting requirements
- FAA issued draft FAA Notice N 8100.20 asking for public comment on June 17, 2025. Comments due July 17, 2025, with final Notice issued late fall 2025

Increase of maximum civil penalties to \$1,200,000 for large organizations, \$100,000 for individuals or small business concerns

- FAA updated its enforcement guidance January 5, 2025, to include the new amounts

Aviation Safety (Cont.)

Zero Tolerance for Near Misses, Runway Incursions, and Surface Safety Risks

- Establish the Runway Safety Council to develop strategies to address airport surface safety risks
- RSC had its first meeting February 7, 2025
 - The RSC includes aviation stakeholders from across FAA Lines of Business like Airports, Aviation Safety, and the ATO, FAA employee labor organizations like PASS and NATCA, as well as industry representatives like aircraft operators, airline representatives and flight instructors
 - As part of this work, ATO, in collaboration with the air traffic controllers union, has created a Wrong Surface Landing Event Safety Task Force. The Task Force provides a review of surface events through an operational safety lens, recommending policy or operational changes as required
 - Working at the local level with airport authorities to identify and mitigate recurring surface safety issues, such as Flying Cloud Airport in Minnesota and Asheville Regional Airport in North Carolina

Aviation Safety (Cont.)

Commercial Air Tours

- New rulemaking for safety of air tour operators and potentially within 2 years requiring a Part 119 certificate and all air tour flights must be conducted under Part 121 or Part 135, subject to some additional rulemaking and exclusion for small business operators
- FAA Announced creation of Commercial Air Tour Aviation Rulemaking Committee (Commercial Air Tour ARC) in January, 2025, with its first meeting on May 20, 2025, and will provide recommendations on:
 - Regulatory changes
 - Standard for flight data monitoring
 - Requiring operators to install flight data recording devices and implement a flight data monitoring program
 - Establishing terrain warning and awareness methods
 - Establishing ways to avoid other aircraft in high-traffic areas, such as requiring operators to equip aircraft with ADS-B Out and In systems
- The ARC is co-chaired by Mike Mosher, an aviation safety inspector in Flight Operations and Sean Elliott, vice president of industry and regulatory affairs for the Experimental Aircraft Association
- The ARC will submit a report to the FAA by Sept. 22, 2025

Aviation Safety (Cont.)

Cybersecurity

- FAA required to promulgate minimum standards and regulations of cybersecurity in air commerce. Gives FAA exclusive rulemaking authority to prescribe regulations for cybersecurity in aircraft, including UAS
- FAA is required to track, monitor and evaluate the NAS cyber environment for incidents and respond where appropriate
- Civil Aviation Cybersecurity Aviation Rulemaking Committee established May 13, 2025, instructed to:
 - Recommend what products should have cyber design standards
 - Method for manufacturers to show compliance with regulations
 - Appropriate cybersecurity controls for aircraft networks
 - What retrofitting should be done to aircraft and systems currently in service
 - Data gathering on cyber incidents
 - How much should the FAA system be harmonized with other federal agencies
 - Recommendations due 18 months after first meeting

Aviation Workforce

Airman's Medical Bill of Rights

- FAA has 1 year to establish the details, which must include:
 - Right to bring a "trusted companion" to an evaluation
 - Enhanced privacy rights
 - Right to terminate the examination
 - Pick an AME of your choice
 - System of reporting AME misconduct

Compliance with the requirements

- Simplified medical process for General Aviation pilots
- Guidance updated with most of the notification requirements
- FAA Order 8000.95D (Designee management Policy) updated with additional provisions regarding the evaluation and investigation of medical examiners

Consumer Protection

Created Office of Aviation Consumer Protection at DOT headed by Assistant Secretary for Aviation Consumer Protection

- Office has a \$13 million budget
- Established and operating
- Website with wide range of consumer protection information on family seating, tarmac delays, air ambulance operations, discrimination claims, refunds
- Issues monthly reports with detailed information on delays by airline and codeshare partners and airport with rankings
- Detailed statistics on mishandled bags, wheelchairs and scooters
- Denied boardings
- Complaints against TSA

Consumer Protection (Cont.)

Refunds

- Air Carrier may offer alternate travel arrangements for cancelled or significantly delayed flights, including a compensation offer
- Passenger can refuse the alternate transportation or compensation offer and receive a full refund of the ticket price including tax and fees. Refund must be made within:
 - 7 days if purchased with a credit card
 - 20 days if purchased with cash or other means
- Alternate compensation in lieu of refund must be valid for 5 years
- Substantially delayed flights are where arrival time is more than:
 - 3 hours late domestic
 - 6 hours late international
- Final Rule went into Effect April 26, 2024 (based on earlier rulemaking)

Aviation Operations

- Air Traffic Controllers – Within 270 days issue report on how to increase hiring and retention and evaluate skills required for successful operation
- FAA made hiring and retention high priority in January 2025
- FAA has 10,750 air traffic controllers on the job
- 3,000 currently in training
- FAA projects to hire at least 2,000 controllers this year
- 30 percent increase in salary for candidates who qualify to attend the FAA's Academy
- Expanded hiring of military controllers with new procedures that permit Air Traffic managers to directly accept resumes from interested military controllers and help place them at their preferred location

UAS/AAM/Balloon Regulation

4 months to issue BVLOS NPRM with final rule in 16 months

- NO ACTION

FAA to publish a special final rule for the operations of, and pilot requirements for, powered lift aircraft within 7 months

- FAA published special rule on operation of power lift aircraft in October 2024, effective in December 2024
- Special rule expires in 10 years and allows FAA to gather data and reevaluate the regulations
- Potentially allows operations under private, fractional ownership, commuter/on-demand, and air tours but not scheduled air carrier service

Within 180 days required to start regulatory process for tracking for high altitude balloons

- ARC on Part 101 modernization established April 2025
- Preliminary report in November 2025, Final Report April 2026

Production Oversight

- Act requires a new risk model for production facility inspections to guide the frequency of inspections
- FAA issued new guidance in April for how to perform risk assessment when a manufacturer changes production rate, how to use the risk assessment results; when to add audits; how to customize an audit plan to focus on the areas of highest risk; and which facilities and suppliers to audit
- FAA was required to review how it collects and reviews aviation safety data with a report due in 6 months
- FAA accelerated work and has already implemented a new cloud-based system for collecting and analyzing data
- FAA required to hire an outside entity to conduct a study on the future state of type certification of aircraft. It must focus on a risk-based model for type certification to improve safety, provide an assessment of best practices, with a report to Congress
- RFP issued in November 2024, contract awarded in Jan 2025
- No ETA on finishing work

GAO Reports and Recommendations

The Act contains 36 provisions for GAO to study various issues related to FAA and the NAS

GAO has 50 open recommendations to FAA that address:

- Air traffic control modernization delays and challenges and urgent actions needed to address aging legacy IT systems
- Certifying small aircraft and aviation products
- Preventing and detecting fraud and abuse in aircraft registration
- Sharing information with law enforcement on persons who intentionally point lasers at aircraft
- Integrating new operations—such as drones and commercial space vehicles—into the NAS, while ensuring safety and efficiency

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