AMENDMENT NO._____ Calendar No._____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 3257

To require the Administrator of the Federal Aviation Administration to revise regulations for certain individuals carrying out aviation activities who disclose a mental health diagnosis or condition, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. HOEVEN (for himself and Ms. DUCKWORTH)

Viz:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''John A. Hauser Mental Health in Aviation Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Commerce, Science, and Transportation of the Senate.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) SPECIAL ISSUANCE.—The term ''special issuance'' has the meaning given such term in section 67.401 of title 14, Code of Federal Regulations.

SEC. 3. REGULATIONS FOR INDIVIDUALS CARRYING OUT AVIATION ACTIVITIES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall update regulations, including in part 67 of title 14, Code of Federal Regulations, and issue relevant guidance as appropriate to encourage individuals to—

(1) seek help for mental health conditions or symptoms of mental health conditions; and

(2) disclose conditions or symptoms described in paragraph (1).

(b) SOLICIT FEEDBACK; REPORT REQUIREMENTS.—Section 411(d) of the FAA Reauthorization Act of 2024 (49 U.S.C. 44703 note) is amended—

(1) in paragraph (3), by striking subparagraph (B) and inserting the following:

"(B) soliciting feedback from aviation industry professionals or other licensed professionals representing air carrier operations under part 121 and part 135 of title 14, Code of Federal Regulations, and general aviation operations under part 91 of title 14, Code of Federal Regulations, the exclusive bargaining representatives of air traffic controllers of the FAA certified under section 7111 of title 5, United States Code, organizations representing collective bargaining representatives of airline pilots, institutions of higher education that are accredited by the Aviation Accreditation Board International, and professional pilot flight training schools certificated under part 141 of title 14, Code of Federal Regulations;"; and

(2) in paragraph (4)—

(A) in subparagraphs (A) and (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

''(D) a review and evaluation of any recommendations reached by the National Transportation Safety Board related to aviation workforce mental health; and

''(E) a description of relevant clinical studies, research, diagnostic manuals, and protocols relied upon by the task group in developing their recommendations.''.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and for any report issued thereafter, not later than 180 days after the submission of each report required under section 411(f) of the FAA Reauthorization Act of 2024 (49 U.S.C. 44703 note), the Administrator may take action, as appropriate, to implement the recommendations of such report.

(2) JUSTIFICATION.—In the event that the Administrator decides not to implement a recommendation described in paragraph (1), the Administrator

shall submit to the appropriate committees of Congress the justification for such decision not later than 90 days after receiving the report containing such recommendation.

SEC. 4. REVIEW OF MENTAL HEALTH SPECIAL ISSUANCE PROCESS.

Beginning on the date that is 180 days after the Administrator submits the first report pursuant to section 411(f) of the FAA Reauthorization Act of 2024 (49 U.S.C. 44703 note), and annually for the 1st 2 years thereafter, and triennially thereafter, the Administrator shall conduct a review of the special issuance process, and update, as appropriate, the applicable regulations, policies, orders, and guidance on mental health-related special issuance for pilots and air traffic controllers to—

(1) consider the reclassification of additional medications and evidence-based treatments that may be safely prescribed to treat mental health conditions;

(2) provide enhanced mental health knowledge and training for aviation medical examiners, consistent with the recommendations of the Mental Health & Aviation Medical Clearances Aviation Rulemaking Committee described in section 6;

(3) if the Administrator determines appropriate, consider expanding opportunities in which an aviation medical examiner may issue a certificate consistent with the recommendations of the Mental Health & Aviation Medical Clearances Aviation Rulemaking Committee described in section 6, provided that such examiner has completed enhanced mental health training, as described in paragraph (2), to ensure such personnel have the requisite knowledge and ability to appropriately evaluate individuals for FAA medical certification; and

(4) improve the special issuance process for pilots and air traffic controllers.

SEC. 5. IMPROVING CAPACITY FOR THE OFFICE OF AEROSPACE MEDICINE.

Section 106(k)(2) of title 49, United States Code, is amended by adding at the end the following new subparagraph:

''(E) Not more than $15,000,000 for each of fiscal years 2026 through 2028 to—

''(i) recruit, select, and train additional aviation medical examiners and human intervention motivation study aviation medical examiners, including those who are psychiatrists;

''(ii) expand capacity to provide oversight of aviation medical examiners and clear the backlog of special issuance requests and cases awaiting review at the Office of Aerospace Medicine of the FAA;

''(iii) provide enhanced mental health training to aviation medical examiners to ensure such personnel have requisite knowledge and the ability to appropriately evaluate individuals for FAA medical certification; and

''(iv) support any other related activities, as determined appropriate by the Administrator.''.

SEC. 6. IMPLEMENTATION OF AVIATION RULEMAKING COMMITTEE RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall implement, as appropriate, the recommendations of the Mental Health & Aviation Medical Clearances Aviation Rulemaking Committee, which were submitted to the Administrator on April 1, 2024 (in this section referred to as the ''ARC'').

(b) CONSULTATION.—In carrying out subsection (a), the Administrator shall consult with the stakeholders de-

scribed in section 411(d)(3)(B) of the FAA Reauthorization Act of 2024 (as amended by this Act).

(c) VALIDATION.—With respect to recommendation 6 of the ARC, the Administrator shall leverage and cite relevant clinical studies, research, diagnostic manuals, and protocols to inform the recommendation, as determined by the Administrator. The Administrator may, as appropriate, commission any such studies that may be needed to fill data gaps. Any such studies shall document the data gap and be completed not later than 1 year after the enactment of this Act.

(d) JUSTIFICATION.—If the Administrator decides not to implement a recommendation described in the ARC, the Administrator shall submit to the appropriate committees of Congress their justification for such decision not later than 90 days after the deadline described in such subsection.

SEC. 7. PUBLIC INFORMATION CAMPAIGN.

(a) IN GENERAL.—For fiscal years 2026 through 2028, the Administrator shall carry out a public information campaign or similar public education efforts to—

(1) destigmatize individuals in (or interested in joining) the aviation industry who seek mental health care;

(2) broaden awareness of available supportive services; and

(3) improve trust between the FAA and pilots and air traffic controllers.

(b) REQUIREMENTS.—The public information campaign or similar public education efforts described in subsection (a) shall include—

(1) making publicly available (in an easily accessible format and location online)—

(A) information that would help destigmatize the reporting of mental health concerns impacting the aviation workforce, and encourage individuals to seek help for such concerns; and

(B) other information to effectuate the outcomes described in subsection (a);

(2) posting the information described in paragraph (1) at Aviation Medical Examiner offices; and

(3) collaborating with air carriers (as defined in section 40102 of title 49, United States Code), flight training institutions and entities (as described in parts 61 and 141 of title 14, Code of Federal Regulations), and small, medium, and large hub airports (as defined in such section 40102) to encourage

such entities to make such information easily accessible to airmen and air traffic controllers.

(c) BRIEFING AND REPORT TO CONGRESS.—

(1) BRIEFING.—Not later than 90 days after the Administrator establishes the public information campaign described in subsection (a), the Administrator shall brief the appropriate committees of Congress on the actions taken to develop the campaign and the plans to implement the campaign.

(2) REPORT.—Not later than 2 years after the Administrator implements the public information campaign, the Administrator shall submit to the appropriate committees of Congress a report describing the engagement and outreach resulting from such campaign, including a description of any applicable feedback from aviation industry stakeholders on the efficacy of the campaign.