

115TH CONGRESS
2D SESSION

S. 3475

To require a report on multiagency use of airspace and environmental review.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2018

Mr. HATCH introduced the following bill; which was read twice and referred
to the Committee on Commerce, Science, and Transportation

A BILL

To require a report on multiagency use of airspace and
environmental review.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPORT ON MULTI-AGENCY USE OF AIRSPACE**
4 **AND ENVIRONMENTAL REVIEW.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Administrator of
7 the Federal Aviation Administration, in consultation with
8 the Secretary of Defense, shall submit to the appropriate
9 committees of Congress a report documenting efforts
10 made toward improving processes to resolve challenges for
11 special use airspace requests in support of, or associated

1 with, short notice testing requirements at Major Range
2 and Test Facility Bases, including the establishment of
3 temporary military operations areas used for conducting
4 short term, scheduled exercises.

5 (b) ELEMENTS.—The report required under sub-
6 section (a) shall include the following elements:

7 (1) Analysis of previous efforts to streamline in-
8 ternal processes associated with the designation of
9 temporary military operations areas at Major Range
10 and Test Facility Bases and the use of such areas
11 for scheduled exercises.

12 (2) Analysis of progress made to ensure consist-
13 ency of environmental review, including impact anal-
14 ysis, associated environmental studies, or consulta-
15 tion, while complying with the National Environ-
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
17 and other environmental requirements.

18 (3) Identification of challenges, if any, to com-
19 plying with the National Environmental Policy Act
20 of 1969.

21 (4) A description of airspace requirements, cur-
22 rent test and training needs statements completed
23 during the 10-year period preceding the report, and
24 future 5-year requirements, including all temporary
25 military operating areas, special use airspaces, in-

1 strument routes, visual routes, and unfulfilled user
2 requirements.

3 (5) Proposed options and solutions to overcome
4 identified challenges, if any, including identifying
5 whether—

6 (A) a solution or solutions can be incor-
7 porated within the existing Federal Aviation
8 Administration and Department of Defense
9 Memorandum of Understanding; or

10 (B) changes to current law are required.

11 (c) DEFINITIONS.—In this section:

12 (1) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term “appropriate committees of Con-
14 gress” means—

15 (A) the Committee on Commerce, Science,
16 and Transportation and the Committee on
17 Armed Services of the Senate; and

18 (B) the Committee on Transportation and
19 Infrastructure and the Committee on Armed
20 Services of the House of Representatives.

21 (2) MAJOR RANGE AND TEST FACILITY BASE.—
22 The term “Major Range and Test Facility Base”
23 has the meaning given the term in section 196(i) of
24 title 10, United States Code.

1 (3) SPECIAL USE AIRSPACE.—The term “spe-
2 cial use airspace” means certain designations of air-
3 space designated by the Federal Aviation Adminis-
4 tration, as administered by the Secretary of Defense.

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