

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish the National Center for the Advancement of Aviation.

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IN THE SENATE OF THE UNITED STATES

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Mr. INHOFE (for himself, Ms. DUCKWORTH, Mr. RUBIO, Mr. WYDEN, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## A BILL

To establish the National Center for the Advancement of Aviation.

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. SHORT TITLE.**

4 This Act may be cited as the “National Center for  
5 the Advancement of Aviation Act of 2021”.

6 **SEC. 2. FEDERAL CHARTER FOR THE NATIONAL CENTER**  
7 **FOR THE ADVANCEMENT OF AVIATION.**

8 (a) IN GENERAL.—Chapter 1 of Subtitle I of title  
9 49, United States Code, is amended by adding at the end  
10 the following new section:

1 **“SEC. 118. NATIONAL CENTER FOR THE ADVANCEMENT OF**  
2 **AVIATION.**

3 “(a) FEDERAL CHARTER AND STATUS.—

4 “(1) IN GENERAL.—The National Center for  
5 the Advancement of Aviation (in this section re-  
6 ferred to as the ‘Center’) is a Federally chartered  
7 entity. The Center is a private entity, not a depart-  
8 ment, agency, or instrumentality of the United  
9 States Government. Except as provided in subsection  
10 (f)(1), an officer or employee of the Center is not an  
11 officer or employee of the Federal Government.

12 “(2) PERPETUAL EXISTENCE.—Except as oth-  
13 erwise provided, the Center has perpetual existence.

14 “(b) GOVERNING BODY.—

15 “(1) IN GENERAL.—The Board of Directors (in  
16 this section referred to as the ‘Board’) is the gov-  
17 erning body of the Center.

18 “(2) AUTHORITY AND POWERS.—

19 “(A) IN GENERAL.—The Board shall adopt  
20 a constitution, bylaws, regulations, policies, and  
21 procedures to carry out the purpose of the Cen-  
22 ter and may take any other action that it con-  
23 siders necessary (in accordance with the duties  
24 and powers of the Center) for the management  
25 and operation of the Center. The Board is re-  
26 sponsible for the general policies and manage-

1           ment of the Center and for the control of all  
2           funds of the Center.

3           “(B) POWERS OF BOARD.—The Board  
4           shall have the power to do the following:

5                   “(i) Adopt and alter a corporate seal.

6                   “(ii) Establish and maintain offices to  
7                   conduct its activities.

8                   “(iii) Enter into contracts.

9                   “(iv) Acquire, own, lease, encumber,  
10                  and transfer property as necessary and ap-  
11                  propriate to carry out the purposes of the  
12                  Center.

13                  “(v) Publish documents and other  
14                  publications in a publicly accessible man-  
15                  ner.

16                  “(vi) Incur and pay obligations.

17                  “(vii) Make or issue grants and in-  
18                  clude any conditions on such grants in fur-  
19                  therance of the purpose and duties of the  
20                  Center.

21                  “(viii) Perform any other act nec-  
22                  essary and proper to carry out the pur-  
23                  poses of the Center as described in its con-  
24                  stitution and bylaws or duties outlined in  
25                  this section.

1 “(3) MEMBERSHIP OF THE BOARD.—

2 “(A) IN GENERAL.—The Board shall have  
3 11 Directors as follows:

4 “(i) EX-OFFICIO MEMBERSHIP.—The  
5 following individuals, or their designees,  
6 shall serve as ex-officio members of the  
7 Board:

8 “(I) The Administrator of the  
9 Federal Aviation Administration.

10 “(II) The Director of the William  
11 J. Hughes Technical Center within  
12 the Federal Aviation Administration.

13 “(III) The Director of the Mike  
14 Monroney Aeronautical Center within  
15 the Federal Aviation Administration.

16 “(ii) APPOINTMENTS.—

17 “(I) IN GENERAL.—From among  
18 those members of the public who are  
19 highly respected and have knowledge  
20 and experience in the fields of avia-  
21 tion, finance, or academia—

22 “(aa) the Secretary of  
23 Transportation shall appoint 5  
24 members to the Board;

1                   “(bb) the Secretary of De-  
2                   fense shall appoint 1 member to  
3                   the Board; and

4                   “(cc) the Secretary of Vet-  
5                   erans Affairs shall appoint 1  
6                   member to the Board.

7                   “(II) TERMS.—The members ap-  
8                   pointed under subclause (I) shall serve  
9                   for a term of 3 years and may be re-  
10                  appointed. To ensure subsequent ap-  
11                  pointments to the Board are stag-  
12                  gered, of the 7 members first ap-  
13                  pointed under subclause (I), 2 shall be  
14                  appointed for a term of 1 year, 2 shall  
15                  be appointed for a term of 2 years,  
16                  and 3 shall be appointed for a term of  
17                  3 years.

18                  “(III) CONSIDERATION.—When  
19                  considering whom to appoint to the  
20                  Board, the Secretary of Transpor-  
21                  tation and Secretary of Defense shall  
22                  ensure the overall composition of the  
23                  Board remains balanced between and  
24                  within the fields of aviation, finance,  
25                  and academia.



1 votes to close the meeting because the  
2 matters to be discussed—

3 “(aa) relate solely to the in-  
4 ternal personnel rules and prac-  
5 tices of the Center;

6 “(bb) may result in dislo-  
7 sure of commercial or financial  
8 information obtained from a per-  
9 son that is privileged or confiden-  
10 tial;

11 “(cc) may disclose informa-  
12 tion of a personal nature where  
13 disclosure would constitute a  
14 clearly unwarranted invasion of  
15 personal privacy; or

16 “(dd) are matters that are  
17 specifically exempted from dislo-  
18 sure by Federal or State law.

19 “(iii) PUBLIC ANNOUNCEMENT.—At  
20 least 1 week before a meeting, and as soon  
21 as practicable thereafter if there are any  
22 changes, the Board shall make a public an-  
23 nouncement of the meeting that de-  
24 scribes—

1                   “(I) the time, place, and subject  
2                   matter of the meeting;

3                   “(II) whether the meeting is to  
4                   be open or closed to the public; and

5                   “(III) the name and appropriate  
6                   contact information of a person who  
7                   can respond to requests for informa-  
8                   tion about the meeting.

9                   “(iv) RECORD.—The Board shall keep  
10                  a transcript of minutes from each Board  
11                  meeting. Such transcript shall be made  
12                  available to the public in an accessible for-  
13                  mat, except for portions of the meeting  
14                  that are closed pursuant to subparagraph  
15                  (A)(ii)(II).

16                  “(B) QUORUM.—A majority of members of  
17                  the Board shall constitute a quorum.

18                  “(C) RESTRICTION.—No member of the  
19                  Board shall participate in any proceeding, ap-  
20                  plication, ruling or other determination, con-  
21                  tract claim, scholarship award, controversy, or  
22                  other matter in which the member, the mem-  
23                  ber’s employer or prospective employer, or the  
24                  member’s spouse, partner, or minor child has a  
25                  direct financial interest. Any person who vio-



1           lates this subparagraph shall be subject to ap-  
2           plicable Federal and State laws and may be  
3           fined not more than \$10,000, imprisoned for  
4           not more than 2 years, or both.

5           “(D) EXECUTIVE DIRECTOR.—The Board  
6           shall appoint and fix the pay of an Executive  
7           Director of the Center (in this section referred  
8           to as the ‘Executive Director’) who shall also  
9           become a member of the Board. The Executive  
10          Director serves at the pleasure of the Board,  
11          under such terms and conditions as the Board  
12          shall establish and is subject to removal by the  
13          Board at its discretion. The Executive Director  
14          shall be responsible for the daily management  
15          and operation of the Center and for carrying  
16          out the purposes and duties of the Center. The  
17          Board shall designate to the Executive Director  
18          the authority to appoint additional personnel as  
19          the Board considers appropriate and necessary  
20          to carry out the purposes and duties of the  
21          Center.

22          “(c) PURPOSE OF THE CENTER.—The purpose of the  
23          Center is to provide a forum to facilitate collaboration and  
24          cooperation between aviation and aerospace private sector  
25          stakeholders, including general, business, and commercial

1 aviation, education, labor, manufacturing, the Armed  
2 Forces, and other governmental, non-governmental, and  
3 international organizations, for the purpose of supporting  
4 and promoting civil and military aviation and aerospace  
5 in order to address the demands and challenges associated  
6 with ensuring a safe and vibrant national aviation system  
7 as identified by the Board. In furtherance of that purpose,  
8 the constitution and bylaws of the Center shall direct the  
9 Center to focus on the following:

10           “(1) The development and sustainability of a  
11           well-qualified, well-trained civil and military aviation  
12           and aerospace workforce.

13           “(2) The conduct of research and development  
14           of new aviation and aerospace training materials and  
15           products.

16           “(3) The coordination of the dissemination of  
17           grants for the development of aviation and aerospace  
18           oriented high school STEM education curriculum.

19           “(4) The facilitation of collaboration between  
20           institutions of higher education or other research in-  
21           stitutions engaged in aviation, aerospace or related  
22           research or technical development, including those  
23           institutions designated as Centers of Excellence or  
24           Test Centers of the Federal Aviation Administration  
25           and aviation and aerospace stakeholders.

1           “(5) The engagement in other workforce devel-  
2           opment activities consistent with addressing the de-  
3           mands and challenges facing the aviation and aero-  
4           space industry.

5           “(d) DUTIES OF CENTER.—In order to accomplish  
6 the purpose described in subsection (c), the Center shall  
7 perform the following duties:

8           “(1) Support the development of aviation and  
9           aerospace education curricula, including syllabuses  
10          and lesson plans, for use by high schools, institu-  
11          tions of higher education, secondary education insti-  
12          tutions, or technical training and vocational schools  
13          that are designed to prepare students to enter the  
14          aviation or aerospace workforce by becoming aircraft  
15          pilots, aerospace engineers, unmanned aircraft sys-  
16          tem operators, aviation maintenance technicians, or  
17          other aviation maintenance professionals, or to re-  
18          fresh the knowledge of pilots or any of the aforemen-  
19          tioned individuals working in the aviation or aero-  
20          space sector.

21          “(2) Support the professional development of  
22          educators using the curriculum described in para-  
23          graph (1) and subparagraphs (A) and (B) of sub-  
24          section (e)(1) by organizing symposiums designed to

1 assist educators who are teaching or who wish to  
2 teach the aviation curriculum.

3 “(3) Promote aviation and aerospace employ-  
4 ment opportunities generally, including building  
5 awareness of youth oriented aviation and aerospace  
6 programs (such as the Civil Air Patrol, Young Ea-  
7 gles program, and Reserve Officers Training Corps)  
8 and establishing scholarships, apprenticeships, or  
9 mentorship programs for individuals, including indi-  
10 viduals in economically disadvantaged areas or indi-  
11 viduals who are underrepresented in the aviation in-  
12 dustry and who wish to pursue a career in an  
13 aviation- or aerospace-related field.

14 “(4) Support of Armed Forces personnel seek-  
15 ing to transition to a career in civil aviation or an  
16 aerospace related field through outreach, training,  
17 apprenticeships, or other means.

18 “(5) Serve as a central repository for publicly  
19 available economic data, safety data, and research  
20 efforts related to the aviation and aerospace sectors  
21 in order to make available to the public information  
22 that highlights the economic impact of aviation and  
23 aerospace and information that would improve the  
24 safety of aviation and aerospace. The Center shall  
25 periodically, as appropriate, publicize an analysis of

1 such data in an accessible format. In particular, the  
2 Center shall coordinate with existing FAA Centers  
3 of Excellence to do the following:

4 “(A) Ensure research and development ef-  
5 forts conducted at Centers of Excellence of the  
6 Federal Aviation Administration are tracked,  
7 collected, and amplified across the aviation and  
8 aerospace community.

9 “(B) Provide a repository of pertinent rec-  
10 ommendations or other action items from all  
11 Centers of Excellence for public review.

12 “(C) Serve as a collaborative forum for  
13 Centers of Excellence institution researchers,  
14 stakeholders, and other interested parties for  
15 the purpose of discussing research efforts.

16 “(6) Serve as a forum, through symposiums,  
17 conferences, and other means as appropriate, for  
18 cross-disciplinary collaboration among aviation and  
19 aerospace stakeholders to consider the near-term  
20 and long-term future of aviation and aerospace gen-  
21 erally with respect to new training materials and  
22 products.

23 “(e) GRANTS.—

24 “(1) IN GENERAL.—In order to accomplish the  
25 purpose under subsection (e) and duties under sub-

1 section (d), the Center shall have the authority and  
2 ability to issue grants to organizations that have ex-  
3 perience in, and knowledge of, creating, developing,  
4 and delivering or updating—

5 “(A) high school aviation curricula, includ-  
6 ing syllabuses and lesson plans, that are de-  
7 signed to prepare students to become aircraft  
8 pilots, aerospace engineers, unmanned aircraft  
9 system operators, aviation maintenance techni-  
10 cians, or other aviation maintenance profes-  
11 sionals, or to refresh the knowledge of out-of-  
12 practice pilots or any of the aforementioned in-  
13 dividuals; or

14 “(B) aviation curricula, including sylla-  
15 buses and lesson plans, used at institutions of  
16 higher education, secondary education institu-  
17 tions, or by technical training and vocational  
18 schools, that are designed to prepare students  
19 to become aircraft pilots, aerospace engineers,  
20 unmanned aircraft system operators, or aviation  
21 maintenance technicians, or to refresh the  
22 knowledge of out-of-practice pilots or any of the  
23 aforementioned individuals.

24 “(2) LIMITATION.—No organization that re-  
25 ceives a grant under this subsection shall sell or

1 make a profit from the creation, development, deliv-  
2 ery, or updating of aviation curricula.

3 “(f) ADMINISTRATIVE MATTERS OF THE CENTER.—

4 “(1) DETAILEES.—

5 “(A) IN GENERAL.—At the request of the  
6 Center, the head of any Federal agency or de-  
7 partment may detail to the Center, on a reim-  
8 bursable basis, any employee of the agency or  
9 department.

10 “(B) CIVIL SERVICE STATUS.—The detail  
11 of an employee under subparagraph (A) shall be  
12 without interruption or loss of civil service sta-  
13 tus or privilege.

14 “(2) NAMES AND SYMBOLS.—The Center may  
15 use proceeds derived from the Center’s use of the ex-  
16 clusive right to use its name and seal, emblems, and  
17 badges incorporating such name as lawfully adopted  
18 by the Board of Directors in furtherance of the pur-  
19 pose and duties of the Center.

20 “(3) GIFTS, GRANTS, BEQUESTS, AND DE-  
21 VISES.—The Center may accept, use, and dispose of  
22 gifts, grants, bequests, or devises of money, services,  
23 or property from any public or private source for the  
24 purpose of covering the costs incurred by the Center

1 in furtherance of the purpose and duties of the Cen-  
2 ter.

3 “(4) VOLUNTARY SERVICES.—The Center may  
4 accept from any person voluntary services to be pro-  
5 vided in furtherance of the purpose and duties of the  
6 Center.

7 “(g) RESTRICTIONS ON THE CENTER.—

8 “(1) PROFIT.—The Center may not engage in  
9 business activity for profit.

10 “(2) STOCKS AND DIVIDENDS.—The Center  
11 may not issue stock or declare or pay a dividend.

12 “(3) POLITICAL ACTIVITIES.—The Center shall  
13 be nonpolitical and may not provide financial aid or  
14 assistance to, or otherwise promote the candidacy of,  
15 an individual seeking elective public office. The Cen-  
16 ter may not engage in activities that are, directly, or  
17 indirectly, intended to be or likely to be perceived as  
18 advocating or influencing the legislative process.

19 “(4) DISTRIBUTION OF INCOME OR ASSETS.—  
20 The assets of the Center may not inure to the ben-  
21 efit of a member of the Board, or an officer or em-  
22 ployee of the Center or be distributed to any person.  
23 This subsection does not prevent the payment of  
24 reasonable compensation to an officer, employee, or



1 other person or reimbursement for actual and nec-  
2 essary expenses in amounts approved by the Board.

3 “(5) LOANS.—The Center may not make a loan  
4 to a member of the Board or an officer or employee  
5 of the Center.

6 “(6) NO CLAIM OF GOVERNMENTAL APPROVAL  
7 OR AUTHORITY.—The Center may not claim ap-  
8 proval of Congress or of the authority of the United  
9 States for any of its activities.

10 “(h) ADVISORY COMMITTEE.—

11 “(1) IN GENERAL.—The Executive Director  
12 shall appoint members to an advisory committee  
13 subject to the approval by the Board. Members of  
14 the Board of the Center may not sit on the advisory  
15 committee.

16 “(2) MEMBERSHIP.—The advisory committee  
17 shall consist of 15 members who represent a balance  
18 of various aviation stakeholder groups. The advisory  
19 committee shall choose a Chairman and Vice Chair-  
20 man of the advisory committee from among mem-  
21 bers of the advisory committee. Members of the ad-  
22 visory committee shall be appointed for a term of 5  
23 years.

24 “(3) DUTIES.—The advisory committee shall—

1           “(A) provide recommendations to the  
2           Board on an annual basis regarding the prior-  
3           ities for the Center’s activities;

4           “(B) provide advice to the Board on an on-  
5           going basis regarding the appropriate powers of  
6           the Board to accomplish the purposes and du-  
7           ties of the Center;

8           “(C) provide data and information to the  
9           Center to aid the Center in carrying out its du-  
10          ties; and

11          “(D) nominate United States citizens for  
12          consideration by the Board to be honored by  
13          the Center for their work in promoting aviation  
14          or aviation education in the United States.

15          “(4) MEETINGS.—The provisions for meetings  
16          of the Board under subsection (c)(1) shall apply to  
17          meetings of the advisory committee.

18          “(i) WORKING GROUPS.—

19                 “(1) IN GENERAL.—The Board may establish  
20                 and appoint the membership of working groups for  
21                 a time and for a specific reason as necessary and ap-  
22                 propriate.

23                 “(2) MEMBERSHIP.—Any working group estab-  
24                 lished by the Board shall have members representing  
25                 a balance of various aviation stakeholder groups.

1       Once established, the membership of such working  
2       group shall choose a Chairman from among the  
3       members of the working group.

4               “(3) TERMINATION.—Any working group estab-  
5       lished by the Board under this subsection shall be  
6       constituted for a time period of not more than 3  
7       years.

8               “(j) RECORDS OF ACCOUNTS.—The Center shall keep  
9       correct and complete records of accounts.

10              “(k) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—  
11       The Center shall be operated in a manner and for pur-  
12       poses that qualify the Center for exemption from taxation  
13       under the Internal Revenue Code as an organization de-  
14       scribed in section 501(c)(3) of that Code.

15              “(l) ANNUAL REPORT.—The Center shall submit an  
16       annual report to Congress on the activities of the Center  
17       during the prior year.

18              “(m) FUNDING.—In order to carry out this section,  
19       notwithstanding any other provision of law, an amount  
20       equal to 5 percent of the interest from investment credited  
21       to the Airport and Airway Trust Fund shall be transferred  
22       annually as a direct lump sum payment on the first day  
23       of October to the Center to carry out this section and shall  
24       be available until expended without further act of appro-  
25       priation.”.

1           (b) CLERICAL AMENDMENT.—The analysis for chap-  
2 ter 1 of subtitle 1 of title 49, United States Code, is  
3 amended by inserting after the item relating to section  
4 117 the following:

“118. National Center for the Advancement of Aviation.”