118TH CONGRESS
1ST SESSION

S. _____

To require the Administrator of the Federal Aviation Administration and the Secretary of Energy to exercise leadership in the creation of Federal and international policies relating to the safe and efficient use of hydrogen to increase aviation decarbonization and reduce air and noise pollution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. OSSOFF (for himself and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Administrator of the Federal Aviation Administration and the Secretary of Energy to exercise leadership in the creation of Federal and international policies relating to the safe and efficient use of hydrogen to increase aviation decarbonization and reduce air and noise pollution, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hydrogen Aviation Strategy Act''.

SEC. 2. FAA AND DEPARTMENT OF ENERGY LEADERSHIP ON USING HYDROGEN TO INCREASE AVIATION DECARBONIZATION.

(a) IN GENERAL.—The Secretary of Transportation, acting primarily through the Administrator of the Federal Aviation Administration (in this Act referred to as the ''Administrator''), and jointly with the Secretary of Energy, shall exercise leadership in the creation of Federal and international policies, and shall conduct studies, relating to the safe and efficient use of hydrogen to increase aviation decarbonization and reduce air and noise pollution.

(b) EXERCISE OF LEADERSHIP.—In carrying out subsection (a), the Secretary of Transportation, the Administrator, and the Secretary of Energy shall—

(1) establish positions and goals for the use of hydrogen to increase aviation decarbonization;

(2) through grant, contract, or interagency agreements, study the contribution the use of hydrogen would have on aviation decarbonization, including hydrogen as an input for conventional jet fuel, sustainable aviation fuel, and power to liquids or synthetic fuel, and on air pollution and noise pollution, and study ways of accelerating introduction of hydrogen-powered aircraft;

(3) review grant eligibility requirements and other policies and requirements of the Federal Aviation Administration and the Department of Energy to identify ways to increase the use of hydrogen;

(4) consider the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, and other stakeholders when creating policies that enable the safe commercial deployment of hydrogen in aviation;

(5) obtain input from the National Aeronautics and Space Administration, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders regarding—

(A) the efficient use of hydrogen to decarbonize aviation within United States airspace, including—

(i) updating or modifying existing policies on such use;

(ii) barriers to, and benefits of, the introduction of aircraft powered with hydrogen;

(iii) the operational differences between aircraft powered with hydrogen and aircraft powered with other types of fuels;

(iv) impacts on aircraft emissions ; and

(v) public, economic, and noise benefits of the operation of aircraft powered with hydrogen and associated aerospace industry activity; and

(B) other issues identified by the Secretary of Transportation, the Administrator, the Secretary of Energy, or the advisory committee established under paragraph (6) that must be addressed to enable the safe and expeditious commercial deployment and safe and efficient operation of aircraft powered with hydrogen; and

(6) establish an advisory committee composed of representatives of the National Aeronautics and Space Administration, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders to advise the Secretary of Transportation, the Administrator, and the Secretary of Energy on the activities carried out under this section and section 3.

(c) INTERNATIONAL LEADERSHIP.—The Secretary of Transportation, the Administrator, and the Secretary of

Energy, in the appropriate international forums, shall take actions that—

(1) demonstrate global leadership in carrying out the activities required by subsections (a) and (b);

(2) address the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders identified under subsection (b); and

(3) preserve the United States' aviation competitiveness.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation, acting primarily through the Administrator, and jointly with the Secretary of Energy, shall submit to the appropriate committees of Congress a report detailing—

(1) the Secretary of Transportation's, Administrator's, and Secretary of Energy's actions to exercise leadership in the creation of Federal and international policies, and of studies conducted, relating to the safe and efficient use of hydrogen to increase aviation decarbonization and improve air and noise pollution;

(2) planned, proposed, and anticipated actions to update or modify existing policies related to hydrogen in the aviation sector, including those identified as a result of consultation with, and feedback from, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders; and

(3) a timeline for any actions to be taken to update or modify existing policies related to hydrogen.

SEC. 3. FAA LEADERSHIP ON THE CERTIFICATION OF HYDROGEN-POWERED AIRCRAFT TO INCREASE AVIATION DECARBONIZATION.

(a) IN GENERAL.—The Administrator shall exercise leadership in the creation of Federal regulations, standards, and guidance relating to the safe and efficient use of hydrogen to increase aviation decarbonization, and reduce air and noise pollution.

(b) Exercise of Leadership – In carrying out subsection (a), the Administrator shall—

(1) establish a viable path for the certification of hydrogen-powered aircraft that considers existing frameworks;

(2) review certification regulations and other requirements of the Federal Aviation Administration to identify ways to facilitate the use of hydrogen;

(3) consider the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders when creating regulations and standards that enable the safe commercial deployment of hydrogen in aviation;

(4) obtain the input of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders regarding—

(A) the appropriate regulatory framework and timeline for permitting the safe and efficient use of hydrogen within United States airspace, including updating or modifying existing regulations on such use;

(B) how to accelerate the resolution of issues related to standards and regulations for the type certification and safe operation of aircraft powered with hydrogen; and

(C) other issues identified by the Administrator or the advisory committee established under section 2(b)(6) that must be addressed to enable the safe and expeditious commercial deployment and safe and efficient operation of aircraft powered with hydrogen.