

(H.R. 14146, introduced by Mr. Friedel, November 22, 1967, and departmental reports thereon, follow :)

[H.R. 14146, 90th Cong., first sess.]

A BILL To amend the Federal Aviation Act of 1958 to authorize the establishment of aircraft noise standards and the use of such standards in aircraft type certification, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Aviation Act of 1958, as amended, is further amended by adding a new section 611 as follows :

"Aircraft Noise Standards

"(a) The Administrator is empowered and directed to prescribe and amend reasonable standards for the measurement of aircraft noise and sonic boom if he finds such action necessary and appropriate to encourage progress in aircraft noise abatement. Prior to issuing an aircraft type certificate under section 603 (a) (2), the Administrator shall find that the aircraft for which such certificate is sought meets such noise standards.

"Amendment, Modification, Suspension, and Revocation

"(b) The Administrator may issue an order amending, modifying, suspending, or revoking an aircraft type certificate if he determines that such action is necessary and appropriate to encourage progress in aircraft noise or sonic boom abatement and that the public interest requires such action. Prior to taking such action the Administrator shall advise the person or persons whose aircraft type certificate would be affected as to the reasons relied on by the Administrator, and shall provide such persons an opportunity to answer and to be heard as to why such certificate shall not be amended, modified, suspended, or revoked. Any person whose aircraft type certificate is affected by such an order of the Administrator may appeal the Administrator's order to the National Transportation Safety Board, and the Board may, after notice and hearing, amend, modify, or reverse the Administrator's order if it finds that the encouragement of progress in aircraft noise abatement or sonic boom abatement and the public interest do not require affirmation of the Administrator's order. In the conduct of its hearings the Board shall not be bound by findings of fact of the Administrator. The filing of an appeal with the Board shall stay the effectiveness of the Administrator's order. Any persons substantially affected by the Board's order may obtain judicial review of such order under the provisions of section 1006, and the Administrator shall be made a party to such proceedings.

"(c) Nothing contained in subsections (a) and (b) of this section shall be deemed to empower the Administrator to amend, modify, suspend, or revoke any airworthiness certificate for purposes of aircraft noise or sonic boom abatement, nor shall the Administrator be empowered to take any action not consistent with the primacy of safety."

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., March 4, 1968.

HON. HARLEY O. STAGGERS,

*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your letter of November 27, 1967, requesting the views of the Bureau with respect to H.R. 14146, a bill "To amend the Federal Aviation Act of 1958 to authorize the establishment of aircraft noise standards and the use of such standards in aircraft type certification, and for other purposes."

The proposed legislation would authorize the Administrator of the Federal Aviation Administration to prescribe and amend reasonable standards for the measurement of aircraft noise and sonic boom, and to use such standards in aircraft type certification.

In a separate report to your Committee on this bill, the Department of Transportation has cited several reasons for opposing enactment of this legislation.