

Hydrogen Provisions in the FAA Reauthorization Act of 2024

On May 16, 2024 President Biden signed H.R. 3935 the “FAA Reauthorization Act of 2024” which reauthorizes the Federal Aviation Administration (FAA) through September 30, 2028.

The FAA Reauthorization provides more than \$105 billion to the agency for several key areas:

- **\$66.7 billion for FAA operations**, including safety programs, training, and hiring of air traffic controllers.
- **\$17.8 billion for FAA facilities and equipment**, including modernization of equipment and technologies.
- **\$19.35 billion for FAA airport infrastructure improvements**, to be distributed through grants to the nation’s more than 3,300 airports.
- **\$1.59 billion for FAA research**, engineering and development.

Within these provisions were a number of activities to support the burgeoning hydrogen aviation sector.

Airport Improvement Program (AIP)

AIP provides grants to public-use airports to support planning and development enhance airport safety, capacity, security, and environmental concerns. The FAA Reauthorization of 2024 now allows for airports to use AIP funds to support construction or acquisition of fueling systems for hydrogen-powered aircraft.

Center of Excellence for Alternative Jet Fuels and Environment (ASCENT)

The Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) is a cooperative aviation research organization funded by FAA, NASA, the Department of Defense, the Environmental Protection Agency, and Transport Canada.

Participants in ASCENT include a coalition of research universities and private sector stakeholders working in collaboration with national laboratories, federal agencies, and other research institutions. ASCENT initiatives to date have been focused on sustainable aviation fuel and reducing noise and air pollution around U.S. airports.

The 2024 FAA Reauthorization expands the scope of ASCENT to include research to assist in the development, qualification, and certification of the use of aviation fuel from alternative and renewable sources for commercial aircraft, including hydrogen. ASCENT is also tasked with assisting in informing the safe use of alternative aviation fuels in commercial aircraft and the development of domestic and international standards.

Hydrogen Provisions in the FAA Reauthorization Act of 2024

Hydrogen Aviation Strategy

The 2024 Reauthorization also calls for FAA to work jointly with the Department of Energy (DOE), NASA, and other Federal agencies to **produce and implement a research and development strategy on the safe use of hydrogen in civil aviation**. The study will include details on the feasibility, opportunities, challenges, and pathways toward the potential and safe uses of hydrogen in civil aviation.

In developing the strategy, FAA is also granted authority to **establish goals** to advance hydrogen aviation, **review agency grant and loan policies**, **advance certification efforts** and risk mitigation measures, and **carry out research** to accelerate the introduction of hydrogen aircraft and the use of hydrogen for jet fuel, sustainable aviation fuel, power to liquids, synthetic fuels, and fuel cells.

The FAA is also tasked with **establishing an advisory committee** composed of representatives of public and private sector stakeholders to advise the Department of Transportation, FAA, and DOE on these hydrogen aviation strategy efforts.

The FAA's leadership are also tasked with taking action to **demonstrate global leadership** and advance United States' competitiveness in hydrogen aviation.

Within three years, the FAA is required to **submit a report to Congress** detailing the actions taken to advance these efforts, as well as proposed policies, research needed, and any other feedback to advance the hydrogen aviation sector.

Hydrogen Aviation Certification Efforts

The FAA Reauthorization also tasks the Aviation Rulemaking Advisory Committee to provide the FAA Administrator with specific recommendations for regulations related to the certification and installation of hydrogen fuel cells and hydrogen combustion engines or propulsion systems for aircraft.

The Administrator of the FAA is also tasked with exercising leadership to support the development of Federal regulations, standards, best practices, and guidance relating to the safe and efficient certification of the use of hydrogen in civil aviation, including the certification of hydrogen-powered commercial aircraft. This includes the development of a viable path for the certification of the safe use of hydrogen in civil aviation, as well as certifying hydrogen-powered commercial aircraft, which may include updating or modifying existing regulations.