

118TH CONGRESS  
1ST SESSION

# H. R. 3109

To direct the Secretary of Transportation to rescind certain no fly zone restrictions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2023

Mr. NEHLS (for himself, Mrs. BOEBERT, Mr. BIGGS, Mr. CLYDE, Ms. GREENE of Georgia, Mr. LAMALFA, Mr. PERRY, and Mr. STEUBE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To direct the Secretary of Transportation to rescind certain no fly zone restrictions, and for other purposes.

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 “Airlines Independent  
5 of Restrictions Act” or the “AIR Act”.

6 **SEC. 2. NO FLY ZONE REPEAL.**

7 (a) IN GENERAL.—Notwithstanding any other provi-  
8 sion of law, beginning on the date of enactment of this  
9 Act, the Secretary of Transportation shall rescind the

1 Federal Aviation Administration Notices to Airmen FDC  
2 4/3634 and FDC 4/3635 and stop maintaining the restric-  
3 tions imposed under such notices.

4 (b) LIMITATION OF AUTHORITY.—

5 (1) IN GENERAL.—Notwithstanding any other  
6 provision of law and except as provided in paragraph  
7 (2), the Secretary of Transportation may not issue  
8 a regulation or a Notice to Air Missions to impose  
9 a no fly zone over the covered airspace for a period  
10 longer than 30 days.

11 (2) EXCEPTION.—The Secretary may issue a  
12 regulation or Notice to Air Missions to impose a no  
13 fly zone over the covered airspace for a period longer  
14 than 30 days if the Secretary of Transportation, the  
15 Secretary of Homeland Security, or the Secretary of  
16 Defense transmits to Congress a justification identi-  
17 fying the national security concerns and rationale  
18 for imposing such a no fly zone of the covered air-  
19 space for longer than 30 days.

20 (c) COVERED AIRSPACE DEFINED.—In this section,  
21 the term “covered airspace” means the airspace covered  
22 under the no fly zone imposed under the Federal Aviation  
23 Administration Notices to Airmen FDC 4/3634 and FDC  
24 4/3635.

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