



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 121

[Docket No. FAA-2026-5413; Notice No. 26-04]

RIN 2120-AM10

Prohibition of Remote Dispatching

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: FAA proposes to amend its regulations for domestic, flag, and supplemental operators to prohibit dispatch and flight following activities outside of locations designated as dispatch or flight following centers except in emergencies that render a dispatch or flight following center inoperable. FAA also proposes to reorganize certain sections of the regulations for clarity. The rule is required by section 420 of the FAA Reauthorization Act of 2024.

DATES: Send comments on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Send comments identified by docket number FAA-2026-5413 using any of the following methods:

- Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- Mail: Send comments to Docket Operations, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, S.E., West Building 5th Floor (W58-213), Washington, D.C. 20590-0001.

- Hand Delivery or Courier: Take comments to Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue, S.E., Washington, D.C., 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Fax: Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue, S.E., Washington, D.C., 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Scott Stacy, Air Transportation Division, 107 Charles West Grant Parkway, Hapeville, GA 30354; telephone (202) 267-8166; email 9-AFS-200-Correspondence@faa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

FAA proposes to revise several regulations related to dispatch centers to comply with the FAA Reauthorization Act of 2024 (Pub. L. No. 118-63) (“the Act”), section 420, Prohibition of Remote Dispatching, and to conform dispatch center regulations with statutory amendments. Section 420 amended title 49 of the United States Code (49 U.S.C.) in two sections. First, it added a new paragraph (10) to section 44711(a) prohibiting an aircraft dispatcher from working outside of a physical location designated as a dispatching center or flight following center of an air carrier except as provided in section 44747.¹ Second, section 420 added a new section 44748 to 49 U.S.C. This section, titled Aircraft dispatching, codifies: 1) requirements relating to aircraft dispatching certificates; 2) staffing, equipment, and security requirements of dispatch centers and flight following centers; and 3) a prohibition against dispatching aircraft from any location other than the dispatch center or flight following center of the air carrier

with the exception of an event that renders a dispatch center or flight following center inoperable, in which case an air carrier may dispatch aircraft from another location for a period of time not to exceed 14 consecutive days per location without approval of the Administrator.

Section 420(a)(2) of the Act instructs the Administrator to issue regulations requiring persons to comply with 49 U.S.C. 44711(a)(10). This proposed rulemaking would amend title 14 of the Code of Federal Regulations (14 CFR) in accordance with the instructions of the Act, and, in doing so, would also apply this prohibition to air carriers under 14 CFR part 121, taking into account the exception to this prohibition codified at 49 U.S.C. 44748(d).²

II. Authority for this Rulemaking

FAA's authority to issue rules on aviation safety is found in title 49 of the United States Code. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of FAA's authority. Section 106(f) establishes the authority of the Administrator to promulgate and revise regulations and rules related to aviation safety. This rulemaking is also issued under the authority described in subtitle VII, part A, subpart I, section 40103(b)(1) and (2), as well as subpart III, section 44701(a)(5). Under sections 40103(b)(1) and (2), FAA is charged with prescribing regulations for the use of navigable airspace to ensure the safety of aircraft and the efficient use of airspace. In addition, section 44701(a)(5) charges FAA with promoting safe flight of civil aircraft by prescribing regulations FAA finds necessary for safety in air commerce and national security. This regulation is within the scope of that authority.

In addition, this rulemaking implements the Congressional mandate set forth in section 420 of the Act, which states that an air carrier may not dispatch from any location other than the dispatch center or flight following center. Section 420 amends 49

U.S.C. 44711(a) to prohibit work as an aircraft dispatcher outside of a physical location designated as a dispatching center or flight following center of an air carrier, except as provided in 49 U.S.C. 44748,³ and directs the FAA Administrator to issue regulations requiring compliance with section 44711(a)(10).

III. Background

A. Overview of Part 121 Flight Operations

The regulations of 14 CFR part 121 generally apply to commercial airlines either operating on fixed schedules on predetermined routes (referred to as domestic or flag operations) or charter flight providers (referred to as supplemental operations). Domestic operations must originate and conclude in locations within the 48 contiguous States of the United States and the District of Columbia.⁴ Flag operations refers to scheduled flights operating: (1) between any point within the State of Alaska or the State of Hawaii or any territory or possession of the United States and any point outside the State of Alaska or the State of Hawaii or any territory or possession of the United States, respectively; or (2) between any point within the 48 contiguous States of the United States or the District of Columbia and any point outside the 48 contiguous States of the United States and the District of Columbia; or (3) between any point outside the United States and another point outside the United States.⁵ In contrast, supplemental operations are those conducted by part 121 certificate holders for hire on a non-scheduled service, meaning the departure time, departure location, and arrival location are specifically negotiated with the customer.⁶ While the regulatory requirements for the three types of operations have some overlap, each have distinct requirements.

B. Dispatching and Flight Following

Subpart U of part 121 prescribes dispatching rules for domestic and flag operations and flight release rules for supplemental operations. In the context of domestic and flag operations, an aircraft dispatcher is required. Aircraft dispatchers are required to

ensure the safe and efficient operation of commercial flights by sharing joint responsibility with the pilot in command (PIC), planning and monitoring flights, managing weather and airspace challenges, coordinating with various stakeholders, and complying with regulatory requirements. Aircraft dispatchers must be certificated by the Administrator to perform their duties, ensuring only qualified individuals hold this critical responsibility.⁷

Pursuant to subpart C of 14 CFR part 65, FAA will certificate aircraft dispatchers for domestic and flag operators if they meet certain eligibility, knowledge, training, and skill requirements. In addition, 14 CFR 65.51(a) requires that an aircraft dispatcher have such a certificate in his or her possession when acting as a dispatcher and present it for inspection upon the request of the Administrator or an authorized representative of the National Transportation Safety Board, or of any Federal, State, or local law enforcement officer.

For supplemental operations, functions similar to flight dispatching in the context of domestic or flag operations are sometimes referred to as flight following functions. FAA does not require operators engaged in supplemental operations to utilize a certificated aircraft dispatcher. Instead, for supplemental operations, a flight may not depart unless it has been released by an individual authorized by the air carrier to exercise operational control over the flight.⁸ As with domestic or flag operations dispatchers, the individuals overseeing supplemental operations are responsible for ensuring the safety of the flight. Flight following personnel for supplemental operations do not need aircraft dispatcher certificates. However, flight following personnel must be authorized by the director of operations to exercise operational control of the flight.⁹

In most cases, it is the responsibility of these dispatchers and flight following personnel on the ground to maintain operational control through the planning of flight routes, monitoring the progress of the flights (including changing weather conditions,

alternate airport options should an emergency landing be required, aircraft performance conditions, and airport traffic conditions at destination), communication of information to the PIC, and confirmation the flight has arrived safely at its destination. For virtually all airlines, these activities are conducted at a single facility, where all flight activity is coordinated. For flag and domestic carriers, this facility is called a dispatch center. For supplemental operations, it is referred to as a flight following center, but the two types of centers are largely identical in their features and setup. For both types of centers, these facilities are inspected and approved by FAA as part of the certification process of that air carrier.¹⁰

C. Remote Dispatching

Beginning in March 2020, in response to the COVID-19 public health emergency, a small number of air carriers expressed interest in allowing dispatching or flight following from locations other than the air carrier's designated dispatch center or flight following center. This practice allowed the air carriers to comply with the national health and safety recommendations such as social distancing, group size limits, and self-quarantining. This practice is referred to as remote dispatching.

Following a collaborative risk analysis, FAA's Flight Standards Service issued a memorandum to Flight Standards personnel who oversee air carriers in March 2020 describing factors to consider when determining whether to allow air carrier personnel to temporarily perform flight dispatching and flight following duties from their homes on a case-by-case basis, provided the air carrier could show these duties were able to be performed safely.¹¹ The memorandum balanced the office's allowance of remote flight following and aircraft dispatch practices with the existing responsibilities required for air carriers conducting these operations, such as duty time requirements and regular inspections. Given the context of the COVID-19 transmission and fatality rates at the time of the initial requests and authorizations, FAA determined that any risks associated

with remote dispatching and flight following were not greater than the risks of COVID-19 transmission within the confines of dispatching and flight following centers.

FAA granted a small number of authorizations allowing air carriers to dispatch or flight release from locations other than their approved dispatch or flight following centers. The first four air carriers to receive these authorizations conducted remote operations from dispatchers' or flight followers' private residences. Some authorizations included periodic expiration dates to ensure risk control, which also allowed FAA to renew or terminate the authorization. Subsequent authorizations did not contain specific expiration dates. Some air carriers were authorized to conduct remote operations, yet they opted not to do so.

These authorized air carriers remained responsible for evaluating whether their remote locations met regulatory requirements and individual operational needs. Further, air carriers remained responsible for evaluating any associated risks with the practice as part of their required Safety Management System.

D. Congressional Concerns

The practice of remote dispatching raised congressional interest in May 2022, when FAA briefed congressional staff regarding authorized remote dispatch work locations. FAA provided additional briefings to House and Senate Committees on alternate dispatch location approvals associated with a draft of the Fiscal Year 2023 House Appropriations Bill. In November 2022, FAA received a letter from the House Committee on Transportation and Infrastructure detailing the Committee's concern about the safety of air carriers operating remote dispatch.¹² In 2024, Congress imposed specific requirements on air carriers' dispatch and flight following centers in section 420 of the Act. Section 420 prohibits flight dispatching from any location other than the dispatch center or flight following center except in cases where a dispatch or flight following

center has been rendered inoperable. Air carriers may then use an alternate location for no more than 14 consecutive days before approval of the Administrator is required.

IV. Discussion of the Proposal

As required by the Act, this proposed rule would amend the regulations in §§ 121.107 and 121.127 to prohibit dispatching and flight following from a location other than the dispatch center or flight following center of the air carrier except in the event of an emergency or other event that renders a dispatch or flight following center inoperable. In such a situation, an air carrier could dispatch aircraft from a location other than a dispatch center or flight following center; however, the carrier would be required to notify the responsible Flight Standards office within 24 hours of each use of any alternate location. The operator would be prohibited from using any alternate location for a period of time exceeding 14 days unless approved by the Administrator. In addition, the proposed rule would reorganize §§ 121.125 and 121.127 to consolidate the requirements for flight following systems and individual flight following centers for supplemental operations. The reorganization would not alter the original requirements themselves.

A. Prohibition of Remote Dispatching/Flight Following

This rulemaking proposes to introduce new paragraphs in §§ 121.107 and 121.127 to incorporate the requirements of 49 U.S.C. 44748(d). Specifically, proposed § 121.107(b) and (c) and proposed § 121.127(b) and (c) would prohibit the dispatch or flight following of aircraft from any location other than the dispatch center or flight following center of the air carrier except in the event of an emergency or other event that renders a dispatch center or flight following center inoperable. In such an event, an air carrier may dispatch aircraft from a location other than the dispatch center or flight following center of the air carrier. In addition, in proposed § 121.107(d) and proposed § 121.127(d), FAA would require the operator to inform the responsible Flight Standards office of the use of any alternate location within 24 hours. The alternate site could not be

used for more than 14 consecutive days per location without the approval of the Administrator.

Despite the concerns with remote dispatching referenced above, Congress and FAA recognize that, in the unlikely event a dispatch or flight following center becomes inoperable, it may be necessary for dispatch or flight following operations to continue, allowing the affected air carrier to land any aircraft already in flight safely or to maintain continuity of operations. In those circumstances, it may be preferable to conduct dispatch temporarily or flight following activities at alternate locations. The air carrier must inform the responsible Flight Standards office of each decision to utilize any alternate location as soon as possible, but no later than 24 hours after first use to ensure continued FAA oversight of that air carrier's activities.

FAA emphasizes, however, that dispatching or flight following from a location other than a dispatch or flight following center should only occur as a last resort. In addition, the air carrier should ensure the alternate location considers a dispatcher's or flight follower's ability to maintain operational control from that location effectively, and air carriers should remain aware that they remain subject to any requirements set forth in parts 119, 120, and 121. When dispatching or flight following from an alternate location, air carriers should consider secure non-public internet access, proper communication equipment, and freedom from outside distractions, which might reduce a dispatcher's or flight follower's ability to conduct their dispatching or flight following activities. Even if an alternate location meets these conditions, every effort should be made to return to the regularly used dispatch or flight following center as soon as possible.

B. Reorganization of §§ 121.125 and 121.127

FAA is proposing to reallocate certain provisions of §§ 121.125 and 121.127 between these two sections to consolidate requirements for flight following systems and flight following centers, providing increased regulatory clarity. The requirements

themselves would remain the same, but would be grouped together by subject. Currently, § 121.125 is titled “Flight following system,” and § 121.127 is titled “Flight following system; requirements.” Though §§ 121.125 and 121.127 share a similar title, they contain varying and somewhat overlapping provisions. Provisions concerning a flight following system generally would appear under § 121.125, and those concerning individual flight following centers (including the proposed prohibition against remote flight following) would appear under § 121.127. This rule proposes to retitle § 121.127 “Flight following centers.” These changes would reduce confusion regarding the location of regulatory requirements and prohibitions related to flight following.

Current § 121.125(a)(1) requires each air carrier conducting supplemental operations to show it has an approved flight following system established in accordance with subpart U of part 121 and adequate for the proper monitoring of each flight, considering the operations to be conducted, and this language would remain unchanged. Current § 121.125(a)(2)(i) and (ii) provide additional specific requirements for flight following centers. This rule proposes to move these provisions to § 121.127(a)(1) and (2) without changing the requirements themselves. Paragraph 121.125(a)(2) would then refer generally to the requirements of proposed § 121.127. FAA also proposes to move current § 121.127(a)(1) and (2) to § 121.125(a)(3) and (4). These paragraphs require air carriers to have adequate facilities and personnel to provide information necessary for the initiation and safe conduct of each flight to the flight crew and the people designated to maintain operational control and to have a means of communication to monitor the progress of each flight. Paragraphs (b) and (c) of § 121.125 would remain unchanged.¹³ Paragraph § 121.125(d) would be amended slightly by adding the word “must” to clarify that the certificate holder’s operations specifications are required to specify the authorized flight following system and the location of the centers. Finally, FAA proposes to move current § 121.127(b) to § 121.125(e).

With these proposed changes, § 121.127 would consist of the general requirements for flight following centers moved from § 121.125(a)(2)(i) and (ii) to § 121.127(a)(1) and (2) and the prohibition against remote flight following, with exception, at § 121.127(b) and (c).

V. Regulatory Notices and Analyses

A. Regulatory Impact Analysis

Executive Order (E.O.) 12866 (“Regulatory Planning and Review”) and E.O. 13563 (“Improving Regulation and Regulatory Review”) require agencies to regulate in the “most cost-effective manner,” to make a “reasoned determination that the benefits of the intended regulation justify its costs,” and to develop regulations that “impose the least burden on society.” The Office of Management and Budget (OMB) determined that this proposed rule is not a significant regulatory action.

Existing regulations require part 121 certificate holders conducting domestic and flag operations to operate from dispatch centers and those conducting supplemental operations to operate from flight following centers using authorized personnel conducting flight following operations. As no air carriers currently conduct remote dispatching, there would be no cost impacts of the proposed rule. The proposed rule would prevent remote dispatching in the event of similar circumstances to those during the COVID-19 public health emergency or any trend in remote work among part 121 certificate holders. However, because there have been no accidents associated with the practice and the likelihood of increased remote dispatching in the absence of the rule is unknown, FAA cannot estimate the impact of these potential benefits.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) of 1980, (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. No. 104–121) and the Small Business Jobs Act of 2010 (Pub. L. No. 111–240), requires Federal

agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term “small entities” comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The proposed rule would prohibit part 121 certificate holders from conducting remote dispatch operations. No entities are currently conducting remote dispatch and FAA did not identify any incremental costs of the proposed rule. If an agency determines a rulemaking will not result in a significant economic impact on a substantial number of small entities, the head of the agency may so certify under section 605(b) of the RFA. Therefore, as provided in section 605(b) and based on the foregoing, the head of FAA certifies this rulemaking will not result in a significant economic impact on a substantial number of small entities. FAA welcomes comments on the basis for this certification.

C. International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. No. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. No. 103-465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards

FAA has assessed the potential effect of this proposed rule and determined it ensures the safety of the American public and does not exclude imports that meet this

objective. As a result, FAA does not consider this rule as creating an unnecessary obstacle to foreign commerce.

D. Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or Tribal government or the private sector to incur direct costs without the Federal government having first provided the funds to pay those costs. FAA determined the proposed rule would not result in the expenditure of \$187,000,000 or more (\$100,000,000 adjusted for inflation using the most current Implicit Price Deflator for the Gross Domestic Product) by State, local, or Tribal governments, in the aggregate, or the private sector, in any one year.

E. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that FAA consider the impact of paperwork and other information collection burdens imposed on the public. While this NPRM proposes to require an air carrier to notify its responsible Flight Standards office within 24 hours of the use of any alternate dispatch location, based on the fact that only three operators ever used this exception throughout the COVID-19 public health emergency, FAA believes that fewer than ten persons would be required to provide notification to a responsible Flight Standards office in any 12 month period. Title 5 CFR 1320.3(c) states that OMB clearance of any information collection is required only if the information is to be collected from ten or more persons annually. Therefore, FAA has determined there would be no new requirement for information collection associated with this proposed rule.

F. International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization

(ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

G. Environmental Analysis

FAA has analyzed the environmental impacts of this proposed rule pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.). FAA has determined this rule is categorically excluded pursuant to Paragraph B-2.6(f) of Appendix B to FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures.¹⁴ Categorical exclusions are categories of actions the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental assessment (EA) or environmental impact statement (EIS).¹⁵ In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS.¹⁶ This rulemaking, which proposes to amend FAA regulations for domestic, flag, and supplemental operators to prohibit remote dispatch and flight following activities except in the event of an emergency that renders a dispatch or flight following center inoperable, is categorically excluded pursuant to Paragraph B-2.6(f) of FAA Order 1050.1G: “Regulations, standards, and exemptions (excluding those that if implemented may cause a significant impact on the human environment.” FAA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

VI. Executive Order Determinations

A. E.O. 13132, Federalism

FAA has analyzed this proposed rule under the principles and criteria of E.O. 13132, Federalism. FAA has determined this action would not have a substantial direct effect on the States, or the relationship between the Federal Government and the States,

or on the distribution of power and responsibilities among the various levels of government, and, therefore, would not have federalism implications.

B. E.O. 13211, Regulations that Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this proposed rule under E.O. 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use. FAA has determined it would not be a “significant energy action” under the Executive order and would not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

C. E.O. 13609, Promoting International Regulatory Cooperation

E.O. 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609 and has determined this action would have no effect on international regulatory cooperation.

D. Executive Order 14192, Unleashing Prosperity Through Deregulation

The proposed rule is exempt from the requirements of E.O. 14192 because it has been determined to be not significant under Executive Order 12866.

VII. Additional Information

A. Comments Invited

FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. FAA also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should

submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rule. Before acting on this proposal, FAA will consider all comments it receives on or before the closing date for comments. FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its rulemaking process better. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

B. Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. Any commentary that FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

C. Electronic Access and Filing

A copy of this NPRM, all comments received, any final rule, and all background material may be viewed online at www.regulations.gov using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at www.federalregister.gov and the Government Publishing Office's website at www.govinfo.gov. A copy may also be found at FAA's Regulations and Policies website at www.faa.gov/regulations_policies.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue S.W., Washington, D.C. 20591, or by calling (202) 267-9677. Commenters must identify the docket or notice number of this rulemaking.

All documents FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

D. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local FAA official or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit www.faa.gov/regulations_policies/rulemaking/sbre_act/.

¹ 49 U.S.C. 44747 addresses aviation safety oversight measures carried out by foreign countries. FAA staff has confirmed it was Congress' intent to refer to § 44748 in this section, which addresses aircraft dispatching.

² The act does not instruct any rulemakings for 49 U.S.C. 44748 as it relates to aircraft dispatcher certificates, or requirements for dispatch and flight following centers. Paragraphs (a) and (b) of section 44748 require anyone serving as an aircraft dispatcher for a carrier to hold an appropriate aircraft dispatcher certificate issued by the Administrator of the Federal Aviation Administration, and that such a certificate shall be presented upon request by appropriate authorities for inspection. These requirements are already contained in 14 CFR 65.51. Paragraph (c) of section 44748 provides statutory authority for FAA to take staffing, equipment, and security requirements into account when issuing certificates to air carriers. Therefore, no additional rulemaking is necessary.

³ See endnote 1.

⁴ See 14 CFR 110.2.

⁵ *Id.*

⁶ *Id.*

⁷ 14 CFR 65.51.

⁸ 14 CFR 121.597.

⁹ “Operational Control” refers to the “initiation, continuation, diversion, and termination of a flight” as provided in 14 CFR § 121.537(b).

¹⁰ This inspection will look to ensure that centers are properly staffed, equipped, and secured to allow air carriers to maintain operational control of all flight operations.

¹¹ “Operational Control Part 121 Air Carriers,” Memorandum from Thomas Malone, Manager of Air Transportation Division, AFS-200 (Mar. 20, 2020). A copy of this document is posted in the docket.

¹² Congressmen Peter A. DeFazio and Rick Larsen, November 29, 2022, House Committee on Transportation and Infrastructure, Washington, D.C. A copy of this letter can be found in the docket for this rulemaking.

¹³ The rulemaking would correct a typographical error in § 121.125(d), clarifying that a certificate holders operations specifications must specify the flight following system is it authorized to use and location of flight following centers. Current practice in the FAA certification process already addresses this requirement, so no new requirements are resulting from the correction.

¹⁴ 90 FR 29615, Jul. 3, 2025.

¹⁵ See DOT Order 5610.1D § 9.

¹⁶ *Id.* § 9(b).

List of Subjects in 14 CFR Part 121

Air carriers, Aviation safety, Charter flights, Safety, Transportation.

The Proposed Amendment

For the reasons discussed in the preamble, the Federal Aviation Administration proposes to amend chapter I of title 14, Code of Federal Regulations as follows:

PART 121 – OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

1. The authority citation for part 121 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40103, 40113, 40119, 41706, 42301 preceding note added by Pub. L. No. 112-95, sec. 412, 126 Stat. 89, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 44729, 44732, 44748; 46105; Pub. L. No. 111-216, 124 Stat. 2348 (49 U.S.C. 44701 note); Pub. L. No. 112-95, 126 Stat. 62 (49 U.S.C. 44732 note); Pub. L. No. 115-254, 132 Stat. 3186 (49 U.S.C. 44701 note).

2. Revise § 121.107 to read as follows:

§ 121.107 Dispatch centers.

(a) Each certificate holder conducting domestic or flag operations must show that it has enough dispatch centers, adequate for the operations to be conducted, that are located at points necessary to ensure proper operational control of each flight.

(b) Except as provided in paragraph (c) of this section, a certificate holder may not allow a person to work as an aircraft dispatcher outside of a physical location designated as a dispatching center of the air carrier.

(c) In the event of an emergency or other event that renders a dispatch center inoperable, a certificate holder may dispatch aircraft from a location other than a dispatch center of the certificate holder for a period of time not to exceed 14 consecutive days per location without approval of the Administrator.

(d) The certificate holder must notify the responsible Flight Standards district office within 24 hours of each use of any location other than a dispatch center.

3. Revise § 121.125 to read as follows:

§ 121.125 Flight following system.

(a) Each certificate holder conducting supplemental operations must show that it has—

(1) An approved flight following system established in accordance with subpart U of this part and adequate for the proper monitoring of each flight, considering the operations to be conducted;

(2) Flight following centers as described in § 121.127;

(3) Adequate facilities and personnel to provide the information necessary for the initiation and safe conduct of each flight to—

(i) The flight crew of each aircraft; and

(ii) The persons designated by the certificate holder to perform the function of operational control of the aircraft; and

(4) A flight following system with a means of communication by private or available public facilities (such as telephone, telegraph, or radio) to monitor the progress of each flight with respect to its departure at the point of origin and arrival at its destination, including intermediate stops and diversions therefrom, and maintenance or mechanical delays encountered at those points or stops.

(b) A certificate holder conducting supplemental operations may arrange to have flight following facilities provided by persons other than its employees, but in such a case the certificate holder continues to be primarily responsible for operational control of each flight.

(c) A flight following system need not provide for in-flight monitoring by a flight following center.

(d) The certificate holder's operations specifications must specify the flight following system it is authorized to use and the location of the centers.

(e) The certificate holder conducting supplemental operations must show that the personnel specified in paragraph (a) of this section, and those it designates to perform the function of operational control of the aircraft, are able to perform their required duties.

4. Revise § 121.127 to read as follows:

§ 121.127 Flight following centers.

(a) Each certificate holder conducting supplemental operations using a flight following system must show that it has dispatch or flight following centers located at those points necessary—

(1) To ensure the proper monitoring of the progress of each flight with respect to its departure at the point of origin and arrival at its destination, including intermediate stops and diversions therefrom, and maintenance or mechanical delays encountered at those points or stops; and

(2) To ensure that the pilot in command is provided with all information necessary for the safety of the flight.

(b) Except as provided in paragraph (c) of this section, a certificate holder may not allow a person to work as an aircraft dispatcher or flight follower outside of a physical location designated as a dispatch or flight following center of the air carrier.

(c) In the event of an emergency or other event that renders a dispatch or flight following center inoperable, a certificate holder may dispatch or flight release aircraft from a location other than the dispatch or flight following center of the certificate holder for a period of time not to exceed 14 consecutive days per location without approval of the Administrator.

(d) The certificate holder must notify the responsible Flight Standards office within 24 hours of each use of any location other than a dispatch or flight following center.

Issued under authority provided by 49 U.S.C. 106(f), 40103(b), 44711, and 44748 in Washington, D.C.

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[FR Doc. 2026-10293 Filed: 5/21/2026 8:45 am; Publication Date: 5/22/2026]