



July 16, 2024

The Honorable Maria Cantwell, Chairwoman
 The Honorable Ted Cruz, Ranking Member
 Committee on Commerce, Science and
 Transportation
 U.S. Senate
 Washington, D.C. 20510

The Honorable Sam Graves, Chairman
 The Honorable Rick Larsen, Ranking Member
 Committee on Transportation and Infrastructure
 U.S. House of Representatives
 Washington, D.C. 20515

The Honorable Tammy Duckworth, Chairwoman
 The Honorable Jerry Moran, Ranking Member
 Subcommittee on Aviation Safety, Operations and
 Innovation
 Committee on Commerce, Science and
 Transportation
 U.S. Senate
 Washington, D.C. 20515

The Honorable Garret Graves, Chairman
 The Honorable Steve Cohen, Ranking Member
 Subcommittee on Aviation
 Committee on Transportation and Infrastructure
 U.S. House of Representatives
 Washington, D.C. 20515

The Honorable Patty Murray, Chairwoman
 The Honorable Susan Collins, Vice Chairwoman
 Committee on Appropriations
 U.S. Senate
 Washington, D.C. 20510

The Honorable Tom Cole, Chairman
 The Honorable Rosa DeLauro, Ranking Member
 Committee on Appropriations
 U.S. House of Representatives
 Washington, D.C. 20515

The Honorable Brian Schatz, Chairman
 The Honorable Cindy Hyde-Smith, Ranking Member
 Subcommittee on Transportation, Housing and
 Urban Development
 Committee on Appropriations
 U.S. Senate
 Washington, D.C. 20515

The Honorable Steve Womack, Chairman
 The Honorable Mike Quigley, Ranking Member
 Subcommittee on Transportation, Housing and
 Urban Development
 Committee on Appropriations
 U.S. House of Representatives
 Washington, D.C. 20515

Dear Chairs Cantwell, S. Graves, Duckworth, G. Graves, Murray, Cole, Schatz and Womack, Vice Chair Collins, Ranking Members Cruz, Larsen, Moran, Cohen, DeLauro, Hyde-Smith and Quigley:

The undersigned associations, representing nearly every sector of our nation’s aviation system, are writing to express our continued support for ensuring America has a safe, resilient and modernized air traffic control (ATC) system. The aviation industry – from commercial aviation to general aviation, manufacturing, advanced air mobility and the introduction of other emerging technologies – accounts for more than 5% of the U.S. gross domestic product (GDP). We commend the administration and the congressional authorization and appropriations processes for providing funding to help keep our national

airspace system safe and competitive. We also believe more must be done to not only maintain and sustain the ATC system but also to modernize it.

Our collective view is that Congress should consider making changes to its administration of the Airport & Airway Trust Fund (AATF) in such a way that continues the appropriators' and authorizers' important oversight role while giving the FAA the ability to more effectively utilize the Trust Fund balance for needed facility upgrades and system modernization. This would bring the FAA's Facilities & Equipment (F&E) capital program more in line with the approach taken for other transportation programs like the Harbor Maintenance Trust Fund, surface transportation contract authority and the Airport Improvement Program.

We respectfully request authorizers and appropriators work with the FAA and all stakeholders to support the system through direction and predictable appropriations, derived primarily from the AATF to help ensure the FAA has an updated plan in order to effectively use the resources necessary to continue to grow the NAS safely and efficiently.

We recognize and acknowledge the important discussions about the broader budgetary pressures facing our nation. However, as you know, the aviation system is unique given the significant role it plays in our nation's economy through both the movement of people and goods throughout the country and the world. Moreover, users of the system fund primarily fund the operations of the FAA and system technology and modernization through taxes submitted directly into the AATF. Supporting the system through robust appropriations primarily derived from the AATF will ensure the system has the resources necessary to grow safely and in a sustainable manner. Robust government investment in our aviation system is critical to continued safety and our global competitiveness, and the private sector is already investing billions of dollars in both human resources and capital expenditures to keep pace with the demands of the 21st century aviation system.

With the AATF expected to have surpluses in the next few years, it is critical to ensure those funds are spent to address critical system needs. According to the latest Congressional Budget Office (CBO) forecast (June 2024), AATF revenues are expected to grow 3.3% annually from FY2024 through 2023 (\$18.5 billion through FY2030 (\$23.2 billion)). More importantly, the AATF has the capacity to maintain and support additional investments that will help facilitate economic growth. The AATF's uncommitted balance is currently projected to reach \$5.8 billion by the end of the current fiscal year and is projected to grow to \$9.5 billion by the end of the decade. The AATF's significant uncommitted balance along with CBO's surplus projections show that the AATF is a stable and predictable source of funding to address the system needs across the NAS, and we urge Congress to use them to address safety-critical user needs.

The recently passed FAA Reauthorization Act of 2024 takes important steps in addressing the current circumstances through provisions focusing on air traffic workforce hiring, training and staffing, requiring the FAA provide additional information about unfunded ATC system capital investment needs and development of an air traffic control realignment report to examine the consolidation or reorganizing of air traffic facilities and equipment, as well as the management of airspace controlled by these facilities. However, we must continue to build upon the initial steps taken in the FAA Reauthorization Act and provide the necessary capital to address the needs of the NAS.

The effects of underinvestment in F&E are becoming strikingly clear. One consequence is that the necessary maintenance of existing systems is being neglected. FAA switched to a "fix-on-fail" model during FY2013's sequestration and has not returned to a model of preventative maintenance. A recent example was the 2023 NOTAM outage that resulted in complete closure of the NAS for the first time since 9/11.

Similarly, in 2017, the FAA's Life Cycle Facility Maintenance and Repair Report reviewed the conditions of each of FAA's 21 Air Route Traffic Control Centers (ARTCC), as well as San Juan and Guam Combined Control facilities, and determined that only **three** of the 23 facilities evaluated could be classified in "good" condition. These and other FAA air traffic control facilities have exceeded their

expected lifespan. Every ARTCC and more than a quarter of all FAA facilities are **at least 50 years old**, with many in need of replacement. The F&E budget is currently not large enough to support this, prompting the administration's most recent request for \$8 billion in mandatory spending for this important purpose, as well as to advance an initial tranche of funding for a Facility Replacement and Radar Modernization Program required to ensure NAS resilience and safety.

The historical F&E underinvestment is also affecting NextGen, the multi-decade effort to modernize America's air transportation systems. The deployment of key NextGen programs has been delayed by deployment slowdowns during COVID that compounded the effects of a tight budget. The deployment of enroute data communications will not take place for several years into the future with expanded services yet to be funded. Advancing Automatic Dependent Surveillance Broadcast (ADS-B) in the cockpit, a building block on top of the deployment of ADS-B Out last decade, is not funded. The FAA has sought industry's support in identifying opportunities to reduce the number of navigational procedures to better manage the agency's budget that supports the maintenance of these procedures. Not operationalizing these programs will mean reduced airspace operational efficiency—negatively affecting the traveling public and other civil and military users of the system, as well as failure to achieve improvements in fuel burn and reduced emissions or implementation of safety tools for pilots and controllers.

Thank you for your attention to these requests and your recognition of the importance of ensuring that we continue to have the safest and most robust national airspace system in the world. We recognize that changing how to approach funding and processes are complicated. Ensuring the FAA has the predictable and sustainable resources for current and longer-term modernization projects is vital, and we all look forward to having an open dialogue to address these challenges and opportunities.

Aeronautical Repair Station Association
Aerospace Industries Association
Air Line Pilots Association, International
Air Traffic Control Association
Aircraft Electronics Association
Aircraft Owners and Pilots Association
Airlines for America
Association of Flight Attendants-CWA
Cargo Airline Association
Experimental Aircraft Association Inc.
General Aviation Manufacturers Association
Global Business Travel Association
International Air Transport Association
International Council of Air Shows

National Air Carrier Association
National Air Traffic Controllers Association
National Air Transportation Association
National Association of State Aviation Officials
National Business Aviation Association
NetJets Association of Shared Aircraft Pilots
Professional Aviation Safety Specialists, AFL-CIO
Regional Airline Association
Travelers United
U.S. Chamber of Commerce
Vertical Aviation International
Vertical Flight Society