



December 4, 2023

Sen. Maria Cantwell
Chair, Committee on Commerce, Science, and
Transportation
511 Hart Senate Office Building
Washington, D.C. 20515

Rep. Sam Graves
Chair, Committee on Transportation and Infrastructure
1135 Longworth House Office Building
Washington, D.C. 20515

Sen. Ted Cruz
Ranking Member, Committee on
Commerce, Science, and
Transportation
167 Russell Senate Office Building
Washington, D.C. 20515

Rep. Rick Larson
Ranking Member, Committee on
Transportation and Infrastructure
2163 Rayburn House Office Building
Washington, D.C. 20515

Brian Patrick Kennedy
Speaker Pro Tempore
Rhode Island General
Assembly
President, NCSL

Sabrina N. Lewellen
Deputy Director- Senate
Assistant Secretary of the
Senate
Arkansas General Assembly
Staff Chair, NCSL

Tim Storey
Chief Executive Officer
NCSL

Re: 2023 Federal Aviation Administration Reauthorization

Chair Cantwell, Chair Graves, Ranking Member Cruz and Ranking Member Larson:

On behalf of the National Conference of State Legislatures (NCSL), the bipartisan organization representing the legislatures of our nation's states, commonwealths and territories, we urge you to act swiftly to reauthorize the Federal Aviation Administration (FAA) to avoid any significant potential detrimental impacts to the FAA and the aviation industry. Given the impending expiration of the continuing resolution on December 31, 2023, and the need to pass new multiyear FAA reauthorization legislation, NCSL urges the Senate to quickly pass a FAA reauthorization bill and urges both chambers to rapidly resolve legislative differences in conference committee. Historically, the FAA reauthorization has been a significant piece of bipartisan legislation and the states stand ready to work towards that goal. If Congress is unable to pass this legislation prior to December 31, 2023, NCSL encourages Congress to pass a short-term extension to minimize negative effects and ensure continuity of vital FAA programs.

The FAA reauthorization is a key component in maintaining the nation's air transportation system, which is linked to regional growth and economic development. Reauthorization will allow the FAA to continue the safe operation of our nation's skies, ensure the stability of the air transportation system and support the mutual responsibility of governments to develop and preserve a balanced system of airports. A multiyear reauthorization would improve the operational and budgetary certainty of the FAA and help address safety issues identified in the November 15, 2023, National Airspace System Safety Review Team report. NCSL supports language within current draft FAA reauthorization legislation that:

Provides sufficient funding for the maintenance of infrastructure and the promotion of an effective aviation industry.

NCSL urges Congress to maintain the Airport Airway Trust Fund and General Fund and fully fund essential FAA programs, including the Airport Improvement Program, the Essential Air Service, and the State Block Grant Program. NCSL also calls on Congress to allow states maximum flexibility in the eligibility for and the use, prioritization and administration of funding.

Allows for state and local regulation and resists preemption of state and local authorities.

NCSL urges Congress to rescind, remove and resist any language that may preempt state and local authority to regulate certain airline actions, standards or practices. NCSL also urges Congress to remove language that acts as a barrier to state

and locally generated revenues that support airport activities and include legislation that grants states and localities the ability to use innovative financing methods to meet funding needs.

Further investments in aviation industry infrastructure and the research and development of technologies.

NCSL encourages Congressional investment in the aviation industry and aviation infrastructure to ensure the security, modernization and stability of the nation's air transportation system. The FAA reauthorization is an opportunity to further the innovation and development of aviation facilities, equipment and technology.

Addresses Unmanned Aerial Systems (UAS) and their use in Beyond Visual Line of Sight (BVLOS) operations.

NCSL encourages federal and state collaboration on the registration, organization, use and management of UAS and the finalization of formal federal operational rules and regulations for UAS use in BVLOS operations. However, NCSL urges Congress to preserve the authority of state governments to issue and enforce reasonable restrictions over UAS operations in line with states' traditional policing powers.

NCSL stands ready and willing to work with Congress throughout the remainder of the FAA reauthorization process to ensure its timely passage. Additional information about NCSL's aviation-related positions can be found on NCSL's [website](#). If you have any questions regarding the priorities outlined above, please do not hesitate to contact Molly Ramsdell at 202.624.3584 or molly.ramsdell@ncsl.org.

Sincerely,

A handwritten signature in blue ink that reads "Tim Storey". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tim Storey
Chief Executive Officer
National Conference of State Legislatures