Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Bill Shuster
Chairman

Peter A. DeFazio
Ranking Member

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

May 11, 2016

Dear Colleague:

H.R. 4441, the "Aviation Innovation, Reform, and Reauthorization Act of 2016," contains a controversial proposal to privatize air traffic control, which could seriously jeopardize access by air to small communities. We strongly urge you to oppose this legislation when it comes to the House floor.

Access to our national aviation system is not just about boarding a plane in New York and landing in Los Angeles. It's about a network of airports that are scattered across the countryside and that support economic development in communities both large and small. And it's about a coast-to-coast system of air traffic control that keeps aircraft safely separated from one another as they approach and depart those airports. H.R. 4441 will privatize that Federal air traffic control system and turn it over to a corporation governed by special interests, putting an enormous question mark over the future of air traffic control services in small communities.

Today's air traffic control system, which the FAA has run since its creation in 1958, represents a balance of public interests. On one hand, the system must operate efficiently; the FAA invests in modernization projects such as the Metroplex initiative to increase capacity in busy areas such as Washington, D.C., and Dallas/Fort Worth. But on the other hand, the entire operation incurs costs to ensure that people in big cities and small communities alike have access to the aviation system. Controllers in en-route centers provide air traffic control and advisory services to large and small planes alike; radar controllers help pilots perform approaches in poor weather to remote airports; and control towers at small airports keep general aviation aircraft safely apart from one another. FAA policy requires controllers to provide all these services plus others on a "first-come-first-serve" basis, without discrimination.

What will this balance look like when air traffic control is no longer provided by the FAA and overseen by Congress, but instead is a service of a user-fee-funded, privately-held, special-interest-controlled corporation, as required in H.R. 4441? Will those who pay the most receive the best service? One thing is certain: A private corporation will cut costs to remain in the black, and costly facilities serving remote areas and low-trafficked areas will be the first to go.

JetBlue CEO Robin Hayes said publicly in 2015 that we "need to direct infrastructure improvements into the regions of the country where they'll produce the most benefits, like the

Northeast Corridor."[1] Moreover, on February 10, 2016, the Government Accountability Office (GAO) reported that aviation experts are concerned that "small and rural communities could be negatively affected by a restructured [air traffic control system]" and that "it is possible that general and business aviation might see their contribution to the cost of ATC services rise and that this increase could reduce the use of the airspace by these users."[2]

H.R. 4441 makes the most significant— and the most ill-advised— change to the Nation's air traffic control system in the history of that system. It jeopardizes equality of access to the aviation system and to the future of air service to small communities. A growing number of aviation stakeholders oppose the bill for that reason and others.

We urge you to oppose H.R. 4441 and its privatization scheme and to preserve Americans' right to access the airways that belong to all of us.

Sincerely,

PETER DeFAZIO
Ranking Member

RICK LARSEN
Ranking Member
Subcommittee on Aviation

---

[1] Remarks of Robin Hayes, President and CEO, JetBlue Airways, before the International Aviation Club of Washington, Oct. 9, 2015, *available at* http://iacwashington.org/speech-text/.
[2] U.S. Gov't Accountability Office, *Potential Air Traffic Control Transition Issues* 8, Rpt. No. GAO-16-386R (2016).