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Lawmakers Approve a Six-Month Extension of FAA Authorization

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On September 28, Congress approved a six-month extension to the Federal Aviation Administration (FAA) authorization, heading off a partial shutdown of the FAA. Expect negotiations over House Transportation and Infrastructure Chairman Bill Schuster's (R-PA) proposal to spin off the FAA's Air Traffic Control to a non-profit entity to continue into the spring. Congress now has until the end of March 2018 to come up with a solution to the stalemate or pass another short-term extension.

Background and Analysis: The six-month extension of the FAA's congressional authorization is only the latest turn in the long running debate over the future of the Agency's Air Traffic Control division. Chairman Schuster has advocated for spinning off the Air Traffic Control (ATC) division to a not-for-profit primarily funded by airline industry user fees. When the House Transportation and Infrastructure Committee approved its initial version of the proposal in June, it included the ATC provisions, while the version approved by the Senate Commerce Committee (which has jurisdiction over the FAA in the Senate) did not. This is the second-consecutive Congress in which Chairman Schuster has advanced his ATC proposal only to have it not included in the Senate's version.

Chairman Schuster's proposal has been met by stiff opposition from the general aviation community who is worried that the new entity would prioritize the needs of commercial airlines above other users. The bill has also failed to gain support from congressional Democrats who are skeptical and generally oppose privatization efforts while supporting targeted reforms to speed implementation of the FAA's NextGen GPS-based ATC system. Senate Commerce Committee Chair John Thune (R-SD) has so far resisted the signing onto the proposal, saying he is open to considering privatization, but that any such proposal should have bipartisan support. President Trump announced his support for the proposal in June.