



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

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August 8, 2022

The Honorable Shalanda D. Young
Director
Office of Management and Budget
Eisenhower Executive Office Building
725 17th Street, NW
Washington, DC 20503

Dear Director Young:

The Federal Aviation Administration (FAA) is currently developing a Special Federal Aviation Regulation (SFAR) to enable timely entry into service of powered-lift category aircraft, commonly referred to as Advanced Air Mobility (AAM).¹ Ensuring the domestic aerospace industry maintains its global competitive advantage is a top priority of mine as the Ranking Member of the House Committee on Transportation and Infrastructure's Subcommittee on Aviation. To achieve that goal, the FAA must align its policies, guidance, and services to reflect today's modern aerospace ecosystem, and so I write to urge you to prioritize review of the FAA's powered-lift SFAR as it makes its way through the Office of Management and Budget's (OMB's) regulatory process.

Timeliness in the development and review of this SFAR, and any subsequent proposed regulatory actions related to AAM, by the FAA, Department of Transportation (DOT), and the OMB's Office of Information and Regulatory Affairs (OIRA) is crucial to the industry's success given that AAM aircraft are expected to transform air passenger transport as soon as 2024.² What's more, the need for promptness is heightened by the FAA's recent change in the regulatory pathway for the AAM industry.³ While I have criticized this sudden change, I am pleased the FAA recognizes the importance of advancing the AAM industry and is actively taking steps to do so through the development of the powered-lift SFAR.

¹ Powered-lift Special Federal Aviation Regulation, RIN 2120-AL72, (Spring 2022), available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202204&RIN=2120-AL72>.

² *Advanced Air Mobility Reality Index*, SMG Consulting, available at <https://aamrealityindex.com/aam-reality-index>.


³ Jon Ostrower and Elan Head, *FAA Changes Course on EVTOL Certification*, THE AIR CURRENT (May 9, 2022), available at <https://theaircurrent.com/aircraft-development/faa-changes-course-on-evtol-certification/>.

The good news is that the FAA has committed to expeditiously working on its part of the powered-lift SFAR in order to facilitate the operation of AAM aircraft after the first type certificates are issued beginning in 2024.⁴ In fact, I understand that the FAA is setting and committing to meet major milestones on the way to type certification for applicants in the certification pipeline, and I applaud the FAA for doing so. Given that entry into service of AAM aircraft is dependent upon the timely promulgation of the powered-lift SFAR and other efforts, Congress will continue to monitor the FAA's progress and hold it accountable for its commitments.

Based on prior testimony, I know that the AAM industry stands ready to assist the FAA in establishing a regulatory foundation that will not only allow for safe and reliable AAM operations on day one but will also inform a permanent regulatory pathway for AAM operations going forward in a manner that is consistent with the operating rules for conventional aircraft.⁵ At the same time, the FAA cannot achieve this on its own; timely completion of the powered-lift SFAR is also dependent upon the timely review of the proposed regulation by OMB and OIRA. Industry affirmed at last week's White House AAM Summit that this SFAR is eagerly anticipated and desperately needed to enable the operation and success of an entire new segment of the aerospace industry. I hope you'll join me in encouraging regulators and policymakers involved in the development of the SFAR to leverage, as appropriate, the expertise and knowledge of these industry experts who are eager to bring their innovations to communities across the Nation.

Thank you for your attention to this important issue. As the FAA and other agencies continue their work on the powered-lift SFAR, you can be certain that Congress will stay engaged and hold each link in the chain accountable for completing their respective reviews of the powered-lift SFAR in a timely manner and expects Federal officials to engage and communicate with industry in a transparent manner throughout the process. If you have any questions regarding this letter, please have your staff contact Laney Copeland, Republican Professional Staff, Subcommittee on Aviation, at [REDACTED].

Sincerely,



Garret Graves
Ranking Member
Subcommittee on Aviation

Cc:

The Honorable Pete Buttigieg, Secretary of Transportation
Acting Administrator Billy Nolen, Federal Aviation Administration

⁴ Billy Nolen, Acting Administrator, FAA, Welcome Remarks at the FAA-EASA Safety Conference (June 14, 2022), available at <https://www.faa.gov/speeches/faa-easa-safety-conference-welcome-remarks>.

⁵ *The State of General Aviation: Hearing Before the Subcomm. on Aviation of the H. Comm. on Transp. And Infrastructure*, 117th Cong. (2022) (response of Mr. Pete Bunce to Ranking Member Garret Graves).