Congress of the United States
Washington, DC 20515

October 9, 2013

The Honorable Michael P. Huerta
Administrator, Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Huerta:

We are writing to request that you review the decision to close the Federal Aviation Administration (FAA) Aircraft Registry office during the present federal government shutdown. We understand that during previous lapses in appropriated funding, this office has remained open.

The FAA appears to be handling the current shutdown in a different manner from previous shutdowns, inflicting unnecessary hardship on aviation industries in our country. The closure of the Aircraft Registry office has a serious impact on American aircraft manufacturers and related industries, because it prevents the delivery of newly manufactured aircraft. While we understand that many important federal activities come to a halt during a funding lapse, activities funded by laws other than annual appropriations acts – including the Aircraft Registry office, which is partially funded through fees – may be permitted to continue operations in some cases.

Also, the Anti-deficiency Act provides the Department of Transportation (DOT) and the FAA with the necessary authority to staff the Registry because it helps provide vital protection to human life and property. Maintaining this database is necessary for the U.S. to fulfill its ongoing international legal obligations under the Chicago Convention and the Convention on International Interests in Mobile Equipment relating to the registration of aircraft. The Registry is also important to national security. Following the terrorist attacks of September 11, 2001, triennial registration was mandated for all aircraft to help the government identify and mitigate potential terrorist threats. As long as the Registry remains closed, this important anti-terrorism tool will be unavailable to law enforcement officers.

As you know, the United States is the global leader in the highly competitive business of aircraft manufacturing and related industries. Please review the decision to close the Aircraft Registry office, and provide an explanation for this decision as quickly as possible. Also, if the closure of this office was handled differently during previous funding lapses, please explain the rationale for this inconsistency. We expect you will maximize the use of any legal authorities you may have to mitigate the impacts of the shutdown on the aviation industry and other stakeholders. We look forward to your prompt response.

Sincerely,

John Boozman,
U.S. Senator

James Inhofe,
U.S. Senator

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Mark Pryor,
U.S. Senator

Pat Roberts,
U.S. Senator

Jerry Moran,
U.S. Senator

Cc: The Honorable Anthony Foxx, Secretary, U.S. Department of Transportation