



April 28, 2026

The Honorable Ted Cruz  
Chair  
Committee on Commerce, Science &  
Transportation  
United States Senate  
Washington, D.C. 20510

The Honorable Maria Cantwell  
Ranking Member  
Committee on Commerce, Science &  
Transportation  
United States Senate  
Washington, D.C. 20510

Dear Chair Cruz and Ranking Member Cantwell:

On behalf of Airports Council International–North America (ACI-NA), which represents the local, regional, and state governing bodies that own and operate commercial service airports across the United States, I write to express serious concerns regarding the ALERT Act (H.R. 7613) and our continued support for the ROTOR Act (S. 2503) as the more effective and safety-focused legislative approach to improving aviation safety.

We are deeply disappointed by the inclusion of Section 105—an anti-airport provision—in the ALERT Act. This provision risks undermining aviation safety investigations and disrupting the funding framework that supports airport operations and critical safety infrastructure nationwide. The National Transportation Safety Board’s own analysis—detailed at the end of this letter—makes clear that Section 105 is unrelated to its recent safety recommendations following last year’s tragedy in Washington, DC. Rather than advancing safety, the provision appears designed to allow certain general aviation users to avoid paying fees they are legally obligated to pay for using public airport facilities.

This approach is not only misguided from a safety standpoint, but it also weakens the funding mechanisms that underpin essential infrastructure investments—including emerging technologies such as advanced air mobility, eVTOL aircraft, and vertiports—as well as efforts to address noise concerns and investigate safety incidents.

ACI-NA and our member airports agree that aviation safety remains our first and fundamental focus. The ROTOR Act better reflects this principle by aligning closely with the NTSB’s recommendations to strengthen ADS-B requirements for both civilian and military aircraft operating in and around airports—an essential step toward improving situational awareness, reducing risk, and enhancing coordination

across the aviation system. In addition, the ROTOR Act promotes more effective oversight, transparency, and collaboration among the Federal Aviation Administration, Department of Defense, airports, and other stakeholders.

As Congress continues its work to improve aviation safety, I respectfully urge you to ensure fair and consistent treatment of all airport users by opposing Section 105 in the ALERT Act and advancing the stronger, safety-driven provisions contained in the ROTOR Act.

Thank you for your leadership on aviation safety and for your consideration of these views.

Sincerely,



Kevin M. Burke  
 President and CEO  
 Airports Council International – North America

*Excerpt of NTSB analysis of H.R. 7613, as amended in committee on March 26, 2026:*

		A-26-057 - TO THE RTCA PROGRAM MANAGEMENT COMMITTEE: Finalize and publish the minimum operational performance standards for airborne collision avoidance system Xr for rotorcraft.
SEC 104 - Collision Prevention Systems	Requires implementation of our recommendation, with exceptions for aircraft that have a limited category special airworthiness certificate or an experimental airworthiness certificate, consistent with current law for ADS-B Out.	A-26-031 - TO THE FEDERAL AVIATION ADMINISTRATION: Require all aircraft operating in airspace where Automatic Dependent Surveillance-Broadcast (ADS-B) Out is required to also be equipped with ADS B In with a cockpit display of traffic information that is configured to provide alerting audible to the pilot and/or flight crew.
SEC 105 - Prohibition on Certain Use of ADS-B Data	Not related to NTSB recommendations.	
SEC 106 - Rulemaking Accountability	Provides for oversight of Department of Transportation rulemaking and implementation of NTSB recommendations.	
SEC 107 - Time-on-Position Limits	Requires implementation of our recommendation.	A-26-008 - TO THE FEDERAL AVIATION ADMINISTRATION: Develop and implement time-on-position limitations for supervisory air traffic control personnel, including guidance for district and facility level management to adapt these limitations to account for their own staffing and local standard operating procedures.