



September 21, 2023

Chairwoman Maria Cantwell  
Ranking Member Ted Cruz  
Senate Committee on Commerce, Science, and Transportation  
254 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chair Cantwell and Ranking Member Cruz,

The undersigned industry leaders across the advanced aviation ecosystem write to express our strongest support for modest technical changes to Section 806 of the U.S. Senate's 2023 Federal Aviation Administration (FAA) Reauthorization.<sup>1</sup> These changes will provide clarity and direction for the critical third-party services necessary to deploy uncrewed flight while keeping intact the original intent of this section.

The 2023 FAA Reauthorization is a unique opportunity to establish the legislative and policy priorities for U.S. global leadership in advanced aviation and aerospace. In doing so, the Senate bill directs the FAA to create new policies and regulations to help accelerate this innovative and emerging sector in U.S. aviation. As a result, industry and government will be aligned to ensure U.S. leadership in Advanced Air Mobility (AAM), bringing immeasurable economic, environmental, and societal benefits to urban and rural communities alike.

Third-party service providers deliver critical operational support for autonomous aircraft in controlled and uncontrolled airspace. Third-party services include, but are not limited to, the connectivity to and from the aircraft and ground for telemetry and remote pilot control, voice connectivity between a pilot on the ground and air traffic control, telemetry data necessary for flight operations, and Uncrewed Aircraft Systems (UAS) traffic management (UTM).

In the execution of its critical mission, the FAA must approve all third-party service providers. But to date, there is no process to approve third-party services, and the FAA does not have a clear mandate from Congress to create one. This is problematic for two reasons: 1) third-party service providers lack clarity about how they will be approved, which impacts their ability to develop technologies and service models, and their capitalization; and 2) AAM operators lack clarity about how the third-party services on which they rely will be approved, creating the same uncertainty regarding a timeline to achieve FAA approval.

Section 806 rightfully acknowledges that clarity is needed for third-party service approvals; however, the current language only accounts for a singular third-party service required for just one class of

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<sup>1</sup> See Attachment.

uncrewed aircraft operation. By making the changes we request, the Committee can ensure that Section 806 is applied broadly to flights “beyond visual line of sight” -- a term not narrowly defined to any single class of UAS or UAS operations. The existing language suggests that this was the bill’s intent, and our requested changes simply support this outcome.

By providing this essential direction to the FAA, the Committee can provide necessary predictability to an entire industry of third-party service providers and operators of uncrewed aircraft. The changes will improve our collective ability to invest in research and development, expand operations, and provide services to customers.

Thank you for your attention to this matter and continued leadership on these critical issues in the 2023 FAA Reauthorization. We are happy to discuss this request with you or your staff anytime. To arrange a meeting, please contact Grace Cogburn, AURA Network Systems: [gcogburn@auranetworksystems.com](mailto:gcogburn@auranetworksystems.com)

Sincerely,

AURA Network Systems, Inc.

Association for Uncrewed Vehicle Systems International  
Merlin Labs, Inc.  
Reliable Robotics Corporation  
SkyGrid, a Boeing, SparkCognition Company  
Wisk Aero LLC.

cc: Chairwoman Tammy Duckworth  
Ranking Member Jerry Moran  
Chairman Garret Graves  
Ranking Member Rick Larsen  
Senator John Hickenlooper  
Senator Jacky Rosen  
Senator Kyrsten Sinema  
Senator Dan Sullivan  
Senator John Tester  
Senator John Thune  
Senator Raphael Warnock  
Senator Roger Wicker  
Senator Todd Young

Attachment  
Suggested Technical Change

SEC. 806. ~~UTM IMPLEMENTATION~~ **THIRD PARTY SERVICE APPROVALS**

(a) **APPROVAL PROCESS.**—Not later than 270 days after the date of enactment of this section, the Administrator shall establish procedures, which may include a rulemaking, to establish a standard approval process for third party service suppliers, **including third party service suppliers** of UTM, in order to fulfill safety functions for Beyond Visual Line of Sight.

(b) **ASTM STANDARD.**— In establishing the standard approval process required by subsection (a), the Administrator shall ensure that ASTM International Standard F3548–21, entitled “UAS Traffic Management (UTM) UAS Service Supplier (USS) Interoperability”, and any future possible revisions as refined and validated by the Administrator in conjunction with stakeholders including the private sector, is included as an acceptable means of compliance.

(c) **UTM CERTIFICATION.**—

(1) **IN GENERAL.**—Not later than 180 days of the date of enactment of this section, the Administrator shall initiate a process, which may include a rulemaking, to define and implement criteria and conditions for the certification and oversight of third party service suppliers of UTM that could have a direct or indirect impact on air traffic services in the national airspace system and require FAA oversight.

(2) **CONSIDERATIONS.**—In carrying out the certification process described in paragraph (1) the Administrator shall consider the facilitation and streamlining of processes for global recognition and applicability, including through bilateral aviation safety agreements, implementation procedures, and other associated bilateral arrangements.

(d) **DEFINITIONS.**—In this section:

(1) **THIRD PARTY SERVICE SUPPLIER.**—The term “third party service supplier” means an entity other than the UAS operator or the FAA that provides a distributed service that affects the national airspace system safety, including UAS Service Suppliers (USS), Supplemental Data Service Providers (SDSPs), and infrastructure providers such as ground-based surveillance, command-and-control and information exchange to another party.

(2) **UTM.**—The term “UTM” has the meaning given that term in section 44801 of title 49, United States Code.