

Congress of the United States
Washington, DC 20515

January 13, 2023

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg:

We write to express serious concerns regarding the recent outage of the Federal Aviation Administration's (FAA) Notice to Air Missions (NOTAM) system.¹ Over the past year, there have been a series of flight delays and mass cancellations that have caused considerable harm to passengers. While not all of these events have been within the agency's control, at least some have been due to the FAA's apparent issues with managing the agency's air traffic control legacy systems.² The failure to improve legacy systems is unacceptable, and the American people expect and deserve better.

NOTAMs serve a vital role in providing critical aviation safety information to users of the National Airspace System (NAS).³ From general aviators conducting pilot training to airlines moving thousands of passengers and cargo shipments on tight schedules, the safety of all operators and the health of our national economy is dependent on the proper functioning of the air traffic control system, including NOTAMs. While we support efforts to ensure safety is maintained within the NAS, an outage of this magnitude leaves all aviation users in a lurch and without a key tool necessary to maintain safety.

In its Fiscal Year (FY) 2023 budget submission, the FAA requested \$252.35 million for Facilities and Equipment Mission Support, of which \$29.4 million was to "eliminate the failing vintage hardware that currently supports [NOTAMs] in the national airspace system."⁴ This shows the FAA was well aware of the issues facing the NOTAM system. Coupled with this week's failure, significant questions are raised about how long these issues have existed and what is needed to prevent such issues from occurring again. Again, this is completely

¹ @FAANews, Twitter (Jan. 11, 2023, 7:19 am), <https://twitter.com/FAANews/status/1613148579270459393>.

² See, e.g., Alan Levin & Mary Schlangenstein, *Dallas Air Traffic Rerouted as FAA Probes Faulty GPS Signals*, BLOOMBERG (Oct. 18, 2022), <https://www.bloomberg.com/news/articles/2022-10-18/faa-warns-airline-pilots-as-gps-signals-disrupted-around-dallas?leadSource=verify%20wall>; see also Alan Levin & Mary Schlangenstein, *Florida Flights Face Worst Delays in Years Thanks to Private Jets and Space Launches*, BLOOMBERG (May 4, 2022), <https://www.bloomberg.com/news/articles/2022-05-04/florida-flight-delays-worst-in-years-on-private-jets-rockets?leadSource=verify%20wall>.

³ FAA, *What is a NOTAM?*, USDOT (n.d.), https://www.faa.gov/about/initiatives/notam/what_is_a_notam, (explaining the safety critical details NOTAMs provide to NAS users including the "establishment, condition, or change of any facility, service, procedure or hazard in the NAS.").

⁴ U.S. DEP'T OF TRANSPORTATION, FED. AVIATION ADMIN., BUDGET ESTIMATES, FY 2023, at 207, available at https://www.transportation.gov/sites/dot.gov/files/2022-04/FAA_Budget_Estimates_FY2023.pdf.

unacceptable and clearly more must be done to ensure the United States remains the gold standard in aviation.

Accordingly, we request a written response detailing the specifics of the FAA's NOTAM system outage, as well as your proposed course of action to resolve and effectively maintain the FAA's NOTAM system and the agency's safety critical systems, in general. Please provide these responses, as well as responses to the following questions as soon as possible, but no later than 5:00 p.m. ET on January 25, 2023:

1. What was the primary cause of the NOTAM system outage, and what did this primary cause stem from?
2. When was the system malfunction identified? How long did the system run in error?
3. Did the FAA have any precautions in place to provide resiliency and redundancy to the NOTAM system in the case a failure of this type occurred?
4. If so, why did these efforts fail? If not, please explain the lack of redundancy in your systems and analysis conducted to determine such redundancy was not necessary.
5. Was unreliable information provided through the system until the malfunction was identified? If so, please provide a list of instances of unreliable or incorrect data outputs.
6. After learning of the system outage, did the FAA perform a safety assessment to determine the potential safety implications to help inform decision making during the outage of the primary and secondary systems? If so, please provide the outcomes of such assessment. If not, please provide the basis for FAA decision-making.
7. Upon learning of its NOTAM system outage, what actions did the FAA take to notify all impacted aviation industry stakeholders and interested parties? Did these processes work effectively and efficiently?
8. Has the FAA run a safety assessment on the NOTAM system in the past two years? If so, please provide the dates and outcomes for each safety assessment conducted.
9. It was reported that FAA began resuming ground operations around 9:00 a.m. ET.⁵ In doing so, did the FAA put in place an interim solution or was the primary cause completely resolved? If the FAA implemented an interim solution, please provide a copy of that plan.
10. What was the scope of impact? How many commercial flights and passengers were directly impacted by delays and canceled flights and how many flights and passengers were delayed by indirect issues relating to ripple effects? Additionally, please provide an estimated cost to commercial airlines and passengers due to the delays resulting from the outage.

⁵ @FAANews, Twitter (Jan. 11, 2023, 8:50 am), <https://twitter.com/FAANews/status/1613171400801394688?cxt=HHwWgICxqfK1keMsAAAA>.

11. Is the operation of the NOTAM system and any associated modernization conducted under contract or is it managed directly by the FAA?
12. What are the cybersecurity implications associated with the NOTAM system and its outage?
13. In regards to the NOTAM system's infrastructure failure:
 - a. How old is the NOTAM system's software and hardware infrastructure?
 - b. When was this system last updated?
 - c. Prior to the system outage, when was the system scheduled to be updated?
 - d. Additionally, is the NOTAM system's infrastructure in compliance with accepted global aviation standards? Please provide analysis for this answer.
14. Was the work laid out in the President's FY 2022 request under the detailed justification for 1A06 NextGen (B), specific to identifying improvements to the NOTAM environment, completed? If so, what were the findings?⁶

Further, we request an in-person briefing with Members of Congress to gain further insight into what caused the first nationwide ground stop of aircraft since September 11, 2001, and how the FAA plans to ensure an incident like this is never repeated.⁷ Specifically, we expect an overview of this incident, including any proposed long-term improvement plan for the NOTAM system. Please provide the briefing as soon as possible, but no later than January 25, 2023.

Given the significant safety and economic impacts these situations present to the American public, we intend to conduct vigorous oversight of the Department of Transportation's plan to prevent these disruptions from occurring again. Our constituents deserve nothing less. If you have any questions about these requests and to schedule the briefing, please contact, Hunter Presti, Staff Director, Subcommittee on Aviation, [REDACTED] and Brian Bell, Democratic Staff Director, Subcommittee on Aviation, [REDACTED].

Sincerely,



Sam Graves
Chairman
Committee on Transportation
and Infrastructure



Rick Larsen
Ranking Member
Committee on Transportation
and Infrastructure

⁶ U.S. DEP'T OF TRANSPORTATION, FED, AVIATION ADMIN., BUDGET ESTIMATES, FISCAL YEAR 2022, at 206, available at <https://www.transportation.gov/sites/dot.gov/files/2021-05/FAA-FY-2022-Congressional-Justification.pdf>.

⁷ Ian Duncan, *Nationwide Flight Stop is First of its Kind Since 9/11, Former FAA Official Says*, WASH. POST, Jan. 11, 2023, available at <https://www.washingtonpost.com/nation/2023/01/11/faa-notam-outage-flights-us/#link-4MIXEW57T5AMJJV5DCAXNH6DFU>.



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Member of Congress



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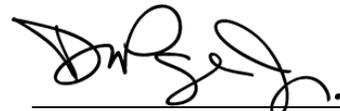
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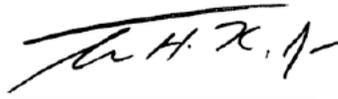
Bradley Scott Schneider
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Jesús "Chuy" García
Member of Congress



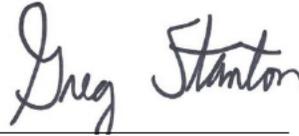
Eric A. "Rick" Crawford
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Member of Congress



Maxwell Frost
Member of Congress



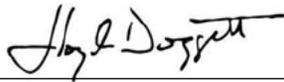
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Jefferson Van Drew
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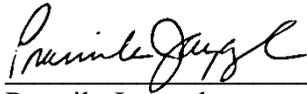
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Lloyd Doggett
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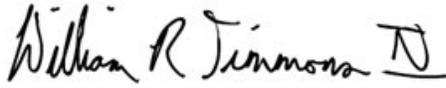
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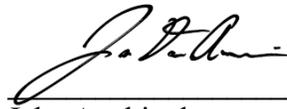
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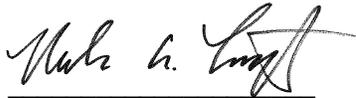
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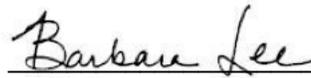
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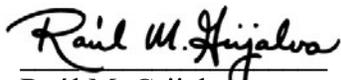
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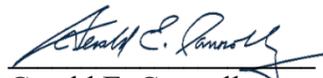
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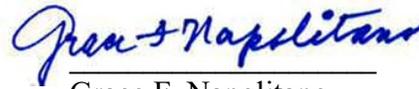
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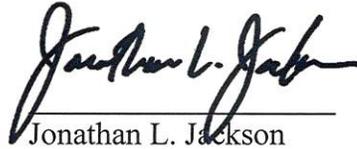
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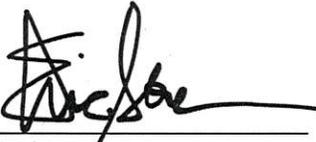
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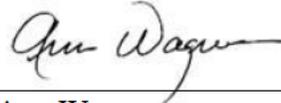
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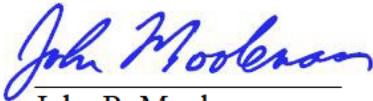
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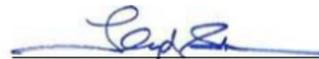
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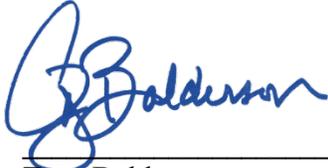
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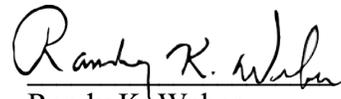
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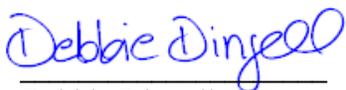
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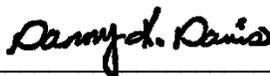
Ruben Gallego
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Sean Casten
Member of Congress



Kathy Castor
Member of Congress



Danny K. Davis
Member of Congress

cc: Mr. Billy Nolen, Acting Administrator, Federal Aviation Administration