



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Peter A. DeFazio
Ranking Member

July 26, 2017

Mathew M. Sturges, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Pete Sessions
Chairman
Committee on Rules
H-312, The Capitol
Washington, DC 20515

Dear Chairman Sessions:

You previously indicated that the Committee on Rules intends to grant a rule to provide for Floor consideration of H.R. 2997, the "21st Century AIRR Act", in the near future. **Title II of H.R. 2997, which privatizes air traffic control, is likely unconstitutional and we urge you to reconsider your intent to bring this bill to the Floor.**

Today, we released the enclosed constitutional analysis of Title II of the bill by the non-partisan Congressional Research Service (CRS). In its analysis, CRS identifies several likely or possible violations of the Constitution, including the nondelegation doctrine, the Due Process Clause of the Fifth Amendment, and the Appointments Clause.

The Committee on Transportation and Infrastructure and other committees of jurisdiction should conduct legislative hearings on the bill, and consider further amendments to it, prior to any consideration in the House of Representatives.

Thank you for your consideration.

Sincerely,


PETER DeFAZIO
Ranking Member


RICK LARSEN
Ranking Member
Subcommittee on Aviation

Enclosures: 2

cc: The Honorable Louise McIntosh Slaughter, Ranking Member, Committee on Rules
The Honorable Bill Shuster, Chairman, Committee on Transportation and Infrastructure
The Honorable Frank A. LoBiondo, Chairman, Subcommittee on Aviation