

May [DATE], 2023

Mr. Billy Nolan
Acting Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Acting Administrator Nolan:

The aviation industry plays a critical role in ensuring human organs and tissue reach transplant patients in situations that can mean the life or death of a waiting patient. The delivery of organs must be conducted in the safest, most efficient manner.

Currently, many kidneys recovered from deceased donors in the U.S. travel by commercial airlines to transplant teams and awaiting recipients. Due to recent changes in the allocation of donated organs in the U.S., more and more kidneys are traveling longer and longer distances. These organs, like airline passengers, are subject to limited flight availability, flight delays, and missed connections. In addition, because the organs travel as cargo, they can further be subject to accidental misplacement or mishandling.

For this reason, health professionals are increasingly exploring new, innovative aviation solutions such as uncrewed aircraft systems (UAS or “drones”) as an alternative to shipping organs by commercial flights. When every second counts, drones could provide a viable solution to move organs quickly, safely, and securely to save more lives.

In many cases, drones could fly a direct route from an organ donor to the recipient transplant hospital. Pre-determined flight schedules and traditional air transport delays do not impact drones nearly to the extent they impact commercial flights. Furthermore, drones hold tremendous promise to optimize organ delivery to historically underserved rural populations. However, for drones to operate effectively, the Federal Aviation Administration (FAA) must establish a regulatory framework allowing drones to operate Beyond Visual Line of Sight (BVLOS) without a lengthy delay for a BVLOS waiver, which can take up to 90 days to secure.

Currently, there are multiple Organ Procurement Organizations (OPOs) participating in pilot projects testing the viability and efficiency of transporting human organs. For example:

- In November 2022, an uncrewed aircraft system moved donated human organs across three cities to test the system. Three OPOs - LifeShare Oklahoma, Texas Organ Sharing Alliance (TOSA), and LifeGift - partnered with the Matador Uncrewed Aircraft System (UAS) Consortium, co-developed by Texas Tech University Health Sciences Center (TTU HSC) and 2THEDGE, LLC., to conduct a BVLOS UAS testing the ability to successfully move organs and blood between Lubbock, Oklahoma City, and San Antonio. This is the first-time donated organs were transported this great distance by an aerial system operated using robotic technology.

- OPOs, including Mississippi Organ Recovery Agency (MORA) and Legacy of Hope (AL), have partnered with the FAA Center of Excellence for UAS at Mississippi State University (MSU) on a pilot program utilizing local airports - Bessemer Airport (AL), Lakefront Airport (LA) and Bruce Campbell Field Airport (MS) - with noncommercial aircraft traffic to explore the opportunities and benefits of UAS' to transport organs efficiently and effectively.

On March 10, 2022, the BVLOS Aviation Rulemaking Committee (ARC) submitted a 381-page report to the FAA with recommendations on enabling BVLOS operations nationwide. The BVLOS ARC included nearly 90 aviation and privacy stakeholders to produce the recommendations contained in the final report. Additionally, Congress included language in the Joint Explanatory Statement (JES) to the Fiscal Year 2022 Consolidated Appropriations Act that stated, "The agreement directs FAA to finalize the UAS beyond visual line of sight [BVLOS] rulemaking by September 2023."

As the FAA works to finalize a proposed rulemaking on BVLOS operations for drones, we urge you to consider the transport of life-saving organs in the regulatory framework. It is critical your Agency understands the importance of organ deliveries and how drone-based organ deliveries BVLOS can truly help save lives. Please provide [INSERT STAFFER NAME] on my staff with an update on where the BVLOS rulemaking stands and how it will address the need for BVLOS organ delivery no later than [INSERT DATE].

Thank you in advance for your urgent attention to this matter.

Sincerely,