



To: Marshall Mitchell, Denmark Ashby, on behalf of the Clayton County Entities  
From: Channon Hanna, Carpi & Clay  
Date: January 14, 2025  
Re: Legislative Opportunities to Advance the Aviation Fuel Tax Issue

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## OVERVIEW

Clayton County has faced significant challenges due to the FAA's 2014 policy change regarding general sales taxes on aviation fuel. This policy stripped the county of millions of dollars in annual revenue that had been critical for funding essential services, infrastructure, and education. The impact on the county's financial stability and the well-being of its residents has been profound, making it imperative to pursue a resolution at the federal level.

Since beginning federal advocacy in 2016, we have employed a multi-faceted legislative strategy to address this issue, leveraging support of our Congressional delegation, building coalitions, and introducing legislation aimed at restoring Clayton County's rights to tax revenues on aviation fuel. Key milestones include filing stand-alone bills, collaborating on FAA reauthorization language, and utilizing other legislative vehicles to advance this cause. Our advocacy efforts have resulted in huge legislative milestones up against a powerful industry in Congress. By continuing our targeted advocacy and exploring a range of legislative pathways, we work toward a successful legislative outcome.

## LEGISLATIVE PATHWAYS

### **1. Stand-Alone Bill**

Filing a stand-alone bill that mirrors the Senate FAA language, including the Clayton County carve-out, is an essential step forward. Senator Warnock and Senator Ossoff can demonstrate their commitment to Clayton County by introducing this legislation in the Senate. This move would signal to Congress that the issue remains a priority for both Senator Warnock and Senator Ossoff and that Congress should take action. Representative Scott's filing of a companion bill in the House would further strengthen the initiative by showing bicameral support across the delegation.

This approach will help keep the momentum we built during the FAA Reauthorization debate for the carve-out language and ensure that Clayton County's unique position as a host to the world's largest airport. The stand-alone bill serves as a strong statement of support for the community, laying the groundwork for inclusion in broader legislative efforts.

## **2. Surface Transportation Reauthorization**

Congress will begin working on the reauthorization of surface transportation programs, which are set to expire on September 30, 2026. This legislation presents a significant opportunity to include language that addresses Clayton County's aviation fuel tax issue. The Senate Commerce Committee, which has jurisdiction over a large portion of the bill, will play a pivotal role in shaping its provisions.

By collaborating with Senators Warnock and Ossoff, we can emphasize the importance of including the carve-out language in the reauthorization bill. Highlighting the revenue's impact on local infrastructure and essential services will reinforce the need for federal support. Advocacy efforts should focus on engaging key members of the Senate Commerce Committee to build consensus around the importance of this provision for Clayton County.

## **3. National Defense Authorization Act (NDAA)**

included provisions related to civil aviation and FAA issues. This legislative vehicle offers another opportunity to address Clayton County's aviation fuel tax issue.

Working through both House and Senate offices, we can advocate for an amendment that incorporates the carve-out language. By framing the issue as one of fairness and economic stability, we can gain support from lawmakers who recognize the importance of ensuring local governments are not unfairly burdened by federal policies. The inclusion of this language in the NDAA would provide a timely and impactful resolution.

## **4. Disaster Relief Legislation**

In response to natural disasters such as the recent wildfires in California, Congress is likely to pass a comprehensive disaster relief bill. These bills often serve as vehicles for additional legislative priorities, offering an avenue for addressing Clayton County's aviation fuel tax issue.

Engaging with Georgia's Congressional delegation, we can advocate for the inclusion of the carve-out language in the disaster relief package. By connecting the issue to broader themes of community resilience and recovery, we can position the language as a necessary measure to support local stability and growth.

## **5. Other Major Legislative Packages**

Major legislative efforts, including the Farm Bill and potential tax legislation, provide additional opportunities to advance Clayton County's interests. These packages often carry amendments addressing a wide range of issues, making them viable options for including the aviation fuel tax language.

Monitoring the progress of these bills will be crucial in identifying opportunities for inclusion. By working closely with Congressional staff and leveraging our relationships within the Georgia delegation, we can ensure that Clayton County's priorities remain at the forefront of these legislative discussions.

## CONCLUSION

The importance of sustained advocacy cannot be overstated. The aviation fuel tax issue represents not only a critical financial matter for Clayton County but also a significant challenge to its ability to fund essential services and infrastructure that residents depend on daily. Resolving this issue is not just a fiscal imperative—it's a commitment to securing equitable treatment and long-term stability for the county.

By strategically aligning our efforts with Senator Ossoff's re-election priorities and continuing to cultivate our strong relationships with Senator Warnock, Rep. Scott, and Rep. Williams, we are well-positioned to amplify our message and build on the progress already achieved. This proactive approach will help ensure that Clayton County's voice is heard loud and clear in Washington, and that its unique needs are fully recognized.

Clayton County's residents deserve to see their community made whole. Our unwavering dedication to this cause reflects a broader commitment to protecting and advancing their interests, fostering economic growth, and ensuring a prosperous future. By pursuing thoughtful and targeted legislative solutions, we can solidify Clayton County's ability to thrive in the years to come.