



June 19, 2017

The Honorable Mario Diaz-Balart
Chairman
Subcommittee on Transportation,
HUD & Related Agencies Appropriations
2358-A Rayburn House Office Building
Washington, DC 20515

The Honorable David Price
Ranking Member
Subcommittee on Transportation,
HUD & Related Agencies Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairman Diaz-Balart and Ranking Member Price:

The National Air Transportation Association (NATA) and its members deeply appreciate your efforts on behalf of aviation stakeholders. We are especially grateful for the Committee's continued commitment to a national aviation system that benefits all users and maintains congressional oversight over this important public asset. At last week's hearing to review the Department of Transportation's FY2018 budget request, several assertions were made in justification of proposals to privatize our nation's air traffic control system that require response. There are serious ramifications for general aviation in proposals to privatize our nation's air traffic control system and it is important the Committee have the complete set of facts.

NATA represents the interests of the general aviation business community before Congress and federal, state and local government agencies. Our nearly 2,300 member companies provide a broad range of aeronautical services to the aviation community. NATA members range in size from large companies with international presence to smaller, single-location independent operators that depend exclusively on general aviation for their livelihood. Smaller companies account for the majority of NATA's membership and most NATA members have fewer than 40 employees and are designated as small businesses by the U.S. Small Business Administration.

Congressional oversight/noise: Privatizing ATC will certainly diminish congressional oversight. The Trump Administration proposal limits the FAA's responsibility to ensuring ATC corporation proposals related to route changes do not pose a safety hazard. The proposal would force the FAA to accept changes in the National Airspace System without the scrutiny that has given us the unparalleled safety record we enjoy today. Coupled with provisions in last year's Transportation Committee-approved legislation giving the corporation advantage over the FAA in court, it is clear that effective congressional intervention, which will be limited solely to the FAA safety function, is seriously diminished.

The Committee correctly noted last week that while air traffic control modernization creates great potential for increased system efficiency, it also creates potential unintended consequences. For example, for people near the approach paths of our busiest airports, the ability of Congress to intervene on their behalf on noise issues will be seriously reduced — if not eliminated — by the creation of such a corporation. Administration documents make clear that noise issues would be eligible for review only if exceeding current FAA-established noise thresholds. In these

circumstances, the ability of Congress to effectively intervene on behalf of constituents suddenly faced with new or increased airline traffic overhead would be dramatically limited.

Radar based air traffic control: Even as the FAA was being praised at the hearing for the deployment of the Automatic Dependent Surveillance – Broadcast system (ADS-B), there appears to be little understanding of this new, transformational technology. We are no longer in an era of “1960s radar technology.” ADS-B is fully operational now and provides surveillance coverage everywhere previously reliant upon radar, plus additional areas not covered by radar surveillance. As the Committee is aware, an aggressive radar decommissioning schedule will commence soon after all aircraft are equipped with ADS-B transmitters, which use GPS as a position source. In other words, the GPS air traffic control system that is purportedly the goal of ATC corporatization is already deployed, needing only aggressive equipage by stakeholders — particularly the airlines. The only radars that will remain in our future system will be those needed for back up and military needs, and will be predominantly a newer generation of radars.

Conflict of air traffic regulating its own safety rules: Like the discussion about ADS-B, this assertion bears no resemblance to the actual FAA organization. There are four areas in the FAA where safety regulations and policies are developed. Two of the organizations (Flight Standards and Aircraft Certification) are in the Aviation Safety line of business. The other two organizations are Airports and Air Traffic. The responsibilities of each are interdependent. Air Traffic decides how to move airplanes, but does not regulate how the pilots operate an aircraft (Flight Standards), nor specify how an aircraft is built (Aircraft Certification), nor how an airport is built (Airports). In fact, there is a line of business within Aviation Safety specifically charged with independent safety oversight that must sign-off on any changes in air traffic regulations.

Currently these organizations work closely together to develop coordinated standards so that each can ensure that an appropriate level of safety is maintained. This often poorly understood relationship and interdependence is critical to ensuring that the interfaces between, and the dependencies in each area, are properly accounted for. The Administration proposal would place a wall between these entities, raising the very legitimate concern that overall system safety will be undermined.

We appreciate the Committee allowing us to clarify the record. Let us again reiterate our thanks to the Committee for its unwavering support in maintaining the world’s safest aviation system and we look forward to our continued work together.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Deere", with a stylized, flowing script.

William R. Deere
Executive Vice President
Government & External Affairs
National Air Transportation Association