

## Open Letter to the United States Congress Regarding FAA Oversight and Funding

March 16, 2009

**Objections to “Airspace Redesign” as Funded Through September 2009.** The \$410 Billion Omnibus Appropriations Bill as passed by the Senate includes FAA funding for the fiscal year ending September 2009. FAA gets \$300 million for Next Generation Air Traffic Control (ATC) projects; however, any portion of this can go to Airspace Redesign. The announced purpose of airspace re-design in the Northeast Corridor is to “reduce delays” (increase operations per hour at busy airports) and “save fuel” (reduce en route separations and flight durations).

Legitimate concerns about this possibility were raised by many communities expecting more overflights, including in new areas, without adequate planning, environmental review and consultation. Pilots and air traffic controllers doubt the feasibility, in practice, of adapting the existing ATC and cockpit systems to more traffic and more complex traffic patterns.

This use of the appropriation lacks scientific value for Next Gen, at best duplicating a statement of requirements. It is unlikely any significant changes will be implemented in six months. Monies spent for successful improvements to the existing systems would show that expensive Next Gen communications of GPS data are unnecessary.

FAA presented airspace re-design to Congress as a simple route planning exercise. It isn't. In the Northeast Corridor, there are numerous ATC centers and radar/transponder locations with coverage and responsibility for current routes. At airports, Instrument Flight Rule (IFR) systems correspond to established approaches, and in the New York City/New Jersey area, detailed mapping of tall buildings, towers and bridges. This cannot be done in six months, and how much of an improvement is needed isn't set in the Next Gen design.

**Questioning Interim Airport Improvement Projects (AIP).** \$3.515 billion also goes to Airport Improvements (AIP) funding. This is in addition to the \$1.1 billion for AIP grants in the recently passed stimulus package. Congress has insufficient evidence for a positive outcome and must improve oversight of FAA developments and operations for these appropriations.

As the oldest citizens' group monitoring airline noise and safety procedures in Minnesota, SMAAC is deeply concerned over use of these funds for two principal reasons: 1) the funds could go toward implementing regional airspace redesigns in violation of due process, environmental and transportation law; 2) AIP funds could also be used to support further expansion of the major hub airports.

In response to recent allegations of wrongdoing in the media, prior audits and GAO studies, DOT Inspector General Calvin Scovel established a special team to oversee the \$44 billion DOT is slated to receive from the stimulus bills. With due respect, IG reviews are rare, tardy and ineffective, and the Congress has not specified the purpose, goals, funding or reporting of FAA development issues by Mr. Scovel's team. Congress has not yet ordered adequate reporting for committee oversight functions or required transparent dealings with airports, State transportation agencies, or local communities.

**The sensible approach is to reduce schedules at the busiest hours.** Major airlines oppose this approach because of their large banks, many gates and business-hour dominance at hubs. The government has no business supporting such practices by reducing safety standards or spending unwisely to increase air traffic rates. Using current technology, these are the same error. If the Senate intended to protect public safety, rather than the business prospects of major airlines, the appropriations should have been explicitly tied to today's limitations and original design capabilities (rate and separation standards) and realistic ATC improvements, not Next Gen concepts.

Thank you for your consideration of these issues.

Sincerely,

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Note: SMAAC and similar citizen organizations are urging their Members of Congress to be more thorough evaluators of air traffic control systems and technologies. FAA has been rudderless since 2007 when its R&D, staffing, and systems repair and upgrade programs were cut or abandoned in favor of the overly ambitious and technologically unproven Next Generation systems. Even if Next Gen is not the desperation punt we think it was when announced, even its proponents do not see deployments for many years after billions have been spent in design and test.