Professional Airways Systems Specialists
Statement on the FAA's FY 2003 Budget March 29, 2002

The Professional Airways Systems Specialists (PASS) provide exclusive representation for more than 11,000 of the FAA's Systems Specialists, Flight Inspection Pilots, Procedure Development Specialists, Aviation Safety Inspectors and safety support staff. We are proud to note that it was the men and women of PASS who successfully ensured operation of the systems that helped safely land all of the aircraft in the National Airspace System (NAS) after the tragic attacks of September 11. Following a request by the Department of Defense (DOD) immediately following September 11, our members staffed Long Range Radar sites throughout the country — forced to leave their home and families sometimes for weeks at a time. PASS members also worked with the United States Air Force to provide additional radar surveillance data and voice communication capability to the military in support of "Homeland Defense." Our members played, and continue to play, a fundamental role in installing additional equipment requested by the DOD to enhance national defense capability. However, measures to increase the security of the NAS must not come at the expense of safety.

PASS members have in-depth knowledge of the NAS and understand what is needed to achieve true NAS modernization while maintaining adequate aviation safety levels. Last month, the Bush Administration released their fiscal year 2003 budget request that called for funding the FAA operations and facilities and equipment accounts as authorized in AIR21. PASS supports full funding of these accounts, however, we are concerned that shortfalls in the Aviation Trust Fund, as reported to this subcommittee by the Department of Transportation Inspector General on March 13, 2002, will require additional funding from the general fund. [1] Because the work that PASS members perform is vital to the safe operation of the NAS it is imperative that this subcommittee fully fund the FAA operations account, despite shortfalls in the trust fund.

AIR TRAFFIC SERVICES

NAS Modernization

Until recently Long Range Radar's (LRR's) were primarily used as a source of weather data as well as for the long range tracking of aircraft. Because of the deployment of updated weather systems before September 11, the Agency was in the process of phasing out LRR's and moving towards a beacon only transponder system of tracking. After September 11, however, a decision was made to keep LRR's in order to track aircraft (with or without transponders) and close gaps in radar coverage.[2] Because LRR's were about to become obsolete, the infrastructure for this system (e.g. technicians, training, equipment, etc.) is insufficient for a program that is now a key component to our national defense. PASS fully endorses the move to maintain LRR's, however it will require that the infrastructure supporting them be restored. We encourage this subcommittee to earmark funds to immediately begin rebuilding the LRR infrastructure into the foreseeable future.

A recurring problem PASS encounters is a lack of effort by the FAA to ensure that proper testing and training have been completed on new systems. The situation is further exacerbated by the approach of the FAA's Terminal Business Services (ATB), which does not include logistics, training or first-level maintenance — essential functions requiring coordination and cooperation for the FAA to correctly deploy major new systems. The continued delay in commissioning the Standard Terminal Automation Replacement System (STARS) is a primary example of an FAA project that did not include everything necessary to deploy a system — especially training and logistics. Furthermore, in the Inspector General's testimony before this subcommittee he remarked that the cost and schedule to complete full deployment of STARS remains at risk.[3] PASS supports the Inspector General's suggestion that the FAA provide a detailed cost estimate that identifies all costs associated with deploying STARS—including delivery, installation, training and testing—and we urge the FAA to include additional vendor or personnel costs in their estimates.[4] We also support the Inspector General's suggestion that the FAA complete a study to determine whether the existing system should be used by the FAA as a contingency plan in case of further delays with the STARS program.[5]

Throughout it's existence, the STARS program has also faced a number of budgetary problems. In his testimony before this subcommittee, the Inspector General mentioned the FAA's need for better cost controls while implementing new systems to modernize the NAS.[6] We echo the concerns of the Inspector General and wish to point out that in order to better manage program costs, the FAA must first better manage the programs themselves.

STARS has probably been one of the most talked about and, yet, one of the most mishandled major projects currently under NAS modernization. Last year, PASS testified before the House Transportation and Infrastructure Subcommittee on Aviation

[1] Kenneth M. Mead, Department of Transportation's Inspector General, "FAA's Fiscal Year 2003 Budget Request," March 13, 2002, p. 3.
[2] Ibid, p. 28.
[3] Ibid, p. 25.
[4] Ibid, p. 26.
[5] Ibid, p. 26.
[6] Ibid, p. 4.

that the development of a full service training curriculum was being unnecessarily bogged down by FAA. We regret to report that, although Philadelphia is scheduled as the first location to receive the hardware for full-service STARS in June 2002 with commissioning later this fall, the FAA is nowhere near capable of supporting it.

The FAA continues to undermine our negotiated agreement that would make the deployment schedule possible through onsite, just-in-time training. Our December 2000 agreement would have every systems specialist fully trained and certified by the time STARS becomes operational at each site. This agreement, however, was based on the completion of pre-requisite training in A+, Solaris and Net+ certifications. Yet, just this last November, the FAA continued to drag its feet on this issue with Airway Facilities (AF) claiming it was not aware that these were STARS pre-requisites. As a result, and in an attempt by PASS to help meet the deployment schedule for Philadelphia, we agreed to waive the pre-requisite requirements in Philadelphia. PASS will not waive these requirements for other locations.

Furthermore, the STARS full service training for the specialists in Philadelphia is scheduled to begin this June but, unfortunately, the training curriculum still has not been completed. For example, System Administration and Security, which is a major component of any of today's automated systems, is still not developed. This is in spite of the fact that the field instructors have supposedly been trained and are ready to begin delivering it. Additionally, Jump STARS, formerly known as Jump Start, is not being taught. This is a complicated and time-consuming procedure necessary to recover the STARS system following a failure. Under the best of conditions, this procedure may take up to 8 hours to perform before display capabilities are restored for air traffic controllers. However, the training that was recently provided by Raytheon instructors in El Paso, TX, did not include anything more than reading through the procedure.

These are but a few examples of the never-ending STARS saga. In January of this year, PASS notified FAA Administrator Jane Garvey that we no longer support the deployment schedule. This is because the FAA continues to ignore what PASS believes to be system-critical issues that need immediate attention. PASS has testified many times as to the importance of replacing the aging Automated Radar Tracking System (ARTS), particularly the ARTS-IIIA facilities. As we have also previously testified, the FAA must develop a contingency plan because STARS is far from ready to go.

In Administrator Garvey's remarks before this subcommittee on the FY 2003 budget she indicated that Free Flight Phase 1 has been a success.[7] PASS, however, argues that Free Flight Phase 1 is not meeting expectations because the FAA did not properly test the system before deployment. For example, when the User Request Evaluation Tool (URET) was first placed into initial daily use at Kansas City, the display of wind speed and direction at each control position was 90 degrees off. Turning on a system with this kind of problem is totally unacceptable. This is the type of error that could have been avoided if standard certification procedures had been in place. Initially, certification was not a requirement because the FAA had determined that the system was to be used in an advisory capacity only, and not for the separation of aircraft. This changed, however, without developing proper certification procedures. Other problems due to the lack of basic support and training for our systems specialists include: poor system integration, failure to gain the buy-in of first level specialists and inadequate system security.

PASS's experience with the Wide Area Augmentation System (WAAS) and the FAA's decision to cut its training budget in order to fund continued development, should also be of concern to this subcommittee. For example, the WAAS Training and Maintenance System (WTMS) was developed to support training, software, second level engineering and depot support. Unfortunately, the program office at the time did not have enough funding left in its budget to cover the $4.7 million cost to implement WTMS. At that time, PASS recommended a "down-scoped" WTMS (or WTMS Lite) at a cost of approximately $2.5 million. The trade-off was to provide 30 percent of operator training on the live WAAS while the other 70 percent of operator and 100 percent of maintainer training would be done on a simulator at the FAA academy. Beyond that — and in order to accomplish attrition training, support software, second level engineering and depot fault isolation/verification — we urge this subcommittee to provide the remainder of the funding necessary for the full WTMS package in order to allow unimpeded use of the WAAS once commissioned.

Another way the FAA has proposed to improve the efficiency of the NAS is through the use of Operational Control Centers (OCC's) and NAS Infrastructure Management System (NIMS). OCC's/NIMS were developed from the need for upward reporting to enable better flight planning and traffic flow management. The plan that PASS supported primarily focused on providing real-time reporting of weather patterns and system problems. AF management seems to have lost sight of the original intent of the program, however, because they continue to add to the OCC bureaucracy rather than their capability. Additionally, AF management believes that they can now control the NAS through OCC's although this was not the original intent of the program. PASS does not support this concept at all. The FAA needs to take the lead and reestablish the real function of OCC's/NIMS. We request that this subcommittee suspend all funding for OCC's and NIMS until the FAA presents to Congress a viable business plan that will accomplish its original intent.

[7] Jane F. Garvey, Federal Aviation Administrator, "House Committee on Appropriations Subcommittee on Transportation and Related Agencies Concerning the Federal Aviation Administration," March 13, 2002, p. 5.

Contracting Out

PASS is strongly opposed to the Administration's plan to contract out safety related jobs to the private sector. Aviation safety should not be sold to the lowest bidder. In this year's budget, the Office of Management and Budget directed every department and agency to open up to the private sector the work of five percent of the federal jobs in their FAIR Act inventories in FY 2002 and an additional fifteen percent in FY 2003. PASS recently learned the FAA intends to complete an OPM "A-76 study" on virtually every new system in the NAS. Under A-76 guidelines, however, decisions regarding the contracting out of work should have been done before procurement of a system. Ironically, the Agency is now going back to perform studies on systems that already exist and where in-house maintenance has already been agreed upon.

As this subcommittee knows, the NAS is not just one piece of equipment, but rather it is a complex integrated system that includes thousands of different smaller systems, many of which interface with one another. When contractors come into an FAA facility to work on a piece of NAS equipment they do not understand the impact their manipulation can have on the other systems over which they have no responsibilities, thereby increasing risk to the flying public. While some may believe that individual components of the NAS (e.g. a radar, a processor or a display subsystem) can be contracted out, it is FAA specialists who maintain and certify the interaction between those diverse components. FAA technicians are the end-to-end service providers regardless of vendor, regardless of system and regardless of distance. They ensure that the complicated interconnected systems are operating efficiently and safely.

The certification of NAS systems that are used to separate traffic and maintain safety has been deemed inherently governmental functions. Because FAA technicians work with the NAS equipment everyday and are the only people who certify the systems, they understand the need to exhibit caution and to communicate with others before performing any maintenance, repair, installation or modification on a system.

Furthermore, PASS finds it ludicrous that the Agency would look to contract out the maintenance and repair functions on new equipment after guaranteeing employment through the collective bargaining process. Perhaps the FAA failed to mention to the Administration that provision of our agreement. Also, the FAA technical workforce is already in place and fully capable of taking on advanced replacement systems. We also doubt that an A-76 study would provide a fair comparison between the cost of maintaining a single system by a contractor versus in-house maintenance because our technicians each maintain as many as 12 or more different systems.

Finally, it should be noted that there has never been a major accident attributed to the equipment or systems FAA technicians maintain and certify. Given this, and the events of September 11, it is alarming that the Administration would even consider contracting out the vital functions FAA specialists perform to maintain and certify the NAS. Control, support, loyalty and oversight of the NAS are inherently governmental functions. When flying to your Congressional district on some late, foggy night, you should feel comfortable that the radar, communications and instrument landing systems were maintained and certified by a dedicated FAA technician. Neither PASS nor this subcommittee should sit idly by while the FAA tries to farm out the jobs of FAA specialists to the lowest bidder.

AVIATION SYSTEM STANDARDS (AVN)

Staffing is a huge problem for the Aviation System Standards (AVN) workforce that PASS represents because of pending plans to freeze hiring and backfills. The FAA cannot maintain the NAS nor meet Congressional mandates to modernize the NAS by reducing staffing. AVN is currently staffed at 1995 workload levels which equates to maintaining and modernizing a 7,500 procedure NAS. Since 1995, the number of procedures in the NAS has increased by 87 percent, or approximately 14,000 procedures. Additionally, AVN will be required to increase its workload an additional 53 percent (to approximately 18,000 procedures) by 2006. Reduced staffing will adversely affect all Part 139 (air carrier operations) Airports as well as general aviation airports across the nation. We ask this subcommittee to earmark funding to hire 100 additional Procedures Development Specialists and 50 administrative support staffers for Instrument Flight Procedures Development.

The events of September 11 and the subsequent military deployment associated with that date, as well as other military conflicts, mandate immediate attention to the Flight Inspection fleet of aircraft. The FAA is currently utilizing six Hawker 800 aircraft that are no longer suited to meet global flight inspection requirements. The FAA perpetuated this problem when it closed its flight inspection bases in Japan and Germany. While it may have seemed like a sound fiscal decision at the time, the dynamic nature of our global environment now dictates that the Agency take immediate steps in order to meet its global responsibilities. In short, the military support mission of the FAA cannot be met with the current fleet of aircraft. The FAA, in support of combat or contingency situations, is required to fly flight inspection missions in or near hostile areas. Two aircraft must be available to

deploy to a second theater in an opposite hemisphere within 72 hours. Examples of the use of these aircraft are Somalia in 1992, Haiti in 1994, Bosnia in 1995, Croatia in 1996 (investigation of Commerce Secretary Ron Brown's plane crash), Rwanda in 1996, and Kosovo in 1999. The Agency must act immediately to meet its global obligations and take advantage of the market value of its capital assets. A recent study estimates the sale value of the FAA's fleet of outdated Hawker and Challenger aircraft to be in excess of $97 million.[8] The net cost difference of a fully operational fleet of, for example, Gulfstream 200 aircraft is less than $70 million. Amortized over a period of 10 years nets a cost of less than $7 million per year. This cost could be further reduced through effective negotiations and cost sharing with the DOD. PASS fully supports the flight inspection mission plan in regards to fleet modernization.

FLIGHT STANDARDS (REGULATION AND CERTIFICATION)

PASS represents approximately 2,600 Aviation Safety Inspectors (ASI's) and 500 aviation safety support personnel in the Flight Standards division of the FAA. These highly skilled individuals have responsibility for ensuring aviation safety through certification, education, oversight and enforcement of all private and commercial aircraft, air agencies, airlines, airmen, and repair facilities. We would like to thank this subcommittee for providing additional funds for more safety inspectors in the FY 2002 DOT Appropriations bill. This subcommittee recognizes adequate inspector staffing is necessary to properly oversee the NAS. Unfortunately, we regret to inform you that the FAA continues to spend that money for purposes other than increased staffing. Additionally, while the demands of aviation safety have increased significantly, the FAA continues to mismanage the financial and human resources necessary for ASI's to complete their congressionally mandated responsibilities.

Staffing

The 90-day safety review, conducted in the summer of 1997, addressed inspector staffing concerns raised by the ValuJet accident. Recent accidents involving Alaska Airlines, Southwest Airlines, and American Airlines can be at least partially attributable to the FAA's failure to increase the number of safety inspectors following the ValuJet crash. Although the FAA continues to receive money for increased staffing, they have failed to meet targeted numbers. This shortfall directly disables the FAA's ability to ensure compliance with the civil aviation safety regulations and standards.

When the Inspector General testified before this subcommittee he identified deficiencies with the Air Transportation Oversight System (ATOS) and the Continuous Analysis and Surveillance System (CASS) programs.[9] Other programs, such as the Runway Safety Program, also increase the workload of inspectors. This year the President's budget includes funding to hire 86 additional safety personnel, however, PASS recommends that this subcommittee provide funding for at least 500 additional ASI's as well as 100 safety support personnel. This additional inspector staffing would finally bring the workforce numbers to levels authorized after the ValuJet crash. Because the aviation industry itself is aggressively recruiting, the pool of potential candidates is dwindling. The situation is made worse with close to 43 percent of the FAA workforce eligible to retire in 2006. [10] Additionally, the FAA has not initiated an aggressive plan to recruit new inspectors. It is important that additional inspectors be hired sooner rather than later because it takes three to five years to properly train a new inspector. PASS recommends that this subcommittee ensure that any funding given to the FAA for increased staffing does not get diverted for other purposes.

Training

Air Carriers are introducing new technology at a rate far in excess of the FAA's willingness to provide training on that technology. The average inspector is trained on new technology that is two to four years behind what the carriers are using in their fleet. This gap in technological knowledge is increasing over time. Additionally, because ATOS is based on System Safety — a proactive process, rather than the reactive process that the FAA currently relies on in the oversight of most air carriers — substantial training is required. In his testimony, the Inspector General criticized the FAA for not providing the training necessary to properly implement ATOS, reporting that 71 percent of inspectors interviewed had not received adequate ATOS training.[11] While ATOS is ambitious in scope and sound in principle, without the proper training and resources it is doomed to fail. PASS requests that this subcommittee send a message to the FAA that training in new technology and System Safety is vitally important and should not be overlooked or under funded.

Designee Program

[8] Federal Aviation Administration and U.S. Air Force, "Meeting the Requirements of the Combat/Contingency Flight Inspection Mission, Final Report" (Prepared by Q.E.D. Consulting, LLC), February 15, 2002, p. 20.
[9] Kenneth M. Mead, Department of Transportation's Inspector General, "FAA's Fiscal Year 2003 Budget Request," March 13, 2002, p. 12-14.
[10] "FAA's Workforce Planning and Restructuring," June 4, 2001, p. 2.
[11] Kenneth M. Mead, Department of Transportation's Inspector General, "FAA's Fiscal Year 2003 Budget Request," March 13, 2002, p. 13.

In an effort to deal with the continuously shrinking inspector workforce, the FAA has chosen to designate out critical safety mandated responsibilities to commercial organizations outside the Agency instead of recruiting and training their own inspectors. While the use of designees is not a foreign concept for low level responsibilities, it is now being expanded to include such functions as original certification of pilots and mechanics, corporate operators and FAR Part 135 (small air carriers) and 121 (large air carriers), as well as FAR Part 145 (repair stations). By using designees the FAA is essentially allowing the industry to regulate itself without FAA oversight. Designating out the inherently governmental responsibilities and authority that inspectors perform virtually ensures that the FAA will continue down a road that reduces the level of safety within the aviation industry. PASS urges this subcommittee to direct the FAA to reduce their reliance on the use of designees for the oversight of aviation safety.

MANUFACTURING INSPECTION DISTRICT OFFICES (MIDO)

PASS represents 134 Manufacturing Aviation Safety Inspectors in 22 field offices across the country. They maintain regulatory surveillance and are responsible for the regulatory compliance of nearly 2,000 manufacturers of aircraft, and aircraft component parts in the U.S. This includes ensuring that FAA production approval holders meet their regulatory responsibilities in both the letter and spirit of the law. Over the last ten years, changes in the aviation industry have made this an increasingly difficult task. The trend has been to outsource part manufacturing, reduce the inspection of parts, downsize the domestic production of parts in favor of smaller suppliers, and moving some production outside the U.S. Each of these trends increase the difficulty of fulfilling the oversight responsibility of the existing inspector workforce.

Adding more responsibility to the current workforce presents itself as an increased risk to the flying public. Over the last ten years the number of enforcement cases where companies were determined to be violating FAA regulations has dramatically increased. For example, the number of enforcement investigations has risen from 51 cases against aircraft manufacturers in 1991 to 178 in 2000. Cases against engine manufacturers have also increased from nine in 1991 to 103 in 2000. Additional inspectors would mean increased oversight across the industry allowing the FAA to work proactively with the industry and prevent problems before they occur.

FAA's response to the increase in responsibility has been questionable at best. Instead of asking for additional resources, FAA's senior management is focusing on a program, Effective Resource Utilization and Tasking (ERUT), which refocuses resources away from component part manufacturers and onto the aircraft manufacturers. While in theory ERUT allows the FAA to focus on potential high risk areas, the results show the refocusing of resources beginning in 1999 has simply shifted the location where inspectors discover and document regulatory problems. Because the workforce is still understaffed, however, it is impossible to know how many problems are simply escaping the FAA's knowledge.

Finally, PASS is also greatly concerned with the expansion of the designee program in MIDO, which mandates companies who employ two or more FAA designees establish "Organizational Designated Airworthiness Representatives" (ODAR's). There are currently more than 1,800 individual FAA manufacturing designees, overseen by approximately 100 FAA MIDO Inspectors, and more than 5,000 designees overall in the Aircraft Certification Service. Most receive only an 8-hour per year review of their work. Due to the workload imposed by just that small amount of oversight, FAA management now wants all companies who have multiple designees to become "Organizational Designees," where the company itself is responsible for appointing, training and overseeing its own designees. On paper it reduces FAA oversight from 8-hours per year, per person, to 20 hours per year for the entire company. If a company has five designees they have in the past received 40 hours of oversight. Now they will receive only half that amount. PASS believes that mandating such a change will result in a greater risk to safety.

PASS also asks the subcommittee to fully fund the request by the Administration to increase funding to the Aircraft Certification Service, and in particular to the FAA Manufacturing Inspection Field Office workforce. We believe there is still need for 100 more field inspectors to properly maintain the level of safety the flying public expects. Any cut to the FAA's budget in this area will seriously jeopardize the safety of the flying public.

CONCLUSION

In closing, PASS asks that this subcommittee hold the FAA accountable so that funding received for staffing and training are not used for other purposes. We also ask that this subcommittee investigate the FAA's plan to contract out safety related jobs to the private sector. In light of September 11, privatizing the maintenance and inspection of the NAS is reckless. Now, more than ever, it is imperative that the FAA focus not only on the security of our airspace but on its safety as well.