

**Testimony of Steve Baker  
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**Subcommittee on Aviation  
Hearing on  
March 22, 2007**

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Chairman Costello, Ranking Member Petri and Members of the Committee, my name is Steve Baker and I am the President of the FAA Managers Association. I appreciate the opportunity to come before the Aviation Subcommittee and provide you with the perspective of field Air Traffic managers throughout the FAA system. As an incorporated Association, our mission is to promote excellence in public service and to ensure aviation safety and efficiency. Our organization, which represents all levels of management in the Federal Aviation Administration's lines of business, operates as effectively as agency safety parameters will allow. Among those we represent are the front line managers who develop, train and oversee the air traffic controllers. It is critical that you know that to become a front line manager, each of our Air Traffic Managers and or supervisors must have served successfully first as an air traffic controller. Additionally, we are an organization representing the leaders who carry out the Federal Aviation Administration (FAA) mission of providing the safest, most efficient aerospace system in the world. Each of our members understand very well the challenges that they face on a daily basis and as an organization we are focused on fostering communication of information, ideas, and opinions throughout all lines of business. Finally, our organization will continue to work to improve the working conditions for our members while supplying superior opportunities for professional development.

I would like to focus my comments on three key areas. First, I want to thank you for the leadership that Congressman Oberstar and Congressman Mica provided in Vision 100, the last FAA Reauthorization Bill, that fixed a major inequity in the retirement system that deterred highly qualified individuals from seeking promotion to senior air traffic supervisory positions from the ranks of Front Line Manager (Operational Supervisor). Second, there is a need to increase the statutory number of supervisors within the FAA to improve and enhance safety in the system, especially as the FAA continues to hire new air traffic controllers. Third, I want to provide you with my Association's views on how the current system is functioning

I would like to thank this Committee for including section 226 in the last FAA Reauthorization bill (Public Law 108-176). Section 226 changed several aspects of the ATC retirement system that impacts supervisors and managers in the Air Traffic Organization. Prior to the enactment of this section, only air traffic controllers and first-level supervisors were given full credit for operational time worked toward their retirement. Under the revised statute, some second-level supervisors now receive credit for time worked at favorable accrual rates. You have fixed a large part of what was a major disincentive for air traffic control supervisors to apply for more

senior supervisory positions. In Air Traffic today, we have 8 – 10 supervisors applying for every second level position that become available. Prior to the enactment of the law we had one or two applicants, and sometimes none. The net effect allows management to pick among highly qualified supervisors and assemble a team of the very best, which helps maintain the tiered level of management and oversight that is required in a difficult and challenging air traffic environment. By removing that prior disincentive to move up in the supervisory ranks, we are able now to attract and recruit the best people for the job. So thank you very much for correcting that inequity.

Now for our number one issue for this FAA Reauthorization legislation: increase the number of Air Traffic Front Line Managers. In 1998, the Clinton Administration, as part of the collective bargaining agreement with the air traffic controller union, agreed to fund controller pay increases by eliminating 700 supervisor positions at air traffic control facilities across the country. At the time, many were concerned that fewer supervisors in the towers, TRACONs (Terminal Radar Approach Control, Enroute centers, and traffic management units would negatively impact safety. The FAA countered that safety would not be jeopardized and that the gap in supervision would be bridged through the expanded use of 'controllers in charge' (CIC), putting a seasoned controller temporarily in a supervisory role. Prior to 1998, CICs had been used typically when operations were slow and when supervisors took short breaks. In 1999 when the CIC program was expanded, it was implemented with the understanding that a small group of exceptional controllers would be selected and appropriately trained for the expanded supervisory role. Unfortunately, this did not occur. In 2000, the DOT Inspector General found that the FAA was bypassing its own selection process and designating virtually all available controllers as CIC eligible. According to the FAA, more than half of all controllers were deemed eligible for expanded CIC duties. In many facilities, nearly all controllers were designated as a CIC.

The lack of proper supervision at air traffic control facilities has had a dramatic impact on safety as well as the working environments. Operational errors, runway incursions and delays have risen. In February 2003 in testimony before this subcommittee, the DOT Inspector General, warned "at least three serious operational errors and one serious runway incursion occur, on average, every ten days." Clearly there is a link between the level of supervision in the air traffic environment and safety. We offer the following statistics to demonstrate how safety has been jeopardized. Operational Errors in 1995 were 772, in 2005 they rose to 1506 a 95% increase. Additionally, in 1995 Runway Incursions were 249, in 2005 they rose 336 a 35% increase.

In FY04 and FY05 we were successful in obtaining funding and language included in the Transportation Treasury Appropriations Bills to start incrementally hiring supervisors. At present there is a floor of 1,846 supervisors mandated in law. Unfortunately, the FAA ignored the mandate and never had more than 1,801 permanent first line supervisors. This directly affects safety and efficiency in the

system. Our organization has discussed the need for more supervisors with the FAA's leadership, and we continue to engage in a dialogue with them on this issue.

Recent attention has been placed on the need to hire additional controllers in anticipation of increased retirements. In contrast, very little planning has occurred for maintaining the continuity and expertise of the operations supervisors and managers who are an equally important element in the overall system. Supervisory retirements need as much attention as controllers retirements, but the FAA did not include in its workforce plan how they were going to keep up with supervisory retirements yet alone with congressionally mandated numbers.

We believe that there should be at a minimum 2,050 first line supervisors in the system. This number is based on our assessment of the current air traffic environment that has dramatically changed and with greater numbers of operations since 1998. While there have been discussions in the past about ratios of supervisors to controllers, we believe that such a rigid, fixed ratio system is counter productive. We need the flexibility to manage the challenges that we will face while being able to place more supervisors where the system is stressed and to use our resources in other facilities to ensure that we maintain the level of safety and efficiency the flying public expects.

I say this not to be critical of controllers, but rather to emphasize the fact that proper supervision is essential to a safe aviation system, and we strongly believe that the best person to provide this oversight is a trained and dedicated supervisor.

This brings me to my last area of focus today- our perspective on how the current system is working. Air Traffic Control supervisors and managers received unprecedented extensive training before the contract was implemented. This contract has permitted each of us to better manage the operational workforce and apply our resources where they are most needed. I have heard from my Membership across the country that the changes that have been implemented have been positive. One major aspect was the restructuring of the Controller-in-Charge program. We think that this was a wise decision on behalf of the FAA, and it is a prudent use of the scarce dollars that are available to manage our air traffic system.

I am fearful that if the contract were to be nullified, as some are suggesting, that it would have the unintended affect of encouraging many, many supervisors to retire. Of the managers we represent, approximately 71% are eligible to retire. Our conflict is not about the content of the contract per se, but rather the impact it will have on the safety and efficiency of the system we manage, and how the FAA would pay for increased benefits under a revised contract. There is no budgetary excess within the FAA, the agency is financially stretched, and our organization believes the agency should not sign any agreements we cannot afford. Additionally, our organization supports an impasse process that is fair for all parties and is never retroactive. Any agreements that do not provide meaningful savings and result in creating uncertainty to the managers we represent, most likely will generate chaos

and produce a difficult work environment, which may jeopardize safety in our system.

In 1995, aircraft system delays were 236,794; in 2004 they were 455,786 and increase of more than 90 percent. Delays in the system are extremely costly and amount to approximately \$9.4 billion a year. That figure will only rise if we do not do everything we can to reduce or eliminate delays, not to mention the inevitable mistakes that could be made as traffic increases while management oversight decreases.

According to the U.S. Bureau of Transportation Statistics, arrival delays in January 2007 soared to 24.2 percent, the highest in that month since 2000. For all of last year, about 22.6 percent of flights arrived at least 15 minutes late. That amounts to 1 in 4 flights being affected. Failure to adequately staff our management oversight positions in the field facilities, those directly responsible for the safe operation of the National Airspace System (NAS), will continue to exacerbate the problems. Resources for the FAA will remain constrained, and as we move into the 21<sup>st</sup> century enlightened and challenged with leaps in technology only dreamed of yesterday, we must ensure the proper oversight of this progression and transition. Most importantly, without all factors taken into account, the safety of the flying public will be put at risk.

We are faced with complex problems in the areas of scheduling, equipment, data acquisition, airspace design, and technologies both old and leading edge. Yet, with all the studies and evaluations that have been conducted, a clear solution to the problems seems to elude us. FAAMA believes that, through an examination of past and present experiences, a vital component has not been sufficiently scrutinized.

The piece of the puzzle we at FAAMA know to be underestimated and under-addressed is management oversight and support. The Front Line Manager in the Air Traffic Control operational environment is the liaison between safety and efficiency and the management official directly responsible for the development, training and certification of the next generation of air traffic controllers. Second-level supervision in the larger Air Traffic facilities (pacer airports and above) is an integral part of this safety/efficiency formula, as are the support specialists who provide training, procedural development, and quality assurance, and the personnel responsible for maintaining the equipment necessary to operate the NAS. Since 1995, the FAA has embarked on an initiative to improve the agency's efficiency, following the recommendations of Vice President Gore's *National Performance Review* (now known as *the National Partnership for Reinventing Government*, or *NPR*) to move to a 15-to-1 employee-to-supervisor ratio. The FAA, in an attempt to comply with guidelines set forth in this initiative, began reducing management oversight, staff support, and maintenance support, in its Air Traffic facilities. The rapid increase in aircraft delays and negative

safety indicators can be at least partly attributed to the inception of initiatives set forth by the NPR.

The continuum that can be measured in relation to the increased delays, as well as safety factors such as runway incursions<sup>1</sup>, surface incidents<sup>2</sup>, operational deviations<sup>3</sup>, and worst of all, operational errors<sup>4</sup>, is the continuing decrease in operational oversight in both the operational and maintenance arenas. The reduction of oversight and support has an insidious effect on operations. For a limited period of time, there is no doubt that controllers can easily function without this oversight and support. However, eventually, conditions begin to deteriorate. Morale suffers due to personnel issues that go unaddressed, such as training on changes to existing procedures/practices; safety trends; recurrent training, and the addition of new controllers. Equipment begins to malfunction with greater and greater delays in returning it to service. Critical preventive maintenance is shelved for higher priority duties and more and more, we are seeing critical systems being taken off line during peak traffic times in order to accomplish maintenance that used to be completed during off-peak hours due to a lack of technicians and supervisory oversight. The systemic approach to proper traffic flow is subsequently reduced to the needs of individuals, and no longer those of the FAA and, more importantly, of the flying public. The tendency to “take the easy way,” due to limitations exacerbated by a lack of adequate oversight, has the unfortunate result of slowing down the flow. For instance, miles-in-trail restrictions<sup>5</sup> are not closely monitored, compromising the efficiency of the system. Also, the willingness to act aggressively and accordingly to determine a new plan to accommodate changing weather conditions, or the willingness to take the time necessary to correct controller deficiencies – however minor – are lost due to higher priorities as well as stretched resources in personnel and facility capability.

Additionally, I want to note that our support resources were dramatically changed with the latest iteration of restructuring. Our field support staffs were consolidated into three Service Areas instead of nine (9). While we are hopeful that in time the logistics of this restructuring will be smoothed, the immediate effect is confusion, lack of clear continuity in support, delays in providing service, and the inability to fill vacancies (both at the field level and staff level). This has created the need to hire

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<sup>1</sup> A Runway Incursion is defined as any occurrence at an airport that involves an aircraft, vehicle, person, or object on the ground that creates a collision hazard or results in a loss of separation with an aircraft taking off, intending to take off, landing, or intending to land.

<sup>2</sup> A Surface Incident is defined as any event unauthorized, or an unapproved movement occurring within the movement area, or an occurrence in the movement area associated with one operation of an aircraft that affects or could affect the safety of flight. Surface incidents result from pilot deviations, vehicle or pedestrian deviations, or operational errors/deviations.

<sup>3</sup> An Operational Deviation is defined as: 1) Less than applicable separation between an aircraft and protected airspace or airspace delegated to another facility or position without approval; 2) An aircraft, vehicle, equipment, or personnel encroached upon a landing area that is delegated to another position of operation without prior coordination and approval.

<sup>4</sup> An Operational Error is defined as an occurrence attributable to an element of the air traffic control system: 1) Results in less than the applicable separation minima between two or more aircraft, or between an aircraft and terrain or obstacles and obstructions; 2) An aircraft lands or departs on a runway closed to aircraft operations after receiving air traffic authorization.

<sup>5</sup> Miles-in-trail restrictions are aircraft spacing requirements made by air traffic management in order to minimize delays and optimize system efficiency.

contract personnel to fill these vacancies, which creates further confusion and our ability to effectively manage the agency.

As I close, I want to reiterate that without the support of this Committee and your leadership the retirement inequities for managers would not have been fixed. It is critical to the safety and efficiency of the system that we increase the statutory number of supervisors. Finally, the current contract has provided supervisors with the flexibility to manage the controller workforce to achieve efficiencies that you desire with a constant focus on system safety.

Again, I appreciate the opportunity to testify today and I am happy to answers any questions the committee may have.