



## AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES

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## **FAA Contract Tower Program Not Affected By Court Ruling**

ALEXANDRIA, VIRGINIA, February 12, 2002—A February 5 court ruling requiring the Federal Aviation Administration (FAA) to complete a report on its decision to contract out low-activity air traffic control towers is an administrative action that has no effect on the agency's Contract Tower Program.

At issue is an Office of Management and Budget requirement known as an A-76 study that administrative agencies must complete before contracting government functions to the private sector. FAA's initial A-76 study on its Contract Tower Program was found to be incomplete by the U.S. District Court for the Northern District of Ohio, and a second study was ordered. FAA has not completed the second version.

The U.S. Court of Appeals for the Sixth Circuit on February 5 ordered FAA to file a status report on the A-76 study within 30 days and directed the district court to set a reasonable time limit on production of the final study.

J. Spencer Dickerson, executive vice president of the American Association of Airport Executives (AAAE) and executive director of AAAE's affiliated organization, the U.S. Contract Tower Association, stated, "The court order simply requires FAA to complete a study. It does not question the validity of the Contract Tower Program, which has strong support from public airports and aviation users. The program continues to be strongly supported by Congress, the National Transportation Safety Board and the DOT Inspector General (IG) as a cost effective way to continue air traffic services at small airports that otherwise wouldn't have the important safety benefits of air traffic control."

FAA's Contract Tower Program, which began in 1982, now includes 209 low-activity towers throughout the country. Without this program, FAA would have closed many of these towers for budgetary reasons, drastically impacting air traffic safety at smaller communities nationwide.

The DOT IG has issued three comprehensive audits of FAA's Contract Tower Program — May 18, 1998, April 12, 2000, and December 14, 2001 — and found in all three reviews that these contract air traffic control towers provide services comparable to the safety and quality of FAA-

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### **Contract Tower Program (*cont.*)**

staffed facilities. The IG pointed out that the towers are under the close supervision and oversight of FAA and that contract controllers — most of whom are former military and retired FAA controllers — are certified by the agency and comply with the same regulations and training standards as FAA controllers.

The U.S. Congress has authorized and provided funding for the Contract Tower Program on a consistent basis, expressing strong support for its safety benefits to smaller communities. National Transportation Safety Board officials also have described the Contract Tower Program as important because it permits the operation of towers that otherwise would be closed.

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*Editor's Note: The U.S. Contract Tower Association was created by the American Association of Airport Executives (AAAE) in 1996 to promote the benefits of the contract tower program and to enhance aviation safety at smaller airports. AAAE is a professional organization representing the men and women who manage and operate air carrier and general aviation airports nationwide.*