

U.S. CONTRACT TOWER ASSOCIATION

NEWSLETTER

A PUBLICATION FROM THE AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES

Volume 6, Number 4

July-August 2002

FAA: CONTRACT TOWER PROGRAM PROSPECTS 'BRIGHT'

Future prospects for FAA's Contract Tower Program are "bright," while the cost-sharing program is also "a clear success," then-FAA Administrator Jane Garvey told the more than 125 delegates at the AAAE/USCTA/FAA Contract Tower Workshop July 14-16 in Washington, D.C.



Then-FAA Administrator Jane Garvey spoke at the Contract Tower Workshop

In a keynote address, Garvey said the contract tower program provides "our smaller communities safe and efficient air traffic service, as well as provides a critical boost to economic development."

While the future of the program is bright, "It is not all clear skies for contract towers," Garvey acknowledged, pointing to issues that could impact the program, including the National Air Traffic Controllers' (NATCA) lawsuit opposing the contracting out of ATC services, and concern over impending controller retirements. Garvey referred to a recent General Accounting Office study that projected one-third of the nation's total controller workforce may retire by 2007. She said FAA is "on top of" this issue and has compiled a 10-year hiring plan to ensure adequate future staffing at FAA towers. As a safeguard, she said the agency increased its original hiring estimates.

Garvey's term ended Aug. 4 and National Transportation Safety Board Chairman Marion Blakey was nominated by President Bush to succeed her. Spencer Dickerson, executive director of USCTA, on behalf of contract

tower airports, presented an award to Garvey in recognition of her leadership of FAA over the past five years.

DOT Inspector General Ken Mead told meeting delegates that the contract tower program provides "safe, reliable air traffic control services that are also cost effective." The program saves FAA about \$250,000 annually per tower, he said, adding, the program "is a good example of cost control that works."

The program's success has led to discussions about expanding it, Mead said, noting that one option is to expand it to the 71 low-level VFR towers that FAA currently operates. He stated that contracting out these additional VFR towers would permit FAA to redistribute controllers from contract locations to other FAA locations with staffing shortfalls and to those locations with the greatest forecast increases in operations.

The future of the contract tower program depends on the impact of a number of pending changes, Mead said. He noted that in the upcoming year, "FAA will have a new administrator, a new chief operating officer for air traffic, will have to renegotiate a new agreement with NATCA and will be in the middle of the reauthorization process in Congress." Given the current climate of budgetary constraints, cost control will be the number one issue for the next two to three years, Mead said, adding, "The contract tower program is a good example of a program that provides cost control and one that will undoubtedly continue to play an important role in the future of FAA." For that reason, he said it is "imperative" that the program maintain the highest standards of integrity in terms of safety, service and billings.

NATCA President John Carr also addressed the workshop, telling industry officials that his organization has supported AAAE/USCTA in areas of similar legislative interests, such as making control tower construction/equipment AIP-eligible. "I look forward to other opportunities where we can work together," he said.

In describing NATCA's lawsuit against the contract

tower program, Carr said his organization is opposed to the contracting out of air traffic control facilities based on its interpretation that “the provision of air traffic control service is so intrinsically linked with the public’s interest as to mandate its performance by federal employees.” However, he noted, “We see a clear distinction between (the contract tower program) and the cost-sharing program that allows communities to provide air traffic control service and its economic benefits where they would not otherwise be available.”

House aviation subcommittee majority counsel David Schaffer gave an overview of pending legislation in Congress.



DOT Inspector General Ken Mead

He encouraged airport officials to support Senate passage of H.R.1979, which would allow airports to use up to \$1.1 million in Airport Improvement Program (AIP) funds to build or equip air traffic control towers operated under the contract tower program.

In response to a question, Schaffer said that if the NATCA lawsuit prevails, Congress likely would provide for continuation of the contract tower program, “but they probably wouldn’t do it

quickly enough,” he said. This could mean a work stoppage at towers for a time or a period when the towers would operate in a quasi-legal state, he suggested.

Greg Carter from FAA’s legal staff described the status of the NATCA lawsuit and said FAA is “in the final stages” of completing a court-mandated A-76 study that would allow the contract tower program to go forward. *(See related story in this issue.)*

FAA officials provided an update on the contract tower program that highlighted tower radar displays and equipment, benefit/cost ratios and tower security and insurance. Other panels offered case studies of current contract towers and contractor customer service initiatives.

The USCTA Policy Board established a Customer Service Award that will be presented annually in honor of Willie Card, former manager of the contract tower program, who died June 10. In addition, a book of tribute letters to Card was presented to Mabel Jones, his long-



NATCA President John Carr

time companion.

The Industry Excellence Award, presented annually by the ATC contractors, was awarded to David Schaffer.

Meeting delegates included airport executives, ATC contractors, FAA officials and ATC companies. Companies that provided financial support for the workshop were: AJT & Associates; Becker Avionics; CML ATC

Technologies; Frequentis USA; Lockheed Martin Air Traffic Management; Midwest Air Traffic Control Services; Northrop Grumman Denro Systems; Quadrex Associates, Raytheon Air Traffic Management Systems, RVA; Serco Management Services, and WSI Corp.

The USCTA Policy Board, chaired by Jack Schelter, A.A.E., also met during the workshop. Agenda items included future training initiatives at contract towers, terminal radar displays, development of a minimum equipment list for contract towers, status of the NATCA lawsuit and the cost-sharing program, and legislative efforts to make contract tower construction and equipment AIP-eligible.

SENATE PANEL APPROVES FULL FUNDING FOR TOWER PROGRAM

The Senate Appropriations Committee on July 25 ap-

U. S. C O N T R A C T T O W E R A S S O C I A T I O N N E W S L E T T E R

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THE U.S. CONTRACT TOWER ASSOCIATION

NEWSLETTER is published by the American Association of Airport Executives, the largest professional organization for airport executives in the world.

proved the DOT/FAA appropriations legislation for fiscal year 2003, which includes full funding for the regular FAA contract tower program (\$78 million) in addition to full funding for the contract tower cost-sharing program (\$6 million). House committee action is not expected until Sept. 12.

Below is the language from the Senate report:

“Contract tower program – The Committee continues to support the contract tower program and the cost-sharing program as a cost-effective way to enhance air traffic safety at smaller airports. The Committee’s recommendation includes \$78,000,000 to fund the existing contract tower program, the remaining eligible non-Federal towers not currently operated by the FAA, and other non-towered airports eligible for the program. In addition to these resources, the Committee has provided \$6,000,000 for the contract tower cost-sharing program.”

FAA FILES CONTRACT TOWER A-76 REPORT TO COURT

FAA has submitted to the U.S. District Court for Northern Ohio a report that concludes air traffic services provided at the 219 VFR towers in the agency’s contract tower program are not “inherently governmental” operations that must be performed by federal employees.

With the filing, FAA has resolved the last outstanding court requirement in the eight-year-old lawsuit brought by the National Air Traffic Controllers Association (NATCA) against the legality of the contract tower program. Unless the court orders more procedures or NATCA continues the challenge, the case is ended, according to FAA officials. It is unclear whether NATCA will pursue the case.

The court in June 2000 directed FAA to provide a detailed explanation for its determination that the ATC services aren’t inherently governmental within the meaning of Office of Management and Budget Circular A-76.

FAA told the court in its July 22 filing that the agency began the Federal Contract Tower program in 1983 to provide air traffic services by contract at certain VFR towers that otherwise would not qualify for reopening, following the 1981 strike by air traffic controllers. During that strike, 80 towers were closed. At that time, most airport authorities entered into contracts with private companies to provide ATC services. “All the contracts required that the services be provided in accordance with FAA’s policies and procedures, and FAA has always monitored the performance of these contracts,” the agen-

cy said.

By 1994, the agency said it had confirmed that certain VFR towers operated by federal employees could be operated “less expensively and just as safely by private companies.” Further, FAA said it could operate more efficiently by contracting directly with the private companies rather than continuing to enter into separate contracts with each airport authority.

The controllers at contract towers provide services only within the very narrow geographic confines of the surrounding Class D airspace, which “cannot reasonably be expected to have a major impact on the air traffic system as a whole,” FAA said. The agency concluded that, “It cannot be said that these limited functions are so intimately related to the public interest as to preclude the use of contractors to provide these services.”

In addition, FAA said, “These functions do not fall into either category of an inherently governmental function.” The work performed at VFR towers does not involve monetary transactions or entitlements, the agency explained. Further, “While all jobs require some use of judgment and discretion, the work performed at VFR towers does not rise to that level of discretionary exercise of government authority as to be an ‘act of governing.’” VFR controllers do not regulate the use of space or regulate industry and commerce, FAA said, and only implement FAA regulations and directives “under narrowly defined standards.” For a function to be considered inherently governmental, “The use of discretion must have the effect of committing the government to take or not take a particular action,” the agency said. “The decisions made at AVFR towers do not bind the government to a particular course of action; the government has already prescribed what action is to be taken in its regulations and policies.”

Spencer Dickerson, AAAE executive vice president and executive director of AAAE’s affiliated U.S. Contract Tower Association, said, “We are pleased that FAA has completed the A-76 study and we are confident that this will finally resolve the eight-year lawsuit so that the

GIVE US A CALL!

We’re looking for news articles and press releases about your contract tower to publish in this newsletter. Please forward them to Barbara Cook at (703) 824-0500, Ext. 133, or e-mail barbara.cook@airportnet.org.

contract tower program can continue to provide safe and efficient ATC services to over 200 smaller airports across the country.”

27 AIRPORTS PARTICIPATE IN CONTRACT TOWER COST-SHARING

Twenty-seven facilities were participating in FAA’s contract tower cost-sharing program as of Sept. 1.

They are: New Century Air Center (Kan.), Manhattan (Kan.), Garden City (Kan.), Central Nebraska/Grand Island (Neb.), Bolton Field (Ohio), McKellar-Sipes Regional (Tenn.), Hickory Regional (N.C.), Concord (N.C.), Grand Strand/Myrtle Beach (S.C.), Springdale Municipal (Ark.), South Lake Tahoe (Calif.), Shreveport Downtown (La.), Muncie (Ind.), Columbus (Ind.), Bloomington (Ind.), Henderson (Nev.), Jefferson City (Mo.), Latrobe (Pa.), Victorville (Calif.), Stillwater (Okla.), Oneida County (N.Y.), Chicago Meigs Field (Ill.), Walla Walla Regional (Wash.), Macon (Ga.), Kingston (N.C.), Laughlin/Bullhead City (Ariz.) and Elko (Nev.).

For information on contract tower cost-sharing, contact your FAA regional representative (listed on page 7).

SAM MOORE NAMED ACTING TOWER PROGRAM MANAGER

Sam Moore has been named acting FAA contract tower program manager, effective Sept. 8. FAA within the next few weeks will establish the selection process for Willie Card’s permanent successor. Accordingly, Moore will be acting manager for a few months. His phone number is (202) 267-9210.

Prior to his promotion to Acting Manager for Contract Towers Branch, ATP-140, Moore was Project Manager for Air Traffic Control Spectrum. In this position, he was responsible for identifying and recovering spares and minimally used air to ground frequency assignments at air traffic facilities throughout the national airspace system. He was instrumental in validating frequency data, briefing regional air traffic managers on collection methodologies and findings, and helping the office of Spectrum Management and Policy (ASR) reach performance goals.

Moore enlisted in the Air Force in 1974-1978 as an air traffic control specialist. After his enlistment, he was hired by FAA as a developmental controller. Since then, Moore has worked as an air traffic controller at several

air traffic control facilities, including Omaha, Kansas City, Wichita, Sioux City, and Cedar Rapids.

STILLWATER, OKLA., DEDICATES NEW CONTRACT TOWER

Stillwater (Okla.) Regional Airport Authority and city of Stillwater officials held a dedication ceremony June 20 to celebrate the first-ever air traffic control services at Still-



Stillwater, Okla., Celebrates New Contract Control Tower

water Regional Airport. The facility is a participant in FAA’s Contract Tower Program.

The dedication ceremony hosted officials from FAA’s Southwest Region and FAA air traffic control from Oklahoma City, Tulsa and Enid. Representatives from the Oklahoma Aeronautics Commission, the U.S. Contract Tower Association, the Oklahoma Airport Operators Association, the Tulsa Airport Authority, Enid Airport, Ada Airport, Oklahoma Airport Operators Association President Terry Hall and Stillwater Regional Airport Authority Chairman Charles Bacon also attended.

Airport Director Gary Johnson thanked all the partners who played an important role in the implementation and opening of the air traffic control facility. Johnson commented, “It takes a tremendous team effort to bring together a new service of this type. A great partnership exists between all the team members. This partnership includes the US Contract Tower Association, FAA’s Southwest Region, RVA Inc, Stillwater City Commission, city of Stillwater, Stillwater Chamber of Com-

(continued on page 10)

FAA CONTRACT TOWERS

(219 towers as of September 1, 2002. Towers marked with an asterisk are part of the cost-sharing program.)

AIRPORT NAME	FAA REGION	STATE	AIRPORT NAME	FAA REGION	STATE
Bethel	AAL	AK	*Bolton Field (Columbus)	AGL	OH
Kenai Municipal	AAL	AK	Burke Lakefront (Cleveland)	AGL	OH
King Salmon	AAL	AK	Ohio State University	AGL	OH
Kodiak	AAL	AK	Lunken Mun. (Cincinnati)	AGL	OH
Dubuque	ACE	IA	Cuyahoga County (Cleveland)	AGL	OH
Forbes Field (Topeka)	ACE	KS	Rapid City Regional	AGL	SD
*Garden City	ACE	KS	Appleton	AGL	WI
Hutchinson Mun.	ACE	KS	Central Wisconsin	AGL	WI
Johnson Co. Exec.	ACE	KS	Kenosha Municipal	AGL	WI
Philip Billard Mun. (Topeka)	ACE	KS	Lacrosse	AGL	WI
*Manhattan	ACE	KS	Rock County (Janesville)	AGL	WI
*New Century Air Center (Olathe)	ACE	KS	Timmerman (Milwaukee)	AGL	WI
Salina Municipal	ACE	KS	Waukesha County Airport	AGL	WI
Columbia	ACE	MO	Wittman Regional (Oshkosh)	AGL	WI
*Jefferson City	ACE	MO	Bridgeport	ANE	CT
Joplin Regional	ACE	MO	Danbury	ANE	CT
Rosecrans Mem'l (St. Joseph)	ACE	MO	New London (Groton)	ANE	CT
*Central Neb. (Grand Island)	ACE	NE	Brainard (Hartford)	ANE	CT
Martin State (Baltimore)	AEA	MD	Tweed-New Haven	ANE	CT
Washington Co. (Hagerstown)	AEA	MD	Waterbury/Oxford	ANE	CT
Salisbury-Wicomico	AEA	MD	Barnes Municipal	ANE	MA
Trenton	AEA	NJ	Beverly	ANE	MA
Tompkins County	AEA	NY	Hyannis	ANE	MA
Niagara Falls	AEA	NY	Lawrence	ANE	MA
*Oneida County	AEA	NY	Martha's Vineyard	ANE	MA
Stewart	AEA	NY	New Bedford	ANE	MA
Capital City (Harrisburg)	AEA	PA	Norwood	ANE	MA
Lancaster	AEA	PA	Worcester	ANE	MA
*Latrobe	AEA	PA	Boire Field (Nashua)	ANE	NH
Williamsport/Lycoming Co.	AEA	PA	Lebanon Municipal	ANE	NH
Charlottesville-Albemarle	AEA	VA	Eagle County	ANM	CO
Lynchburg	AEA	VA	Grand Junction	ANM	CO
Greenbrier Valley	AEA	WV	Friedman Memorial (Hailey)	ANM	ID
Morgantown	AEA	WV	Idaho Falls	ANM	ID
Parkersburg	AEA	WV	Lewiston-Nez Perce Co.	ANM	ID
Wheeling Ohio Co.	AEA	WV	Pocatello Municipal	ANM	ID
Bloomington/Normal	AGL	IL	Gallatin Field (Bozeman)	ANM	MT
Decatur	AGL	IL	Kalispell	ANM	MT
*Meigs Field (Chicago)	AGL	IL	Missoula	ANM	MT
St. Louis Regional	AGL	IL	Klamath Falls	ANM	OR
So. Illinois/Carbondale	AGL	IL	McNary Field (Salem)	ANM	OR
Waukegan Regional	AGL	IL	Medford	ANM	OR
Williamson County (Marion)	AGL	IL	Pendleton	ANM	OR
*Bloomington	AGL	IN	Redmond	ANM	OR
*Columbus Municipal	AGL	IN	Troutdale (Portland)	ANM	OR
Gary Regional	AGL	IN	Ogden-Hinckley	ANM	UT
*Muncie/Delaware County	AGL	IN	Bellingham Int'l	ANM	WA
Battle Creek	AGL	MI	Felts Field (Spokane)	ANM	WA
Detroit City	AGL	MI	Olympia	ANM	WA
Sawyer	AGL	MI	Renton	ANM	WA
Jackson	AGL	MI	Tacoma Narrows	ANM	WA
Anoka (Minneapolis)	AGL	MN	*Walla Walla Regional	ANM	WA
Minot	AGL	ND	Yakima	ANM	WA
			Cheyenne	ANM	WY

AIRPORTNAME	FAA REGION	STATE	AIRPORTNAME	FAA REGION	STATE
Jackson Hole	ANM	WY	Lea County/Hobbs	ASW	NM
Dothan	ASO	AL	Santa Fe Co. Mun.	ASW	NM
Brookley (Mobile)	ASO	AL	Ardmore Municipal	ASW	OK
Tuscaloosa Municipal	ASO	AL	Enid Woodring Mun.	ASW	OK
Albert Whitted (St. Petersburg)	ASO	FL	Lawton Municipal	ASW	OK
Boca Raton	ASO	FL	Univ. of Oklahoma/Westheimer	ASW	OK
Cecil Field	ASO	FL	*Stillwater	ASW	OK
Gainesville	ASO	FL	Wiley Post	ASW	OK
Hollywood	ASO	FL	Brownsville Int'l	ASW	TX
Craig (Jacksonville)	ASO	FL	Easterwood	ASW	TX
Key West	ASO	FL	Grand Prairie	ASW	TX
Kissimmee	ASO	FL	Laredo International	ASW	TX
Lakeland Municipal	ASO	FL	McAllen	ASW	TX
Melbourne	ASO	FL	McKinney Municipal	ASW	TX
Naples	ASO	FL	Redbird	ASW	TX
Opa Locka	ASO	FL	Rio Grande Valley (Harlingen)	ASW	TX
Page Field	ASO	FL	San Angelo	ASW	TX
Panama City/Bay Co.	ASO	FL	Stinson Municipal (San Antonio)	ASW	TX
Pompano Beach	ASO	FL	Sugar Land	ASW	TX
St. Augustine	ASO	FL	Tyler	ASW	TX
Stuart/Whitham	ASO	FL	Waco	ASW	TX
Titusville/Cocoa	ASO	FL	Chandler	AWP	AZ
Athens Municipal	ASO	GA	Flagstaff Pulliam	AWP	AZ
Fulton County	ASO	GA	Glendale	AWP	AZ
Gwinnett County	ASO	GA	Goodyear (Phoenix)	AWP	AZ
*Macon	ASO	GA	*Laughlin/Bullhead City	AWP	AZ
McCullum	ASO	GA	Mesa/Williams Gateway	AWP	AZ
SW Georgia/Albany-Dougherty	ASO	GA	Ryan (Tucson)	AWP	AZ
Valdosta Municipal	ASO	GA	Chico	AWP	CA
Barkley Regional (Paducah)	ASO	KY	Fullerton	AWP	CA
Owensboro/Daviess Co.	ASO	KY	Hawthorne	AWP	CA
Greenville Municipal	ASO	MS	Mather (Sacramento)	AWP	CA
Hawkins Field (Jackson)	ASO	MS	Modesto	AWP	CA
Meridian/Key Field	ASO	MS	Oxnard	AWP	CA
Tupelo Regional	ASO	MS	Palmdale	AWP	CA
*Concord	ASO	NC	Redding Municipal	AWP	CA
*Kinston	ASO	NC	Riverside	AWP	CA
New Bern	ASO	NC	Sacramento Executive	AWP	CA
Smith Reynolds (Winston-Salem)	ASO	NC	Salinas Municipal	AWP	CA
*Hickory Regional	ASO	NC	San Carlos	AWP	CA
Isla Grande	ASO	Puerto Rico	Brown Field (San Diego)	AWP	CA
*Grand Strand/Myrtle Beach	ASO	SC	San Luis Obispo	AWP	CA
Greenville Downtown	ASO	SC	Santa Maria	AWP	CA
Millington	ASO	TN	*South Lake Tahoe	AWP	CA
Smyrna	ASO	TN	*Victorville	AWP	CA
*McKeller-Sipes (Jackson)	ASO	TN	Whiteman (Lancaster)	AWP	CA
Henry E. Rohlsen (St. Croix)	ASO	Virgin Islands	William J. Fox (Los Angeles)	AWP	CA
Fayetteville	ASW	AR	Agana	AWP	Guam
Northwest Arkansas Regional	ASW	AR	Kalaeloa	AWP	HI
*Springdale	ASW	AR	Kona/Keahole	AWP	HI
Texarkana Mun./Webb Field	ASW	AR	Lihue	AWP	HI
Acadiana Regional	ASW	LA	Molokai	AWP	HI
Chennault	ASW	LA	*Elko	AWP	NV
Houma	ASW	LA	*Henderson (Las Vegas)	AWP	NV
Alexandria	ASW	LA	Saipan International	AWP	MP
*Shreveport Downtown	ASW	LA			
Farmington Municipal	ASW	NM			

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TOWER

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NEWSPAPER ARTICLES ABOUT FAA'S CONTRACT TOWER PROGRAM

FAA Defends 'Non-Governmental' ATC Label

Aug. 19 Airports newsletter

FAA, following a judge's order, has outlined its case affirming that air traffic control is not an "inherently governmental function," a move intended to secure the continued existence of the contract tower program while raising the ire of the National Air Traffic Controllers Association (NATCA). The action is the latest development in an eight-year dispute between FAA and NATCA. The next step is up to the judge, whose options include affirming that FAA has done its job or rejecting its position and ordering FAA to take back the towers. The latter, according to contract tower proponents, could lead to closure of the towers through lack of funds and staff. Appeals are expected from the losing side in either case.

Apart from concerns that the contract tower program is chipping away at the number of NATCA members employed at federal facilities, NATCA's main concern is that it will be used to justify privatization of the entire air traffic control system.

FAA's affirmation is written to avoid the larger question of national ATC privatization. "I considered the fact that controllers at VFR towers provide services to pilots only within the very narrow geographic confines of the surrounding Class D airspace," Bill Peacock, FAA's director of air traffic, wrote in his finding. "Whether or not the air traffic services provided by other types of air traffic control towers are inherently governmental is an issue that is beyond the scope of this determination."

A key aspect of his analysis hinges on language in the Federal Activities Inventory Act of 1998, called the FAIR act. "The term 'inherently governmental' means a function that is so intimately related to the public interest as to require performance by Federal Government Employees." This is "virtually identical" to an Office of Federal Procurement Policy Letter, which adds that such functions usually involve "either the exercise of discretion in applying Government authority or the making of value judgments in making decisions for the Government." Part of Peacock's document details how, in his judgment, "the controllers exercise professional expertise rather than value judgment."

FAA Seeks Interim Radar Display System For Smaller Airports

Aug. 7 Aviation Daily

FAA announced a contract solicitation for stand-alone tower display systems (SATDS) at smaller airports, and said it will accept only Raytheon or Lockheed Martin products, currently being certified.

SATDS is intended as an interim system until the standard terminal automation replacement system (STARS) tower display workstations (TDWs) are installed. The system is intended for use with control towers not associated with a terminal radar approach control (TRACON) facility.

These towers generally have coverage from long-range air route surveillance radar (ARSR) but not short-range airport surveillance radar (ASR). However, the SATDS must be able to receive and display aircraft data from both ARSR and ASR to controllers.

FAA wants to acquire up to 30 operational units between fiscal years 2003 and 2005. Whoever wins the contract will be responsible for installation, logistics support, training and system acceptance, operational test and associated support. Interim deployment and site operational acceptance must be accomplished within six months of the contract award.

The agency wants to use existing capabilities to speed delivery and minimize life-cycle costs, it said. In its request for bidders, FAA said due to the expedited schedule of the procurement, it is limited to Lockheed's ARTS IE and Raytheon's STARS-LITE. "To the FAA's knowledge there are only two systems that meet" requirements, the contract notice said.

ATC Display For Small Towers Should Be Certified This Year

Aug. 9 Aviation Daily

Lockheed Martin says a new tower display system designed for smaller airports will likely be certified by November. The contract tower industry and airports are anxious for the ARTS IE system to be certified, and FAA said the system is one of two under consideration for a large contract.

ARTS IE is derived from the Common ARTS system that Lockheed has installed in many large control centers to replace older systems. Lockheed Program Development Manager Rachel Jackson told The DAI-

LY the ARTS IE system is undergoing operational testing by FAA at the Prescott, Ariz., Airport, after which it will be certified.

FAA will decide between the Lockheed system and Raytheon's STARS-LITE display system to put in about 30 smaller airports (DAILY, Aug. 7). This could lead to further FAA contracts, and once the system is certified, it can also be purchased for use in contract towers.

U.S. Contract Tower Association Executive Director Spencer Dickerson said the industry is eager to see systems such as ARTS IE certified as soon as possible. He said NTSB has urged FAA to install display systems at smaller airports. Although the contract towers cannot perform aircraft separation, the display systems act as enhanced "eyes" for controllers, allowing them to see traffic further out.

Jackson said ARTS IE uses the same software and hardware as the Common ARTS systems that are in some large Terminal Radar Control (TRACON) centers in places like New York, Dallas/Fort Worth, and Chicago.

The major difference is the ARTS IE requires a smaller hardware platform than Common ARTS, because TRACONs need more redundancies built in for backup. In the case of the New York TRACON, a triple-redundant system is needed, meaning nine ARTS chassis.

ARTS IE will need only one chassis but will be "identical in functionality" to TRACON systems, Jackson said.

FAA Gives Court Contract Tower Defense; NATCA Says Gaps Remain

Aug. 8 Aviation Daily

The FAA filed a detailed defense of its contract tower program with a federal court, opening the way for resolving an eight-year legal challenge the National Air Traffic Controllers Association (NATCA) mounted against the program. While the control tower industry welcomes the FAA report, NATCA says it is flawed.

FAA contracts out air-traffic control (ATC) at 217 visual flight rules (VFR) towers. An Ohio District Court ordered FAA in June 2000 to provide a more satisfactory explanation for its determination that air-traffic control can be contracted out because it's not an inherently governmental function.

An appeals court backed the district court in February, and gave the FAA a deadline to present a status report on the determination's progress.

Now that the agency has filed its final determination, the next step in the process will likely be a ruling by the District Court, though further appeals are possible regardless of the ruling.

The White House appeared to smooth the way for the FAA's determination earlier this year when it published an Executive Order that stripped a clause from an earlier Clinton order which said ATC is "an inherently governmental function" (DAILY, June 10).

Spencer Dickerson, executive VP of the Association of American Airport Executives (AAAE) and executive director of the U.S. Contract Tower Association, said both groups welcome the FAA determination.

The groups are "confident that this will finally resolve the eight-year lawsuit so that the contract tower program can continue to provide safe and efficient ATC services" at smaller airports, said Dickerson.

He said AAAE does not want the court to overturn the contract tower program, because it would jeopardize ATC at small airports where FAA would not have the resources to take over ATC services.

NATCA President John Carr, however, labeled FAA's determination as "fundamentally flawed." He said it is "late in coming, and it's wrong."

Carr said in its latest determination, FAA has still not taken the steps to support contracting-out government services that regulations require. Carr cited as an example the fact that the agency has "not determined the cost-savings or actual cost of the program." Carr said the program "is not right just because [FAA] says it is."

USCTA ANNUAL REPORT, DUES INFORMATION SENT TO MEMBERS

Information on U.S. Contract Tower Association (USCTA) membership dues for 2002 has been mailed to each member, along with a copy of the 2001 USCTA Annual Report. For USCTA membership information, contact Spencer Dickerson at (703) 824-0500, Ext. 130. If you would like additional copies of the 2001 USCTA Annual Report, e-mail sdickerson@airportnet.org.

merce, the Oklahoma Aeronautics Commission and the local congressional delegation." Local airport businesses and users also played a big part in helping to make this happen, according to Johnson.

CONTRACT TOWER ASSOCIATION GAINS TWO NEW MEMBERS

The newest members of USCTA are Sawyer (Mich.) International Airport and CI2 Aviation.

Spencer Dickerson, executive vice president of AAAE, is executive director of the USCTA. Consultants to USCTA are Linda Hall Daschle and Bert Randall of Baker Donelson Bearman & Caldwell; Patrick McCann of McCann Capitol Advocates, and Larry Barnett of AB Management Associates.

Members of the 2002 USCTA Policy Board are: Jack Schelter, A.A.E., deputy director of aviation, Phoenix Sky Harbor International Airport, chair; Bryan Elliott, A.A.E., executive director, Charlottesville Albemarle Airport Authority (Va.); James Hansford, A.A.E., manager, Central Wisconsin Airport; Tim Rogers, A.A.E., executive director, Salina Airport Authority (Kan.); Ted Soliday, executive director, Naples, Airport Authority (Fla.); Steve Stockam, manager, Joplin Regional Airport (Mo.); Michael Covalt, manager, Flagstaff Pulliam Airport (Ariz.); Lynn Kusy, executive director, Williams Gateway Airport (Ariz.); Walt Strong, C.M., administrator, Max Westheimer Airport (Okla.); Richard Howell, A.A.E., director, S.W. Georgia Regional Airport; Bill Gatchell, C.M., airports supervisor, Lea County Airports (N.M.); Jerry O'Sullivan, manager, Greenbrier Valley Airport (W. Va.); Richard Baird, manager, Freidman Memorial Airport (Idaho); Robert Bryant, A.A.E., manager, Salisbury-Ocean City-Wicomico Regional (Md.); Steve Harvey, director of operations, Chennault International (La.); Scott Carr, C.M., deputy executive director, Titusville-Cocoa Airport Authority, (Fla.); Shane Cordes, president and CEO, Midwest ATC; Steve Christmas, vice president-aviation, Serco Management Services; Will Mowdy, director-ATC services, RVA, and Brian Lally, vice president/manager engineering services, AJT & Assoc.

The following are members of the association: Hawaii Department of Transportation, Oregon Department of Aviation, Mobile Downtown Airport (Ala.), City of Phoenix Aviation Department (Ariz.), Mesa/Williams Gateway (Ariz.), Flagstaff (Ariz.) Pulliam Airport, Laughlin/Bullhead City, (Ariz.) International, Tucson

(Ariz.) Airport Authority, Texarkana Regional Airport (Ark.), Northwest Arkansas Regional Airport, Sacramento (Calif.) County Department of Airports, San Luis Obispo County Airport (Calif.), Modesto City-County Airport (Calif.), Los Angeles County Aviation Division (Calif.), Ramona Airport-County of San Diego (Calif.), San Diego (Calif.) Brown Field, Redding (Calif.) Municipal Airport, Salinas (Calif.) Municipal Airport, Santa Maria Public Airport District (Calif.), Eagle County (Colo.) Regional, Waterbury-Oxford Airport (Conn.), Boca Raton Airport (Fla.), Jacksonville/Craig (Fla.) Airport, Kissimmee (Fla.), Martin County Stuart/Whitham Airport (Fla.), Naples Municipal Airport (Fla.), New Smyrna Beach Municipal Airport (Fla.), Titusville-Cocoa Airport (Fla.), Page Field (Fla.), Lakeland (Fla.) Linder Regional Airport, Vandenberg Airport (Tampa, Fla.), Southwest Georgia Regional Airport, Cobb County-McCollum Field Airport (Ga.), Valdosta Regional Airport (Ga.), Friedman Memorial Airport (Idaho), Idaho Falls Regional Airport (Idaho), Pocatello Regional Airport (Idaho), Waukegan Regional Airport (Ill.), Quincy (Ill.) Municipal Airport, Southern Illinois Airport, St. Louis Regional Airport (Ill.), Williamson County Regional Airport (Ill.), Delaware County Airport (Muncie, Ind.), Columbus Municipal Airport (Ind.), Johnson County Municipal Airport (Kan.), Salina Municipal Airport (Kan.), Manhattan (Kan.) Regional Airport, Garden City Regional Airport (Kan.), Paducah Airport (Ky.), Shreveport Downtown Airport (La.), Alexandria International Airport (La.), Chennault International Airport (La.), Salisbury-Ocean City Wicomico (Md.) Regional Airport, Martin State Airport (Md.), Worcester (Mass.) Regional Airport, Minneapolis-St. Paul Metropolitan Airports Commission (Anoka County Airport), St. Cloud Regional Airport (Minn.), W.K. Kellogg Airport (Mich.), Sawyer International Airport (Mich.), Jackson Municipal (Miss.), Olive Branch Municipal Airport (Miss.), Tupelo Regional Airport (Miss.), Columbia Regional Airport (Mo.), Joplin Regional Airport (Mo.), Jefferson City Memorial Airport (Mo.), Rosecrans Memorial Airport (Mo.), Glacier Park (Mont.) International, Gallatin Field (Mont.), Missoula (Mont.), Central Nebraska Regional Airport, Henderson (Nev.) Executive Airport, Lebanon (N.H.) Municipal, Nashua (N.H.) Airport Authority, Lea County Airports (N.M.), Double Eagle II Airport (N.M.), Concord Regional Airport (N.C.), Craven Regional Airport (N.C.), Hickory Regional Airport (N.C.), Smith Reynolds Airport (N.C.), Bolton Field (Ohio), Cleveland Burke Lakefront Airport (Ohio), Cuyahoga

County Airport (Ohio), Cincinnati Municipal-Lunken Airport (Ohio), Ohio State University Airport (Ohio), Max Westheimer Field (Okla.), Eastern Oregon Regional Airport, Redmond Municipal Airport (Ore.), Rogue Valley (Ore.) International, Arnold Palmer Regional Airport (Latrobe, Pa.), Capital City Airport (Pa.), Greenville Downtown Airport (S.C.), Hilton Head (S.C.), Horry County Department of Airports (S.C.), Smyrna Rutherford County (Tenn.), Jackson Madison County Airport (Tenn.), Arlington Municipal Airport (Texas), Denton Municipal Airport (Texas), Ellington Field (Texas), Stinson Municipal Airport (Texas), Laredo International Airport (Texas), Harlingen Valley International (Texas), Brownsville/South Padre Island International (Texas), Grand Prairie Municipal Airport (Texas), Spinks Airport (Texas), Charlottesville-Albemarle Airport (Va.), Lynchburg Regional Airport (Va.), Spokane (Wash.), Walla Walla Municipal Airport (Wash.), Olympia Airport (Wash.), Wheeling-Ohio County Airport (W.Va.), Greenbrier Valley Airport (W.Va.), Chippewa Valley (Wis.) Regional Airport, Kenosha Regional Airport (Wis.), Milwaukee Timmerman (Wis.) Airport, LaCrosse Municipal (Wis.), Central Wisconsin Airport (Wis.), Outagamie County Regional Airport (Wis.), Waukesha County Airport (Wis.), Cheyenne Airport (Wyo.), Jack-

son Hole Airport (Wyo.), AJT & Associates Inc., American Airport Technologies, CI2 Aviation, Facility Services and Systems Inc., Litton Denro, Lockheed Martin ATM, Marsh USA, Midwest Air Traffic Control Services Inc., Quadrex Associates, Raytheon Company-Air Traffic Management Systems, RVA Inc., Serco Management Services, SolaCom Technologies and Weather Services International Inc.

SERCO CONTROLLER PRAISED FOR FLIGHT ASSISTS

One Serco Management Services controller conducted two flight assists within one hour and 10 minutes on Aug. 8 at Mesa/Williams Gateway (Ariz.) airport.

In the first report, controller Kristen Johnson noticed the landing gear was not extended on an aircraft approaching the runway and warned the pilot. Just a little more than an hour later, Johnson warned a second pilot who was on final approach that his landing gear was not extended and sent the plane around for a new approach.

According to Pete Dumont, director of aviation for Serco, "Not only did a Serco controller save two aircraft in one hour and 10 minutes, we again demonstrated how important a control tower is to GA safety."

ATC Modernization—Getting it Right: Requirement Analysis, Market and Site Surveys

If you as an airport owner, operator or manager are contemplating an airport modernization project, there are a few major steps that may be able to save considerable time, money and aggravation. Conducting a combined Requirements Analysis, Market and Site Survey first can help contain costs, improve performance and lower stress while meeting your airport's safety, efficiency and capacity objectives.

Prior to conducting this survey, the real requirements and objectives for making airport investments should be identified. The objective to "procure an Instrument Landing System" will potentially lead to fewer options and cost alternatives than "land aircraft in bad weather conditions" will.

Once you have determined your modernization objectives, it is time to define your requirements in detail. For example, the objective "land aircraft in bad weather" needs to be defined in terms of both ground and airborne equipment performance required while considering your airport resources and targeted customers (pilots and aircraft). This Requirements Analysis is necessary to identify and separate the real requirements from the perceived requirements and is critical for the next step.

After requirements have been defined, it is important to assess what equipment, technology, process or services are available and at what total cost prior to selecting the best alternative for the needed airport improvements. It is also important to consider total life-cycle costs. For example, initial capital equipment and installation costs could be modest in comparison to maintenance and support costs given the expected service life of the equipment or technology purchased. FAA's ability and willingness to assist in engineering, installation and maintenance is generally equipment specific and critical to life-cycle costs.

For further information, contact Aubrey Mansfield of Airport Innovations at (703) 644-9366 or amansfield@airportinnovations.com.

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CML ATC TECHNOLOGIES BECOMES SOLACOM TECHNOLOGIES

On Sept. 1, CML ATC Technologies Inc. adopted the new name of SolaCom Technologies Inc. The company said the name change “reflects the continued evolution of our company as we expand our vision and explore new markets.”

Parent company CML Technologies created CML

ATC Technologies in 1998 to address the air traffic control market. CML ATC developed into a provider of mission critical voice communication control systems (VCCS). “Over time, CML ATC has outgrown that mandate and has begun to address markets outside of the ATC domain.

The success of CML ATC has been demonstrated by sales of its Liberty-STAR VCCS on six different continents around the world.” the company said.