

# The Truth about General Aviation "Protections" in HR 2997

Supporters of HR 2997, which would turn over our nation's ATC system to a private board, have indicated "protections" are in the legislation for general aviation (GA). In a recent letter, Rep. Sam Graves (R-6-MO) indicated that GA should be satisfied with these protections, however after a careful review we disagree.

## SUPPORTERS OF ATC PRIVATIZATION

There are strong access protections to ensure continued, assured access to airports, airspace, and air traffic control services:

- Key take away is that access cannot be denied to any user and the Corporation cannot prioritize one user over another in its operation of the ATC system
- Includes rigorous, 3-tiered government review and oversight process should the Corporation take any action that may indirectly affect access
- This is a higher standard than the current standard as FAA can make changes to access and put in place policies that would affect access for users

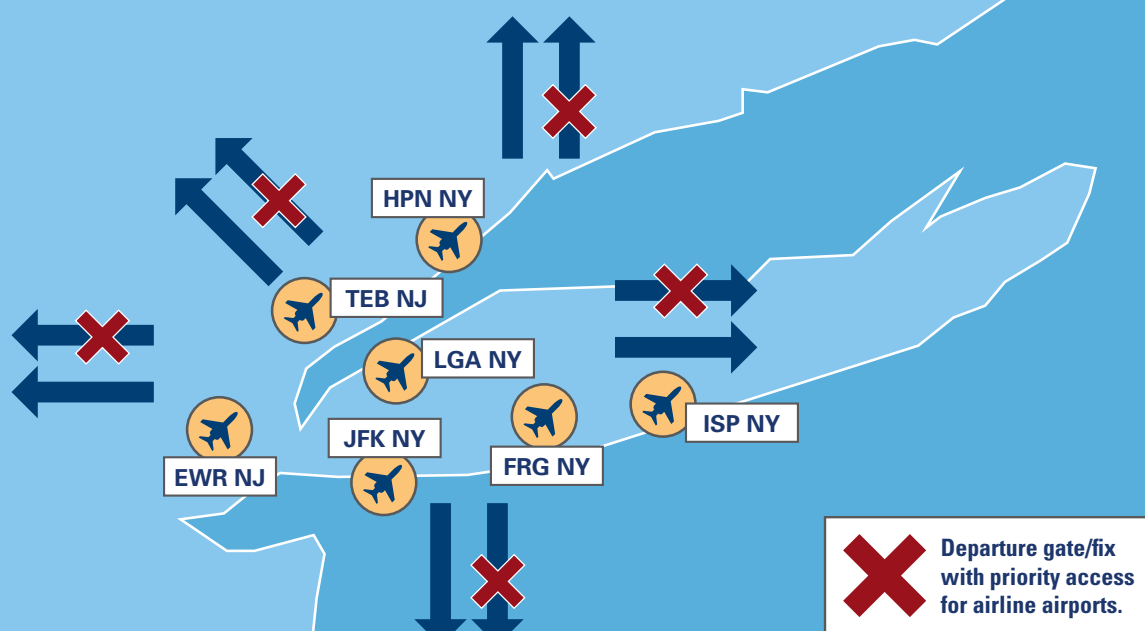
## GA CONCERN:

The ATC corporation and big airlines could use this bureaucratic process to restrict GA access to airports and airspace.

- So long as the restriction doesn't adversely impact safety it could be approved. The economic/operational costs of major decisions such as closures of ATC facilities, changes to airspace or modifications to navigational procedures would not be considered.
- Hiring expensive lawyers and enduring lengthy legal proceedings would be the only way to challenge airport/airspace restrictions.

Under our current ATC system, Congress has the authority to review changes to airport or airspace access, and our elected representatives act as a voice for GA. Removing congressional oversight and handing it over to a private board leaves GA open to devastating access restrictions.

**POTENTIAL RESTRICTION:** The ATC Corporation could grant priority access to NY departure fixes to airports with airline service → No safety impact but significant operational/economic cost for airports like TEB.



## SUPPORTERS OF ATC PRIVATIZATION

A balanced board of directors with aviation stakeholders each holding 1 designated spot including 1 for general aviation and 1 for business aviation, the government has 2 appointees, and 2 seats that will be determined by the board by a supermajority vote meaning they will need to be consensus nominees to be seated.

- Aviation stakeholders do not have the ability to directly appoint representatives
- They submit a list of possible appointees and the DOT Secretary will choose the director from each stakeholder's list.

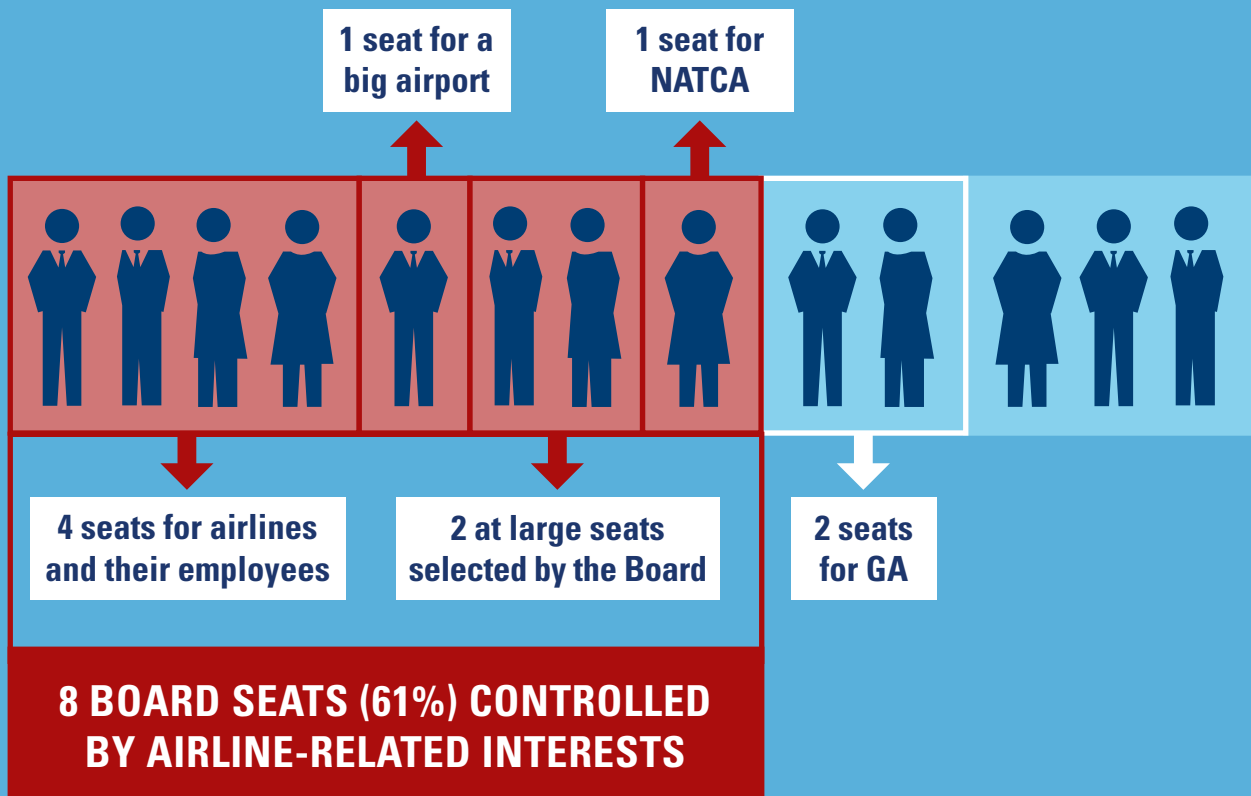
## GA CONCERN:

The board would include four seats for the scheduled airlines and their employees. However, by aligning forces with the hub airports, the air traffic controllers union and the at large board members, the airlines could dominate the board.

According to HR 2997, once the ATC system is transferred to the private board, a "supermajority" would no longer be required to select the at-large members. The supermajority is only required for appointment of at-large members before transfer of the ATC system occurs.

**Potential Board Control:** The 13-member board is dominated by airline related interests.

### 13 MEMBER PRIVATE BOARD GOVERNS ATC SYSTEM



## SUPPORTERS OF ATC PRIVATIZATION

There is a prohibition on charging user fees to any segment of general aviation.

## GA CONCERN:

Although GA is exempt from user fees and will continue paying the fuel tax, none of the fuel tax revenue will go towards ATC operations. Congress could easily modify the legislation later to subject GA to user fees set and controlled by the private board.