

# United States Senate

WASHINGTON, DC 20510

February 25, 2003

Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

We are deeply troubled by the decision of the Federal Aviation Administration to change the classification of air traffic control from an "inherently governmental" function to a "commercial activity" under the Circular A-76 process.

While we recognize that this new classification will not immediately result in the contracting out of air traffic control functions, we are very concerned that applying the "commercial" classification to air traffic control sets up a slippery slope that could eventually lead to privatization. In our view, from a homeland security and safety perspective, air traffic control is a quintessentially governmental function and should be so designated.

In the aftermath of September 11<sup>th</sup>, the public demanded that the government move the baggage screening process from a private contracting activity to a government controlled function. We responded quickly and decisively to put the public at ease by moving this critical safety and security task to a new government agency, the Transportation Security Administration.

Any attempt to privatize the air traffic control function will jeopardize the safety and security of the American people. Our current air traffic control system is the envy of the world. It is clearly the safest and most efficient. American air traffic controllers guide nine million flights a year with more than 600 million passengers. No other country comes close to these statistics. And our controllers do their jobs with higher competency and attention to safety than those of any country.

Other countries that have tried to privatize their air traffic control have encountered significant problems. In Great Britain, since privatization, near misses of crashes or other problems have increased by 50 percent. Delays caused by air traffic control have increased by 20 percent. In Great Britain, the air traffic system's finances have also been mismanaged to the point where debt service has increased by eighty percent. Similarly, Canada's privatized system has run up a \$145 million deficit just in the past year. As a result, an assessment will be tacked on to every airline ticket purchased there. Australia is also planning to increase fees to pay for its private system.

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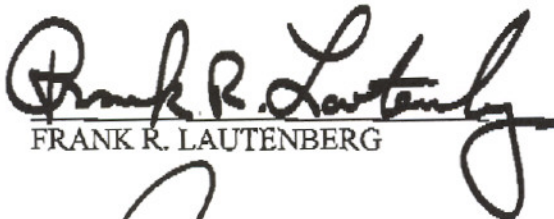
As a nation, we should be clear and unambiguous about the importance we place on maintaining our world-class air traffic control system. Whatever the category, calling a service "commercial" sends a distinct message - and not a good one. It suggests that there are options other than complete federal responsibility in the provision of this absolutely critical service. We have, through wise legislation, demanded that baggage screeners be federal employees. As a government, we should be equally clear that air traffic controllers should also be federal employees, entirely accountable to the public.

There are very few functions carried out by civilian federal employees on which the public relies more for its safety than air traffic control. In an era where aviation safety is such an enormously high priority, we should not create any ambiguity about the federal government's complete responsibility for the safety of the flying public.

Therefore, we urge you to instruct both the FAA and the Office of Management and Budget to designate air traffic control as an inherently governmental function under the A-76 process.

Thank you for your consideration of this extremely important issue.

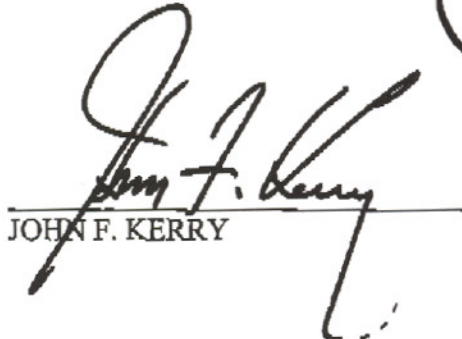
Sincerely,



FRANK R. LAUTENBERG



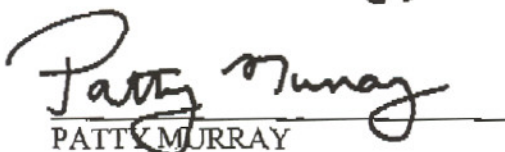
HARRY REID



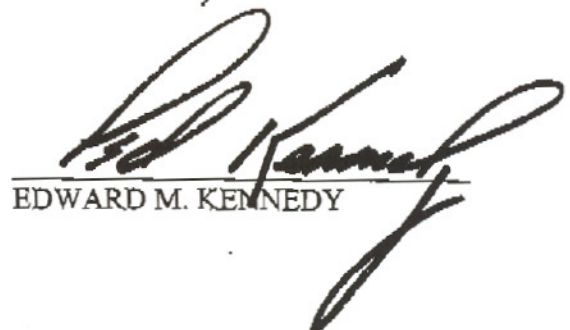
JOHN F. KERRY



PATRICK J. LEAHY



PATTY MURRAY



EDWARD M. KENNEDY

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KENT CONRAD

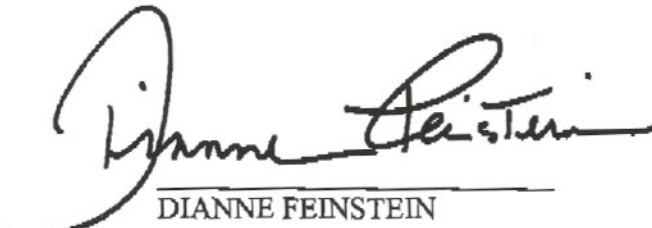
  
HERB KOHL

  
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THOMAS R. CARPER

  
DIANNE FEINSTEIN

  
BEN NELSON

cc: Mitchell E. Daniels, Jr., Director, Office of Management and Budget  
Marion C. Blakey, Administrator, Federal Aviation Administration