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Appendix II: Expert Survey and Responses

The Ranking Members of the House Committee on Transportation and Infrastructure and its Subcommittee on Aviation have asked the Government Accountability Office (GAO) to conduct a review of potential transition issues that might arise if the U.S. were to restructure its air traffic control governance from the current structure to an alternative structure. As part of this review, GAO is sending this survey to recognized experts on issues related to this topic. Please answer the questions based on your individual experience and point of view. Answering these questions will help us inform Congress about this important topic

Responding to these questions should take about 30-60 minutes and can be completed over multiple sessions. Your responses can be saved and accessed at a later date. To learn more about completing the survey, printing your responses, and whom to contact if you have questions, please contact GAO. If you are unsure of how to respond to a question, please contact us for assistance.

Definitions:

- Throughout the survey we use the term new air traffic control (ATC) entity to refer to an entity that would be responsible for managing air traffic operations if the U.S. were to separate ATC operations from safety regulatory functions. In other countries, the ATC entity is often referred to as the air navigation service provider (ANSP).

- In addition, we use the term safety regulator to refer to the entity that would be responsible for the safety and oversight of the U.S. airspace system if the U.S. were to separate ATC operations from safety regulatory functions.

Section 1: Funding Issues *(5 questions)*

The questions in this section are about funding issues, such as:

- User fees (i.e., fees charged to aircraft and other airspace users to cover the costs of the air navigation services) and other charges,
- Monopoly oversight issues, and
- Funding mechanisms in times of funding shortages.

N=18

1. **Do you think user fees should fund the ATC system?**
   20 Yes (*if yes, continue to question 1a*)
   12 No (*if no, continue to question 1d*)

   a. **Do you think that a "weight and distance" user fee system, structured as recommended by ICAO charging principles (i.e., cost-based user fees where the charge for each flight is based on distance flown—which acts as a proxy for costs incurred by an ANSP in providing services to a flight—and aircraft weight—which acts as a proxy for the value of the service provided to the**

user—for each flight) would be an appropriate user fee system for a restructured ATC?

17 Yes (*if yes, continue to question 1b*)

☐ No (*if no, continue to question 1c*)

b. How much of a benefit would a system of user fees structured as recommended by ICAO charging principles, be in the following respects? *(check one answer per row)*

	Great benefit	Moderate benefit	Little or no benefit	Don't know
a. Provides a reliable stream of funding	**16**	**1**	**-**	**-**
b. Provides the globally accepted form of funding	**9**	**6**	**1**	**1**
c. Can be designed to cover all costs of the ATC (e.g., operations, research and development, and NextGen)	**15**	**2**	**-**	**-**
d. Is transparent and will enable users to understand how they are being charged	**15**	**2**	**-**	**-**
e. Will allocate more costs to users with greater ability to pay	**8**	**7**	**2**	**-**
f. Provides a more business-like relationship between ATC and user community than current system	**14**	**2**	**1**	**-**
g. Assigns charges to costs imposed by users	**8**	**7**	**1**	**-**
h. Other: _____	**6**	**1**	**-**	**-**

c. If not, describe what other option(s) are available for structuring a user-fee system and what benefits are associated with each alternative option(s)?

Responses not included

d. Please explain below why you do not think that user fees should fund the ATC system.

Responses not included

2. **What fee, if any, should the following user groups be required to pay?** (*Check one answer per row).*

	Pay a weight and distance user fee	**Pay a flat fee**	**Pay a fee that is not weight and distance based or a flat fee**	**Exempt from paying any direct user fee**	**Don't know**	**Other**
a. Airlines	**17**	**-**	**-**	**-**	**-**	**1**
b. General aviation	**3**	**10**	**2**	**1**	**-**	**2**
c. Business aviation	**15**	**1**	**-**	**-**	**-**	**2**
d. Cargo aviation	**17**	**-**	**-**	**-**	**-**	**1**
e. U.S. military	**4**	**2**	**-**	**8**	**3**	**1**
f. Federal law enforcement	**3**	**1**	**1**	**9**	**2**	**1**
g. Homeland security	**4**	**1**	**1**	**9**	**-**	**-**
h. State and local government	5	1	1	8	2	1
i. Other:_____	-	2	-	1	-	1

a. **For each user group that you think should pay a flat fee, please explain why you think that's the case.**

Response not included

b. **For each user group that you think should pay a fee that is not weight and distance based or a flat fee, please explain why you think that's the case.**

Response not included

c. **For each user group that you think should be exempt from paying any direct user fee, please explain why you think that's the case.**

Response not included

3. **If the new ATC entity has one of the following governance models, would an economic regulator be needed to ensure that the ATC entity does not charge excessively high rates?** *(check one answer per row)*

	Yes, an economic regulator would be needed	No, an economic regulator would not be needed	Maybe	Don't Know
a. Non-profit entity with a board of directors made up of user groups	**6**	**11**	**1**	**-**
b. For profit entity	**16**	**-**	**2**	**-**
c. Partially government-owned entity	**8**	**3**	**7**	**-**
d. Fully government-owned entity	**6**	**8**	**4**	**-**
e. Other:_____	**-**	**-**	**-**	**1**

4. How effective are the following funding mechanisms at addressing the effect of revenue volatility on the ATC's financial situation that might ensue due to such events as recessions, global incidents, or communicable diseases?

	Very effective	Moderately effective	Little or Not at All effective	Don't Know	No answer
a. If the new ATC entity's financial structure includes debt financing, ensuring that the financial structure is not overly reliant on debt financing (i.e., overly leveraged)	**9**	**5**	**3**	**-**	**1**
b. Establishing a reserve fund through user fees, with appropriate levels of reserves to manage revenue instability	**15**	**2**	**-**	**-**	**1**
c. Establishing access to credit to tap into during periods of reduced revenues	**7**	**8**	**2**	**-**	**1**
d. Establishing a mechanism built into the funding structure such that if revenues fall below certain thresholds fees are automatically increased.	**6**	**6**	**5**	**-**	**1**
e. Providing the ATC with the flexibility to change rates as needed	**10**	**7**	**-**	**-**	**1**
e. Other: _____	**1**	**1**	**-**	**-**	**2**

Section 2: Asset transfers and valuation methods *(2 questions)*

N=19

The questions in this section are about asset transfers and valuation methods.

Do you think that the federal government should receive payment for the ATC system?

- **2** Yes (*continue to question 6b*)
- **7** Yes, but depends on the governance model (*continue to question 6a)*
- **8** No (*continue to question 6c)*

a. **For which of the following governance models, should the federal government receive payment for the ATC system?** *(continue to question 6b)*

	Yes	No	Don't know
a. Non-profit entity	**4**	**2**	**1**
b. For profit entity	**7**	**-**	**-**
c. Partially government-owned entity	**4**	**2**	**1**
d. Fully government-owned entity	**-**	**7**	**-**
e. Other:_____	**1**	**-**	**-**

b. **Please explain why you think that the federal government should receive payment for the ATC system** *(continue to question 7)*

Response not included

c. **During our interviews with experts, some experts expressed reasons that they did not think the U.S. government should receive payment for the assets transferred to the new ATC entity. Do you agree or disagree with the following reason for not having such a payment?**

	Agree	Disagree	Don't know
a. Much of the ATC system and assets have already been paid for by users through ticket and fuel taxes.	**8**	**-**	**-**
b. Paying for the system might impose a significant financial burden on the new ATC entity impacting its financial stability.	**7**	**1**	**-**
c. Payment would raise the level of financing needed and potentially have a significant impact on the level of user fees.	**8**	**-**	**-**
d. Determining a price for the ATC system and assets would be a time-consuming, complex and expensive undertaking.	**7**	**1**	**-**
e. Other: _____	**5**	**-**	**-**

If there is to be payment of the ATC system, what method should be used to value it? *(check one option)*

4 Going concern -- the market value of an entity is an estimate of its expected future discounted cash flows across the ATC entity as a whole.

1 Net book value --- the net book value of the entity's assets minus the value of its liabilities and intangible assets, that is, how much the entity would be worth if it paid all its debts and liquidated.

7 A combination of market value and net book value of the assets in which assets such as land, real estate or other property that could have an alternative use are appraised at their market value and assets that are particular to ATC use are valued at net book value.

5 Other: _____

☐ Don't know: _____

Section 3: Separation of safety oversight and regulatory functions *(7 questions)*

The questions in this section are about the assignment of certain current FAA activities to separate entities. An example of such would be assignment of safety, oversight, and regulatory functions to one entity and of operations and acquisition functions to another.

N=14

5. If safety oversight and regulatory functions remain with the federal government, what current FAA activities should remain the responsibility of the safety regulator, new ATC entity, both the new ATC entity and safety regulator, or another entity?

	Safety regulator	**New ATC entity**	**Both the new ATC entity and safety regulator**	**Another entity**	**Don't Know**
a. Aviation safety oversight and regulatory functions (for example, development of safety performance standards, certification of new air operators, aircraft, and aircraft parts and equipment; airworthiness activities; and rule-making process).	**13**	**-**	**-**	**-**	**-**
b. Other safety functions that are currently within ATO (for example, ATC oversight,	**1**	**4**	**8**	**-**	**-**

	Safety regulator	New ATC entity	Both the new ATC entity and safety regulator	Another entity	Don't Know
certification of controllers, monitoring and re-training staff, review of internal safety controls).					
c. Development of flight standards such as new performance based-navigation procedures	**2**	**5**	**6**	**-**	**-**
c. Approval of flight standards such as new performance based-navigation procedures	**8**	**2**	**3**	**-**	**-**
e. Administration of the Airport Improvement Program (AIP)	**8**	**-**	**-**	**5**	**-**
f. Environmental responsibilities such as ensuring compliance under the National Environmental Policy Act (NEPA)	**4**	**2**	**5**	**2**	**-**
g. Research and development activities including activities undertaken at research facilities	**3**	**5**	**5**	**-**	**-**
h. Commercial space activities (for example, licensing, reviewing safety approvals, commercial space rulemaking activities, and promoting commercial space launch industry)	**10**	**-**	**2**	**1**	**-**
i. Flight surgeon reviews and issuance of pilot medical certificates, development of medical policies and medical certification procedures	**11**	**-**	**2**	**-**	**-**
j. Non-National Transportation Safety board accident investigation activities	**10**	**-**	**2**	**1**	**-**
k. NextGen global harmonization efforts including coordination with international stakeholders at ICAO and other venues	**1**	**3**	**8**	**-**	**-**
l. Other: _____	**-**	**2**	**1**	**-**	**-**

If you selected, 'another entity' for any of the functions listed in question 7, please specify what other entity you think should take on responsibility of the function(s).

Response not included

6. **In your opinion, if the U.S. were to separate safety functions from ATC operations, how easy or difficult would it be to delineate roles and responsibilities between the safety regulator and new ATC entity?**

   1 Very easy
   5 Moderately easy
   1 Neither easy nor difficult
   4 Moderately difficult
   2 Very difficult
   ☐ Don't know

7. **If the U.S. were to separate safety regulatory functions from ATC operations, how positive or negative of an impact do you think such a separation would have on the safety regulator?**

	A large negative impact	A small negative impact	No impact	A small positive impact	A large positive impact	Don't know
a. Staffing Levels	**3**	**4**	**3**	**-**	**3**	**-**
b. Funding	**4**	**3**	**3**	**1**	**2**	**-**
c. Staff expertise	**3**	**4**	**2**	**1**	**3**	**-**
d. Workload	**3**	**3**	**4**	**2**	**1**	**-**
e. FAA certification process	**1**	**5**	**3**	**2**	**2**	**-**
f. FAA rulemaking process	**1**	**5**	**3**	**2**	**2**	**-**
g. Other:_____	**1**	**1**	**-**	**-**	**-**	**-**

8. **How necessary would the following changes be to ensuring that FAA is an effective safety regulator?**

	Very necessary	Somewhat necessary	Slightly necessary	Not necessary	Don't know or No answer?
a. Streamlined process for approving performance based procedures	**6**	**4**	**1**	**1**	**1**
b. Streamlined ATC rulemaking process (such as improved timeliness of	**5**	**5**	**2**	**-**	**1**

	Very necessary	Somewhat necessary	Slightly necessary	Not necessary	Don't know or No answer?
rulemaking)					
c. Streamlined certification processes of air carriers, aircraft, and aircraft parts and equipment	**5**	**4**	**2**	**1**	**1**
d. Improved flexibility and adaptability of FAA's organizational culture	**8**	**4**	**-**	**-**	**1**
e. Additional staff resources	**3**	**4**	**4**	**1**	**1**
f. Additional funding than what FAA's Aviation Safety Office currently receives	**4**	**3**	**3**	**2**	**1**
g. More stable source of funding that what is currently in place	**6**	**3**	**4**	**-**	**-**
h. Improved recruitment process to increase expertise	**3**	**8**	**1**	**-**	**1**
i. Other_____ _____	**1**	**-**	**-**	**-**	**2**

If you have any comments about question 10, please write them below:

Response not included

9. How important is it to ensure there is communication and collaboration between the safety regulator and the new ATC entity on the following activities?

	Very important	Moderately important	Slightly or Not at all important	Don't know
a. NextGen implementation	**10**	**3**	**-**	**-**
b. Sharing safety data	**12**	**1**	**-**	**-**
c. Rulemaking process	**8**	**5**	**-**	**-**
d. Air operators, aircraft, and aircraft parts and equipment certification processes	**5**	**5**	**3**	**-**

	Very important	Moderately important	Slightly or Not at all important	Don't know
e. Developing flight procedures	**12**	**1**	**-**	**-**
f. Developing ATC procedures	**11**	**2**	**-**	**-**
g. Technical operations and other ATC functions	**7**	**3**	**3**	**-**
h. NextGen global harmonization efforts	**6**	**6**	**1**	**-**
i. Other:_____	**-**	**-**	**-**	**-**

10. In your opinion, if a restructure were to occur, how would communication and collaboration between the safety regulator and the new ATC entity on the following activities be impacted?

	A large negative impact	A small negative impact	No impact	A small positive impact	A large positive impact	Don't know/no answer
a. NextGen implementation	**2**	**3**	**1**	**3**	**3**	**1**
b. Sharing safety data	**1**	**2**	**3**	**4**	**2**	**1**
c. Rulemaking process	**1**	**3**	**3**	**2**	**2**	**1**
d. Air operators, aircraft, and aircraft parts and equipment certification processes	**1**	**3**	**4**	**4**	**-**	**1**
e. Developing flight procedures	**2**	**3**	**2**	**3**	**2**	**1**
f. Developing ATC procedures	**2**	**3**	**2**	**3**	**2**	**1**
g. Technical operations and other ATC functions	**1**	**3**	**3**	**2**	**3**	**1**
h. NextGen global harmonization efforts	**1**	**1**	**6**	**2**	**1**	**1**
i. Other: _____	**-**	**-**	**-**	**-**	**-**	**2**

11. In your opinion, how, if at all, would separating ATC operations from the safety regulator affect the organizational culture of the safety regulator?

4 a large positive effect
4 A small Positive effect
2 no effect

1 a small Negative effect
2 a large negative effect
☐ Don't know

Section 4: Managing impacts *(1 question)*

N=14
The questions in this section are about potential access impacts of an ATC restructure on these various airspace users.

12. In your opinion, should the following actions be taken to help mitigate potential access impacts to users?

	Yes	No	Don't know
a. prohibits closure of certain ATC facilities (e.g. ATC facilities in small communities or rural areas)	**-**	**11**	**-**
b. specifies criteria that must be met for closing certain ATC facilities (e.g. ATC facilities in small communities or rural areas)	**8**	**3**	**-**
c. prohibits closure of contract towers (e.g., contract towers in small communities or rural areas)	**-**	**11**	**-**
d. specifies criteria that must be met for closing contract towers (e.g., contract towers in small communities or rural areas)	**8**	**3**	**-**
e. Creation of a board of directors with representation from a broad, inclusive set of stakeholders	**10**	**1**	**-**
f. Other _____	**1**	**1**	**-**

Section 5: Human Capital *(5 questions)*

N=11

The questions in this section are about human capital issues, such as issues related to

- hiring and retention,
- union issues,
- employee benefits (e.g., pay, pension, healthcare),
- retirement (e.g., early retirement and mandatory retirement), and
- other human capital issues that may arise during a restructure.

13. If the U.S. were to separate safety regulatory functions from ATC operations, in your opinion, will it be more difficult, about the same or less difficult for the new safety regulator to hire and retain skilled staff?

2 More difficult
6 About the same
3 Less difficult
☐ Don't know

14. How important is it that the following benefits are maintained for federal employees who transfer from FAA to the new ATC entity?

	Very important	Moderately important	Slightly or not important at all	Don't know
a. Healthcare	7	2	2	-
b. Pension	8	-	1	-
c. TSP/401K	7	1	1	-
d. Union agreements	5	3	2	-
e. Seniority preferences or benefits (e.g., work schedule preferences and geographic location)	4	4	2	-
f. Other:_____	3	1	-	-

If you have any comments about question 16, please write them below:

Response not included

15. Do you think the new ATC entity employees should be able to strike?

1 Yes
9 No
☐ Don't Know

16. In your opinion, how important is it to make decisions and communicate to existing staff early on in the transition process the following details related to how personnel would be transferred to the new ATC entity?

	Very important	Moderately important	Slightly or not important at all	Don't Know
a. Decide early on which staff position will be transferred to the new ATC entity.	9	2	-	-
b. Communicate information about which staff positions will be transferred to the new ATC entity.	10	1	-	-
c. Develop a process for transferring staff.	10	1	-	-
d. Communicate information about the process for transferring staff.	10	1	-	-
e. Communicate information about whether staff will	9	1	1	-

	Very important	Moderately important	Slightly or not important at all	Don't Know
maintain an equivalent position in the new ATC entity.				
d. Other:_____	1	-	-	-

If you have any comments about question 18, please write them below:

Response not included

Section 6: NextGen and Other Issues *(2 questions)*

N=16

17. In your opinion, would there be a positive or negative impact on the following NextGen elements if there was an ATC restructure?

	A large negative impact	A small negative impact	No impact	A small positive impact	A large positive impact	Don't know
a. Meeting NextGen implementation timelines and commitments	**1**	**2**	**1**	**5**	**7**	**-**
b. Ability to collaborate with industry on NextGen issues	**-**	**1**	**1**	**2**	**12**	**-**
c. Coordination between the new ATC entity and safety regulator on NextGen implementation	**1**	**4**	**2**	**5**	**3**	**1**
d. Coordination between the new ATC entity and safety regulator on development of new ATC procedures	**1**	**2**	**2**	**5**	**5**	**1**

	A large negative impact	A small negative impact	No impact	A small positive impact	A large positive impact	Don't know
related to NextGen						
e. Funding for NextGen	-	1	3	4	7	1
f. Other:_____	-	-	-	-	2	-

18. In your opinion, in an ATC restructure, should the following be associated with the new ATC entity, the safety regulator or another entity?

	New ATC entity	Safety regulator	Both the new ATC entity and the safety regulator	Another entity	Don't know
a. FAA Aeronautical Center in Oklahoma City	5	2	7	-	2
b. Technical Center in Atlantic City	9	1	4	-	2
c. Regional offices	2	11	1	-	2
d. Service area offices	4	6	3	-	2
e. Commercial space office	1	9	2	2	2
f. Unmanned Aircraft Systems (UAS) office	1	10	2	1	1
g. Other: _____	-	-	-	-	-

If you selected, either 'another entity' or 'don't know' in question 21, please explain:

Response not included

Section 7: Governance/Representation *(1 questions)*

N=32

19. If the new ATC entity has a board of directors, should the following groups be included on the board of directors?

	Yes	No	Don't know

	Yes	No	Don't know
a. Airline consumers	**13**	**14**	**2**
b. Airlines (major and regional airlines)	**28**	**1**	**-**
c. Unions	**22**	**6**	**1**
d. Airports	**23**	**5**	**-**
e. Unmanned Aircraft Systems (UAS) industry	**11**	**15**	**2**
d. General Aviation	**27**	**2**	**-**
e. Business Aviation	**25**	**3**	**1**
f. Cargo	**24**	**3**	**1**
g. U.S. military	**14**	**9**	**3**
h. Federal law enforcement	**3**	**22**	**2**
i. Homeland security	**7**	**18**	**2**
j. State and local government	**5**	**22**	**-**
k. Other:_____	**6**	**2**	**1**

Closing Questions *(3 questions)*

20. In your opinion, approximately how much time would be needed to legislate, negotiate, plan and implement an ATC restructure?

	1 year	2 years	3 years	4 years	5 years or more	Don't know
a. Legislate	**15**	**7**	**4**	**1**	**-**	**2**
b. Negotiate	**12**	**11**	**2**	**1**	**1**	**2**
c. Plan	**10**	**7**	**7**	**2**	**1**	**2**
d. Implement	**4**	**10**	**3**	**5**	**6**	**1**

***21.* In your opinion, how challenging would it be to resolve the following issues?** *(choose one response per row)*

	Very challenging	Moderately challenging	Slightly or not at all challenging	Don't know
a. Determining how the funding of the new ATC entity should be structured.	**13**	**11**	**5**	**-**
b. Determining how assets are valued and transferred.	**5**	**14**	**10**	**-**
c. Separating current FAA safety and regulatory functions from the new ATC entity.	**4**	**16**	**8**	**-**
d. Managing potential impacts to airspace users resulting from creating a new ATC entity separate from the	**4**	**12**	**13**	**-**

	Very challenging	Moderately challenging	Slightly or not at all challenging	Don't know
safety regulator.				
e. Managing human capital transition issues.	**10**	**15**	**4**	**-**
f. Ensuring an adequate amount of time to plan and implement a transition.	**9**	**17**	**3**	**-**
g. Mitigating impacts to current FAA initiatives (for example, NextGen implementation and UAS integration).	**7**	**14**	**7**	**1**
h. Other _____	**4**	**1**	**-**	**1**