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August 7, 2023

Mr. Marc Nichols
Chief Counsel
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

Ms. Alyce Hood-Fleming
Vice President, System Operations Services
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

Via email

Re: Timely Extension of March 22, 2023, Staffing Related Relief

Dear Mr. Nichols and Ms. Hood-Fleming:

Thank you for the Federal Aviation Administration's (FAA) decision to prioritize operational reliability through the March 22, 2023, Notice of Limited Waiver of Slot Use Requirements at New York City area airports (EWR, JFK, LGA) and Ronald Reagan Washington National Airport (DCA). This Notice granted a limited waiver of use requirements so that carriers could return up to 10 percent of slots held at JFK and LGA and up to 10 percent of approved operating timings (movements) at EWR, as well as impacted slots at DCA for NYC-DCA operations, for the period between May 15 – September 15, 2023.

While operational reliability during the past few months has been challenging even with the relief provided, it would have been materially worse if FAA had not taken this action. The FAA's "staffing related relief" Notice acknowledged that the relief was granted based on post-pandemic effects of air traffic controller staffing at the New York Terminal Radar Approach Control (TRACON) facility (N90) being 54 percent staffed. The FAA has observed that unless carriers reduced their flight schedules, this staffing challenge would likely cause operational disruption until responsibility for the Newark airspace sector was moved to the Philadelphia TRACON.

Since the issuance of the March waiver, the Newark airspace has not been transferred, nor have the staffing levels at N90 meaningfully improved. Accordingly, **in order to maintain operational integrity as FAA staffing shortages persist, we request that the FAA extend the Notice through the end of the full Summer IATA Season, October 28** (with corresponding changes to return dates and published scheduling deadlines).

Carriers have been hiring aggressively and will continue to make significant investments in human and technological resources to ensure that even more reserve crews exist to improve resiliency when irregular operations occur. However, air traffic control staffing and extreme weather are unique circumstances beyond our control that merit a limited and conditional waiver of slot usage rules until the system can stabilize. Granting relief for the rest of the summer season is in the best interest of the flying public because it will minimize disruptions and provide greater predictability for airlines and consumers.

We are eager to have the capacity of the National Airspace System (NAS) grow, not shrink. Aviation contributes to 5 percent of our nation's GDP and creates good paying jobs while providing a service that

Mr. Marc Nichols
Ms. Alyce Hood-Flemming
August 7, 2023
Page 2

connects the world for carriers to make the appropriate scheduling decisions, we request that the FAA make public the data relating to progress on hiring and certifying air traffic controllers at critical facilities. We have successfully advocated for the funding and authorization of maximum air traffic control hiring in the appropriations and FAA reauthorization bills and want to continue to work together collaboratively to measure progress.

Given the need to schedule crew and the imminent expiration date of the Notice, we respectfully request a timely review and favorable consideration of this important issue. Please know that given the long-term outlook for solving the staffing issues, as well as the difficulties associated with near-term schedule changes for consumers and crew, we are actively working on additional ideas for the upcoming year and will be in contact with you in the near future.

Sincerely,



Sharon Pinkerton
Senior Vice President,
Legislative and Regulatory Policy



Patricia Vercelli
Senior Vice President,
General Counsel and Secretary