

**SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION:
QUESTIONS FOR THE RECORD**

**HEARING ON
FAA REAUTHORIZATION: AVIATION SAFETY AND GENERAL AVIATION
TUESDAY, APRIL 28, 2015**

**Questions for Ms. Margaret Gilligan, Associate Administrator for Aviation Safety, Federal
Aviation Administration**

From Senator Wicker

Question 1. Ms. Gilligan, as you know, both the Senate and House continue to strongly support the FAA contract tower program on a bipartisan basis. This support stems from the belief that this program is a cost-effective and proven way to enhance air traffic safety at over 250 smaller airports across the country, including seven in my state.

Members of Congress and the industry consistently point to this program as one of FAA's most successful government/industry partnership programs.

Given the program's successful track record, will the FAA have any recommendations for the reauthorization bill to ensure this program is protected and enhanced?

Answer: The FAA remains committed to the Federal Contract Tower (FCT) Program as an important component of how we deliver safety and efficiency in the NAS. There is a general consensus that the program has been successful and it has created measurable efficiencies in the system for both commercial and general aviation operators, while delivering safety benefits to the traveling public. As such, the FAA does not have any specific recommendations for the reauthorization bill regarding the FCT Program.

From Senator Rubio

Question 1. Florida state law permits businesses and other entities where food allergens may be present to possess and allow trained staff to administer epinephrine auto-injectors to treat potentially fatal anaphylactic reactions. Since food allergens are present frequently on commercial airline flights, and an estimated 15 million Americans have food allergies, would the FAA be open to exploring the inclusion of epinephrine auto-injectors in airborne emergency medical kits?

Answer. Since 1986, all major passenger carrying air carriers have been required to carry epinephrine in on-board Emergency Medical Kits. Part 121, appendix A, required two quantities of epinephrine (1:1000) in "single dose ampule or equivalent."

The FAA also requires that crewmembers must be trained regarding location and use of the emergency medical equipment. However, we do not require that air carriers or crewmembers provide medical assistance to passengers. The emergency medical equipment and training

requirements provide air carriers the option of limited in-flight medical assistance. The FAA does not have the authority, nor are the FAA regulations intended, to mandate or regulate health care on board commercial air carriers.

Additionally, in December 2002, the FAA published Advisory Circular (AC) 121-36, “Management of Passengers Who May be Sensitive to Allergens. In the AC, we discuss the use of epinephrine to mitigate the effects of an allergic reaction. The AC may be found here: http://www.faa.gov/documentLibrary/media/Advisory_Circular/AC121-36.pdf

However, there is no regulation that would prevent air carriers from voluntarily carrying an epinephrine auto-injector on each flight as part of the emergency medical kit. Additionally, there is no regulation that would prevent an air carrier or its agents from voluntarily choosing to provide care to passengers.

From Senator Daines

Question 1. Ms. Gilligan, in a previous hearing I discussed with Federal Aviation Administration (FAA) Administrator Michael Huerta steps the FAA is taking to address rural airports’ safety concerns surrounding the expansion of the Powder River Training Complex (PTRC) in eastern Montana. This has included a commitment by the FAA to remain engaged with local general aviation stakeholders and to provide the appropriate communications and radar equipment necessary to ensure a high level of aviation safety. The term “adaptive management” continues to be used by the FAA. Would you please define “adaptive management” and explain how it will be implement in the airspace around PTRC?

Answer. The FAA remains committed to the Federal Contract Tower (FCT) Program as an important component of how we deliver safety and efficiency in the NAS. There is a general consensus that the program has been successful and it has created measurable efficiencies in the system for both commercial and general aviation operators, while delivering safety benefits to the traveling public. As such, the FAA does not have any specific recommendations for the reauthorization bill regarding the FCT Program.

Adaptive Management for PRTC is managed by the U.S.A.F. and is not an FAA initiative. The FAA is not responsible for the development or implementation of the “Adaptive Management” program.

Background:

The Air Force is adopting an “adaptive management” approach for the mitigation of airspace issues, which includes provisions for determining the success of mitigation measures, as well as procedures for making necessary adaptations to those measures. As part of this approach, the Air Force would develop a process for communicating, at least annually, with requesting agencies and organizations, including those involved with airport operations (state aeronautical commissions, local airport authorities, and fixed base operators); aviation, energy and agro-business (e.g., air ambulance operations, energy and pipeline operations, cloud seeding, aerial application and crop dusting, ranching, flight training); and other activities (e.g., local units of government, real estate organizations, tourism organizations, and educational institutions). According to the Air Force’s environmental documentation the Air Force would “strive to negotiate agreements that include the flexibility to adapt to changing situations” and “collaborate with key aviation interests in the region

to establish professional lines of communication to minimize impact and balance the needs of commerce and military readiness.”

The mitigations will be assessed as a part of the normal and regular base outreach program. Ellsworth Air Force Base is the using agency of the existing Powder River A & B Military Operations Area (MOA). The base uses established practices of outreach to communities and ranching operations to identify critical times and locations of events that would be disrupted by overflights, such as existing steps to avoid locations of branding, calving and weaning. The base will post informational flyers and posters at public airports underlying the airspace with annual updates by the safety office as a part of the Mid-Air Collision Avoidance Program. For Large Force Exercises (LFE) the base will publish scheduling and other information 30 days prior to the exercise. The base’s practices would also include establishment of avoidance areas as necessary for airports, airfields, and communities under the proposed airspace. These efforts encourage community involvement to identify concerns, wherein the base adjusts the flight operations procedures based on the results of these interactions. Members of the affected communities can provide feedback to the base at any time.