FAA issues new rules for air traffic controllers after runway incursion in Washington D.C.

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Federal Aviation Administration (FAA) Administrator Mike Whitaker issued new rules and guidelines for air traffic controllers at US airports on Friday following a runway incursion at Ronald Reagan Washington National Airport on the morning of April 18.

Without mentioning that two jetliners nearly collided as they prepared to take off, Whitaker put out a statement one day later that boasted about "key reforms" that were being implemented immediately "to ensure air traffic controllers are getting sufficient rest, while we also work to implement some longer term, systemic changes."

Specifically, Whitaker said the FAA is requiring 10 hours off between shifts, and 12 hours off before the midnight shift that will be effective in 90 days. The FAA Administrator said he was also "directing the Air Traffic Safety Oversight Service to ensure the agency has a robust methodology to ensure compliance with this direction."

Whitaker said the FAA, the US government agency principally responsible for the safe operation of the US airline industry, is working to hire 1,800 new controllers this year and "committed to a sustained effort to address controller fatigue and ensure our airspace is the safest in the world."

Meanwhile on Wednesday, US Transportation Secretary Pete Buttigieg repeated Whitaker's controller rest plan and claimed on MSNBC that the Biden administration is working on "upgrading" the antiquated US air traffic control system.

However, the barrage of media appearances and statements by Whitaker and Buttigieg do not address the causes of the catastrophic conditions that exist in the US air traffic control system which nearly resulted in a deadly incident at Reagan National Airport.

The FAA is still investigating the incident that took place at 7:41 a.m. on Thursday, April 18, in which an air traffic controller instructed Southwest Flight 2937 to cross Runway 4, while JetBlue Flight 1554 was starting its takeoff roll down the same runway. The jetliners stopped within 400 feet of each other.

During the incident air traffic controllers were frantically contacting each plane to stop. According to a report by CNN, "Air traffic control audio recordings detail controllers shouting for a JetBlue flight to stop its takeoff run as a Southwest Airlines flight began taxiing across the runway in front of it."

In its official statement on the runway near-miss, the FAA said, "An air traffic controller instructed Southwest Airlines Flight 2937 to cross Runway 4 at Ronald Reagan Washington National Airport while JetBlue Flight 1554 was starting its takeoff roll on the same runway."

After the incident, the JetBlue plane taxied back to the runway threshold and then took off for Boston Logan while the Southwest plane was directed to cross the runway and taxi toward a second runway, where it took off for Orlando as scheduled.

In its statement, JetBlue said its flight "aborted take-off due to another aircraft attempting to cross the runway." Southwest Airlines told CNN, "We are aware of the incident and are working with the FAA to fully understand the circumstances."

In his statement, Whitaker referred to his commissioning of "an independent panel of scientific fatigue experts" in December 2023 to "assess the risks introduced by controller fatigue in our system and to give us a roadmap to mitigate the risks." He said the experts' report "brought into focus" the reforms that he then proposed.

However, a review of the contents of the report on fatigue among air traffic controllers paints a picture of excessive and crisis level overwork resulting from understaffing. The report says, the "current system employs a variety of strategies to maintain the expected operational tempo at the expected safety level." These measures include "overtime (mandatory or voluntary), extended consecutive work days, forgoing training, combining positions (e.g., requiring a

controller to manage a larger operational area), and utilizing supervisors to manage operational duties."

The report says that these responses to understaffing are known to "represent fatigue risks with increased risk severity as various elements are extended (e.g., work hours, consecutive work days, overtime, shift rotations)."

Among the top cause of the intensifying fatigue risks that the study identifies is the inability of the FAA to address the chronic staffing shortage that has persisted for decades. The report states that any proposed solution to fatigue among controllers "*may be unattainable, delayed, or constrained. Even when at optimal staffing levels, there will be continued fatigue risks related to known sleep and circadian disruptions created by around-the-clock shiftwork demands*" (emphasis in the original).

Another fatigue risk identified is that "The process for determining controller staffing needs and building schedules is disconnected from forecasts of overall controller staffing needs." The report goes on to say that air traffic control work schedules are released "at least 28 days in advance, with most controllers working a fixed rotation that includes planned overtime." In other words, there is a disconnect between work schedules and the actual volume of air traffic and the ability to "react to disruptions in traffic flow due to weather and other factors" that frequently lead to understaffing.

If anything, the FAA study understates the depth of the crisis and, above all, it does not attempt to provide any historical context to explain how the air traffic system has arrived at such a state of affairs.

Staffing levels have been a known issue in the airline industry since 1981, when then-President Ronald Reagan fired the members of the Professional Air Traffic Controllers Organization (PATCO) after they went on a nationwide strike against intolerable working conditions. Over the ensuing years, while hiring occurred, many controllers left after reaching the mandatory retirement age of 56 and that trend continues.

In 1981, there were 17,500 air traffic controllers and the number of flight departures stood at 5,329. In August 2023, the FAA reported there were 10,700 controllers handling 9,635 departures. Therefore, even factoring in more advanced technology, which in most cases is poorly implemented, less than two-thirds the number of controllers are handling nearly double the amount of air traffic.

A recently retired air traffic controller told the WSWS:

Runway incursions like the one at Reagan have always happened and every year it's on the top items of the FAA's focus items. They could be mitigated with more automated taxiway signals such as colored LED trails to follow and such. But the expense has been something the FAA can't or won't do, instead they continually tell controllers and pilots to do better and have yearly safety debriefings about it.

Fatigue and overwork are surely contributing factors. It is well-known by everyone and especially the FAA who used to give us mandatory briefings on fatigue, that being fatigued is like having a few drinks in your system. Your awareness and ability is massively eroded just by not having a good night's sleep.

That brings me to the scheduling. Even without mandatory six-day workweeks, most air traffic control schedules look something like this: Wednesday afternoon, you go in at 1500 and get to go home at 2300, if you're not held over for overtime. Thursday, you start work at 1300 until 2100. Friday you have a 'quick turn' to start at 0800–1600. Saturday, 0600–1400. Another quick turn to Saturday 2300–0700 on Sunday. Add into that an overtime shift on Monday of 1400–2200 or something, and having to still live life, have a family, do your home chores, etc. Most people don't sleep on that 'Saturday' and the days off will differ by seniority, but that's generally what it looks like.

Now, the FAA just imposed new work rules after DCA and media scrutiny to increase the amount of time between shifts from 9 hours between regular quick turns to 10 hours and from 8 hours between the overnight quick turn to 12 hours.

A lot of controllers are upset about this not being negotiated with the union and the union hasn't come out to say anything really. NATCA [the National Air Traffic Controllers Association] was founded in 1987 and values cooperation with the FAA and airline executives over fighting for the membership.