



COMPLETE FAA REAUTHORIZATION THIS YEAR

For over two years, Congress has been unable to complete work on the reauthorization of the Federal Aviation Administration (FAA). Not only has this forced the FAA to operate under a series of seven short-term and inherently uncertain funding extensions, but these delays have left a number of critical safety, infrastructure and technology investments, and worker rights issues unaddressed. The time for delay, postponement and excuses must come to an end. Transportation labor calls on Congress and the Obama Administration to complete work on this vitally important legislation and to enact an updated FAA law that will help our aviation industry and its workers thrive.

The prospect that this bill could be delayed into next year is especially troubling given the progress of the House and the Senate to date. In February of this year Chairman Oberstar introduced the FAA Reauthorization Act of 2009 (H.R. 915) which passed the full House by a vote of 277 to 136 in May. The Senate bill (S. 1451), introduced by Chairman Rockefeller, was approved by the Commerce, Science and Transportation Committee on July 21, yet awaits action by the Senate Finance Committee, which must address the revenue titles of the bill. Transportation unions urge the Senate to finish the job on an FAA bill and immediately move to reconcile differences between the Senate and House versions.

At TTD's Executive Committee meeting in March 2009, transportation labor adopted a comprehensive agenda for FAA reauthorization. The Executive Committee called for an FAA law that modernizes the air traffic control system, invests in airports and other infrastructure, fixes the broken bargaining system at the FAA, protects the rights of aviation workers, addresses numerous safety reforms, reiterates U.S. policy on foreign control of U.S. airlines and curbs the foreign outsourcing of aircraft maintenance. Fortunately, the House-passed bill includes a number of key priorities and is strongly supported by TTD and our aviation unions. We applaud the leadership of Chairman Oberstar and Aviation Subcommittee Chairman Costello in crafting legislation that addresses many of the objectives of our member unions. The Senate bill also includes some important TTD priorities and we applaud Chairman Rockefeller for the progress he has made in winning Committee approval for his legislation.

Transportation labor will mobilize behind a final FAA bill that reflects the broad safety, worker rights and investment agenda championed by aviation labor and we will work toward this goal as the legislation advances. For example, the Senate bill currently fails to improve firefighter standards at airports, the provisions on foreign aircraft repair station safety and oversight need to be improved, and provisions that permit the outsourcing of key Next-Gen initiatives must be eliminated.

Additionally, S. 1451 currently maintains a loophole that continues to allow the FAA to unilaterally consolidate and realign Air Traffic Control facilities and services without input or oversight from stakeholders, including controllers, technicians, pilots and other workers. The FAA has already proven willing to act despite serious outstanding safety concerns articulated by FAA and private sector unions and members of Congress. TTD believes that given the risks

inherent in such changes, realignment decisions must be made collaboratively with stakeholders and must proceed only if they serve the public by improving safety, efficiency and service. This issue must be addressed in S. 1451.

Finally, this must be the FAA bill that removes the special-interest carve-out permitting FedEx to treat its truck mechanics, drivers, and other ground workers as aviation workers covered by the Railway Labor Act (RLA). FedEx's gaming of our labor laws must stop. FedEx knows that the RLA makes it much more difficult for workers to form unions than the National Labor Relations Act (NLRA) and thus has spent millions lobbying for special treatment that gives it a distinct advantage over its chief competitors. UPS, a supporter of legislation eliminating the special carve-out for FedEx, and other package delivery companies are covered by the RLA for their legitimate airline activities and by the NLRA for their ground workers. There is simply no reason to allow FedEx to continue to win a competitive advantage over other companies and in the process deny its employees the ability to form a union and secure collective bargaining rights.

Already, FedEx lobbyists and their allies are threatening to delay Senate consideration of the FAA bill unless commitments are made that this issue will not be pursued in conference. This strategy is deplorable. The idea that a pro-safety, pro-modernization FAA bill should be held hostage simply because FedEx wants to treat its truck drivers as airline employees is ludicrous. Of course, this is not a new strategy by FedEx. The company held the Senate hostage well past a scheduled adjournment in 1996 when it fought to solidify through a provision in the 1996 FAA conference report its competitive advantage over UPS.

A well-funded, efficient and safe aviation system is critical to our economy and to the hundreds of thousands that work in this industry. The nation cannot afford more political paralysis in completing this key legislation. Specifically, at a time when the national economy is suffering, Americans need jobs-creating initiatives like the investment provisions embodied in this bill.

Transportation labor will mobilize in favor of an FAA bill that helps U.S. aviation regain its footing as a model and leader for the world to follow. The President and Congress must not permit special interests to water down this legislation as Americans count on their elected leaders to complete an aggressive FAA reform bill. The final legislation sent to the President's desk must make air travel safer, direct strategically significant investments to our aviation infrastructure and air traffic control system, enhance the rights and safety of private and public sector aviation workers, and address the threat of unbridled globalization of aviation.

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