

March 22, 2005

Dockets and Media Management
U.S. Department of Transportation, M-30
Room PL-401
400 7th Street, SW
Washington, DC 20590

Re: Charter Rules for Foreign Direct Air Carriers, Docket No.OST-2002-11741

Dear Sir/Madam:

On behalf of the 35 affiliated unions of the Transportation Trades Department, AFL-CIO (TTD)¹, I am pleased to submit these comments in response to the Notice of Proposed Rulemaking in the above-referenced docket, issued on January 10, 2005. In general, TTD supports the Department of Transportation's (DOT) proposed changes to 14 CFR Part 212.

The first of the proposed changes would require applicants for a statement of authorization pursuant to Part 212 to provide evidence that it has verified that its home country accords reciprocal treatment to comparable U.S. carrier requests. This proposal will facilitate DOT's decision making process by ensuring that evidence of a key decisional element, reciprocity, is placed in the record as an initial matter.

The second change, the provision of information about the number of third and fourth freedom operations of the applicant in the preceding calendar year, ensures that evidence that will permit the DOT to assess another key decisional criteria – the degree of reliance of the applicant on 7th freedom operations – is in the record at the outset. The Department's proposed changes appropriately require the party that has the best access to this critical information to provide it.

¹ A list of TTD affiliated unions is attached at 1.

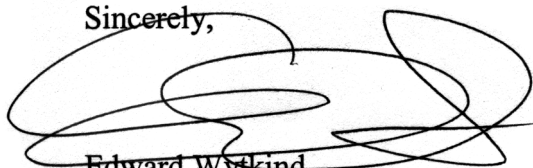
Transportation Trades Department, AFL-CIO

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Edward Wytkind, President • Michael A. Ingrao, Secretary-Treasurer

Finally, the third change proposed – the addition of a definition for 6th and 7th freedoms – helps eliminate the current blurring of the differences between 5th freedom and 7th freedom charter operations. TTD believes, however, that in order to fully achieve the Department’s objective of clarifying the differences between the various freedoms, DOT should amend the definition of “fifth freedom charter” that appears in §212.2. In particular, DOT should delete the final phrase in that definition – “regardless of whether the flight operates by the home country” – and replace the existing comma with a period. Absent this change, foreign carrier charter flights that do not have any stops in the homeland of the foreign carrier would continue to be embraced by the fifth freedom definition.

Thank you for your consideration of our views on this issue.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and curves.

Edward Wytkind
President



TTD AFFILIATES

The following labor organizations are members of and represented by the TTD:

Air Line Pilots Association (ALPA)
Amalgamated Transit Union (ATU)
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers (AFT)
Association of Flight Attendants-CWA (AFA-CWA)
American Train Dispatchers Association (ATDA)
Brotherhood of Locomotive Engineers and Trainmen, IBT (BLET)
Brotherhood of Maintenance of Way Employees Division (BMWED)
Brotherhood of Railroad Signalmen (BRS)
Communications Workers of America (CWA)
International Association of Fire Fighters (IAFF)
International Association of Machinists and Aerospace Workers (IAM)
International Brotherhood of Boilermakers, Blacksmiths, Forgers and Helpers (IBB)
International Brotherhood of Electrical Workers (IBEW)
International Brotherhood of Teamsters (IBT)
International Federation of Professional and Technical Engineers (IFPTE)
International Longshoremen's Association (ILA)
International Longshore and Warehouse Union (ILWU)
International Organization of Masters, Mates & Pilots, ILA (MM&P)
International Union of Operating Engineers (IUOE)
Laborers' International Union of North America (LIUNA)
Marine Engineers' Beneficial Association (MEBA)
National Air Traffic Controllers Association (NATCA)
National Association of Letter Carriers (NALC)
National Federation of Public and Private Employees (NFOPAPE)
Office and Professional Employees International Union (OPEIU)
Professional Airways Systems Specialists (PASS)
Retail, Wholesale and Department Store Union (RWDSU)
Service Employees International Union (SEIU)
Sheet Metal Workers International Association (SMWIA)
Transportation · Communications International Union (TCU)
Transport Workers Union of America (TWU)
UNITE HERE
United Mine Workers of America (UMWA)
United Steelworkers of America (USWA)

January 2005

Transportation Trades Department, AFL-CIO

