

The Air Traffic CONTROLLER

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Controllers must elevate fight against privatization of FAA

“We need to elevate the fight against privatization of Federal Aviation Administration facilities in 2000. I feel we need to take it personally. Controllers must understand any further encroachment on our occupation is a very real potential threat to our own jobs and families regardless of where we work,” remarked NATCA President Mike McNally. “Big or small facility, with the agency’s operating budget (pay, compensation and benefits) escalating to the tune of \$1.6 billion by the year 2003, we are all vulnerable to the budget woe crisis. Contracting out solutions are real and are not just limited to the small, more vulnerable facilities.”

Level I

Lawsuit

In May 1997, NATCA filed suit in the U.S. District Court challenging the FAA’s decision to privatize Level I air traffic control facilities, and in March 1998 the court ordered the agency to put its contract tower program on hold based on a procedural motion. It found the FAA failed to comply with the Office of Management and Budget’s requirement that agencies must determine if services are inherently governmental before contracting out. The agency appealed the ruling and the law-

suit is still pending final judicial decision. The issue before the court is whether air traffic control services are “inherently governmental,” not whether the FAA adhered to procedures in the OMB Circular A-76.

In the fall of 1999, McNally and FAA Deputy Administrator Monte Belger reached a settlement calling for no further contracting beyond Level I facilities for 18 months or until the judge’s decision, which might occur this spring.

“It is uncertain whether the judge will rule in our favor. With the current Congress and the Federal Activity Inventory Reform Act, which requires every federal agency to inventory its work and determine which entities are eligible for contracting to private entities, I assume it will be difficult for a federal judge to overturn or rule against the desire or intent of Congress,” elaborated McNally. “If the judge finds for NATCA, we are strongly positioned for a higher court’s decision if Congress continues to move down the road of piecemeal privatization.”

Legislative

Activity

Over the last year, several items have unfolded on Capitol Hill which could lead to a tough fight for NATCA. In October 1998, Congress directed the FAA to conduct a study extending the contract tower program to air traffic control towers without radar capability, and deliver it by Jan. 21, 1999. It is still not complete.

In May 1999, the Senate passed its FY2000 Transportation Appropriation bill which contained report language directing FAA Administrator Jane

Garvey to develop and submit a plan (within 60 days) to extend the contract tower program to Level II and III VFR towers within the fiscal year. The House FY2000 Transportation Committee was silent on this issue.

In September 1999, House and Senate conferees agreed to strike Senate report language on expanding the contract tower program to include Level II and III VFR towers. Instead, they included a provision requesting a study on “the feasibility and benefits of expanding the contract tower program, notwithstanding the current minimum staffing agreement” to be conducted by Department of Transportation Inspector General Ken Mead. The deadline for the report to be submitted to Congress is March 1. In February 2000, the Senate Budget Committee, Senate Appropriations Transportation Subcommittee and the House Appropriations Transportation Subcommittee began hearings addressing privatization and the agency’s FY2001 budget.

NATCA’s

Game Plan

With the knowledge NATCA will face a tough battle against privatization in 2000, union representatives have busied themselves meeting with key administration officials and staff. They have met with individuals such as Vice President Al Gore and his campaign staff, Secretary of Transportation Rodney Slater and officials from other labor and aviation groups. “We have begun a major educational campaign to inform Congress of the importance of a seamless air traffic control system,” stated

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In his own words...

NATCA President
Michael McNally



Dear Members and Friends:

As the old saying goes, be careful what you ask for, you might get it. We've been hammering the Federal Aviation Administration for years over its lack of attention to equipment and technology advancements. We've warned policy makers far and wide that a day of reckoning would come. We urged administrator after administrator to begin a long-term process that included employees – one culminating in a smooth implementation of procedures, equipment and staff.

Only since Administrator Jane Garvey came into authority did we have the ears of FAA senior officials. By then, it was becoming obvious to previously silent part-

Membership must rally against privatization

ners – for example, airlines – that modernization is imperative. After years of wasted billions on unrealistic initiatives, the aviation community has united around this issue.

The glitch, as usual, stems from funding. Where is the money going to come from? Some key airline executives are pounding the congressional pavement, waving the privatization banner high and showing how private industry can solve modernization and management problems better than the government. With powerful claims about cost savings, the argument is enticing to the uninitiated. Unfortunately, most members of Congress do not understand the serious ramifications to aviation safety, if a privatized air traffic control system is sanctioned.

You are already being urged to contact YOUR members of Congress when they are home on recesses, or through written correspondence. Your regional and local

legislative representatives, as well as national office staff, can offer guidance. Take advantage of these resources.

We will be keeping you all posted on this crucial issue that is NOT going away. Yes, we want a modernized and efficient air traffic control system, but not at the expense of safety, and not at the sacrifice of purely profit incentives on the part of large corporations and Beltway Bandits.

We must rally the troops. Our challenge is to direct our organizational energies on the one issue that could deprive each one of us of the protections and privileges we've come to expect.

In solidarity,

Michael McNally
President

Unions must strengthen themselves and increase influence

The AFL-CIO was scheduled to demonstrate against the World Trade Organization on the opening day, so I decided to take the ferry over to Seattle, Wash., and march with the unions. I'm not what I consider to be an activist, although I have done a few political things. I've gathered signatures for some very local causes and picketed a few times about issues around unchecked urban growth.

As far as my participation in NATCA activities, I try to attend the local union engineers' meetings. I feel guilty about not being more active, and I really do appreciate the work done by my local's officers. But I've hesitated in committing myself and getting more involved, but that's another story. So when opportunities arise where I think I could help out without long-term commitments, I consider them very feasible.

I knew a little about the WTO, but not a whole lot. There are some well-publicized issues, like the subjugation of national environmental regulations to particular WTO open-trade decisions, charges about secretive decision making by unelected officials and multinational corporations exploiting cheap foreign labor by exiting the United States, etc. I hadn't completely

made up my mind that the WTO was a bad thing, but I was starting to lean that way. Even up to the day of the event I hadn't really decided to attend, but the factors I was then considering were more along the line of inconvenience, such as traffic jams, the weather forecast, taking annual leave and my piled-up inbox at the

office. I realized those second-guesses were subordinate to more important issues and the opportunity occurring that day.

Oh, I had another concern, but I was already dispensing that too. "Was I wasting my time?" "How can one person make a difference?" Well, we really do know

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Controllers went beyond call of duty, helped to save a Marine's life

The Marine Corps Air Station Cherry Point air traffic control was responsible for saving the life of a young Marine on the night of Jan. 25. I would like to take this opportunity to recap the events that took place that evening as seen from the pilot's perspective.

I was on search and rescue duty along with Capt. Pool, Sgt. Duvall, Sgt. Miller and HM2 Benavidez. North Carolina was hit with an unexpected snowstorm earlier that day, which left most airports closed and all military personnel sent home early. MCAS Cherry Point was fortunate and only received two to three inches and was able to reopen later that afternoon. Due to poor road conditions, NATCA Member Velvet Nichols and her supervisor volunteered to work in ATC because they lived close to base.

The Pedro crew received a call for an emergency MEDEVAC from Naval Hospital Camp Lejeune to Duke University Hospital in Durham, N.C. A 20-year old Marine had fallen through a plate glass window in his barracks and suffered a severe laceration to his neck and left arm was nearly cut off. There was a trauma team of surgeons standing by to operate at Duke University. However, time was extremely critical because his left radial artery was severed and, if not repaired timely, his arm would be lost.

Pedro launched from Cherry Point to Camp Lejeune, and once on deck at

Lejeune Hospital we found out the patient was being stabilized for transport in the operating room. As we sat and waited, our fuel situation became a factor. Unable to talk to ATC while on deck, we radioed our corpsman and told him we were going airborne to talk to control. It was at this time Nichols and her crew became the cornerstone in saving this Marine's life.

We reached Nichols and told her our situation. This Marine needed to arrive at Duke as soon as possible, and we could not make it on the fuel we had. We asked if she could help us at all. We then landed and picked up our patient.

Once airborne again, we checked in with her and were amazed at what she and her crew had accomplished in 10-15 minutes. She reported to us every airport in North Carolina that had fuel available, and she had even called our squadron to check on the types of fuel acceptable in our helicopter. She had three airports with crews standing by ready to fuel us, updated weather and had our clearance, VFR or IFR, approved and standby all for our choice of routing. I was absolutely speechless and in awe of the efforts these controllers put forth for us.

Once in route, Nichols again took over and began to amaze us with her efforts. She again updated weather, filed our routing, spoken to all controllers between Cherry Point and Duke, told us of all traf-

fic in our flight path and passed along recall numbers of all available fuel in North Carolina. We eventually cleared her airspace and were handed over to Washington Center, but couldn't reach them due to our low altitude and weak radios. Upon reaching Raleigh, approach control called us and gave us clearance and direct routing with headings to Duke University. The amazing part was we could not talk to either of them, we answered by identifying with our transponder. We never spoke with Washington Center, so Nichols had called all the controllers along our path and told them our situation and that is how we were cleared through with no communications.

Our patient survived and should regain full use of his arm. We train for all types of situations but nothing could prepare us for all the hurdles we had that evening. There is nothing more relaxing to a pilot than speaking with a calm, experienced and confident controller. Nichols was all three of those. Every time a new problem surfaced, she was one step ahead of us, and the problem, and already had an answer. The ATC crew on duty that evening went far above and beyond the call of duty and was instrumental in saving a Marine's life. They are true professionals and an example for all to emulate. I highly recommend them for the highest award available. Thank you for a job well done.

Capt. David S. Hill

unions' livelihood

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the answer to those questions. When I thought about it, I realized it was a rather weak justification because I knew one person could make a difference. After all, at least I knew I could help to "pack the house."

We know unions have declined in influence over the past two decades. We need to strengthen ourselves. Now that the leadership of the AFL-CIO was coming to Seattle for the WTO, I realized this was an opportunity to have our voices heard through the media. But it would take tens of thousands of union marchers for this to occur. Without big numbers, we would proliferate the perception unions were dying.

So I made the decision to take a stance against the WTO and demonstrate with the AFL-CIO in Seattle that day; besides the opportunity wouldn't ever come again.

What happened? It was a success! It didn't rain like the forecast said and the sun came out. The march was very entertaining, almost like a circus. There were people with a hundred different posters and causes, but one common point existed for all of us; we were all united against the WTO. Estimates report between 20,000 - 40,000 union marchers that day. More could have attended, but it wasn't a flop either. And after I got home that night, I saw the President of the United States speaking to the WTO and the world, on labor's behalf on the television. It was a success! I really think it wouldn't have gone this way if the number of demonstrators wasn't significant enough. And all I lost was a day of work. Not bad.

*Steve Greenheck
Engineers' Northwest Mountain Region*

viewpoint

privatization of FAA facilities

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Legislative Director Ken Montoya.

Along with the national office's extensive legislative lobbying, the union is also initiating a major grass roots campaign. Several locals, especially those Level II and III facilities in threat of being contracted out, are meeting with their members of Congress to either enhance or establish a relationship with them, and educate them about contracting out.

Controller James McGhee, East St. Louis Tower, recently met with Rep. Jerry Costello, D-III. "This was about the third time in five years he visited our facility. The main reason he came this time is because our facility is on the list to be contracted out. We wanted him to get to know us personally, so he could put faces to East St. Louis Tower. Controllers let him hear their feelings and opinions about privatization," elaborated McGhee. "He was definitely receptive to our concerns and sounded firm on his position that he opposed contracting out Level II and III facilities. I encourage other facility representatives to invite their members of Congress to visit."

"We have extended invitations before, but this was the first time Rep. Brian Bilbray, R-Calif., accepted, and it was well worth it," offered Controller Dan Hamilton, San Diego Montgomery Tower. "I think many times air traffic control is a mystery for members of Congress. They ride on a plane regularly, but don't really understand what goes on between the aircraft's departure and arrival. These facility tours and meetings give them an idea of the hardships controllers face on a daily basis, such as poor equipment and inadequate staffing. I am also hoping Bilbray will refer to us as a point of contact and a resource when he needs information."

Controller Dennis Kern, Sacramento Tower, who recently met with Rep. Doug Ose, R-Calif., agrees. "Our congressman flies in and out of our facility and seemed very interested about the condition of the tower he utilizes. This was the first time the representative visited our facility, and our meeting went very well. He was very approachable," commented Kern. "And it wasn't difficult to arrange his visit. We sent him a NATCA invitation and he accepted almost immediately."

"Most controllers don't attempt to meet their congressmen because they think it won't do any good. But what is the alternative? Doing nothing and waiting to see what happens.... I think it is worth making a phone call or sending a letter to establish a relationship," explained Controller Joe Clyde, Everett Paine Field Tower. Clyde, along with Controller James Haugen, visited Rep. Jack Metcalf, R-Wash., at his office to discuss privatization. "We discussed the nature of contracting out, and how the managing companies are profit, not safety-oriented, creating a less safe operation."

Become Involved

"The battle to stop the out-sourcing of air traffic controllers' jobs will not be won on a single battle field. It will take a multifaceted approach. We will use the media, both paid and free, and our established presence in Washington, D.C., and we must mobilize every NATCA member to join this fight," concluded Legislative Committee Chair Alan Clendenin. "We can no longer be satisfied with one-third of our membership carrying the load for the other two-thirds. Every NATCA member must write a letter to his or her congressional representative. Every NATCA member must also call his or her representative. And every NATCA member must join the political action committee to help elect a pro-air traffic controller Congress."

For additional materials or information, please contact the Legislative Department at 202/223-2900.

With senator's help, facility receives new approach lighting system

“It is imperative to NATCA's livelihood for its membership to build and maintain strong relationships with members of Congress.”

This is a concept NATCA legislative activists have stressed for years. And two controllers, Milwaukee Tower President Steve Davis and Milwaukee Legislative Director John Hermes, recently reaped the rewards of a solid bond with their congressman, Transportation Appropriations Committee Member Sen. Herb Kohl, D-Wis., when their facility received a new approach lighting system.

"We have worked hard to establish an understanding and gain the respect of Sen. Kohl. Our facility has a great relationship with him," remarked Davis.

In late January 1999, Davis notified the local media after controllers experienced

several extended outages of the 38-year old Cat III approach light system for one of his facility's runways. "For about a year we had problems with this equipment. Its electrical parts and transformers were so old, the lighting system continuously failed. Because it was installed in the early 60s, replacement parts were not readily available, and would have to be manufactured, which was a whole other issue. We were then 26th on the Federal Aviation Administration's list to obtain a replacement and/or upgraded Approach Lighting System," explained Davis.

Even after the media reported the facility's predicament, the agency still didn't want to help. But Kohl heard about the problem and took action. He submitted a request to FAA Administrator Jane Garvey to place expedited priority towards



(l to r) Fac Rep S. Davis, Sen. Herb Kohl, D-Wis., and Legis. Dir. J. Hermes gather for a photo.

Milwaukee Tower's ALS. In March 1999, he held a press conference at the facility after receiving assurance from the FAA that Milwaukee would obtain a new, "state of the art" system. It would be installed and fully operational by winter 1999, and every possible effort would be made to ensure the existing system was fully op-

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Controllers utilize Marine's mobile radar unit, their system unreliable

Yet another example of the deteriorating state of the nation's air traffic control system came to light recently, causing the Marine Corp. to deploy 20 Marines and a mobile radar unit from Miramar Naval Air Station in San Diego, Calif., to Palm Springs International Airport, where it is expected to remain until March 30.

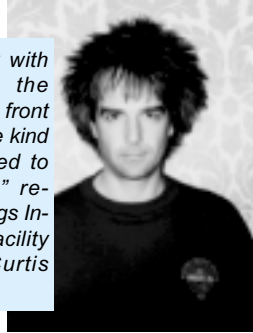
But what's more alarming is the Federal Aviation Administration initially refused to allow the controllers to use the Marine's equipment, even though it would function better than their facility's current radar, until NATCA took action, and House Transportation Chairman Bud Shuster, R-Pa., decided to visit.

The airport, which handles around 100,000 takeoffs and landings a year, had its air traffic control system shut down on Dec. 19, 1999, at the request of controllers and the concurrence of management, who said the system was inadequate. Controllers, who were using binoculars to monitor aircraft, were "blind" to any traffic below 8,000 feet, and were maintaining most direction by sight and radio communication. They argue the existing system could not handle the topography of the region and planes were disappearing from radar screens.

"The radar system has been plagued

with problems since it was first installed two and a half years ago because it was placed in a poor location. The radar's range has been obscured by the valley's inversion layer and topography," remarked Palm Springs International Airport Facility

"The longer we work with the Marine's radar, the more we stay on the front burner and receive the kind of equipment we need to safely do our jobs," remarked (r) Palm Springs International Airport Facility Representative Curtis Warren.



ity Representative Curtis Warren. "These were not just minor glitches occurring, but major systematic errors."

"Currently we are 40th on the list to receive the agency's solution to the problem, ASR-11, which means we will actually have it in 2006. But even if the FAA gives us the equipment earlier, it doesn't matter because ASR-11 will not give us what we need because of the region's topography," commented Warren.

In mid-January the agency ordered the radar to be turned back on stating it now worked as well or better than comparable radar systems, claiming it put a new part

on, allowing it to once again function properly. But Warren continued to argue the situation had not improved.

"The FAA's decision to use the radar was a political one. Someone put pressure on management to turn our radar back on because he or she was politically embarrassed the Marines were brought in, even though our system was still inadequate. While planes continued to disappear from our screens, the Marine's equipment, which was more reliable, just sat there as a 'back up system,'" Warren elaborated.

Initially this problem received local and state attention, but Shuster then became involved, creating national exposure. "Interestingly, just hours before Shuster's visit, the radar system, which the FAA public affairs specialist said had been repaired to the level where it was 'as good, or better than many other radar system in the country,' was shut down, and we switched to the Marine's equipment. The agency also obviously felt pressure from NATCA because we filed an expedited Article 7 violation grievance over the order to work with the allegedly 'fixed' radar system. It knew the equipment was unreliable, but ordered us to work with it anyway," explained Warren.

"The longer we work with the Marine's radar, the more we stay on the front burner and receive the kind of equipment we need to safely do our jobs. It's not perfect, and we have to take great pains to learn their system, but our bargaining unit members are doing an extraordinary job, and the Marines are wonderful," added Warren.

"We are grateful Congress appears to be trying to aid us in our dilemma, but it is uncertain whether or not anything will really get done. We want to stress to the members of Congress that sanctioning more money to the FAA is futile, unless line-item specific legislation, akin to

the 'Palm Springs Air Traffic Control Infrastructure Rehabilitation Act,' delineating the exact radar technology and site specific facility improvements, are articulated in proposed legislation to address our concerns," he stated.

"The bottom line: FAA's plan does not address the real problem, which is the location of the radar. In order to efficiently and safely handle traffic, what we really need is a high-tech, \$30 million mosaic system," concluded Warren.

senator's assistance

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erational in the interim.

Soon the system arrived, and in August 1999, installation began on the new ALS, prompting Hermes to begin efforts with Kohl's press secretary to coordinate a mutual interest media event at the tower. On Dec. 17, 1999, the system was flight checked and certified operational. The lighting ceremony, attended by NATCA members, Kohl, and all Milwaukee area television and print media, occurred on Dec. 23, 1999. At the event, the congressman turned on the new approach lights and gave a brief statement and answered media questions with Davis. He also presented the senator with a special hat created by the controllers: a NATCA cap with a Milwaukee Bucks basketball team logo sewn on the side. "We thought it was an appropriate gift since Kohl is owner of the team and normally wears a Bucks' cap during press events," explained Davis.

"It was a great event for everyone involved – NATCA, the Senator, Congress and the flying public utilizing our facility. I believe our story highlights the importance of establishing relationships with legislators. Our membership should also remember the value of contributing to the NATCA PAC," elaborated Hermes. "We have worked on campaigns for all legislators who are friends of NATCA, and continue to help them once they are elected. These bonds don't develop overnight, but once established, they are worth their weight in gold."

"I would like to credit John for his efforts in establishing relationships with key representatives. I would also like to praise Sen. Kohl for helping us to obtain the new system. I wish it hadn't come to the point where we had to involve others, such as Congress, but we are pleased with the outcome," concluded Davis.

WARP will display data similar to television's weather channel

Center controllers may soon see weather data similar to what they view on the television's weather channel when the Weather and Radar Processor is released. The WARP processor is currently at the Federal Aviation Administration Tech Center and Seattle Center, and a live weather evaluation and demonstration is tentatively scheduled to occur at Fort Worth Center this spring.

WARP, the equipment used to process Next Generation Radar (NEXRAD) weather products to the Display System Replacement Main Display Monitor for enroute controllers, processes information similar to what viewers see on a television's weather station, and condenses it into three levels for DSR. The National Weather Service developed NEXRAD in conjunction with the Department of Defense and agency. One hundred and forty-two NEXRAD sites across the country work together to create a national mosaic displayed through WARP to DSR.

Long Range Weather Radar, the equipment controllers currently utilize to process weather data, will not disappear completely. Controllers will still use it in Direct Access Radar Channel (DARC) op-

erations because NEXRAD is unavailable. Long Range Weather Radar will also fill in NEXRAD coverage holes. But several differences do exist between NEXRAD and Long Range Weather Radar.

"The biggest change is how DSR displays the information. NEXRAD will provide more definition and accuracy than what we use now because it will show three levels of weather in three different colors," remarked National WARP/NEXRAD Representative Steve Pelissier. The weather will also transmit in four different altitude stratus (000-240, 240-330, 330-600 and 000-600). The sector will select the particular layer.

"A big advantage of NEXRAD is controllers will have a better idea of where aircraft will deviate during bad weather conditions. Also, similar to DSR, the WARP processor attains the ability to provide additional software changes in the future. Products we could include down the road are cloud tops, wind direction and wind speed indications," noted Pelissier. "But, even though the NEXRAD system will provide more accuracy and detail than what we use now, it is not without flaws."

The weather service has utilized this equipment for years as a forecasting tool, but now it will also be used for air traffic

control. A lot of NEXRAD sites filter weather areas unreliable to the weather service as a forecasting tool, but this information is vital for aviation. NATCA and the agency will work to identify areas where this will happen.

Each NEXRAD site could also pick up interference from other radar and have noise or maintenance problems, inversely impacting controllers' DSR displays. When a NEXRAD site and another radar, such as military radar, are close in frequency range, a spike could occur causing the DSR display to show a false weather front.

An additional problem is a NEXRAD site could accidentally cause a "bull's eye" to appear on the DSR display, causing it to fill up with all three weather levels simultaneously without warning. The union wants the agency to develop a software fix, rather than a procedural fix, to prevent this from happening. Until then, the only way to get rid of this anomaly is to turn off the NEXRAD at the DSR display.

"The bottom line for NEXRAD weather is we will not use it any differently than we use weather data now. It is intended for advisories only. Controllers will not be required to interpret the weather, just describe what they see," said Pelissier.

Organizing highlights: elections held, more contract towers join

At long last, after first petitioning the Federal Labor Relations Authority for NATCA representation in August 1999, the day approached when Assistant Administrator for Financial Services (ABA) employees at the Federal Aviation Administration headquarters in Washington, D.C., could cast their votes to determine the future of their professions and families. This group pushed toward union representation when it realized it was no longer protected under the Merit System Protection Board, that pay, raises and benefits may be reduced or even eliminated on a whim, and the uncertainty of the newly proposed FAA "core compensation" program.

On Jan. 27, more than 100 FAA professional and non-professional employees from the Financial Services Division went to the polls to decide whether NATCA should represent them. Even though the FAA was closed the two previous days due to inclement weather and it was not an easy task to reach their offices, they came to vote in unprecedented high numbers, and when all was said and done, voted overwhelmingly in support of the union. Eighty percent indicated their support of NATCA. "After a thorough comparison of unions we believed NATCA was the only organization with the experience and know-how when dealing with aviation oriented issues. It was the only union that had previous experience negotiating successfully with the FAA on behalf of its members," understood Steve Horwat, one of the members of the ABA organizing committee.

"Individuals within this specialized organization are essential to the continued running of the agency, and their work directly impacts all other phases of the FAA, including air traffic controllers. Other employees in ABA are financial computer specialists, program analysts, budget analysts, fiscal specialists and operating and systems accountants. Individually and collectively, their knowledge of the inner workings of the FAA financial and budget processes is essential to the uninterrupted flow of agency work," remarked Organizing Director Lew Zietz.

In addition, controllers at the Level I FAA contracted tower in Melbourne, Fla., and Capital City, Pa., recently voted overwhelmingly for NATCA representation. Other contract towers soon scheduled for National Labor Relations Board supervised elections include Albany, Ga., and Westfield, Mass. Also, within a few short weeks, under supervision of the FLRA, a mail ballot will be distributed involving petitioning employees from FAA regional organizations representing their regional counterpart specialists in logistics, finance, budget, and computers. The 775 employees representing these organizations will have 30 days to vote for union representation.

More Convention 2000 preparations finalized

“We have looked forward to hosting this event since Pittsburgh back in 1996. When the delegates selected Anchorage as the site for the 2000 Convention, we immediately began working on plans and preparations for the delegates’ arrival,” commented Anchorage Tower Facility Representative Dave Levesque and Former Alaskan Regional Vice President Jerry Whittaker. As the dates for the convention, April 27-29, draw closer, convention organizers are finalizing more preparations.

Local Subsidies

The 2000 NATCA budget included funds for locals to subsidize the cost of sending delegates to convention. Any facility may apply for financial assistance. Facilities may submit applications online at <http://nce.natca.net/conv2000/subsidyform.htm>, and then scan their bank statement and email it to Central@NATCA.org. In addition, they may submit their applications and bank statements by mail to Central Region, #12 Seabiscuit Drive, St. Charles, Mo. 63301 or fax to 636/723-0071. All applications must be received by 3:00 p.m. on Feb. 18. All facilities requesting subsidies will be listed at <http://nce.natca.net/conv2000/subsidyconfirmation.htm>. Please check this page within three working days of applying to ensure the office received all requests.

On Feb. 22, two NEB members will review the applications and distribute funds. A report listing which facilities will receive money is anticipated by Feb. 25. “Our goal is to have checks issued by mid-March. We want to ensure the locals have the money early enough prior to convention so they plan accordingly. Also, if they combine this assistance with their rebate check (also due out around the same time), they should have a good pool of resources to draw from,” commented Central Regional Vice President Bill Otto.

Amendments

The National Constitution Committee recently met to consider each of the submitted amendments. It studied each proposed amendment and attempted to identify conflicts with existing contract provisions, constitutional language, current NATCA by-laws, federal labor law or regulations. It then voted as to whether or not it could support them as written.

The committee’s report contains each proposed amendment as written, along with the author’s 200-word or less editorial concerning motive, rationale and argument. After consideration, the committee either recommended in favor of or against adoption, or to forward the proposal to the convention without recommendation where less than a two-thirds consensus existed among members of the committee.

Members will receive a package of amendments and resolutions 60 days prior to convention. Individuals will also have the ability to locate them online.

The committee also received several resolutions and their text will be forwarded to the Resolutions Committee in Anchorage, Alaska, for consideration at the convention. Because there isn’t a constitutional requirement to submit resolutions prior to the convention, they are sent without comment or committee vote.

Delegate Registration Forms

Convention organizers are requiring facilities to submit delegate registration forms to the national office by March 15. A registration form in an earlier facility representative mailing incorrectly outlined the requirements for delegates. The correct information is as follows: Locals with up to 149 members receive one delegate, 150-199 members – two delegates, 200-249 members - three delegates, 250-299 members - four delegates, 300-349 members - five delegates and 350-399 members - six delegates.

Data link update

With one exception, the aviation community seems to agree that controller-to-pilot data link communications is the one technology with the power to alleviate traffic problems and enhance air safety in the near-term future. The one vote of support missing from the puzzle is Congress. Data link’s importance is still not understood on Capitol Hill because rather than providing sufficient funding, it cut the FAA’s budget for Fiscal 2000 by nearly 10 percent. And maintaining the agency’s funding is imperative because a reduction in funds could disrupt or derail data link’s deployment.

For controllers, data link’s biggest gain will be in workload redistribution within the sector team. Data link gives controllers more time to manage traffic, plan ahead and select appropriate actions. With CPDLC, controllers may also share communication responsibilities with other members of the team because multiple data link messages may be sent out at the same time. With voice, only one person may use the microphone and frequency at a time.

Recent tests, which compared voice communications with that using both voice and data links, indicated CPDLC gave a reduction in delays and holding aircraft in en route and terminal areas. When controllers had both voice and data options, the number of voice messages was cut in half. And due to data link’s ability to send voice and data link communication simultaneously, the frequency was occupied for only 20 minutes, out of an hour, rather than the 55 minutes when only voice was utilized.

CPDLC’s development will require work on airborne avionics, the air-ground sub-network and the ground installation. Operation will begin in Miami Center using four messages and eventually progress to all national enroute centers with more messages. But the schedule is only achievable if the airlines, manufacturers and the FAA stay on course. And the agency must receive sufficient funding.

“NATCA has been involved in the development of data link since the late 1980s. Its participation will help ensure the actual data link deployed will help air traffic controllers,” remarked NATCA National Representative for Data Link Martin Cole.

NATCA's national office will move to new building in late February

Break out the erasers and pencil in the national office's new address and phone/fax numbers because it's official: NATCA's national headquarters will move at the end of February.

The address is 1325 Massachusetts Ave., N.W., Washington, D.C., 20005. The phone number is 202/628-5451 and the fax is 202/628-5767. The toll-free number, 1-800/266-0895 will remain the same. Members with pagers should remember their voicemail will be temporarily shut down during the transition.

building layout details

Of the building's seven floors, all non-smoking, NATCA will occupy 3 1/2 floors. The Field Services Department will take the first floor. This will host the lobby area for NATCA. Also on this level is a large conference room, seating up to 60 people, a kitchen and an adjoining garden. This outdoor area is ideal for accommodating functions, such as receptions for congressional representatives.

The Accounting and Training Departments will reside on half of the third floor. Also located here is a computer room, with added features such as backup power, security and special ventilation. The Labor Relations, Safety and Technology and Organizing Departments will reside on the fourth floor. And the fifth floor will house the Executive Office, Communications and Legislative Affairs Departments. An array of spare administrative stations and meeting rooms are scattered throughout all of the floors.

Prospective tenants are looking at the second floor and the remainder of the third. The sixth floor is still open and Union Labor Life Insurance Co., is currently inhabiting the seventh floor.

financial details

The list price of NATCA's new building was \$8.5 million, but Executive Vice President Randy Schwitz negotiated the price down to \$8.1 million. With a down payment of \$1 million, \$7.1 million was left for financing. Appraisers valued the building at \$9.2 million.

With the down payment and appraisal, NATCA began ownership with \$2.1 million of equity in the building. After looking at three different financial institutions for loan rates and banking service, NATCA chose First Union. The loan is set at a variable rate, 1.15 percent over the 30-day rate. This currently runs around 6.58 percent and the loan matures in 10 years. NATCA budgeted \$561,343 for mortgage payments this year and \$667,462 for operating expenses. These figures contain a cushion, barring any unforeseen circumstances that may occur.

NATCA Membership Investments, Inc.

The union created a separate entity, NATCA Membership Investments, Inc., to protect it from tax liability and any legal liability surrounding the new building. Its board of directors, NATCA President Mike McNally, Schwitz and President of Walter J. Boyne Associates, will not receive monetary compensation. Boyne will re-

ceive reimbursement for mileage expenses to travel from Ashburn, Va., when a meeting occurs. After this board's first meeting, another individual who is not a NATCA officer will replace McNally. Eventually five people will serve on the board.

"We are not stacking this board with NATCA officers to avoid the potential that exists for NATCA to be held responsible for acts of other entities. We are taking proper precautions to maintain the separate and distinct quality of NATCA from NMI. Otherwise creditors or claimants could reach NATCA's assets, if in reality the union is not a separate body. Too often when potential plaintiffs seek a 'deep pocket,' NATCA is an appealing target. We decided to create NMI, a non-profit, non-stock District of Columbia corporation, to separate the union from the legal liabilities associated with traditional landlord/tenant law," explained Schwitz. "All rent currently collected is placed in an account specifically established for the corporation until the National Executive Board directs otherwise."

Officers of the company, non-paid employees who serve at the board's discretion, are Schwitz as president and Executive Counsel Susan Grundmann as secretary.

final note

"We are excited about our move to the new building. But please be patient with us, and keep in mind it may take us a few days to get everything back up and running properly," concluded Director of Administration Adell Humphreys.

En route modernization encounters danger, may not have funding

After millions spent and unprecedented progress, the successful en route automation modernization program is in danger of being stopped mid-stream by a lack of steady funding from Congress.

The computer processor replacement, completed on Oct. 14, 1999, was the first phase of this project to replace key computer hardware in all 20 en route centers. These facilities control high altitude traffic in transit between airport terminal areas. The new equipment is more than four times faster and reliable than its prede-

cessor.

However, for the transition to be effective, the Federal Aviation Administration must replace the 30-year old software program as well. Currently, software limitations restrict these new computers to only a fraction of their processing potential.

Recent host system computer failures at Boston and Washington Centers prove the years of Band-Aid solutions and temporary patches are impairing controllers' ability to keep the skies as safe and efficient as they could be. This becomes an issue of increasing severity, as traffic vol-

umes continue to increase each year.

"This is like building a new bridge across a river," said Randy Schwitz, NATCA's executive vice president. "Can you imagine building a state of the art steel frame, then using the brittle 100 year old wood from the original bridge for the driving surface? What a waste of money, the new bridge wouldn't be strong enough to hold any more traffic than the old one. But we're essentially doing the same thing with the en route centers."

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Issues on Congress' agenda in 2000 may affect NATCA members

Several issues on Congress' agenda in 2000 are likely to affect NATCA members. Below is a brief summary.

Privatization/Contracting Out

NATCA strongly opposes further expansion of the Federal Contract Tower (FCT) program to include Level II and III (VFR) air traffic control facilities. NATCA was successful in eliminating report language from the FY2000 Transportation Appropriations Act mandating expansion of the FCT Program to these facilities. Instead, the act directs the Department of Transportation inspector general to conduct a "feasibility study" on the benefits of extending the contract tower program and report to Congress no later than March 1. Every year the budget and appropriations process becomes increasingly more contentious and difficult. As lawmakers continually search to cut costs, NATCA can expect efforts to expand the contract tower program to resurface.

FAA Reauthorization

NATCA supports increased and consistent funding for aviation programs and construction. Adequate funding is essential to modernization of the National Air Space System. Last November, negotiations between House and Senate conferees on the FAA Reauthorization legislation (H.R. 1000) broke down over budget and funding issues. The House-passed bill, which authorizes the aviation activities at \$59.3 billion through FY2004, would unlock the Airport and Aviation Trust Fund by taking it "off-budget." The Senate-

passed measure is silent on this issue. The Senate bill authorizes \$35 billion for aviation activities through FY2002 including \$7.3 billion for the AIP, \$8.4 for facilities and equipment and \$18.2 for operations. Both the Senate and House bills contain language, supported by NATCA, which would restore the rights of FAA employees to utilize Merit System Protection Board for adverse actions. And, both bills would restore whistleblower protection to FAA employees, including investigation and enforcement provisions. FAA employees lost these rights in the FY96 DOT Appropriations Act. House and Senate conferees began meeting again on Jan. 27.

Thrift Savings Plan

NATCA supports H.R. 208 that would eliminate waiting period requirements before newly and rehired federal employees may participate in the Thrift Savings Plan. Currently, employees must wait between six and 12 months. The bill would also ensure the portability of retirement savings by allowing the contribution of certain rollover distributions to the TSP. Federal workers who leave the government for private sector jobs can transfer their TSP funds into private sector retirement plans, but new federal workers leaving the private sector may not transfer their funds from qualified retirement plans into the TSP. Sponsored by Rep. Connie Morella, R-Md., H.R. 208 passed the House on April 20, 1999. The measure is pending before the Senate Government Affairs Committee.

NATCA supports H.R. 482, also sponsored by Morella, which incorporates

many of the provisions of H.R. 208. In addition, the H.R. 482 would raise the TSP investment limit to \$10,500 (the IRS limit) without changing the government contribution. Now, Federal Employee Retirement System workers can contribute up to 10 percent of their salary, and TSP contributions from Civil Service Retirement System workers are limited to five percent of their salary. The estimated cost of H.R. 482 is \$1 billion over five years. The bill, which has 51 cosponsors, was referred to the House Government Reform Committee where no further action has been taken.

Long Term Health Care

Numerous bills addressing the issue of long-term care (LTC) insurance by either requiring coverage through the Federal Employees Health Benefits Program or by amending the IRS code to allow coverage to be tax deductible were introduced in the 106th Congress. Under all measures, participants would be required to pay full premiums. While both the administration and congressional leaders support the concept, little action has been taken because lawmakers continue to disagree over how many carriers should be allowed in the program and the role of the Office of Personnel Management. NATCA supports legislation, H.R. 1111 and S. 894, introduced by Rep. Connie Morella, R-Md., and Sen. Max Cleland, D-Ga. Coverage would be granted to federal employees, retirees and their families, and members of the military and their families. OPM would have authority to contract with three carriers for five year, automatically renewable contracts.

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en route modernization

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Unlike the software in use today, the introduction of modern software architecture and language will serve as a platform to support the introduction of new systems, a feature designed to circumvent modernization problems that could be incurred down the road. Other upgrade benefits include, lower costs, less system maintenance and more effective tools for controllers, allowing them to provide better service to the entire aviation community.

"Both Congress and the FAA need to

make this project a top priority," Schwitz said. "We need a multi-year, multi-step commitment with continuous funding. The system can't wait for ebbs and flows. Congress must commit to providing resources at a steady pace until our entire air traffic control system is effectively modernized."

In February, FAA Administrator Jane Garvey testified before the Senate Budget Committee and the Senate Transportation Appropriations Subcommittee to

ask for funding to support the needs of the agency.

In her written testimony, Garvey stated the agency must finance the capital investments that will allow the FAA to make key safety improvements, keep up with growing air travel demands and improve efficiency of aircraft operations. "This requires a level of funding that will allow new initiatives as well as provide stable funding for existing projects," Garvey added.

The Field Services Department sent out information regarding NATCA scholarship applications for the 2000-2001 academic year. The national office must receive applications by May 1. To be eligible, applicants must be dependent children of active, retired or deceased NATCA members that have two years continuous good standing, active union membership prior to submission of application; and enrollment in an accredited college or university. Applicants wishing to receive confirmation of receipt of their applications should send a self-addressed stamped postcard along with the application. A notification letter will be sent to all applicants announcing their approval or denial of scholarship funds by June 30. Awards are based on a lottery system. Applicants must qualify for the lottery by submitting an application and an essay. A panel of three National Executive Board members will judge qualifications for the lottery. For more information, please contact Field Services.

NATCA continues to build on its success of involving itself in DSR's evolution. Kevin DeBoard, NATCA's co-lead on the Air Traffic Display System Replacement Evolution Team, went to the Eurocontrol meeting in Paris, France. He presented the strategies to incorporate new tools into existing air traffic control system, and effective methods of evolving the Computer Human Interface. The ATDET team is responsible for the integration of all products in DSR. Its participation in the international community is essential to ensure the United States' system benefits from available technology and to avoid pitfalls encountered by other countries.

Tickets for the NATCA PAC raffle, that will held at convention, are now on sale through fac reps or may be bought at convention. Tickets are five dollars each, five for \$20 or 30 for \$100.

Check out the latest PAC information on the web at www.natca.org/privateweb.prvtlegislation.

To assist NATCA members in identifying and contacting their members of Congress, the union implemented a new electronic grassroots program. Located on the legislative section of the natca.org public web page, this service will assist members in building relationships and communicating with federal lawmakers. This advocacy online tool is designed to support local activism while influencing public policy initiatives which impact NATCA members. Features include:

- Identify your members of Congress – NATCA members may identify their members of Congress by entering their address, zip code and/or state.
- Information management – This service provides comprehensive and detailed information about every member of Congress including photographs, contact information, occupations, email addresses, phone and fax numbers. In addition, key congressional staffers, committee assignments and congressional leadership information are identified.
- Write letters – Controllers/engineers may choose to send pre-written letters or compose their own message to their member of Congress.
- Floor action – Controllers/engineers will be able to access House and Senate floor and committee schedules for the day.
- Legislative research – Controllers/engineers may search the Library of Congress for the current bill status, cosponsor lists, recorded votes and action on any bill.

Please contact NATCA's Legislative Affairs Department with any questions on the operation and/or use of NATCA's new grassroots mobilization program.



(l to r) Steven Wooten and Rick Durbin show their spirit as they participate in the Huber-Richardson Memorial Golf Tournament. The event, which raised \$10,512 for charity, started with a putting contest, and then 97 participants began with a shotgun start. Golf prizes were awarded for a variety of contests. A raffle drawing was held for roundtrip passes on Aloha, American West, Continental, Southwest, U.S. Airways and Vanguard Airlines. A small silent auction took place and over 50 door prizes were given away throughout the evening. For more information, visit NATCA Charitable Foundation's website at <http://ncf.natca.net>.



Alternate Great Lakes Regional Vice President Kevin Christy (l) and Port Columbus International Airport Facility Representative David Tony (r) present Controller John Olinger (center) with a plaque and NATCA jacket for his service. After 25 years, Olinger left the Federal Aviation Administration to work in the private sector. But, before leaving he donated over 1,000 hours of sick leave to union members on the leave donation list. "I would like to help those union members who might be in need," Olinger explained. "I would personally like to thank John for being a good friend. He will be missed," concluded Tony.

NATCA members may now find their own attorney on line though unionprivilege.org. After logging on, go to "New: Find a Legal Service Lawyer Online." Simply fill out and submit a registration form and find an attorney by county, state and zip code or by area or law. Individuals may even find an attorney who speaks a foreign language. NATCA members are entitled to a free consultation up to 30 minutes, no enrollment charge/annual fee and 30 percent off most other services.

It's that time of year again: tax time. And with a new Union Privilege discount, NATCA members may receive a \$15 savings on tax preparation for H & R Block. The average fee for tax preparation with the company is normally around \$80.

This new benefit also offers union members a \$5 discount on Block's Tax Cut software, which helps individuals fill out tax forms on their PC.

And, members receive 15 percent off the online filing fee through hr.block.com when preparing taxes online and file them electronically. To take advantage of these tax-time savings, NATCA members must first obtain a coupon from the Field Services Department in the national office.

Looking for some new tunes to listen to? Check out Joe Vadala's new cd, *Eleventh Hour*. He recently thanked NATCA for its continued support.

Recently Signed MOUs:

- Automated Controller Equipment – Interim Display System deployment
- Coded Departure Routes
- Low Altitude Arrival/Departure Routing
- Cost of Living Differential – Controller Incentive Pay
- HOST Software
- Collaborative Routing Work Group Representation
- Minimum Safe Altitude Warning
- Wide Area Augmentation System
- Standard Terminal Automation Replacement System –Early Display Capability Addendum

National Grievance Review Team

NATCA is in the process of trying to resolve many of the long outstanding grievance at the national level through a national grievance review team, consisting of NATCA's Labor Relations Director Bob Taylor, Former President Barry Krasner and Ray Thoman and Herman Lyons, as representatives for the agency.

The team met five times and has encountered success in resolving many of these issues. The Northwest Mountain, Southern, Alaskan, Central, New England, Great Lakes and Western Pacific Regions all concluded their reviews.

The Eastern Region met on December 13-17, 1999, and was able to deal with most of the issues and will address a few remaining ones at a later date. The Southwest Region has been tentatively scheduled for March 8-10, but has not been confirmed.

Overtime and Night Differential Payment

Several months ago, it was brought to NATCA's attention that some management officials were taking the position that unscheduled overtime was excluded from night differential between the hours of 6 p.m. and 6 a.m.

Director of Labor Relations Bob Taylor released NATCA's position, regarding the entitlement of night differential in regards to working overtime between the hours of 6 p.m. and 6 a.m., by voice message for wide dissemination. This issue has arisen again. NATCA is providing further guidance on this issue for wide dissemination as follows:

On May 22, 1996, the parties entered into a memorandum of agreement concerning a number of personnel related matters. This MOA resulted from the enactment of the Department of Transportation and related agencies Appropriations Act of 1996, Section 347, which directed that FAA develop and implement a new personnel management system.

Section five, paragraph two of this MOA provides as follows: Employees will earn night differential at an additional rate of 10 percent of their hourly rate of basic pay only for those hours actual worked between 6 p.m. and 6 a.m. A similar issue on this subject was grieved on Oct. 7, 1996, and arbitrated on June 4, 1997, subsequently denied by the arbitrator on an issue of timeliness on July 19, 1997, (NC-ALR-96-011-NAT-2).

However, the arbitrator offered a non-binding decision that if the grievance would have been timely, he would have denied the merits of the grievance, for which NATCA adamantly disagrees. On July 9, 1998, the parties signed a principle agreement that provides at number nine, "Unless otherwise referenced in the parties CBA, the agency agrees to continue all premiums and differentials in the same percentage and under the same requirements as are currently in effect."

After a thorough review of the memorandum of understanding dated May 22, 1996, related to night differential; the arbitrator's decision dated July 19, 1997; and a thorough discussion with former NATCA President Barry Krasner, who signed the MOU dated May 22, 1996; NATCA concluded the agency is incorrect denying night differential to those employees working unscheduled overtime.

It is the union's position, whether it is scheduled, unscheduled, irregular or occasional overtime between the hours of 6:00 p.m. and 6:00 a.m., employees are entitled to night differential. The practice of paying night differentials, as described, existed before the arbitration, after the arbitration, and present, with few exceptions. If management denies the payment of night differential as outlined, a grievance should be filed.

2000 legislative summary

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Federal Employee Retirement Contribution Act

The 1997 Balance Budget Act temporarily increases the amount federal employees are required to pay into the retirement fund by .5 percent over three years. On Jan. 1, 1999, the retirement contribution rate increased .25 percent, then an additional .15 percent on Jan. 1, 2000, and the rate is scheduled to increase by another .10 percent on Jan. 1, 2001. In 2003, retirement contribution rates are supposed to return to their former levels. Prior to the increase, workers in CSRS contributed seven percent of their salary and workers in FERS gave eight percent. NATCA supports legislation (H.R. 2631)

that would repeal the increase in the retirement contribution paid by federal employees. The bill, which was introduced by Rep. Tom Davis, R-Va., and has 48 cosponsors, was referred to the House Government Reform Committee where no further action has been taken. Companion legislation, S. 1441, introduced in the Senate by Sen. Paul Sarbanes, D-Md. S. 1441, with four cosponsors, was referred to the Senate Governmental Affairs Committee where no further action has been taken.

Retirement System Errors

An estimated 18,000 federal employees have been enrolled in the wrong retirement system, a mistake which often is not dis-

covered until the employee applies to retire. NATCA supports legislation introduced in both the House and Senate (H.R. 416/S. 1232) to fix the problem by allowing employees the option of enrolling in FERS or the CSRS-offset. However, the bills differ on who should provide the funds for the correction. S. 1232 would require individuals to bear the cost of missed TSP contributions where H.R. 416 would require the government to pay for the missed employee retirement contributions. H.R. 416 passed the House on March 23, 1999, and S. 1232 passed the Senate on Nov. 3, 1999. Lawmakers are expected to work out their differences during the second session of the 106th Congress.

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