

**April 18, 2016**

Dear Brothers and Sisters,

The U.S. Senate is scheduled to vote on FAA Reauthorization legislation late this afternoon, however that vote could potentially spill over into tomorrow. We appreciate the work the Senate has done on this bill in a relatively short timeframe. As you know, authorizing legislation can be very complicated and involves a lot of stakeholders. In the past, Congress has passed extensions rather than move forward on the difficult task of reauthorizing the FAA.

The Senate bill does not reform the structure of the FAA nor its status as a government agency. Stable, predictable, and sustainable funding remains a top priority for us in any long-term FAA bill. However, the Senate Commerce, Science, and Transportation Committee did not have the ability to solve the funding issue, which is why it is not in the bill. Although we have concerns that an 18-month reauthorization is not long enough, we see this vote as a positive step toward ensuring predictability for the FAA.

The bill contains some positives and negatives for our members. We have been working closely with the full Committee and the Aviation Subcommittee members and their staffs as well as other members of the Senate and their staffs. We thank them for their efforts on the underlying bill as well as amendments.

We support new controller hiring language that is contained in the bill. It requires the FAA to recruit experienced controllers, including military and Department of Defense civilian controllers, Federal Contract Tower controllers, and those with prior FAA experience. It provides a path for CTI graduates and military veterans without subjecting them to the FAA's biographical assessment, and separately it provides for a general public recruiting pool. The FAA would be required to refer similar numbers of candidates from the CTI and veteran pool and the general public pool, while CTI graduates and veterans could also apply via the general public pool.

There is also very positive language in the bill regarding aircraft certification and involvement of our aviation safety engineers in that process.

On the other side of the ledger, there are a number of provisions within the bill that concern us. For example, there is a reactionary package of airport security measures following the terror attacks in Brussels last month that targeted the city's airport and subway system. The Senate bill would create additional restrictions on our members who are required to pass through airport security daily to access their facility.

Additionally, there is language that would essentially endorse the FAA's staffing plan, as well as a pilots' bill of rights provision that could create a chilling effect on submitting ATSAP reports. That language says that in the event a pilot is facing action against their flying certificate, they would have access to FAA flight records such as controller statements including those submitted under ATSAP.

The bill also contains the FAA's requested technical correction (editorial change) to FAA's ATC retirement provisions in order to continue its annuity computation for supervisors and second level managers. This correction would clear up a disagreement

between the FAA and OPM regarding supervisor annuities. The Senate Commerce Committee and the Congressional Budget Office (CBO) do not consider this a statutory change, only a clarification of the existing statutory language with no additional cost to the taxpayer. With that said, we are considering our options on how to proceed with this section when the bill is transferred to the House of Representatives. If we pursue an expansion of the existing retirement language that has any effect on the Federal budget, even nominally, it will be a heavy lift and very difficult to achieve success.

However, much could change on some of these issues before all is said and done. The Senate has an agreed-upon amendment package that may also be voted upon late this afternoon. Passage of this amendment package will require some procedural maneuvering. That package contains a provision that would strike the language we oppose regarding the FAA's staffing plan and add positive language to the provisions on organization designation authorizations. It would also modify the provisions regarding FAA hiring, but not in a negative way.

Regardless of whether the Senate bill passes with or without the amendment package, we will have work to do in the House when it takes up FAA Reauthorization again.

In solidarity,

Paul Rinaldi  
President

Trish Gilbert  
Executive Vice President