

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE FEDERAL AVIATION ADMINISTRATION
AND THE
NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION**

This Agreement is made by and between the National Air Traffic Controllers Association, (“NATCA” or the “Union”) and the Federal Aviation Administration (“FAA” or the “Agency”), collectively known as the Parties. This Memorandum of Understanding (MOU) represents the complete understanding of the Parties concerning the Agency’s implementation of Security Executive Agent Directive (SEAD) 3: Reporting Requirements for Personnel with Access to Classified Information or Who Hold a Sensitive Position.

For purposes of this MOU, the July 24, 2016 Collective Bargaining Agreement (CBA) between the Parties will be referred to as the “Slate Book,” the June 2, 2013 CBA between the Parties will be referred to as the “Purple Book,” and the April 7, 2011 CBA between the Parties will be referred to as the “Light Blue Book.”

Section 1. The reporting requirements in SEAD 3 apply only to those bargaining unit employees (BUEs) who occupy sensitive positions or hold a security clearance (affected BUEs). BUEs who are not in a sensitive position and do not hold a security clearance are not subject to the SEAD 3 reporting requirements.

Section 2. SEAD 3 does not require affected BUEs to provide reasons for annual leave requests as agreed by the Parties in Article 24, Section 18 of the Slate Book and Article 24, Section 9 of the Purple Book and Light Blue Book. However, affected BUEs are required to report specific information regarding unofficial foreign travel in accordance with SEAD 3.

Section 3. The Agency agrees that the affected BUEs’ reporting obligations under SEAD 3 concerning any reportable activities of any other affected BUEs that may be of potential security or counterintelligence concern satisfy their reporting obligations under FAA Order 1600.69B and ER-4.1 Standards of Conduct.

Section 4. The Agency agrees that the affected BUEs’ reporting obligations under FAA Order 3930.3B concerning arrests or alcohol- or drug-related treatment satisfy their reporting obligations under SEAD 3.

Section 5. Prior to the implementation of SEAD 3, all affected BUEs shall receive instruction on SEAD 3 reporting requirements in the form of presentation materials, brochures, and answers to frequently asked questions. The materials will also provide a point of contact (POC) for direct questions and answers. These materials, with attachments or embedded links to the information, will be shared with affected BUEs via the applicable below described means:

- a. Via email to the affected BUE’s faa.gov email.
- b. Affected BUEs with BUS codes 0049 (Staff Support Specialists), 0053 (Traffic Management Coordinators/Specialists), 0061 (Air Traffic Control Specialist), 0064 (Air

Traffic Control Specialist (Flight Service)), and 1545 (NOTAM Specialists) will be provided this information via Mandatory Briefing Item (MBI).

A copy of the materials describing the SEAD 3 reporting requirements, the POC for direct questions/answers, and embedded links will be provided to NATCA prior to those materials being distributed to affected BUEs.

Section 6. After SEAD 3 Reporting Tool implementation, affected BUEs will be contacted regarding requests for additional information needed in response to an affected BUE's SEAD 3 report using either the affected BUE's faa.gov email and/or any personal email provided as "alternate contact information" within the SEAD 3 Reporting Tool.

Section 7. Affected BUEs:

- a. Who have self-reported incidents/occurrences and foreign contact in previous SF86/eQIP submissions are not required to resubmit/report those same incidents/occurrences including but not limited to arrests or alcohol or drug related treatment, and foreign contact.
- b. Who have previously submitted reportable activities of other affected FAA employees that might be of a potential security or counterintelligence concern are not required to re-enter/report those activities in the SEAD 3 Reporting Tool.

Section 8. Affected BUEs may request a copy of their submitted SEAD 3 submissions once a year and/or when preparing to file/update their SF86/eQIP or other similar reporting activities by contacting the SEAD 3 mailbox at 9-ASH-AXP-Reports@faa.gov.

Section 9. A computer with privacy, Internet access, and a printer will be provided in a reasonable and accessible location, as determined by the Parties at the local level, for affected BUEs to submit SEAD 3 reports using the SEAD 3 Reporting Tool for affected BUEs who do not have access to personal workstations and a computer with a printer.

Section 10. After an affected BUE submits a SEAD 3 report using the SEAD 3 Reporting Tool, the affected BUE shall be permitted to print a copy of the report for his/her records.

Section 11. Affected BUEs shall be granted sufficient duty time, if otherwise in a duty status, to submit SEAD 3 reports using the SEAD 3 Reporting Tool and if additional communication concerning their SEAD 3 report is required.

Section 12. This Agreement does not constitute a waiver of any right guaranteed by law, rule, regulation, or CBA on behalf of either Party.

Section 13. This MOU shall remain in full force and effect for the duration of the Parties' CBAs, unless modified by mutual agreement of the Parties.

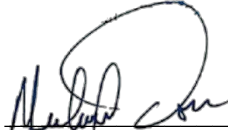
Signed this 21st day of February 2019.

For NATCA:

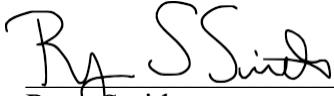


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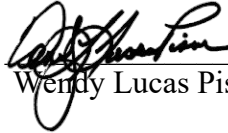
For the FAA:



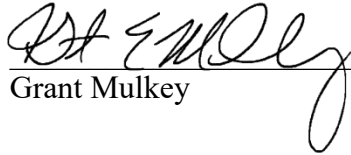
Michael Doss



Ryan Smith



Wendy Lucas Pisman



Grant Mulkey