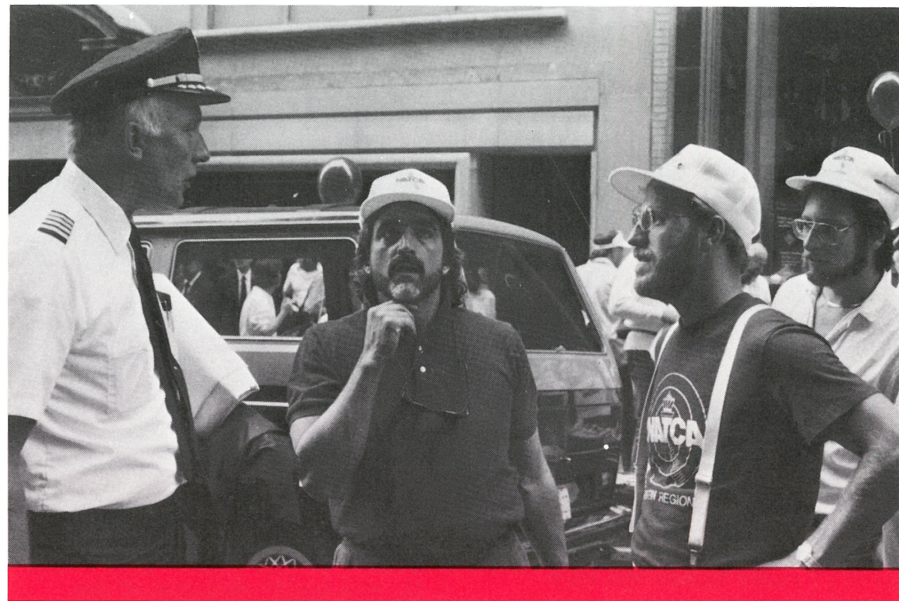


Air Traffic Controllers Applauded At Labor Day Parade

On September 7th, NATCA members and their families joined thousands of other men and women representing scores of unions in the traditional Labor Day Parade up 5th Avenue in New York City. The parade was led by Governor Mario Cuomo, and NATCA's participation in the parade was praised by spectator and union member alike.

The Two Sides Of NATCA



New York Center Member Tim Joyce (center) and NATCA Eastern Region Representative Steve Bell (right) discuss aviation solidarity and safety with ALPA Member.



NATCA Members proudly marching with their families up 5th Avenue. A strong Controllers union means a better life for everyone.

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NATCA

NEWSLETTER

OCTOBER 1987

Debate On Independent FAA Heats Up In Senate

(September 10, 1987)

The congressional debate over the proposed creation of an independent FAA began in earnest today. The Senate Aviation Subcommittee held the first of at least four hearings on S.1600 which would remove the FAA from DOT and turn it into a regulatory agency. There was also discussion on other proposals, such as S.1159 that would transform the FAA into a government-owned corporation.

Subcommittee Chairman Wendell H. Ford (D-KY), co-sponsor of S.1600, said that "we need to begin developing a long-term framework for ensuring that the Federal Government can provide the necessary

An Independent FAA? Back To The Future?



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of Transportation**
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aviation infrastructure to ensure adequate capacity and safety into the next century."

He also expressed his obvious pique that the DOT Secretary and staff "have found it necessary to meddle in nearly every action taken by the FAA." Chairman Ford contended that this "constant interference has hindered the FAA" in its regulatory and safety operations.

Senate Appropriations Transportation Subcommittee Chairman Frank R. Lautenberg (D-NJ) testified that much of the "chaos in the air" has "its roots in the ground, in the management of our system." He added that "we can't legislate better managers. But we can legislate an organization in which managers are free to do their job."

Sen. Lautenberg argued that the FAA needed stable, long-term management and should be "insulated from the daily political and budgetary pressures it now faces."

However, Sen. Gordon Humphrey (R-NH) contended that S.1600 did not go far enough. "While it would free the FAA from DOT's bureaucracy, it would still leave the ATC system embedded in the bureaucracy of the FAA, seemingly one of the

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BULLETIN

On Friday, October 9th, representatives of NATCA and the FAA met at FAA headquarters in Washington, DC to sign an important collective bargaining agreement regarding the impact and implementation of DOT's random drug testing program. The agreement provides for a broad grievance/arbitration procedure intended to protect and assist Controllers forced to undergo drug testing. More details can be found in the National Coordinator's column.

NATCA's decision to negotiate on impact and implementation came on the heels of a U.S. District Court decision that denied the injunction against random drug testing sought by AFGE and NATCA. Judge Gerhard Gesell stated, however, that he did not give unqualified approval to the DOT plan. He specifically ordered the Secretary of Transportation to "maintain full records of each random test and subsequent personnel actions taken" in the event of future legal challenges.

Karl Grundmann Western Pacific Region

Things are getting hot in the Western-Pacific Region. This has nothing to do with the fires up north -- rather, NATCA is taking off. Our membership is climbing every day, and locals are starting to spring up in every area of the region. We will be holding our second reps meeting on Sept. 29th in San Francisco.

An Unfair Labor Practice was filed concerning the 5-minute overlap briefing procedure. We are still in the 15-day cooling down period. We have, according to several individuals who will remain unnamed, a solid case.

Membership is growing every day; witness the rise in placement of our region nationally. Look out Eastern, we're coming after you. The recent decisions dealing with drug testing and several working condition issues have helped spur the jump.

Los Angeles Center joined in a suit brought against the Department of Transportation concerning the emergency order raising the limits of the LAX TCA and the closing of the VFR Corridor. It appears at this time that this order has only moved the problem of IFR/VFR mix from one area to another. At LAX TRACON the number of VFR TCA transition requests is up 82% and the number of IFR overflight aircraft has increased 37%. All this with a staffing level BELOW 50%.

Until next month remember: You Can Participate or Spectate -- the Choice Is Yours!

NATCA Meets With Black Controllers Group

NATCA Southern Region Representative Dennis Delaney and NATCA Southwest Region Representative Ed Mullin met late last month with the National Black Coalition of Federal Aviation Employees (NBCFAE) to discuss the mutual interests of the two groups.

Speaking at the 11th annual conference in Atlanta on September 17th, Dennis Delaney told NBCFAE President Evelyn Washington and the membership that NATCA invited eligible black Controllers to join NATCA

We will continue to try to make the HRCs work although they continue to cause confusion since local managers are often unsure as to how the HRC fits into the new union-management picture.

However, do not confuse cooperation with passivity. We intend to work hard towards a meaningful cooperative relationship with the FAA. If we can't get that relationship, it will not be NATCA's fault.

I told the FMA members that the relationship between them -- the first line supervisors -- and the Controllers has always been close and unique. Because of that closeness, I suggested that NATCA and the FMA work out a procedure for formalizing and improving that relationship. Everyone was enthusiastic that NATCA wanted to open up a dialogue with the managers and we are proving every day that we are willing to work together. I trust that every Controller is making that effort known.

NBCFAE

and to run for office and hoped that they would bring their "can do" attitude with them.

Ed Mullin argued that it was important that NATCA and groups like NBCFAE begin to work together in the early, critical days of the new union. He went on to say that the NBCFAE members could give NATCA additional depth and diversity of purpose. "In return, we offer a clean slate, a new association, a powerful medium to affect positive change, and an enduring commitment to the principles of affirmative action and equal employment opportunity for all," Mr. Mullin concluded.

Standing Test

NATCA still receives a lot of questions about the "Standing Test." We discussed the Controllers' concerns during our meetings with the FAA, and the agency agreed to postpone indefinitely implementation of the test.



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worst bureaucracies in the federal government," he stated.

Some first-hand reports and recommendations came from four men who helped shape and manage the FAA -- Najeeb E. Halaby, President Kennedy's FAA Administrator and the last to serve before the agency was incorporated into DOT; Alan Boyd, the first Secretary of Transportation; and former FAA Administrators J. Lynn Helms and Admiral Donald D. Engen.

Mr. Halaby originally endorsed incorporating the FAA into the new Department of Transportation. In 1967, he believed that the FAA would benefit from a cabinet member who could champion the agency's cause before the then Bureau of the Budget.

However, Mr. Halaby had strong misgivings twenty years later: "All of our demands, hopes and expectations in supporting the FAA as part of the Department of Transportation have not been realized in practice and the structure has been almost entirely dependent upon the personal relationship between the Secretary of Transportation and the Administrator of the FAA, rather than one with built-in safeguards to preserve the autonomy of the Administrator."

Mr. Halaby supported S.1600 but suggested several changes which he thought would strengthen the bill. First, make the Deputy Administrator a career professional from the FAA or Department of Defense. Second, depoliticize as much as possible appointments within the FAA. Third, authorize a National Airspace Research and Development Corporation whose sole objective would be to provide urgent and comprehensive systems engineering and technical direction to the NAS program. Fourth, grant the Administrator powers to reorganize and modernize FAA procurement. Fifth, designate the Administrator as the "trustee" of the Aviation Trust Fund.

Former DOT Secretary Boyd took issue with Mr. Halaby, stating that the subcommittee was "going down a blind alley" in trying to create a separate agency. He called the current FAA situation an "aberration," and argued that Congress should devote more time to oversight of the relationship between FAA and DOT.

Mr. Boyd believed that resources are at the root of the FAA's woes and contended that the agency would lose much of its clout without the DOT Secretary going to bat for it at OMB. "A cabinet member draws more water than the chairman of an independent agency," he concluded.

J. Lynn Helms addressed the concept of turning the FAA into a government-owned corporation. He was highly skeptical of the proposal, saying that trying to separate ATC functions from safety was "much like trying to unscramble eggs."

Admiral Engen made three points in his testimony before the subcommittee: (1) the Aviation Trust Fund should be used solely to build, upgrade and operate the aviation system; (2) the FAA would be more effective as an independent agency; and (3) consider combining NASA and the FAA into a Department of Air and Space.

"The distinct trend has been to give the Secretary all of the authority and the Administrator all of the responsibility for the modernization of the system and the safety and productivity of its operation. Whenever authority is divorced from responsibility, accountability is confused and effectiveness is all but destroyed."

Najeeb E. Halaby
FAA Administrator
(1961-1965)

Capitol Hill Wrapup

Efforts to remove the Aviation Trust Fund from the Unified Federal Budget failed in the House of

Representatives on October 1st.

Members of the Public Works and Transportation Committee, led by Chairman James J. Howard (D-NJ) and Ranking Minority Member John Paul Hammerschmidt (R-AR), came up empty handed on an amendment to H.R. 2310, the Airport and Airway Improvement Amendments of 1987, that would have taken the fund off-budget; it was defeated 197-202.

Supporters of the amendment argued that trust fund money is not being spent for badly-needed improvements because the enormous surplus in the fund makes the federal deficit look smaller than it really is. Opponents contended that the amendment was defeated on jurisdictional grounds. H.R. 2310, minus the amendment, was eventually passed 396-0 and authorizes \$28.5 billion over five years for airport expansion and improvements in ATC.

On October 15th, Transportation Committee Chairman Ernest F. Hollings (D-SC) held the first of three full Commerce Committee hearings on whether to re-regulate the airlines as a way to address safety and service concerns. NATCA's testimony will be highlighted in the next issue.

