

Congresswoman Maxine Waters

Representing the 35th District of California

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- [Home](#)
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House Passes Waters' Amendment on Federal Aviation Administration

September 20, 2007

Washington, DC - Today, the U.S. House of Representatives passed an amendment by Congresswoman Maxine Waters (CA-35) to prohibit consolidation of the regional offices of the Federal Aviation Administration (FAA) without oversight. The amendment was offered with the assistance of her colleague, Congressman Alcee Hastings (FL-23). The amendment was incorporated into the FAA Reauthorization Act, which then passed the House of Representatives and is now awaiting consideration in the U.S. Senate.

"I am pleased that my colleagues supported my amendment to require the FAA to obtain congressional oversight and public comment prior to consolidating services in its regional offices," said Congresswoman Waters.

The FAA has nine regional offices serving airports in all fifty states. One of these offices, the Western-Pacific Regional Office, is located in Hawthorne, California, in Congresswoman Waters' congressional district. This office serves all of Southern California, including Los Angeles International Airport (LAX), one of the busiest airports in the world.

"The FAA has consolidated services in the regional offices twice over the last two years. The FAA did not seek or accept input from Congress, regional office employees, or the affected communities prior to reorganizing these offices and transferring employees from the Hawthorne office to offices in other parts of the country," said the Congresswoman.

Last year, the FAA consolidated administrative and technical support services in the regional offices. FAA employees in the Hawthorne office were transferred to an FAA office in Seattle. The previous year, the FAA relocated financial accounting services from the Hawthorne office to Oklahoma City.

The FAA is reportedly considering plans to consolidate the engineering services in the regional offices. These plans probably would involve the transfer of experienced engineers from the Hawthorne office to Seattle.

"Engineering services are critical for the safe operation of air traffic control towers, and engineers should not be transferred outside of the Los Angeles area without congressional oversight and input from the public," said the Congresswoman.

###

Contact: Mikael Moore
202-225-2201

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MAXINE WATERS

MEMBER OF CONGRESS
35TH DISTRICT, CALIFORNIA

CHIEF DEPUTY WHIP

COMMITTEES:
FINANCIAL SERVICES

SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY
CHAIRWOMAN

JUDICIARY

SUBCOMMITTEE ON CRIME, TERRORISM
AND HOMELAND SECURITY

SUBCOMMITTEE ON IMMIGRATION,
BORDER SECURITY AND CLAIMS

Congress of the United States
House of Representatives
Washington, DC 20515-0535

October 18, 2007

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Mr. Robert A. Sturgell
Acting Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C., 20591

Dear Mr. Sturgell:

It has come to my attention that the Federal Aviation Administration is considering plans to consolidate the engineering services at the FAA's Western-Pacific Regional Office in Hawthorne, California, and transfer experienced engineers from that office to the Northwest Mountain Regional Office in Seattle.

The consolidation of engineering services at the Western-Pacific Regional Office would compromise the safety of air travel in Southern California. If air traffic controllers are having engineering difficulties at a busy airport like LAX, they should be able to contact an FAA engineer who is located in close proximity in order to have the problem solved as quickly as possible.

Southern California is among the world's busiest airspaces and serves more passengers than any other region in the United States. LAX is the fifth busiest airport in the world. LAX is flanked by four of the other 25 busiest airports. Southern California Terminal Radar Approach Control (TRACON) is the world's busiest TRACON. Phoenix, Las Vegas, Albuquerque, Oakland, and Southern California, all of which are served by the Western-Pacific Regional Office, are among the fastest growing sites of air travel in the United States. Transferring the engineers who serve these sites to Seattle would not be prudent.

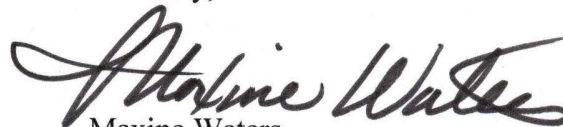
I am especially concerned that this consolidation may be a step toward the closure of the Western-Pacific Regional Office. Last year, the FAA relocated the Air Traffic Organization's administrative and technical support services from the Hawthorne office to the Seattle office. The previous year, the FAA relocated financial accounting services from the Hawthorne office to Oklahoma City. The relocation of engineering services to Seattle would fit into a clear pattern that suggests plans to close the Hawthorne office completely.

On September 20, I proposed an amendment to HR 2881, the FAA Reauthorization Act, to prohibit consolidation of the FAA's regional offices without congressional oversight and public input from affected stakeholders. My amendment was offered with the assistance of my colleague, Congressman Alcee Hastings of Florida, and was passed by the House of Representatives without opposition. The House-passed FAA Reauthorization Act also prohibits consolidation of FAA field offices and air traffic control facilities without congressional oversight and public input. As you may know, the FAA Reauthorization Act is awaiting action in the Senate and could be signed into law before the year's end.

In the meantime, I strongly recommend that any proposals to consolidate engineering services at the Western-Pacific Regional Office be rejected. Moreover, I request that I be consulted regarding any and all proposals to reorganize or consolidate the services provided by FAA employees or contractors at the Western-Pacific Regional Office or LAX, both of which are located in my congressional district.

I appreciate your attention to my concerns, and I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters
Member of Congress

cc: Congressman Alcee Hastings

Congresswoman Maxine Waters

Representing the 35th District of California

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-

Congresswoman Waters and 34 other Members of Congress Urge FAA Not to Consolidate Regional Offices

January 24, 2008

Washington, DC - Today, Rep. Maxine Waters (D-CA) sent a letter to Mr. Robert A. Sturgell, the Acting Administrator of the Federal Aviation Administration (FAA), urging him to suspend all plans to consolidate the engineering services at the FAA's regional offices. The letter was signed by 4 members of the United States Senate and 31 members of the House of Representatives. The FAA has nine regional offices, including one in Los Angeles, which serve airports and air travelers nationwide. The text of the letter follows:

It has come to our attention that the Federal Aviation Administration may be considering plans to consolidate the engineering services at the FAA's nine regional offices and eliminate the engineering services at several of these offices.

We share your commitment to ensure the safety and efficiency of air travel throughout the United States. However, we are concerned that the FAA's consolidation plans would compromise air travel safety and reduce the efficiency of the services performed by the regional offices.

The consolidation of engineering services at the FAA's regional offices presumably would reduce or eliminate positions for experienced engineers at the regional offices in Anchorage, Burlington/Nashua, Chicago, Kansas City, New York and Los Angeles. This would compromise the safety of air travel in the regions of the United States served by these offices. Safe and efficient air travel requires engineering and support services that are accessible and convenient for the airports and air travelers that rely on them.

We are concerned that this consolidation may be a step toward the closure of several of the FAA's regional offices. The pending consolidation would be the latest of several administrative actions to reduce personnel in the regional offices. Last year, the FAA consolidated the Air Traffic Organization's administrative and technical support services. The previous year, the FAA consolidated financial accounting services at the regional offices. Consolidation of the engineering services would fit into a clear pattern that suggests plans to consolidate the FAA's nine regional offices into three offices, which would then be expected to serve all fifty states.

H.R. 2881, the FAA Reauthorization Act, as passed by the House of Representatives on September 20,

includes language (Section 807) to require the Secretary of Transportation to establish a working group on FAA consolidation. This working group would review proposals to consolidate FAA facilities and services, obtain input from affected stakeholders and comments from the public, and make recommendations to Congress. The FAA would not be allowed to consolidate any of its facilities or services, including the regional offices, until Congress has had an opportunity to consider the working group's recommendations. The FAA Reauthorization Act is awaiting action in the Senate and could be signed into law this year.

In the meantime, the FAA should not move forward with plans to consolidate the regional offices without Congressional consultation and oversight. Therefore, we recommend that you suspend all plans to consolidate the FAA's engineering services and consult with Members of Congress regarding the future of the FAA's regional offices and the services performed by these offices.

We appreciate your attention to our concerns. We look forward to working with you to ensure that the FAA's regional offices are able to provide safe and efficient services to the American people.

Sincerely,

Maxine Waters	Barack Obama
Paul Hodes	Edward M. Kennedy
Gary L. Ackerman	John F. Kerry
Barney Frank	Barbara Boxer
Adam B. Schiff	Janice Schakowsky
James P. McGovern	Michael A. Arcuri
Mark Steven Kirk	Xavier Becerra
Edward Markey	Laura Richardson
John F. Tierney	Gregory W. Meeks
John M. McHugh	Alcee Hastings
Jane Harman	Bob Filner
William D. Delahunt	Ed Pastor
Nancy Boyda	Dan Lipinski
Dennis Moore	Michael E. Capuano
Joe Baca	Linda T. Sánchez
Grace Napolitano	John Lewis
Phil Hare	Emanuel Cleaver
Rahm Emanuel	

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Contact: Mikael Moore
202-225-2201

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Congress of the United States

Washington, DC 20515

January 24, 2008

Mr. Robert A. Sturgell
Acting Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C., 20591

Dear Mr. Sturgell:

It has come to our attention that the Federal Aviation Administration may be considering plans to consolidate the engineering services at the FAA's nine regional offices and eliminate the engineering services at several of these offices.

We share your commitment to ensure the safety and efficiency of air travel throughout the United States. However, we are concerned that the FAA's consolidation plans would compromise air travel safety and reduce the efficiency of the services performed by the regional offices.

The consolidation of engineering services at the FAA's regional offices presumably would reduce or eliminate positions for experienced engineers at the regional offices in Anchorage, Burlington/Nashua, Chicago, Kansas City, New York and Los Angeles. This would compromise the safety of air travel in the regions of the United States served by these offices. Safe and efficient air travel requires engineering and support services that are accessible and convenient for the airports and air travelers that rely on them.

We are concerned that this consolidation may be a step toward the closure of several of the FAA's regional offices. The pending consolidation would be the latest of several administrative actions to reduce personnel in the regional offices. Last year, the FAA consolidated the Air Traffic Organization's administrative and technical support services. The previous year, the FAA consolidated financial accounting services at the regional offices. Consolidation of the engineering services would fit into a clear pattern that suggests plans to consolidate the FAA's nine regional offices into three offices, which would then be expected to serve all fifty states.

H.R. 2881, the FAA Reauthorization Act, as passed by the House of Representatives on September 20, includes language (Section 807) to require the Secretary of Transportation to establish a working group on FAA consolidation. This working group would review proposals to consolidate FAA facilities and services, obtain input from affected stakeholders and comments from the public, and make recommendations to Congress. The FAA would not be allowed to consolidate any of its facilities or services, including the regional offices, until Congress has had an opportunity to consider the working group's recommendations. The FAA Reauthorization Act is awaiting action in the Senate and could be signed into law this year.

In the meantime, the FAA should not move forward with plans to consolidate the regional offices without Congressional consultation and oversight. Therefore, we recommend that you suspend all plans to consolidate the FAA's engineering services and consult with Members of Congress regarding the future of the FAA's regional offices and the services performed by these offices.

We appreciate your attention to our concerns. We look forward to working with you to ensure that the FAA's regional offices are able to provide safe and efficient services to the American people.

Sincerely,



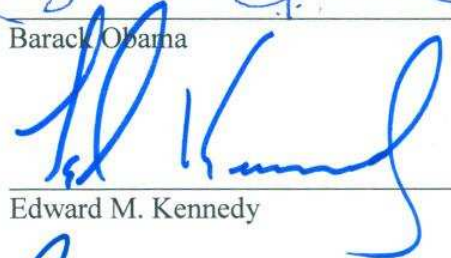
Maxine Waters



Barack Obama



Paul Hodes



Edward M. Kennedy



Gary L. Ackerman



John F. Kerry



Barney Frank



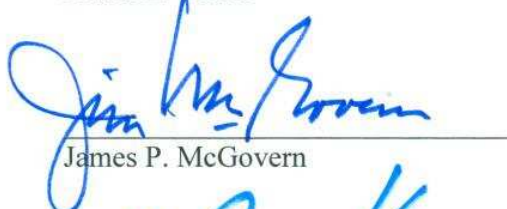
Barbara Boxer



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Janice Schakowsky



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Mark Steven Kirk



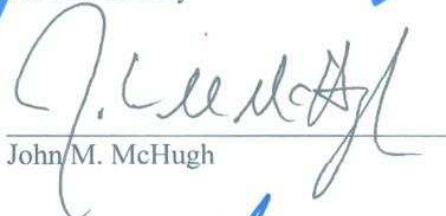
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Alcee Hastings


Jane Harman

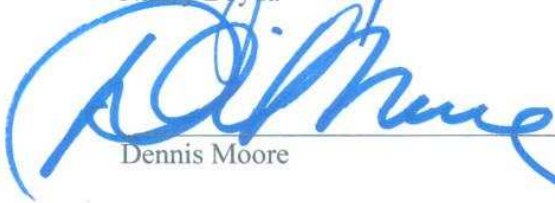

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Dan Lipinski


Dennis Moore


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Joe Baca


Linda T. Sánchez

Grace J. Napolitano
Grace Napolitano

John Lewis
John Lewis

Phil Hare
Phil Hare

Emanuel Cleaver
Emanuel Cleaver

Rahm Emanuel
Rahm Emanuel



U.S. Department
of Transportation

Federal Aviation
Administration

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

MAR 5 2008

MAR 14 2008

The Honorable Maxine Waters
House of Representatives
Washington, DC 20515

Dear Congresswoman Waters:

Thank you for your January 24 letter, cosigned by your congressional colleagues, about engineering services. I apologize for the delay, but we wanted to conduct a thorough review before responding in writing.

As we complete the restructuring plan that started in 2005, we are now considering steps to realign a limited number of engineering staff support positions to the Air Traffic Organization service area offices. These positions perform functions such as engineering design, drafting, cost estimating and data entry. A realignment would not involve positions performing safety-related duties, nor would it impact the safety of the National Airspace System. Positions in the field facilities engaged in construction and implementation engineering, air traffic control and maintenance are not part of this realignment.

The realignment would improve the effectiveness and consistency of project design and planning functions that support the air traffic operations and airports located throughout the Federal Aviation Administration, enhancing our services in the future.

The FAA is not consolidating its regional offices, nor does it have any plans to do so.

On February 6, the FAA hosted a briefing on this topic for interested congressional offices. We will continue to keep you informed about this issue.

We have sent an identical letter to each of the cosigners of your letter.

If I can be of further help, please contact me or Ms. Megan Rosia, Assistant Administrator for Government and Industry Affairs, at (202) 267-3277.

Sincerely,

Robert A. Sturgell
Acting Administrator

MAXINE WATERSMEMBER OF CONGRESS
35TH DISTRICT, CALIFORNIA

CHIEF DEPUTY WHIP

COMMITTEES:
FINANCIAL SERVICESSUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY
CHAIRWOMAN

JUDICIARY

SUBCOMMITTEE ON CRIME, TERRORISM
AND HOMELAND SECURITYSUBCOMMITTEE ON IMMIGRATION,
BORDER SECURITY AND CLAIMS**Congress of the United States**
House of Representatives
Washington, DC 20515-0535

December 19, 2008

PLEASE REPLY TO:

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Mr. Henry Krakowski
Chief Operating Officer
Air Traffic Organization
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Dear Mr. Krakowski:

I respectfully request that the Federal Aviation Administration (FAA) suspend efforts to consolidate engineering and support services as part of the Air Traffic Organization's Engineering Services Efficiency Plan (ESEP). As your Agency prepares for a leadership transition, it is important to recognize that the President-elect has opposed the current plan. Since it is unlikely that the new administration will carry out ESEP, a better use of governmental resources would be to defer any realignment efforts until after the President-elect has taken office, his Administration outlines its aviation priorities, and the Congress enacts a comprehensive reauthorization of the FAA.

As you may know, on January 24, 2008, I was joined by 34 of my congressional colleagues in signing the attached letter opposing the relocation of engineers until it can be properly evaluated and scrutinized. President-elect Barrack Obama was one of the signers.

During the 110th Congress, both the House and Senate FAA Reauthorization proposals contained provisions that would have created a process for reviewing FAA facility and service realignment proposals. During floor consideration of the House version, H.R. 2881, I offered an amendment clarifying the need to carry out such a realignment review process prior to the consolidation of services in the regional offices. My amendment passed by voice vote.

Although the measure failed to become law, there remains considerable congressional support for creating a fair and transparent process to ensure that stakeholders and the public have an opportunity to provide meaningful input and feedback. Because of this strong support, I am confident that legislation reauthorizing the FAA next year will include a facility and service realignment review process. Therefore, I once again urge you to refrain from making any changes to the services provided by the regional offices and to specifically stop all activity on ESEP until Congress can create a fair and transparent review process.

Thank you in advance for your attention to this matter. I look forward to continuing our work with you on this issue.

Sincerely,

A handwritten signature in black ink that reads "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters
Member of Congress

MW:ks

Enclosure

Congress of the United States

Washington, DC 20515

January 24, 2008

Mr. Robert A. Sturgell
Acting Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C., 20591

Dear Mr. Sturgell:

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We share your commitment to ensure the safety and efficiency of air travel throughout the United States. However, we are concerned that the FAA's consolidation plans would compromise air travel safety and reduce the efficiency of the services performed by the regional offices.

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We are concerned that this consolidation may be a step toward the closure of several of the FAA's regional offices. The pending consolidation would be the latest of several administrative actions to reduce personnel in the regional offices. Last year, the FAA consolidated the Air Traffic Organization's administrative and technical support services. The previous year, the FAA consolidated financial accounting services at the regional offices. Consolidation of the engineering services would fit into a clear pattern that suggests plans to consolidate the FAA's nine regional offices into three offices, which would then be expected to serve all fifty states.

H.R. 2881, the FAA Reauthorization Act, as passed by the House of Representatives on September 20, includes language (Section 807) to require the Secretary of Transportation to establish a working group on FAA consolidation. This working group would review proposals to consolidate FAA facilities and services, obtain input from affected stakeholders and comments from the public, and make recommendations to Congress. The FAA would not be allowed to consolidate any of its facilities or services, including the regional offices, until Congress has had an opportunity to consider the working group's recommendations. The FAA Reauthorization Act is awaiting action in the Senate and could be signed into law this year.

In the meantime, the FAA should not move forward with plans to consolidate the regional offices without Congressional consultation and oversight. Therefore, we recommend that you suspend all plans to consolidate the FAA's engineering services and consult with Members of Congress regarding the future of the FAA's regional offices and the services performed by these offices.

We appreciate your attention to our concerns. We look forward to working with you to ensure that the FAA's regional offices are able to provide safe and efficient services to the American people.

Sincerely,



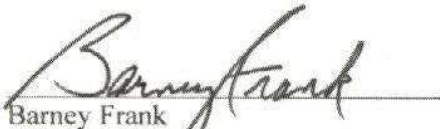
Maxine Waters



Paul Hodes



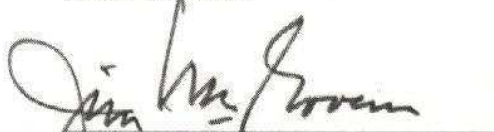
Gary L. Ackerman



Barney Frank



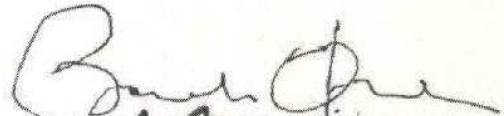
Adam B. Schiff



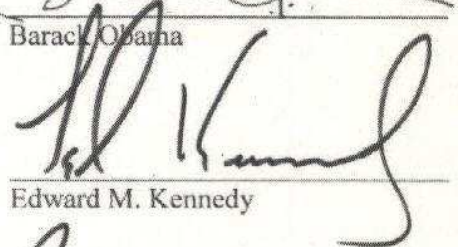
James P. McGovern



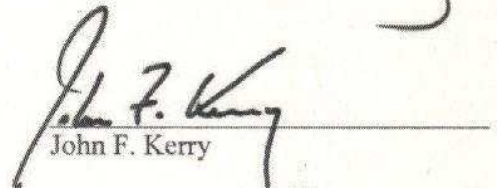
Mark Steven Kirk



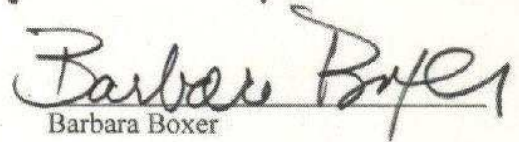
Barack Obama



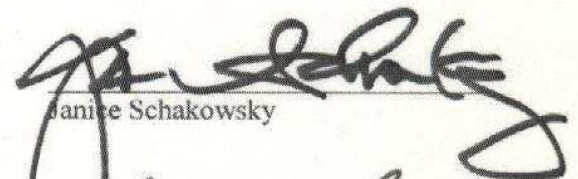
Edward M. Kennedy



John F. Kerry



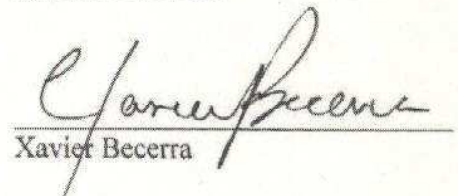
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Michael A. Arcuri



Xavier Becerra

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Edward Markey

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Joe Baca
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Linda T. Sánchez

Grace J. Napolitano
Grace Napolitano

John Lewis
John Lewis

Phil Hare
Phil Hare

Emanuel Cleaver
Emanuel Cleaver

Rahm Emanuel
Rahm Emanuel

February 5, 2009

Ensure the Integrity and Safety of our Air Transportation Network

Oppose Consolidation of Regional FAA Engineering Centers

Dear Colleague:

We invite you to join us in sending the attached letter to Secretary of Transportation Ray LaHood urging him to postpone Federal Aviation Administration (FAA) plans to consolidate regional engineering service centers.

Under the current Air Traffic Organization's (ATO) Engineering Services Efficiency Plan, the FAA is readying to consolidate nine regional engineering and support service centers to just three offices across the country. Approximately 300 FAA engineers across the country will be forced to relocate. Unfortunately, the FAA expects 70 percent of these engineers to leave their jobs rather than relocate their families. This employment attrition rate is extremely alarming, given that ATO Engineering Services lost 17 percent of its engineering workforce from 2006 to 2007.

As the FAA works to upgrade the nearly 60 percent of Air Traffic Control Towers that are past their 30-year design life and move toward the satellite based system, NEXGEN, it cannot afford to lose the human capital and experience provided by these engineers and other service providers. We therefore encourage you to join us in requesting that these consolidation plans be postponed until Congress can create a fair and transparent review process. This will ensure that we maintain the integrity and safety of our nation's air transportation network.

To sign on to this important letter or for more information, please contact Brian Oszakiewski with Rep. Lipinski at x5-5701 or brian.oszakiewski@mail.house.gov or Andria Hoffman with Rep. Kirk at x5-4835 or andria.hoffman@mail.house.gov.

Sincerely,



DANIEL LIPINSKI
Member of Congress



MARK STEVEN KIRK
Member of Congress

Congress of the United States
Washington, DC 20515

February XX, 2009

The Honorable Ray H. LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary LaHood:

We write to you today to respectfully request that the Federal Aviation Administration (FAA) postpone its efforts to consolidate engineering and support services from nine regional offices to three service centers as part of the Air Traffic Organization's (ATO) Engineering Services Efficiency Plan (ESEP). While consolidation may be a legitimate alternative in some specific instances, it seems ESEP will continue to inhibit the FAA's long term ability to most effectively serve its customers and the flying public.

As you know, the stated goals of ESEP are to "optimize business processes to improve effectiveness of customer service" and to "increase the value of engineering services for customers." Unfortunately, the FAA only expects approximately 30 percent of "impacted engineers" to relocate under ESEP, resulting in the loss of many of the most skilled and experienced implementation engineers. Given that ATO Engineering Services lost 17 percent of its engineering workforce from 2006 to 2007, this additional anticipated loss of human capital and experience will make it increasingly difficult for the FAA to improve "customer service" and "value" for customers while maintaining quality, performance, and most importantly, safety.

The employment attrition rate for FAA engineers is especially concerning when put in perspective for the work that needs to be done. A recent DOT Inspector General investigation requested by House Transportation and Infrastructure Committee Chairman Jim Oberstar (D-MN) revealed that 59 percent of the FAA's 420 Air Traffic Control Towers are past their 30-year design life. These facilities are located in all corners of the country and require engineers to survey, design, plan and implement the upgrades and replacements of the facilities. The consolidation of the planning function has already resulted in a delay to many programs and projects. Consolidation of the engineering workforce will only further delay the upgrades needed to the National Airspace System and projects that are vital to the integrity of the system.

Further, the FAA's plans to move towards a satellite based system, NEXGEN, will require experienced engineers to ensure the existing systems perform correctly and efficiently through the eventual transition. This will be a very complicated process that can only be safely accomplished with dedicated engineering professionals with direct

knowledge of the facilities in their regions. Unfortunately, consolidation in this instance will not only result in a significant loss of skilled engineers, but engineers equipped with region-specific knowledge to implement and monitor this transition.

Given the significant impact that ESEP will have on the FAA and its ability to maintain quality, performance, and safety, we urge you to refrain from making any changes to the services provided by the regional offices and to specifically stop all activity on the ESEP until Congress can create a fair and transparent review process. We encourage you to consider that President Obama has a history of opposition to the current, unvetted engineer consolidation plan, as shown in the attached January 24, 2008 letter.

Thank you in advance for your prompt attention to this matter. We look forward to working with you as we aim to strengthen and enhance our nation's aviation system.

Sincerely,



DANIEL LIPINSKI
Member of Congress



MARK STEVEN KIRK
Member of Congress

-----Original Message-----

From: sam.samad@natca.net

Sent: Saturday, April 18, 2009 6:33pm

To:

Subject: ESEP'S MANDATORY EMPLOYEE RELOCATION PLAN HAS BEEN DROPPED

Brothers and Sisters

About a week ago, I passed along the news that Congresswoman Maxine Waters had received an information update from the Agency, informing her that they were considering scrapping ESEP's mandatory employee relocation plan.

Today I am forwarding you a copy of the actual document itself, courtesy of Ms. Water's office. Los Angeles NATCA office coordinated with Ms. Waters staff concerning the ESEP for over 3 years.

Ms. Waters responded on our behalf by writing a series of letters that questioned Management's reasoning and judgment. It is very significant the Agency chose to give Ms. Waters this advance notice.

Our Local NATCA office and Ms. Waters were the first to call the Agency on what was a very bad and unjust idea. The results clearly illustrate the strength of the legislative alliance we have with our Democratic brothers and sisters in the Congress.

This is truly a great victory for Ms. Waters and for NATCA!

In Solidarity,

Sam

.....

APR 7 2009



U.S. Department
of Transportation
Federal Aviation
Administration

MAR 26 2009

The Honorable Maxine Waters
House of Representatives
Washington, DC 20515

Dear Congresswoman Waters:

Thank you for your December 19, 2008 letter to the Acting Administrator about the final phase of the Federal Aviation Administration's service area restructuring plan. I apologize for the delay, but we are currently reviewing alternatives to our original plan and I wanted to provide an interim response.

Early this year we began working on an alternate plan that significantly adjusts the implementation approach and timeline of the Engineering Services Efficiency Plan (ESEP). As you know, our original plan involved the mandatory reassignment of employees to the Air Traffic Organization (ATO) Service Area Offices. We are now looking at alternatives that do not include the mandatory relocation of employees. The ESEP implementation team is currently developing the details and we are committed to keeping you informed on our progress.

Acting Administrator Lynne A. Osmus will look into this matter and respond to you within 30 days.

If you need further help, please contact Mary U. Walsh, Acting Assistant Administrator for Government and Industry Affairs, at (202) 267-3277.

Sincerely,

Richard L. Day
Senior Vice President for Operations
Air Traffic Organization

cc:

-----Original Message-----

From: sam.samad@natca.net

Sent: Friday, April 17, 2009 6:46pm

To:

Subject: THIS JUST IN - MANDATORY EMPLOYEE RELOCATION PLAN MAY BE DROPPED IN A REVISED ESEP

Brothers and Sisters,

I have just been reliably notified that the Agency has sent Congresswomen Maxine Waters an information update, informing her that they are seriously considering scrapping the ill-advised mandatory employee relocation plan. Furthermore, the new plan, which they began work on early this year, adjusts the implementation approach and time line of the old plan "significantly". The Agency is to provide Ms. Waters with more information later this month.

Ms. Waters is famously protective of and loyal to her constituency. Our Los Angeles NATCA office has been coordinating with Ms. Waters staff concerning the ESEP for over 3 years, providing facts on the subject from "her own backyard", so to speak. Ms. Waters has consistently emphasized the safety and welfare of citizens in her home District was put in jeopardy under the old ESEP. This is a potentially great victory for Ms. Waters and for NATCA!!

As I receive more information, I will pass it along.

In Solidarity,

Sam

From: sam.samad@natca.net
Sent: Friday, May 1, 2009 1:56pm
To:
Subject: Good News - Agency To Rescind Letters Concerning Realignment

Greetings,

The email below regarding ESEP was forwarded by Ms. Waters office...

From: brian.langdon@faa.gov [mailto:brian.langdon@faa.gov]
Sent: Friday, May 01, 2009 11:02 AM
To: brian.langdon@faa.gov
Cc: mary.u.walsh@faa.gov
Subject: Significant Modification to FAA Engineering Services Efficiency Plan

FAA Engineering Services Efficiency Plan (ESEP)

Today, FAA is notifying our employees that we are rescinding the *General Notice for Employees Affected by Realignment to Service Area* letters, dated October 2008. These letters informed designated Engineering Services employees of the need to move through management directed reassignments to our Service Area Offices (SAO's).

The FAA has revisited assumptions from the original ESEP plan. We will continue to strive towards the goals of ESEP and will transfer most of the design work currently done in the non-SAO locations to the three Engineering Design Centers located at the Service Area Offices. However, the FAA will only move the resources required to accomplish this work by voluntary means.

The ESEP addresses our current and future engineering workforce requirements as we sustain and enhance the National Airspace System. The implementation of this plan will provide greater flexibility to manage these objectives. It also provides for an increased field workforce to oversee the modernization of the Next Generation Air Transportation System and includes a strategy for centralized design engineering. This will provide enhanced efficiency for our engineering objectives, enabling us to leverage our existing resources to meet the challenges of the future.

Brian Langdon
Federal Aviation Administration
Office of Government and Industry Affairs - AGI
800 Independence Av, SW
Washington, DC 20591
(202) 267-3277 - phone
(202) 267-8210 - fax
brian.langdon@faa.gov

From: sam.samad@natca.net
Sent: Friday, May 22, 2009 10:35pm
To:
Subject: HR 915 Passed the House of Representatives

Brothers and Sisters,

As I was told on the Wednesday would probably happen, HR 915 passed the House of Representatives yesterday! It's timely passage was spurred by NATCAs Lobby Week activities by brothers and sisters from all the bargaining units, National Legislative Committee, and the efforts of Jose Ceballos and his fine Legislative Staff.

The language of the bill itself, with its straight-forward acknowledgement of the injustices inherent in the IWRs, and the FAA's realignment initiative, is a great victory for NATCA and our legislative allies!

The passage of this bill is a timely turning-point. It certainly shows how much difference even a few months can make when there is an administration in Washington working to support worker rights.

I have attached the press release from Transportation Trades Department, AFL-CIO.

Best regards,
Sam Samad

House-Passed FAA Bill Modernizes Aviation System, Advances Safety and Worker Rights

WASHINGTON, DC – *Edward Wytkind, President of the Transportation Trades Department, AFL-CIO, issued the following statement after House passage of the Federal Aviation Administration reauthorization bill (H.R. 915):*

“The FAA bill passed by the House of Representatives today will bring Americans closer to the first-class aviation system they want and deserve.

“This legislation will invest in technology and our airports, create good jobs and strengthen worker rights. It will also make air travel safer for workers and the flying public and ensure that globalization of this industry doesn't erode safety standards or harm American jobs.

“We look forward to a Senate bill that tackles these issues with the same level of commitment.

“H.R. 915 is the result of an enormous amount of work and thoughtful leadership by Chairman James Oberstar and Subcommittee Chairman Jerry Costello. We applaud them for standing firmly with aviation employees and producing legislation that will help deliver a 21st century aviation system that Americans can be proud of.”

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The Transportation Trades Department, AFL-CIO, represents 32 member unions in the aviation, rail, transit, trucking, highway, longshore, maritime and related industries. For more information, visit www.ttd.org

From: sam.samad@natca.net
Sent: Thursday, May 21, 2009 12:52am
To:
Subject: HR 915 - THE FAA REAUTHORIZATION BILL IS ABOUT TO PASS THE HOUSE

Brothers and Sisters,

I am in Washington DC for lobby week, and there is big news.

I have just received, from a reliable source, that Congress is poised to pass HR 915 before they recess next week. It may be passed as soon as tomorrow.

HR 915 has some very exciting prospects. Section 601 of the bill has some provisions under which back pay may be authorized for groups who have been adversely affected by the IWRs. The bill allocates 20 million dollars to the subject. How far these issues may be pushed is unclear.

More generally speaking, the Federal Aviation Administration Reauthorization Bill will secure a stable long-term reauthorization for the Agency.

Most of the changes that were put into the bill with respect to the cancellation of the FAA's onerous Realignment proposals were taken from HR 2881, the Maxine Water's Amendment. HR 915 will proceed on to the Senate, where it will be given a new number. It is hoped that the language of the bill once, it is picked up by the Senate, will remain true to the House version.

S1300, the Senate version of HR 2881 did not pass. With the clear signs of support that it has received from the White House, however, the Senate version of HR 915 is expected to fare better. It is possible the Bill will pass the Senate and be presented to President Obama for his signature, as early as next month.

There is one issue we have been making the legislators aware of that is of immediate importance. We have been stressing that until HR 915 becomes law, Congress needs to put measures in place to prevent the current FAA management staff, many whom were selected during the Bush years, from making adverse changes that will hamper the incoming administration's efforts.

This all comes on the heels of yesterday's press release that mediation aimed at ending the ongoing dispute between the Agency and NATCA began on Tuesday. Jane Garvey, the former FAA Administrator, is going to head the mediation team. The following link takes you to the story on NATCA's web site.

<http://www.natca.org/mediacenter/press-release-detail.aspx?id=608>

This week's lobby week has been exciting, as everyone knows that change is just around the corner. The passage of HR 915 will be a giant step for the funding and agreements that will guide those changes, and make them possible!

In Solidarity,

Sam Samad

From: sam.samad@natca.net
Sent: Monday, May 4, 2009 4:33pm
To:
Cc: nrx-eb@list.natca.net
Subject: Re: [NRX-EB] Return to the Table

Brothers and Sisters,

This is an interesting and passionate internal discussion. Given its length, and some unfortunate language used in a couple places, it can't be sent in a "letter home" anytime soon, but you have undoubtedly produced a resource we all can draw from.

Sticking strictly to the basics of the pay issue, I agree with our brothers and sister Carmella that the Multi-Units are shabbily treated. Larry also has some good arguments. Except for the Core Compensation issue, the multi-unit contract is presently superior to all others. Still, I feel we definitely need some redress, while aiming for the common solution that Pat's letter indicates may be possible under the Obama Administration.

We have a lot of positive things going on. The multi-unit pay teams are working hard to prepare our arguments for the upcoming negotiations. HR 915 has some very exciting prospects. Because it is of interest to everyone, I have extracted and attached Section 601 of HR 915. That's the section that starts on page 183, pertaining to the "Federal Aviation Administration Personnel Management System". In HR 915 we may have a vehicle for righting at least some past wrongs, depending on how broadly subsections "b" and "d" in HR 915's Section 601 are applied.

Subsection "b", "APPLICATION", on page 187, basically rescinds IWR pay imposed on or after July 10, 2005. Subsection "d", "BACK PAY", on page 189, offers back pay for employees defined by Subsection "b" as affected by the IWRs, to the level of compensation they would have had under the pay system they were subject to prior to the IWRs. It has the stipulation the back pay may be pro rated by the Administrator and NATCA, if not enough money for full back pay is available. Article (2) of Subsection "d", on page 190 says that 20 million dollars has been allocated. If this is not applied, we can boost our other legislative efforts in our upcoming Lobby Week.

Fairness is always a foremost issue in everybody's mind. At the same time, I want to clear up apparent misunderstandings. There is a sunset on the E&A's advantage. It ends this year, in 2009. After this year, until future contract negotiations come up, E&A employees will be in the same position as the Multi-Units concerning SCI (see attached Article 36 Sections 2 and 3 of the Black Book). We will all be in the same boat very soon.

To move away from the basics of the pay issue to Brother Tomaso's arguments, the 787 discussion is very big. The Agency might argue it was a particularized instance of abuse. They might also argue that the system was not ideally implemented, and it was not, as Brother Scott and others have pointed out, but that they (the Agency) might be able to make it work.

It would stand to reason, however, that there are even more situations out there where SCI's potential to link pay to untimely/unrealistic or unattainable goals has watered down the quality and honesty of work. To use that angle to argue against the SCI, however, we would need input from the Multi-Unit BUEs on the subject. It would have to be an anonymous survey, and verification of such instances would raise serious ethical concerns for all. Hopefully it won't come to that.

I think the biggest challenge now is for us to unite as a single group, and work together to decide upon what would be a common equitable system of pay for all of us in the future.

In Solidarity, Sam

1 for the airports that the Port Authority operates as of No-
 2 vember 2, 2009. In undertaking the study, the Port Au-
 3 thority should pay particular attention to the impact of
 4 noise on affected neighborhoods, including homes, busi-
 5 nesses, and places of worship surrounding LaGuardia Air-
 6 port and JFK Airport.

7 **TITLE VI—FAA EMPLOYEES AND**
 8 **ORGANIZATION**

9 **SEC. 601. FEDERAL AVIATION ADMINISTRATION PER-**
 10 **SONNEL MANAGEMENT SYSTEM.**

11 (a) DISPUTE RESOLUTION.—Section 40122(a) is
 12 amended—

13 (1) by redesignating paragraphs (3) and (4) as
 14 paragraphs (5) and (6), respectively; and

15 (2) by striking paragraph (2) and inserting the
 16 following:

17 “(2) DISPUTE RESOLUTION.—

18 “(A) MEDIATION.—If the Administrator
 19 does not reach an agreement under paragraph
 20 (1) or the provisions referred to in subsection
 21 (g)(2)(C) with the exclusive bargaining rep-
 22 resentative of the employees, the Administrator
 23 and the bargaining representative—

24 “(i) shall use the services of the Fed-
 25 eral Mediation and Conciliation Service to

1 attempt to reach such agreement in ac-
2 cordance with part 1425 of title 29, Code
3 of Federal Regulations (as in effect on the
4 date of enactment of the FAA Reauthor-
5 ization Act of 2009); or

6 “(ii) may by mutual agreement adopt
7 alternative procedures for the resolution of
8 disputes or impasses arising in the negotia-
9 tion of the collective-bargaining agreement.

10 “(B) BINDING ARBITRATION.—

11 “(i) ASSISTANCE FROM FEDERAL
12 SERVICE IMPASSES PANEL.—If the services
13 of the Federal Mediation and Conciliation
14 Service under subparagraph (A)(i) do not
15 lead to an agreement, the Administrator
16 and the exclusive bargaining representative
17 of the employees (in this subparagraph re-
18 ferred to as the ‘parties’) shall submit
19 their issues in controversy to the Federal
20 Service Impasses Panel. The Panel shall
21 assist the parties in resolving the impasse
22 by asserting jurisdiction and ordering bind-
23 ing arbitration by a private arbitration
24 board consisting of 3 members.

1 “(ii) APPOINTMENT OF ARBITRATION
2 BOARD.—The Executive Director of the
3 Panel shall provide for the appointment of
4 the 3 members of a private arbitration
5 board under clause (i) by requesting the
6 Director of the Federal Mediation and
7 Conciliation Service to prepare a list of not
8 less than 15 names of arbitrators with
9 Federal sector experience and by providing
10 the list to the parties. Within 10 days of
11 receiving the list, the parties shall each se-
12 lect one person from the list. The 2 arbi-
13 trators selected by the parties shall then
14 select a third person from the list within 7
15 days. If either of the parties fails to select
16 a person or if the 2 arbitrators are unable
17 to agree on the third person within 7 days,
18 the parties shall make the selection by al-
19 ternately striking names on the list until
20 one arbitrator remains.

21 “(iii) FRAMING ISSUES IN CON-
22 TROVERSY.—If the parties do not agree on
23 the framing of the issues to be submitted
24 for arbitration, the arbitration board shall
25 frame the issues.

1 “(iv) HEARINGS.—The arbitration
2 board shall give the parties a full and fair
3 hearing, including an opportunity to
4 present evidence in support of their claims
5 and an opportunity to present their case in
6 person, by counsel, or by other representa-
7 tive as they may elect.

8 “(v) DECISIONS.—The arbitration
9 board shall render its decision within 90
10 days after the date of its appointment. De-
11 cisions of the arbitration board shall be
12 conclusive and binding upon the parties.

13 “(vi) COSTS.—The parties shall share
14 costs of the arbitration equally.

15 “(3) RATIFICATION OF AGREEMENTS.—Upon
16 reaching a voluntary agreement or at the conclusion
17 of the binding arbitration under paragraph (2)(B),
18 the final agreement, except for those matters de-
19 cided by an arbitration board, shall be subject to
20 ratification by the exclusive bargaining representa-
21 tive of the employees, if so requested by the bar-
22 gaining representative, and approval by the head of
23 the agency in accordance with the provisions re-
24 ferred to in subsection (g)(2)(C).

25 “(4) ENFORCEMENT.—

1 “(A) ENFORCEMENT ACTIONS IN UNITED
2 STATES COURTS.—Each United States district
3 court and each United States court of a place
4 subject to the jurisdiction of the United States
5 shall have jurisdiction of enforcement actions
6 brought under this section. Such an action may
7 be brought in any judicial district in the State
8 in which the violation of this section is alleged
9 to have been committed, the judicial district in
10 which the Federal Aviation Administration has
11 its principal office, or the District of Columbia.

12 “(B) ATTORNEY FEES.—The court may
13 assess against the Federal Aviation Administra-
14 tion reasonable attorney fees and other litiga-
15 tion costs reasonably incurred in any case
16 under this section in which the complainant has
17 substantially prevailed.”.

18 (b) APPLICATION.—On and after the date of enact-
19 ment of this Act, any changes implemented by the Admin-
20 istrator of the Federal Aviation Administration on and
21 after July 10, 2005, under section 40122(a) of title 49,
22 United States Code (as in effect on the day before such
23 date of enactment), without the agreement of the exclusive
24 bargaining representative of the employees of the Adminis-
25 tration certified under section 7111 of title 5, United

1 States Code, shall be null and void and the parties shall
2 be governed by their last mutual agreement before the im-
3 plementation of such changes. The Administrator and the
4 bargaining representative shall resume negotiations
5 promptly, and, subject to subsection (e), their last mutual
6 agreement shall be in effect until a new contract is adopt-
7 ed by the Administrator and the bargaining representa-
8 tive. If an agreement is not reached within 45 days after
9 the date on which negotiations resume, the Administrator
10 and the bargaining representative shall submit their issues
11 in controversy to the Federal Service Impasses Panel in
12 accordance with section 7119 of title 5, United States
13 Code, for binding arbitration in accordance with para-
14 graphs (2)(B), (3), and (4) of section 40122(a) of title
15 49, United States Code (as amended by subsection (a) of
16 this section).

17 (c) SAVINGS CLAUSE.—All cost of living adjustments
18 and other pay increases, lump sum payments to employ-
19 ees, and leave and other benefit accruals implemented as
20 part of the changes referred to in subsection (b) may not
21 be reversed unless such reversal is part of the calculation
22 of back pay under subsection (d). The Administrator shall
23 waive any overpayment paid to, and not collect any funds
24 for such overpayment, from former employees of the Ad-

1 ministration who received lump sum payments prior to
2 their separation from the Administration.

3 (d) BACK PAY.—

4 (1) IN GENERAL.—Employees subject to
5 changes referred to in subsection (b) that are deter-
6 mined to be null and void under subsection (b) shall
7 be eligible for pay that the employees would have re-
8 ceived under the last mutual agreement between the
9 Administrator and the exclusive bargaining rep-
10 resentative of such employees before the date of en-
11 actment of this Act and any changes were imple-
12 mented without agreement of the bargaining rep-
13 resentative. The Administrator shall pay the employ-
14 ees such pay subject to the availability of amounts
15 appropriated to carry out this subsection. If the ap-
16 propriated funds do not cover all claims of the em-
17 ployees for such pay, the Administrator and the bar-
18 gaining representative, pursuant to negotiations con-
19 ducted in accordance with section 40122(a) of title
20 49, United States Code (as amended by subsection
21 (a) of this section), shall determine the allocation of
22 the appropriated funds among the employees on a
23 pro rata basis.

