



Legislative & Regulatory *Hot Topics* for 2015

By ALPA Staff

FAA Reauthorization

The current FAA authorization bill is set to expire in September 2015. ALPA's top **10** FAA reauthorization priorities include

- 1 A clean, on-time bill that has dedicated and long-term funding to support the FAA's safety mission and NextGen efficiencies.
- 2 No weakening of safety regulations, including first officer qualifications.
- 3 Safe integration of unmanned aircraft systems.
- 4 Secondary cockpit barrier requirements.
- 5 Science-based fatigue rules for cargo operations.
- 6 Strengthening safety data reporting.
- 7 Safety improvements regarding the transport of lithium batteries by air.
- 8 Reinforcing pilot-in-command authority.
- 9 HIMS authorization.
- 10 Enroute Pacific airport authorization.

spearheaded advocacy efforts to include limiting provisions in last year's Transportation, Housing, and Urban Development (THUD) annual appropriations bill. The limitation language prohibited the DOT from approving any application for a foreign air carrier permit that directly violates the U.S.-EU Open Skies agreement, specifically Article 17 *bis*. ALPA was successful in getting this language included in the end-of-the-year omnibus appropriations bill for FY 2015.

ALPA continues to ask members of Congress to keep the pressure on the DOT to deny NAI. Several freshmen members of the 114th Congress have already contacted DOT Secretary Anthony Foxx, saying they support ALPA's position. NAI's misguided scheme to subvert Norwegian labor, tax, and regulatory laws is a direct violation of the U.S.-EU Open Skies agreement and would have a devastating effect on U.S. pilots and other aviation workers. ALPA remains vigilant and plans to again pursue appropriations language to mandate that the DOT follow both the letter and the intent of the Open Skies agreement. ALPA members are urged to go to alpa.org/issues to participate in the Association's Call to Action to deny NAI.

Norwegian Air International

ALPA continues to actively urge the U.S. Department of Transportation (DOT) to deny NAI. Norwegian Air International's (NAI) application for a foreign air carrier permit to operate to and from the United States has been pending at the DOT for more than a year. The

DOT's reluctance to approve the permit continues to be a win. At the end of the 113th Congress, more than 250 senators and representatives had contacted the

DOT with concerns about NAI's application and its flag-of-convenience business model that violates U.S. law and the U.S. Open Skies agreement with the European Union. In addition, ALPA



Ex-Im Bank Authorization

In 2012, despite powerful opposition, ALPA was able to win initial reforms





to the Export-Import Bank's charter. The bank's charter is once again up for reauthorization in June, and ALPA has renewed its efforts regarding reforming the bank's widebody financing practices.

An arm of the U.S. government, the bank uses taxpayer money to support purchases of American-made products by foreign companies. While ALPA supports the bank's overall mission, its financing practices regarding widebody airplanes are costing U.S. jobs and must be reformed. Creditworthy, state-owned, or state-subsidized airlines have been purchasing airplanes through the bank rather than the private market and, as a result, are obtaining them at discounts of up to \$20 million per airplane.

Long mired in partisan politics, the bank has become a controversial subject on Capitol Hill. Targeted for elimination by the right wing and held up as pillar of the economy by the left, few voices remain in the middle calling for reform and compromise. ALPA is committed to finding a way to keep the bank fulfilling its mission without adversely affecting the U.S. airline industry.

ALPA continues to educate legislators regarding its concerns about reauthorizing the bank. It's time for pilots to engage in grassroots advocacy efforts in Washington, D.C., and in their home towns. To participate in ALPA's Call to Action, go to alpa.org/issues.

Federal Flight Deck Officer Program



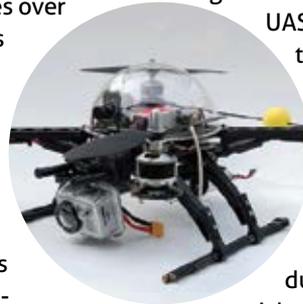
During the final days of the 113th Congress, funding for the Federal Flight Deck Officer (FFDO) program was embroiled in the political battle surrounding the U.S. Department of Homeland Security (DHS) and specific policies about immigration reform. As a result, the House of Representatives ultimately supported level funding for the FFDO program, and the Senate backed the president's budget proposal (\$-5 million). The funding level was determined by "splitting the difference" at \$22,365,000. This was done for the sake of expediency so that the battles over other politically sensitive topics could continue.

Throughout this year's FY 2016 appropriations cycle, ALPA's Government Affairs team and pilot-partisan advocates will be working with appropriators in both chambers of Congress to secure an appropriate level of funding to maintain the integrity of the FFDO program. The FY 2016 budget proposal by the president again calls for a reduction in funding and staffing. Congressional hearings have taken place, and the drafting of the DHS appropriations legislation followed by debate in the full committee will

likely take place sometime this month. While the administration seems to consistently target this program for cuts, support in Congress is very strong. ALPA is confident that Congress will favorably view its position to adequately fund the FFDO program so that it can fulfill its security mission.

Unmanned Aircraft Systems

ALPA has been front and center in the debate about integrating unmanned aircraft systems (UAS) into the U.S. national airspace system (NAS). On March 24, ALPA submitted testimony to a key Senate committee outlining its guidance for safely integrating



UAS into the NAS. ALPA also testified on UAS before the House of Representatives in December 2014. ALPA has given specific recommendations to Congress to ensure that UAS introduce no new element of risk to air transportation.

ALPA reiterated that safety and technology standards must be in place before UAS can occupy the same airspace as manned aircraft or operate in areas where UAS might inadvertently stray into airspace occupied by airliners and that basic safety features need to be present for the safe operation of any UAS—including ones used for recreational purposes. These safety features include active collision avoidance, geo-fencing, altitude-limiting technology, and return-to-home or safe landing in cases of a lost link between the operator and the UAS. At present, it's unclear if there will be attempts to address UAS in the upcoming FAA reauthorization. But ALPA has been working closely with the members and staff in both the House and Senate authorizing committees responsible for crafting that legisla-

Secondary Cockpit Barriers

ALPA champions in both the House and Senate have reintroduced legislation to require secondary cockpit barriers on passenger airliners. Appropriately, bills in the House and Senate have been designated H.R. 911 and S. 911, respectively. Sponsored by Reps. Michael Fitzpatrick (R-Pa.) and Steve Israel (D-N.Y.) in the House and Sens. Robert Casey (D-Pa.) and Patrick Toomey (R-Pa.) in the Senate, the bi-

partisan bills would simply require the installation of secondary cockpit barriers on passenger airliners to prevent a security breach when the cockpit door is opened in flight.

ALPA members are encouraged to participate in the union's Call to Action by going to alpa.org/issues and urging their federal representatives to co-sponsor this important, commonsense security measure.

tion to ensure that the Association's concerns are recognized.

No to Fast-Track

Trade issues will play an important role during the rest of the legislative year. In early April, congressional leaders in both the House and Senate reached an agreement in principle to consider legislation to grant trade promotion authority (TPA). TPA—or "fast-track"—allows the executive branch to negotiate trade agreements with other countries without congressional input.

The executive branch is currently negotiating two large trade agreements: the Trans-Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP). The TTIP could potentially affect ALPA as some European Union nations are pushing their negotiators to include changes to foreign ownership and control and cabotage laws within the TTIP.

ALPA does not support granting TPA to the executive branch or including air traffic rights in the TTIP. In March, more than 20 ALPA pilots joined hundreds of other union members to lobby Congress to oppose TPA. ALPA also facilitated a letter from the House of Representatives to the United States trade representative (USTR) calling on the USTR to oppose including air traffic rights within the TTIP. More than 160 bipartisan members of Congress signed the letter. Both efforts raised ALPA's visibility on Capitol Hill and reiterated the message that our industry must not be negatively affected by flawed trade agreements.

Excise Tax

Beginning in 2018, the Affordable Care Act's (ACA) excise tax provisions will go into effect. These include a 40 percent tax on employer-provided health-care plans that cost more than a designated threshold adjusted for inflation. While

the tax burden is nominally on the employer, the effects will very likely be passed on to employees through higher premiums or lower-quality care. This issue is already affecting negotiations at several ALPA pilot groups.

Complicating matters, no one knows yet just how the tax will be applied. The Department of Treasury, which includes the Internal Revenue Service, has only just begun the process of developing regulations pertaining to the tax. ALPA will make its concerns known during the rulemaking process for the excise tax. While ALPA and its allies have been engaged with the administration on this issue for years, the real work is now beginning in earnest.

With three years left before the tax takes effect, ALPA will be working diligently to educate decision-makers on the negative effect this tax will have on pilots' health care. Members are encouraged to contact the Government Affairs Department at GovernmentAffairs@alpa.org or at 202-797-4033 to learn more about how they can help avert this regressive, economically damaging tax.

Stop Human Trafficking

The U.S. Department of Homeland Security (DHS) estimates that approximately 20 million women, children, and men across the world are victims of human trafficking and are exploited for domestic work, sweatshop labor, or sex each year. About 17,500 of those victims are trafficked through the U.S. each year, according to a 2013 Congressional Research Service report. Human trafficking is a hidden crime as victims rarely come forward to seek help because of language barriers,

fear of the traffickers, and fear of law enforcement.

Because traffickers take advantage of global transportation networks, aviation workers can play an important role in identifying and stopping trafficking. Many frontline workers have educated themselves through the DHS's Blue Lightning initiative—a collaboration among several federal governmental agencies, law enforcement, and nongovernmental and private organizations, including many airlines and labor unions. Pilots can take advantage of the online training tool by going to dhs.gov/blue-campaign.

Just days into the start of the 114th Congress in January, the U.S. House of Representatives passed 12 sweeping antihuman trafficking bills. Although they enjoy strong bipartisan support, as this issue goes to press all 12 bills still await consideration by the U.S. Senate, where they have hit political hurdles unrelated to the core purpose of the bills. For status information about these bills and other ALPA priorities, contact ALPA's Government Affairs Department at GovernmentAffairs@alpa.org or go to congress.gov.



Take Action to Enforce Open Skies Agreements With Persian Gulf Airlines



Recently released financial records show that three airlines in the Persian Gulf have received more than \$42 billion worth of subsidies and other unfair benefits during the past 10 years. These carriers have 596 widebody airplanes on order and are expanding rapidly into markets that U.S. airlines and their partners currently serve. If left unchecked, this government-sponsored competition will cost thousands of U.S. airline jobs in the short term. Go to alpa.org/issues and urge the U.S. government to enforce its Open Skies agreements with the United Arab Emirates and Qatar by opening consultations today.