



LEGISLATIVE UPDATE

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SUPER COMMITTEE CONTINUES TO CONSIDER DEFICIT-REDUCTION RECOMMENDATIONS

As the Joint Select Committee on Deficit Reduction works toward the November 23 deadline to vote on legislation identifying trillions of dollars in cuts to reduce the budget deficit, the 12-member "super committee" continues to consider recommendations offered by House and Senate committee chairs and ranking members. According to the schedule, the joint committee must vote on its proposal by November 23, the legislation must be reported on the House and Senate floors without amendment by December 9 and there must be a vote on the legislation by December 23. In order to prevent automatic spending cuts of defense and non-defense spending, legislation must be enacted by January 15, 2012.

On behalf of Democrats on the House Transportation and Infrastructure Committee, Ranking Member Nick Rahall (D-W.Va.) sent a letter to the joint committee outlining recommendations for reducing the budget while staying focused on creating jobs and promoting efficiency and reform of government. In particular, the letter strongly supports enactment of FAA reauthorization legislation "that provides robust aviation infrastructure investment." Rahall emphasized the important elements contained in the FAA reauthorization bill passed by the House during the 111th Congress, stating that the bill was intended to create and sustain jobs while modernizing the air traffic control system. He contrasted the bill from last Congress with the current House reauthorization bill (H.R. 658) that would, according to Rahall, "slash FAA infrastructure investment." The letter encourages the joint select committee to support a bill that would create jobs and reduce the deficit.

In his letter to the joint committee, Rahall also encouraged passage of all or part of the American Jobs Act of 2011 (H.R. 12), which provides \$50 billion in surface transportation and aviation infrastructure investments, including \$1 billion for air traffic control modernization. Other committee leaders have also encouraged passage of the act in recommendations to the joint committee. Furthermore, Department of Transportation Secretary Ray LaHood called on Congress to pass the transportation section of the bill specifically. "Congress needs to pass the transportation portion of the American Jobs Act as soon as possible so we can continue to modernize our transportation systems and keep our economy moving forward," he said.

While members of the joint committee are attempting to reduce the deficit by \$1.2 trillion, 100 House members are encouraging the committee to think on a larger scale. "To succeed, all options for mandatory and discretionary spending and revenues must be on the table," stated the bipartisan group in a letter to the joint committee. Led by Reps. Heath Shuler (D-N.C.) and Mike Simpson (R-Idaho), the members of Congress state that the deficit-reduction goal should be closer to \$4 trillion.

As PASS has been reporting for the past several weeks, certain members of Congress are using deficit-reduction negotiations to take aim at federal employees (see *Legislative Update*, October 7 and 21, 2011). Several proposals have been put forth intended to reduce federal employee staffing, pay and benefits. Among other things, the committee is considering reductions to federal employee health/retirement benefits and arbitrary cuts to the federal employee workforce in order to lower the debt. PASS continues to work with other federal labor unions to send a clear message to Congress that it cannot target federal employees in its deficit-reduction discussions. PASS has communicated with PASS members on the importance of contacting their members of Congress on this critical issue. In addition, PASS members are encouraged to ask friends and families to also take action. For more information and access to links to take action, please visit www.passnational.org/MembersOnly/deficit_reduction_fed_employee.html.

“MINIBUS” INCLUDES TRANSPORTATION FUNDING

On November 1, the Senate passed a “minibus” appropriations package (H.R. 2112) combining three spending bills, including the bill for Transportation, Housing and Urban Development, and Related Agencies. The \$128 billion appropriations package appropriates funding for the Department of Transportation, including the FAA, for FY 2012 and provides \$3.5 billion in Airport Improvement Program (AIP) funds. The bill is expected to go directly to conference; however, legislation will not be passed until at least the week of November 14 since the House is in recess next week.

In September, the Senate Committee on Appropriations approved a transportation bill (S. 1596) and the amounts included in the minibus are comparable to those figures (see *Legislative Update*, October 7, 2011). The minibus recommends a total of \$9.7 billion for FAA operations, including \$7.6 billion for the Air Traffic Organization (ATO) and \$1.3 billion for aviation safety activities, \$2.6 billion for facilities and equipment, and \$157 million for research, engineering and development. The House version of the bill has only passed the House Transportation, Housing and Urban Development, and Related Agencies Subcommittee.

House Democratic Whip Steny Hoyer (D-Md.) anticipated on Wednesday that the minibus will be combined with another temporary spending bill to keep the government funded when the current continuing resolution expires on November 18. It is predicted that the next continuing resolution will run through mid- to late-December.

HOUSE COMMITTEE APPROVES LEGISLATION IMPACTING FEDERAL EMPLOYEES

This week, House members marked up two pieces of legislation that would affect federal employees. The Reducing the Size of the Federal Government Through Attrition Act of 2011 (H.R. 3029) requires the Office of Management and Budget (OMB) to reduce the federal civilian workforce by 10 percent through attrition before September 30, 2014. The bill instructs agencies and departments to only hire one federal employee to replace every three workers who retire or leave their job, making exceptions for certain national security concerns or any event that threatens public health or safety. Rep. Mick Mulvaney (R-S.C.), who sponsored the bill, estimates that the legislation will save \$139 billion over the next decade. The legislation, which was amended to include reductions to the contractor workforce as well as government employees, passed the House Oversight and Government Reform Committee on Thursday despite concerns voiced by Democrats on the committee. “Cutting the federal workforce does not diminish the demand for taxpayer services,” said Ranking Member Elijah E. Cummings (D-Md.), who also emphasized that across-the-board cuts would hinder the ability of agencies to fulfill their duties and service to Americans.

Other members of Congress have also objected to the legislation. “I oppose today’s efforts by House Republicans’ on the Committee on Oversight and Government Reform to greatly decrease the federal workforce, a ploy to once again make federal employees a scapegoat for spending,” said Rep. Steny Hoyer (R-Md.). “These hard-working Americans make critical contributions in service to our nation and its citizens every day, and they have already sacrificed greatly to put our nation on sounder fiscal footing, including a 2-year pay freeze that will save \$60 billion over ten years. As we work on a plan for deficit reduction, I will continue supporting efforts that benefit the taxpayers and fighting for federal employees to ensure that they are not singled out to sacrifice more than their fair share.”

The House Oversight and Government Reform Committee also approved the Whistleblower Protection Enhancement Act (H.R. 3289), which would expand whistleblower protection to federal employees who disclose government agency and department abuse or fraud. The bipartisan-supported bill would, among other things, close the loopholes in existing whistleblower protection law and prevent agencies from using security labels such as “classifiable” to gag whistleblowers. During markup, the committee rejected an amendment from Rep. Bruce Braley (D-Iowa) that would have given federal and contract whistleblowers the right to a jury trial if they are retaliated against for exposing waste, fraud and abuse. Similar legislation approved by the Senate last month (S. 743) includes the right to a jury trial. PASS will continue working with other organizations to fight against arbitrary cuts to the federal employee workforce and strengthen whistleblower protections.