



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

June 11, 2003
(House)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 2115 -- Flight 100 - Century of Aviation Reauthorization Act

(Rep. Young (R) Alaska and 3 cosponsors)

The Administration supports House passage of H.R. 2115, The Flight 100 - Century of Aviation Reauthorization Act. Like the Administration's proposal, H.R. 2115 would authorize the aviation programs for four years without increasing taxes or fees on an industry that has been severely impacted by the attacks on September 11, 2001.

However, the Administration strongly opposes provisions in H.R. 2115 which would:

- Restrict the Department of Transportation's ability to manage the air traffic control system by prohibiting the conversion of government-provided air traffic control functions to the private sector. Such restrictions are unnecessary and would hinder the ability of the Federal Aviation Administration (FAA) to manage the air traffic control system. If the final legislation includes provisions that would inappropriately prohibit the conversion of FAA facilities or functions from the Federal Government to the private sector, the President's senior advisors would recommend that he veto the bill.
- Require that an impasse in labor negotiations between the FAA and National Association of Air Traffic Specialists be referred to the Federal Service Impasses Panel to be resolved by binding arbitration. The original reasons for deciding how such impasses should be resolved have not changed, and there is no reasonable basis for modifying this procedure for a single instance of collective bargaining.
- Grant to certain Federal employees who have ceased to be air traffic controllers the same preferred retirement benefits that air traffic controllers receive.

The Administration will work with Congress to ensure, in the version of the bill presented to the President, that: (1) spending during the authorization period conforms to the amounts requested by the Administration; (2) environmental streamlining provisions include safety projects and are optimized to promote their intended goals; (3) the ability of the Transportation Security Administration to take action against security threats is not hindered by excessive layers of review; (4) the Aviation War Risk Insurance program remains focused on aircraft used to support U.S. military and foreign policy objectives; (5) no provisions could be perceived as contrary to the trade policy or obligations of the United States; (6) the ability of airports to use Airport Improvement Program grants for security-related replacements of baggage conveyors or

reconfigurations of baggage areas is not curtailed; (7) entities are not made eligible for grants or other compensation solely because they incurred costs to comply with Federal security requirements; (8) the appointment of members and the operation of any committees or commissions created by the bill are consistent with the appointments clause of the Constitution and the President's constitutional authority to supervise the unitary executive branch and make recommendations to Congress; (9) provisions regarding the use of space by the FAA at airports do not impose costs which preclude the continued provision of essential services by FAA; (10) any provision for airline collaboration or coordinated capacity reduction preserves competition to the maximum extent possible; (11) the existing program protecting airline employees who provide safety information is not encumbered with unnecessary provisions that permit complainants to pursue duplicative litigation before an administrative tribunal and then a second time before a federal court; and (12) mandates which might interfere with the FAA's ability to optimize its organization are minimized.

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