

# Memo

To: Kate Breen, NAATS President  
From: Wally Pike, Congressional Affairs  
CC: file  
Date: October 28, 2005  
Re: Update

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The House amendment to restrict funding for the Lockheed award is effectively dead. However, the joint House/Senate conference on HR 3058 must still consider the House wishes in resolving the differences between the bills. Our position in congressional meetings now is that the Senate amendment is weak by comparison to the House version. The conferees therefore have to adopt an amendment with broader coverage than that contained in the Senate bill. As these discussions have evolved some language has been circulated and I've attached it to the end of this update. Please understand this is just the latest iteration of a work in progress. It's not certain that any of these changes will be adopted. It is also recognized that this language is inadequate in certain areas. We are continuing to try to increase the coverage with discussions about guaranteed federal retirement for all FSS employees transferred to Lockheed, removal of the age retirement requirement, expanding the entitlement from 2 to 5 years, etc. As of this time we have not been successful in getting much interest from congressional staffers to seriously consider these changes with the noted exception of the 1.7% calculation correction. In fact, it appears that some key staffers are now responding to constituents only. I'll continue to do what I can here but, if our members have particular changes they want to see, I can't emphasize strongly enough that they need to contact their congressional representatives as soon as possible.

The best guess on the HR 3058 conference timing is the week of November 7; in other words shortly before the CR ends. The Senate has named its conferees: Bond; Shelby; Specter; Bennett; Hutchison; DeWine; Brownback; Stevens; Domenici; Burns; Allard; Cochran; Murray; Byrd; Mikulski; Reid; Kohl; Durbin; Dorgan; Leahy; Harkin; Landrieu; Inouye.

The House has yet to name its conferees but the Appropriations Transportation Subcommittee members are: Knollenberg, Wolf, Rogers, Tiahrt, Northup, Aderholt, Sweeney, Culberson, Regula, Lewis, Olver, Hoyer, Pastor, Kilpatrick, Clyburn, Rothman, and Obey.

If our members are constituents of one of these it's important that they continue to contact the congressional member and/or their staff to press our issue. I'll keep you informed of any developments.

**Amendment 2150 Revision:**

At the appropriate place, insert the following:

SEC.\_\_\_\_\_. This section shall apply to an employee of the Federal Aviation Administration, who\_\_\_\_\_

- (A) would be involuntarily separated as a result of the reorganization of the Flight Services Unit following the outsourcing of flight service duties to a contractor;
- (B) was not eligible by October 3, 2005 for an immediate or early retirement under the provisions of the Federal Employees Retirement System (FERS) or an optional or special optional retirement under the provisions of the Civil Service Retirement System (CSRS); and
- (C) Assuming continued Federal employment, would attain eligibility for an immediate or early retirement Federal Employees Retirement System (FERS) or an optional or special optional retirement under the Civil Service Retirement System (CSRS) under section 8336(d) or 8414(b) of title 5, United States Code. For purposes of this legislation discontinued service is not considered a retirement option
- (D) Amend the FERS provisions in 5 USC 8412(a), by amending PL 108-176, Section 226 (e), adding after 2109(1)(A)(i) the following: “or 2109(a)(1)(A)(ii)”.

(Pick up balance of original amendment from Line 8.)