

**F**rom ALPA's earliest days, the union's leaders have realized that developing a relationship with elected officials has been critical to the Association's future success. Capt. Dave Behncke, ALPA's founding father, reached out through his friend, New York City Mayor Fiorello Henry La Guardia, to build a bridge to Franklin D. Roosevelt's administration.

Over the decades, many of ALPA's successes have been built on that kind of relationship. The events of 9/11 and the ensuing blows suffered by pilots have made even more clear how much sway government has over pilots' lives.

Against this backdrop, the Association is

launching its Decision 2008 campaign, which will contain a mix of airline pilot polling, a series of articles outlining key issues affecting the airline piloting profession, and statements from announced candidates from both major U.S. political parties.

**M**uch is at stake in these upcoming elections, as the future U.S. president and Congress will grapple with reforming safety regulations, pressures to permit foreign ownership and control of U.S.-based airlines, and an aging airport and air traffic control infrastructure.

In the following pages, *Air Line Pilot* shares

# DECISION 2008

## THE PILOT AGENDA



Hillary Clinton



John Edwards



Dennis Kucinich



Barack Obama

the responses from the presidential candidates had received as of press time.

**T**his article includes a section (page 17) on polling data gathered in August 2007 from a representative sample of U.S. ALPA members as an informational tool to determine whether to endorse a candidate and, ultimately, inform and encourage pilots to participate in the upcoming election. Many of the priorities pilots listed as most important to them will be explored in *Air Line Pilot* articles throughout 2008. Additional pilot polling will be conducted, and ALPA will continue to inform members, keeping them apprised of election-related issues and events.

What the Executive Board will do in May on endorsing a presidential candidate is not now known. With or without that endorsement, ALPA pilots will have the opportunity to become informed about the airline pilot agenda as a part of their overall voting decisions in November. Whether pursuing collective bargaining or influencing government to support pilot-friendly regulations and legislation, ALPA's success depends on member unity.

ALPA pilots must determine what is in their best interests as they consider endorsing a presidential candidate for the 2008 elections and communicate their priorities through their elected ALPA leaders and future pilot surveys. 🌐

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## 2008 PRESIDENTIAL QUESTIONNAIRE

**T**his year's campaign for U.S. president is under way, and for the first time since 1928, both major political parties will have open contests for the presidential nomination *without a sitting president or vice-president in the running*. But that's not the only difference in the 2008 presidential campaign.

This race for the White House began earlier than ever, with more than half a dozen politicians announcing their candidacy (or forming exploratory committees to begin raising money) in 2006—almost 3 years before the election. Plus, candidate debates in both parties have been held nearly every week since summer 2007, and we're still 10 months from November 4, Election Day.

States have been jockeying for months to move their primaries or caucuses earlier in the year to become more relevant in the nominating process. The earliest caucus (Iowa) is scheduled for January 3, and the first primary (New Hampshire) is set for January 8. As a result, the nominees for both the Democratic and Republican parties will likely be known, for the first time, by the first week of February—nearly two months earlier than in 2004 and earlier than in any modern-day presidential campaign.

But timing is not the only difference this year. Experts predict that the 2008 campaign will be the first billion-dollar presidential race. Yes, that's billion with a "b." Add to that expected advertising costs of more than \$3 billion for the '07-'08 election cycle, and we will have not only the *longest* presidential campaign in U.S. history but also the *most expensive*.

ALPA sent a letter on Sept. 13, 2007, to the 16 declared presidential candidates from the Democratic and Republican parties, giving each an equal opportunity to address six questions concerning areas of crucial interest to our members. Four candidates—Hillary Clinton, John Edwards, Dennis

Kucinich, and Barack Obama—responded as of press time. Rudy Giuliani and Mitt Romney declined the invitation to respond, and the following candidates had not responded as of press time—Joe Biden, Chris Dodd, Mike Gravel, Mike Huckabee, Duncan Hunter, John McCain, Ron Paul, Bill Richardson, Tom Tancredo, and Fred Thompson.

The responses of the four candidates who chose to reply to the questionnaire are reprinted here in their entirety in alphabetical order by last name. **This information—and much more—is also available on the new Decision 2008 website found at [Crewroom.alpa.org](http://Crewroom.alpa.org).** You can connect to each of the candidate's campaign websites there, too. Be sure to sign onto Decision 2008 often, as ALPA plans to keep up-to-date information about the 2008 federal elections posted on that site throughout the year.

We hope that this information will provide you with a clear understanding of where each of these candidates stands on these critical ALPA issues and that you will use this material in developing your personal opinions of the candidates. 🌐

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### CABOTAGE

Long-standing U.S. aviation law reserves U.S. domestic point-to-point service, or "cabotage," to airlines owned and controlled by a U.S. citizen. For example, a European airline is prohibited from providing domestic point-to-point service between Los Angeles, Chicago, and Washington, D.C. This

law ensures that foreign airlines cannot operate in the U.S. domestic market while subject to foreign laws such as tax and labor laws. In this respect, the law ensures that the airline industry is treated like every other industry. For example, if a foreign automobile company wishes to establish a sales dealership in the United States, it is required to set up a U.S. subsid-



ary. This law protects the U.S. airline industry from unfair competition.

Do you believe this policy should be: Relaxed; Maintained; Strengthened; Eliminated; Unsure—Please explain your reasoning for your position.

**HILLARY CLINTON:** I believe that cabotage has to be maintained. When I am President, I will ensure that U.S. domestic point-to-point service is reserved for airlines owned and controlled by U.S. citizens and that any future Open Skies agreements in my Administration will maintain current ownership requirements for U.S. airline companies. Open Skies agreements have had a positive impact on our economy by providing lower fares and more frequent flights to consumers due to industry competition.

**JOHN EDWARDS:** Maintained. I support maintaining strong airline cabotage laws. Maintaining a strong and safe domestic aviation industry is essential to the economic and national security of the United States. The U.S. air travel marketplace is roughly half the world's market and supports tens of thousands of good union jobs.

**DENNIS KUCINICH:** Strengthened. Creating and preserving American jobs for American people has always been at the forefront of everything that I do. Part of upholding this priority includes maintaining our own market for domestic point-to-point service and thereby restricting cabotage rights to American airlines only.

Since the crisis our country endured due to the attacks of September 11, the American airline industry and its employees need the federal government to strengthen its commitment to protecting them as they are vital to the overall success of our entire economy.

With me as your president, that commitment will be bolstered under my administration.

**BARACK OBAMA:** Maintained. I support upholding current cabotage laws.

## FOREIGN CONTROL & OWNERSHIP

U.S. law and regulations limit voting stock ownership by a foreign entity in a U.S. airline to 25 percent and mandate that U.S. citizens exercise “actual control” over the airline. The Bush administration recently signed a new air services agreement with the European Union that could be read to permit foreign interests greater control over key operational elements of U.S. airlines and sets the stage for further liberalization in the near term. ALPA is concerned that U.S. labor laws would not provide adequate protection to U.S. flight crews if the operations of a U.S. airline were under the control of a foreign airline or a corporate affiliate of a foreign airline.

Will you oppose or support a proposal to allow foreign interests to control U.S. airlines? Oppose; Support; Unsure—Please explain your reasoning for your position.

**HILLARY CLINTON:** As I stated above, when I am President, I will ensure that any Open Skies agreements maintain current ownership requirements for American airline companies. I will also ensure that they contain signifi-

## QUESTION: MANY OF THE FAA RULES ON MAXIMUM FLIGHT TIMES HAVE NOT BEEN UPDATED FOR DECADES AND DO NOT PROVIDE ADEQUATE PROTECTION AGAINST FATIGUE. IF YOU ARE ELECTED, WILL YOU TAKE ACTION TO UPDATE THESE RULES TO PROVIDE ADEQUATE SAFEGUARDS AGAINST PILOTS FLYING FATIGUED?

cant labor protections. I believe that unions should have full participation during Open Skies agreements negotiations, which has not been the case under the Bush administration.

**JOHN EDWARDS:** Oppose. Maintaining a strong and safe domestic aviation industry is essential to the economic and national security of the United States. It was wrong for the Bush administration to try to turn over our ports to foreign ownership—and it would be just as wrongheaded to do the same with our skies. Our experience with terrorism and with misguided trade policies that put the interests of multinational corporations ahead of working families should inform our policymaking in this area.

**DENNIS KUCINICH:** Oppose. Part of my plan to reinforce the American airline industry is to limit the control of U.S. airlines in an effort to combat the threat of workers’

rights violations against our flight crews. Because foreign control of airlines may set the stage for U.S. labor laws to not be adequately enforced, I am in full support of any proposal that mandates the “actual control” of airlines by American citizens and investors—and to prevent any foreign entities from taking steps to dominate their influence on voting stock ownership.

**BARACK OBAMA:** Oppose. I believe that ALPA has legitimate concerns about the liberalization of control of U.S. airlines, and I will work to ensure that foreign investors remain minority shareholders in U.S. airlines.

## PILOT FATIGUE

Airlines are operating at minimum staffing levels for pilots; this requires pilots to fly longer hours and be on duty for as long as 16 hours a day for several days. As a result, fatigue has become a major issue for flightcrew members and the traveling public, and the NTSB has recommended that the flight time rules be revised. Many of the FAA rules on maximum flight times have not been updated for decades and do not provide adequate protection against fatigue. If you are elected, will you take action to update these rules to provide adequate safeguards against pilots flying fatigued? Yes; No; Unsure—Please explain your reasoning for your position.

**HILLARY CLINTON:** I believe it is important that all American employees are safe and protected when they are at work. Throughout my career in the Senate, I have introduced legislation—including the Protecting American Workers Act and the Federal

# ALPA PILOTS TAKE STOCK OF THEIR ELECTION PRIORITIES

The airline piloting profession and the economy topped concerns about the Iraq War, taxation, and social issues in a poll of U.S. ALPA members, conducted to assess their priorities for the upcoming U.S. presidential elections. These views reflect a shift in how pilots look at their jobs and ALPA's influence in Washington, D.C.

"This is the first time in the 20 years that we've polled ALPA members that we've seen a significant shift in views of politics, political issues, and political candidates," Phil



**Phil Comstock**

Comstock, president of the Wilson Center for Public Research, told the ALPA Executive Board during its October 2007 meeting. "Your members are reevaluating what's important for America."

As an integral step in the ALPA presidential endorsement process, the Wilson Center contacted a representative cross section of 600 U.S. ALPA members in late August 2007 to help the Association determine if it will endorse a candidate and, if so, what the endorsement criteria will be.

"The events in the past half-dozen years have intensified ALPA members' focus on their jobs and on government's influence over the airline piloting profession," Comstock said.

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This focus was evident as participating pilots, when confronted with a list of 25 wide-ranging issues, ranked foreign control of airlines, airport access, terrorism, honest government, and flight time/duty time (fatigue) as their first five priorities. Rounding out the top 10 were cabotage, the economy (jobs), the Iraq War, taxes, and cargo security.

The Wilson Center president said, "We gave (the pilots) a huge laundry list of issues. They could have said, 'Yes, every one of them is especially important.'" However, they didn't. In fact, the pilots identified broader concerns like crime, health care, and immigration as having less importance to them. Comstock noted that ALPA members participating in previous polls have given social issues, taxation, and national defense more attention.

Today's members also appear to be less stratified when it comes to party affiliation. "In 1996, three out of four ALPA members either very strongly or moderately strongly identified with the Republican Party," Comstock noted.

As of August 2007, more than 55 percent considered themselves independents leaning toward a particular party or demonstrating no predisposition. However, 71 percent said that they are "very much" interested in which presidential candidate will be elected, and this fig-

ure expands to 95 percent if the moderately interested are included. Likewise, more than 85 percent said that they would be interested to hear what the current presidential candidates think about pilot-specific issues.

"It is too early to say which presidential candidate will garner the most support among ALPA members," Comstock said. "But the candidate who is viewed as being most in touch with the issues and concerns of the airline piloting profession will probably have a distinct edge."

ALPA pilots recognize the magnitude and relevance of legislation as it applies to work-related issues. A majority felt that ALPA is able to influence airline pilot-related legislation. More specifically, nearly 85 percent of the pilots polled acknowledged that the laws passed by Congress have significant repercussions for the airline piloting profession, and more than 95 percent recognized the value and importance of ALPA's ongoing lobbying efforts.

ALPA pilots believe that the political party in control of the White House and/or Congress influences the Association's ability to press for favorable pilot legislation and regulation. Members also recognize that ALPA's level

**MORE THAN 95 PERCENT OF THE PILOTS RESPONDING TO THE POLL RECOGNIZED THE VALUE AND IMPORTANCE OF ALPA'S ONGOING LOBBYING EFFORTS AND THAT ALPA'S LEVEL OF INFLUENCE IS DIRECTLY RELATED TO VOLUNTARY DONATIONS THROUGH THE ALPA-PAC PROGRAM.**



of influence is directly related to voluntary donations through the ALPA-PAC program.

All members who participated in the poll were selected at random. To further increase accuracy, the sample was taken in proportion to the distribution of ALPA members by airline, seat position, age, and whether they contributed to ALPA-PAC. The poll results have a sample margin of error of plus or minus 4 percent.

Comstock's entire presentation may be viewed at [Crewroom.alpa.org](http://Crewroom.alpa.org), under the Spotlight section. 🔗



Mine Safety and Health Act—to increase work-place safety for all Americans. When I am President, I will work to ensure that our pilots are not forced to work under unfair and unsafe conditions. When pilots fly fatigued, they put their safety and those of their passengers at risk.

**JOHN EDWARDS:** Yes. As president, I will initiate a wholesale review of maximum flight time rules to ensure that changes in working conditions are not creating risks to passenger safety.

**DENNISKUCINICH:** Yes. Article 24 of the United Nations' Universal Declaration of Human Rights affords all of us the "right to rest and leisure, including reasonable limitation of working hours." With the recent National Transportation Safety Board's recommendation to revise the outdated FAA rules on maximum flight times, our flightcrew members and airline passengers are put at risk because of pilot fatigue—through no fault of the pilots themselves. As president of the United States, as well as being one of the only members of Congress who flies commercial airlines as opposed to chartering private jets, I will take direct action to update these rules to ensure the safety of air travelers like me, my family, and all other Americans everywhere.

**BARACKOBAMA:** Yes. I support NTSB and FAA efforts to strengthen airline safety, a critical component of which is ensuring that flight crews are not overworked. My ad-

ministration will take this important issue seriously.

## BANKRUPTCY REFORM

In the 1984 *Bildisco* case, the Supreme Court ruled that an employer could walk away from collective bargaining agreements after a bankruptcy filing without first making any showing of necessity. In response to that decision, Congress established procedures to protect the rights of workers by creating Section 1113 of the bankruptcy code, which requires good-faith bargaining between management and labor to obtain needed concessions. Failing that, a company could then impose only those concessions that were truly needed to ensure its survival.

In recent years, airline managements, with the blessing of bankruptcy judges, have turned this process on its head and have used it to unfairly gut the wages and working conditions of employees. Even profitable companies have successfully used the bankruptcy process to impose pay cuts of 20 percent or more and to eliminate defined-benefit pension plans. Furthermore, bankruptcy judges and federal courts have held that employees must accept these unilateral changes to the collective bargaining agreements and may not strike or take any other form of self-help in response.

Will you support or oppose legislation that would restore the original intent of Section 1113 of the bankruptcy code? Support; Oppose; Unsure—Please explain your reasoning for your position.

**HILLARY CLINTON:** I believe that we need to examine our bankruptcy code to en-

## QUESTION: IF YOU WERE ELECTED PRESIDENT, WOULD YOU ENSURE THAT THE NATIONAL MEDIATION BOARD APPROPRIATELY USE THE RAILWAY LABOR ACT PROVISIONS AND ITS AUTHORITY TO CONCLUDE NEW CONTRACTS?

sure that companies are not using bankruptcy to get out of their obligations to workers. I know that bankruptcy is an unfortunate fact of life for some struggling companies. But when a company runs into hard times, we need to give workers and retirees a fair chance to negotiate for the benefits they've earned. That's why I have co-sponsored comprehensive legislation that would amend Section 1113 to restore balance in the treatment of workers when companies go bankrupt.

**JOHN EDWARDS:** Support. I support legislation that would address all of these concerns. I support corporate bankruptcy reform to protect workers' pensions. Corporate executives should not be able to walk off with millions while the retirement security of rank-and-file workers is put at risk. We need to reform the bankruptcy laws so that companies can't use them as a threat and a shield to cut off obligations to workers. And when workers do see their rights being taken away from them by a bankruptcy filing, they have to be able to strike as a last resort.

**DENNIS KUCINICH:** Support. The original intent of Section 1113 of the bankruptcy code was to protect the interests of workers, and to help facilitate bargaining efforts. I am very much in support of upholding this primary focus of Section 1113 and, as president, will help lobby any legislation proposed to Congress regarding this issue.

**BARACK OBAMA:** Support. I strongly support restoring the original intent of Section 1113, which is why I've worked with Senator Durbin on the Protecting Employees and Retirees in Business Bankruptcies Act of 2007, which was recently introduced in the U.S. Senate. This legislation would strengthen Section 1113 and provide employees more rights during the bankruptcy process.

## PENSION REFORM & PROTECTION

As a result of the many bankruptcies in the airline industry since 9/11, pilots of US Airways, United, Aloha, and Delta have had their defined-benefit pension plans terminated and the remaining assets turned over to the Pension Benefit Guaranty Corporation (PBGC). Even worse, those pilots are paying a double penalty. Not only have they lost the pensions they accrued, but they also do not receive the maximum guaranteed benefit payable by the PBGC at their normal retirement age.

ERISA defines the "normal" retirement age for payment of the maximum benefit to be age 65. Anyone who retires before 65 has his or her benefit actuarially reduced and thereby receives a lower benefit pay-

ment in perpetuity. An airline pilot is mandated by federal aviation regulation to retire at age 60. Therefore, a pilot's "normal" retirement age is not 65, as defined by ERISA, but rather 60, as mandated by the FAA. Legislation has been introduced in the 110th Congress to correct this problem, S.1270 and H.R.2103. Would you support or oppose enactment of this legislation? Support; Oppose; Unsure—Please explain your reasoning.

**HILLARY CLINTON:** When pilots are forced to retire at age 60, they are often placed in a financially difficult position. That's why I voted for an amendment to the Pension Security and Transparency Act of 2005 that would have computed the actuarial value of monthly benefits in the form of a life annuity commencing at age 60 for certain airline pilots. That language made its way into final legislation, but was stripped out in conference. When I am President, I will continue to work to get this reform enacted into law.

**JOHN EDWARDS:** Support. I support the Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act. Every American is entitled to retire with dignity. It's not fair to punish one class of employees and reduce the value of their pensions because of rules imposed upon them for an entirely unrelated purpose.

**DENNIS KUCINICH:** Support. It's almost criminal to think that many of our esteemed airline pilots are losing the pensions they have accrued over their years of service, and it's due to an inherent flaw between the defini-

tions of "normal retirement age" as determined by the Employee Retirement Income Security Act and the federal aviation regulations on retirement. ERISA defines retirement at 65 for maximum pension benefits, yet the FAA mandates retirement at 60, leaving our pilots in limbo. I absolutely support the legislation to correct this problem, and I am proud to have my name attached as a sponsor of H.R.2103 in Congress, which will help solve this pension crisis. Right now, I am currently working to push this bill through the preliminary House Subcommittee on Health, Employment, Labor, and Pensions. As your president, I will continue this fight.

**BARACK OBAMA:** Support. I am a proud original cosponsor of S.1270, and I strongly support correcting this inequity in our pension system.

## COLLECTIVE BARGAINING

A number of pilot groups represented by ALPA have been in negotiations for as long as 5 years for a new and fair labor agreement. The National Mediation Board (NMB) has the authority under the Railway Labor Act (RLA) to declare if and when negotiations have reached an impasse, thereby beginning a 30-day cooling-off period. If there is no agreement between the two parties at the end of the period, either party can reject an NMB offer to arbitrate the dispute and pursue self-help. Declaring an impasse and imposing a deadline at the end of the cooling-off period is often necessary to motivate the parties to reach an agreement. The Bush administration—through the

NMB—has consistently refused to use this critical provision of the RLA and denied employees the ability to strike to obtain a new and fair labor agreement in a timely manner.

If you were elected president, would you ensure that the NMB appropriately use the RLA provisions and its authority to conclude new contracts? Yes; No; Unsure—Please explain your reasoning.

**HILLARY CLINTON:** I believe that employees should have the right to strike to obtain new and fair labor agreements in a timely manner. That's why I support applying the Railway Labor Act in a fair and evenhanded manner and using its full range of authority during labor disputes. I have been proud to stand with organized labor whenever I was called, and I fully support the right to organize and bargain collectively for a better way of life, higher wages, quality health care, and a secure retirement.

**JOHN EDWARDS:** Yes. It's not surprising that the National Mediation Board has failed to do what it's supposed to do—help labor and management reach fair contract settlements that provide decent wages, benefits, and job security. Working Americans and the organizations that represent them have been on their own for too long. Working people today need a president—finally—who will stand up for them.

Standing up for workers means interpreting our labor laws the way they are written. If there is a genuine impasse in negotiations, the NMB should say so. And by the way, if workers do need to go on strike, their employers should be prohibited from hir-

ing permanent replacements. To this day, my wife, Elizabeth, refuses to call the airport in Washington, D.C., Ronald Reagan Airport. The president who destroyed the air traffic controllers union has no right to have his name on National Airport.

As president, I will appoint to the National Mediation Board Americans who are committed to protecting the collective bargaining rights of working families.

If you want to know what kind of people I will have running my administration, look at who is running my campaign—former Congressman David Bonior, who happens to be a member of the AFT and who's been fighting for working families his entire life.

**DENNIS KUCINICH:** Yes. The National Mediation Board has an obligation to the working American public to intervene in labor negotiations disputes—but to intervene with fairness. This means that the NMB must appropriately use the provisions of the Railway Labor Act, and one of those provisions is the workers' right to strike in an effort to obtain fairer labor conditions. Being a member of a union myself, I fully understand the importance of pursuing all viable options with negotiated labor agreements; and as president of the United States, you can rest assured that I will do everything in my power to mandate that the NMB recognize and adhere to the RLA.

**BARACK OBAMA:** Yes. I will restore the meaning of U.S. labor protections and laws, including the Railway Labor Act, and reverse the dangerous actions of the Bush administration. 🗳️