



# The Four Winds

National Weather Service Employees Organization

May 2006

## NWSEO Fights to Save the Center Weather Service Units

The Federal Aviation Administration (FAA) continues undaunted in their quest for reduced funding or outsourcing the Center Weather Service Unit (CWSU) program, placing the lives of aircraft passengers and crew beneath that of the almighty dollar. How much does the FAA stand to gain by reducing the budget reserved for the CWSUs? The answer to this query is as staggering as the prospect of putting lives in unnecessary jeopardy: **a mere six hundredths of one percent of the FAA budget!**

So, for this paltry **.06%** savings in their budget, the FAA is willing to place the safety and optimal routing of aircraft in limbo, not to mention the jobs of eighty four National Weather Service (NWS) meteorologists employed at the CWSUs. “What are they thinking?” and “Do they know what they’re doing?” are common questions uttered by many affected by this budget driven fiasco.

In such times as these where much has been spent to protect aircraft operations from nefarious activities, why does the FAA blindly desire to let Mother Nature add further danger to the skies? As a matter of fact, the CWSU program was founded **by the FAA** due to a tragic aircraft accident which was caused by inclement weather! As a direct result of a National Transportation Safety Board (NTSB) examination of the tragedy, the FAA contracted with the NWS for twenty one CWSUs to be placed at each of the Air Route Traffic Control Centers (ARTCC).

In the past, the FAA understood what the importance of what the NTSB told them: that face-to-face on-site meteorological support was **vital** to air traffic control officials. This on-site meteorological support has undoubtedly saved countless lives and resulted in immeasurable savings to the economy. However, at some point the FAA forgot what they learned from the NTSB and other mishaps. They have forgotten how the CWSUs have been a factor in the prevention of the unnecessary loss of life, not to mention expenses.

Now the FAA wants to scale back or even possibly contract out this life saving function of NWS meteorologists, possibly to **an offshore company!** Brace yourselves, but this isn’t even the first time that the FAA has tried to cut the CWSU program. This time, the FAA tried to make a solid case for the cuts by hiring the *Booz Allen Hamilton* consulting firm to assess the CWSU program. While the FAA must have felt confident that the firm would find in their favor, to their chagrin the opposite occurred.

The *Booz Allen Hamilton* firm conducted an Activity Value Analysis of CWSUs in January, 2006. The analysis confirmed the need for **face-to-face weather support**. The report concluded that all seven ARTCCs that participated in the study desired to **retain an on-site CWSU and face-to-face interaction with meteorologists rather than rely on remote briefing**. “Most insisted on the availability of an on-site meteorologist for on-demand consultations and verbal updates, especially during periods of convective activity.” The survey team “found that the majority of the customers considered the services of the CWSU meteorologists highly valuable and expressed sensitivity to any actions that might terminate or severely alter the delivery methods of these services.” The report also concluded that “due to the unique weather conditions, the CWSUs local knowledge of the environment is important to their customers to maintain the quality of service.”

Yet the FAA persists in their misguided desire to save money and put Americans lives in jeopardy by insisting on the removal of face to face meteorological support at the ARTCCs. This is so out of kilter with the FAA of the past, which even desired *increased staffing* at the CWSUs in 1981!

Since inception, the input provided by the CWSU meteorologists has resulted in savings to the economy through superior aircraft routes which save flight time, aircraft fuel and other associated costs. The innate common sense of the CWSU program aside, the potential for economic harm from disasters as well as weather related delays in air commerce will more than offset any savings from reducing staffing at the CWSU offices. The CWSU program was initiated for a *reason*, which was to improve air traffic safety and improve air traffic flow. Any degradation to this service will directly impact air traffic performance and safety in ways unacceptable to the American flying public.

What is NWSEO doing to stop this nonsense? The NWSEO has been working furiously on many fronts to reverse the FAA’s misplaced goal of cost cutting. Not to mention impacting the safety of the flying public, this fool hardy move by the FAA has the potential of affecting a *wide range of meteorologist positions across the NWS*.

Some of the recent NWSEO activities include:

- A joint letter that was sent to FAA Administrator Blakey by New Hampshire Senator Sununu and New Hampshire Congressmen Bass and Bradley.
- Coordinating a petition signed by over 230 FAA supervisors at the Boston, Atlanta, Miami, Kansas City, Houston, New York, Albuquerque, and Anchorage ARTCCs addressed to the NTSB to stop any plan to remove or consolidate the CWSUs.

- Meetings have been held on Capitol Hill with several key staff personnel from both majority and minority sides of the House Aviation Subcommittee. This committee is headed by John Mica of Florida with the Ranking Member (Senior Democrat) Jerry Costello of Illinois.
- A meeting was held with key minority staff members from a Senate subcommittee on aviation as well as the appropriations subcommittee for transportation
- A meeting was held at New Hampshire Congressman Bass' office with John Billings, the Legislative Director for the Congressman.
- Coordinating with our brothers and sisters in NATCA (National Air Traffic Controllers Association). During the recent NATCA annual convention held during the week of April 10th in Boston, all of the ARTCC Local Presidents and Vice Presidents who were present (twenty six in all) signed a petition letter to be addressed to the NTSB Acting Chairman.
- Locally and nationally, NWSEO has been in contact with Senator Nelson of Florida asking his assistance.

In addition, NWSEO General Counsel Richard Hirn has sent a scathing letter to the FAA Administrator (see the previous Four Winds with the April 7 letter) and another to the *Assistant Inspector General for Aviation and Special Programs*. These letters outlined the essentially illegal actions of the FAA to contract out the CWSU program and detail the laws and agreements which will be violated. Here are some excerpts:

- The NWS Organic Act, which vests with the Secretary of Commerce (who administers the NWS) the official responsibility for “the forecaster of weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation. 15 U.S.C. § 313.
- The Federal Activities Inventory Reform Act (FAIR) of 1998 which prohibits Federal agencies from contracting-out of positions and functions that are “inherently governmental in nature” such as those which “significantly affect the life, liberty or property of private persons.” NWS forecasters have always been exempt from contracting-out as “inherently governmental”, and the CWSU meteorologists are no exception. In fact, the 84 meteorologist positions at the CWSUs have been explicitly listed on the Department of Commerce annual FAIR Act inventory published in the Federal Register and submitted to OMB as “inherently governmental” and exempt from commercial sourcing. 31 U.S.C. § 501

- The Federal Aviation Act which mandates that the Secretary of Commerce, and not a private entity, “provide reports to the Administrator to persons engaged in civil aeronautics . . . that best will result in safety in, and facilitating, air navigation.” 49 U.S.C. § 44720(b)(2). The legislative history makes it clear that these “reports” are synonymous with “forecasts, warnings and advices.” House Rpt. 103-180. The Secretary of Commerce is also charged with “maintain[ing] meteorological stations and offices” necessary “to promote safety and efficiency in air navigation to the highest possible degree.” 49 U.S.C. § 44720(b)(1). The Center Weather Service Units satisfy this legislative mandate.

Despite the inherent common sense of the CWSU program, NWSEO still faces an uphill battle given the fierce determination of the FAA to save themselves a few bucks. This situation makes one wonder if the FAA can “see the forest through the trees.”

What can you do to help? Write your Congressman! NWSEO has created legislative alerts on our website in the Legislative Action Center that provide an editable message that you can send directly to your House of Representative and two Senators. Go there today and get our message out now.