



Transport Workers Union of America, AFL-CIO

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"AMERICA'S FIGHTING DEMOCRATIC UNION"

August 16, 2023

The Honorable Carlos Monje
Under Secretary for Transportation Policy
Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

RE: Request for Information on Advanced Air Mobility (DOT-OST-2023-0079)

Dear Under Secretary Monje,

On behalf of more than 155,000 members of the Transport Workers Union of America (TWU), I am pleased to send these comments regarding Advanced Air Mobility (AAM). The TWU is the largest U.S. airline union; our members operate and maintain nearly 50% of all public transit rides; and we are the largest union on Amtrak's Northeast Corridor. All of these workers and many others will be directly affected by the introduction and normalization of AAM.

The TWU believes that while AAM has great potential to be a significant advancement in technology, it is also an unproven transportation innovation that will require rigorous scrutiny and regulation by the US Department of Transportation (DOT), especially within the Federal Aviation Administration (FAA). We believe that the promises of the [DOT's Innovation Principles are essential to guiding the AAM industry towards positive outcomes](#). "[C]ommitting to the highest standards of safety", "empower[ing] workers and expand[ing] access to skills training, and the choice of a union", and "protect[ing] the interests of the public, workers, and communities" are essential policy requirements to developing an AAM industry that creates good, union jobs and expands opportunities for working families. Meeting these standards will require real, mandatory safety requirements for AAM companies, as well as clear, unambiguous mandates for worker engagement throughout the development process – both at the policy and implementation levels.

All AAM technology must be measured against the safety standards we have in place today. Even under the laboratory-like conditions AAM companies are testing these aircraft in today, [this equipment is crashing at a much higher rate](#) than traditional aircraft. While we would expect this rate to come down as the industry evolves, the DOT should never set standards based on hopes and anticipations. It must regulate the industry based on its true, current capabilities. Allowing a laissez-faire approach

to safety regulation would disincentivize AAM companies from achieving the high levels of safety we demand of our air system today.

In order to maintain safety standards in our airspace, as an initial matter, AAM should be required to import standards for maintenance and dispatching from the larger air system – which continues to be the safest mode of transportation ever. Additionally, the Department will need to address AAM in the context of the other existing modes already operating in the environments AAM seeks to serve: specifically those already served by public transportation and commuter rail lines. The TWU strongly believes that existing labor standards in these modes should never be weakened as new entrants integrate into the existing market – in many cases competing with federally funded infrastructure with well over a century’s-worth of public investment.

Maintenance Technician considerations

AAM aircraft present an increased risk to our transportation system due to maintenance issues. Lower flying aircraft operating closer to buildings and the ground have a reduced time period for pilots to overcome mechanical issues during flight. Additionally, it is likely that these aircraft will engage in significantly more takeoffs/landings than traditional aircraft; these critical phases of flight pose the highest risk of each flight, so increasing their relative number will also increase the overall risk of the operation compared to today’s air system. These concerns make the role of well-trained, certified maintenance technicians even more important to AAM than other existing operations.

There is no question, given this increased risk, that the workers maintaining and overhauling AAM aircraft must be required to possess traditional airframe and powerplant certifications from the Federal Aviation Administration (FAA) – potentially with additional certifications depending on how the technology develops. These certifications have proven to generate well-trained, safety-minded maintenance technicians. The certifications test the basic physics of flight – which will remain identical for AAM as other aircraft – as well as troubleshooting and component repair – skills which will be essential to building a competent technician workforce for the industry.

Furthermore, utilizing the same set of certifications will maintain existing labor standards in the industry. Qualified, certified mechanics would not need to work at low-wage firms seeking to undercut labor standards as long as their training qualifies them for better jobs at airlines or elsewhere. This approach would also help ensure that the existing work being done by the FAA and others to expand and diversify the maintenance technician pipeline also benefits this new industry instead of potentially requiring duplicative efforts.

The DOT must also ensure that regular preventative maintenance schedules are established and maintained by AAM companies. In many cases, these schedules will need to be different from the ones established for traditional airlines because of both different technology and more

strenuous use of takeoff/landing systems. While the TWU believes that safety management systems should eventually be required for all AAM operators, until these companies mature, the FAA will need to take a much stronger hand in the day-to-day oversight of these operations – especially with regard to scheduled maintenance.

Dispatcher considerations

As noted above, the increased risk associated with AAM necessitates more qualified personnel throughout AAM operations. Dispatching functions are one area where this is particularly true. Dispatchers maintain operational control of aircraft on the ground, handle flight planning, run weight and balance calculations, identify emergency landing sites, and otherwise ensure the safety of the aircraft from the ground in the same way pilots do in the air. For large scale commercial operations, they are essential to the safety of our airspace.

While smaller commercial aircraft operations governed under FAR Part 135 allow pilots to perform the responsibilities of a dispatcher,¹ many proposed AAM operations make that approach unreasonable or impossible. As indicated in the RFI, AAM developers are already marketing remotely piloted or autonomous aircraft for these operations. While the TWU believes it is unlikely that uncrewed aircraft will ever demonstrate a sufficient level of safety to carry passengers low to the ground in urban areas, such a possibility makes the role of dispatchers critical to overseeing safe operations. Certified dispatchers are required to keep aircraft grounded in unsafe weather conditions – a function that will become sacrosanct for AAM as these aircraft will have less ability to fly around adverse conditions; they redirect aircraft as needed to avoid potential hazards in-flight (an occurrence which could increase for AAM as they navigate through urban environments lower to the ground where smoke from fires, law enforcement cordones, and other traffic restrictions become more prominent to air users); these duties and others must continue to be vested in a licensed professional trained in and responsible for the safety of our airspace.

There is no question in our minds that AAM operations must be required to utilize certified aircraft dispatchers in order for this technology to be safe at any commercially viable scale.

Competition with existing modes

The federal government has invested trillions of dollars over more than 200 years into our nation's commuter railroads and public transportation systems. Until AAM becomes operational, these modes will have never had air competitors. The TWU believes that the DOT, as it declares in its Innovation Principles, must remain technology neutral in its work and ensure that AAM is not being preferenced over other existing modes of transportation in and around our cities.

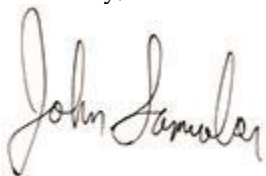
¹ We note that while part 135 operators are allowed to fly without a dispatcher, the largest part 135 operators all employ licensed dispatchers as part of their operations for both safety and efficiency.

Preferences can come in many forms including direct subsidies, more lenient safety expectations or certification requirements, and misapplication of existing federal standards. The TWU is particularly concerned that AAM effectively operating as public transit or as a commuter railroad will do so without the labor, environmental, and community standards common in those industries. Public transit workers, for instance, are protected by employee protective arrangements (49 USC 5333(b)) which prevent federal funding from undermining existing labor standards. Commuter rail workers are entitled to participate in railroad retirement benefits (which include sick leave and unemployment, as well as retirement benefits). These industries have developed around these standards which have helped ensure that the jobs in them are high-quality jobs. Allowing AAM operators to siphon passengers out of these modes without applying similar requirements will create perverse incentives to evade important obligations to workers and undermine labor standards across the entire transportation sector.

To the extent that localities and operators treat AAM as equivalent to public transportation or commuter rail service (i.e., if a public transportation authority oversees AAM service), the appropriate modal expectations must be in place to maintain labor and other standards even if such a standard is not part of the FAA's regulations. While the TWU believes that AAM's safety overseer should be the FAA, the reality of the operating environment these aircraft will be within requires the full participation of the Federal Railroad Administration (FRA) and the Federal Transit Administration (FTA) to adequately regulate this new technology.

The TWU appreciates that the Department has taken the lead on this vital issue and plans to develop a framework to govern all of its modal agencies' work to regulate, oversee, and integrate AAM into our transportation system. We look forward to working closely with you to ensure that AAM is developed in a safe, pro-worker way which expands access to transportation across the country and retains and creates high-quality jobs.

Sincerely,

A handwritten signature in cursive script that reads "John Sameulsen". The signature is written in black ink and is positioned above the printed name.

John Sameulsen
International President