

SPC UPDATE, Dec. 21, 2007

To all:

I will try to make this as short as possible. As you all know the Congress passed HR-4343, one of the worst pieces of legislation in history, which was signed into law. The wording of that legislation was intentionally changed to preclude any pilot from having their constitutional right to the judicial system. In a Dec. 19th article in Roll Call the spokesperson for Congressman Oberstar gives FULL admission to the discriminatory nature of this legislation and justifies its being to support the demands of the air carriers and "their allies". We all know who the allies are.

Congress may pass bad legislation, and the FAA may apply an even more uneven application as they now have, but that does not mean the legislation will stand the test of the courts. This legislation was designed to deny your rights as a U.S. citizen. That is fully admitted by those that drafted these illegal provisions. The age change has happened and there is no going back. We fully intend to overturn this legislation in the courts and strike it from the law. To that end there are numerous grounds of violation contained in HR-4343; not the least of which are denial of due process, unequal treatment under the law and a constitutional provision which strictly prohibits a Bill of Attainder. As in the case before the U.S. Court of Appeals, Professor Jonathan Turley will be representing your interests before the court. He has a remarkable record of overturning unjust laws created in Congress.

The preparation of this court challenge has been under way since the bill was released in the House under rules designed to avoid any scrutiny of this gross miscarriage. Many Congressional offices even feel they were misled as to the intent and content. We have the full support of veteran organizations which have joined us and have approached various air carriers to join the suit to overturn this law. Hopefully they will do just that.

This action is open to ALL, and every pilot whether you aligned yourself with the SPC, PPF, APAAD or no group has a responsibility to object to Congress stripping your constitutional rights at the request of the air carriers and "their allies". If you were APAAD and lobbied the Congress for this passage, you should have even more incentive. Frankly, all pilots of

reasonable mind support the institution of the age change; however, the support of this legislative language has left the rest of us with this mess to clean up. I see no celebration in that.

This action will be filed in the courts in the very near future and conducted through the SPC. I have never made a policy of asking our members to contribute any set amount toward our efforts; however, we have come to a different juncture thanks HR-4343. This court action will cost more money and time to preserve your rights so easily discarded by others. It may reach a total cap of \$100,000 depending on court actions, but hopefully will be less. This law has no place in our judicial code. I'm asking each of our members to contribute \$500 toward this legal challenge, and for every other pilot who claims to be against discrimination to do the same. This is NOT limited to the SPC plaintiffs in the U.S. Court of Appeals. This is an action that EVERY pilot should join and contribute to. If you can't stand to fight a Congress which passed a law to strip you of your rights to the judicial system at the whim of your boss and the unions that supposedly represent you, then you deserve all that you will never get. This will only be the start now that the companies, ALPA and SWAPA that have found a new venue to cram their will down your throat.

I cannot emphasize enough that every pilot should join and contribute to this action to protect your personal rights. The SPC has stood for the rights of all pilots from day one, and that will not stop now. This action will in no way reverse the age change. That is here to stay. This action is to remove the unjust baggage that was inserted into HR-4343 to the detriment of all pilots. I would hope that ALL of you will recognize the need to join us to overturn HR-4343. All contributions to this effort should be sent to:

The Senior Pilots Coalition
16 Steppingstone Road
Bedford, N.H. 03110

Lew Tetlow
SPC, Pres.