



NATIONAL MEDIATION BOARD
WASHINGTON, D.C. 20572

March 31, 2004

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VIA FACSIMILE & OVERNIGHT MAIL

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Re: NMB Case No. R-6998
American Airlines, Inc.

Gentlemen:

A. List of Potential Eligible Voters in Electronic Format

On March 15, 2004, American Airlines (American or Carrier) provided the National Mediation Board (Board) with the List of Potential Eligible Voters in this case. On March 16, 2004, counsel for the Aircraft Mechanics Fraternal Association (AMFA), in a telephone conversation with me, requested a copy of the List of Potential Eligible Voters in electronic format. I stated that I would look into whether the Board or the Carrier could fulfill the request. On March 30, 2004 American Airlines delivered to the Board two CD's containing the List of Potential Eligible Voters the Carrier had previously submitted to the Board on March 15,

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2004. I am enclosing one copy of the CD with this letter to Mr. Harvey and Mr. Luby.

B. Acceptance of Additional Authorization Cards

In a letter dated March 25, 2004, I stated that an applicable list and signature samples had been delivered to the Board on March 15, 2004. Accordingly, I ruled that pursuant to Section 3.3 of the Board's Representation Manual, cards received after 4:00 p.m. ET March 15, 2004 were not accepted. On March 29, 2004, AMFA submitted an Initial Position Statement stating that I should rescind my March 25, 2004 decision and continue to accept additional authorization cards until such time as the Carrier "is in compliance with the exact format prescribed by the General Counsel's letter" of March 15, 2004. AMFA does not state specifically how the Carrier's list fails to comply with the March 15, 2004 docket letter. Therefore, since the list provided by the Carrier contains the information requested in the docket letter as well as the information required by Section 2.4 of the Board's Representation Manual there is no basis at this time for me to rescind my ruling that an applicable list has been provided by the Carrier. Any additional authorization cards submitted by AMFA to the Board after March 15, 2004 have been date stamped by the Board but have not been counted for showing of interest purposes.

C. AMFA's request for information from NMB File No CR-6743

In a conversation with me on March 16, 2004, AMFA requested a copy of the list of employees covered in NMB File No. CR-6743. I stated that I did not know if such a list was submitted in that case since that case dealt with whether American and TWA Airlines, LLC operated as a single transportation system. Nonetheless, I told AMFA that it would have to file a Freedom of Information Act (FOIA) request for such information. In a letter to me dated March 16, 2004, AMFA requested that the Board provide it with the lists of the employees covered in NMB File No. CR-6743, *American Airlines Inc./TWA Airlines, LLC.*, 29 NMB 240 (2002) (Single transportation system determination for NMB File No. CR-6743). On March 18, 2004, I met with counsel for AMFA and reiterated that I could not provide AMFA with the information it requested and AMFA needed to file a FOIA request for such information. I stated that I would forward a copy of AMFA's March 16, 2004 letter to the Board's General Counsel for a response in accordance with the Board's FOIA procedures. In AMFA's letter of March 29, 2004, it requested an electronic version of the list submitted in NMB File No. CR-6743 and that it be afforded "at least five weeks from the time of receipt to examine the list and to assemble documentation for purposes of challenges and objections." In the alternative "AMFA requests an extension of at least 6 weeks to May 20, in order that AMFA may more fully investigate and have the additional time to garner documentation in support to challenge the large number of ineligible voters on the 'List of Potential Eligible Voters'."

On March 30, 2004, the General Counsel responded to AMFA's request in FOIA File No. F-1360 and stated that the Board could not comply with the request "inasmuch as no list was submitted in this case."

D. AMFA's Request for Additional Time to file Challenges and Objections

On March 25, 2004, I set forth the schedule for submitting challenges and objections in this case. That schedule was as follows: "Challenges to the List of Potential Eligible Voters or objections with regard to any other matters must be filed by 4 p.m., ET, Thursday, April 8, 2004. Responses to challenges or objections, if any, must be filed by 4 p.m., ET on Thursday, April 22, 2004." (Emphasis omitted).

I am granting an extension of time to file challenges and objections. The revised schedule is as follows: Challenges to the List of Potential Eligible Voters or objections with regard to any other matters must be filed by **4 p.m., ET, Thursday, April 22, 2004**. Responses to challenges or objections, if any, must be filed by **4 p.m., ET on Thursday, May 6, 2004**.


The participants are reminded of the Board's obligation to resolve representation disputes in a timely fashion.

E. Opportunity for American and the TWU to Respond to AMFA's March 29, 2004 Letter

The Carrier and the Transport Workers Union of America (TWU) have until **Wednesday April 7, 2004** to submit any response to AMFA's March 29, 2004 letter to the Board.

Thank you for your continued cooperation in this matter.

Sincerely,


Eileen M. Hennessey
Investigator