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THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY—THE IMPACT OF THE SEPTEMBER 11TH TERRORIST ATTACKS ON THE SECURITY AND OPERATION OF AIRPORTS SERVING THE NATION'S CAPITAL

HEARING

BEFORE THE

SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

OF THE

COMMITTEE ON
GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

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THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY—THE IMPACT OF THE SEPTEMBER 11TH TERRORIST ATTACKS ON THE SECURITY AND OPERATION OF AIRPORTS SERVING THE NATION'S CAPITAL

WEDNESDAY, MAY 8, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 2154, Rayburn House Office Building, Hon. Constance A. Morella (chairwoman of the subcommittee) presiding.

Present: Representatives Morella, Norton, Platts, Tom Davis of Virginia, Shays, Moran, and Watson.

Staff present: Russell Smith, staff director; Heea Vazirani-Fales, counsel; Matthew Batt, legislative assistant/clerk; Robert White, communications director; Shalley Kim, staff assistant; Jon Bouker, minority counsel; and Jean Gosa, minority assistant clerk.

Mrs. MORELLA. Good morning. I'm going to call the Subcommittee of the District of Columbia to order for the purpose of convening our hearing on the Metropolitan Washington Airports Authority, the impact of September 11th terrorist attacks on the security and operation of airports serving our Nation's Capital.

I want to acknowledge our ranking member, Congresswoman Eleanor Holmes Norton, and joining us this morning is our member from the 8th District of Virginia, Jim Moran, who has had an interest throughout this whole journey in what was happening at our airports.

I want to begin by once again publicly thanking President Bush and Transportation Secretary Norman Mineta for their work in reopening Ronald Reagan Washington National Airport after September 11th and now placing it back on the path to full capacity. You cannot overestimate the importance of Reagan National and our other two airports, Dulles and BWI, to the regional economy, an economy that is largely driven by tourism and business travel.

Getting National back to full operation is another piece of good news, both financial and symbolic, as the region continues to recover from the events of the fall. It has been a long road—maybe I should say a long flight path—to get back.

Reagan National faced an unprecedented 4-week shutdown, the mandating of strict new security measures on all flights, and a

gradual phase-in of service. This situation has served to highlight how important National Airport is to this region.

Eight months ago some doubted whether the airport would ever open again. Today, as we move ever closer to full capacity, those fears are fortunately long gone. Reagan National is here to stay.

Since October 4th, when planes resumed flying in and out of National, many residents of this region, including many in Montgomery County, Maryland, had to cope with new flight patterns. As part of the post-September 11th protocols, aircraft flying to or from National stopped following the Potomac River and began taking a straight-line course, which meant they flew over neighborhoods. I know Jim Wilding and the Airports Authority were relieved when Secretary Norm Mineta gave National permission to return to its usual flight patterns, but I know they weren't any more relieved than the folks whose walls rumbled and windows shook every time a plane flew overhead.

Unfortunately, I understand that not all the previous noise abatement procedures have been put back in place. Actually, there's conflicting information in this regard. Airports and the surrounding area are naturally going to be noisy places. There's just no way to completely silence a 200-ton aircraft powered by 30-ton engines, but we can and we must take reasonable steps to reduce that noise wherever possible, and we won't be back to normal until all the previous noise abatement strategies are being put to use.

One of these measures has been the practice of pilots throttling back or decelerating right after takeoff and maintaining that reduced power for the first 10 miles of the trip. This greatly helps reduce noise to inner-beltway neighborhoods, and we will be asking our FAA representative if the Agency is, indeed, no longer enforcing this measure on flights heading to the north, as appears to be the case. And, if not, why not?

I'd also like to hear from Mr. Wilding and others if there are any other logical steps that we might take that would reduce noise.

Similarly, we will be touching on the new security structure now in place at National, Dulles, and other airports around the country and we'll get an assessment of the security features that are unique to National; namely, the required presence of air marshals on every flight at the airport, the extra security screening, and a requirement that passengers remain seated during the first and last 30 minutes of all flights.

Finally, we'll also be discussing the situation concerning general aviation and privately owned planes. They are still banned from use at Reagan National and three small airports in Prince George's County, Maryland. College Park Airport; Potomac Airfield; and Washington Executive Airport, Hyde Field, are open only to pilots whose planes are based there, which seems to be an untenable position for these airports. How can they possibly survive under those restrictions?

It is my understanding that the U.S. Secret Service, Office of Homeland Security, and perhaps other agencies are involved in determining when or if general aviation flights return to National. I'll

be asking the Government witnesses if they can shed some light on this situation, including telling us what criteria will be used to determine when it is safe to resume full operations at these airports also.

[The prepared statement of Hon. Constance A. Morella follows:]

CONSTANCE A. MORELLA
8TH DISTRICT, MARYLAND

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SUBCOMMITTEE ON CIVIL SERVICE

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CHAIRWOMAN CONSTANCE A. MORELLA
HOUSE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

OPENING STATEMENT
MAY 8, 20002

"THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY: THE IMPACT OF THE SEPTEMBER 11TH TERRORIST ATTACKS ON THE SECURITY AND OPERATIONS OF AIRPORTS SERVING THE NATION'S CAPITAL"

I want to begin by once again publicly thanking President Bush and Transportation Secretary Norman Mineta for their work in re-opening Ronald Reagan Washington National Airport after September 11th and, now, placing it back on the path to full capacity. You cannot overestimate the importance of Reagan National, and our other two airports, Dulles and BWI, to the regional economy, an economy that is largely driven by tourism and business travel. Getting National back to full operations is another piece of good news, both financial and symbolic, as the region continues to recover from the events of the fall.

It's been a long road back. Reagan National faced an unprecedented four-week shutdown, the mandating of strict new security measures on all flights, and a gradual phase-in of service. This situation has served to highlight how important National Airport is to this region. Eight months ago, there were some who doubted whether the airport would ever open again. Today, as we move ever closer to full capacity, those fears are long gone. Reagan National is here to stay.

Since October 4th, when planes resumed flying in and out of National, many residents of this region, including many in Montgomery County, had to cope with new flight patterns. As part of the post-September 11th protocols, aircraft flying to or from National stopped following the Potomac River and began taking a straight-line course, which meant they flew over neighborhoods. I know Jim Wilding and the Airports Authority were relieved when the Secretary Mineta gave National permission to return to its usual flight patterns, but I know they were not any more relieved than the folks whose walls rumbled and windows shook every time a plane flew overhead.

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An airport and the surrounding area are naturally noisy places – there's just no way to completely silence a 200-ton aircraft powered by 30-ton engines. But we can, and must, take reasonable steps to reduce that noise whenever possible. And we won't be back to normal until all the previous noise abatement strategies are being put to use.

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Finally, we'll also be discussing the situation concerning general aviation, or privately owned planes. They are still banned from using Reagan National. And three small airports in Prince George's County, Maryland – College Park Airport, Potomac Airfield, and Washington Executive Airport/Hyde Field – are open only to pilots whose planes are based there, which seems to be an untenable position for these airports. How can they possibly survive under these restrictions?

It is my understanding that the U.S. Secret Service, Office of Homeland Security, and perhaps other agencies are involved in determining when or if general aviation flights return to National. I'll be asking the government witnesses if they can shed some light on this situation, including telling us what criteria will be used to determine when it is safe to resume full operations at these airports, too.

#####

Mrs. MORELLA. I look forward to hearing from our witnesses. I appreciate their being here.

I am now pleased to recognize our ranking member, Congresswoman Eleanor Holmes Norton, for her opening comments.

Ms. NORTON. Thank you very much, Madam Chair. I want to thank our chair, Representative Connie Morella, for holding this hearing which I requested a few months ago. I believe that the announcement of the chair and the subcommittee that there would be a hearing on Reagan National Airport did much to speed the airport to return close to normal today; however, there are still important outstanding issues and the public is anxious to know the exact status of the airport, what normalcy means at Reagan National, whether it has been reached, and what, if anything, is still to be accomplished.

I want to begin by thanking Secretary Norm Mineta, who struggled to get Reagan National back to service levels that regional residents, the regional economy, and people who are around this country and the world who travel here have a right to expect.

After September 11th there was considerable concern when other airports opened almost immediately, including Dulles, from which one of the hijacked planes was launched. National, alone, was placed on a phased-in schedule until April 15th, and even then the pre-September 11th schedule was not achieved. However, scheduling delays have not been the only issues. Perhaps the three most important remaining issues may be summarized as: noise, general or private aviation, and always, of course, security.

First, there has been a lot of justifiable noise about noise, if I may so characterize such a serious issue and one that has taxed the patience and disturbed the peace of thousands of Washingtonians and residents of Maryland and Virginia. We will hear what the effects have been and whether they continue or have been abated from residents of the Palisades, a beautiful neighborhood that has been especially hard hit by excessive noise. I appreciate that these witnesses have come forward to provide the subcommittee with a first-hand account.

Private or general aviation is the last and most serious victim of September 11th in this region. General aviation at National Airport remains exactly as September 11th left it—completely shut down. This region contains both the major part of Federal establishment and an economy that ranks near the top in output in our country. Elimination of general aviation altogether therefore has been far more than an inconvenience. The 8-month elimination of general aviation that is important to both Government and the private sector here has been a significant drag on the regional economy. Today we will learn the reasons for the long and continuing shutdown and what can be done to return general aviation to National, and, of course, the economic effects on the region.

Finally, the subcommittee needs to be brought up to date concerning how safe or secure National Airport really is, how far we have to go, and the economic effects.

Again, I appreciate that the chair has called this hearing on our airports to respond to the great interest and continuing concern of residents and businesses in this region.

May I also express my appreciation in advance to all of today's witnesses for your time in preparing testimony and for participating in this hearing.

Mrs. MORELLA. Thank you, Congresswoman Norton.

[The prepared statement of Hon. Eleanor Holmes Norton follows:]

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

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COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEES
RANKING MINORITY MEMBER, DISTRICT OF COLUMBIA
CIVIL SERVICE AND AGENCY ORGANIZATION

Congress of the United States
House of Representatives
Washington, D.C. 20515

Opening Statement of Congresswoman Eleanor Holmes Norton

D.C. Subcommittee Hearing on "The Metropolitan Washington Airports Authority -- The Impact of the September 11th Terrorist Attack on the Security and Operation of Airports Serving the Nation's Capital"

May 8, 2002

I want to thank our chair, Representative Connie Morella for holding this hearing, which I requested a few months ago. I believe that the announcement of the chair and the subcommittee that there would be a hearing on Reagan National Airport did much to speed the airport to return to close to normal today. However, there are still important outstanding issues, and the public is anxious to know the exact status of the Airport, what normalcy means, whether it has been reached, and what, if anything, is still to be accomplished.

I want to begin by thanking Secretary Norman Mineta who struggled to get Reagan National back to service levels that regional residents, the regional economy, and people from around this country and the world who travel here expect. After September 11th, there was considerable concern when other airports opened almost immediately, including Dulles, from which one of the hijacked planes was launched. National alone was placed on a phased-in schedule until April 15, and even then the pre-September 11th schedule was not achieved.

However, schedule and delay have not been the only issues. Perhaps the three most important remaining issues may be summarized as noise, general or private aviation, and always, of course, security.

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ranks near the top in output in our country. Elimination of general aviation altogether therefore has been far more than an inconvenience. The eight month of elimination of general aviation that is important to both government and the private sector here has been a significant drag on the economy. Today, we will learn the reasons for the long and continuing shutdown, what can be done to return general aviation to National, and the economic effects on the region.

Finally, the Subcommittee needs to be brought up to date concerning how safe or secure National Airport is, how far we have to go, and the economic effects.

Again, I appreciate that the Chair has called this hearing on our airports to respond to the great interest and continuing concern of residents and businesses in the region. May I also express my appreciation in advance to all today and witnesses for your time in preparing testimony and for participating in this hearing.

Mrs. MORELLA. We have a guest, as I said. Mr. Moran, I wonder if you would like to make any opening comments. You are welcome to.

Mr. MORAN. Thank you very much, Chairwoman Morella. As you know, National Airport is in my District. I've got one or two constituents who have some concern with many aspects of National Airport, particularly the noise and disruption it causes their residential communities. But first I want to thank all the folks that were involved in restoring the operations at National, and particularly Jim Wilding, as the head of the Metropolitan Washington Aviation Authority, and the folks at the Federal level. And I have to say the local government was very constructive, as well. We're going to hear from Barbara Favola representing Arlington County shortly.

But let me focus. As is always the case, we have it with our constituents, as well, so I'll do the same thing. It is just the human condition that when things are improved you focus on what you haven't yet achieved or, you know, whatever the problems are, but bear in mind we understand the larger context—that we're back on our feet, the economy is rebounding, and a lot of good has been accomplished in the last several months, and certainly the announcement of April 24th was music to our ears, but we still have some problems.

Now, in terms of general aviation it is an economic problem, and I think it is a serious one. I would like to have some discussion, Madam Chairwoman—I know you share this interest with Ms. Norton. As long as we have grounded general aviation, a lot of the corporations, the executives in this area that rely upon being able to use their own jets are discouraged from locating or staying here. We've actually put a fair number of people out of business.

Signature Airlines is going to be able to sustain operations around the country because it is so large, but they have a subsidiary that I expect is going to go out of business, and that's very unfortunate.

I think that the long-term ramifications of not having general aviation are significant, and I would hope that we will be able to fix that situation. We really ought to have general aviation. We ought to be able to use the runways 15 through 33. I understand they align with the Pentagon, but we'd like to hear why it is not possible to get general aviation up and running.

The noise curfew from 10 p.m. to 7 a.m. is obviously very important to our constituents. The curfew, itself, is certainly an issue, but the most important thing is the noise, and that's what prompts the curfew, itself. It's not a matter of the planes, themselves; it's the disruption to people during hours when they would normally be able to sleep peacefully.

I still have problems, and I'd like to get as much commitment as we can with regard to this perimeter rule. I know the Congress busted the perimeter rule, and our friend from Arizona was instrumental in doing that, but National Airport was never intended to be an airport to accommodate intercontinental flights. I trust that all of you share that feeling. If you don't, I'd like to hear about it, because Dulles is the complementary airport that was built to handle transcontinental and intercontinental flights. National supple-

mented that with the shorter haul and the regional flights, so I don't think we should be going beyond the 1,250-mile perimeter rule.

I know we are going to talk about the slot rule and the flight path, but there are still—the point is that there are still some issues that we need to resolve. I know we put the noise situation on hold and that was understandable, but it doesn't mean that it is dismissed. I would hope we can go back to making some progress on that.

The TRACON traffic control system is very beneficial. It's very encouraging what they've done. And it will divert some of the planes from Andrews Air Force Base that have been going over residential areas, so TRACON is particularly important because it looks at the entire region.

The one other thing I'd like some discussion—I don't know if anybody is prepared to mention it, but the military aircraft flying over, that has been a problem at night, and so if anybody would care to address that I'd appreciate it.

I see my time is up. It is even flashing now, so I suspect that means I've exhausted my time.

I'm anxious to hear from the witnesses.

Thank you, Madam Chairwoman.

Mrs. MORELLA. Thank you, Mr. Moran.

[The prepared statement of Hon. James P. Moran follows:]

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Statement by Rep. James P. Moran
before the
Government Reform Subcommittee on the District of Columbia

May 8th, 2002

Good morning and thank you Madam Chair. I appreciate the opportunity to comment on the subject of today's hearing, "The Impact of the September 11th Terrorist Attacks on the Security and Operations of Airports Serving the Nation's Capital."

First, let me express my appreciation to those Members of Congress, the officials within the Bush administration working with the airline industry, the airports authority, and the area congressional delegation for restoring 100 percent commercial air service to National Airport. Following the devastating terrorist attacks on the World Trade Center and Pentagon, there were grave concerns raised about whether any service would be restored to National. Some people were even seriously proposing to turn the airport into a shopping mall or a new Air Force base. That would have been a disaster that would have seriously hurt this region in any number of ways and undermined its ability to recover from the recession

While I supported the decision to close all airports immediately following the terrorists acts on September 11th, I believe that with the proper resources and commitment, the Federal Aviation Administration, working with the Metropolitan Washington Airports Authority and the airline industry, have established the safeguards necessary to restore regular commercial flights at National Airport.

As you know, the administration announced its plans on April 24th to restore full commercial air service to Ronald Reagan Washington National Airport. Coupled with this

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announcement was a decision to resume the pre-September 11th procedures and rules that affect aircraft noise operating at National.

The April 24th announcement was welcome news. The airport and the airlines were ready for full commercial air service last year. The delay appears to be a question of resources, not will. The only interest not covered by the April 24th announcement is general aviation. At National, general aviation is not the mom and pop Cessnas and Piper Cubs bringing visitors to Washington to tour our great museums and the Capitol. Instead, it's business people. government officials and CEOs who have their own aircraft and need the convenience of an efficient airport close to the city to do their business and get back out of town. It's more than 50,000 business aviation flights a year make their way through National.

The people who use general aviation at National do not fit the typical profile of recreational flyers, they schedule the flights in advance and use professional pilots who have already been subjected to background checks and security clearances. I am sure there is a way that they can meet any outstanding concerns the administration may still have with regard to any potential security threat general aviation may still pose. While I regret that I will not be able to stay for the full length of the hearing, I hope the official witnesses from the Department of Transportation can shed some additional light on the future of general aviation at National.

With regard to aircraft noise, I am pleased to see the rules and procedures designed to address aircraft noise are restored. Things have returned to their pre-September 11th normal state, with one exception: the 24 hour presence of military aircraft overhead. These fighter aircraft are the price we pay for getting the airport reopened. Many of my constituents who have been awakened late at night have come to accept this "sound of freedom;" others have not.

Unfortunately, the presence of these military aircraft, and the absence of general aviation, have put further progress on improving noise abatement procedures on hold. Last summer, the Metropolitan Washington Airports Authority (MWAA) began to update its noise compatibility program (Part 150 process) The Part 150 process commits the airport to go through a public hearing process and consultation with noise abatement experts to find ways to reduce aircraft noise and

improve compliance with existing noise reduction policies. Along with several local officials, I encouraged the Airports Authority to begin this process following the increase in the number of flights added to National in 2000. An accurate update of the noise contours, for example, cannot be done while the airport still operates at less than full capacity and noisier military aircraft continue to fly overhead.

I am encouraged that the Federal Aviation Administration is still proceeding with the Potomac TRACON Project and has identified alternatives that could, at the margins, reduce aircraft noise for communities south of National. These noise reductions would come from changes in the flight path of aircraft operating at Andrews Air Force Base, not changes in procedures at National.

In closing, Madam Chair, I think we are in a holding pattern. Following the tragic circumstances last fall, we have made great strides at recovery and have much to be thankful for, but until we can bring closure on the issue of general aviation and successfully reduce the threat we still face from terrorist, further progress is on hold.

I look forward to considering any ideas put forward today that helps move us forward.

Thank you.

News Release

Representative Jim Moran

United States Congress **Eighth District of Virginia**

For Immediate Release:
Wednesday, May 8, 2002

Contact: Dan Drummond
202-225-4376

With General Aviation Still Grounded, National Airport is in a "Holding Pattern," Moran Says at Hearing on Post-September 11th Airport Security and Operations

WASHINGTON, May 8 - Congressman Jim Moran, Virginia Democrat, said Ronald Reagan Washington National Airport is still not back to full operation despite the return of full commercial air service on April 24th and an announcement that pre-September 11th flight procedures and rules affecting National were being resumed.

"If truth be known, the airport and the airlines were ready for full commercial air service last year," Moran said. "The only interest not covered by the April 24th announcement is general aviation. At National, general aviation is not the mom and pop Cessnas and Piper Cubs that bring visitors to Washington to tour our great museums and the Capitol."

Instead, it's business people, government officials, and CEOs who have their own aircraft and need the convenience of an airport close to the Nation's Capital to conduct their business, Moran said at the Government Reform Subcommittee on the District of Columbia hearing, "The Impact of the September 11th Terrorist Attacks on the Security and Operations of Airports Serving the Nation's Capital."

"I think we are in a 'holding pattern,'" Moran said. "Following the tragic circumstances last fall, we have made great strides at recovery and have much to be thankful for, but until we can bring closure on the issue of general aviation and successfully reduce the threat we still face from terrorism, further progress is on hold."

Moran said that people who use general aviation at National do not fit the typical profile of recreational flyers as they schedule the flights in advance and use professional pilots who have already been subjected to background checks and security clearances.

- More -

"I am sure there is a way that they can meet any outstanding concerns the administration may still have with regard to any potential security threat general aviation may still pose," Moran said.

Resumption of the pre-September 11th flight paths has certainly lowered the jet noise many residents have heard. But until general aviation operations are restored and as long as the "sound of freedom" of military aircraft continue their 24-hour presence in the Washington region, an accurate baseline for noise levels cannot be ascertained. That baseline is necessary so that a study that will look at opportunities to further reduce noise level can continue.

"An accurate update of the noise contours, for example, cannot be done while the airport still operates at less than full capacity and noisier military aircraft continue to fly overhead," Moran said.

Moran also applauded the efforts of fellow Members of Congress and officials within the Bush administration for working closely with the airline industry and the Metropolitan Washington Airports Authority to restore 100 percent commercial air service to National.

Note: Congressman Moran's complete remarks are attached to this press release.

For more information, visit www.house.gov/moran.

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Mrs. MORELLA. I am now going to ask our distinguished first panel if they would stand and raise their right hand so we can administer the oath, which is tradition for the subcommittees and the full committee.

[Witnesses sworn.]

Mrs. MORELLA. Everybody has answered in the affirmative. The record shall so demonstrate.

Now I will introduce the witnesses to you and then ask you each if you would try to confine your comments to within 5 minutes. We do have your comments in the totality and they will be in the record as such.

Read Van de Water is the Assistant Secretary for Aviation and International Affairs at the U.S. Department of Transportation; Steven Brown is the associate administrator for Air Traffic Services at the Federal Aviation Administration; James Wilding is president and CEO of the Metropolitan Washington Airports Authority; Elizabeth Haskins is the CEO of Signature Flight Support; and John Olcott is the president of the National Business Aviation Association, Incorporated.

We are delighted to have you all here. We will start off with you, Ms. Van de Water.

STATEMENTS OF READ VAN DE WATER, ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS, U.S. DEPARTMENT OF TRANSPORTATION; STEVE BROWN, ASSOCIATE ADMINISTRATOR FOR AIR TRAFFIC SERVICES, FEDERAL AVIATION ADMINISTRATION; JAMES A. WILDING, PRESIDENT AND CEO, METROPOLITAN WASHINGTON AIRPORTS AUTHORITY; BETH HASKINS, CEO, SIGNATURE FLIGHT SUPPORT; AND JOHN W. OLCOTT, PRESIDENT, NATIONAL BUSINESS AVIATION ASSOCIATION, INC.

Ms. VAN DE WATER. Madam Chairwoman, Ms. Norton, Mr. Moran, thank you for inviting me to testify today on the issue of the closure of Ronald Reagan Washington National Airport to general aviation and charter airlines following the terrorist attacks of September 11th. I am pleased to testify before you today on behalf of Secretary of Transportation Norm Mineta and Under Secretary of Security, John Magaw.

As Secretary Mineta has said publicly many times, Reagan National Airport is an important symbol of the enduring strength of our Nation. Reagan National, or DCA, as we often call it, also serves as a gateway to the Nation's capital and is an important contributor to the Washington Metropolitan area's economy.

The Department of Transportation takes full ownership for the responsibility of returning Reagan National to its prior capacity, both commercial and general aviation. We have coordinated and strategized within the Federal Government since September to achieve that goal.

As many of you have stated, following the terrorist attacks of September 11th DCA was closed to all air traffic. In early October, Secretary Mineta allowed for the phased reopening of DCA to commercial flight operations. As a result of the development of successful security measures for commercial airline flights, Secretary Mineta recently, just a few weeks ago, authorized the full restoration

of scheduled commercial flight operations in and out of DCA. This was a step-by-step process. As each phase operated successfully, the comfort level and the security procedures established increased, thus allowing more service.

I'd like to note, Mrs. Morella and Ms. Norton, you both stated that folks wondered if DCA would ever open again to traffic. I can say, working for Secretary Mineta, that Secretary Mineta never doubted that. It has been a priority of his since September.

But the reopening of flight operations at DCA has not yet been extended to general aviation, or "GA," as we call it, and charter airlines. By GA and charter airlines, I mean private aircraft owner and operators, air taxi and on-demand operators, including public and private charters, as well as helicopter operations and corporate aircraft.

The decision to keep general aviation and charter flight operations out of DCA has been based on a number of critical factors. These include the grave concerns over the protection of key assets and critical infrastructure in the Washington metropolitan area and the absolute necessity to prevent the use of an aircraft, regardless of its size, as a weapon of mass destruction.

I cannot overstate how seriously we take those concerns in the administration. I know you share that concern. But let me tell you where we are today, because we have made a tremendous amount of progress.

We have met with various Federal agencies and users of general aviation to determine the best and quickest way to reopen the airport to GA aircraft operations. We believe we are very close to making an announcement that will bring this matter to a close shortly. In fact, we hope to reach a conclusion on the key policy decisions by the end of May, just several weeks away.

The procedures we expect to put in place will fall into certain categories. First would be the vetting and certification of flight deck crew members; second, advance clearance of passenger manifests by the TSA, or the Transportation Security Administration; screening of passengers and accessible property on the aircraft; securing and physical inspection of aircraft; and compliance with the DCA air traffic control special flight procedures that commercial airlines also follow flying in and out of the airport.

In order to expedite the process of reviving general aviation operations at DCA, we will likely issue an interim final rule shortly that will allow the immediate commencement of operations. Comments will then be allowed on the rule's provisions and we can consider the comments and decide if the procedures need to be changed, but that way the restoration of service is not held up pending the final decision of the rule.

We at the DOT are committed to working hard and making this happen in a timely way. As part of its civil aviation security responsibilities, the TSA will stringently monitor compliance with these procedures. The failure to comply with the approved security measures will result in serious enforcement action against the GA or charter airline operator and/or pilot.

In summary, Madam Chairwoman, the DOT is committed to putting in place comprehensive security measures that will permit the

reopening of Reagan National to general aviation and charter airline operations in a timely manner.

This concludes my prepared statement. I would be happy to answer any questions when the panel is done.

Mrs. MORELLA. Thank you very much, Ms. Van de Water. we appreciate that and we will be getting back to you when we get into the questioning.

[The prepared statement of Ms. Van de Water follows:]

MAY 8, 2002

STATEMENT OF READ VAN DE WATER, ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS, UNITED STATES DEPARTMENT OF TRANSPORTATION, BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM, SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA, ON THE CLOSURE OF RONALD REAGAN WASHINGTON NATIONAL AIRPORT TO GENERAL AVIATION FOLLOWING THE ATTACKS OF SEPTEMBER 11, 2001.

Chairwoman Morella, Delegate Norton, Members of the Subcommittee:

Thank you for inviting me to testify on the issue of the closure of Ronald Reagan Washington National Airport to General Aviation (GA) and charter airlines following the terrorist attacks on our Nation on September 11, 2001. I am the Assistant Secretary of Transportation for Aviation and International Affairs of the Department of Transportation, and I am pleased to testify before you today on behalf of Secretary of Transportation Norman Y. Mineta and Under Secretary of Transportation for Security John W. Magaw.

As Secretary Mineta has said, "Reagan National Airport is an important symbol of the enduring strength of our nation." Reagan National Airport (DCA) also serves as a gateway to the Nation's capital and is an important contributor to the Washington metropolitan area's economy. The DOT takes full ownership of the responsibility for returning Reagan National to its prior capacity. We have coordinated and strategized within the federal government since September to achieve that goal.

Following the terrorist attacks of September 11, 2001, DCA was closed to all air traffic.

In early October, Secretary Mineta allowed for the phased reopening of DCA to commercial flight operations. As a result of the development of successful security measures for commercial airline flights, Secretary Mineta has recently authorized the full restoration of scheduled commercial flight operations into and out of DCA. This was a step-by-step process – as each phase operated successfully, the comfort level in the security procedures increased, thus allowing more service.

However, the reopening of flight operations at DCA has not yet been extended to GA and charter airlines. By GA and charter airlines I mean private aircraft owners and operators, air taxi and on-demand operators including public and private charters, as well as helicopter operations and corporate aircraft. The decision to continue to keep GA and charter flight operations out of DCA is based on a number of critical factors. These include the grave concerns over the protection of the key assets and critical infrastructure in the Washington metropolitan area and the absolute necessity to prevent the use of an aircraft as a weapon of mass destruction.

Let me tell you where we are today.

We have met with various federal agencies and the users of general aviation to determine the best and quickest way to reopen the airport to GA aircraft operations. We believe we are very close to making an announcement that will bring this matter to a close shortly – we hope to reach a conclusion on the key policy decisions by the end of May.

The procedures we expect to put in place will fall into certain categories:

1. The vetting and certification of flight deck crewmembers.
2. Advance clearance of passenger manifests by TSA.
3. Screening of passengers and accessible property.
4. Securing and physical inspection of aircraft.
5. Compliance with DCA Air Traffic Control special flight procedures.

In order to expedite the process of reviving general aviation operations at DCA, we will likely issue an interim final rule to allow immediate commencement of operations. Comments will then be allowed on the rule's provisions.

We at the DOT are committed to working hard and making this happen.

As part of its civil aviation security responsibilities, the TSA will stringently monitor compliance with these procedures. The failure to comply with the approved security measures will result in enforcement action against the GA or charter airline operator.

In summary, Madam Chairwoman, the DOT is committed to putting in place comprehensive security measures that will permit reopening Reagan National to General Aviation and charter airline operations in a timely manner.

This concludes my prepared statement. I would be happy to answer any questions at this time.

Mrs. MORELLA. I'm now pleased to recognize Steven Brown. Thank you, Mr. Brown.

Mr. BROWN. Good morning, Chairwoman Morella and Representatives Norton and Moran. I've looked forward to testifying on the issue of noise at Washington metropolitan airports. Thank you for inviting me to the hearing.

As the associate administrator for air traffic services, I am responsible for managing the world's largest, most complex, and safest air traffic control system. In addition to my official responsibilities, I am also a pilot who flies in and out of the local airports regularly, and I happen to live near Rosslyn, adjacent to National Airport.

One of the primary goals that we have at the agency is to enhance the efficiency while maintaining the highest possible standards of safety in our national airspace system, and that's even more true since September 11th, especially in the Washington, DC, area. We obviously focus, in addition, on reducing the environmental impacts of aviation on the local communities to preserve quality of life.

On behalf of Administrator Garvey and all of us at FAA, I want to explain why I, my neighbors, and others near these airports have been affected by increased aircraft noise as a result of changes to the flight patterns following September 11th, and especially at Reagan National Airport, and also share our plans that Mr. Moran referred to, the overall airspace redesign in the Washington area.

Communities located near Reagan National Airport clearly have concerns about noise, and they have been very patient over the last few months as we have focused intently on enhancing security procedures at the airport. Now the FAA and several other agencies post-September 11th had collaborated on improving flight operations procedures, as well as security at the airport, and we've arrived at the point where we have many unique provisions in place that have helped ensure the improved operations.

The revised arrival and departure procedures that we implemented to secure the reopening of National Airport were essential to accomplish many of our goals. After the October 4th reopening of the airport, the consequences included, unfortunately, the temporary suspension of many of the noise abatement procedures that you are familiar with. Instead of following the Potomac River, in brief, pilots were required to follow an electronic course that provided straight-out guidance from the airport. Similarly, pilots who were arriving at the airport would follow this same electronic guidance following a straight-in path over some of the communities that you referred to in your opening remarks. This occurred for about 10 miles distance from the airport.

In addition to that, pilots operated at very high power settings, higher than for the normal abatement procedures, to make steeper climb-outs and departures from the Washington area. This consequently resulted in more noise.

However, on April 27th of this year Secretary Mineta authorized flights into National Airport to resume the pre-September 11th patters that we spoke of earlier. Today we are progressively restoring the noise abatement procedures that were in place and will be

again using the river departures and arrivals, as well as the throttle-back procedures after departure from the airport.

In addition, Congressman Moran referred to Runway 1533, which we have placed back into service about a week ago. In fact, I noticed them all weekend as I was in my back yard.

Obviously, now that aircraft are following the Potomac River both to the north and the south of the airport, and as they will be increasingly as pilots are trained to go back to the throttle-back provisions and use those as they fly along the river approach, pilots will be throttling back power substantially once they reach 1,500 feet, which is generally within about two miles of the airport, and then they will continue their noise abatement climbs as they did prior to September 11th.

Just briefly, with regard to the airspace redesign issues, we are engaged in redesigning the airspace in the Baltimore/Washington region. In response to the fact that we've had traffic growth, we need additional capacity, and we can bring more efficiency and less noise to the community by doing so.

The last airspace redesign in the Washington/Baltimore area was in 1987, and it is now time to bring increased efficiency and increased technology to bear. As Congressman Moran alluded to, we will combine five TRACONs, or regional air traffic control facilities, into one that will be called the Potomac TRACON. We plan to open this building near Vent Hill in Virginia in December of this year, and it will become fully operational next summer in 2003. It will allow controllers to more efficiently manage their resources, to communicate, and adapt to frequent changes in weather conditions more effectively.

We expect the TRACON will provide many benefits to the region, and we are having a number of scoping meetings for the draft EIS that's underway, and comments close on that EIS on May 23rd.

We are currently considering in that process three proposed airspace redesign concepts for the Washington area, all within 75 miles of Reagan National Airport. Communities close to the airport will not be affected by this airspace redesign, because we will continue to use the existing noise abatement departure and arrival procedures in and out of the airport.

The changes will occur where there will be relief for those aircraft that are able to fly a greater distance from Washington, as Congressman Moran spoke to with regard to Andrews Airport, and also aircraft that will be managed at higher altitudes for a longer time period to lessen the noise impact on the ground.

Madam Chairwoman, the National Airport situation is improving rapidly following the Secretary's announcement on the 27th, and we at the FAA are looking forward to managing that traffic in ways that we did prior to September 11th to minimize the impact on the citizens while still maintaining an efficient and safe system.

We'll continue to look forward to the airlines deciding to deploy new technology aircraft to those airports that will result in lower engine noise and lower takeoff noise, as well.

And, as I indicated, we'll continue to keep the public broadly informed of the actions we're taking to redesign the airspace in the area. Over the course of this last month, in April we had 10 public

meetings to involve citizens in the specifics of our design plans and the three alternatives that I spoke to.

That concludes my verbal statement. I'll look forward to your questions.

Mrs. MORELLA. Thank you very much, Mr. Brown.

[The prepared statement of Mr. Brown follows:]

STATEMENT OF STEVEN J. BROWN, ACTING ASSOCIATE ADMINISTRATOR FOR AIR TRAFFIC SERVICES, FEDERAL AVIATION ADMINISTRATION, BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM, SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA, ON NOISE RESULTING FROM OPERATIONS TO AND FROM THE WASHINGTON METROPOLITAN AIRPORTS, MAY 8, 2002.

Chairwoman Morella, Representative Norton, Members of the Subcommittee:

Thank you for inviting me to testify on the issue of noise resulting from operations to and from the Washington metropolitan airports. As the Acting Associate Administrator for Air Traffic Services for the Federal Aviation Administration (FAA), I am responsible for managing the 35,000 Air Traffic Services employees who oversee the operation of the world's largest air traffic control system. These 35,000 employees provide air traffic control through 579 facilities and maintain the National Airspace System (NAS) infrastructure.

One of the primary goals of the FAA is to enhance the efficiency of the air traffic system while at the same time, maintaining the highest standards of safety. We also maintain a strong focus on continuing to reduce the environmental impacts of aviation and on local communities' quality-of-life concerns. On behalf of Administrator Garvey, I am pleased to explain why local communities may have been affected by increased aircraft noise due to the changes to air traffic procedures at Ronald Reagan National Airport (DCA) and share the FAA's plans to increase the efficiency and capacity of the NAS.

Recently, communities located near DCA have expressed concerns about noise from flights approaching and departing the airport. The FAA and several other Federal agencies collaboratively changed air traffic procedures for approaches and departures at DCA in the aftermath of the September 11th terrorist attacks. Together, we made this decision because of the unique security concerns regarding the surrounding Washington area.

The revised arrival and departure procedures following the terrorists' attacks affected communities near DCA. The changes to air traffic procedures were necessary because of national security concerns. Consequently, noise abatement procedures that had been in place prior to September 11th were temporarily suspended to allow the safe and secure reopening of DCA. Instead of following the Potomac River when pilots approached the airport from the north, they were required to follow an electronic course, which took the aircraft in a straight line to the airport. Similarly, pilots departing to the north were required to intercept a course after takeoff that took the aircraft on a straight course for ten miles. Also, all north jet departures had to depart at a steep angle, which required more engine power and consequently made more noise.

However, on April 27, 2002, Secretary Mineta authorized flights at DCA to resume pre-September 11th flight paths. Today, noise abatement procedures that were in place prior to September 11th are used at DCA. In good weather, arrivals from north and departures to the north must follow the path of the Potomac River. Similarly, in good weather, all arrivals from the south and departures to the south are required to follow the river to or

from the airport. Aircraft departing to the north decrease power once they reach 1,500 feet and maintain this decreased level of power for a distance of ten miles from the airport while continuing their ascent. Both the river course and decreased power reduce the aircraft noise impact on communities near DCA. In addition, although the airport is once again authorized to allow flights between the hours of 10:00 p.m. and 7:00 a.m., the aircraft for those flights must meet certain noise limitations in effect prior to September 11th.

Air traffic procedures in the Baltimore-Washington region will undergo additional changes in the near future for purposes of efficiency and safety. Currently, the FAA has started to redesign the nation's airspace through a program we call the National Airspace Redesign (NAR). The NAR is a multi-year initiative to review, redesign and restructure the nation's airspace to meet the rapidly changing and increasing operational demands on the NAS. The NAR will be completed for the entire country in 2006. Because of their central role in the system, we started in the New York and mid-Atlantic areas, including Washington, D.C., where we expect tangible benefits within four years.

The airspace in the Baltimore-Washington region is the fourth busiest airspace in the country. This region is served by five major airports: Baltimore Washington International Airport, Washington Dulles International Airport, Ronald Reagan National Airport (DCA), Andrews Air Force Base, and Richmond International Airport. Currently, each of these airports has its own air traffic control tower and its own Terminal Radar Approach Control (TRACON) facility. A TRACON is one of three important

types of air traffic control facilities. The first facility is one that all travelers recognize - the tower. The tower is located at an airport and controls traffic on the taxiways, runways, and aircraft approaching or departing the airport. The second facility is a TRACON. Air traffic controllers at a typical TRACON control aircraft that are approximately five to 50 miles from the airport. Although individual controllers are only responsible for a specific sector of airspace, they have the ability to view information on all aircraft within the jurisdiction of the TRACON. The third type of facility is an Air Route Traffic Control Center (Center). Generally, air traffic controllers at a TRACON "hand off" aircraft before they leave the control of the TRACON to a controller at one of the 20 Centers located across the country.

We believe that we can enhance the safety of the busy Baltimore-Washington airspace, and accommodate increased demands on capacity and efficiency of the air traffic system by implementing a two-part plan. First, we will consolidate the five regional TRACONs into one facility called the Potomac TRACON, and second, we will redesign the airspace for this region. In the Washington area, the existing level of traffic is not efficiently handled with the current airspace design. The last airspace redesign in the Baltimore-Washington region in 1987 was implemented when DCA was the busiest airport in the region and was based on the interaction of the five separate area TRACONs. Today, operations at Washington Dulles International Airport exceed those at DCA and operations at other nearby airports have significantly increased. The increased demand on capacity means that it is time for the FAA to change the way we control the airspace in this region.

The first part of our plan to update the Baltimore-Washington airspace, the consolidation of the five area TRACONs into the Potomac TRACON, will allow air traffic controllers to more efficiently manage their resources and equipment. The air traffic controllers at the new facility will have real-time information on all aircraft in the Baltimore-Washington region, rather than just aircraft in the area controlled by one of the regional TRACONs. This will make communication and coordination with other controllers in the Potomac TRACON more efficient, and will enable them to respond more rapidly to problems such as inclement weather that may necessitate changes to flight paths. We expect that the new TRACON will be completed by the end of 2002 and will be in full operation next year.

The Potomac TRACON consolidation presents the FAA with the opportunity to redesign the airspace in the Baltimore-Washington area, the second element of our airspace improvement plan for this region. The FAA is considering three possible airspace redesign options. The goals of the Washington area airspace redesign follow the goals of the NAR -- to increase safety and efficiency with minimal impact to the communities on the ground. The procedures that FAA must follow to reach this challenging goal require us to examine environmental impacts such as noise levels, user costs and air traffic factors.

On February 14, 2002, the FAA issued a Draft Environmental Impact Statement (DEIS) on the three proposed airspace redesign options. The DEIS addressed 19 impact

categories, but focused heavily on noise levels within 75 nautical miles of the District of Columbia. We found that there will be no significant environmental impacts from the airspace redesign. Communities close to an airport will not be affected because none of the airspace redesigns alter existing noise abatement procedures or initial departure/final arrival procedures. However, communities further away from the airport may experience slight noise impact or relief because the redesign proposals allow some arriving aircraft to remain at a higher altitude and departing aircraft to climb to a higher altitude sooner.

In sum, Madam Chairwoman, we look forward to the improvements to safety and efficiency that the redesign of the Baltimore-Washington airspace will deliver next year. Although noise levels for communities within the approach and departure paths of area airports will not change as a result of the airspace redesign, we will continue to look for new aircraft technology that has the potential to reduce aircraft noise. In the meantime, noise from aircraft approaching and departing DCA will be similar to what it was prior to September 11th. In addition, the congressional mandate limiting the number of flights at DCA should assure Washington area residents that noise levels will not increase above pre-September 11th levels. We will also continue to keep the public informed regarding any changes we propose to air traffic procedures that may affect their communities, and welcome their feedback on our proposals to improve this region's airspace.

This concludes my prepared statement. I would be happy to answer any questions at this time.

Mrs. MORELLA. I am now pleased to recognize Mr. Wilding.

Mr. WILDING. Madam Chairman, thank you so very much for having us here this morning, also to the other members of the committee. We have submitted a statement with detail in it. Let me just hit a couple of the highlights.

First, as to where we are right now, I think it is fair to say, in light of what you've already heard this morning, that at Washington National all of the post-September 11th restrictions that were placed on, and that constrained the market, at National and that had to do with putting aside some of the old noise abatement provisions, have now fallen away. The single exception is the continued ban on general aviation. And, as has been indicated this morning, I think we are making excellent progress on that, and really within a couple of weeks will be where we need to go. So I think we've come all the way down that course now and are there, except for general aviation which is almost in hand.

With respect to Dulles, I think that has been a much more normal come-back from September 11th, which is similar to other airports. We're now running about 92 percent of what we would consider normal activity at Dulles, with an absolutely dynamite summer international season upon us where we've got lots of new service and the bookings are extremely strong. So I think things are looking very, very good on that front, as well.

On the employee front, as you may recall, the employment at Washington National was severely impacted by the events of last fall and then the relatively slow reopening of National the remaining months of last year. At its worst, there were about 4,500 of Washington National's 10,000 employees out of work. That has largely rebounded and that number would be counted in the hundreds now, and that's fading very, very quickly.

At Dulles we had a much milder hit, and again that was measured at its worst in the hundreds. Practically all of that has now rebounded.

On the security front, you've heard reference to some of the extraordinary security provisions at Washington National, mostly those in the air. Again, we've sort of backed away, I think, from those that affected noise abatement. We're sort of back to the ones that are more normally thought of—the staying in your seat 30 minutes and certain air traffic procedures—that make sure that the folks flying the airplane are the right ones.

Again, I think it is fair to say that security at our airports is in very, very good shape and will gradually become even in better shape over time as new techniques are brought in, but it is significantly tighter than it was last September. Again, all of us are committed to working with the new TSA to do make sure that our security measures do nothing but get better over time.

On the financial front, we took, as you might imagine, an enormous financial hit when one of our two airports was down and then stayed down, in large measure, for many months. Three things have put us back on a sound financial footing, however: No. 1 is the $40 million that the Federal Government helped us out with. Again, you all did so very, very much in getting the airport reopened. Then, without missing a beat, sort of stepped in and made

sure that financially it was brought back, as well. So we thank you again for all of that help.

No. 2, we have tightened our budget, our operating budget, a great deal.

And, No. 3, we have reached into our extraordinarily large $4.1 billion development program at Dulles and have now put certain things aside for a little while and are only pursuing—I say "only"—$2.6 billion of that work.

So the combination of those three things has put us back on a very sound financial footing. As a matter of fact, a little later in this month we will be back in the bond market to the tune of $250 million, which will be the ultimate test of whether we have found a sound financial footing. We are confident that we have.

Let me close by simply pointing out that our two airports are the sight of 26,000 jobs. There is $6.5 billion of annual business done on those two airports, and they generate about $730 million in taxes per year at the Federal, State, and local level. All of that I dare say seemed like something of an abstraction until last September, when all of a sudden that economic impact became empty hotel rooms, empty restaurants, empty tourist establishments, things like that. All of this has now slipped behind us, and we look forward to substantial growth at the two airports and development responsibilities which will allow us to accommodate that growth. We very much look forward to the return of general aviation to Washington National, which just completes the picture down there. And, very significantly, we look forward to getting back on track the so-called "Part 150" process, where we are partnered with CONANDA and COG to take a very deep look at the noise abatement provisions at Washington National. That was something that we had just sort of formed a partnership and started into a couple of weeks when the events of last September happened. It is a process that I think brings all of the right people to the right table to thrash out whether what we're doing in noise abatement is the best job we can be doing at Washington National. We're committed to doing the best job, and I think now getting that back on track—which we can do with the stability we now have back at Washington National once GA is back—we will have a process that all of us can look to and be proud of.

Thanks again so very much for having us.

Mrs. MORELLA. Thank you, Mr. Wilding.

[The prepared statement of Mr. Wilding follows:]

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Statement of James A. Wilding

President and CEO

of the

Metropolitan Washington Airports Authority

before the

Subcommittee on the District of Columbia,

Committee on Government Reform

House of Representatives

May 8, 2002

1 Aviation Circle, Washington, DC 20001-6000 • www.mwaa.com

Chairwoman Morella and Members of the Subcommittee:

Thank you for inviting me today to appear before the Subcommittee to provide testimony on behalf of the Metropolitan Washington Airports Authority (MWAA). The subject matter of this hearing, "The Metropolitan Washington Airports Authority – The Impact of the September 11th Terrorist Attack on the Security and Operation of Airports Serving the Nation's Capital," is both timely and important. From the initial response of our Fire and Rescue Department to the Pentagon through the gradual return of air service to both Ronald Reagan Washington National and Washington Dulles International Airports, we believe that we have "weathered the storm" and look forward to challenges ahead.

As you are aware, we were very happy to receive the announcement from Secretary of Transportation Norman Mineta that all the restrictions that were placed on commercial aviation operations at National Airport on October 4th, 2001 have been rescinded. We cannot overstate the importance of this decision to the economic health of the region, the airlines, and the Airports Authority.

Historically, our two airports account for almost 26,000 jobs, $6.5 billion in annual business revenue, and $730 million in federal, state and local taxes. While the effects of September 11th have interrupted this activity, we firmly believe that it will return in the future.

Also, I would be remiss if I did not, at this time, publicly thank you, Congressman Moran, Congresswoman Norton, your House and Senate colleagues in the region, and the many members of the House and Senate who "weighed in" so critically back in September to get National reopened. In addition, we certainly appreciate your efforts over the past six months to ensure that the airport was fully reopened through the "three phases" authorized by the Department of Transportation as well as providing the Authority with much-needed federal financial assistance to help us and our concessionaires through some very difficult economic times. We are indebted to you and most appreciative. Finally, I must quite honestly express our sincere appreciation to the whole community for the way they came together to impress the decision makers on the value and need to reopen National at the earliest opportunity – it was most gratifying and a great success story for the region.

The effects of September 11th on the Airports Authority and commercial aviation were extraordinary and have permanently changed our work.

The entire commercial aviation industry suffered a tremendous impact as a result of the terrorist attacks. It was unprecedented in American aviation history to have the nation's entire commercial aviation industry grounded for any amount of time, let alone the forty-eight hours that it was idled after the September 11th tragedies. The impacts on the entire industry were dramatic. By November 2001, aircraft enplanements nationwide decreased by 20% (approximately 10 million passengers) and airlines

decreased their number of seats available by 16%. In addition, the airlines laid off over 100,000 people.

Recovery since then has been slow.

Nationwide, in comparing March 2002 passenger statistics with those of March 2001, we find that domestic passenger enplanements decreased almost 11% and international enplanements decreased 5%. The airlines continue to suffer through great financial difficulties which will probably continue through the next year.

At Washington Dulles International Airport, there is slightly encouraging news in that – over the same period – the airport only saw a 8.7% decline. This demonstrates that the airport is performing better than the national standard.

National Airport, of course, is slowly returning to "normal" operations. Due to the multi-phased opening which commenced on October 4, 2001, our passenger levels are still down from pre-September 11 levels, but they are improving. In March (when the airport was operating at approximately 70 percent), 1.1 million passengers traveled through the facility, which is a 25% decline from March of 2001. More encouraging news can be found in that the "load factors" for flights operating at the airport were approximately 68%.

As to the economic environment at the airport, we are encouraged to report that most of the people furloughed from their jobs in the immediate

aftermath of the shutdown have returned to their jobs at the airport; taxi dispatches from the airport are roughly 90% of pre-September 11 levels; and our parking garages average approximately 70% capacity daily with even some instances during the week where we are at full capacity. All these signs indicate that National Airport is returning to the "economic engine" that so benefits the region.

As I referenced earlier, we were extremely grateful to the Congress and the Administration for the federal financial assistance we received to help us to compensate for the closure and phased reopening of National. The $40 million we received was directed at relief to our concessionaires, replacing needed Authority cash reserves, and assuring the ongoing airline costs of operating at our airports were manageable.

Of all the carriers that operated from National prior to September 11th, all but two -- Spirit and National -- have returned to the airport. We do not know these two airline's plans to return, but we certainly hope they do.

We are also pleased to announce that, after a comprehensive study of our extremely important Dulles Development – "d2" -- Program, we have recommitted to moving forward on some its most critical components. Included in this work is the construction of our underground people mover train system, a fourth runway, a new air traffic control tower, and many other facets which allow Dulles to meet the increased aviation demands of the region in the future.

As referenced earlier, Secretary Mineta's announcement that all remaining restrictions on commercial operations would be rescinded on April 27th was very important for the airport, the airlines, and our neighbors. Without this change, we were certain that the airport would not return to its pre-September 11 operating levels (we believe we would have attained approximately 80%-83%). In addition, a significant component of this decision was the authorization to return to most of the noise abatement program which has served the region so well for many, many years.

Effective on April 27th, pilots departing to the northwest (in good visibility) follow the Potomac river to the vicinity of Georgetown Reservoir about four miles from the airport. There they have the option of continuing to follow the river visually or follow an instrument heading until they are approximately ten nautical miles from the airport (in the vicinity of the Cabin John Bridge). After this point they are turned by air traffic control to their departure route.

In addition, aircraft departing to the south follow the Potomac River for at least five miles before being turned on course. Aircraft departing northeast follow the Anacostia River route to a point five nautical miles before being turned to their departure route.

On arrival, the inverse applies. Aircraft arriving at the airport from the northwest follow the Potomac River corridor for a minimum 10 miles; Aircraft arriving from the northeast follow the Anacostia River for five miles; and arrivals from the south follow the Potomac River corridor for a minimum of five miles.

When visibility is poor (or prevailing winds dictate) pilots departing to the northwest will be directed to follow a straight-line course on a 328 degree heading from the airport. Flights departing northeast or south are assigned headings by Air Traffic Control. Depending on the visibility pilots will be assigned an instrument approach procedure which approximates the river corridor.

The long-standing noise abatement procedures for National call for pilots of jet aircraft departing National to reduce the amount of power they apply during takeoff. At an altitude of 1500 feet the thrust is reduced to a level that would allow an aircraft, at maximum takeoff weight, to climb at approximately 500 feet per minute on a hot day. Normal climb power is to be restored when the aircraft is ten miles from the airfield. This procedure has been reinstated for departures to the south, and we believe that a process to return these same procedures to the north has been put in place.

Also, it should be noted that the authorization for the airlines to serve the airport with Boeing 757's not only adds capacity, but returns to the airport one of the quietest aircraft in the airline inventory.

As to this decision to "return to normal," it may be as long as two months before airlines take full advantage of the ability to fly before 7:00 a.m. and after 10:00 p.m. with scheduled service or return 757's to the airport. Airlines establish schedules months in advance and are not usually able to make such major changes and sell tickets on such short notice.

One key component of aviation activity at National has not returned, however, and that is our General Aviation component. Prior to September 11th, approximately 175 general aviation operations occurred at National daily, and those flights certainly added to the economic vitality of the airport and to the region. We very much would like to have this component of our aviation activity returned and look forward to the occasion when it does.

With respect to security enhancements at both airports, there have been numerous changes that have taken place at both Reagan National and Washington Dulles. Reagan National has had additional elements put in place that were a requirement prior to reopening the airport on October 4th including additional passenger screening both at National and destination/origin airports, aircraft authentication procedures, and the now-famous "30-minute rule" by which passengers must remain in their seats during the first 30 minutes of flight time departing the airport and final 30 minutes upon arrival. It appears that all of these processes established on October 4th have worked well and have not adversely impacted passengers, airlines, or the operation of the airport.

It is important to note, however, that while the Airports Authority was required to establish increased security requirements at the airports, the airlines were tasked with implementing a significant number of new security requirements for their passenger, baggage and the aircraft.

As you know, as a consequence of September 11th and at Congress' direction, the federal government has embarked on a new transportation

security program administered by the Transportation Security Administration (TSA). We appreciate that this effort will bring about some of the most dramatic changes in the history of commercial aviation in the United States.

The November 19, 2001 passing of the Aviation and Transportation Security Act places TSA in a position to develop a strong partnership with airports to increase the safety and security of air travel. We look forward to working closely with the TSA and the Federal Security Directors assigned to our airports to implement wise and efficient methods of securing the passengers and their baggage as well as the aircraft using our airports.

In closing, we thank you for the opportunity today to report to you on the impact of the September 11th terrorist attack on the security and operation of airports serving the Nation's Capital. The Airports Authority is proud of the service its employees provide to the traveling public and to the communities surrounding the airports. Likewise, we are pleased and gratified by the overwhelming community support we have received prior to, during and after September 11th.

Mrs. MORELLA. The three of you who have already testified have given a pretty good assessment and prognostication of what will happen. Now let us hear from the other partner, Elizabeth Haskins.

Ms. HASKINS. Thank you. Madam Chairman, Congresswoman Norton, Congressman Moran, and Congresswoman Watson, it is a privilege to appear before you today on behalf of the men and women of Signature Flight Support and to have the opportunity to testify on the future of business aviation at Reagan Washington National Airport.

I'm very encouraged to hear the testimony presented today by the Department of Transportation. We met yesterday and went through some of the procedures that may happen to reopen general aviation. I was quite encouraged by that, although we need to be sure that there will be a time certain for implementation, but I'm cautiously optimistic.

I want to take the opportunity at this time to thank the Metropolitan Washington Airports Authority, without whom, Mr. Moran, you would have been right in your forecast of Washington National Signature. We have had rent abatement from Washington National Airport, which is part of the $40 million package that came from you, and I thank you very much for that. It will keep us in business as long as we have a business to reopen.

We appreciate the continuing interest of Members of Congress, particularly those that represent the Washington, DC, area and that have continued to make this issue a priority for the administration.

Signature Flight Support is the world's largest fixed-based operator and distribution network of business and commercial aviation services. We're a fixed-based operator at 42 U.S. airports, including the provider of business aviation services at Reagan National. As Reagan National's business aviation source provider, Signature handled an average of over 175 operations per day and employed 55 aviation service professionals. By the way, we now have 11 on our payroll.

Signature was the gateway to Washington, DC, metropolitan area for thousands of business aviation travelers, including Members of Congress, Fortune 500 executives, and public sector leaders. With very few exceptions, since September 11th Signature's Reagan National facility has been shut down. Reagan National's restrictions also are harming other operations where the departing traffic is destined for Washington, DC.

Adoption of a plan for resumption of business aviation is urgently needed because of the continuing harm the current ban is causing to the business aviation industry and to the economy of the Washington, DC, metropolitan area. Frankly, it has been disheartening to hear members of the administration proclaim full restoration of activities at Reagan National, while Signature and the industries that rely on us—the hospitality industries—know that this has not been the case. The elimination of 60,000 business aviation flights a year is not even close to full restoration of service.

The massive curtailment of operations means not only the loss of business aviation industry jobs, but also the loss of a major source of income to the D.C. hospitality and transportation indus-

tries, but the harm to the Nation is not just economic. By depriving business aviation of access to Reagan National, we sharply restrict citizen access to the Government.

In a letter to President Bush urging the restoration of business aviation operations, Virginia Senators Warner and Allen said, "Unless we reopen Reagan National fully, we have accepted a significant modification in the way we conduct business in the Washington capital area that reduces our access and freedom. A permanent reduction in our access to the Nation's capital can only be seen as a victory for our enemies and a blow to the working people of our economy." While some see Reagan National's proximity to the capital as a liability, we see it as an asset. It is the gateway to our capital.

Since the restoration of commercial operations less than a month after the September 11th attacks, Reagan National has stood as a symbol of the Nation's refusal to be intimidated by terrorists and of our determination to carry on the Nation's business as normally as possible. President Bush expressed this well when he announced the restoration of commercial operations. He said, "This is the airport that brings our Nation's leaders to Washington to do the people's business. You can't win."

Signature and the rest of the business aviation community share this resolve, but the reality is otherwise until we have a truly full restoration of activity at Reagan National. We understand the administration's desire to move very cautiously. We fear that it may not be fully appreciated that it is an urgent situation that business aviation needs to be restored at Reagan National. In a few days, our operation will have been closed for 8 months with no revenue. We have an attendant staff. We paid a portion of the rent for that period of time. We have all of the overhead to keep it going. We have to be open for government flights that come through, so we can't just shut down and avoid the costs. It is important to understand this has been a significant impact on Signature Flight Support.

Finally, the standards for Federal funding of business aviation security should be the same as those for commercial aviation. Both are equally important matters of national security and key elements of our national air transportation system. There should be no reason to distinguish the two by expending Federal money on one while requiring private funding on the other.

Signature appreciates this committee's focus on this important issue, which must be viewed as the single most glaring failure to date in our effort to return air transportation to normal activity. We hope your interest continues throughout the implementation of the TSA's plan to reopen general aviation at Reagan National Airport.

Thank you.

Mrs. MORELLA. Thank you, Ms. Haskins. Our interest does continue.

[The prepared statement of Ms. Haskins follows:]

TESTIMONY
of
ELIZABETH A. HASKINS
PRESIDENT and CHIEF EXECUTIVE OFFICER
SIGNATURE FLIGHT SUPPORT
before the
HOUSE COMMITTEE ON GOVERNMENT REFORM
DISTRICT OF COLUMBIA SUBCOMMITTEE
MAY 8, 2002

Madam Chairman, Congresswoman Norton, and distinguished Members, it is a privilege to appear before you today on behalf of the men and women of Signature Flight Support, and to be afforded the opportunity to testify on the future of business aviation at Ronald Reagan Washington National Airport, one of the most important business aviation portals in the country. The continuing interest of Members of Congress, particularly those that represent the Washington, D.C. area, have made this issue a priority for the Administration.

Signature's Role at Reagan National

Signature Flight Support is the world's largest fixed base operator (FBO) and distribution network for business and commercial aviation services. Signature products and services include fueling, ground handling, passenger services, and maintenance. We are a fixed base operator at 42 U.S. airports, including the provider of business aviation services at Reagan National. Our more than 4,500 domestic employees safely and efficiently support more than 1.3 million aircraft movements a year, handle approximately 250 million pounds of freight and dispense more than 2.5 billion gallons

of fuel. The vast majority of our business is from business aviation, which is why it is so important to us that this vital sector of the economy be given a fair chance to prove that it can thrive in the post-9/11 air security environment.

As Reagan National's business aviation FBO, Signature handled an average of 175 flights per day, and employed 55 aviation service professionals. Signature was the gateway to the Washington, D.C. metropolitan area for thousands of business aviation travelers, including Members of Congress, Fortune 500 executives and public sector leaders.

With very few exceptions, since 9/11 Signature's Reagan National facility has been shut down. We don't know how much longer we will be able to continue to pay our bills and retain our employees at this location unless business aviation is allowed to return. Reagan National's restrictions are also harming our operations at other airports, especially those locations where much of the departing traffic is destined for Washington, D.C. It is true that the Reagan National ban has resulted in a modest increase in business aviation traffic at our Washington Dulles facility. However, this increase does not come close to making up for the business lost at Reagan National. Reagan National's proximity and convenience to Washington D.C. is of such importance to business aviation passengers that, when it is not operational, many choose not to fly at all.

Economic and Political Damage from Continuing Ban on Business Aviation

Signature believes that Administration adoption of a plan for resumption of business aviation is urgently needed because of the continuing harm the current ban is causing to the business aviation industry and to the economy of the Washington, D.C.

metropolitan area. It is frankly disheartening to us to hear members of the Administration proclaim the "full restoration" of activities at Reagan National because Signature, and the industries that rely on us, know that this is not even remotely the case. The elimination of 60,000 business aviation flights a year is not even close to full restoration of service. This massive curtailment of operations means not only the loss of business aviation industry jobs, but also the loss of a major source of income to the D.C. hospitality and transportation industries.

Many millions of dollars in revenue have already been lost by the D.C. hospitality industry. Because of the disappearance of business aviation travelers through Reagan National, significant losses in revenue have been and will continue to be suffered by hotels, catering companies, car rental companies, sedan services, taxis, restaurants and other forms of entertainment. In addition are the extensive losses suffered directly by Signature and the Metropolitan Washington Airports Authority.

But the harm to the nation is not just economic. By depriving business aviation of access to Reagan National we sharply restrict citizen access to the government. In a letter to President Bush urging the restoration of business aviation operations, Virginia Senators Warner and Allen said, "Unless we reopen Reagan National fully, we have accepted a significant modification in the way we conduct business in the Washington capital area that reduces our access and freedom. A permanent reduction in our access to the nation's capital ... can only be seen as a victory for our enemies and a blow to working people in our economy."

While some see Reagan National's proximity to the capital as its greatest liability, we see it as its greatest strength, a strength that is undercut by denying business aviation traffic.

Since the restoration of commercial operations less than a month after the 9/11 attacks, Reagan National has stood as a symbol of the nation's refusal to be intimidated by terrorists, and of our determination to carry on the nation's business as normally as possible. President Bush expressed this well on October 2, 2001, when he announced the restoration of commercial operations, "This is the airport that brings our nation's leaders to Washington to do the people's business.... By opening this airport, we're making yet another statement to the terrorists: You can't win." Signature and the rest of the business aviation community share this resolve. But the reality is otherwise, until we achieve a *truly* full restoration of service at Reagan National.

Business Aviation Can Use Reagan National Safely and Securely

Signature, as well as others in the industry, can be a key player in assuring that business aviation at Reagan National is safe and secure. We have been working with the major business and general aviation trade associations to create detailed security procedures. We appreciate the attention this issue has received from the Federal Aviation Administration (FAA), Transportation Security Administration (TSA), and the Secret Service. The procedures proposed offer an unprecedented level of business aviation security. We firmly believe this level of security surpasses the procedures adopted for commercial aviation. However, Signature stands ready to work on any necessary modifications with all applicable agencies to assure the highest level of security.

While we understand the Administration's desire to move very cautiously, we fear that it may not fully appreciate the urgency and importance of business aviation restoration. In a few days, it will be eight months since DCA was shut down. There has not been a single corporate operation during this period. Thus, Signature urges that a restoration plan be implemented as rapidly as possible.

In addition, if a limited list of origination airports are selected initially, the Administration must focus on those that have the heaviest Reagan National directed traffic. This will maximize the number of flights and convenience to passengers, without any compromise in security.

Finally, the standards for federal funding of business aviation security should be the same as those for commercial aviation. Both are equally important matters of national security and key elements of our national air transportation system. There should be no reason to distinguish the two by expending federal money on one while requiring private funding for the other.

* * *

Signature appreciates the Committee's focus on this important issue, which must be viewed as the single most glaring failure in our effort to return air transportation to normal activity. I hope that your attention will help to truly restore full service as quickly as possible at Reagan National.

Mrs. MORELLA. Mr. Olcott.

Mr. OLCOTT. Thank you, Madam Chair, for holding this very important meeting. I am Jack Olcott, the president of the National Business Aviation Association. NBAA represents the over 7,100 companies that use general aviation aircraft for business transportation or are otherwise engaged in what we know as "business aviation."

Our members are integral to our Nation's economy, generating revenues of approximately $5 trillion annually—that's about half the gross domestic product—and employing over 19 million workers. As companies engaged in the ebb and flow of commerce, it is understandable that they have a considerable need for transportation. They use general aviation aircraft as one of the means for meeting their transportation needs, just as they also use the scheduled airlines. In fact, NBAA member companies are the world's most active users of business aviation, yet they also purchase over $10 billion in airline tickets annually. They simply require transportation.

Our members need access to Reagan National Airport. Last year, approximately 2,000 companies, about 90 percent of them NBAA members, landed at Reagan National, accounting for the vast majority of the approximately 60,000 movements that are classified as general aviation at Reagan National, yet nearly 8 months after the tragedies that occurred on September 11th, more than 6 months following the restoration of airline service, general aviation still does not have access to Reagan National.

Is that because those responsible for opening Reagan National are unaware of the significant role that business aviation plays within our Nation's transportation system? Business aviation provides access to 10 times the number of airports with any scheduled airline service, and over 100 times the locations with really convenient schedules. With its ability to reach more locations quickly and efficiently, business aviation enables a company to maximize the productivity of its two most important assets—people and time. NBAA members are keenly aware of the value of time, as are the shareholders of those companies.

Is it because those responsible for opening Reagan National are unaware of the significant role that users of business aviation play in our Nation's economy? Using business aviation, our members link rural America with the centers of commerce and government. Reagan National open to business aviation is a symbol that our Federal Government is open to rural America and those in the heartland who contribute significantly to our Nation's GDP.

Is it because those responsible for opening Reagan National are unaware of the extremely high levels of security practiced by business aviation? Member companies of NBAA have been following strict security procedures for decades, not just in the months following September 11th. Our community has a highly developed culture of security, albeit focused on industrial security. Companies carefully examine the background of their crews. They know who boards their aircraft. Everyone who occupies a seat on a company airplane is well known to either the crew or the lead passenger. Aircraft are carefully maintained and inspected prior to flight. Business aviation has an exemplary record of safety and security.

A meeting convened yesterday by Dr. Michael Jackson, Deputy Secretary of Transportation, and attended by leaders within the Transportation Security Administration, truly encourages NBAA. I believe other representatives of general aviation associations were similarly impressed. DOT and TSA outlined six steps that Deputy Secretary Jackson said would form the basis of a definitive procedure to be announced by the end of this month.

We were also informed that TSA and DOT would engage the general aviation community as final procedures for GA access to Reagan National are developed.

While it remains to be seen how much time will be needed to implement the proposed six-step plan once it is made public, we trust that Congress, as well as the administration, will move expeditiously to open Reagan National to general aviation.

Thank you very much for your attention. I appreciate the opportunity to answer any questions later on.

Mrs. MORELLA. Thank you very much, Mr. Olcott.

[The prepared statement of Mr. Olcott follows:]

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Testimony of

John W. Olcott
President

National Business Aviation Association

Before the

Government Reform District of Columbia Subcommittee

May 8, 2002

Chairwoman Morella, Ranking Member Norton, Members of the Subcommittee, thank you for providing us this opportunity to talk with you today about a continuing challenge faced by the general aviation community and its direct effect on the economies of Maryland, the District of Columbia and Northern Virginia.

NBAA, the National Business Aviation Association, represents the aviation interests of over 7,100 Member companies that own or operate over 9,600 business aircraft as an aid to the conduct of their business, or are involved with business aviation. NBAA Member Companies earn annual revenues approaching $5 trillion – a number that is about half the gross domestic product – and employ more than 19 million people worldwide. The safety and security record for business aviation meets and often exceeds that of the commercial airlines.

Since September 11, no segment of American industry has come under more scrutiny than aviation. Every aspect of aviation, including commercial airlines, on-demand air taxi's, private aircraft, flight training, crop dusting, traffic reporting, news helicopters, even balloons were seen as potential threats to national security.

But rational thinking has prevailed, and shortly following September 11, with new and enhanced security procedures in place, the government began a controlled return of aircraft to service. Commercial aircraft were given first priority during the restoration. Thousands of people were stranded at airports and needed to get home. Over the following weeks and months, more aircraft were allowed back into the skies. Just recently, three of the last four remaining airports with general aviation aircraft restrictions (College Park, Potomac and Washington Executive/Hyde) reopened for business. However, nearly 8 months since the imposition of restrictions, general aviation aircraft are still not allowed to operate at Washington Reagan National Airport.

A few weeks ago, the U. S. Department of Transportation announced that on Saturday, April 26 Reagan National would return to full pre-9/11 operational levels, including the use of larger 757 aircraft and restoration of the northern river visual approach to the airport. But, no plan or timeline has been announced for the restoration of general aviation aircraft at Reagan National Airport. It is this restriction that continues to have a negative affect on not only business and personal operators of general aviation aircraft, but on the local economies of Maryland, DC, and Virginia as well.

Prior to September 11, general aviation activity at Reagan National Airport represented annually nearly one-third of all operations, about 60,000 movements. Companies flying the vast majority of these aircraft require various services for the aircraft and for the people on board. This means fuel, sold by Signature Flight Support, catering for the aircraft, sold by multiple providers, hotel rooms, located in all three regions, rental cars, taxi cabs, restaurants, meeting facilities, and other business related services. These industries have suffered decreased revenue due to continued government restrictions on general aviation aircraft access to Reagan National Airport.

The restrictions preventing general aviation access to Reagan National Airport send two absolutely inaccurate signals to our community: 1) general aviation aircraft owners and operators are less important than the commercial airlines and 2) America's business leaders can't be trusted with securing their aircraft.

General aviation aircraft serve an important need for America. General aviation aircraft have access to over 5,300 airports, ten times more than airports with commercial service, and one hundred times more than airports with convenient service. General aviation brings the ebb and flow of commerce to the four corners of our country and connects people and business to our vast aviation infrastructure. General aviation provides a service that is found nowhere else: time and mission critical transportation. Whether it be for emergency medical

treatment or organ transplants, cancer treatment, spare parts to return critical machinery to operation, face-to-face business meetings, employee shuttles or maximizing productive time, business aviation creates significant opportunity.

Security has always been inherently joined to business aviation. There are few locations more secure than in an aircraft with only your invited passengers aboard. America's businesses have known this for decades and have developed a culture that protects that security by securing their aircraft. While not specifically regulated by the FAA, security for general aviation and business aviation is no less important. When the security of business aviation was challenged late last year, one prominent chief executive was so confident in the security of business aviation that he challenged the Secret Service to gain access to his aircraft inside his secure hangar. In fact, NBAA's Management Guide, an operational resource for aircraft operators, has for years contained security guidelines. An evaluation of business aviation by the Transportation Security Administration (TSA) or any other security agency would reveal how serious America's businesses are about aviation security.

On September 17, NBAA formed its Business Aircraft Security Working Group to develop security recommendations for our community and for the government. The working group developed a security checklist, included in this testimony, highlighting important areas for ensuring aircraft, hangar, and personnel security. Since these recommendations were general in nature, and did not contain security sensitive information, they were published on the NBAA web site, www.nbaa.org for use by our Membership and the community at large. On December 12, NBAA along with the Aircraft Owners and Pilots Association, Experimental Aircraft Association, General Aviation Manufacturers Association and the Helicopter Association International submitted recommendations to the TSA on ways to improve general aviation security. Finally, on December 20, NBAA sent a letter to FAA Administrator Jane Garvey that outlined in detail NBAA's proposal to restore general aviation access to Reagan National.

On January 14 of this year, NBAA began work with FAA's Office of Civil Aviation Security, now TSA, to develop a process that would allow qualified general aviation operators access to Reagan National Airport. Known as a security letter of authorization (SLOA) the process would allow only those operators who have successfully completed background checks and who have developed specific security procedures access to the airport. The SLOA was formally submitted to TSA on March 15. And on February 22 during a House Appropriations Treasury, Postal Service and General Government Subcommittee hearing, Secret Service Director Brian Stafford assured the Members that he would give NBAA's proposal the highest consideration. NBAA has received the same assurances from Homeland Security Director Tom Ridge and White House Chief of Staff Andrew Card.

NBAA has continued to offer assistance and regulatory expertise to TSA following our SLOA submission. We have been holding monthly sessions at Reagan National Airport to update general aviation aircraft operators on the status of reopening the airport. At our last meeting in April, TSA told those gathered that the Agency expects to have a regulatory solution to general aviation access in place by May. This was encouraging news five weeks ago, but despite repeated contacts with the Agency officials, we have not yet heard any further details about the Agency's plan.

NBAA is willing to work with Congress and any government agency to find a solution for this last remaining restriction. Our work to date has already increased security for business aviation and we are anxious to implement an effective plan that restores general aviation access to Reagan National Airport. Thank you for this opportunity today and I look forward to your questions.

Company Name:_____ Name of Aviation Manager:_____

Name of certifying official:_____ Date of Certification:_____

Facilities	PASS	FAIL	CRITERIA FOR PASSING
Facility perimeter			Effective fencing, lighting, security patrols to ensure access limited to individuals having a right or need to be there.
External gates and doors			Closed and locked at all times. Positive access control for all external doors and gates.
Hangar doors closed			Closed when area is unattended.
Storage areas (internal && external)			Secured. Positive access control for all storage areas.
Access control management system for keys and passes			Established and in place.
Passenger, vendor, visitor identity			Maintain list of expected passengers and visitors. Confirmed and authorized prior to allowing access to facilities and aircraft. Picture ID checked for unknown passengers, vendors, visitors.
Visitors			Escorted when in a secure area.
Emergency phone numbers			Posted prominently by telephones. Adequate phones or "panic buttons".
Destination facilities			Confirm / arrange for adequate security at destination facility. Preference for those meeting NATA security guidelines
People and Processes			
Passenger manifest			Accurate and accessible manifest required for all trips. Passengers matched to manifest.
Company aircraft			Only company personnel, manifested passengers and guests identified in advance allowed on company aircraft.
Luggage			Passenger or flight department members must maintain positive control. Must be matched to specific passenger.
Photo IDs			Crewmembers must display at all times
Establish a "Security" champion role			Designated individual
Security plan			Develop, maintain and periodically exercise.
Emergency response plan			Develop, maintain and periodically exercise.
Aircraft			
Pre-flight inspection			Check lavatories, baggage compartments, service compartments, and structural cavities for unauthorized people, objects, baggage prior to every departure.
Aircraft doors			Closed and locked when aircraft unattended.
Servicing (at home base)			A flight department member must be present at all times when aircraft is being serviced (fuelling, catering, etc.)
Servicing (other than home base)			A flight crewmember must be present at all times when aircraft is being serviced (fuelling, catering, etc.)
Aircraft security systems			Locks and alarms used whenever aircraft is unattended.
Information			
Security training			Required for all aviation department members.
Company classified / personal information			Classify, control and properly dispose of sensitive personal information, itineraries, manifests, etc.

Enhancing the Security of General Aviation Operations

AOPA, EAA, GAMA, HAI and NBAA Recommendations to the Transportation Security Administration

Aircraft
To prevent unauthorized use of aircraft, each owner/operator will take steps appropriate to the specific type of aircraft to secure it when unattended.

The identity of individuals renting or purchasing an aircraft or joining a flying club should be validated by checking a government-issued photo ID. The Transportation Security Administration (TSA) should evaluate creating a system to electronically compare these names against the federal government's "watch list."

Only authorized personnel should issue keys to rental/flying club aircraft, or an alternate system should be implemented by these clubs to protect against unauthorized use of an aircraft.

The TSA, in consultation with other appropriate government agencies, should develop and distribute a profile to identify individuals requiring additional scrutiny before they are allowed to buy, rent, receive pilot training or be employed in areas where they are routinely allowed access to general aviation aircraft.

The FAA should ensure its database of aircraft owner information includes the name and mailing address of the primary operator(s) of each aircraft. Using the procedures it deems appropriate, the U.S. government should then review this operator registry to ensure these individuals or corporations are not associated with or supportive of any terrorist groups.

Passengers
Prior to engine start, the Pilot In Command (PIC) of flights operated under CFR 14, Part 91 should ensure that the identity of all occupants is verified, all occupants are aboard at the invitation of the owner/operator, and that all baggage and cargo is known to the occupants.

Pilots
The FAA pilot certificate should be modified to include a photograph of the pilot using a format that is difficult to counterfeit.

All first-time applicants for a U.S. pilot certificate should be required to show one form of government-issued identification that includes a photo. This form of identification must indicate country of citizenship.

Using procedures it deems appropriate, the U.S. government should immediately review the existing FAA registry of all active U.S. pilots and review new pilot applicants to ensure these individuals are not associated with or supportive of any terrorist groups.

Airport
Outdoor signage should be prominently displayed near areas of public access warning against tampering with aircraft or unauthorized use of aircraft. In addition, signage indicating the phone number for reporting suspicious activity should be placed in areas where pilots and/or ramp personnel gather.

Pilots should be advised to be on the lookout for suspicious activity on or near airports, including:

- Aircraft with unusual or unauthorized modifications;
- Persons loitering for extended periods in the vicinity of parked aircraft or in air operations areas;
- Pilots who appear to be under the control of other persons;
- Persons wishing to obtain aircraft without presenting proper credentials or persons who present apparently valid credentials but do not have a corresponding level of aviation knowledge; or
- Anything that doesn't look right! (i.e. events or circumstances that do not fit the pattern of lawful normal activity at an airport.)

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December 20, 2001

The Honorable Jane Garvey, Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Garvey:

To allow qualified general aviation operations within the National Airspace System (NAS) during periods of FAA-mandated increased security, and at specified locations, we are requesting that the FAA issues "Security Letters of Authorization" (SLOAs), as articulated in the attachment, to allow general aviation access to the NAS equivalent to commercial operations.

SLOAs would be available to any Part 91 operator who applies for and complies with their provisions. Part 135 aircraft operators who apply for and are in compliance with similar Operations Specifications that contain provisions similar to the SLOA would be equally authorized.

We request that the FAA entertain the following schedule regarding the development and deployment of Security Letters of Authorization:

- January 7, 2002 – Previously scheduled business aviation industry briefing at KDCA. FAA feedback regarding the status of DCA is expected at this meeting.
- January 25, 2002 – Finalization of SLOA requirements and detail of demonstration program completed for using SLOA procedures into DCA.
- February 1, 2002 – Application conference for those operators willing to enter the demonstration program.
- February 15, 2002 – Demonstration program launched using business aircraft operators, including those based at DCA and elsewhere, flying fixed-wing aircraft and helicopters, and including charter operators and fractional operators.
- March 1, 2002 – SLOA program finalized and operational.

Our community is eager to demonstrate its commitment to safe and secure operations during these difficult times and to work with the security community to ensure national security and public safety.

We look forward to working with you.

Very truly yours,

John W. Olcott
President

cc: Admiral Paul E. Busick (USN, ret.)

member of ibac international business aviation council, ltd.

Purpose: To allow qualified general aviation operations within the National Airspace System during periods of FAA-mandated increased security, and at specified locations with FAA-mandated increased security. Security Letters of Authorization would facilitate access to the NAS for qualified general aviation operators equivalent to commercial operations.

Applicability: SLOAs would be available to any Part 91 operator who applies for and complies with their provisions. Part 135 aircraft operators who apply for and are in compliance with similar Operations Specifications provisions would be equally authorized. Operators who have been issued SLOAs or had their Ops. Specs. similarly amended would agree to be in compliance with their requirements at all times unless individually rescinded by the Administrator due to non-compliance or universally because the threat to national security is assessed to render SLOAs unnecessary.

Background: Following the events of September 11, 2001, concerns about the potential use of general aviation aircraft for the commission of a terrorist act resulted in FAA NOTAMS restricting general aviation access to the National Airspace System (NAS). As a result of cooperation between industry and government officials, most airspace restrictions have now been removed. However, significant restrictions remain in place around Washington, D.C., and the possibility of new airspace restrictions threatens of general aviation access to the NAS.

It is important to note that there is no history involving the use of general aviation aircraft to commit a terrorist act. Additionally, practical and procedural barriers such as cost, aircraft and airspace technical complexity, no public schedules or itineraries, the risk of detection, the potential deterrent of military response, existing and still-improving security measures, aviation community opposition (the "neighborhood watch" effect) and other factors makes the use of general aviation aircraft for terrorist acts increasingly undesirable and thus unlikely.

The FAA is familiar with the Letter of Authorization process of application review, issuance and oversight for other Letters of Authorization. It is the most readily acceptable and efficient security mechanism for the FAA to pursue.

A security working group within NBAA has developed these concepts over many weeks. We realize that further refinement may be necessary and look forward to working with the FAA to finalize this concept. NBAA is ready today to use our Web site, publications and other means of communication, including workshops, to facilitate the SLOA application and compliance process when approved. This may include sponsorship and facilitation of workshops for FAA personnel if requested.

NBAA is available to brief interested parties on the SLOA concept and would be pleased to involve other industry groups in their development.

Public Benefit: Reliable general aviation access to the National Airspace System is of vital importance to our nation's economy. It is also a cherished personal freedom. Consequently, it is in the national interest to codify many of the practices of leading business aircraft operators and restore access to the N.A.S. for those secure operators willing to comply with the SLOA requirements. Security Letters of Authorization are proposed as a progressive mechanism – for general access to

the N.A.S., with additional requirements for access to New York heliports and further requirements for access to Ronald Reagan Washington National Airport.

Security Letters of Authorization (SLOA)

1. SLOAs may be issued and rescinded at the Administrator's discretion.
2. Operators who have been awarded SLOAs will comply with their requirements at all times.
3. A SLOA will identify:
   a. SLOA type
   b. Authorized operator
   c. Authorized aircraft
   d. Authorized crew
   e. Authorized passengers (for KDCA access only)
   f. Authorized operator security procedures

Security Letter of Authorization
Requirements for General Access to the National Airspace System

1. A background check will be completed of aircraft owners and operators and consist of a review of applicable security databases.
2. Upon application, the operator will submit the names and pilot certificate numbers of all flight crew for whom a background check will be completed consisting of a 5-year felony history and a 10-year employment history review.
3. Aircraft crew will positively identify all passengers, baggage and cargo.
4. Aircraft crew will ask passengers applicable security questions regarding baggage and cargo.
5. Aircraft crew will conduct a search of the aircraft prior to departure.
6. Personnel authorized in the SLOA must be present and supervise any preflight aircraft servicing.
7. Personnel authorized in the SLOA will maintain a secure aircraft at all times.
8. Personnel authorized in the SLOA shall maintain procedures for passengers and crew to communicate a duress situation.
9. The aircraft will be flown under instrument flight rules (IFR).
10. SLOA operators shall train all personnel designated in the SLOA on its requirements.

Security Letter of Authorization
Requirements for Access to New York City Heliports

All previous requirements plus:

11. Aircraft crew must possess valid U.S.-issued airmen certificates and a U.S.-issued social security number.
12. Helicopters may fly under visual flight rules (VFR) while in positive air traffic control.

Security Letter of Authorization
Requirements for Access to Ronald Reagan Washington National Airport (KDCA)

All previous requirements plus:

13. Passenger verification:
    g. The SLOA operator will identify to a federal agency passengers who may at some time fly into KDCA for security verification. The list will be updated at least annually.
    h. Passengers who have not previously been security verified must supply social security numbers or passport numbers at least 24 hours in advance of a proposed flight to KDCA to a federal agency for security verification.
14. The SLOA operator will certify via flight plan filing that only security-verified passengers and crew are aboard KDCA-bound or -departing aircraft.
15. Aircraft crew and passengers will comply with all security procedures established by the airport and fixed-base operator at KDCA.
16. Aircraft crew will abide by all ATC security procedures.
17. Aircraft crew must be U.S. citizens.
18. Aircraft operating into KDCA must be registered in the United States.

- performance appraisals/progress reports for the intern.

The program should also require the employer to complete any necessary forms from the intern's school and send copies of the intern's progress reports to the school. The employer also should notify the school of any changes in the status of the student.

1.20.1.7. Considering Intern Qualifications

In hiring an intern, consideration should be given to the following:

- Grade point average
- Year in school (freshman, sophomore, etc.)
- Certificates or license requirements
- The student's degree program

1.20.1.8. Considering Program Duration

Consideration should be given to the duration of the intern program. The program also should be aligned with the school's term system.

1.20.1.9. Considering Compensation

Consideration should be given to the following:

- Salary
- Housing (Can student housing be provided?)
- Scholarship opportunities
- Travel expenses

1.20.1.10. Selecting a University/College

The University Aviation Association (UAA) can provide a useful list of universities and colleges with aviation-related programs to assist a company's intern search.

UAA contact information:
3410 Skyway Drive
Auburn, AL 36830
Tel: (334) 844-2434
Fax: (334) 844-2432

1.20.2. Application Process

When conducting an intern search, remember to:

- Contact your company's human resources department for policies on internship programs.
- Contact the University Aviation Association for a list of universities and colleges that participate in internship programs.
- Interview the schools listed in order to determine which one fits your needs.
- Contact the school selected and set up a school interview to establish a program.
- Set dates for intern interviews.
- Select an intern and follow through with all company and university protocols.

1.21. Security

NBAA recommends that each corporate aviation department have a specific aviation security program. Aviation departments can obtain professional help to determine the best protection methods from local law enforcement, contracted companies, aviation consultants and aviation service providers.

The security program should include plans of avoidance and plans of action. For example, a company might possess an elaborate security system but still might need a plan of what to do if an aircraft is suspected of being sabotaged.

1.21.1. Security Plans to Avoid Terrorist Acts

The following steps should be taken in developing any security plan.

- Review all sources of media information. Newspaper, radio and television coverage of actual events can be very instructive.
- Circulate memos, articles and newsletters throughout the company that discuss security.
- Review available catastrophe avoidance literature.
- Maintain frequent contact with the company's security department. Information gathered on aircraft and flightcrew security should be shared with the security department.
- Require that the security and aviation departments attend security seminars.
- Consider removal of company identification, logos and the American flag insignia.
- Do not publicize the aircraft itinerary.
- Have hangar personnel accompany all visitors to hangar facilities.
- Avoid having company signs and logos at the company's hangar facility.
- Do not make any controversial statements,

either in public or in private, since these statements could lead to violence.
- Cancel trips or specific stops if there is any reason to suspect trouble.
- Be most sensitive to security information received just before flight time.
- Use the aircraft's security system at every stop, no matter how brief.
- Be very cautious when hiring local guards; local contacts can assist in making arrangements for theft.
- Know or require positive identification from passengers.
- Require a passenger manifest.
- Require all passengers who are not employees to be authorized by an employee.
- Check fencing, lighting, security patrols, gates and limited access areas at all airports.
- Encourage flightcrews to develop a security awareness attitude.
- List any security concerns and actions regarding specific threats.
- Request guard services at security-sensitive locations through FBOs or ground handling agents.
- Use only reputable catering services and monitor catering carefully.
- Advise passengers to maintain positive control of their luggage.
- Check all unmarked or unrecognized baggage for content and ownership.

1.21.2. Security Plans If a Terrorist Act Occurs

NBAA recommends that aviation departments consider the following steps in developing a company security program.

- Establish an emergency control committee to handle disaster-type emergencies.
- Develop a contingency plan for advance response to hijackings, bomb threats, executive abductions, terrorist activities and extortion demands.
- Schedule simulated emergencies at least once a year to test the contingency plan.
- Establish an emergency communication system with a telephone list of key personnel.
- Audit security at hangar facilities and operational areas.

The risk of an incident involving hijacking (air piracy) or other terrorist acts exists and is increasing both within the United States and overseas. The following precautions should be taken if a company suspects it may be a target of terrorism.

- Assume that one terrorist act signals the presence of another. If the aircraft is violated in one area, verify that other areas have not been violated.
- Ask for help from local authorities, even if terrorist activity is suspected without solid evidence.
- Receive professional training on the use of any weapon carried on the aircraft.
- Use any weapon with caution.
- Consider alternative means of transportation if sabotage is suspected.
- Verify that no stowaways are aboard, especially in the lavatories or the baggage compartments.
- Share any terrorist activity only with company officials, the Federal Bureau of Investigation (FBI) and other appropriate government agencies.
- Use security tape on all access panels and doors when parking overnight.

In case hijacking or air piracy does occur, the flightcrew must be familiar with published emergency procedures. These procedures are listed in detail in the *Aeronautical Information Manual (AIM)*. Some elements are provided below. They should be followed, providing they do not jeopardize the safety of the flight.

- Execute a distress radio call on 121.5 Mhz or 243.0 Mhz;
- Set the transponder to 7500;
- Maintain a true airspeed of no more than 400 knots;
- Maintain an altitude between 10,000 feet mean sea level (MSL) and 25,000 MSL (providing range requirements are met);
- Fly a course toward the destination that the hijacker has announced;
- Comply with any procedures that direct the flightcrew to a safe landing.

Mrs. MORELLA. I'll start the questioning, again trying to keep it to 5 minutes so we can go several rounds.

I think you noticed that we have been joined by Ms. Watson from California, a great member of this subcommittee. Welcome.

I will start off with Ms. Van de Water. You mentioned the plan that will be issued, the interim rule for a plan for general aviation, which I guess will supersede the SLOA. I wondered if you would tell us a little bit more about when you plan to release it, to issue it, and how long will that interim rule be in effect.

Ms. VAN DE WATER. What we hope to do is, by the end of this month, is to put out the interim final rule, as we call it. At that time, we will allow comments on the rule, but while we are taking in the comments and assessing them from the TSA perspective it will allow the users of the airport to go ahead and operate under those procedures.

As we discussed with the users of the airport yesterday, they may have suggestions of improvements or changes in the rules, but we didn't want to hold up the whole process pending those changes, so we will go ahead and put out what we call an "interim final rule," allow operations to begin, and then perhaps tweak the process as we go through it.

I believe Deputy Secretary Jackson committed yesterday to meeting again in 3 or 4 months with the users of the airports to see how the procedures are playing out over time.

And, as I said in my statement, we do have high hopes of getting this wrapped up by the end of May.

Mrs. MORELLA. By the end of May? That's a very good date, since it is pretty close.

Ms. VAN DE WATER. It is very close. And this requires coordination with other Federal agencies. It's not merely a Department of Transportation issue.

Mrs. MORELLA. Right. And I was pleased to hear that. I think I heard correctly that you had met with general aviation—Signature and the Business Aviation Association. But did you just meet with them yesterday, or had they been involved?

Ms. VAN DE WATER. No. We've met with them before, and they have been working with the TSA.

Mrs. MORELLA. So you would agree there was no problem with that? The communication was pretty good?

Ms. HASKINS. Yes. The communication has absolutely been there. Yes, the communication has been fine.

Mrs. MORELLA. Excellent. Excellent. I'm glad to hear that.

This question is for any of you who would like to answer. Why has general aviation been prohibited from using Reagan National Airport.

Ms. VAN DE WATER. Well, the airport has been returned to service in phases, and our first priority was returning commercial operations. As you know, in early October we allowed each of the airlines, the major airlines that had served DCA, to choose one or two of their major markets to begin bringing traffic in. We instituted a second phase several months later, and announced the third phase, which kicked in at the beginning of January. It went in over a 3-month period.

We had additional security procedures put in place at that time that allowed—and compliance with those procedures allowed the comfort level to grow throughout the Federal Government that this was the right thing to do and that these procedures could be followed and implemented.

Then the next natural stop would be general aviation. It hasn't been a deliberate desire to keep GA out; it has just been a restoration of commercial services first, as we try to come to terms with the important security procedures that general aviation operators will have to follow before they can come into the airport.

We are all very mindful of exactly how close the airport is to critical infrastructure in Washington.

Mrs. MORELLA. I commend you, as a matter of fact, for the phase-in. I thought that was done in a very logical, reasoned way. I'm just curious about what it was that general aviation needed to do, perhaps in the area of security, which is what we hear about all the time, and what you are asking them to have in place to meet the security concerns.

Ms. VAN DE WATER. We are going to have a very detailed procedure in place, and that will be covered in the interim final rule that they can then comment on and make suggestions and changes to. The key parts will be the vetting of flight deck crew members, the submission of passenger manifests in advance, the securing of unattended aircraft, the physical inspection of aircraft, compliance with air traffic special flight procedures, and signed certification agreements with their crews.

Mrs. MORELLA. Yes. It seemed to me they were willing to do this all along, but I guess it's because you had to have the rule in place.

Ms. VAN DE WATER. Yes. We will have to have the rule in place.

Mrs. MORELLA. And that's what evidently took the time, even though many of them were meeting various criteria.

Ms. VAN DE WATER. We have every confidence they will be able to meet the criteria.

Mrs. MORELLA. Right. What is the economic impact Ms. Haskins on general aviation in the region since the imposition of that prohibition?

Ms. HASKINS. Well, the revenue lost by Signature Flight Support and then the attendant downstream revenue to sedan services and so forth, Signature's revenue loss through the end of April has been over $13 million. When you're talking billions, it doesn't sound like a lot. When you're talking about a company the size of Signature, it's a lot. And the interesting factor is the downstream effect—the hotel rooms that aren't sold. We sell an awful lot of hotel rooms in Washington, DC, particularly the Pentagon area. Also, the sedan services, the rental car agencies that our customers use when they're coming through Washington Reagan Airport.

We've estimated—we've gotten some numbers from the hospitality industry in trying to get a handle on it. We know that it is in excess of $10 million for the 4-months that was closed September through December. I'm not positive that number is one that you could hang your hat on, but it is in that order of magnitude.

Mrs. MORELLA. Did general aviation services get any of that $40 million?

Ms. HASKINS. In the form—no, we did not directly, but Metropolitan Washington Airports Authority met with us as soon as they got their money and they abated our rent and they refunded rent from September through December, so they actually have been very fair.

Mrs. MORELLA. Kind of an in-kind benefit. Great.

Well, thank you. My time has expired.

Ms. Norton.

Ms. NORTON. Thank you very much, Mrs. Morella.

I think the best news of the hearing we've already heard when Ms. Van de Water testified that there would be an interim rule that would allow general aviation to resume and we could truthfully say that Reagan National was back to normal. Let me ask you and perhaps Mr. Brown, as well—I appreciate your testimony on noise. As you know, the curfew went into place that was, of course, a part of the whole September 11th safeguards. Would you indicate to me what would be the effect—perhaps you, Mr. Brown, Mr. Wilding—of retaining that curfew. What would be the effect on air travel? What would be the economic effect if that curfew were retained?

Mr. BROWN. Mr. Wilding could probably give you a much better direct economic information than I could, but clearly there are a number of flights that prior to September 11th did come into the airport after 10 and before 7 or departed before 7, and so there clearly would be a flight reduction if a complete curfew were put into effect, and that, of course, would reduce the capacity of the airport to a certain extent and would have some economic impact that maybe Jim could address.

It is important to note that, even prior to September 11th, aircraft that used the airport during those hours had to be substantially quieter than during other hours, and that's an important feature that also would return.

Mr. WILDING. It probably is worth noting, if I could, that when the curfew, the hard-and-fast 10 p.m. to 7 a.m. curfew went away, what it returned us to was exactly the regime that Mr. Brown just talked about. We had a nighttime noise level arrangement that after 10 at night and through the night until 7 in the morning an airplane has to be fairly quiet—a whole lot quieter than the so-called "stage three" requirements—to be able to operate at National, but if it can meet those requirements it is free to operate all night long.

There are a number of airplanes pre-September 11th that took off from National in the 6 a.m. hour heading to western points in the United States. There is also a clear airline practice of sort of sweeping their hubs across the country from west to east in the late evening, bringing airplanes into national after 10 p.m. Usually by about 11:30, quarter to midnight, they're all in. There were about 50 such airplanes a day, some in the morning, some in the evening, outside of the 7 to 10 hours.

It was our estimation that, unless we got back to our old nighttime noise arrangement, that it would be impossible for National to get over about 82 or 83 percent of its normal operation back in business: That it would have just sort of stuck at about that point and just hovered there. So getting back to the normal nighttime

noise arrangement, it was absolutely critical in our mind to getting back to a normal National Airport.

Ms. NORTON. Now, how long have those rules about the noise levels of planes flying in after 10, before 7:00—how long have those rules been in place?

Mr. WILDING. A very long time. In this form, probably 15 to 18 years. Going all the way back to the introduction of jets at National in the late 1960's there has been some nighttime arrangement, but 15 or 18 years ago it settled into the one I just described. And I might point out that, as we do the Part 150, you know, we're taking a look at everything related to noise at National Airport. If there are those—and there likely are—who think we ought to toughen things up at night, or presumably those who think we ought to loosen it up, that's a forum in which that can be thrashed out. I fully expect that to be one of the issues that's taken through that process.

Ms. NORTON. Now, Mr. Wilding, just as I said to Ms. Van de Water, the best news about general aviation came in the opening testimony that she gave. I must say that I was heartened by the indication in your testimony that you were prepared to look at the after-10 hour notions that—the 10 to 7 notions. And the reason I asked how long it had been in place is because I think that, given the state-of-the-art of everything, certainly air travel, anything that we manufacture in this country, to allow a rule that was formulated almost 20 years ago to remain in place may be one of the reasons that there is so much consternation even with that rule today, and so there have been an enormous number of complaints and a lot of pressure to keep the curfew.

As I hear you indicate how long this rule has gone unexamined, I think that part of the problem is that people were living with an antiquated rule and a rule that needed to be looked at again.

You indicate that even before September 11th you were set to review noise abatement procedures. In my next round I will want to know exactly what you will be looking at and what will be your goals, but I see that my time is up. I appreciate your testimony.

Mrs. MORELLA. I'm sure they'll remember that, too.

Mr. Moran.

Mr. MORAN. Thank you, Chairwoman Morella.

I want to ask about general aviation and then the Part 150 noise abatement process. More than 50,000 business aviation flights had made their way through National on a yearly basis. The people who use general aviation at National, they don't fit the typical profile of recreational flyers. They schedule the flights in advance, they use only professional pilots who have already been subjected to background checks and security clearances. It just seems that it is time that we were able to find a way to open general aviation, and I trust Secretary Mineta understands how important that is to our economy and to the national economy.

Ms. VAN DE WATER. He absolutely does.

Mr. MORAN. Yes. Well, OK, but they're not open.

Ms. VAN DE WATER. We expect that they will be shortly.

Mr. MORAN. Yes. OK. I'll take that as a guarantee that will occur shortly, and I'm glad to hear it.

Has Signature Airlines sought any of the $15 billion in loan guarantees that the Congress made available which expire on June 28th?

Ms. HASKINS. My attorney is sitting behind me saying it is not available to us, and I'm not entirely sure I understand that.

Mr. MORAN. Why isn't it available?

Ms. HASKINS. I believe it is part of the Young-Mica bill. I'm sorry. I'm sorry, there's a misunderstanding. We're not an airline. We're an aviation services provider, ground support.

Mr. MORAN. But you were the most adversely affected and now that's an omission in the——

Ms. HASKINS. Thank you for recognizing that.

Mr. MORAN. Well, I didn't realize that. Gosh sakes, that's a real error in legislation. I guess the airlines, themselves, had more influence and wrote the legislation to take care of themselves but left that out. That's unfortunate.

Things have returned to pre-September 11th, with the exception of general aviation, and one other exception, and that's the 24-hour presence of military aircraft overhead. You know, a few of my constituents have said, "Well, that's the price of freedom," but they're sort of in the minority. I think most people feel that it is a—if this is going to continue indefinitely, then it is going to be a problem, and it might be a little bit overkill to continue it indefinitely.

Does anybody on the panel have any idea whether this is intended to be permanent?

[No response.]

Mr. MORAN. Nobody? All right. We'll have to ask the Pentagon about that.

Now, the Part 150 noise compatibility process—as you know, this has required the Airport Authority to go through a public hearing process, consultation with noise abatement experts, etc., etc. It has been put on hold, but there are five aspects of it, just very quickly: the slot rule; the perimeter rule; the flight plan so that the takeoffs and landings that go five miles south or 10 miles north of the airport are supposed to go over the Potomac River; the thrust management, which was addressed by Mr. Brown; and the nighttime noise restriction.

I'd like to ask if there are any plans with regard to any of those five that are going to better address the noise compatibility program which was in process and I trust is going to be restarted.

Let me ask Jim Wilding.

Mr. WILDING. It certainly will be restarted. It was unfortunate, obviously, that it only was a month or 6 weeks old when the events of the fall occurred. Clearly the way these things are done, is kind of complicated, but you start with a baseline of activity that everybody sort of understands and then you sort of play "what if" on a lot of the variables. All of a sudden the baseline disappeared on us in the fall, so there was no sense in going ahead with it. Now that the baseline is back in focus for us, certainly on the commercial side—I'm confident very shortly on the general aviation side—we've got our baseline back and we can plunge ahead with the study.

It is basically an 18-month-ish effort where most of that time is consumed in a good deal of discussion, debate, frankly disagreement between all the parties that try to thrash out really what is

the best way to operate the airport, particularly in the noise abatement area.

So I would point to the last three of your five factors as the primary focus and, while I'm sure the slot rule and the perimeter rule will also sort of get into the conversation because they always do, they tend, in my experience, not to get a huge amount of emphasis because there is a feeling that the Federal Government has sort of spoken in those areas. And, again, they're not excluded from getting in the process, but we tend to try to focus more on things we can control a little bit more readily.

Mr. MORAN. Senator McCain certainly has, and for the time being the Congress has gone along with him, but I understand that.

The one thing I wanted to mention, Madam Chairwoman, I do hope that, with the presence of military aircraft on a 24-hour basis, the sound that they produce does not preclude our being able to monitor the sound attributable to the airport. That's a concern that I have, and I would hope that it doesn't just shelve everything we're doing in the Part 150 process because we've got these military aircraft and they are going to, you know, affect our ability too profoundly to be able to monitor the sound that is attributable to planes at National.

I don't want to take more of my time. I'm not going to be able to stay much longer, Madam Chairwoman. I do want to thank you for having this hearing. Thank you.

Mrs. MORELLA. Mr. Moran, we'll also look into the definition so that we might try to do something to include general aviation as an airline.

Mr. MORAN. Thank you.

Mrs. MORELLA. Thank you. Thank you for your contributions. I'm pleased to recognize Ms. Watson.

Ms. WATSON. I just have a question to, I guess, Ms. Haskins. When will you be able and what would it take to bring you back to full support status?

Ms. HASKINS. I was very encouraged by what I heard yesterday in a meeting at the Department of Transportation. I was afraid that we would be brought back in in some sort of phase that would actually make us lose more money than we are losing now. That doesn't appear to be the case. What was presented yesterday in the plan basically said that anyone that wants to and can pass the hurdles can get into Washington Reagan from a business aviation standpoint. If that happens, I would hope that by summer we're back to our normal status.

Now, there are going to be some flights that do not make it, so I fully expect that we'll have a little bit of a reduced business. There will be some charter companies that won't want a 48-hour advance, or whatever the criteria is going to be for having their passengers cleared, whatever that ends up being, so I'm sure that there will be some reduced business, but I'm very hopeful that we'll have the majority of our business back.

Ms. WATSON. If I might just continue, what are you putting in place to be sure the aircraft that comes in is secured, those who pilot the aircraft as well as those who ride?

Ms. HASKINS. That's an excellent question. That's the real question related to security for general aviation. It's access to the aircraft on the ramp. And what we have done in our other locations, when we were reopened after September 11th, we reopened with an interim security plan that is still in place. What that did was it shut down most of our ramps to automobiles. It used to be that people could drive out in their limos to their plane and get on the plane. We shut down most of our ramps to automobiles. A few of those have been reopened with very strict security, identifying the driver getting onto the ramp.

We have had automatic locking doors put in all 42 locations on any door that goes out to the ramp. You can't get out unless someone behind our counter buzzes you out.

You can't go out to an aircraft without being escorted, so you can't go to someone else's aircraft. We identify the aircraft. We give them a random number that is computer generated when they come in. It is on a ticket and we keep a copy of it on our ticket and when they come in to claim the aircraft they show us theirs. It's almost like a ticket for laundry. It says that ticket belongs to that aircraft and that's the aircraft we'll give you access to.

So we've put in quite a few procedures to limit the access to the aircraft, which is, from our perspective, where any danger would lie. Once the flight crews have been cleared and once the manifested passengers are cleared, it is all about access to the aircraft, in my opinion.

Ms. WATSON. What about the luggage?

Ms. HASKINS. It's an interesting situation. As you know, these are privately owned aircraft, and people go hunting and they have guns and so forth, and some people are very high profile and, in fact, travel with bodyguards that are armed, and we talked about that yesterday with the DOT and the TSA, and I think we are going to be able to find some way to get around that.

My understanding is—and this is very vague now, but my understanding is that we will be clearing some third party. I don't know whether it will be the FBO or any airplane destined directly into Washington National. The luggage will be hand-searched and the people will be wanded.

We are right now—we have a little experience with this. The cities of Chicago and Boston, when we reopened after September 11th, insisted that they would not let us reopen without magnetometers and bag searches, and so we do have some experience with this now in those two cities.

Ms. WATSON. Will there be a requirement that the guns, if they are accepted on the aircraft, be unloaded and that the ammunition be separate?

Ms. HASKINS. I don't know. That's going to be part of the DOT rule.

Ms. WATSON. I do hope, Madam Chair, that we inquire about that. Ammunition should not be in the guns if they are taken aboard and should be carried separately.

Ms. VAN DE WATER. Ms. Watson, we fully intend to address that in the rulemaking.

Ms. WATSON. Thank you.

I'd like, Madam Chair, some way for us to know just what the guidelines are.

Ms. VAN DE WATER. We'd be happy to share that information with you.

Ms. WATSON. Thank you.

Mrs. MORELLA. Thank you. Yes, we have asked them to share it, and they will. Thank you very much.

I guess we are going to be called for a vote, but we have about 5 more minutes before we need to leave. I'd like to pick up again on general aviation and point out that the College Park Airport, Potomac Airfield, Washington Executive, Hyde Field, all located in Maryland, have been closed since September 11th terrorist attack. Limited operations resumed in February, and under Special Flight Rule 94, which places significant restriction on based pilots and prohibits transient operation altogether.

I'm informed that these restrictions are economically devastating to the business community and the businesses at those airports. I am curious about when will FAA reopen the DC three airports to the transient general aviation traffic. Mr. Brown, you're dying to answer this one? Thank you.

Mr. BROWN. Yes, ma'am. I can do that.

As you stated, we reopened those airports some months ago to aircraft that were based at the airport, where it is their home base.

Mrs. MORELLA. Right.

Mr. BROWN. And that brought back the vast majority of the operations of those airports. However, College Park, in particular, among the three airports is very dependent to come back for their normal economic circumstance on transient or visiting aircraft coming into the airport.

At the time we reopened those three airports, we committed after 60 days to go back and evaluate the operating procedures and exactly how the security protocols had worked out with our other government agencies, both in the defense and security agencies. We're in that review period now and we're looking at modifications that I think will provide increased access. Not unlike National Airport, there will be a security protocol that we will work with the Department and TSA and others on.

I'm hopeful, following that review with all of the agencies, the airport management, pilots, and operators, that we'll see some modifications.

Mrs. MORELLA. That's very encouraging. Again, could you give us some idea of a timeline?

Mr. BROWN. We committed, obviously, to undertake the review after 60 days. I don't expect that it will take—the review, itself, will take any longer than 60 days, so I'd look for changes in the summer.

Mrs. MORELLA. Changes in the summer? Could be even before 60 days, couldn't it?

Mr. BROWN. It's possible.

Mrs. MORELLA. Yes. OK. Very good. Well, I'm encouraged to hear that. I'm certainly encouraged to hear about general aviation at Reagan National Airport.

Let me ask you about the 100 people who were, I guess, our examiners or involved with some facet of security at both Reagan Na-

tional Airport and Dulles. I wonder if you might give us some explication of how that came about, what it meant, what has been done to remedy it.

Mr. WILDING. I'd be happy to.

Mrs. MORELLA. Mr. Wilding.

Mr. WILDING. There has been some balances struck over time between the right of an airport operator as we issue security credentials to people to be in sensitive places on airports and the rights—some privacy concerns. And over the years, there has been sort of a constant balancing of these interests.

Since the events of last fall, our rights to gain access have been liberalized to get deeper into certain Federal data bases of criminal history backgrounds and things of that sort.

Also since last September various U.S. Attorney's Offices across the country—most recently here in the Washington area—have approached airport operators, partnered up with our police agencies, and have opened Federal data bases which never before have been available to us, particularly Immigration data bases and Social Security data bases.

So what we did was take the little over 20,000 people who are credentialed at National and Dulles and ran them through these data base, and out popped a little over 100 people who either had used phony Social Security numbers and cards to get into our system in the first place, or in even more instances had an Immigration problem that previously had been masked from us. So, together with the U.S. Attorney's Office, the FBI, our police, and a bunch of other law enforcement agencies, about 2 weeks ago we just sort of rounded them all up in 1 day and they're off being processed by the U.S. Attorney's Office. That was the long and short of what happened there. It has happened at other airports across the country, and I presume will happen at still others as various U.S. Attorney's Offices decide it is worthwhile opening up these other data bases.

All of this has now set off a dynamic that asks, kind of, why weren't the data bases available in the first place? And I'm confident there will be some progress on that fairly shortly.

Mrs. MORELLA. Do you feel that we are now—we have reached the point where this will not happen again? I know you said there will be some instances where it might, but do we have procedures in place like that or to go through the security precautions for the people who are at the airports in those positions?

Mr. WILDING. I'm not entirely confident that we do. Our access to criminal history checks is now very good.

Mrs. MORELLA. OK.

Mr. WILDING. Our access to these other data bases—Social Security and Immigration—that were opened up to us just for purposes of this one drill are still not available to us consistently. So that if somebody walked through our door this afternoon, wanted to be credentialed, we would have access to all their criminal history checks, which is a fairly new phenomena. We still don't have access to these other data bases, but again I think the experience—our most recent experience coupled with these other experiences across the country, are in the process of persuading people those databases should be available to us continually.

Mrs. MORELLA. Is it a significant omission to not automatically have that done?

Mr. WILDING. Well——

Mrs. MORELLA. Have that data base.

Mr. WILDING. It is certainly our experience, that if you pop over or miss 100 people who had falsified something and there's a data base someplace that would have flashed a red light to you on that, I would very much like to have access to that data base continuously.

Mrs. MORELLA. Absolutely. I think it's something that we should look into, right?

I'm going to go vote, and I'm going to let my ranking member continue with the questioning in the interest of time. Thank you.

Ms. NORTON [assuming Chair]. Thank you, Mrs. Morella.

Let me ask Ms. Haskins, and perhaps Mr. Olcott, having learned that business aviation was not included in the loan guarantee bill, let me ask you, if it were included, would any use have been made of it? All the airlines have not all rushed forward to use the loan guarantees, as you are aware. Would they still be useful? Would they have been useful at any point?

Ms. HASKINS. Speaking for Signature and not knowing all of the why's and wherefore's and qualifications for the loan guarantee, I'm not entirely sure that I know the answer to that question. I do know that my brethren in the FBO industry were hurt very, very badly by the events in September, particularly the independent FBOs.

As you pointed out, or as Representative Moran pointed out, Signature has locations in many areas, many regions of the country, and some regions came back before others and, thankfully, that sustained us, but the independent FBO with one, two, or three FBOs, there are a lot of them that were hurt very badly, and I would venture to guess that yes, they would have availed themselves.

Mr. OLCOTT. Ms. Norton, the general aviation community was significantly impacted economically by the events of September 11th. The Young-Mica bill provides provisions for general aviation. There is a disagreement, apparently, between the administration and Congress on the viability of that bill and the potential support for the bill. But we do believe that it is very important to consider the plight of general aviation. It's very important to our Nation. Basically, all of aviation today depends upon a strong general aviation community, so consequently I think it is very appropriate for this committee to examine whether general aviation does need some help, and perhaps the vehicle would be the Young-Mica bill.

Ms. NORTON. Now, are you saying that general aviation was in the Young-Mica bill?

Mr. OLCOTT. It is considered in that bill. It wasn't considered in the bill that addressed the airlines' needs. So general aviation is not entitled to the $5 billion that was——

Ms. NORTON. Yes, that's the bill I'm talking about.

Mr. OLCOTT. Yes. The Young-Mica bill has not passed. That's just pending. That's just——

Ms. NORTON. I see.

Mr. OLCOTT [continuing]. The Young-Mica is to be considered. So, consequently, I believe it is something that requires some examination. It has not passed at this time. The airline bill did pass.

Ms. NORTON. Yes. That's the one that passed. Well, I'm on the Transportation Committee. I'd be very interested in looking further into these issues through that vehicle, since that is the authorizing committee that would be responsible.

I do want to note what looks like important cooperation—correct me if I am wrong—between the Transportation agency and the industry in coming up with this new set of protocols. I'm wondering, Ms. Van de Water or Mr. Brown, whether these very special protocols are going to apply to Dulles or to other airports, or are we talking about something uniquely for Reagan National? And, if so, why?

Ms. VAN DE WATER. I think we are primarily talking about security procedures that are unique to Reagan National. The airspace, of course, coming in to DCA is extremely close to critical infrastructure in the District and in Virginia.

Ms. NORTON. You know, are there special rules in place for general aviation which, of course, is national elsewhere?

Ms. VAN DE WATER. There are special restrictions in place for general aviation nationwide over what is considered secure area.

Ms. NORTON. Post-September 11th?

Ms. VAN DE WATER. Yes.

Ms. NORTON. If you come from general aviation from another airport, will there be special procedures for coming into National?

Ms. VAN DE WATER. Yes, there will.

Ms. NORTON. Now, I'm amazed at this, you know. The planes that were, in fact, responsible for the tragedy, for the outrage, you know, involved airports like LaGuardia and Dulles, and I do want to say that, as important as I think it is—and justifiably so—to be especially vigilant at Reagan National, I am concerned that there has been such an attempt to bend over backward here, and then I hear about places like Dulles which opened almost immediately, places like LaGuardia where this same kind of concern has not been shown. I don't know whether I should be afraid, frankly, that there's far less concern in other cities who feel that their facilities all around their airport are at least as precious as we think ours are.

I'm just puzzled that we've taken all this time to get up to general aviation and we took all this time to open National Airport. It was not one of the airports where the devastation was launched from. And I still don't understand it, the hyper-concern here. I mean, it's the same kind of hyper-concern that almost got the District of Columbia shut down because the initial reaction was to just shut it down, keep it shut.

So I would have a great interest in knowing how you judge the difference between security in the Nation's capital, the governmental capital, and security in the financial capital of the world, New York City, and why somehow or the other it's apparently far less secure there because they were open almost immediately, even general aviation, than it is here and what that says about what kind of value system you place here as opposed to every place else.

Mr. BROWN. Ms. Norton, I'd just like to offer two perspectives in terms of what you said. Your first question really had to do—do any of these security procedures go beyond National Airport, and Read, of course, indicated that there are some other airports. But with regard to National and the Washington——

Ms. NORTON. Well, these procedures—do these procedures go beyond National Airport? Of course you have security procedures in other airports. I'm asking do the interim rules about to be published here apply to other airports or only to National Airport.

Ms. VAN DE WATER. They will apply only to National Airport, just like the commercial operation rules do, but they will apply to gateways to National Airport, as do commercial operations.

Ms. NORTON. Go ahead, Mr. Brown.

Mr. BROWN. And the last thing is, just as with commercial aviation, any aircraft that would divert from National Airport for operational or security reasons, there is a security protocol where we would direct those aircraft to Dulles Airport, and those are arranged with Dulles Airport.

Ms. VAN DE WATER. And that has happened on several occasions for commercial aircraft.

Ms. NORTON. Well, I mean, the harm that has been done to National Airport and to commercial—sorry, to business aviation has been done. I just want to make sure that in the future we look in context at everybody and decide whether or not we're just bending over so far backward that more harm is being done than good.

Mr. Wilding, I promised to get back to you on what exactly you would be looking for and what would be your goals in reviewing the noise abatement procedures, and I would like to know: will the interested community be invited to the table when you do this review?

Mr. WILDING. I'm sort of working backward to your question—clearly, yes. And the way we decided to go about is that there's a huge amount of public participation in one of these processes, and this time we decided, as I mentioned earlier, to try to partner with our friends at CONANDA to have us structure that public participation process so that both of us were as comfortable as possible with it, and it was as broad as possible.

It is one of the difficulties, frankly, of dealing with one of these processes is it is easy for expectations to get out of control on us, and I don't want that to happen. long and the short of it is that we have noise abatement provisions at National today that represent the balancing of an awful lot of interests, but, as you pointed out earlier, some of those balances were struck quite some years ago and the facts have changed quite substantially. The fleet of airplanes flying at Washington National today are quite different than the fleet that was flying back when those balances were struck. So the idea——

Ms. NORTON. Then that ought to be reflected in the rules.

Mr. WILDING. Indeed. And so everything gets on the table that relates to noise, and the objective at the end of an 18-month-ish process is to see if we can't arrive at a consensus on what the best noise abatement provisions for Washington National Airport are. Whether they are the current ones, whether they are the current ones slightly modified, or the current ones substantially modified,

the objective is to get to see if we can reach a consensus on what the best noise abatement provisions are.

Ms. NORTON. Ms. Haskins, I am very curious about what happens to employees of a workplace that is shut down for 8 months. Are they allowed to go elsewhere within the company to work? Are they out of work? Are they on furlough? Can they be easily called back to startup again?

And I'd also like to know from Mr. Olcott if there were other companies that were similarly affected which might have had a problem simply perhaps holding personnel.

Ms. HASKINS. For about a month after—maybe even 2 months after September 11th we were optimistic about getting Washington Reagan back open again to general aviation and we tried very hard to hold on to the employees. We are lucky in that we are a chain and we could redeploy employees, but not everybody is redeployable, so we have some Washington Reagan employees working right now at Washington Dulles, and hopefully they'll move back to Reagan when we reopen.

We have 11 people of the original crew left on the payroll at Reagan National. All of the administrative personnel were furloughed. An awful lot of the line staff went out and found other jobs, so I'm not entirely sure. We will call back everybody from furlough that we can. If they are already re-employed, obviously we will be hiring from the outside and retraining.

Mr. OLCOTT. Ms. Norton, the community that we represent faced potential dislocation of personnel at the very early days following September 11th because there were certain flight restrictions that impacted our employees or people who were represented by our companies. Those issues were resolved, to a large extent because of the excellent cooperation and communication between the FAA and the community. We are very hopeful that what I consider breakthrough that occurred yesterday will lead to the same type of excellent rapport, sharing of information, and cooperative pursuit of a viable solution between the general aviation community, Department of Transportation, and the Transportation Security Administration. We're very heartened by what we heard.

Obviously, the devil is in the details, but we were given strong indications that there would be communication between the people making those procedures, developing the procedures, and the general aviation community so that we can capitalize on the knowledge that exists in both the security community and the general aviation community.

Ms. NORTON. Thank you.

I don't know if this is for Ms. Van de Water or Mr. Brown or Mr. Wilding. The Chair spoke about the roundup of these people who have falsified in one way or the other their applications, and I'm quoting now from the "Washington Post." None of these people have been associated or implicated with terrorism, but, to quote, "No one was charged in connection with a terrorist act. Most were accused of lying on applications to work in high-security areas." God bless them.

If you, of course, have lied, you may be a perfectly harmless person, but you also may be subject to blackmail in a way that would

not be the case had you told the truth about who you were and other elements of your identity and background.

I'd like to know what is the state of screening of each and every person who works at an airport, not just Reagan National. I'm trying now to make sure that Reagan National isn't given such priority that it makes it hard to operate and everybody else kind of goes about as we get to it. But I'd like to know whether the kind of screening that we have been doing on the obvious personnel—that is to say, the people who fly the planes, like flight attendants and pilots—is being done on who the terrorists would be most likely, at least at this point, to approach, and that is people in low—below-the-radar-screen jobs, people who work in airports who have or could get access to the plane or to some part of what occurs on the ground so that they could sabotage and do harm.

Is each and every person who works in an airport being screened equally? And are these people being screened equally whether they are at Reagan National or at Podunk National?

Ms. VAN DE WATER. Ms. Norton, the Transportation Security Administration is undertaking now procedures for how employees of the TSA will be screened with background checks, and by "employees of the TSA" I mean people who do the baggage screening, who do the screening of people.

Ms. NORTON. I understand that. I have perfect confidence in prospective. You had 140 employees, many of whom have to remain in place, would have had to remain in place because you've got to make sure somebody is minding the store while you get your folks in line, and I'm perfectly satisfied that you understand what Congress is indicating you should do prospectively. There were 140 employees who were indicted. And 95—an amazing percentage—95 of the 140 worked at National and Dulles International Airports and they falsified, even though they had authority to work in high security areas. So I'm really not talking about prospectively. I understand what you're going through. I want to know while we're waiting to get the new people who shall have been screened in the way the Federal Government would do the screening and that airlines and airport officials perhaps have not, I want to know if those people are being screened in the same way that people who fly airplanes are being screened.

Ms. VAN DE WATER. I believe the airport employees—and maybe Mr. Wilding could speak to this somewhat—are now going through more intensive screening than they have in the past. They are not all screened in the same manner that airline flyers are screened. In many ways they are screened much more intensely. For a person to fly on a commercial airline, of course there is no background check on that person unless the person's name has indicated a problem. They would be, of course, wanded and their baggage searched and things like that. The employees go through——

Ms. NORTON. I'm talking about employees only, Ms. Van de Water.

Ms. VAN DE WATER. You're talking about airline employees and airport employees?

Ms. NORTON. I'm talking about employees. You said no background check on an employee that——

Ms. VAN DE WATER. No, no. Not employees. I meant the flyers. The employees are going through more extensive background checks. I can't tell you that every airport employee has gone through that to this point. I can look into that and get back to you.

Ms. NORTON. While this hearing has had the effect of, for the most part, of putting us at ease, this response has the opposite effect. Again, we don't expect the potential terrorists to do what he did last time. They'd never followed that M.O. in the past. We expect them to look for vulnerable parts of the process. It seems to me the first thing I would have done would be to look at everybody who had access to an airport. Instead, we went looking at the folks who were probably never a problem in the first place. So I need to know what is going to be done right now about the people who are least likely to be considered by us to be a danger and perhaps most likely to be considered vulnerable by somebody who would do us harm.

Ms. VAN DE WATER. Ms. Norton, one of my colleagues has just informed me that all airport employees who have access to sterile areas are undergoing criminal background checks.

Mr. WILDING. Maybe I can help just a little bit.

Ms. NORTON. I mean, I love that they are undergoing. I love that they are undergoing. Somebody thought, "Hey, wait a minute. We'd better start looking at these folks." I want to know when you will know that the folks who are, as you say, authorized to go into sterile areas, are sterile, or whatever you want to call them. When will we know that?

Mr. WILDING. Maybe I could help just a little bit. There was a time up until late in the year 2000 when the principal way of doing a screening of somebody, an employee—and these are Authority employees, airline employees, construction workers, anybody that needed to be on sensitive parts of the airport. The primary way of finding out about their background was a 10-year employment check. You would look back at their employment, and only in an instance where there was an unexplainable gap in their employment were you then entitled, as the issuer of the credential, the airport operator, to access their criminal history.

That was thought by many to be not thorough enough, and by the end of the year 2000 that was changed to permit any new applicant for a credential to get the full criminal history check no matter what his employment looked like.

That continued to be the case through the events of last fall. After the events of last fall, that was then broadened to permit you to go back to your existing employee base and run all of them through a criminal history check, and that—I think every airport in the country is doing that right now. Of course, it put a huge load on the FBI resources. And that is working its way through the system this year. It has to be done by the end of this calendar year, and in most cases I think will be done—I know in our case—well before the end of this year.

Ms. NORTON. So nationwide end of this calendar year?

Mr. WILDING. Yes, ma'am. That's criminal history. The things that we ran afoul of in the events that you're talking about a couple of weeks ago were very few instances of criminal history problems, but rather primarily Immigration and Social Security prob-

lems. That territory is yet to be sort of explored in terms of continuous access to that.

Ms. NORTON. I would appreciate, Ms. Van de Water or Mr. Brown, if you would provide us with the details on the kind of background checks that are being done on people who have access to an airport in order to work.

I do recognize that to do checks on everybody retroactively presents enormous problems. I do think that we are far more vulnerable there than we are in anything that could happen prospectively.

You know, since I am on the Aviation Subcommittee it is a matter, if, in fact, we need to get this job done, to have a task force that we provide funds for to get it done and to put our minds at ease, then I just think we ought to do that. So if you don't have the kind of—see, this hurts us, Mr. Wilding. This kind of thing that was in the newspaper, that hurts us. That hurts National. That hurts Dulles. That hurts BWI. Nobody can have confidence if they find out that almost all these employees—not all of them, you know, looks like 75 percent of them almost were right here in this area where we're supposed to have special care and where we took the greatest pains, and that's why I think, "Let's get it over with for God's sake. Let's find out who has been working there and get rid of anybody who poses a danger."

So I would appreciate the details on who are being investigated given to the Chair within 30 days—what the priorities are for investigation, if you go priorities through employees; what your time tables are—Mr. Wilding says, because he is one of the affected airport authorities, that he's got to have it by the end of the year. It would, I think, be important for the subcommittee to know that.

Ms. VAN DE WATER. We'd be happy to get that information for you.

Ms. NORTON. If resources are an issue, it would be important to know that, too, especially if they are an issue in terms of reaching the deadline, which I think end of the year is still very troubling. I'd appreciate knowing that.

Could I ask whether the position of the Department remains as I have understood it to be of the Department and of Secretary Ridge that pilots should not carry loaded guns on airplanes?

Ms. VAN DE WATER. That is the position of the Department and the Transportation Security Administration.

Ms. NORTON. Mr. Wilding, what is your view of that?

Mr. WILDING. I don't consider it my area of expertise, but I think these folks in the Department have it right.

Mrs. MORELLA. We on the Aviation Subcommittee and on the Transportation—overall Transportation Committee have asked for a study. We want to look at non-lethal weapons first. We know that once you're looking at something like that you get all kinds of new state-of-the-art notions coming forward. Mr. Ridge has indicated that he did not think it appropriate to carry loaded guns. Mr. Mineta has so indicated. And, of course, there has been some controversy about that.

The general public, of course, can only think of the pilot, that the pilot should be armed. You, of course, know something about airplanes that working within a very cramped space and in the mid-

dle of chaos, and the pilot is as likely to be shot as anybody else when you're trying to get a gun from somebody. So I'm very comforted to know that the controversy that began to develop has not changed your mind on that issue, because I think it was rooted in what you know about airplanes and what we do not.

Are there noise abatement protocols for helicopters, in particular? We have perhaps an unusual number in this area. And have they been controlled in the same way that business aviation has been controlled?

Mr. BROWN. Well, the bulk of the helicopter traffic, certainly around Reagan National Airport, is public use, government kinds of traffic. It generally follows the river, like the commercial carriers do, so in that sense it is an abatement process, as well.

Ms. NORTON. So there has been no private helicopter use out of Reagan National or out of Dulles?

Mr. BROWN. I think there may have been some public use, but not private use that I'm aware of.

Ms. NORTON. Was there private use before at a commercial——

Ms. VAN DE WATER. Yes. Yes, there has been. There have been none out of Reagan. I'm not entirely sure about Dulles. We would have to check about that.

Ms. NORTON. Mr. Wilding, how does helicopter noise—what effect does that have on the noise issues, and will they be taken into consideration when you convene the group you have in mind?

Mr. WILDING. They do have an effect and they are taken into account. We have a very extensive noise monitoring system around both airports. At National it is arrayed up and down the Potomac River, and, of course, we capture the data from all of the helicopters that fly. It becomes a part of the base of data.

Ms. NORTON. Is it a significant factor in noise or not, helicopter traffic?

Mr. WILDING. It is a measurable and noticeable increment.

Ms. NORTON. That seems to say you don't regard it as a significant factor.

Mr. WILDING. Well——

Ms. NORTON. See, when you're looking at noise abatement for the first time in almost 20 years, it seems to me you've got to put on the table whatever we've got there, because it may be insignificant in and of itself, but when you put it along with everybody else you could have—we just need to know it. We need to know it or else we're not going to be able to do anything about it.

Mr. WILDING. Agreed. And I would like to fuss a little bit with the notion that we haven't looked at it in 20 years. It has been looked at almost continuously, but it is rare that we have one of these "take a big, deep breath, put the kind of resources into it all at one time" that we'll be doing over the next 18 months.

Ms. NORTON. Point taken.

I'd like to know more about this TRACON effect on noise. From a management and safety point of view, from a state-of-the-art point of view, it certainly does sound like it's the next level and the next step. Will it help or hurt the noise abatement problem?

Mr. BROWN. Overall, the net effect will be to help the noise problem. I don't think it will have a particular impact on Reagan National Airport, in particular, because we'll stay with the noise

abatement procedures we have until there is an outcome to the Part 150 process that Mr. Wilding addressed.

But for the larger area—and the larger area being within 75 miles of the Washington area—the three alternatives that I mentioned that we're looking at for the design, each of them would have on a net basis a reduction in the total noise experienced by the population on the ground within the 75-mile area, which is approximately 10 million people live within that area.

Ms. NORTON. Thank you.

Before I go on, just for the record, Ms. Van de Water and Mr. Brown, I'd like to know whether the phasing in of commercial—sorry, of business aviation was to take 8 months up until now was a deliberate plan and that you are where you expected to be, or did you just get to it? The 8 months seems like a very long time to have gotten to it. Was it also a part of some phase-in plan?

Let me just give you the background of my concern. You know, I represent this city and I have seen that essentially what has happened here is that the security people, when they got to it, finally released the government people or the management people to do what they wanted to do all along. They had gotten to their regulations, but again you've got to go over a security hurdle who may decide or may not decide, no matter what you've done. So I'd like to know why it took 8 months to get even to the point of an interim rule.

Ms. VAN DE WATER. Well, Ms. Norton, we have, as I stated before, done a phase-in of commercial operations. We did intend to complete the phase-in of commercial operations before we moved to general aviation operations, as commercial operations affect many, many more people flying in and out of DCA.

I think we do have to very carefully balance, and it is a balance that we are continually searching for between policy issues and security issues.

The Congress did set up the Transportation Security Administration to assume civil aviation responsibility. The Under Secretary does report to Secretary Mineta, and Secretary Mineta is personally, as I'm sure you know from your many years of working with him, very, very knowledgeable of the policy implications of various modes of transportation. He is continually seeking that balance between security and policy.

The TSA has been charged with setting up a huge Federal agency in a very short period of time meeting very tough guidelines given to it by the Congress for specific standards in aviation security, and we at the Department of Transportation have been working around the clock to try to do just that. I can assure you it is not a deliberate neglect of general aviation, it is just a lot of people working very hard, 7 days a week, to try to handle our new responsibilities.

Ms. NORTON. If it is a matter of personnel, it perhaps is understandable. There only are so many people, perhaps. But one of my own great criticisms of government is working sequentially. Private business never can work sequentially. It has got to have everything working at the same time.

I don't see any reason, unless it was a personnel reason, not to have put the interim rule out earlier. These are not dependent one on the other. They really are apples and oranges.

Again, it is true that we did not have a Security Administration. We had to start one up and, of course, some of the Transportation officials in the Transportation Agency had to work that and other things, and perhaps that's understandable, but I certainly don't think one thing was dependent on another or we had to wait until the other thing got phased in. And that has not been the genius, at least of American private business. It is you don't work sequentially, you work on many fronts at one time. You catch yourself, of course. But here I think great damage was done in the way the approach was taken.

Ms. VAN DE WATER. Ms. Norton, I do think the department has worked on a great many different fronts all at the same time since September 11th. I would be hard pressed to find two people, other than Secretary Mineta and Deputy Secretary Jackson, who have worked harder to restore transportation to where it was before September 11th, and not just in aviation, but, as you know, in many other modes as well that also face significant challenges.

I rarely—in fact, I don't think in the whole time I have been at the Department of Transportation I have ever arrived at the office before Mr. Jackson or left after he did. It is a tremendous resource commitment.

Ms. NORTON. You certainly don't have to cite Norm Mineta and those at the top of the Department to me. As I indicated, if there's a personnel problem, there's a personnel problem. The economic damage was done here. It was done here as it was done any place else, and you're talking to the Member who represents the city that is dependent on an airport that took 6 and 7 months to open up, where we are still feeling the economic effects—the only part of this country that had a general aviation shutdown and the part of the country that has your Federal presence and a part of the American economy that has helped the rest of the economy to go, so yes, we are concerned.

Ms. VAN DE WATER. We are, too.

Ms. NORTON. We are concerned, and, you know, it may well be the Congress' fault for not having given the Transportation Agency the kind of help it needed to work in a fashion that was not sequential.

Ms. VAN DE WATER. Well, I believe negotiations on the supplemental budget request are going on right now.

Ms. NORTON. Well, you will find this Member certainly supporting you on that.

Ms. VAN DE WATER. We appreciate that.

Ms. NORTON. Now, the Chair is back and the Chair will be informed that I sure kept it going with questions. [Laughter.]

In fact, Madam Chair, I think some at the table may be glad to see you back. [Laughter.]

Mrs. MORELLA [resuming Chair]. Ms. Norton, I've never had any doubt about the fact that you would continue to engage them in questions. I understand from my chief of staff that you have covered some of the other issues I was going to cover—helicopters, etc.

I don't think I'm even going to hold the panel any longer, but I do want to reiterate what I heard, and that is that we will have the interim final rule by the end of the month, which means that general aviation will be operating at Reagan National Airport, and that it won't be long after that we're going to also have operations at the DC three airports. Did you ask about that thrust when they take off?

Ms. NORTON. You may want to ask that.

Mrs. MORELLA. All right. Good. I had a question that I particularly wanted to ask with regard to the deceleration. I think you do it currently, the thrust-back, the thrust cut-back management procedure. One of the noise abatement procedures that was in place before September 11th was the requirement of the imposition of thrust cut-back management procedure, where power is reduced at 1,500 feet, and I just wonder about why have the FAA and the Department of Transportation not allowed this procedure to be resumed since operations at Reagan National Airport have been allowed to resume normal operations? I mean, they are, what, going south but not north?

Mr. BROWN. Yes.

Mrs. MORELLA. Yes, thank you, Mr. Brown.

Mr. BROWN. Madam Chairman, you are correct. To your latter point, why was that not—why did we not go back to the normal noise abatement procedure, the power reduction at 1,500 feet, when we first resumed commercial operations, and it is because the full-power departure was a part of many of the elements of the security protocol that enhanced security at the airport, things like strengthening the cockpit doors and air marshals and other items that I know you're well familiar with.

As we've worked with the other agencies of Government and as we've added additional security measures since the resumption of commercial flights, we've gotten to the point where we could resume, taking all of that into account—the noise abatement process—so we are doing that. Following Secretary Mineta's announcement on the 27th, we have clearly had to work with the airlines who needed to do some refresher training with the pilots to make sure that we could implement this across the board, and that's underway as we speak.

Mrs. MORELLA. I'm going to give each of you an opportunity, if there's something that Congresswoman Norton did not mention or that I did not mention that you would like to in your final comments. Please know, too, that our next panel will particularly be interested in noise abatement, and there may be some questions you can anticipate that they will ask or want to ask or present in their testimonies that you might want to respond to right now.

Maybe I'll just go to each of you. Mr. Brown, anything?

Mr. BROWN. No, ma'am.

Mrs. MORELLA. Mr. Wilding.

Mr. WILDING. I would only take the opportunity to thank you both again for what you did to get Washington National reopened last fall and what you've continued to do to keep the pace of its reopening up. It has been absolutely invaluable and very, very much appreciated.

Mrs. MORELLA. And thank you for your leadership, Mr. Wilding. You have always been there were advice and counsel and moving ahead in action.

Ms. Haskins.

Ms. HASKINS. Similarly, I would just like to thank the panel very much for having the hearing today and having an interest in the general aviation at Reagan National.

Mrs. MORELLA. And we will look into that definition, too.

Mr. OLCOTT. We've very encouraged by the tone of this meeting, and we look forward to a resumption of general aviation into Washington National at an appropriate time.

Mrs. MORELLA. Very good.

This has been a splendid panel. Thank you very much. Thank you for your patience, too. I know Ms. Norton took care of anything I might not have had a chance to ask. So I thank you and I'm going to dismiss the first panel. Thank you, Ms. Van de Water, Mr. Brown, Mr. Wilding, Ms. Haskins, and Mr. Olcott.

Barbara Favola, Dave Gries, and Donald MacGlashan—I want to thank our second panel for being so patient. It did, however, give you an opportunity to listen to the statements that they made, and maybe you, like us, had an opportunity to learn something from their timelines and statements and meeting yesterday, and so we want to continue with that. Could I ask you to stand and raise your right hand so I can swear you in?

[Witnesses sworn.]

Mrs. MORELLA. Three panelists have all responded affirmatively.

I do want to welcome you, Ms. Favola, chair of the COG Committee on Noise Abatement at both National and Dulles Airports; Dave Gries, chair of the Palisades Citizens Association Committee on Aircraft Noise; Donald W. MacGlashan, board member of CAAN, Incorporated, whom we have been involved with over many, many years. Thank you very much for being here.

I will let you commence with your testimony, Ms. Favola.

STATEMENTS OF BARBARA FAVOLA, CHAIR, COG COMMITTEE ON NOISE ABATEMENT AT NATIONAL AND DULLES AIRPORTS; DAVID GRIES, CHAIR, PALISADES CITIZENS ASSOCIATION COMMITTEE ON AIRCRAFT NOISE; AND DONALD W. MACGLASHAN, BOARD MEMBER OF CAAN, INC.

Ms. FAVOLA. Thank you, Congresswoman Morella. On behalf of the Council of Governments, we extend our thanks to you for hosting this meeting, and we also thank you, Congresswoman Norton, for your efforts in helping us restore Reagan National Airport to its full operations. In fact, your entire committee has been very helpful in this area.

Let me go ahead and just briefly explain a little bit about the committee I represent. I chair the Committee on Noise Abatement at National and Dulles Airports. Sitting on my committee are representatives from several local jurisdictions. I, myself, am a representative on the local Arlington County Board, the local governing body. We also have the Airplane Pilots Association represented on our committee and the Air Transport Association. We have citizen representatives from all of our local jurisdictions. The National

Business Association and other groups are represented. I'm happy to submit a membership list to you.

Let me go on and just highlight a few of what we consider to be effective noise abatement strategies.

We were delighted, of course, that Reagan National Airport resumed operations, and we are also delighted that the river route was reinstated, so we thank you very much for your work with Secretary Mineta.

CONANDA has always viewed the visual river procedure as a major component in noise mitigation. The river path procedure requires airplanes to fly over the Potomac for 10 miles north of National and five miles south. When this noise mitigation procedure had been held in abeyance, we received increasing outcries from communities in Arlington and the District of Columbia. Also, we received outcries from citizens in Fairfax and Montgomery County and the city of Alexandria. So I cannot emphasize enough our pleasure in seeing the river route reinstated, and I think that the citizens in the region are very grateful for that.

Another issue that was related to the reopening of Reagan National Airport was the nighttime curfew. Post September 11th there had been a hard and fast nighttime curfew employed at Reagan National Airport. The citizens in the region were very pleased with that. As you can see, most people expect and really value quiet time in the evening, and this hard and fast rule had prevented aircraft flights later than 10 p.m., or earlier than 7 a.m.

As was mentioned earlier by the earlier panel, this policy had been in effect—well, a policy prior to September 11th had allowed planes to come in during that time period, but they had to meet considerably lower noise thresholds, and at the time that policy was negotiated between the Council of Governments and the Metropolitan Washington Airports Authority, the citizens essentially thought that they were getting a hard and fast nighttime curfew because we had set the noise level so low. Technology has advanced to a point where planes can now meet the lower thresholds and come in between 10 p.m. and 7 a.m. Citizens would like that reexamined, because the homes that are very close to the airport still feel some jarring and that nighttime period is very disturbing for them.

The third procedure I'd like to highlight is the thrust cutback management procedure, and we appreciate the questions that came up on that issue.

Like the river corridor path, the thrust cut management procedure incorporates a power reduction at 1,500 feet, while maintaining a climb-out of about 500 feet per minute. Prior to today's testimony, we were under the impression that this was only used for those flights that were going southbound and they were not being used for northbound operations; however, if I heard correctly, I believe Mr. Brown said today that they were considering reinstating it for northbound, so that would be very helpful.

I also want to reiterate the comments that Congressman Moran made earlier about the value of the perimeter rule. We view this as helpful not only in noise mitigation, but also in air traffic management, because National we view has an airport which can handle short-term flights, flights originating within the 1,250 miles,

and thereby enabling Dulles, which has extra capacity, to handle the longer-haul flights, so we really viewed it as an effective management tool.

Looking forward to the future, I'd like to note that COG very much supports Congressman James Oberstar's call for an Apollo-like investment by the United States and Europe to develop a new green engine. We're hopeful that if, in fact, enough resources are brought to the table, perhaps this could be created within 10 years, and we believe it would substantially lower the noise decibel levels that the airplanes are currently flying at.

Last, I would like to note that the Metropolitan Washington Airports Authority, Mr. Wilding, who was on the earlier panel, mentioned that the Authority is in partnership with COG to start the Part 150 study. We had originated this a couple of weeks before September 11th, and we are very hopeful that the process will again be kicked off, and COG is taking enormous steps to ensure there's adequate public participation and all the stakeholders will be brought to the table, so we appreciate the fact that the Part 150 study was, in fact, noted by this committee.

We continue to appreciate your oversight on noise mitigation issues. We understand the Federal Aviation Administration has many issues on its plate, and it is sometimes difficult to achieve a balance with noise and quality of life issues, so the interest of your committee has been very helpful, and we encourage your committee to stress to FAA that we, in fact, want to make noise as important an element in their decisionmaking process as some other factors.

Once again, I thank you very much for holding this hearing, and I look forward to your questions.

Mrs. MORELLA. I thank you very much for your excellent testimony orally and written testimony, which will be in the record.

[The prepared statement of Ms. Favola follows:]

Testimony of the Honorable Barbara A. Favola
Chair, The Metropolitan Washington Council of Governments
Committee on Noise Abatement at National and Dulles Airports
(CONANDA)
Before
The U.S. House of Representatives, Subcommittee on the District of Columbia Committee on Government Reform

May 8, 2002

10:00 a.m.
Room 2154 Rayburn House Office Building

Topic: Pre September 11th Airport Noise Environment in the Metropolitan Washington Area

Chair Morella and Members of the Subcommittee:

My name is Barbara A. Favola. I serve on the Arlington County Board and I am here as Chair of the Metropolitan Washington Council of Governments Committee on Noise Abatement at National and Dulles Airports (CONANDA). This committee has been in existence since 1985. CONANDA has successfully worked with the Congress, the Metropolitan Washington Airports Authority and the local governments of the Washington area to encourage sound aircraft noise mitigation and aircraft noise policies at our two regional airports.

Let me note here that although historically CONANDA has only addressed airport noise issues, today the COG Board is considering

the possibility of expanding CONANDA's mission to include aviation policy as well as noise issues.

Let me first thank you Congresswoman Morella and the other members of our Congressional delegation for your hard work in persuading Transportation Secretary Mineta to take the final steps in returning our regional airport system back to pre-September 11 conditions including the reinstatement of the river route.

I would now like to take a few moments to highlight noise mitigation strategies that the Metropolitan Washington Council of Governments views as effective.

Effective Noise Mitigation Strategies:

River Corridor Path

The visual river corridor procedure has provided relief to the thousands of area residents impacted by aircraft flights from National Airport. The river path procedure requires airplanes to fly over the Potomac for 10 miles north of National and 5 miles south of National. There have been increasing outcries from communities in Arlington and the District of Columbia, which were impacted by flight noise since September 11th. We have also received outcries from Fairfax and Montgomery Counties, and the

City of Alexandria. Reinstating this route has sent a strong message that Ronald Reagan National Airport is back to normal. And citizen concerns are once again receiving the attention they deserve in the complex balancing act of operating an airport in our nation's capital.

Nighttime Curfew

The preference of CONANDA would be to keep the hard and fast rule banning flights during the evening hours. The nighttime ban was in effect after September 11th – but has recently been lifted by DOT/FAA.

In 1981, the Metropolitan Washington Airports Authority agreed to place noise limits on aircraft flights arriving at or departing from National Airport between 10:00 p.m. and 7:00 a.m. The 1981 policy required that aircraft departing National could not exceed 72 dBA while aircraft arriving cannot exceed 85 dBA. At the time of this nighttime rule – very few planes, if any, could meet the lower noise level. In effect, the citizens in the Metropolitan Washington area believed we were promised a nighttime curfew. Now technology has made it possible for many planes to meet these levels – but for those living near the airport – the lower noise level does not stop the jarring of their homes in the late evening. There

is strong citizen interest in making the Post September 11th nighttime curfew a reality once again.

Thrust Cut Back Management Procedure

Like the river corridor path, the thrust cut management procedure, which incorporates a power reduction at 1,500 feet while maintaining a climb-out of about 500 feet per minute, has provided much relief to area residents. However, it is my understanding that this procedure is only being used for south bound operations. We ask that these procedures be implemented across the board.

I would urge the Congress to more aggressively monitor the enforcement of noise mitigation procedures at National, especially those that have such a positive impact on the quality of life in our communities.

Future Efforts:

There is a need to make greater use of new technology in developing and implementing noise abatement strategies.

We need to move forward with new technology. CONANDA supports Congressman James Oberstar in his call for an "Apollo-like investment" by the United States and Europe to develop a new

jet "green engine" within ten years that is thirty to forty decibels quieter than current jet engine levels.

Continued collaboration between the airport operator and community is needed.

Airport noise is a persistent and serious issue for this region and we must continue to work together toward mitigating this problem. CONANDA and the Metropolitan Washington Airports Authority were actively involved in an FAA Part 150 Process prior to September 11th. The Part 150 Process is intended to study noise compatibility issues and recommend noise mitigation strategies. We are hopeful that this process can continue now that operations at National have returned "to normal". CONANDA is committed to working with the Metropolitan Washington Airports Authority in a collaborative Part 150 Process.

Lastly, we look forward to increased cooperation with FAA in implementing the recommendations resulting from the Part 150 process. CONANDA believes that congressional oversight is needed to ensure that the FAA gives adequate priority to noise and quality of life issues.

In closing, on behalf of the COG Board of Directors and its noise abatement committee I thank you for the opportunity to appear before you today and I hope you will take the necessary steps to ensure that our region's quality of life is balanced with our economic viability.

Mrs. MORELLA. David Gries, glad to welcome you here as chair of the Palisades Citizen Association Committee on Aircraft Noise.

Mr. GRIES. I guess we press first. Thank you, Madam Chair, and particular thanks to Ms. Norton and her staff, who have lent a sympathetic ear to those of us in the Palisades who are gradually going deaf.

Mrs. MORELLA. I know some in Montgomery County, too.

Mr. GRIES. I really just want to make three brief points, searching for noise mitigation measures that are doable, that are practical, and that would allow Reagan National to operate at a high level of capacity and benefit the city, but at the same time would alter slightly the balance between benefiting air traffic—air travelers and those who live under the flight paths. So these three points deal with: first, the curfew; second, a somewhat complex subject called "hush kits"; and, third, the subject of the altitude of takeoffs and landings.

First is the curfew. A good bit has been said, so I won't dwell on it. I think we all realize that there was no curfew in effect before September 11th. There was a curfew briefly in effect after September 11th, and we have now returned to the former procedures.

But, as was brought out by Ms. Norton's questioning 10 minutes ago or so, the fact is that the decibel level measurements at the end of the National runway that are used to determine whether a plane can land after 7:00—10 p.m., and take off before 7 a.m., were put in place many, many years ago, and the result of this is, as aircraft engines have become more quiet—which is, of course, a blessing—more and more planes can meet that threshold and that means that the number of planes landing during those hours is increasing very rapidly.

Second, those planes that do land during that time period and do not meet the decibel level requirement at the end of the runway are, we think, fined in a very sporadic and perhaps haphazard manner. We have the statistics. They're public figures. The last month I think that I've seen was August of last year 16 planes were fined minimal amounts. If we cannot reinstate the curfew—and, of course, that is our wish—we hope that these decibel measures can be looked at again, the fines can be looked at again, and the procedure for levying the fines can be rigidly enforced so that an airline which violates them feels the pain. At the moment the fine is so low it is the equivalent of another five or six passengers on the plane, so it is almost no deterrent at all.

And, again, the number of planes flying during those hours is increasing rapidly, and if nothing is done, Reagan really will be a 24-hour airport, and the people that live under the flight path will have more and more trouble.

Let me move to hush kits, this rather obscure term. When the Congress passed a major aviation bill back in the 1990's, it said that on December 31, 2000, no plane could use Reagan National that did not meet the FAA's stage three engine noise standard. Unfortunately, in the dark of night an amendment was slipped in saying that a stage two engine fitted with what is called a hush kit would be allowed to use Reagan National, and a good deal of the trouble that people under the flight path suffer comes from these hush-kitted aircraft. These are very old airplanes—727s, DC–9s,

and some early model 737s. They have stage two engines which are thunderously noisy. They are fitted with some high-technology gear which does mitigate the noise level somewhat. And in theory, in ideal weather conditions, and probably in the deserts of Arizona and New Mexico, they can meet stage three standards, but they don't meet them here. We know from observation in the Palisades. We can recognize these aircraft, and we know that they are the main offenders.

What we would like to request the committee to do is ask for a study from either MR or FAA or both of the feasibility of eliminating hush kits from Reagan National. They are not suitable for an in-city airport, and their elimination would make a great difference.

My third and final point has to do with altitude. The FAA has three recommended altitude points that pilots are requested but not required to follow as they come in and out of Reagan National to the north. Six miles out they are supposed to be at 1,800 feet—this is roughly over Delcarlia Reservoir; four miles out, 1,200 feet, roughly over Georgetown Reservoir; three miles out, 900 feet, roughly over Key Bridge.

Now, these are recommendations that are in the manuals of all the airlines, and what we would like to see happen is for these recommendations to become requirements, no longer voluntary but required, and with a penalty structure attached to them. Of course, there is a radar track on every plane going in and out of the airport, so it is quite easy to know which airlines are flying below these recommended altitudes.

Now, again, anecdotal evidence by observation in the Palisades area—and I'm sure this is true in part of Ms. Favola's area in Arlington and probably south of the airport—a good many planes are below these levels. And if you combine a plane that is flying below the recommended altitude with a hush kit, you have noise which, according to the decibel meters that we use in the Palisades, can go as high as 90 decibels, which the FAA considers the level that can induce deafness.

So I think here is a step that can be explored in a practical way, would not in any way inhibit the commercial use of National nor reduce the frequency of flights, but would raise the altitude level of those planes that are violating the recommendation and, frankly, would make us very happy in—those of us who live under the flight path.

Let me just close with an observation that I brought back from a recent visit to Europe. The FAA ruled long ago that the day/night average of aircraft noise in the United States, so long as it did not exceed 65 decibels, would be suitable, and specifically that means that only 13 percent of the people under the flight path at 65 decibels day/night average would be seriously inconvenienced. I was very surprised to find in Europe that level is 57 decibels, not 65 decibels. Now, since these are logarithmic scales, there is a very, very great difference between 57 decibels and 65 decibels.

In inquiring further, I discovered that there are no hush kits in Europe. They are against the law. No 727s can fly into airports that are close to population centers. No DC–9s can use those airports. In short, the Europeans are ahead of us. They, of course,

have a higher population density around many of their airports and they have met that problem in a way that would also be suitable in the United States—again a matter that the committee might want to look at.

I thank you for your time.

Mrs. MORELLA. I thank you. Thank you for the succinct suggestions that you made, Mr. Gries.

[The prepared statement of Mr. Gries follows:]

Testimony by David D. Gries

House of Representatives
Committee on Government Reform
Subcommittee on the District of Columbia

My name is David D. Gries. I am a member of the Board of Directors of the Palisades Citizens Association and Chair of the Association's Aircraft Noise Committee. I am also DC Citizen Representative to the Committee on Noise at National and Dulles Airports (CONANDA) and to the Metropolitan Washington Airport Authority's Part 150 Committee.

Residents of the Palisades have long endured excessive noise generated by aircraft landing and taking off from Reagan National Airport. Because the Palisades neighborhood, which is bounded by the Potomac River, the District line, and a line that roughly follows Foxhall Road, Loughboro Road, and Delcarlia Parkway, lies along the northeast bank of the river, noise from low flying aircraft is a major irritant throughout the neighborhood.

When the airport reopened after its September 11 closure, residents of the Palisades recognized that priority should be given to new procedures designed to enhance the security of flight operations at an airport located within minutes of the White House, Capital, and other federal buildings. Now that the FAA has reinstated procedures in effect before September 11, however, the residents I represent urgently request consideration of three new measures. These measures have nothing to do with national security but everything to do with reducing noise levels along the Potomac. The measures are fair not only to residents who live along the river, but also to the airlines and to those who use the airport.

Our three recommendations are developed in detail in the following paragraphs. In summarized form they urge the Committee to:

1) Direct the FAA and the Washington Metropolitan Airport Authority (MWAA) to reinstate and make permanent the curfew put into effect when the airport reopened.

2) Require MWAA and the FAA to develop and adopt procedures that prohibit aircraft with hush kits from using the airport.

3) Require an FAA feasibility study of establishing a minimum altitude to be maintained by aircraft flying the 328 or any other beacon when landing from the north.

1) Making the Curfew Permanent at Reagan National

Prior to September 11, Reagan National operated as a 24-hour airport but with restrictions on the noise arriving and departing aircraft could generate between 10:00 PM and 7:00 AM. To assure compliance, aircraft noise levels were measured at the end of the runway, and fines were occasionally levied on aircraft that exceeded proscribed levels. Despite these restrictions, however, communities along the Potomac have experienced a steady and unreasonable increase in nighttime noise from aircraft operating between 10:00 PM and 7:00 AM.

When the airport reopened after September 11, a strict curfew was imposed against any aircraft operations between 10:00 PM and 7:00 AM. Because the curfew noticeably benefits all communities around the airport, we urge the Committee to direct the FAA and the Washington Metropolitan Airport Authority (MWAA) to reinstate the curfew permanently.

Although the airlines maintain that business travelers demand 24-hour operations, we believe that the burdens of an in-city airport such as Reagan National must be born by all affected parties. Communities along the river have long dealt with high noise levels generated by take-offs and landings. It seems only equitable for airlines and business travelers to deal with the modest inconvenience of a 10:00PM to 7:00 AM curfew.

2) Prohibiting Use of Aircraft Equipped with Hush Kits

Both before and after September 11, the noisiest aircraft using Reagan National were old Boeing and McDonald Douglas models whose Stage Two engines were fitted with so-called "hush kits." In ideal conditions of cool air and low humidity, these kits allow aircraft fitted with Stage Two engines to meet the much quieter Stage Three noise standards currently in effect at airports throughout the U. S. ("Stage" is a FAA term used to describe the level of noise generated by an aircraft engine. Stage One and Stage Two engines are not permitted to use Reagan National. Stage Three engines are permitted. Stage Four engines do not yet exist on a commercial basis.)

Most of the aircraft fitted with hush kits at Reagan National are Boeing 727s, DC-9s, and early model 737s. Because the ideal conditions seldom prevail that permit hush kits to meet Stage Three noise standards, these older aircraft frequently exceed acceptable noise limits and are a leading source of annoyance to surrounding communities. We urge the Committee to require MWAA and the FAA to develop and adopt procedures that bar aircraft with hush kits from using Reagan National. These noisy, older aircraft are not suitable for an in-city airport where tens of thousands of citizens are directly impacted by high noise levels. In addition, because hush kitted aircraft burn more fuel and are more expensive to operate, banning their use at Reagan National would not unduly disadvantage the airlines, which have been phasing them out for several years

3) Establishing Minimum Altitudes for Landings from the North

Landings from the North

For landings from the north, air traffic controllers select one of two options when instructing pilots.

Under option 1, the pilot follows the river visually from the beltway to the runway. Option 1 is normally used when weather conditions permit the pilot to see the river.

Under option 2, the pilot follows one of several radio beacons from the beltway to the Georgetown Reservoir, then follows the river visually to the airport. Because the river is generally not visible during bad weather, controllers direct pilots to use option 2 about 20% of the time. Air traffic controller can select from several radio beacons but most often select the 328 degree beacon because that beacon is closest to the river and disturbs the smallest number of people.

Recognizing that the 328 radio beacon will continue to be the route of choice for virtually all bad weather landings, we urge the Committee to require an FAA study of the feasibility of establishing a minimum altitude that must be maintained by aircraft flying the 328 or any other beacon when landing from the north

My many years of experience measuring noise from aircraft landings over the Palisades have demonstrated beyond question that altitude is crucial. While low flying aircraft generate unbearable noise levels, aircraft at higher altitudes, even though flying directly over the Palisades neighborhood, generate noise that most of us have learned to tolerate.

The MWAA and the FAA are also aware that altitude is crucial. The FAA's current procedures recommend, but unfortunately do not require, that aircraft landing from the north maintain an altitude of 1800 feet six miles from the airport, 1200 feet four miles from the airport, and 900 feet three miles from the airport. These three points correspond with

the Delcarlia Reservoir, the Georgetown Reservoir, and Key Bridge respectively. Extensive anecdotal evidence, including the observations of a pilot who flies for a major airline and lives in the neighborhood, indicates that many planes fly below these recommended altitudes. More precise evidence is easy to collect, since radar tracks are available for all aircraft using the airport.

Take Offs to the North

Now that procedures in effect before September 11 have been reinstated, air traffic controllers direct pilots to follow one of two options for take offs to the north.

Under option 1, the pilot follows the river visually to the vicinity of the Georgetown Reservoir, picks up one of several radio beacons pointing northwest from Reagan National, and follows the proscribed beacon to the beltway. The most commonly used beacon is at 328 degrees, which directs aircraft over a wedge of the District near the Georgetown Reservoir and then over portions of Arlington County west of the Potomac. Radio beacons in less frequent use are at 330 and 335 degrees and more closely approximate the path traced by MacArthur Boulevard along the east bank of the river.

Under option 2, the pilot is instructed to follow the river visually to the beltway. Because the steep angle of ascent of most jet aircraft prohibits pilots from actually seeing the river after reaching an altitude of 1500 feet, few commercial jet pilots use option 2.

Since aircraft design and engine thrust determine altitude after take off, it is impractical to recommend minimum altitude standards to supplement those noise abatement procedures currently in effect. Therefore, we have no recommendations for changes in take off procedures.

Mrs. MORELLA. Now I'm pleased to recognize Donald MacGlashan, board member of CAAN—Citizens for the Abatement of Airport Noise.

Mr. MACGLASHAN. Thank you, Madam Chair. Citizens for the Abatement of Aircraft Noise appreciates being invited to participate in this hearing and to present its assessment of the noise impact on communities due to the emergency procedures and to offer some ideas on how to improve the aircraft noise situation at Reagan National Airport.

After the airport was reopened and airport capacity began increasing, the emergency procedures of rapid climb-out and straight-line course imposed a heavy noise penalty on our communities. When the airport capacity reached 77 percent, the daytime noise became nearly continuous, and for many people there seemed to be no relief. Now, after 8 months, the regular noise abatement procedures are supposed to be restored so we can return to where we were before September.

However, the question is: should we? We've had a forced experiment in new flight procedures which, although painful for some, have given us information and suggested ideas that we would have not have learned in normal times. So what did we learn? For the first night or two of the curfew, some people said it was the first good night's sleep they'd had in a long time. However, once the military patrols went into full effect, thousands of people found they could not sleep or felt sleep deprived much of the time. CAAN received many phone calls and e-mails from agitated citizens about the nighttime noise.

What we have learned is what scientists have been saying for the past two decades, that is, that people who cannot get sufficient REM sleep are putting their health at risk. The intrusion of patrol planes every 10 to 20 minutes has been an excellent example of this effect. With the airlines now returning to the late evening and 6 to 7 a.m. flights, and with the prospects of more nighttime flights, we may well experience what we had with the military patrols—a serious sleep deprivation problem. Therefore, when one combines the need for nighttime security with health benefits, one can see that a full curfew is good policy.

The rapid climb-out procedure has also taught us a lesson. CAAN suggested testing this idea to the FAA and the Airports Authority 6 years ago. We thought the faster the planes gain altitude the less noise people would hear. Our single caveat was that stage two hush-kitted aircraft, because of their higher noise levels, be excluded from the test.

Now, as a result of the emergency, we can see that we underestimated the noise from the new stage three aircraft. At normal climb powers, close-in residents were still bearing an undue noise burden from these so-called "quiet" planes. What needs to be done is to conduct our suggested test to find a less-intrusive climb profile. It may take only a small reduction in climb rate, especially if the river course idea described below is adopted. The recent Boeing announcement of an automated aircraft throttle control for noise abatement would directly support this suggestion.

As for the hush-kitted aircraft, I agree with David that all hush-kitted aircraft at National should be banned. Instead, we should be using more of the quieter regional jets.

As part of its emergency procedures, the Government also intended to study the use of the Global Positioning System [GPS] to narrow the path of the straight-line course. A District resident, Mr. Matt Thorp, who may still be here, offered a better solution—use GPS, but fly a segmented course which approximates the middle of the river rather than a straight line. Now that the straight-line course requirement has been removed, the idea still offers a good solution for noise abatement. Instead of using the 328 radial in bad weather or at night when the pilots can't see the river, GPS could be used to steer an agreed-upon course at all times, not only to the north but also to the south. This would reduce noise for all the river communities.

In conclusion, CAAN thinks there are ways to improve security and noise abatement at National if the Government is willing to work with the communities to find them.

Thank you.

Mrs. MORELLA. Thank you, Mr. MacGlashan.

[The prepared statement of Mr. MacGlashan follows:]

Testimony of
Donald W. MacGlashan
Representing
Citizens for the Abatement of Aircraft Noise, Inc.

Thank you Madam Chair. Citizens for the Abatement of Aircraft Noise appreciates being invited to participate in this hearing, and to present our assessment of the noise impact on communities due the emergency procedures and some ideas on how to improve the aircraft noise situation at Reagan National Airport.

After eight months from the events of September 11th, the noise abatement procedures have been restored and we can return to where we were before September. However, the question is, should we? We have had a forced experiment in new flight procedures which, although painful for some, have given us information and suggested ideas we probably would never have learned in normal times. So, what did we learn?

The first thing people living or working near National Airport learned was that for three weeks, it was blessedly quiet during the day. No one expected that to last, but it was wonderful to experience, and demonstrated what it might be like in Washington without constant aircraft noise.

The 10 p.m. to 7 p.m. total curfew proved to be interesting experiment. For the first night or two, some people said that it was the first good night's sleep they had for a long time. However, once the military patrols went into full effect, thousands of people found they could not sleep at all or felt sleep deprived much of the time. Even though the patrol planes were usually above 13,000 feet, their noise was sufficient to interrupt people's sleep on a massive scale. CAAN received many phone calls and emails from agitated citizens about this nighttime noise, some erroneously insisting that there were commercial planes operating from National during the curfew hours.

What we have learned is what scientists have been saying for the past two decades; that is, that people who cannot get sufficient REM sleep are putting their health at risk. The intrusion of patrol planes every 10 to 20 minutes for the past few months have been an excellent example of this effect. With the airlines now returning to the late evening and 6 to 7 a.m. flights and then adding more night flights, we may well experience what we had with the military patrols, an impact on people's health. When one combines the need for nighttime security with health benefits, one can see that a full curfew is good policy.

The rapid climb out procedure has also taught us a lesson. CAAN suggested this idea six years ago when it proposed conducting a test with certain new Stage 3 aircraft to determine a climb profile which would reduce the noise level from National Airport while simultaneously help the airlines. The faster planes gained altitude, we thought, the less noise people would hear. Our single caveat was that Stage 2 hush-kitted aircraft, because of their higher noise levels, be excluded from the test.

Now, as a result of the emergency, we can see that we were right about the old Stage 2 aircraft, but underestimated the noise from the new Stage 3 aircraft. Even at normal climb

powers, close-in residents carried an undue noise burden from these so called 'quiet' planes. What needs to be done is to conduct our suggested test to find a less intrusive climb profile that reduces the noise burden and still affords a benefit to the airlines. It may take only a small reduction in climb rate, especially if the river course idea described below is adopted. The recently Boeing announcement of an automatic aircraft throttle control for noise abatement would directly support this suggestion.

As for the hush-kitted aircraft, they should be banned from National, which is an airport surrounded by dense residential communities. This ban should also include hush-kitted Stage 2 business jets if they are again allowed access.

During the eight months of emergency procedures, planes departing to or arriving from the north flew a straight line course. This flight path caused a greater aircraft noise burden for citizens of the District, Maryland and Virginia. Nevertheless, one member of Congress made the statement that these citizens should keep quiet and learn to live with the noise. CAAN disagrees. Security and noise abatement are not mutually exclusive. There are solutions if authorities will take the time to look at them.

For instance, as part of the Government's ongoing security measures, it intended to study the use of GPS (Global Positioning System) to narrow the path of the straight line course, the 328/148 degree radial. A District resident, Mr. Matt Thorp, who lives near the river and who is a person with experience in aviation systems, offered a better solution. Use GPS, but fly a segmented course that approximates the middle of the river rather than a straight line course. This solution would satisfy the security requirements while at the same time reduce the noise for many area residents. With GPS, a commercial aircraft with its flight management system and autopilot can be programmed to automatically fly this segmented course in most weather conditions. The turning points of each segment, would be known in advance and therefore provide a clearly defined ground path that can be tracked with radar and monitored by the Secret Service. Any deviation from this course could be detected quickly, giving more time for action. Now that the requirement for the straight line course has been removed, the idea still offers a good solution for noise abatement. Instead of using the 328 radial in bad weather or at night when the pilots cannot see the river, GPS could be used to steer the river course at all times thus reducing noise for all river communities.

In a similar fashion, the use of GPS would benefit residents living south of the airport by keeping an aircraft in the middle of the river.

These suggestions point out the need to reinstate the Part 150 study on noise abatement at National Airport. This study was about to address many of these issues when the events of September 11th occurred and placed the study on hold until the emergency was over.

Another way to improve security and reduce aircraft noise is the greater use of regional jets, the smaller and quieter planes which have become so popular. CAAN suggested this idea five years ago in testimony before Representative Morella's Technology Subcommittee. Being smaller, these planes present less of a threat to Federal buildings, but can still reach

most of the domestic market National serves. USAirways, the largest tenant at National, intends to implement such a plan if it can resolve its contractual problems with the Air Line Pilots Association.

While we are on the subject of aircraft noise in our metropolitan area, there is another problem that needs airing. That problem is helicopter noise. Right now while civilian helicopters are prohibited from being within 11 miles of the Washington Monument, we are spared some of that noise. However, when all emergency operations are canceled, CAAN expects the problem to return. The issues that need to be addressed are, noise, military activity, and FAA policy regarding restricted flight areas.

Before September 11th, helicopters in the Washington area had become like a plague of locusts. They seem to be everywhere, and were causing increased disturbances for area citizens. People understand the need for the emergency helicopters like police and medivac; and besides, there are not that many of them. What CAAN is talking about are the others, both civilian and military. They are supposed to fly no lower than 1000 feet above ground level, but because pilots usually set their altimeters when they are nearer sea level, they are often only at 600 or 700 feet by the time they reach the higher ground at the north end of the city and Montgomery County. Unlike commercial jet aircraft, helicopters have had little or no technology improvements regarding noise. Because of this noise problem, citizens from both ends of the country have petitioned the FAA to raise the minimum to 2000 feet, but twice the FAA has rejected these petitions. At 2000 feet, the noise would drop in half and may keep our doors and windows from rattling when a helicopter passes by. CAAN thinks the FAA should re-examine the 1000 foot minimum.

Before September 11th, 90 percent of the area helicopters were military and over the past several years the number of them has increased 40 percent. Since September 11th, there may be more. CAAN would like to ask if the Pentagon needs the number of helicopters it is operating in the Washington area. Surely, national security for Washington D.C. does not require all of them. CAAN recognizes that training is needed, but cannot much of it be accomplished in a less densely populated area?

In 1992, the FAA, military, police and other helicopter interests agreed with Arlington County citizen groups to prohibit helicopter flights over Arlington National Cemetery, and the communities of Aurora Hills, Virginia Highlands, Fairlington, and Shirlington. As a result of this agreement, the metropolitan helicopter air chart had a restriction notice placed on it. These restrictions still apply. However, before September 11th, the FAA no longer abided by them and allowed sightseeing and news helicopters over these areas, and claimed that the restrictions are only advisory. That was not what was agreed to in 1992. CAAN would like to know why the FAA is abrogating that agreement. It should be noted, however, that the military has continued to honor that agreement.

Part of the reason for the agreement was to eliminate the helicopters from the west side of National Airport. There has always been a safety issue regarding jet aircraft ³go arounds² and helicopters transiting the west side of the airport. Jet aircraft executing a ³go around², normally pass by the west side of the airport. There is, therefore, a potential conflict for that airspace. Abiding by the agreement would reduce that conflict.

Mrs. MORELLA. You can tell I'm going to have a vote, but I think I will ask a primary question which gets to what each of you has reflected in terms of the hush kits, in terms of the curfew, the minimum altitude. I'm wondering, as part of the FAA 150 process, can those issues, particularly the effectiveness of hush kits, as well as the minimum altitude, can they be examined? Are they part of what is going to be looked at?

Ms. FAVOLA. I'll take a crack at that. We have the noise compatibility study, and the Metropolitan Washington Airports Authority has actually hired a consultant. We believe that some resources will be available to help analyze the data and to coordinate citizen comment and the comments of other stakeholders. So the answer to your question is yes, I believe that the procedures we've talked about today can be examined in the Part 150 process.

Mrs. MORELLA. Right. So is there a role that you see for this subcommittee to try to urge that it be fully considered, or would you like to offer any comments other than—and I note that you've mentioned several. You mentioned a GAO study or report, but would this not be the appropriate route to take?

Ms. FAVOLA. That would be—well, it would be helpful if we could report back to you on the progress being made with the Part 150 study. It would also be helpful if you wanted to send a letter to the committee—I am co-chairing the Part 150 process—indicating your interest in some of these issues and asking that the Part 150 Advisory Committee actually consider them. I think those steps would be welcome.

Mr. GRIES. Could I just amplify?

Mrs. MORELLA. Yes, indeed.

Mr. GRIES. I am the D.C. citizens' representative on the Part 150 Committee, and I strongly support what was just said. I think a letter from the committee would give us some real ammunition on getting some of these things under study and dates set for completion of studies and an opportunity then to reach some conclusions and make something happen. It would be a big help.

Mrs. MORELLA. Would you agree, Mr. MacGlashan?

Mr. MACGLASHAN. I would agree with that, yes. I also am a citizen representative on that Part 150 Committee, so all three of us I think will be participating in the actions of that committee, and I would concur that, if your committee could urge the co-chairs of that committee to make sure that they consider these particular points that we've brought up, I think it would go a long way to help spur the action on that effort.

Mrs. MORELLA. Well, I thank you very much. I know that Congresswoman Norton agrees with me and this is what we will do. We will draft a letter. If you'd like to draft something for us, feel free to do so. If not, we will draft it, in terms of asking for full consideration because of the noise and the desire to mitigate.

You know, you may remember, Mr. MacGlashan, not only did we meet many times and with CONANDA on this issue, and we even got money put into the budget of even NASA to look at noise abatement, so this has been a problem that has abounded. And we did the same thing with an FAA bill that had to do with research and development. It has been around for a long time, all of the procedures and what can be done for noise abatement, because there is

just no doubt that it has an effect on so many things, not only traffic but the minds and hearts of people and families and all of that.

So I will go to vote and I'll let you again ask questions, and then maybe I'll come back in time—I think it is one vote. Ms. Norton is going to ask a few questions. I'll run over and vote and try to run back as fast as I can. At the last pause when I left we actually had three votes. This time I think I only have one, so I'll get some exercise and I'll defer to Ms. Norton.

Ms. NORTON [assuming Chair]. Thank you very much, Mrs. Morella.

Yes, I do have several questions. First, I think that Mrs. Morella was wise to bring out the way in which the 150 process can handle some of these issues, if not most of them; however, I thought there was testimony that the hush kits were slipped into a provision of this body and are a matter of law. Is that correct that the stage three engine standard was a matter of law and then somebody slipped into the statute the hush kit notion, which then allowed stage two engines, too? And that raises the question of whether or not the 150 process can do much there.

Mr. GRIES. As I understand it, it all happened at the same time. It was a single bill. It prohibited stage two aircraft from coming into National, and before the bill actually reached the floor an amendment was added in committee that permitted these hush-kitted planes to qualify, and then the bill was passed.

Ms. NORTON. And then the bill was passed, which means that the notion that hush kits are allowed on stage two planes is a matter of law. If it is a matter of law, it cannot be changed by an administrative process.

Mr. GRIES. That's right.

Mr. MACGLASHAN. May I inject just a comment in that regard?

Ms. NORTON. Yes.

Mr. MACGLASHAN. There is legal precedent for a jurisdiction to eliminate a noise problem from the area. The problem we have with Reagan National is the fact that it is owned by the Federal Government. And it could still possibly be carried in the courts, if you want to take it that far, that the hush-kitted planes could be eliminated. The Second Circuit Court of Appeals in New York eliminated an entire helicopter service from Manhattan just on that rule, and so there may well be a way to eliminate these hush-kitted airplanes from an individual airport.

Ms. NORTON. I'm going to ask my staff to look at the provision in law and then look at the 150 process to see whether there is a flexibility, rather than—I mean, I'd be perfectly willing to put a bill in, particularly since I'm on the Aviation Subcommittee. Obviously, it might be easier to do it administratively if we could.

Do you have any idea how many of these stage two planes with hush kits are flying around our area?

Mr. MACGLASHAN. At the last report I heard, which was about 3 or 4 weeks ago, that there's about 7.5 percent of the aircraft at National that are hush-kitted airplanes.

Ms. NORTON. Say that again? How many?

Mr. MACGLASHAN. It's 7.5 percent.

Ms. NORTON. My goodness.

Mr. MACGLASHAN. Which seems like a very low number.

Ms. NORTON. Seems like a high number to me.

Mr. MACGLASHAN. Does it? OK. Well, just to give you an illustration, Minneapolis Airport did a study on this problem and they found that with 25 percent of their fleet mix which were hush-kitted aircraft it generated 69 percent of the noise at the airport. So it gives you an indication of how bad the hush-kitted airplanes really are, and if Mr. Wilding were here, I think he would agree, because he has commented before that yes, they are very bad. Even though they supposedly meet the stage three——

Ms. NORTON. Right.

Mr. MACGLASHAN [continuing]. Standards, they very, very marginally meet those standards, and they had to play some tradeoffs in order to get them across the line, so to speak. And the reason that the newer-manufactured planes are better is because they exceeded the stage three standards by two or three dB.

And there are some people in—even in the scientific world, as well as the airport communities, that say, well, an individual can't discern a difference in the noise level unless it is 10 dB, and I can assure those people I would have no trouble distinguishing a hush-kitted airplane from a new manufactured stage three airplane, which if there's only three dB difference gives lie to what they've been saying about it. So there is a difference.

Ms. NORTON. And flying after 10:00?

Mr. MACGLASHAN. I wouldn't let them fly at any time.

Ms. NORTON. I'm talking about what are they doing now?

Mr. GRIES. I don't think they can fly out.

Mr. MACGLASHAN. No, they can't fly now because they can't meet the noise restrictions.

Ms. FAVOLA. They can't meet the lower noise thresholds.

Ms. NORTON. Ms. Favola, did you have a point you wanted to make on that point?

Ms. FAVOLA. Well, I was just going to say, Congresswoman Norton, that you bring out a very good point about what the Part 150 process can and cannot do. I view it as a very open process where we can make recommendations on a number of issues, and those recommendations would have to be reviewed by FAA and, of course, we may end up with situations where some legislative action would be required, so——

Ms. NORTON. So perhaps we should go through that process first?

Ms. FAVOLA. Well, I do think we should consider it in the Part 150 process, absolutely, because we will have all the stakeholders at the table, but I'm willing to pursue—if you want to put something on a fast track regarding the hush-kitted issue, we're certainly willing to work with you on that.

Ms. NORTON. Well, I think we need to lay a predicate on this issue of just what they do. If we want them eliminated, it seems to me we are going to have to establish what you say with your own ears, Mr. MacGlashan, you can establish. We're going to have to establish whether these things work. They were clearly put in to the law as it was passing through without the kind of testimony that would have allowed Congress to make that distinction. Now the question is who—you know, I can ask Mrs. Morella to work with me, to do it through the GSA. I think you indicated the FAA or some existing agency to do it.

Ms. FAVOLA. Well, the Part 150 process is part of the FAA purview, so——

Ms. NORTON. You need to, when you consider this issue, indicate to us whether you think an existing Government agency should do it or whether we should get an independent evaluation through the GAO.

Could I ask you, now that there has been the reinstatement of the river route for takeoff and landing, if you note—if there's a notable difference that you can detect now.

Mr. GRIES. I could speak for the Palisades. A different group of people are now complaining. The radio beacons that were followed during the period immediately after the airport opened sent planes over a different part of the community, and suddenly people who had not noticed the problem began to complain. I think your office heard a lot of those complaints.

Ms. NORTON. But is it status quo ante?

Mr. GRIES. No. This was the procedure followed after the airport reopened. Now that we are back to the procedures in effect before September 11th, the old group of citizens are burdened with the noise and they don't complain as much because they've lived with it forever.

But I might take this opportunity to correct one point I think has not been clearly stated. In theory, pilots follow the river now on takeoff and landing. In practice, they don't follow it, for the most part, on takeoff, and there is a very simple technical reason—that is, a modern jet climbs at such a rate that the angle of the cockpit window is such that the pilot can't see the river, so for the most part they follow one of the radio beacons off the end of——

Ms. NORTON. Can the radio beacons see the river?

Mr. GRIES. In general, the beacon most often followed is over the river as much as it can be, but since a radio beacon is a straight line—it is actually a vector, but it is essentially a straight line for at least the first five or six miles from the end of the runway.

Ms. NORTON. But, again, this is status quo ante?

Mr. GRIES. This is status quo ante. Yes.

Mr. MACGLASHAN. That's why the GPS approach that the Government was going to investigate offers an intriguing solution to this problem.

Ms. NORTON. Yes.

Mr. MACGLASHAN. Because then we could follow the river to whatever extent that we want to by using a segmented course, and the whole thing could be automated through the autopilot and flight management system of the plane.

Ms. NORTON. You indicated that there were fines when the decibel levels were exceeded and that happened fairly frequently. Why would a pilot exceed the decibel level? I didn't understand. Would that be unintentional? Is that somebody who doesn't know what he's doing?

Mr. GRIES. You know, I don't know the answer to that, but the statistics which were distributed to all of us show a certain number of fines each month for aircraft that have exceeded the level at the end of the runway after 10 p.m., and before 7 a.m., so I assume it is some combination of humidity and thrust and—but I don't really know the answer. I really don't.

Mr. MACGLASHAN. I think the fines are levied against an airline who, if it has a plane that does not meet the standards for the nighttime restrictions, and if it leaves at 10:01 it is apt to get a fine, or if it lands before 7 a.m., the airline can receive a fine for doing that. We have witnessed planes out in Montgomery County who were sitting there kind of circulating because they arrived early at the point where they were going to go down from the American Legion Bridge down the river, and so they had to sit and circle for 3 or 4 minutes until the time ticked over and then they could come in. So the fine structure is not based on noise as much as it is the fact that it's the wrong kind of airplane to be flying in the nighttime hours.

Ms. NORTON. I would be interested in knowing whether or not we have too weak a standard for these so-called "curfew hours." Could the average plane today, given the advances and the state-of-the-art such as it is, meet those threshold levels if they wanted to and fly on in here between 10 and 7:00?

Ms. FAVOLA. I don't know if the average plane could meet it. I'd have to look at exactly what is flying into National and get some assessment of whether or not they could meet the lower noise thresholds. I do think, though, that there is public interest in reexamining those thresholds, because at the time the agreement was negotiated it was clearly the expectation that planes would not meet it, so the neighbors, in effect, were getting a curfew.

So there's interest in maybe going back and looking at the thresholds, and if, as you say, more planes than we expect or we would like can actually meet those lower thresholds, maybe they are not low enough, or maybe we need to take a different approach. But certainly nighttime noise is a major irritant for constituents in our greater Washington area, as you well know, Congresswoman.

Mr. MACGLASHAN. I would add that a given plane, like a 757, which has not been allowed back quite yet, can be certified because of its weight aspects. It can be certified to be one of the planes that can come in and out of National whenever it pleases. Other versions of exactly the same plane with a different weight certification cannot. So you have a combination, depending on what certification that the plane has received, and in some cases they are not allowed to operate at National, in other cases they are.

Ms. NORTON. It does seem to be everything is going to have to be on the table. Is the FAA providing experts to this process?

Mr. MACGLASHAN. They will tell us what each plane, given its weight and characteristics, would generate in terms of noise. They supposedly test every single plane, and they come out with a document which tells you what the various noise levels are for landings and takeoffs and sideline noise.

Ms. FAVOLA. You're referring to the Part 150 process——

Ms. NORTON. Yes, I am.

Ms. FAVOLA [continuing]. And if we'll have enough technical expertise——

Ms. NORTON. Exactly.

Ms. FAVOLA [continuing]. To work through these issues? The Metropolitan Washington Airports Authority has received an airport improvement grant, and through that grant they are hiring outside experts to advise the committee. Certainly FAA will be a

part of this process, but they are not the up-front part. They sort of read the recommendations and findings of the committee at the end stage.

Ms. NORTON. Well, that's very important to know, that you have funds to—because if you want to think outside the box and not just, you know, improve on or maybe not improve, frankly, by looking at the same configuration, then you're going to have to say, "OK, suppose we were to begin again?" And then you're going to have to think, even if you were to begin again, "What is the state-of-the-art of airplanes?" You can't take the whole industry and turn it upside down in the 150 process. So this is going to take a lot of deep thinking, not only on your part but deep advice from people who understand everything they're supposed to understand because they're experts in the state-of-the-art on planes and noise and flying, so it is important that you have those funds.

Ms. FAVOLA. Yes. That point is very well taken, and we will not be shy about consulting with you if, in fact, we don't feel the resources are being brought to the table on that. So I appreciate your comment.

Ms. NORTON. I fought very hard in committee to preserve the perimeter rule as it was. Actually, when you consider what was on the table, we did pretty well. I mean, it would have just blown the thing apart. It took a lot of work. I'm appreciative that Bud Shuster, who was the chair of the committee, worked very closely with me. But we do have, what is it, 757s? We have these planes coming in from Arizona, places all across, quite unnecessarily, I think. Perhaps you will remember when Dulles was under-used or BWI was under-used, because everybody thought if you didn't land at Washington at Reagan National something was wrong with you. Maybe you weren't high enough in the pecking order. I'm not sure what it was, but everybody had to land here. Now, of course, people have recognized that this is a region and a very prosperous region and it makes more sense to land at Dulles and BWI in many ways, and BWI has done marvels in becoming very competitive with National by the way it prices its services.

But we have had some violations of the old perimeter rule, and I, frankly, had hoped that after September 11th that's one thing that would go. They would say, "Well, certainly after September 11th you don't need to have these big planes flying out to the west coast," but we still have a few of them that do.

And, of course, as I guess it was Mr. Wilding indicated, only Congress can change that. I would be interested, however, in knowing what, if any, effects you believe the small changes in the perimeter rule have had, particularly with planes flying from the west coast or from the far west, what effect those planes have had on noise, if any.

Ms. FAVOLA. Congresswoman Norton, I'd like to provide that information for the record. We have such a skewed view now of what has happened at National, because we're still all thinking of the post-September 11th, and I don't have any information at my fingertips that would tell us, you know, sort of what the impact of the perimeter rule was pre-September 11th, we were so engrossed in the issues that happened after the tragedy. So I would be happy to have that information submitted for the record.

Mrs. MORELLA. Yes, sir?

Mr. MACGLASHAN. I was just going to add that, say, for a 757 that would normally fly not a perimeter but within the 1,250-mile thing, if you add enough fuel to go to the west coast it can add as much as five dB to the noise level.

Ms. NORTON. To arm us in advance, there are always people working around the edges of National Airport to find ways to get within or beyond the perimeter rule. I hope that in your 150 process any changes that have occurred as a result of the perimeter process can be noted and we can get whatever information we can out of that in case we have folks coming at us again on that.

Finally, as I see our Chair has returned, I do want to end simply by saying, although I indicated that your process would, of course, benefit from outside experts, I cannot help but note that you who do not claim to be experts have shown yourselves to be extraordinarily knowledgeable—I must say more knowledgeable than I certainly was. This committee has learned a great deal from your really extraordinarily knowledgeable testimony. The notion that citizens have spent this kind of time on highly technical aspects of noise abatement and of how planes operate has been something to behold. I want to commend you on the way you've done your homework.

I must say to you that on matters like noise the Government needs prodding. See, Government doesn't think about noise. Government wouldn't do anything about noise if citizens didn't make Government do something about noise. The Government thinks of efficiency, it thinks about important bureaucratic—I don't want to use that word in the pejorative sense—but important bureaucratic issues, but noise has to come from you, and you have educated us this morning on noise, its effects, and even on what might be done to mitigate its effects, so I just want to indicate my thanks to the kind of homework you have done and the way you have educated this subcommittee, and return the chair—I never did take the chair—to our own Chair, Connie Morella.

Mrs. MORELLA [resuming Chair]. Thank you, Ms. Norton. And thank you for your stream of questioning with these wonderful witnesses.

It is true, because what you have done is gone beyond the scope of any job, any 9 to 5 job. You've done it because you have believed, you've taken time from your family and from other activities in which you might engage.

I will just finally ask you, you have all been involved for many years in this. Have you seen advancements? I mean, can you note that—I know you've made a difference. Can you see you've made a difference? If someone were to say, "Would you trace what has happened with noise mitigation at Reagan National Airport and Dulles Airport," would you like to try that? Just any general comments you might have on that.

Ms. FAVOLA. I'll take a crack at that.

Mrs. MORELLA. Feeling of success, too. Yes.

Ms. FAVOLA. This whole field seems to move very slowly.

Mrs. MORELLA. Yes.

Ms. FAVOLA. It is very frustrating. And there are a lot of players, and it is difficult to gain the necessary consensus to get changes

through very often. I do think the Metropolitan Washington Airports Authority has become more cooperative than it had been when I initially started on my CONANDA Committee, and I also am thrilled that we finally have Metropolitan Washington Airports Authority, with the help of the D.C. government, finally did get some airport improvement program dollars to actually start the Part 150 study, so I thank you, Congresswoman Norton and all of you who may have helped in that.

I really do think that this study will enable us to come up with some creative ideas and to be at the leading edge of where noise mitigation and quality of life factors can be for regions that have an airport, I think progress is coming. We've had lots of challenges, and it is hard to point to any one thing, but I can feel it, so I'm hopeful 18 months from now we can come back and really have something substantial to say.

Mrs. MORELLA. You know, we really do seem to be closer than ever before in terms of finally getting a continued action that would help.

Mr. Gries, how long have you been involved with the noise abatement?

Mr. GRIES. I think it is about 2 years on this committee, but I've lived under the flight path for 10. So, in answer to Ms. Norton's earlier point, that's why we've learned about this subject, because we really have no choice.

I'd just add one thing very quickly to what Ms. Favola just said. The largest changes that have occurred have been because of the technology of aircraft engines. For example, some of the late model Airbuses that are now using National are quite acceptable. Similarly, the late model 737s which are using National are more or less acceptable. Our problems are with older airplanes. And so, as the industry advances and faces the very high costs of operating older airplanes, there will be continuing change, but it is very slow.

Mrs. MORELLA. Right.

Mr. MacGlashan, I bet you set the record for veteran status and experience.

Mr. MACGLASHAN. Maybe it's a dubious record. I don't know. I have been involved with it now for 8 years, and——

Mrs. MORELLA. It seemed longer.

Mr. MACGLASHAN. Well, I guess that goes back to 1994, I think it was, that I first took up the hammer to try to make some differences.

As far as what I have seen—and I agree with David here that a lot of it has been technology, and when I testified before your Technology Committee 5 years ago I said that technology got us into this problem and technology is going to have to get us out. And I also said I think back at that time that we should be using more of the regional jets, and I'm happy to hear that USAirways now has at least partially settled with their pilots so that they may start using more regional jets out of National, and that should help the noise situation greatly, I think.

Mrs. MORELLA. Yes.

Mr. MACGLASHAN. I think what we have to overcome is the natural inertia of the aviation industry, itself, who do not like to change anything. They get their procedures set down in black and white,

and then somebody comes along and says, "You must change this type of procedure." The Air Line Pilots Association rises up and says, "No, we can't do that. It makes that airport non-standard with other airports in the country." And I'd like to give the pilots a lot more credit for being able to handle their airplanes so that they could make adjustments for a given airport. No two airports are exactly the same in how they are set up, and so these pilots are perfectly capable of being able to handle Washington National if they are given the proper training. And so I would——

Mrs. MORELLA. And flexibility.

Mr. MACGLASHAN. Pardon?

Mrs. MORELLA. And flexibility.

Mr. MACGLASHAN. And flexibility. Yes. Exactly.

Mrs. MORELLA. Yes.

Mr. MACGLASHAN. So that's—and I agree with Ms. Favola that the progress is very, very slow. But I think because of citizen groups around the country keep the pressure on all the time, it sort of helps drive the authorities to take hold and look at the problem.

Mrs. MORELLA. Well, actually, you just wouldn't have—you'd have very few changes taking place if you didn't have a voice, and you represent a lot of people.

Mr. MACGLASHAN. That's right.

Mrs. MORELLA. And I hope that's some encouragement to you, that you are the ones that make participatory democracy really work on behalf of a lot of others who don't have the time or don't feel they have the power to give to it. So I thank you very much for that. I remember when we used to count how many planes violated the slot rules, and I guess that will come back again, too, so you've all been there for a long time.

I thank you. I know that Ms. Norton will fill me in if there is something I've missed, and my staff will fill me in, but we will write that letter on behalf of the 150.

And so now again I thank you, Ms. Favola, Mr. Gries, Mr. MacGlashan, and I'm going to adjourn the meeting of this subcommittee. Thank you for your patience with my coming and going. I know Ms. Norton handled it beautifully.

I want to acknowledge Russell Smith, my staff director; and Shalley Kim, staff assistant, who has been recording this; Rob White, communications director; Matt Batt, legislative assistant; Heea Vazirani-Fales; John Bouker, who is the counsel on the minority side; Jean Gosa, deputy clerk on minority side; and thank our recorder, Mary Ross, for the wonderful work that she does.

The meeting is adjourned.

[Whereupon, at 2:04 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

[The prepared statement of Hon. Thomas M. Davis follows:]

Statement of Rep. Tom Davis

Hearing on "The Metropolitan Washington Airports Authority – The Impact of the September 11th Terrorist Attack on the Security and Operation of Airports Serving the Nation's Capital"
Subcommittee on the District of Columbia
May 8, 2002

I want to first commend Chairwoman Connie Morella for her active leadership on this and other issues before this subcommittee.

Getting Reagan National reopened after the tragic events of September 11th was a lesson in patient perseverance. The region's congressional delegation worked in a concerted, bipartisan manner with the Administration to make it happen. We sent an important symbolic message to the terrorists who wanted to create an atmosphere of fear, a message that America will not surrender our freedom to travel – or our way of life.

Just as importantly, the reopening was vital to the thousands of Northern Virginians who relied on the airport for their livelihood: the 10,000 employees who work at the airport, as well as the thousands of others connected to its operations, including hotel employees, taxicab drivers, concessionaires, meeting planners, food providers and the like.

Now we have an airport that is the model of safety for airports around the world. This airport stands as a beacon of freedom on the Potomac, and its reopening represents the remarkable ability of America to rally in the face of adversity. I want to commend our regional Congressional delegation for speaking in one voice to the Administration about the importance of reopening the airport, while recognizing the very real security concerns involved. And we all send our thanks to President Bush for making the resumption of flights a top priority. This is yet another example of the exemplary leadership he has demonstrated since September 11.

The last two months have seen two more important announcements regarding air traffic at Reagan National: the return to "100 percent" commercial operations, and last month's return to pre-9/11 flight paths. What a welcome return to normalcy. This was especially great news for our constituents who were living with roaring jet noise the past 8 months, due to a mandatory straight-in flight path and a requirement that pilots take off at

full throttle. The upcoming consolidation of Terminal Radar Approach Controls should also help with noise abatement in the long term.

Still, there is one more hurdle to overcome, and it's my hope that the Administration will provide us with a game plan this morning. The restoration of business and other general aviation at the airport is the final, critical component of restoring air service to the D.C. area. I have written to the President on this issue and reiterate that message here: "It is critical that this important region be open fully for business. Unfettered access to Congress and to government should not be impeded. General aviation restrictions at Reagan National are causing continued economic harm to the workers and firms who support general aviation. The regional economy continues to suffer from the impact of these restrictions."

Today I ask the Administration to promptly develop security procedures that can allow business aviation to land at Reagan National. I am certain that security safeguards can be devised that meet the requirements for protecting our Nation's Capitol.

Procedures have been developed that are equal to or more stringent than those currently in effect for commercial aviation. Unless we reopen Reagan National fully, we have accepted a significant modification in the way we conduct business and government in the Washington region, reducing our political and economic freedoms. I think we can all agree that we should avoid a permanent reduction in access to this region – one that can only be seen as a victory for terrorism and a blow to our economy.

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