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VACANCIES IN AIR TRAFFIC CONTROLLER WORK FORCE

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THE UNIVERSITY
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HEARINGS

BEFORE THE

SPECIAL AD HOC SUBCOMMITTEE

OF THE

COMMITTEE ON

POST OFFICE AND CIVIL SERVICE

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

FIRST AND SECOND SESSIONS

ON

THE IMPLEMENTATION OF PUBLIC LAW 92-297, REVIEW
OF VACANCIES IN AIR TRAFFIC CONTROLLER WORK-
FORCE, AND ON H.R. 7416 AND H.R. 7418

FEBRUARY 7, 8, 1973, MARCH 11, 12, AND NOVEMBER 8, 1974

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VACANCIES IN AIR TRAFFIC CONTROLLER WORK FORCE

WEDNESDAY, FEBRUARY 7, 1973

U.S. HOUSE OF REPRESENTATIVES,
SPECIAL AD HOC SUBCOMMITTEE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 210, Cannon House Office Building, Hon. Thaddeus J. Dulski (chairman of the committee), presiding.

Mr. DULSKI. The subcommittee will come to order.

The subcommittee is pleased to commence these hearings to review vacancies in the air traffic controller work force and the manner in which the air traffic controller career legislation—Public Law 92-297—has been implemented.

Although there are two separate matters for review before the subcommittee, their relationship is inseparable in view of their impact on air safety.

I have been made to understand that there are presently no controller-trainees in the pipeline at this time. Further, that there are approximately 1,000 vacancies, 800 actual, plus 200 as a result of controllers who are disqualified and assigned other duties.

I am well aware that the 1974 budget provides for more than 1,000 controllers, but since it takes from 2 to 3 years to fully train a controller, it would appear that present vacancies and those which are sure to come through normal attrition cannot be filled completely.

At the urging of the administration, and controller organizations, such as PATCO, this committee spearheaded the drive for controller legislation which was enacted as Public Law 92-297, about 1 year ago.

Everyone agreed that the need for this law was urgent. Yet, we find that a substantial number of disqualified controllers remain on the books rather than being assigned to training as provided in the law. This question also must be resolved.

Most important, however, is the effect these matters have on air safety. We hope to get the answers during the course of these hearings.

Our witness today, is Mr. Bertrand M. Harding, Associate Administrator for Manpower, Federal Aviation Administration.

I assume, Mr. Harding, you want to introduce your associate.

Mr. HARDING. Yes, indeed. Mr. Raymond Belanger, Acting Director of the Air Traffic Service.

First, Mr. Chairman, let me thank you for adjusting the committee schedule to allow the Department's testimony today, rather than tomorrow. I appreciate that accommodation very much.

STATEMENT OF BERTRAND M. HARDING, ASSOCIATE ADMINISTRATOR FOR MANPOWER, FEDERAL AVIATION ADMINISTRATION; ACCOMPANIED BY RAYMOND G. BELANGER, ACTING DIRECTOR OF THE AIR TRAFFIC SERVICE

Mr. HARDING. I am here today, at your request, to discuss the Department of Transportation's program to implement the air traffic controller career legislation—Public Law 92-297—and the question of the status of the Federal Aviation Administration's controller work force.

Addressing the implementation of the controller career legislation, first I would like to briefly outline the Department's efforts in this regard since the act was signed into law in May 1972.

In the 3 months immediately following enactment, the FAA developed the guidelines and internal orders necessary to put the program into effect. I am certain you can appreciate that this initial phase required considerable time and effort, inasmuch as we were bringing into existence an employee program virtually without precedent in the Federal Government.

The guidelines and orders were published in early September 1972, and we began, immediately, to process air traffic controllers who had become eligible after the effective date of the act, August 14, 1972.

Within the first 2 months, 55 controllers were determined to be disqualified and eligible for second career training. Eight actually began second-career training during this period. Through the end of last month, January 1973, a total of 86 disqualified controllers have actually begun training or will do so in the very near future.

Although our records do not distinguish between controllers retiring under the provisions of the controller career legislation and those retiring under the general retirement provision, early retirement has been available to all qualified controllers since the act went into effect.

During the time this initial implementation program was underway, the Department initiated three other projects required for full implementation of the act. First, at the request of Congress, a comprehensive review was made of our decision that flight service station personnel should not be covered by the provisions of the controller career legislation.

Mr. Chairman, the Secretary has submitted that study and its findings in a recent report to the Senate Post Office and Civil Service Committee. The report concludes that the inclusion of FSS employees under the coverage of the controller career legislation cannot be justified considering the difference in the nature of their duties.

The primary function of the air traffic controller in the centers and towers is to control the movement of aircraft. The center-tower controller is required to be in constant contact with the aircraft, and his decisions often involve considerable stress and are of a time-critical nature to aviation safety.

This is not true of FSS specialists, except for what we call flight assists. These occur very infrequently; only about one-half flight assist per man, per year, is performed by FSS specialists.

The second project was to establish a maximum entry age for controllers. As you well know, the act authorizes the Secretary of Transportation to establish a maximum age for candidates entering

the air traffic controller career, with the concurrence of such agent as the President may designate.

When the President designated the Civil Service Commission for this purpose, we began immediately to negotiate with the Commission for approval of our proposal to establish age 30 as the maximum entry age. Last month, the Commission gave its concurrence. We anticipate the implementation of this proposal in the very near future.

The third project the Department undertook to implement the act was the development of a plan to fund both the direct costs of implementing the legislation and the costs of recruiting and training replacement controllers.

We have been able to make the necessary adjustments within our current year's budget to cover the additional costs incident to the second career program, and we have done this without jeopardizing, in any way, the safety of the air traffic control system.

The Office of Management and Budget has authorized the Department to exclude 250 trainees from normal staffing limitations as specified in the act. The 1974 budget contains adequate provision for continued implementation of the program as envisioned by the Congress, including funding for an anticipated 500 trainees.

Mr. Chairman, the air traffic controller career legislation inaugurated a significant new program which we, in the Department of Transportation, believe is essential for aviation safety and for the welfare of our controllers.

We labored diligently with this committee to secure its passage. We have now completed the complex start-up phase of implementation, and I can assure you that no air traffic controller who is or becomes eligible for second-career training will be denied the opportunity for that training.

Now, with respect to air traffic controller staffing, since fiscal year 1968, we have seen the controller work force in centers and towers grow from approximately 14,000 to almost 19,500 through the end of fiscal year 1972.

As you know, we were experiencing a rather severe shortage of manpower in 1968, and in subsequent years we recruited and trained large numbers of controllers to alleviate this situation.

Because of fiscal uncertainties, and a general employment freeze throughout the Government, hiring of air traffic controllers has been temporarily curtailed in 1973. This situation will be corrected over the next 18 months, however, beginning with the filling of 700 vacancies to reach authorized 1973 employment levels.

An additional 1,000 controllers will be hired in 1974 just to offset anticipated attrition. Finally, the President's budget, recently submitted, provides for the hiring of another 1,000 controllers over the authorized 1973 levels to meet additional 1974 operational requirements in centers and towers. The total influx of approximately 2,700 new trainees will satisfy our training pipeline requirements through fiscal year 1974.

A period of limited hiring, such as we have been experiencing naturally creates imbalances in staffing among the various facilities in the system. To the extent feasible, we corrected these imbalances by transferring controllers to those facilities which, due to unanticipated attrition, or other reasons, find themselves shorthanded.

In all cases, the FAA's Air Traffic Service adjusts the flow of traffic to assure that there is no derogation of safety. There has been no evidence, whatsoever, to support any suggestion that recent accidents were in any way, due to a manpower shortage.

That concludes my prepared statement, Mr. Chairman.

I and Mr. Belanger will be happy to answer any questions you may have.

Mr. DULSKI. Thank you very much, Mr. Harding. Your statement rather intrigues me. Your reference to additional controllers for the system is projected for fiscal 1974. How about the effect of vacancies on safety now. You know, I fly back and forth to Buffalo every week. So this sort of bothers me a little bit.

Mr. HARDING. No, sir; the question of safety should not bother you. We want to assure the committee that at any individual air traffic facility where there might be a shortage of staffing, we will slow down the traffic adequately to compensate for that shortage of staffing, not derogate safety.

But the truth of the matter is, we have very few situations where that problem occurs. Mostly, what happens, Mr. Chairman, where there is a staffing imbalance is that an employee may sometimes not be able to take all of the annual leave that he would like to take at a particular time.

But, I can assure you, sir, that you need have no fear in 1974, or any other year, of traveling in the airways in this country.

Mr. DULSKI. Well, I have a chart before me, and it says here, Chicago, ARTCC, authorized journeymen is 634. The complement now is 295.

Now, there is a lot of difference between 634 and 295, isn't there?

Mr. HARDING. That is terrible. I do not believe those figures are correct.

Mr. BELANGER. Mr. Chairman, that chart is completely in error. I do not have the exact figures, but actual staffing in the Chicago Center is very close to the authorized staffing levels.

The staffing you alluded to, the 295, is the number of full performance journeymen. There are many, many important job assignments in the air traffic facilities which can be performed by developmental controllers.

These job assignments, or subtasks, do not require the training of a full performance journeyman. There are, in fact, at the Chicago Center, very close to the number of controllers authorized to be on board at that facility.

Mr. DULSKI. You are not understaffed?

Mr. BELANGER. We are not understaffed in the air traffic control system.

Mr. DULSKI. In Chicago, you are not understaffed?

Mr. BELANGER. Absolutely not.

Mr. FORD. Mr. Chairman, since Mr. Belanger indicates that he does not have any exact figures to respond to your question this morning, I would ask unanimous consent that he be directed to supply to the committee, immediately, the figures for Chicago and the other stations you have on that chart for the period from 1968 described in Mr. Harding's testimony, until the end of calendar year 1972.

Mr. BELANGER. I would be happy to supply those for the record, sir.

(The following information was furnished:)

JOURNEYMEN/DEVELOPMENTAL CONTROLLERS (2152) SUMMARY

	Authorized controllers	On board		Total
		Journeymen	Develop- mental	
Cleveland Tower.....	59	41	10	51
Detroit Tower.....	72	53	16	69
Chicago ARTC.....	565	252	313	565
New York CIFRR.....	150	116	32	148
McChord.....	27	23	4	27
Memphis ARTC.....	333	159	164	323
Jacksonville ARTC.....	369	210	153	363
Houston Tower.....	59	39	11	50

Note: We need to point out that a developmental controller is not a trainee. A trainee is one who is hired on the basis of a test score which determines primarily aptitude for the job of air traffic controller. He must first learn the jargon and basic knowledge of the aviation community. The various stages in the training of a developmental controller results in progressive levels of productivity/usability as he progresses toward a fully qualified controller. After he has been trained and thoroughly checked on one position he becomes productive in the control of "live traffic." The developmental moves on to be trained and checked out in other positions and during this time he shares the overall controller workload burden. In general, we consider the following developmental grade levels as usable for the indicated percentage of time: GS-12, 97 percent; GS-11, 95 percent; GS-9, 55 percent; GS-7, 45 percent.

Mr. DULSKI. Any further questions, Mr. Ford?

Mr. FORD. I would just like to make it clear that we would like to have them before we conclude these hearings. Obviously, it is the kind of information you will be able to get by tomorrow morning.

Mr. HARDING. We will get them to you, today, sir.

Mr. DULSKI. Pursuing the same questioning: During the time that the President had the hiring freeze, did the Agency make any kind of a suggestion to the President of the United States about the factor of safety, which is a very important thing, especially in travel? Did you have understaffing during that time?

Mr. HARDING. Well—

Mr. DULSKI. Because of the freeze you must have had some sort of understaffing if you cooperated with the civil service ruling?

Mr. HARDING. We did cooperate, Mr. Chairman. What we did do, during that period, you will recall, that part of the President's program was a freeze on promotions.

We immediately went to the Civil Service Commission and sought, and obtained an exception for air traffic controllers from that Presidential freeze on promotions.

And, we consider that this was a commitment that we had made to the controllers when we hired them. The Commission concurred with our view, and we did get that exception from the President.

Mr. DULSKI. I commend you for that. I reserve the balance of my time.

Mr. Daniels?

Mr. DANIELS. Mr. Harding, in your statement you said that the results of a study made last year were submitted to the Senate Post Office and Civil Service Committee—was a copy also furnished to this committee?

Mr. HARDING. Mr. Daniels, I do not believe that a copy was furnished to the committee, officially. The reason that the report went to the Senate Post Office and Civil Service Committee was that it was that committee's report, accompanying the bill that requested a study and report to that committee.

We will be pleased to submit a copy to this committee, if we have not already done so.

Mr. DANIELS. Mr. Chairman, I would then request a copy of that study be furnished to this committee.

Mr. HARDING. Yes, sir.

Mr. DANIELS. Or, perhaps, furnish about a dozen so that members of the committee may have it available to them.

Mr. HARDING. Yes, indeed.

Mr. DANIELS. How many vacancies exist, presently, amongst the air traffic controllers?

Mr. HARDING. Vacancies are a kind of hard thing to define, Mr. Daniels. But, approximately 700.

Mr. DANIELS. Then, you do admit you are understaffed to the extent of 700?

Mr. HARDING. We are understaffed in terms of the anticipated level that we thought we would achieve at the end of fiscal 1973, and we will possibly be below that figure if estimated attrition materializes and funds do not become available for hiring.

Mr. DANIELS. You cite the figure that you are understaffed to the extent of 700, but that this has no effect whatsoever on the operation and supervision of air traffic.

Mr. HARDING. We say it has no effect whatsoever on the safety of the system. I did indicate that in certain locations there are conditions of understaffing for which we have to compensate by adjusting the flow of traffic.

We continuously put the safety of the system first. If we have to slow down traffic to maintain a high level of safety we do that.

Mr. DANIELS. Safety should be uppermost in the minds of everyone. And, we can not afford the loss of a life. When a plane crashes, usually more than one life is involved. Recent airplane crashes have involved the lives of hundreds of people.

What do you attribute the understaffing to, lack of funding?

Mr. HARDING. Our lack of recruiting at anticipated levels during fiscal 1973.

Mr. DANIELS. In response to a question from the chairman, you said there was a freeze last year on promotions. Did that freeze also extend to the hiring of air traffic controllers?

Mr. HARDING. Yes, sir.

Mr. DANIELS. And you have 700 vacancies, at the present time?

Mr. HARDING. Based on projected attrition we will have approximately 700 vacancies by the end of this fiscal year if we do no more hiring.

Mr. DANIELS. You anticipate that, through fiscal 1974, you will require at least 2,700 new trainees?

Mr. HARDING. Yes, sir; that is correct.

Mr. DANIELS. And, despite the fact that you have a shortage of 700 controllers, you say this has no effect upon air traffic safety in this country?

Mr. HARDING. Yes; that is correct, sir.

Mr. DANIELS. I do hope you are right. How many controllers have been retrained under Public Law 92-927 since its adoption, and at what cost to FAA?

Mr. HARDING. Well, sir, no one has, to my knowledge, been completely retrained. There are, currently, 66 who have entered training.

There are another 20 that are awaiting the entry into training. But, this is typically a long-term training program up to 2 years, for the individual.

So, very few, if any, could have completed retraining.

Mr. DANIELS. Where are the retraining courses being held?

Mr. HARDING. They are primarily at colleges and universities, sir. The employee may elect the type of second-career training he wants. In many cases, these employees have 1 or 2 years of college training; and his desire is to complete his college education and obtain his undergraduate degree, in order to qualify for a job in the private sector. And we provide that training, it is similar to the GI bill.

Most of the trainees are enrolled in this type of second-career training.

Mr. DANIELS. When you accept an applicant for training, how long do you anticipate it will be necessary that he undergo study and training before he can become an air traffic controller—before he would be qualified?

Mr. HARDING. Are you speaking now, of training to become controllers as opposed to second-career training?

Mr. DANIELS. Yes.

Mr. HARDING. In the air traffic control centers, the developmental period is up to 3 years. In the towers, it is a shorter period of time. Developmental controllers usually qualify for full journeyman status within about 1 to 2 years, depending upon the level of activity at the tower, that is, the complexity of the job he has to learn.

Mr. DANIELS. In the course of your statement, you used the word journeyman. Will you describe to me, exactly the definition of a journeyman, what his duties are?

Mr. HARDING. Well, his duties vary, sir, depending upon what facility he happens to be working in. But, in our jargon, a journeyman is a fully trained air traffic controller, who is capable of handling all the positions in a tower, or a center, that he might be assigned.

A developmental, on the other hand, is a partially trained controller who may be capable of full performance in one or more of the positions, and who is getting on-the-job training as he moves on up to the full journeyman status. To give you some idea as to pay grade, a journeyman in our major centers is a GS-13.

He typically comes into the system at GS-7 and he moves through the intervening grade levels as he is trained, until he reaches the full status of a journeyman at GS-13.

Mr. DANIELS. In the normal course of business, how long a period of time would elapse from becoming a trainee and developing into a fully qualified journeyman?

Mr. HARDING. About 3 years, sir.

Mr. BELANGER. I would like to elaborate on Mr. Harding's comment. I think it is important in understanding the traffic control system to understand what a developmental or trainee controller is.

A developmental controller is not a man exclusively engaged in training for 3 years. He receives training on a certain type of position. For example, in the tower, it might be the clearance delivery position.

In this position the controller delivers clearances to the pilots, which he receives from the air traffic control center. Training for this job might encompass only 2 months.

Then, he operates on that position, and he is as fully productive in that position as a journeyman controller would be. There are many stepping-stone positions to the full journeyman position, which is the radar position.

So that for a developmental controller, of the 3 or 3½ years that is required for him to become a full journeyman, only for about 1 year is he in a full-time formal training capacity.

In the other 2 or 2½ years, he is a productive controller performing certain subjourneyman level tasks while receiving on-the-job training from the journeyman in the associated position.

In the lower activity towers, a VFR tower, the journeyman grade is 10. This is a simple tower cab operation with light activity and little or no instrument flights. Only 9 months, or so, is required for a controller to achieve full journeyman level, as opposed to the time required to reach Grade 13 in a center. But, indeed, of the whole 3½ years, for approximately 2½ he is a productive, producing employee.

Mr. DANIELS. Take Newark or Kennedy International, or O'Hare—what would be the grade of your air traffic controller in the tower area?

Mr. BELANGER. The O'Hare, full journeyman, is a GS-13. But there are also GS-10's, GS-11's, and GS-12's, that are performing sublevel tasks while learning to be journeymen.

Mr. DANIELS. They assist the controllers?

Mr. BELANGER. They are assistant controllers, that is correct.

Mr. DANIELS. Well, I was at O'Hare in 1971, on an inspection trip before we adopted this legislation; and that is a pretty busy airport.

Mr. BELANGER. Yes, indeed.

Mr. HARDING. The busiest in the world, Mr. Daniels.

Mr. DANIELS. As a matter of fact, it appeared to me, that one air traffic controller was really operating two airfields, directing traffic in and out.

Mr. BELANGER. They split O'Hare into two airfields. If the traffic is light, they might combine a position.

At the New York airports, the journeyman grade at the airport tower cabs is GS-12. Over in the New York common IFR room, which is where the instrument traffic is controlled, the journeyman grade is GS-13. But, again, in the towers and the IFR room there are also lower grade developmental controllers performing meaningful duties.

Insofar as possible, the recruitment into the high-density places is not from off the street, so to speak. We try to transfer controllers to these high-density facilities from other lower activity facilities. They have already achieved a certain level of proficiency and experience.

Mr. DANIELS. What is the estimate of the cost of training one of these students?

Mr. HARDING. If you mean second-career trainees, that, of course, would depend upon the sort of training he took. But, he, typically, would be earning around \$15,000. And, his training costs are probably another \$5,000 or \$6,000, so I would roughly say, around \$20,000, \$25,000; for a full year.

Mr. DANIELS. \$25,000 for a full year?

Mr. HARDING. Yes, sir.

Mr. DANIELS. How much has been set aside in your budget for fiscal 1973 for the purpose of training?

Mr. HARDING. Specifically, none, Mr. Daniels. What we have done is to, as the individuals become eligible for second-career training, they are placed into training and they are funded out of our regular operating funds.

We were not able to put aside a fund of money, but we estimate that up to this point in time, we have spent about half a million dollars on this second-career training program, and anticipate expenditure of about another half a million dollars for the balance of this fiscal year, with a total of slightly over a million dollars for this fiscal year.

Mr. DANIELS. I will yield to the chairman at this time.

Mr. DULSKI. Mr. Hillis?

Mr. HILLIS. Thank you, Mr. Chairman. Mr. Harding, I compliment you on your statement. I think you have thrown quite a bit of light on the problem that faces the committee this morning.

I don't remember if you testified before the committee when the legislation was being considered or not last year. But I am wondering if you know whether other groups cooperated with FAA in bringing about this bill and if it didn't constitute somewhat of a compromise between positions in various groups.

Mr. HARDING. Yes, sir, I was very much involved in this legislation, both with this committee and within the Department.

To answer your question, we got a great deal of cooperation from PATCO in furthering the objectives of this legislation.

We did get cooperation from other employee groups, but most particularly we worked with PATCO which is, as you know, now the national union representing all the controllers in centers and towers throughout the United States.

Mr. HILLIS. Are they satisfied with the way legislation has been implemented at this point in time?

Mr. HARDING. I think that they were having—they had some doubts about its implementation. But I do not know specifically what their problems were.

I do know we had some private conversations indicating that they were concerned about the implementation. I think perhaps, however, that they did not at that time have full access to the facts as to the extent to which the legislation had been implemented by the FAA.

Mr. HILLIS. I have before me an article that appeared in the New York Times on the 28th of January, just a few days ago. The title is "Air Traffic Control—Air Controllers May Act on Protest Hiring Phrase."

Have you seen this article?

Mr. HARDING. Yes, sir; I have.

Mr. HILLIS. In a short summary I want to ask just a few questions to highlight a point made here. There is a comparison made between the situation that faced the system in 1968, 1969, and 1970 and the problems that face the air traffic control system today.

Do you think these similarities really exist or not?

Mr. HARDING. In our judgment the situations are quite different between 1968 and 1973.

Mr. HILLIS. One standard that I have heard mentioned is the amount of overtime that an air traffic controller is required to work.

How much overtime is the average controller in a busy terminal working today, can you answer that?

Mr. HARDING. He's probably not averaging over maybe 1 or 2 hours a week, Mr. Hillis, And that is another point in line with the previous question. That's another difference in the condition.

Back in 1968-69, they were typically working $5\frac{1}{2}$ and even 6 day weeks, averaging from 4 to 8 hours overtime per week.

Mr. HILLIS. That was my next question. As I understand it, in the system at that time there were some 14,000 controllers. Is that correct?

Mr. HARDING. That's correct.

Mr. HILLIS. What are your numbers today?

Mr. HARDING. Approximately, 19,500.

Mr. HILLIS. So you have had an increase of roughly a third, is that correct?

Mr. HARDING. Yes, sir.

Mr. HILLIS. Twenty-five to thirty percent in personnel. Now as to the system itself, haven't there been some improvements in the technique of air traffic control handling since 1968-69?

Mr. HARDING. Yes, I think Mr. Belanger could speak to those technical issues better than I.

Mr. BELANGER. Yes, we have had significant system improvements even beyond increases in the controller population which has increased 5,500 and I am referring to your overtime question.

In 1968, we were operating at around \$13 million a year in overtime distributed among 14,000 controllers. Today, we are running about \$3 million a year overtime distributed among 19,500 controllers.

This will give you a total feel. Now, referring to improvements in the traffic control system, we have been undertaking major capital expenditures to improve the system, primarily improving the equipment and capability of the controller to control the traffic with less strain and effort, and improving communications.

We have installed a BUEC backup communication system that is completely independent of our normal communication systems.

So today, the controller won't lose communications with the aircraft which was one of the difficulties we had in 1968 and 1969. We have on order 61 automated air traffic control radar terminal systems.

Forty-one of these are installed now at the major terminals; they run around a million dollars apiece.

Mr. HILLIS. Does this make the journeyman controller more efficient, does it make his job easier?

Mr. BELANGER. In my opinion it makes his job easier. The equipment automatically provides the identification and altitude of aircraft that have the necessary equipment. At the major terminals most of the aircraft do have this equipment.

Before this equipment was available, the controller had to remember the identification of each individual blip on the radar screen, and also had to remember the altitude of the aircraft.

Now this information is portrayed for him automatically. We are installing similar equipment in our air traffic control centers.

Installation of part of our NAS stage A automation equipment for 20 en route traffic control centers, the domestic system, was completed last month.

It is the first big step toward completion of the automation program, completely automating flight data processing. Communications

between centers regarding current flight data is now done with the computers.

Within a few months the first center will go into the radar processing program which will provide the identification and altitude of the aircraft to the center controllers in a very similar manner as in the terminal system.

This program will cost about \$600 million. Those are the major improvements, Mr. Hillis.

Mr. HILLIS. Thank you. Well, then, to summarize what you have said, with the improvement in the system, a controller perhaps today can handle more aircraft movements than he could back in 1968-69?

Mr. BELANGER. I wouldn't want to quantify the numbers that he can handle but I would say this, that he can handle the same number of aircraft with less strain and stress.

The controller sets his pace to a degree on the numbers he's going to control. What he has actually got is a tool wherein he can control a given number of aircraft with less stress, less strain and with a greater degree of safety than he could previously.

Mr. HILLIS. Now is this nationally regulated, to so-called traffic flow? How is this handled?

Mr. BELANGER. Yes, sir; that's a good point in relation to safety. The traffic control system is a control system.

By control I mean that the system controls the movement, the rate of movement, the numbers of aircraft that are operating in the system. The system is designed to preclude overload. We have what we call flow control which regulates and meters the traffic from center to center and from center to tower.

Now, this is accomplished by regulating the number of aircraft that enter the system. And those aircraft in the system at any time are commensurate with the capacity of the system at that time.

There are many things that affect and reduce capacity. We might say that normal capacity is 100 percent. But bad weather, snow on the runway, and many other factors including on some occasions controller staffing problems such as unforeseen sick leave, can reduce capacity of a certain portion of the system.

Part of the control system's capability is to meter the traffic to match system capacity at any given time.

Mr. HILLIS. One final question. What is the situation currently at O'Hare?

Mr. BELANGER. In terms of controllers O'Hare is authorized 103. They have onboard 91, and nine controllers are coming on board within the next month or so which will bring them up to 100 of the 103 controllers authorized.

Mr. Hillis and Mr. Ford, I now have the figures on the Chicago center. The onboard staffing at the Chicago center today is 699.

Mr. FORD. Thank you, Mr. Chairman.

I think that the two parts of this inquiry are tied together in terms of the implementation of the 1972 act as it ties into this whole question of shortage. I would like to talk first about what has been said here in Mr. Harding's statement about the efforts to implement the 1972 act, and then explore with you how that might affect the second question of shortages itself.

You call our attention on the first page to the fact that within the first 2 months, 55 controllers were determined to be disqualified and eligible for second career training.

Eight actually began second-career training during this period. How many of the 55 volunteered and did anyone else volunteer that you were not able to accommodate?

Mr. HARDING. Well, Mr. Ford, I can't answer that question directly. But I would point out to you, since the majority of these people that elect second-career training elect college training, it is very normal and natural that there is a delay between the time a controller becomes eligible and the time he is able to enter training, because of the specified entry times established by the college of his choice.

There is not an intentional delay on our part in putting the man into training. But there is a fairly complicated process by which first he is determined to be disqualified, and second, the appropriate second-career training for him is determined.

Once those decisions have been made, if the training involves the entry into college, the trainee must await the next semester break at which students are permitted to enter.

Mr. FORD. I have been informed that some people estimate that since the effective date of this legislation, 275 controllers should have been disqualified.

That is, something in the neighborhood of 100 controllers that should be disqualified, have not been, and that you have been re-assigning them to duties, some sort of an acknowledgement that you agree they should not continue as controllers with the responsibility they previously had, but are not yet able to accommodate them in the alternatives provided by the 1972 act.

Mr. HARDING. No, sir. I certainly cannot validate those figures. Our information is that since—

Mr. FORD. Are there any such people?

Mr. HARDING. There are people who are still in the disqualification process. And there are a number of people—

Mr. FORD. Have you assigned some of those people to duties other than being an active controller because you recognize they shouldn't be controlling?

Mr. HARDING. Yes, sir.

Mr. FORD. How many would you estimate that is?

Mr. HARDING. I would estimate that number to be the difference between the numbers, about 131, that have received the final notice of disqualification and the 211 who have received first notice of disqualification.

Or in other words somewhere in the neighborhood of 80.

Mr. FORD. So that should be added to the number of vacancies you have for practical purposes to determine what the shortage of qualified traffic controllers available for duty are?

Mr. HARDING. Under the OMB rules, Mr. Ford—

Mr. FORD. I am not talking about the OMB rules. As a user of the airways I want to know how many people you actually have that you can put to work at 4 o'clock this afternoon.

Mr. HARDING. But whether or not we can presently fill vacancies doesn't really change our situation, insofar as being able to put them to work at 4 o'clock this afternoon. If we were immediately able to hire a controller to replace the person going into the second career,

we would not receive any really productive work out of that man for about a year anyway.

Mr. FORD. All right. Now you have mentioned that you have entered into a program with colleges and universities which you described as sort of a G.I. bill for retraining. Could you give us some examples of that?

Mr. HARDING. I didn't mean to imply that they were all involved in college or university training.

Mr. FORD. How many are?

Mr. HARDING. Forty-four of the 66 now in training, 44 are in university training.

Fifteen are in technical training of one sort or another, and seven are in some sort of on-the-job training within FAA for other careers.

Mr. FORD. How much money do you have left in the fund that you have set aside for training after you accommodate these 59 people you have just described?

Mr. HARDING. We anticipate we will obligate another \$500,000 for the balance of this fiscal year.

Mr. FORD. All right. Now back here on page 4 you say because of fiscal uncertainties the general employment freeze, hiring of air traffic controllers has been temporarily curtailed in fiscal 1973 and I believe it was emphasized by Mr. Belanger that no controllers were hired in 1973.

Mr. HARDING. No, sir. That was not true.

Mr. FORD. Maybe I misunderstood, isn't that what you just told him?

Mr. BELANGER. No, sir, if I said that it was an error. We have done some hiring in 1973.

Mr. HARDING. To date, Mr. Ford, we have hired 190 this fiscal year. And we anticipate hiring at least another 50 for a total of about 240 hires for the current fiscal year.

Mr. FORD. All right. Now you go on in that same paragraph and say this situation will be corrected over the next 18 months, beginning with the filling of 700 vacancies to reach authorized 1973 employment levels, and I have lost track in that paragraph.

Does that mean that 18 months from now, meaning the beginning of fiscal year 1974, you will attempt to reach the anticipated levels of fiscal year 1973 which ended last June 30?

Mr. HARDING. No, sir. Fiscal 1973 will end this June 30.

Mr. FORD. Yes, this June 30.

Mr. HARDING. It is a little confusing—

Mr. FORD. So we are only talking about being 1 year behind.

Mr. HARDING. We are talking about even being less than 1 year behind, if our fiscal uncertainty, as we referred to it, clears up.

We are in the process now of analyzing our total fiscal condition for FAA. We anticipate that if we do no hiring for the balance of this fiscal year, we will end the fiscal year about 700 under our anticipated year end employment figure.

If, however, we are able to procure from within our resources sufficient funds, we will make up all or part of that deficiency between now and June 30.

But we do not yet know what that situation is going to be. We do know that to the extent we do not make it up between now and June 30, we will make it up during fiscal year 1974.

That's the reason for the 18 months' figure. Some time between now and the end of fiscal year 1974, we will make up that 700. We will make it up as rapidly as we can, and our ability to make it up will depend upon our financial resources available to us for the balance of this fiscal year.

Mr. FORD. All right. Further on in that same paragraph, you say that the President's budget recently submitted provides for the hiring of another 1,000 controllers over the authorized 1973 levels to meet additional 1974 operational requirements in centers and towers.

Mr. HARDING. Yes, sir.

Mr. FORD. Are we talking about 1,700 people by the end of fiscal 1974?

Mr. HARDING. We are talking in terms of hiring, sir. We are talking about 2,700, because there are also approximately 1,000 that we will hire to meet the attrition we anticipate in 1974.

There are 700 that we anticipate hiring to make up our 1973 deficit. Another 1,000 represents an increase in the program allowed in the President's budget in 1974, and there are the 1,000 to replace anticipated 1974 attrition. This makes a total of 2,700 new hires between now and the end of fiscal year 1974.

Mr. FORD. Now, you indicate also that you have been able to do this without any increase in moneys that have been given to you to accommodate the provisions of the 1972 act as well as to meet your other problems.

Where did you get the money?

Mr. HARDING. We scrounged.

Mr. FORD. Yes, but you know, I didn't know there was anybody around here who had any fat to trim. I thought that had all been done before the last election.

Where did you find this money, what did you take it away from in the FAA?

Mr. HARDING. I don't think we actually took it away from anything, Mr. Ford. But in a \$2 billion budget, you know, a \$500,000 is a reasonable calculation error. And it was possible for us, when we reexamined our fiscal situation in early mid-fiscal year 1973, to make funds available for implementing the second career program by revising some of our priorities.

Mr. FORD. That was about \$500,000, you say.

Mr. HARDING. To date it's been about \$500,000, yes, sir. That figure, of course, is not entirely new expenditures. Part of that figure represents salaries of employees who were already on the rolls.

Mr. FORD. Some time ago the estimated costs you gave us for implementing, this came from the Department of Transportation, for implementing the training and reassignment was for fiscal year 1972, \$8.9 million, for training and reassignment.

Year 1973, \$15.4. There was none in 1972. So that's a total of about a little over \$24 million. We are told that at maximum you could squeeze \$6 million out of the budget.

How come the disparity between half a million dollars and the \$24 million dollars that the Department estimated at the beginning of this legislation would be necessary.

How have you been able to shave those figures so drastically?

Mr. HARDING. Yes, I can see that is a little confusing. That of course was a full 2-year estimate. We do have \$11 million programed into the 1974 budget to meet the 1974 costs of the program.

Mr. FORD. What about 1972 and 1973? You said it would take \$8.9 million in 1972. And you didn't use that.

Mr. HARDING. Year 1972, sir?

Mr. FORD. Yes. Fiscal year 1972 was estimated at \$8.9 million. Fiscal 1973 at \$15.4 million for training and reassignment. From what you have said you haven't used either of those estimates so far.

You were estimating when we started the program that you would need now over \$24 million.

You are telling us that you managed to get by on a half a million.

Mr. HARDING. Well, sir, I don't understand those figures, because the program was not in effect in fiscal year 1972.

Mr. ROUSSELOT. Will the gentlemen yield?

Mr. FORD. Yes.

Mr. ROUSSELOT. You are quoting from our House report. When the original bill was before this committee. These were estimated costs, weren't they?

Mr. FORD. Yes. I have used the word estimate all along.

Mr. ROUSSELOT. Their estimates, as opposed to actual appropriated dollars.

Mr. HARDING. Perhaps at that time, Mr. Ford, we anticipated a much earlier enactment of the bill.

Mr. ROUSSELOT. Our committee was kind of slow in enacting the legislation.

Mr. HARDING. The \$24 million figure is obviously terribly overstated. Our best estimate is that our actual costs that we will have to incur in this fiscal year will be about a million dollars.

Next fiscal year that will rise to around \$11 million.

Mr. FORD. Now to get to this business of how you compensate for the shortages, I believe you said that you compensated in two primary ways.

First is the slowdown of the traffic. How frequently at the major airports in this country during the past year have you found it necessary to deliberately slow down traffic because of the shortage of controllers.

Mr. BELANGER. Mr. Ford, we still find ourselves in a relatively fortuitous situation. As Mr. Harding pointed out the 700 figure is a projected shortage for the end of the year if we did no hiring between now and then.

As the actual situation exists today we are about 100 to 200 under our projected needs systemwide. Our situation today is more of an imbalance between facilities than an overall shortage.

Mr. FORD. Wait a minute now. There may be a difference of opinion among people who are interested in this question as to the exact number of people we are talking about when we refer to the shortage.

But we have already agreed amongst ourselves this morning that there is a shortage, and that you take two courses of action to accommodate that shortage.

I want you to describe to me to what extent you have used the alternative of slowing down traffic as an accommodation to the shortage. Wherever it might be, whether—

Mr. BELANGER. I would say less than one-half a percent of the time.

Mr. FORD. Well, are there any specific incidents like a particular period in time, or places like O'Hare or Kennedy where you have had to deliberately slow down?

Mr. BELANGER. Yes, it's been on a rare occasion. It's usually developed as a result of sick leave or something like that. Of course the staffing allowances do provide a coverage for sick leave.

But on the other hand, if you are a little tight on staffing to begin with and you get some unanticipated sick leave, then you have to accommodate it.

Right now any slowdowns are to accommodate short breaks, such as lunch relief and things like that. So it's periodic.

Mr. FORD. So what you are saying to me is that you don't really use the slowdown technique, you haven't found it necessary or in any event to have it used, as a significant way in which to adjust to the shortage?

Mr. BELANGER. It is not necessary at this point.

Mr. FORD. That means you must be relying on something else more heavily than the slowdown technique?

Mr. HARDING. Could I go back—

Mr. FORD. Let me just pursue this if I might. One of the other alternatives you said was to cut annual leave. To what extent have you found it necessary to curtail annual leave to accommodate the shortage?

Mr. HARDING. Again to a very insignificant extent, Mr. Ford. There are some facilities as Mr. Belanger points out, where there are localized shortages where the annual leave either has to be reduced or at least not scheduled at the time the employee would most like to have it.

But this is certainly not as yet a great problem in the system.

Mr. FORD. All right. Now you have previously stated that the controllers are not working overtime, that you don't have to slow down traffic except where you have some sick leave or unusual situations that would not be covered by this overall problem of the shortage, and that again you use the expression, insignificant curtailment of annual leave has been necessary.

Are you now saying that the—that since the methods you have described, the three of them here, two in your statement and one in response to a question of Mr. Hillis, are you now saying that the shortage constitutes an insignificant impact on your ability to provide adequate service.

Mr. HARDING. At this point in time it is an insignificant figure as far as we are concerned. I would like to point out a major reason why the shortage is more apparent than real.

The shortage—or difference—is based upon what we anticipated we would need in 1973 compared to what we actually need in 1973.

The increased need was predicated upon some factors of growth of air traffic flow and volume. That growth in flow and volume has not materialized to the extent that we thought it would in this fiscal year.

Therefore, the truth of the matter is that the need to some degree was overstated and hence the shortage is overstated.

Similarly, Mr. Ford, the need also represents some additional facilities such as new towers, which we had anticipated activating in this fiscal year which we have not yet activated.

Therefore, the need is there in the future but is not there in the present.

Mr. FORD. You have projected for two purposes, one, well, the single purpose, provide efficient air transportation in this country, safely.

You have projected certain needs. Those needs included new towers, they included more men, they included more equipment.

Congress has responded to those needs. One of the three things have reached the levels that you have projected as experts were necessary to meet your mission which is to provide efficient safe air transportation.

But you are now telling us that these shortages are insignificant. How many controllers are you presently training?

Mr. HARDING. We have 400 GS-5, GS-7, and GS-9 trainees at present.

Mr. FORD. Where do you train them?

Mr. HARDING. We train them both in the facilities and at the academy in Oklahoma City, where we have the—

Mr. FORD. How many people do you have in training at Oklahoma City now?

Mr. HARDING. I do not have that specific figure, Mr. Ford.

Mr. FORD. Would you be shocked if someone within the last 24 hours told me that your center at Oklahoma City is all but shut down?

Mr. HARDING. It is at a very low level. No, I would not be shocked.

Mr. FORD. So we are not against the figure of 2,700 people who presumably at some stage will have almost 3 years of training, we are not at this point doing very much to get ready for that figure are we?

Mr. HARDING. Oh, yes, sir. Our staff at the center is still in place, is working on the curriculum and on other assignments.

Mr. FORD. It takes 3 years to get this fellow up to journeyman status. How many do you have in the pipeline now to reach that stage?

Mr. HARDING. About 400 in initial training. But they are not—I didn't find my statement, sir, on the—it is really more than part of the training, location.

Mr. FORD. I think you already explained that that is a preliminary and he takes most of his training while actually working in some other capacity less than the GS-13 full journeyman controller.

So there are 400 people in that part of the pipeline between preliminary training and becoming a controller.

Mr. BELANGER. No, sir. There are 400 people in what we call the initial indoctrination stages of training.

In terms of the total pipeline, there are some 5,400 progressing up toward the journeyman level. The 400 we are referring to are in pre-controller training and have not yet had their training at the academy.

Mr. FORD. Is there another center besides Oklahoma?

Mr. HARDING. Not for centralized training, no sir.

We did have a training facility operating for a time in New Jersey at our National Aviation Facility Experimental Center—NAFEC—where we were doing some radar simulation training, but that has been discontinued.

Mr. FORD. What is the period of training at Oklahoma City?

Mr. HARDING. It varies depending upon the type of training; whether the trainee is a tower controller, center controller, or flight service station specialist.

Mr. FORD. How long would you say?

Mr. BELANGER. Sixteen weeks for flight service station specialists; 9 weeks for a center controller; and for the tower controller the length varies with the type of tower the controller is going to.

It could be as little as 4 weeks, or as long as 12 weeks.

Mr. FORD. Then, the inability to recruit accounts for the fact there is nobody in boot camp ready to go on?

Mr. HARDING. Yes, sir; that is what it amounts to. The pipeline as far as the Oklahoma City facility is at a very low ebb.

Mr. FORD. Is that not one of the places we would look to see how many people are actually entering this process to end up—

Mr. HARDING. Both there and at the preindoctration training, itself. You cannot just count heads at the academy and say how many are in the initial process.

Mr. DULSKI. Mr. Rousselot?

Mr. ROUSSELOT. Thank you, Mr. Chairman.

I am interested in this extra \$500,000 you found. I realize—having served in a government agency—that an extra \$500,000 could be found. But, we have been told that the administration is really cutting back everywhere. When did you find this \$500,000?

Mr. HARDING. We did not find it as a half-million dollars, Mr. Rousselot.

Mr. ROUSSELOT. You had to take it from here and there?

Mr. HARDING. Bits and pieces, yes; at the facility that the man happens to become eligible for training. Within that region, funds are found to pay his tuition costs, or to maintain him during this period of time while he is in training.

Mr. ROUSSELOT. So, what that really means is you overasked for money at one point?

Mr. HARDING. I would hate to draw that conclusion, sir.

Mr. ROUSSELOT. That is a conclusion we have to come to, if you were able to find that much money. Of course, that is a problem that some of us think all agencies live under.

They ask for more than they really need, and evidently that was the case, here.

Mr. HARDING. Well, sir; yes, sir. I think I would defend the proposition that a half-million dollars in a \$2 billion budget is really not a case of intentional overestimating.

Mr. ROUSSELOT. It is just that the average taxpayer thinks that is a lot of money.

Mr. HARDING. Yes, sir; it is a lot of money.

Mr. ROUSSELOT. Maybe your agency can be more careful in asking for dollars not needed.

Mr. HARDING. We are certainly pursuing that objective.

Mr. ROUSSELOT. Mr. Leyden—I know this has been discussed to some degree—the president of the Professional Air Traffic Controllers Association, put out a release and made some pretty strong statements.

I know you commented on part of it, but I would like you to comment further. Mr. Leyden says:

As things stand, similar or worse air accidents can occur. The principal reason is that the staffs of the air control facilities, which carry the lives of air passengers in their hands, have become dangerously, if not criminally, shorthanded.

Mr. HARDING. Yes, sir.

Mr. ROUSSELOT. Is that a fair statement?

Mr. HARDING. No, sir; I do not think it is a fair statement. I think it is a considerable overstatement, and I have so told Mr. Leyden.

Mr. ROUSSELOT. Did he back off on that strong statement?

Mr. HARDING. I guess you had better ask Mr. Leyden.

Mr. ROUSSELOT. "Criminally shorthanded," is a pretty strong charge. In your investigation and oversight of this function, are you convinced that your facilities are not being operated in a criminally negligent way?

Mr. HARDING. I am completely convinced of it, Mr. Rousselot.

Mr. ROUSSELOT. The purpose of our hearing is to determine whether the act which we passed is being properly carried out. I would like some kind of general evidence that the statement made by Mr. Leyden is not a true statement, so that we can determine—

Mr. BELANGER. May I respond to that?

Mr. Leyden, in his statement, to a degree, alleges the fact that there is some connection between air traffic controller staffing, and the three accidents that occurred. And the fact that they were incurred by omissions or commissions on the part of the controllers involved.

The determination of that is not within the purview of the FAA. It is up to the NTSB who is currently conducting hearings. For us to make a judgment in that area would be overstepping our bounds and beyond our purview.

Mr. ROUSSELOT. But you do have the responsibility of making sure there is adequate staffing, do you not?

Mr. BELANGER. Yes, we can say at this point, in our judgment and opinion, that staffing did not enter into, had no factor to play—

Mr. ROUSSELOT. In the three crashes?

Mr. BELANGER. In any of the three accidents. And that Mr. Leyden's statement is not true.

Mr. ROUSSELOT. Fine, that is your word. Can you give us some kind of adequate backup for our hearing to show that you had prejudged standards of how many people should have been in these towers and the centers; and that there was, in fact, not a shortage in the center or the tower at the time of these three crashes? Can you do that?

Mr. BELANGER. We can give you what the staffing levels set by the facility for a given shift are, and the number of people on board. But, we cannot identify the cause of the accidents, because the NTSB will do that.

Mr. ROUSSELOT. I understand that, but the charge here is that the facility was understaffed, and that part of the reason was because of the freeze.

Mr. BELANGER. We do not make that determination. I think the accident hearings will bear us out that this was not a factor.

Mr. ROUSSELOT. You do maintain general standards as to the number of personnel that you need at any given time in the tower or the center, do you not?

Mr. HARDING. That is correct.

Mr. BELANGER. That is correct.

Mr. ROUSSELOT. Can you show us that prior to each of these dates the staffing for that tower and that center was at a given point and that they were, in fact, staffed properly at those two times? Can you do that?

Mr. BELANGER. We can.

Mr. ROUSSELOT. That information for each of the three accidents would be helpful.

Mr. HARDING. The Chicago Midway, O'Hare, and Miami crashes?

Mr. ROUSSELOT. Yes. You can refer to his news release, I guess.

Mr. HARDING. Yes, sir; we had his news release.

Mr. ROUSSELOT. The "criminally shorthanded" charge is a serious one.

Mr. HARDING. As I said, I think there was a bit of rhetoric here that overstated the case, and FAA has so told Mr. Leyden, personally.

Mr. ROUSSELOT. But, to the best of your knowledge, the towers and the center in each case were adequately staffed?

Mr. BELANGER. Absolutely.

Mr. ROUSSELOT. Now, in your investigation, did you find in any of these cases that you had people on the job that were not properly trained? That is part of the implication.

Mr. BELANGER. In our review of what has transpired, so far, there was no negligence on the part of any controller, on the part of any supervisor, on the part of anybody in the air traffic control system.

Mr. ROUSSELOT. Can you back that statement up with some kind of documentary proof?

Mr. HARDING. I think we might be getting in the way of an NTSB—

Mr. ROUSSELOT. Then you could specify that it is not to be put in the record. I think we should know. People are making statements like this and are getting headlines all over the country.

Mr. HARDING. We would be happy to submit to you, sir, the best evidence we have to support our position.

(The information follows:)

Miami Tower Normal Staffing.

Time 07-1500 22 controllers 3 supervisors.

15-2300 21 controllers 3 supervisors.

23-0700 7 controllers 1 supervisor. On shift on the day of the accident.

23-0700 7 controllers* 1 supervisor.

I certify that all control actions, instructions and procedures used by Miami Tower personnel in the control of LA Flight 401 on the day of the accident were consistent with operating practices in accordance with approved air traffic procedures. It is my opinion that there was no negligence on the part of the controllers.

(S) CARL E. JORITZ,

Chief, Miami Tower.

FREDERICK H. OTTERSBERG,

Acting Chief, Air Traffic Division, ASO-500.

To: AAT-1.

Chicago/O'Hare Normal Staffing:

08-1600 ----- 23 controllers (includes 9 developmentals
checked out on various positions)
4 supervisors

*Includes one developmental controller checked out on tower positions and on radar departure positions.

16-2400----- 23 controllers (includes 9 developmentals
checked out on various positions)
4 supervisors
Staffing on Shift on 8 December (Midway Accident):
08-1600----- 25 controllers (including 9 developmentals)
4 supervisors
Staffing on Shift 20 December (O'Hare Accident):
24 controllers (including 8 developmentals)
4 supervisors

I certify that all control actions, instructions and procedures used by O'Hare Tower personnel in the control of United Airlines Flight No. 553 on 8 December, and Delta Airlines Flight No. 954 and North Central Airlines Flight 575 on 20 December were consistent with operating practices in accordance with approved Air Traffic procedures. It is my opinion that there was no negligence on the part of the controllers.

JOHN F. WUGGOLDING,
Chief, Air Traffic Division, AGL-500.

To: AAT-1.

Chicago/Midway Tower Normal Staffing:

08-1600, 5 controllers, 1 supervisor.

16-2400, 5 controllers, 1 supervisor.

00-0800, 2 controllers, no supervisor.

On shift on the day of the accident: 08-1600, 4 controllers, 2 supervisors.

Overlapping coverage of supervisors occurs one shift each week; the surplus supervisor fills in on a control position.

GEORGE D. SMITH,
Acting Chief, Air Traffic Division, AGL-500.

To: AAT-1.

I certify that all control actions, instructions and procedures used by Midway Tower personnel in the control of United Airlines Flight 553 on the day of the accident were consistent with operating practices in accordance with approved Air Traffic procedures. It is my opinion that there was no negligence on the part of the controllers.

NICH MOLEEN,
Chief, Chicago/Midway ATCT.

GEORGE D. SMITH,
Acting Chief, Air Traffic Division, AGL-500.

Mr. ROUSSELOT. Thank you. You mentioned that presently you are slightly overstaffed or have an overage, I guess you called it, in your centers of 200.

But there is, nationwide, a shortage of roughly 200, I think you said.

Mr. HARDING. The balance between centers and towers.

Mr. ROUSSELOT. In the towers?

Mr. HARDING. In the towers and centers.

Mr. ROUSSELOT. Does that shortage exist in any three of these towers that were involved in these accidents?

Mr. HARDING. O'Hare, as I recall, is currently, I think Mr. Belanger testified to that, a few under its authorized staffing. Those are being picked up within a short period of time.

Mr. ROUSSELOT. That has been done after the accident?

Mr. BELANGER. That is correct, but—

Mr. ROUSSELOT. How many were you short at the time of the accident?

Mr. BELANGER. The authorized staffing at O'Hare of controllers is 103; around 91 on board at that time; but that includes a certain buffer to allow for training and so forth.

In other words, there is a staffing "cushion" in there.

Mr. ROUSSELOT. It is not a minimal number?

Mr. BELANGER. That is right.

Mr. HARDING. Not for operational purposes.

Mr. ROUSSELOT. So, the shortage that did exist at the O'Hare Airport was not a shortage in critical personnel, it was a shortage in training, or some other personnel, is that correct?

Mr. BELANGER. Yes, sir. In terms of the ability to grant leave or lunch breaks. And as I testified before, if we encounter that problem, we are slowing down the rate of traffic.

Midway was one of the towers involved, and they are actually over-staffed by one.

Mr. ROUSSELOT. In the tower?

Mr. BELANGER. In the tower.

Mr. ROUSSELOT. So, it was not a problem at Midway. What about Miami, was there a shortage there?

Mr. BELANGER. Miami tower is authorized 118, and they have 112 on board which is considered a reasonably good posture, considering the normal staffing fluctuations.

Mr. ROUSSELOT. That was at the time of the accident?

Mr. BELANGER. That is correct.

Mr. ROUSSELOT. Again, was there a shortage of critical people at that time?

Mr. BELANGER. The Miami tower could be considered fully staffed, at that time.

Mr. ROUSSELOT. The difference between 112 and 118 is not critical?

Mr. HARDING. That is correct.

Mr. FORD. It happens I was in Miami when the accident took place, and trying to leave the following day. The schedule I had was to leave about 6 o'clock in the evening and I think, I spent New Year's evening going through the security line.

We got out about 12:30. The explanation that was given to us, including two U.S. Senators, who were also caught there, was that the entire traffic pattern of the Miami Airport was in some way affected by what had happened to the extent that flights had to be changed.

And that is why I was asking about the slowdown. Can you tell us or find out for us, whether you arranged a slowdown during the 36 hours following the accident, or 48 hours, at Miami, because of some condition that indicated to you that it was not properly staffed?

Mr. BELANGER. I can—

Mr. ROUSSELOT. Do you mean slowdown in air traffic?

Mr. FORD. Yes; how come everything suddenly got delayed in Miami, and the airlines were telling us it was because the traffic had been slowed down.

Mr. BELANGER. What day was this?

Mr. FORD. I came out on New Year's evening, which would be, I guess, about 36 hours after.

Mr. BELANGER. New Year's Eve? Yes; I did get a report on that. We are talking, if I am not mistaken, of the Orange Bowl game which is played down there.

We staff down at holidays because we normally anticipate holiday traffic to be lighter and to let the controllers have holiday leave. We staff down to what we anticipate in traffic.

Normally on a holiday such as New Year's Eve there isn't a lot of traffic.

I recall this particular day in Miami, New Year's Eve. There was an unanticipated volume of traffic that was not commensurate with the

staffing available and we accordingly adjusted the traffic flow downward.

Mr. ROUSSELOT. Now so that I understand it, one of you gentlemen said the total number in the pipeline for training is 5,400.

Mr. BELANGER. We would like to supply that for the record. That is a rough estimate, it is somewhere in that neighborhood.

But we would like to be accurate in response to it.

Mr. ROUSSELOT. There are roughly 5,400 in the pipeline, in the 3-year training program, is that correct?

Mr. HARDING. Yes, sir.

Mr. ROUSSELOT. What is the 400? What was that?

Mr. HARDING. That was the number of trainees that were at the initial entering stage of the pipeline.

Mr. ROUSSELOT. Do you mean at the academy?

Mr. HARDING. No, sir. They are mostly in preacademy training.

Mr. ROUSSELOT. Mr. Leyden makes the claim that this freeze on hiring which started in mid-December was somehow related to these crashes.

I know you have already answered that to some degree, but could you describe to us how the two occurrences are really not totally related? In other words, how many people you have in the pipeline at any time does not necessarily relate to the end product, that is the people that are in the towers and centers, is that correct?

Mr. HARDING. Yes; that is correct because the towers and the centers are staffed by a mixture of the journeyman and the developmental controllers in the pipeline.

The responsibility for the control positions is either in the hands of a journeyman, or it is in the hands of a developmental under supervision of a journeyman.

Obviously, you can have human error on the part of a full fledged journeyman.

And that does occasionally occur. But we know of no way under the circumstances by which we are now operating that these unfortunate accidents could have been avoided by more trainees in the pipeline. And we have been so informed informally by the NTSB.

Mr. ROUSSELOT. Another statement Mr. Leyden made is, "The level of air safety was decreased by the lack of implementation of the newly passed bill which encouraged retirement of air traffic controllers." Was there, because of the bill, a high excessive rate of retirement just at that time?

Mr. HARDING. No, sir.

Mr. ROUSSELOT. In other words, was there an accelerated rate of retirement at that time, thereby taking people, out of the towers or out of the centers?

Mr. HARDING. No, sir. To the best of our information there have been only 17 controllers who have retired under the early retirement provisions of the career bill to date.

Mr. ROUSSELOT. Were any of those 17 retired from either of the three towers or centers we are discussing?

Mr. HARDING. I don't have that information, sir; but I don't think they were.

Mr. ROUSSELOT. Could you provide that for us so we would know that?

Mr. HARDING. We can provide the location of the 17 retirees; yes, sir.

Mr. ROUSSELOT. I think this is an additional example of how the news media might do a better job in reporting important statements—that are made by people that are supposed to be in positions of responsibility—on the actual facts of a situation as opposed to, as the gentlemen here have stated, what appears to be an overstatement. The statement, “criminally shorthanded,” has been played all over the country in various newspapers.

There was no attempt by the news media to see whether that was really the fact of the matter or not, or whether in fact the FAA had been negligent in providing adequate personnel for the tower and the centers.

Mr. FORD. Would the gentleman yield?

Mr. ROUSSELOT. Yes, sir.

Mr. FORD. I can't disagree with anything the gentleman has said. However, I would ask that we determine—I think you said that you have communicated your disagreement privately to the person who originated the press statement.

What public statement if any did the Department of Transportation issue to refute this charge? Has there been any public statement to deny this?

Now, I understand that the actual cause from a legal point of view of the accidents is yet to be determined by proper authority and that is certainly not us. And it is not the intention, I am sure, of the gentleman or of me to try to pin anybody down here to make that kind of determination.

Mr. ROUSSELOT. No.

Mr. FORD. A charge was made and as the gentleman says, was widely disseminated throughout the country.

Mr. ROUSSELOT. And it made great copy.

Mr. FORD. Obviously it is going to have an effect on a major industry in our country, an effect on people who use it, that at the time that these accidents occurred there was a shortage that could have been the cause of the accident.

Did the Department of Transportation make a public response to this?

Mr. HARDING. We made a response to the reporter, Mr. Lindsey, who wrote the followup article in the New York Times.

We gave our position to him which was very honestly reflected in his story, but I don't think we issued a news release refuting the PATCO news release.

Mr. ROUSSELOT. Was the Secretary asked about this or was he called? Are you under any kind of constraints as to what you can or cannot say because of potential investigation?

Mr. BELANGER. We can respond to the facts as we know them but cannot conjecture as to the cause of the accident.

I can only speak at the FAA level of the inquiries received from the news media as to whether there was a factual statement and whether these accidents indeed were related to controller staffing.

Mr. ROUSSELOT. At the time that these charges were made?

Mr. BELANGER. Yes, sir.

Mr. ROUSSELOT. There was a direct response. Were those responses utilized by the news media?

Mr. HARDING. Frankly we have seen very little publicity on this news release other than the lead story in the Times. So I can't comment whether or not they picked up what we said. I know that our public affairs people did get a number of calls.

Mr. ROUSSELOT. It was publicized in the California papers.

Mr. BELANGER. We responded along the same lines that we have responded to you today.

Mr. ROUSSELOT. Of course I think, too, the news media figure, "well, this is a responsible official, therefore he must have some knowledge." I guess they assume that all elected officials are responsible. My point is, that immediately following these kind of crashes, it does make wonderful copy.

Mr. FORD. Mr. Henderson.

Mr. HENDERSON. Mr. Chairman, I came down this morning not as a member of the subcommittee but because of my long time interest in this subject and in the employees involved.

I can't help concluding from everything I have read and what I have heard this morning that we are out chasing rabbits when we ought to be bear hunting.

I think we have wasted our time in having here the very fine administrator, Mr. Harding, and he knows my regard for him.

Other officials ought to be here answering the questions that I think we have really been trying to get at this morning.

Who is the Administrator of the FAA, Mr. Harding?

Mr. HARDING. Mr. John Shaffer, sir.

Mr. HENDERSON. What is the status of Mr. Shaffer at the present time; has a successor been named?

Mr. HARDING. A successor has been designated by the President; yes, sir.

Mr. HENDERSON. Did Mr. Shaffer resign his position?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. What do you know about when he is leaving and his successor coming aboard.

Mr. HARDING. My best information is that Mr. Staffer has been asked to stay until his successor is confirmed, and sworn in.

I know nothing about the status of Mr. Butterfield's confirmation.

Mr. HENDERSON. Mr. Chairman, I think it is fair for the record to reflect we are all aware that there is a problem of the appointment at the present time of Mr. Shaffer's successor that will require apparently some legislative action.

And this obviously is a problem. Now, who is the Deputy Administrator of FAA?

Mr. HARDING. That position is vacant and has been vacant since the 15th of July.

Mr. HENDERSON. Mr. Chairman, this is the reason I think we are rabbit hunting. Here we are with an agency of this importance without a Deputy Administrator, for over 6 months. The Administrator has resigned, and we can't get a successor for him.

Our real problem is in the Office of Management and Budget. We know that is what we are talking about here, all the way around it.

And we are in limbo about the director. The Senate will be voting, I understand, in a few days on his confirmation.

I don't know whether we will have a record on that. Now I wish Mr. Shaffer were here to answer this but, when did you learn that you had some budget problems, ceiling control problems, hiring problems, Mr. Harding, when did this come to your attention for this fiscal year?

Mr. HARDING. Mid-fiscal year, December, is when we first started having to adjust our budget.

Mr. HENDERSON. Well now in 1969 how many air traffic controllers did you hire.

Mr. HARDING. Did we hire, sir?

Mr. HENDERSON. Yes, sir.

Mr. HARDING. We hired 2,616 in 1969.

Mr. HENDERSON. We are just talking about controllers, not talking about electronic technicians too; are we?

Mr. HARDING. Yes, sir, we are just talking about controllers.

Mr. HENDERSON. How many in 1970 and 1971?

Mr. HARDING. In 1970, 4,127, sir, and in 1971, 2,946, sir.

Mr. HENDERSON. In 1972?

Mr. HARDING. Seventy-two, 553.

Mr. HENDERSON. Why that sudden drop?

Mr. HARDING. Well, sir, I think the plain explanation of sudden drop is that we were urgently filling our pipeline that had become as you well know, very badly deficient, and with these heavy hirings in 1968, 1969, 1970, 1971, we had gotten in pretty good shape by that time.

Mr. HENDERSON. The 500 you hired was what you needed to put in the pipeline that fiscal year? You had no real problem then; did you?

Mr. HARDING. In 1972, sir?

Mr. HENDERSON. Right.

Mr. HARDING. No, sir. As I recall, our situation in 1972, that was about what we needed.

Mr. HENDERSON. Well now, the Administrator came before my subcommittee in June of 1972, June 27, 1972. You had no knowledge of a problem, at that time; is that right?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. You had hired over 9,000 in the previous 3 years, controllers and technicians?

Mr. HARDING. No, sir; those are just controller figures I gave you.

Mr. HENDERSON. That you just gave me, but in the record, you gave us, in July you had some 9,300, I believe, or in June, you had employed some 9,300 in 3 years prior?

Mr. HARDING. The 3 years, that is very possible; yes, Mr. Henderson.

Mr. HENDERSON. And you anticipate in fiscal 1973 hiring a total of only 240?

Mr. HARDING. Something in that neighborhood; yes, sir.

Mr. HENDERSON. Now, why do you think that you will have the authority to hire the 2,774? Have you been informed that the restrictions will be taken off?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. Do you have that in writing?

Mr. HARDING. We have the approved budget and we have the—

Mr. HENDERSON. Approved budget by OMB?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. You did not have then, sufficient amount, in 1973 to hire them, the amount that you had projected you needed?

Mr. HARDING. It appears we may not hire all we anticipated in fiscal year 1973.

Mr. HENDERSON. That was because of the budget act?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. Well—

Mr. HARDING. And the personnel freeze.

Mr. HENDERSON. And the personnel freeze? Did the Congress appropriate enough money for you to carry on your projected approval?

Mr. HARDING. My recollection of the congressional action was that it was in conformance with the President's request; yes, sir.

Mr. HENDERSON. So, what you are really saying is that you did not spend the money in 1973 to hire the people, even though the money was there, because of freezes, or budget curtailment?

Mr. HARDING. Well, sir, there is going to be some absorption of the pay increase by the FAA as all other agencies are being asked to do.

We will spend money, but some portion of it will have to be absorbed by pay raises.

Mr. HENDERSON. I want to be sure we are not leaving any question in anybody's mind, but that there was ample congressional authority and ample money in 1973 for you to have continued your hiring as it was projected you would have done, had you not had freezes on the hiring, or curtailment of money?

This was executive, was it not?

Mr. HARDING. Yes, sir.

Mr. HENDERSON. Now, the specific hearing I referred to was as you recall, for the purpose of the 150 program?

Are you still continuing that program?

Mr. HARDING. Yes, sir; the 150 program represents a majority of the hires we have hired in fiscal 1973.

Mr. HENDERSON. For the benefit of this record, and those who might be interested, and do not know what that is, it was a special minority-hiring program, Mr. Chairman. I think a fairly reasonable, quick record was made up in the Manpower Civil Service Subcommittee hearings on June 27.

And, so, again, we have hiring of air traffic controllers stopped by executive action in 1973, except the special minority hiring program.

Mr. HARDING. No, sir; it is not quite that. But the majority of the 1973 hires were from minorities and women.

Mr. HENDERSON. Do you know whether or not Mr. Shaffer, or his successor had a document which Mr. Boyd prepared for Mr. Shaffer, which we referred to, in our June 27 hearing?

Mr. HARDING. No, sir; I do not know what he has prepared. We do have a large set of books available for briefing for the new administrator, when he takes office.

Mr. HILLIS. Would the gentleman yield?

Mr. HENDERSON. Yes.

Mr. HILLIS. On the 150 program, I am not on the gentleman's subcommittee. Of course, this is a very important program, but it requires an additional period of training time, more so, I believe by 2 years than would be required for a regular journeyman controller.

Mr. HENDERSON. That is generally my understanding of it. It may need some refinement but generally, that is right.

Mr. HILLIS. So, as that program has slowed down, a person training under the 150 program would not become available for 5 years, rather than 3?

Mr. HENDERSON. That is right, actually gives him some extra training.

Mr. HILLIS. Thank you.

Mr. HENDERSON. Mr. Harding, how many trainees do you normally have at Oklahoma, or have you had in the last 3 or 4 years, what you call the pipeline trainee, there?

Let me put it this way: Can you really justify the maintenance of that school without some flow, reasonable flow of students through it?

You said that the professors and staff are working on curriculum. I am sure this can be done for a short period of time. But we have had some very dramatic reductions in your trainees out there, from your own testimony, this morning. And it is not economically feasible to try to operate that center with ups and downs, as you are experiencing at the present time. It is going to be—it is wasteful, is it not?

Mr. HARDING. It has been a relatively short interruption.

Also, there are some other technical training programs going on for controllers such as for the data processing people and electronic technicians, so it has not, as perhaps, the committee got the impression, completely dried up.

It has become mighty shallow. But, it is about to take off again. Certainly, if we had to go for any extended period of time at the present utilization, we could not justify the maintenance of that facility in Oklahoma City.

But, we do not think we have wasted taxpayers' money in the maintenance of it for this very short period of reduced training activity.

Mr. Henderson. Mr. Chairman, if I may, I would like to ask Mr. Harding, do you know of a better illustration of what I have contended as chairman of the Manpower Committee, that we ought to get away from this business of playing numbers and putting ceilings on, and really manage budget? Is it not fair to say that the real problem here has been that you had a numbers freeze put on? If it had simply been put to the FAA, that you had to cut dollars, you would have been able to keep your air traffic controllers, technicians, moving through at a reasonably fair pipeline operation!

Mr. HARDING. During the period of the absolute freeze, that, of course, is true, Mr. Henderson. I think, however, our major concerns during the current fiscal year have been dollar concerns rather than number concerns.

Mr. HENDERSON. During this fiscal year.

Mr. HARDING. Yes, sir.

Mr. HENDERSON. Has the agency taken the dollar cuts in all of its programs that you have, or just in the recruitment and training of air traffic controllers, and electronic—

Mr. HARDING. Yes, indeed; sir. We have done so meticulously, as a matter of fact. We have taken the majority of our reduction out of overhead, or headquarters type operations. We have tried to avoid, to the greatest extent possible, imposing any reductions in what we call the firing line jobs, the controllers and electronic technicians.

Mr. FORD. Would the gentleman yield?

Mr. HENDERSON. Yes.

Mr. FORD. In regard to the gentleman's question on numbers, during the hearing, that we have been discussing; in response to questions by the gentleman from North Carolina, Mr. Shaffer said, and I quote, "I ask each employment office to commit its resources to the hiring of 16 percent women and 20 percent for minority groups."

These are not hiring quotas, they are goals and objectives which each of the FAA seeks to achieve within the needs and requirements of the service. It does not result in the hiring of unqualified persons to the exclusion of qualified candidates.

When you have no budget for the increase given in the current year, but you manage to function by taking it from other parts, what effect does this 16 and 20 percent requirement have on your recruiting?

Mr. HARDING. Well, it is not really a requirement, Mr. Chairman. It is as Mr. Shaffer stated, a goal. We, to the extent that we have hired, we have pretty much maintained that goal.

But the hiring has been relatively minimal, so the numbers are not very large. As I indicated to Mr. Henderson, a great deal, a majority of the hiring in air traffic controllers has been through the 150 program, which is largely minority.

So, we have maintained statistically, a rather good percentage figure on intake of air traffic controllers from minority groups.

Mr. FORD. Well, have you had enough qualified women to meet the 16-percent quota?

Mr. HARDING. Yes, sir; the last figures I saw we were actually in excess of our goal for women.

Mr. ROUSSELOT. How about on minorities, did you meet the 20-percent goal?

Mr. HARDING. Yes, sir; I think we are at least meeting that goal.

Mr. ROUSSELOT. So, as a practical matter, it was just a goal; but, were the supervisory personnel very conscious of this goal, and felt they had to meet it?

Mr. HARDING. I think all of our supervisors are very conscious of the Administrator's desire to maintain a large influx of minority—

Mr. ROUSSELOT. So, even though you called it a goal, in effect it became kind of a hazy quota?

Mr. HARDING. We carefully avoided making it a quota.

Mr. ROUSSELOT. Did it not become that in practice?

Mr. HARDING. No, sir; I do not think it did.

Mr. ROUSSELOT. In other words, because we call it a goal, it really is not a quota in practice?

Mr. HARDING. No, sir; it is not a quota in practice. It is a goal.

Mr. HENDERSON. Mr. Chairman, I make one final, concluding statement.

I do not want any chance of misunderstanding.

I think it is important, again, to note in this important hearing that the gentlemen on the committee talked about the widespread publicity that it has had over the country. We have within the Department of Transportation, headed by a Cabinet-level officer, an agency headed by an administrator but when we get questions involving budget and ceilings, the Associate Administrator for manpower within that agency, who is recognized by all of us, as one of the most able personnel administrators in the Federal Government, comes up and testifies to defend the agency program; I think it is one of the highest tributes that can be paid to Mr. Harding.

He is the kind of administrator who, whenever the boss, and the boss, in this case, is three or four positions up the line, somebody down at the White House, OMB, says, "Do a job," he can do it; and come to Congress, and defend it for those who ought to be up here answering our questions.

I think it is one of the highest compliments, that I can pay Mr. Harding, that he is here this morning, really on the firing line when we have all known the kind of technician that he is.

I think that the air traffic control people will say that he is one of the fairest, most competent. He has just been carrying out orders. And, it is a shame he has been given this kind of orders, and sent up here to defend bad practices ordered by others.

I thank you very much, sir.

Mr. HARDING. I appreciate your comments.

Mr. FORD. Mr. Hillis?

Mr. HILLIS. I have one final question to ask Mr. Belanger here. You are familiar with this article in the New York Times, "Air Controllers Protest Hiring Freeze," of January 28?

Mr. BELANGER. Yes, I have seen that.

Mr. HILLIS. In that article is a statement contained to this effect: "There is already a serious shortage of manpower that is getting worse, as the Nixon administration's hiring freeze continues. The safety committee of the controllers' organization will meet next month and consider the next step that might be taken

"If job action is agreed upon, it will be a legal method. We will go by the book applying the strictest interpretation of FAA rules. And it is said that this would seriously slow down the movement of airplanes."

My question is, do you have different standards of rules that are used in the regulation and flow of traffic or do you always go by the book?

Mr. BELANGER. No, sir; our rules are identical throughout the system, depending on the type of equipment that is available. The application is the same at all facilities. We do not subscribe to, endorse, or condone anything that is beyond the book.

No, I do not believe we are controlling beyond the book. I do believe that there is a pace that controllers gear themselves to, and they can handle more or less traffic. But, I do not believe any of our system is operating outside the book. One of the reasons we have introduced the equipment, automatic terminal radar system, is to ease their burden in the pace of control. I am not quite sure, exactly, what Mr. Leyden is alluding to in what he is going to "not do," when he does something by the book.

Mr. HILLIS. Thank you.

Mr. ROUSSELOT. I have a couple of quick questions regarding the complement of personnel in the centers. Was there a shortage of supervisors in either the tower or the center, because supervisory personnel, of course, are extremely important on the basis of any ratio?

And, another question; how long do you anticipate that this interruption time will go on, as far as the entry into the academy? When do you plan to increase your recruiting and enroll more people in the academy than you are now enrolling?

Mr. HARDING. We have hopes, during the last quarter of this fiscal year, we will, in fact, be able to start our recruiting up, again. This depends upon how——

Mr. ROUSSELOT. That would start when?

Mr. HARDING. That would start in April.

Mr. ROUSSELOT. So, in April, you intend to gear up——

Mr. HARDING. No, sir. I do not want to overstate that. I say we have hopes that we will be able to find adequate resources to begin hiring during the last quarter of this fiscal year.

Mr. ROUSSELOT. Is that mostly money?

Mr. HARDING. Yes, sir. Mostly money. And, to the extent that we cannot——

Mr. ROUSSELOT. Your intention is to gear up again and start the flow at the academy, hopefully in April?

Mr. HARDING. Hopefully as early as April.

Mr. ROUSSELOT. Do you have any general contingency funds in DOT that could have been utilized?

Mr. HARDING. Not to my knowledge, sir. I am really not a budget type. But, I know of no contingency funds.

Mr. ROUSSELOT. If you found an extra half-million dollars, I think you are a good——

Mr. HARDING. No, sir, we just reprogramed within our operations—reordered some priorities.

Mr. ROUSSELOT. But, to the best of your knowledge, the FAA or DOT does not have contingency funds that could have been used as kind of an emergency situation, realizing that these personnel are critical to the safety of all the passengers that fly in this country.

Mr. HARDING. To the best of my knowledge, there are no contingency funds. Now, I think it is fair to say that the—in the current fiscal review that is going on in the Department, the Secretary is looking across all of the Bureaus and Agencies within the Department, including the FAA for available funds to do whatever jobs remain to be done, this fiscal year.

And he is in a position to make adjustments between appropriations for that purpose; and I assume would do so, where funds are available.

Mr. ROUSSELOT. When it became obvious that this freeze was going on, did the FAA make an appeal to DOT and the White House to say, "We do not really want to cut down this flow of training, because it is necessary to keep our ongoing ability to deliver safety"?

Mr. HARDING. Well, typically in the budget process, this is something that goes on every day, all the time. There are continuous conversations.

Mr. ROUSSELOT. Did you, or your superiors, make a direct appeal, and say, "This is one area we should not cut back on"?

Mr. HARDING. We worked with the Department and with OMB, to try to balance out our fiscal responsibilities with our fiscal resources, during the current year, and we have done, I think, a rather good job in making up that balance.

There is not—I know of no specific appeal, saying that we cannot do this, this is a conversation——

Mr. ROUSSELOT. I would like to know if any of your superiors made a direct appeal to say, "The air traffic controller area is one

area we should not skimp on, because we are talking about the safety of the passengers of this country”?

Mr. HARDING. Yes, sir; but you see, in our view, we have not endangered the safety of the passengers of this country. Therefore, we really would not be in a position to make any such contention.

Mr. ROUSSELOT. OK.

Mr. BELANGER. Mr. Chairman?

Mr. FORD. I want to try to meet your requirement of leaving at noon. I would like to compliment both of you gentlemen for the job you did here although I agree that, perhaps, you have confirmed the suspicion of some of us, that the problem is not within the purview of your responsibility, and your position, in terms of finding a solution.

It just occurred to me as I listened to Mr. Rousselot, in a Department, where some people allege, as much as \$8 billion might be impounded, that your requests for more money, when you are fighting for the colossal sum of a half-million dollars, is so small and so far down the line, from the Secretary in charge of the entire Department, that he may be in the same sort of position in trying to offset the effect of the impounding, and that he is shortchanging in his statements of urgency, for the funds, functions such as this.

There are, according to the television last night, rather powerful lobbies that are deeply concerned, “influential,” I suppose, is a better word, deeply concerned with large sums of money that run into the billions, each year, in the Department of Transportation, who presumably pressure him for his attention. So, perhaps, before we conclude the hearings, we might want to ask him how he has set priorities within the Department of Transportation to meet the outlying needs of this function, as distinguished from the outlying needs of other functions of the Department of Transportation, that it had much more attention in the public press, and had apparently larger numbers of people in influence concerned with their proper care and funding.

Mr. HENDERSON. Before we adjourn, I would like to ask unanimous consent to have inserted in the record the letter from Mr. Roy Ash, Director of Office of Management and Budget, declining Mr. Dulski's invitation to appear before the subcommittee on this subject.

Mr. FORD. Without objection, it will be entered in the record at this point.

(The letter from Mr. Ash follows:)

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., February 5, 1973.

HON. THADDEUS J. DULSKI,
*Chairman, Committee on Post Office and Civil Service, Cannon House Office Building,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: The question of vacancies in the air traffic controller staff and the manner in which Public Law 92-297 has been implemented are both important subjects. I am pleased to learn that you have appointed an Ad Hoc Subcommittee to study these. The adequacy and effectiveness of this group are vital to American aviation and the traveling public.

While I appreciate your invitation to appear on February 8 before the Ad Hoc Subcommittee, my associates and I have a heavy schedule of appearances before other Congressional committees on February 8, and indeed throughout next week, on the budget as a whole. I must, therefore decline your invitation.

I understand that representatives of the Department of Transportation will appear before the Ad Hoc Subcommittee to cover these important issues. I am confident that they will adequately present the Administration's position. Since

the Department of Transportation and, in particular, the Federal Aviation Administration have the basic responsibilities and capabilities in this area, I feel it would be neither necessary nor appropriate for the Office of Management and Budget to present testimony. I am sure these representatives can explain the relationships of your inquiry to the budgetary aspects of the problem.

Sincerely,

(S) ROY A. ASH, *Director*.

Mr. FORD. The committee will adjourn until 10 tomorrow morning, when we continue hearings on this subject.

(Whereupon at 12 noon, the hearing was adjourned, to reconvene at 10 a.m. on Thursday, February 8, 1973.)

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VACANCIES IN AIR TRAFFIC CONTROLLER WORK FORCE

THURSDAY, FEBRUARY 8, 1973

U.S. HOUSE OF REPRESENTATIVES,
SPECIAL AD HOC SUBCOMMITTEE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 210, Cannon House Office Building, Hon. Dominick V. Daniels (acting chairman) presiding.

Mr. DANIELS. The ad hoc subcommittee will come to order. The subcommittee will continue today its hearings on the review of vacancies in the air traffic controller work force and the manner in which the air traffic controller career legislation—Public Law 92-297—has been implemented.

It is my personal pleasure to welcome our first witness, Mr. John Leyden, president of the Professional Air Traffic Controllers Organization.

John, it is good to have you here today. You may wish to introduce the gentlemen who are with you before you present your statement.

STATEMENT OF JOHN F. LEYDEN, PRESIDENT, PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION (PATCO); ACCOMPANIED BY BUD M. HORNE, AIR TRAFFIC CONTROLLER, BALTIMORE, MD., TOWER; MICHAEL ROCK, NATIONAL COORDINATOR, PATCO; STANLEY M. RUTTENBERG, DIRECTOR OF THE RUTTENBERG ASSOCIATION; JOSEPH KILGALLEN, RUTTENBERG ASSOCIATION; RICHARD E. SWAUGER, AIR TRAFFIC CONTROLLER, WASHINGTON NATIONAL AIRPORT

Mr. LEYDEN. On my immediate left is Mr. Bud Horne, who has served as an active air traffic controller for 11 years, and is president of the Professional Air Traffic Controllers at Baltimore tower.

On his left is Mr. Michael Rock, national coordinator of PATCO. On my immediate right is Mr. Stanley M. Ruttenberg, former Assistant Secretary of Labor, former member of the Corson Committee, presently head of the Ruttenberg Association in Washington.

On his right is Mr. Kilgallen, and on the far right is Mr. Richard E. Swauger, who has been a controller for 10 and a half years, and is presently at Washington National Airport. Before I begin my statement, Mr. Chairman, I would like to thank you and the other members of this committee. This is the first time I have had the opportunity to thank you publicly for the enactment of the legislation last year

and the cooperative effort in bringing about the finalization of that bill.

Mr. Chairman, and members of the committee, I would like to express the appreciation of the Professional Air Traffic Controllers Organization—PATCO—for the opportunity to report the progress—or lack of progress—which has occurred since the enactment of the Air Traffic Controller Career Act of 1972.

In discussing this subject, we have to view it from at least three vantage points:

First. Staffing—since retraining and early retirement provisions require a continuous stream of new controllers to replace those who leave the profession.

Second. Funding—since money must be set aside to provide retraining; and

Third. FAA regulations—since they will determine the extent to which legislative intent is actually followed.

Although each of these factors are interrelated, a better understanding of the situation may be obtained by examining them separately.

STAFFING

During a period when air travel is once more experiencing a rapid increase, the air traffic controller workforce has again become critically shorthanded. No new controllers have been hired within the past 8 months and we are faced with the same deficient manpower situation which plagued the Air Traffic Control System during the late 1960's.

This, of course, has much more serious implications than simply its impact on a much needed and authorized early retirement program—it undermines the safety of the traveling public.

Within the past few weeks, PATCO has undertaken a cross section survey of air traffic control facilities which indicates that an average of 30 percent of the authorized controller positions remain vacant. Since this is an average, some facilities, including some very critical facilities, are as much as 50 percent under strength.

However, a comparison of authorized versus actual controller strength does not adequately describe the severity of the problem. The actual figures include a large number of trainees—developmentals—who are not qualified to perform all of the duties of a controller.

They can only be used to handle the less complex assignments and only then under direct supervision of a journeyman controller. This, of course, places an added burden on the journeyman controller. Not only must they train the developmentals, but they must also combine positions—handle two or more sectors instead of one—in order to assure that all positions are manned by a certified controller.

In some facilities—again including some very large ones—as many as one-third of the active controllers are developmentals. This means that only two-thirds of the on-board controller work force must carry the full workload and train developmentals.

To do so, they must double and triple positions—hardly a safe practice. In other instances, GS-9 and GS-11 developmentals, although not qualified for radar positions, are being used for radar handoff. This, too, is potentially a very dangerous situation.

In this connection, I would like to remind the members of this committee that the Corson Committee recommended that simulators be used to train controllers concerning the use of radar. This recommendation has not been followed. If it were introduced, it would considerably relieve the controller workload.

Moreover, in many instances FAA is not using radar after investing a significant amount of money in it. This development arises for two reasons: In some cases radar is not used because controllers using it would be entitled to a pay grade increase.

In other words, available and much needed radar equipment is sitting idle in order to suppress controller grade levels. In other cases, radar was installed at facilities to allow an increase in the number of sectors and to improve the safety factor in air traffic control.

However, since additional controllers would be required to man the radar equipment, it stands unused. These are, indeed, illustrations of false economics and wasteful practices.

In addition, the shortage of qualified controllers is further aggravated by the shortage of supervisory personnel. Journeymen controllers are constantly being temporarily assigned to serve tours of duty as assistant facility chiefs, crew chiefs, and to evaluate the productivity of other controllers—EPDS's.

When they are assigned these functions, they continue to be carried on the rolls as active controllers. This, too, gives a distorted picture of available on-duty qualified controllers.

Finally, the FAA, principally because of the lack of funds, has failed to provide retraining for those controllers who are eligible and wish to retire. Instead, the agency has assigned these controllers administrative chores while continuing to count them as active controllers.

This practice has the effect of minimizing or disguising the actual controller shortage when, in fact, it is compounding the problem. A systematic, sensible retirement program requires that sufficient new employees be hired and trained to replace those controllers who retire. This is not happening. The "retired" controllers are placed in administrative limbo and no one is hired and trained to replace them, and perhaps worst of all, the employment figures shown on paper do not portray how attrition has seriously eroded the controller strength.

In synopsis, the employment of air traffic controllers is far below the required levels.

First, actual controller strength—on paper—is about 30 percent below authorized levels.

Second, actual controller strength figures include a large number of developmentals who cannot perform all control functions and who place an additional training burden on journeymen controllers. The ratio of developmentals to journeymen is too high.

Third, actual controller strength figures include many controllers who are performing administrative and supervisory responsibilities rather than controlling air traffic.

The situation is not only extremely serious but it continues to deteriorate rapidly and no real relief is seen in the foreseeable future.

PATCO is very pleased that the President's budget request for fiscal year 1974 seeks funds for 1,700 additional air traffic controller positions. This much needed relief will be most welcome, but, in reality, it is neither soon enough nor large enough.

As I have described, there is a dire need for controllers now. By July, when fiscal year 1974 funds would become available, the shortage will be aggravated still further. I must reemphasize it is not simply a matter of number of controllers; more important is the number of qualified air traffic controllers.

If new additions are delayed until July or later, we will continue to lose journeymen who are eligible for retirement or promotion but not have enough developmentals far enough along in their training to be fully qualified to replace them.

This is a key point. If the early retirement and retraining program is to be fully observed, we must have a continuous flow of new hires to replace journeymen as they retire. A proper balance must be maintained between journeymen and developmentals—a balance we do not now have.

If actual strength is allowed to drop far below authorized strength and then raised back again with intermittent spurts, journeymen controllers will never be able to perform their assigned tasks as they should.

When the number of controllers is below authorized levels, qualified controllers will have to assume a larger controller workload than full strength would require. When the number of controllers is near authorized levels but a disproportionate number of them are developmentals, or trainees, journeymen controllers will need to spend too much time training unqualified controllers.

Either extreme places an undue burden on the journeymen controllers, jeopardizes the safety of the traveling public, and would tempt the FAA to discourage eligible controllers from taking the retraining and early retirement to which they are entitled.

Clearly, if the number of controllers were below required levels or if the proportion of developmentals were high, it would be to the advantage of the agency to keep journeymen controllers on active duty although they may be eligible for early retirement and retraining.

Workload considerations would tend to override all others. Yet, that precisely is the situation we face today. Not only are controller staffing levels well below authorized strength, but also developmentals comprise a high proportion of the total active controllers.

Between now and July, if no relief is obtained, the number of active controllers will diminish further. After July, assuming replacements are hired immediately—an unlikely occurrence—the ratio of developmentals to journeymen will be extremely high. Neither event is apt to indicate to the FAA that it should encourage eligible controllers to seek retraining and retire early.

The dependence of a successful retraining and early retirement program on full staffing and a continuous flow of new hires to replace controllers who retire cannot reasonably be challenged. Inadequate staffing, including that occasioned by a hiring freeze, undermines the intent and functioning of an early retirement program. More important, inadequate staffing of air traffic controller positions undermines the safety of those using the Nation's airways.

For both reasons, but particularly the latter, the hiring freeze on controllers should be lifted now and not delayed until the next fiscal year.

It should be pointed out that all the 1,700 air traffic controller positions for which the Administration seeks funding in fiscal year

1974 are not new positions. More than one-third of these, 684, are positions which were previously authorized but for which funds were either not requested or utilized.

Certainly, at least these previously authorized positions should be filled as soon as possible and not wait until July or later. All of the 1,700 positions will be filled by developmentals. It makes sense to introduce as many as possible into the pipeline now so that they will become qualified controllers sooner and avoid placing more strain on the journeymen controllers than is absolutely necessary.

Lastly, the 1,700 new controller positions are not enough. This number was obviously arrived at by giving more weight to budget considerations than to the full demands of the Nation's air traffic control system. While the increase will certainly alleviate the excessive burden carried by air traffic controllers—although not until the developmentals become qualified controllers—it will not permit controllers to have the work schedule recommended by the Corson committee.

As you recall, the Corson committee recommended that the controllers spend only 6 hours out of each 8-hour shift at control positions. The increase of 1,710 positions does not provide for 2 hours of daily training and related work away from control positions. We believe a further increase is warranted to allow the work schedule recommended by the Corson committee to be followed.

FUNDING

In my earlier testimony, before the Air Traffic Controller Career Act was enacted into law before this committee, I expressed grave concern that while education and training activities would be authorized, funds would not be available for this purpose.

I was apprehensive that given the competing demands for financial resources, the FAA would be hard pressed to set aside funds unless it were given no alternative. I am sad to report my worst fears were well founded.

Rather than seek the funds to implement the second career-retirement provisions, the FAA has dragged its feet. Very few eligible controllers seeking to avail themselves of the training and education set forth in the act have been successful.

As pointed out earlier, most controllers have been placed on administrative details until training funds become available at some undetermined future date. At the earliest, this will be July 1973, but even then, no iron-clad assurance is given.

Although we cannot identify it in the administration's fiscal year 1974 budget request, we have been informed that \$6 million has been set aside for early retirement-second career training and education. If such an amount is in the budget for that purpose, we are delighted. Yet we are skeptical. We do not doubt the administration's intention and good will, but we are realistic enough to know that the \$6 million will be subjected to competing demands unless it is irrevocably earmarked for the purpose intended.

Mr. Harding testified yesterday that they have \$11 million. If it is not identified, it could very well be no money, \$6 million, or \$11 million.

We, therefore urge that our earlier request made while testifying on H.R. 8083 before this committee on June 9, 1971, be adopted. We believe that second career training is important enough to justify a separate line item in the Department of Transportation's FAA budget, with Congress appropriating funds specifically and exclusively to be used to provide education and training opportunities to eligible professional controllers.

Only in this way can we be assured that the intent of Public Law 92-297 will be fully carried out. We also request that sufficient funds be made available now for the balance of fiscal year 1973. At the current time, a number of controllers are simply being held on administrative assignments awaiting the availability of funds. This unnecessarily ties up a controller position and wastefully delays the retraining of a controller for a new position. The detailed controller is being underutilized and the air traffic control system is being overburdened.

REGULATIONS

The issuance of information concerning controller's rights under the legislation suffers three shortcomings: First, FAA has not properly and adequately disseminated information on retirement and retraining rights to controllers. The agency has not given it adequate publicity in sufficient detail.

Second, FAA did not involve PATCO, as the exclusive representative of controllers at the national level, in the preparation of the regulations.

This is certainly a legitimate area for PATCO to have an input under Executive Order 11491. We believe PATCO should be afforded such an opportunity not only with respect to regulations and standards implementing the Air Traffic Controller Career Act, but other legislation as well.

Third, we believe there are several weaknesses in the regulations promulgated by the agency. They do not clearly and fully treat the issue of part time training. As currently written, a controller who is only able to secure part time training in his chosen field may be penalized by not receiving the full time salary to which he is entitled under the act.

Also, the regulations specify that only a controller who is to be removed as a controller for reasons of medical proficiency or preservation of health is entitled to receive pay or reimbursement for all or part of the necessary expense of authorized training. The regulations omit technical proficiency as a reason although it is specified in the act. The act also specifies preservation of both physical and mental health.

SUMMARY

In conclusion, the second career-early retirement program has been stalled for three principal reasons:

1. Staffing of controllers has not been maintained at sufficiently high levels to permit a retraining and early retirement program to be fully carried out without further jeopardizing safety.
2. Funds have not been specifically earmarked for this purpose and therefore no funds are used to carry out the intent of the act.
3. The regulations do not properly reflect the full intent of the act and they are not given adequate publicity.

Mr. Chairman, I wish to thank you for the opportunity to appear before you and I am sure that the air traffic controllers will show their deepest gratitude if your committee is able to alleviate the problems which beset the air traffic control system and which prevent controllers from securing the rights to which they are entitled under the law.

Mr. DANIELS. Thank you, Mr. Leyden, for a very fine statement. Do those with you wish to testify at this particular time?

Mr. LEYDEN. Not at this particular time, but some of them are prepared to respond to questions.

Mr. DANIELS. Thank you. Do you have instances of controllers being discouraged from asking for second career benefits?

Mr. LEYDEN. Mr. Chairman, as I indicated in my testimony, it was my understanding that counselling for second career training would be provided by the agency, and that information would be disseminated to the controllers in the field to properly apprise them of their rights under this law.

To my knowledge, to date, the agency has not followed what I thought was the specific intent and request of this committee. There are in some of the facilities, I know, a number of people performing administrative details, shuffling papers and counting strips. They are being carried as active controllers, but not performing those functions, because of the lack of funding for the second career training and retirement provided for in the legislation you have sponsored and voted for.

Mr. DANIELS. Do you at present have a training program that is adequate, and if your opinion is that it is not, then what would you suggest should be done to improve the training program?

Mr. LEYDEN. Mr. Chairman, going back almost 4 years when the present Administrator was first appointed to office, this organization, in conjunction with the Airline Pilots Association and other organizations, strongly suggested and recommended that simulators be utilized to train developmental controllers, rather than expose them to live traffic as a method of training.

I think that if the airline pilots were to be placed in the same situation as the controller, and get their training on new airplanes carrying live passengers, it would cause a great deal of apprehension among the flying public.

Many controllers, who have never been exposed to radar before, sit down and work aircraft for the first time as a trainee. We have pleaded constantly with this administration for simulators. To my knowledge, to date, nothing has been done along those lines.

Mr. DANIELS. Mr. Leyden, for one who is not an expert in this field and not understanding the meaning of technical language, will you explain what a simulator is, for the benefit of the committee and others present?

Mr. LEYDEN. We have technology available today, Mr. Chairman, that would permit us to take the trainee as he is progressing through the various steps to remove him from the actual control environment, the facilities where they are handling the live traffic. Through methods of simulation, by generating targets on a simulated basis, this technology can develop and train him so that when he sits down at a radar scope he understands the problems associated with aircraft.

We do not have that available today. Training now is done by the journeymen controllers who sit behind the trainee and must make a determination of how far he can let him go in a training situation. That certainly would alleviate part of those problems.

Mr. DANIELS. Thank you for that explanation. Can you give us any examples of specific types of noncontroller work that a controller is called upon to perform?

Mr. LEYDEN. In the administrative areas?

Mr. DANIELS. Yes.

Mr. LEYDEN. He might count strips, be assigned a detail to come up with figures, a traffic count for that particular area, or diagrams and charts on sick leave and other administrative details. They are completely remote and separated from the job that he is being carried on the rolls as, which is actively engaged in separating air traffic.

In some instances I know of individuals who have been performing such noncontroller functions up to 18 months.

Mr. DANIELS. Have you any figures as to the total increases or decreases of air traffic in this country during the period, as mentioned yesterday, that the controller work force was reduced by 1,000?

Mr. LEYDEN. Yes, I do, Mr. Chairman, if I may refer to some notes. I refer specifically to the airline industry financial review and outlook projections between 1972 and 1975.

This is dated October 1972, and released by the Air Transport Association of America. The chairman of the Air Transport Association states that, "Following the 1970 and 1971 traffic recession period, the traffic for 1972 is expected to increase 10.2 percent and 11.1 percent for 1973."

The actual figures for 1972, I believe, are also in here. As of December, and this is again the Air Transport Association's figure, the increase in traffic for the 12 months ending in September of last year was in actuality 13.6 percent.

Mr. DANIELS. An increase?

Mr. LEYDEN. An increase over the previous year of 13.6.

Mr. DANIELS. Do you know of your own knowledge whether or not aircraft traffic has been reduced by reason of a shortage of controllers?

Mr. LEYDEN. I do know that in some areas because of flow control restrictions and so on, the flow of traffic is regulated to take into consideration the increases? I will give you a more specific example, Mr. Chairman, if I might just for one second refer to some notes I have.

One facility, Westchester, N.Y., was recommended by the FAA as the outstanding terminal facility for 1972. This is an FAA quote from that recommendation:

This is justification for an outstanding terminal facility award. Westchester County handles a great number of jet aircraft, business aircraft and business aviation, which has increased tremendously in the last few years. Although no increase in authorized ATS traffic and equipment has been given this facility since calendar year 1969, Westchester County Tower has handled an increase of 117 percent in instruments operations, between calendar year 1969 and calendar year 1972.

What is most important is this last sentence,

This was accomplished by doubling up of functions on existing positions of operations.

Once again, the journeyman controller is carrying the burden of this system as he did in the late 1960's. Between 1963 and 1968, the air traffic system in this country doubled, without an appreciable increase in the technological hardware available, with the same number of controllers on board.

Mr. DANIELS. You are saying that while there has not been a reduction in air traffic, there have been additional burdens imposed on the journeymen.

Mr. LEYDEN. Yes, sir.

Mr. DANIELS. I call upon my distinguished colleague from California, Mr. Rousselot.

Mr. ROUSSELOT. Thank you Mr. Leyden, we are especially appreciative of you and your group being here today, because most of us voted for this law and feel that it is terribly important for the safety of passengers. I was especially interested in your statements and the press release that appeared in several newspapers across the country on January 22. You had some pretty strong charges in there.

By the way, do you write your own press releases?

Mr. LEYDEN. I have a director of press communications here in Washington.

Mr. ROUSSELOT. Did he help you write this one?

Mr. LEYDEN. I approved of it before it was released.

Mr. ROUSSELOT. You say:

The 154 people killed in three major air crashes may be only the beginning of a blood bath in the skies, unless the Government improves its safety operations.

Are you saying that the lack of air traffic controllers resulted in the death of 154 people killed in these three recent crashes, and if not, what are you referring to?

Mr. LEYDEN. My answer to the first part of your question is no, sir. I did not say that. In no area does the release say or infer that the three crashes were caused directly by controller shortages, nor does it cite the causes of these accidents.

What it does say is that the accidents have made the public more alert to the flying dangers, that a shortage of controllers does exist which can create dangerous situations, and that these situations can result in serious air accidents in which many, or more, people might be killed.

Mr. ROUSSELOT. Your statement does say, "A principal reason is that the staffs of the air controller facilities which carry the lives of every air passenger in their hands have become dangerously, if not criminally, short handed."

Now, who is criminally responsible?

Mr. LEYDEN. I can't identify that individual. I don't know who is really calling the shots for FAA. Is it FAA or DOT?

Mr. ROUSSELOT. You are in full touch with people who work with you, aren't you?

Mr. LEYDEN. Sometimes.

Mr. ROUSSELOT. That is a pretty strong statement.

Mr. LEYDEN. It was meant to be.

Mr. ROUSSELOT. I understand it was meant to be, and it got the kind of headlines you intended in the press release. But when you charge people with being "criminal," that is really a strong term. I don't disagree with your total concern to make sure that your people

are able to perform and deliver the kind of safety that we need, because we all want that, but when you use the term "criminally short handed," can you give me the names of the air control facilities that are shorthanded? Can you detail those?

Mr. LEYDEN. Yes; I can, sir.

Mr. ROUSSELOT. Would you submit that for the record?

Mr. LEYDEN. No; I would not, sir. I think I would ask at this time, because of the actions taken by the agency as a result of the announcement. I have attempted through our regional vice presidents—and we have several full-timers throughout the field—to ascertain these figures.

When there was an announcement of this hearing, there was a cascade notice sent to the field by FAA initiated on January 30 and it said that the chiefs were receiving information that PATCO was seeking information. They did not want this information to be discussed by PATCO.

Mr. ROUSSELOT. I am sure that is the way all agencies react. When there is a problem, they move to cover it, and we understand that.

You made a very, very strong statement and you are representing people that work in this operation and who obviously know.

Can you submit for the record proof that there were towers and centers criminally shorthanded at the time that you made that statement? Can you give us that kind of proof?

Mr. LEYDEN. Yes; if I might digress and give you the background that will lead up to that statement.

Mr. ROUSSELOT. You will provide for the record a list of towers and centers that were criminally shorthanded at the time you made that statement.

Mr. LEYDEN. I did not say that, sir.

Mr. ROUSSELOT. You will not?

Mr. LEYDEN. No; because I am interested in protecting the individuals.

Mr. ROUSSELOT. We are interested in protecting the passengers. We are not here to protect anyone who has not done a job correctly. That is what we are trying to find out. On the basis of the statement you just made, you told me you take full responsibility, that is what you implied, for the statement you made.

Mr. LEYDEN. That is correct.

Mr. ROUSSELOT. So what we need from you now, I believe, is the proof that you had that certain towers and centers were criminally shorthanded on the day you made that statement.

Mr. LEYDEN. If I might be allowed, sir, to respond, I would suggest and ask that the chairman—

Mr. ROUSSELOT. We want to help you show what you feel was an obvious misuse of personnel. Go ahead.

Mr. LEYDEN. I am trying to respond, Mr. Rousselot, but there is a necessary preliminary step before I go into detail as to my personal observations. I have before me a package of responses from my facility representatives which I am not willing to offer for the record, but I would ask that the chairman of this committee ask the FAA to provide the full staffing from the facilities throughout the country in response to this statement.

Mr. ROUSSELOT. At what time, do you mean the same day?

Mr. LEYDEN. The day after the crash in Chicago. I personally flew to the scene, and met with many of the controllers at Chicago O'Hare in a hotel adjacent to Chicago O'Hare tower.

I have subsequently sent the gentleman on my left on three occasions to that facility, and I think he will respond to questions in that area. The crash occurred, I believe, 3 or 4 days before Christmas. I went on the next morning to Chicago. I will refer specifically to the staffing figures that were made available to me at Chicago O'Hare.

They are authorized a journeyman complement of 103 controllers. In that facility there were 53 journeymen controllers. This facility handles more traffic than any facility in the world, 2,000 operations a day. Its actual controller staffing, which I offer as part of the record, is at the 50-percent level. I think that is a good indication of the concern that I do have for critically understaffed facilities in this country.

Again I am concerned about protecting the individual and not putting statements by controllers on the record, because we have had problems with the agency in the past with divulging names. But the agency itself has talked about critical shortages. A Department of Transportation letter in the southern region refers to Memphis, where the figure of authorized controllers on duty is 50, and actual journeymen complement is 37. This is 13 below the authorized complement.

Mr. DANIELS. Just a moment, Mr. Leyden, if the gentleman would yield.

When you refer to the authorized complement, for example at O'Hare of 103, which actually had on duty 57, when you say an authorized complement, you mean that many should be on duty at all times?

Mr. LEYDEN. No; they would be rotating shifts. That is the authorized staff that takes in the three shifts and authorized leave. Those are the staffing figures arrived at by the Agency.

Mr. ROUSSELOT. We should probably talk about what portion of that authorized complement is really on duty at any one time.

Mr. LEYDEN. I am prepared to discuss this with the gentleman on my left in a few minutes.

With reference to Mr. Harding's statement yesterday that staffing was not critical: This letter dated January 23, 1973, Department of Transportation, FAA, is in response to an individual asking to be transferred out of the Memphis, Tenn., facility.

The second paragraph of FAA's response, which is signed by the Chief of the Air Traffic Division of the southern region: "The Memphis air traffic control tower is a key facility in the southern region and the present onboard staffing is deficient by 10 controller positions."

Again, the key term in the closing sentence, "this is termed a critical situation."

This is the FAA's statement, not PATCO's.

Mr. ROUSSELOT. That was the day after your press release?

Mr. LEYDEN. That is correct. In response to your question about Chicago, before I go into that area—

Mr. ROUSSELOT. We are talking about two things. I realize there is a difference between authorized level of personnel and those actu-

ally on duty at any one time, especially peak periods. So, we probably should speak more to the issue, and maybe that is what you were talking about in the press release. When you use the term "criminally shorthanded"—and you and your press man apparently intended it to be that way—I would prefer you submit for us, and if not, for the record, the members perusal and the staff—

Mr. LEYDEN. Let me go to the word "criminal." This release does say that facilities are dangerously, if not criminally shorthanded.

Mr. ROUSSELOT. You know the newspapers will take and use the term which makes better news.

Mr. LEYDEN. The press gave us coverage, not because of the sensationalism of our approach, but because public interest was stimulated at that time, because of the crash. The release does say that the facilities are dangerously or criminally shorthanded.

This situation would be true if an air accident were caused by a personnel shortage. This would be called criminal by legal counsel suing on behalf of the people killed.

Again, I want to go back to the staffing of Chicago, and I think Mr. Rock, who was on the scene, 10 days of the last 15, can answer those questions about what was the situation at that time.

We are participants in the NTSB hearings. I have a full-time vice president at those hearings, and until those findings are finalized, I will not make conjecture as to what caused that accident. I am precluded from doing so, just as the agency is, but I am giving the background information without making my own observations.

Mr. ROUSSELOT. That is what we are really asking for, the facts which you have, on which you based your statement. That is what we want.

Mr. LEYDEN. I will turn this question over to Mr. Rock.

Mr. ROCK. Thank you, Mr. Leyden.

On the accidents, I reiterate, we are not making any statement as to probable cause, but just the facts of the accident, the time of the accident.

Chicago, Midway, first—Midway—the controller, the approach controller, is controlled from the physical location of O'Hare Tower, because Midway does not have radar.

At the time of the accident, that man was working a combined position. Normally, it would take three controllers to man this portion of the approach control system.

Mr. ROUSSELOT. It would take three people to do what one man was doing?

Mr. ROCK. Right. At the time of the accident, one or two of those three complements were missing. That man was working some portion doubled up. Whether it had anything to do with the accident or not, we do not know.

We are not going to get into that. We have consistently told the agency and requested the agency not to combine positions.

Mr. ROUSSELOT. Especially positions of a critical nature?

Mr. ROCK. Anywhere. It is just like having a plane, a load of passengers come on, a hundred people, we have a full staff, the pilot and copilot, and the navigator; just because we get 15 passengers the next day, we do not throw the copilot out of the window.

At the O'Hare crash, Delta and North Central, at the time of the accident, normally in the cab or tower, you have two ground control positions, and you have two supervisors in the cab on duty.

At the actual time of the accident, the ground control was working two ground control positions, not one, but two. Whether it had anything to do with the accident—

Mr. ROUSSELOT. Are those ground control personnel actually bringing the ship in?

Mr. ROCK. They are instructing the aircraft after it lands, where to taxi, and where to go.

At the time of the accident at O'Hare—

Mr. ROUSSELOT. Those ground control people were controlling which planes?

Mr. ROCK. Both the Delta and North Central.

Mr. ROUSSELOT. Both flights?

Mr. ROCK. That is correct. Like I said before, and I reiterate, we have no suggestion that this is a probable cause of the accident.

Mr. ROUSSELOT. You are just giving us facts.

Mr. ROCK. Normally, at Chicago O'Hare tower, there are two supervisors. At the time of the accident, there was only one there. One had left the cab for some reason or other, perhaps, to eat, or what, I do not know.

This was a shortage of personnel in the tower cab at the time of the accident.

Miami—at the time of the accident, was on a midnight staffing; there was a combining of positions again; the controllers were working more than one position.

Mr. ROUSSELOT. Was this an unusually low traffic time?

Mr. ROCK. At Miami, now?

Mr. ROUSSELOT. At Miami?

Mr. ROCK. I would assume so, on an average, throughout the evening. Throughout the system, it is normal that at midnight, it gets low.

Mr. ROUSSELOT. Is it unusual to reduce the personnel at that time?

Mr. ROCK. It is not unusual, but we have consistently advised FAA that we are opposed to combining positions.

Mr. ROUSSELOT. Can you give us a simple statement as to why you oppose the lessening of personnel, even in times of less traffic? Why is that?

Mr. ROCK. Because of the nature of the air traffic control business. You cannot predict how many aircraft are going to arrive. What we have happening throughout the system, today, is this: You come in to work, let us say, everybody shows up. There is no sick leave problem, or anything like that.

You are on a position. You are handling aircraft. Somebody wants to go to eat. We do not have staffing to allow for this relief; or a man has a personal problem, and has to leave the position.

Somebody, to get this man off the position, must now double up, because we do not have the necessary staffing to have the relief to come in.

Mr. ROUSSELOT. How does that become harmful to the control of the traffic?

Mr. ROCK. Maybe, at the time the change is taking place, there are only a small amount of aircraft, but in 10 minutes, with the speed of aircraft coming in, there could be 15 or 20, and the man is now working beyond his level.

Mr. ROUSSELOT. It can suddenly and unpredictably change?

Mr. ROCK. Yes; you might have a small amount of aircraft you are working. If one gets into an emergency situation, the workload is tripled, or quadrupled. You have problems. If there is nobody around to help, and you need help, now. You cannot say, "Wait until he gets back from the restaurant."

This is what we have constantly going on in the system, today.

At O'Hare, at the time of the accident, we have an authorized staffing of journeymen controllers of 103. At O'Hare, they feel that number must be reached to adequately staff that facility. You have 57 journeymen. Out of the 57 four are medically disqualified. They cannot work airplanes. They are shuffling papers, or on collateral detail somewhere.

So, actually, you had 53 journeymen controllers. In addition, you have 34 trainees in the facility. That adds in more of a workload on the journeymen, because the journeymen must train these people.

When you had an incident, prior to the accident of a DC-7 and another aircraft just touched, I will put it that way for the layman's language, and nobody was killed, it was a trainee involved.

I am not indicating that he caused it, or anything like that, but it was on-the-job training, which Mr. Leyden has stated; we are opposed to this.

Mr. ROUSSELOT. He should be working simulators?

Mr. ROCK. That is correct. At the time of the O'Hare accident with the Delta, the man working the ground control position was not a fully qualified journeyman controller. He was partially checked out, and, sir, we can go all through the United States, facility after facility, and we have the same problem.

Mr. ROUSSELOT. How about the third accident?

Mr. LEYDEN. There were two in Chicago, one at Midway, one at O'Hare, and one in Miami.

Mr. ROCK. Yesterday, sir, FAA stated that when they take trainees, they do not come into a facility off the street, that they go to other facilities first and then they come into Chicago and facilities like New York and Chicago.

Presently at O'Hare, of the 93 people you have on board in facility, 45 of these people never worked in an FAA facility prior to coming to Chicago, O'Hare. That is not the policy of the agency, to take people and work them up from low density up into a high density facility. We encourage this. The Corson committee recommended it, we endorse it, but it is not happening today. That is all I have to say, sir.

Mr. LEYDEN. Could I add a comment on the Chicago situation?

Using the FAA figures, and I don't think there is any dispute between the 103 we gave you and as supplied by them, 36 of the personnel were developmentals, 56 were journeymen, four of which were medically disqualified. Even taking their figures, that would show we are 14 below the authorized complement in the busiest terminal in the entire world. That is clear evidence to me that we are understaffing this system.

Mr. ROUSSELOT. Criminally shorthanded?

Mr. LEYDEN. I think so. I was present yesterday, Mr. Rousselot, and although I am certain that the term "irresponsible union leader" may have been indirectly or directly attributed to me—

Mr. ROUSSELOT. I was the one who said that.

Mr. LEYDEN. Yes, sir; I was present. You also referred to the New York Times article. I would like to make a statement pertaining to the New York Times article.

I have gone to great lengths, and this organization has for 2½ years, to present a responsible posture to Congress and the industry in this country. I take exception to the irresponsible quote you directed at me.

I would reference my remarks to the New York Times article by saying I was quoted out of context. I think that is editorial fantasy on the part of the individual who made that remark. In the telephone conversation which led to the statement which appeared in the New York Times, he mentioned and discussed the possibility of a slowdown resulting from our safety committee meeting.

My statement to him was announcing that there is a safety committee meeting taking place in Washington by our organization in March. He may have added on and referred to the previous safety committee meetings that this organization held 3 years ago where slowdowns were reported afterward.

I categorically deny that there was any connection or any mention by me in my conversation with Mr. Lindsay of the New York Times about a slowdown by this organization. I stand on the record of this organization for the past two and a half years.

Mr. ROUSSELOT. Welcome to the ballpark. We all get our statements turned different ways by the news media, but that will not happen here today, I am sure.

I would still like to encourage you to provide other specific cases where you feel—on the basis of the facts which you have from your people—that you have been criminally shorthanded to the detriment of potential safety on the basis of the description given here to us today.

That is what we are here to find out.

Mr. LEYDEN. Again, sir; as I requested of the chairman, I will be happy to provide the limited number I could get, because the agency didn't let me get them all. If the chairman would be so kind to get the figures from the agency, I would be happy to offer this.

Mr. DANIELS. Are you offering this now?

Mr. LEYDEN. If you request it, sir.

Mr. DANIELS. We do request it.

(The information was received for the use of the subcommittee.)

Mr. LEYDEN. Mr. Chairman, I must again indicate that there is a very important distinction that was omitted yesterday when we talked about controller figures. I have placed, and go to great lengths to place, emphasis on the term "journeymen," and I would like in the figures given by the agency to give the breakdown between the journeymen and the developmentals. That is a key point.

Mr. ROUSSELOT. Especially on the basis of the statement made here that one in a developmental stage is not capable of handling the full responsibility.

Mr. LEYDEN. I have a gentleman here who is in the field today, and is experiencing it in Washington in training new people, and he can give you more insight into that problem.

Mr. DANIELS. Mr. Leyden, we are not going to disseminate that information. It is just for the committee's use.

Mr. LEYDEN. I appreciate that. Thank you, sir.

Mr. ROUSSELOT. Mr. Chairman, I would like to submit additional questions. Mr. Leyden, maybe you could supply the answers by letter. I have already taken too much time from my colleagues.

Mr. LEYDEN. Yes, sir.

(The letter of inquiry, and Mr. Leyden's response, follow:)

FEBRUARY 8, 1973.

Mr. JOHN F. LEYDEN,
President, MEBA, AFL-CIO,
Washington, D.C.

DEAR MR. LEYDEN: On February 8, 1973, you testified before our Committee on Post Office and Civil Service on the Air Traffic Control System.

Because of time limitations I was unable to complete my questioning. You did, nevertheless, consent to answer any additional questions I might have, so I direct the following questions to you:

1. FAA and PATCO worked together toward passage of retirement/second career legislation.

Has this spirit of cooperation prevailed after passage?

What is your relationship with FAA officials?

2. Has shorthandedness at air control facilities increased overtime work?

If so, how much overtime is being used?

What facilities, in particular, are requiring excessive overtime work?

Are members of PATCO complaining of too much overtime?

3. Prior to your January 22, 1973, press release and January 17, 1973, letter to President Nixon, what steps had you taken to alert FAA and other government officials to the "dangerous" conditions that were developing?

4. In your estimation, how many air traffic controllers must be hired to safely monitor air traffic for 1973, 1974, and 1975?

5. According to the Fiscal Year Budget for 1974, it is estimated that landings and takeoffs at airports with FAA towers will increase 9 million from 1973 to 1974; instrument operations at airports with FAA traffic control service will increase 1.7 million from 1973 to 1974; general aviation hours flown will increase 1.1 million from 1973 to 1974; and revenue passenger miles will increase 19.4 billion from 1973 to 1974.

If these figures hold true, how many additional air traffic controllers will be needed?

And, since it takes 24 to 36 months to train a full journeyman, will we have enough air traffic controllers on hand to do the job?

6. On page 4, paragraph 4, of your statement, you state the ratio of air traffic controller developmentals to journeymen is too high.

What is the present ratio?

What should the ratio be?

7. If the FAA were to adopt the Corson Report recommendation to require air traffic controllers to work 6 hours and have 2 hours off during their tour of duty, how many air traffic controllers would be required?

8. If P.L. 92-297 is fully implemented in FY 1974, how many air traffic controllers do you think would opt for early retirement and training?

I appreciate your willingness to respond to my questions and look forward to reading your replies.

Sincerely yours,

JOHN H. ROUSSELOT,
Member of Congress.

PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION,
Washington, D.C., February 23, 1973.

Hon. JOHN H. ROUSSELOT,
U.S. House of Representatives, Committee on Post Office and Civil Service, Cannon
House Office Building, Washington, D.C.

DEAR CONGRESSMAN ROUSSELOT: As I indicated in my testimony, I am happy to respond to your written questions. I have not repeated your questions, but rather respond to each question using the number designed by you in your letter dated February 8, 1973.

Question 1

The relationship between PATCO and FAA is going through a transition period. At the current time, we are fully absorbed in negotiating the first collective bargaining agreement between the two parties. While there are still some issues remaining which indicate an unwillingness to cooperate—the lack of a dues check-off which has been routinely granted to other unions, for example—our relationship with FAA officials, particularly at the technical level, has improved.

Our relationship with the policy-makers, however, cannot be assessed since it really hasn't been established. We are anxious to develop a cooperative relationship with the new appointees as soon as possible. We recognize a spirit of mutual cooperation at the policy level is vitally necessary for the efficient and effective operation of the Nation's air traffic system.

Because of strained relations between FAA and DOT the past two years, particularly at the higher levels, it has been rather difficult to pinpoint the decision-makers. Hopefully, President Nixon's new appointees to the Secretary of Transportation and FAA Administrator will remedy that problem.

Question 2

In view of the cost involved, overtime is usually the very last alternative used by FAA to compensate for the shortage of air traffic controllers. Other devices such as combining of positions, restrictions on annual leave and eliminating periods away from positions—including lunch breaks—are much more attractive since they involve no cost to the Agency. They do, of course, involve a cost to the air traffic controllers and do have a potential detrimental impact on morale and air safety.

Although no new controllers have been hired within the past eight months, the increase in overtime has not yet been dramatic. It is certainly not near the same magnitude as prevailed in 1968. There has, however, been a significant increase in the combining of positions, limitations or cancelling of approved leave and a reduction in the time allowed away from control positions. All of these developments trouble PATCO and the air traffic controllers greatly.

Question 3

Prior to my press release on January 22 and my January 17 letter to President Nixon, I had a number of conversations not only with FAA and DOT officials, but notified certain members of Congress and the Senate of my concern. Additionally, I appraised the head of the Air Transport Association and the President of the Air Line Pilots Assn. Late last year (November), I also attended the ALPA board of directors' meeting in Las Vegas, and spent an afternoon addressing the National Safety Committee. At this time, I appraised them of the controller shortages.

Questions 4, 5, and 7

We are not in a position to provide a scientifically derived estimate of the number of air traffic controllers which will be required for the next three years—nor can the FAA. This is precisely the point we tried to emphasize in our testimony. Any estimate of staff requirements is only as reliable as the manner in which staff needs are determined and existing manpower utilized.

Two separate committees—The Steering Committee for the Review and Validation of Air Traffic Staffing Standards and the Air Traffic Controller Career Committee—have both concluded that the FAA has no adequate method for determining staffing requirements. Since the findings of these Committees were reported, the FAA has done nothing that we are aware of to develop an adequate method of making staffing determinations. We believe that PATCO should be intimately involved in developing such a methodology with FAA, and we would be more than happy to engage in such an effort.

We are convinced that the employment level for air traffic controllers contained in the FY 1974 budget is not adequate. Although it represents a net increase of 1,000 over the level authorized but not attained in FY 1973, we believe budgetary constraints outweighed staffing needs in arriving at the FY 1974 figure. It certainly does not take into consideration the Corson Committee's recommendation to require air traffic controllers to have 2 hours out of each 8 on duty away from control positions. This recommendation would require 4 controllers for every 3 that are now working control positions throughout their tour of duty. Based on practices prevailing today, an increase of about 25% among controllers would be needed simply to hold staffing at air control positions constant.

Question 6

As I indicated in my testimony before the Committee, FAA precluded us from getting complete figures from all facilities. However, the reports we received showed that, on average, developmentals comprise one-third of all active controllers. In some facilities, of course, the ratio is higher, in others lower. This is consistent with Mr. Harding's testimony. You may recall he stated that there were 19,500 controllers of whom 6,500 were trainees. We believe his figures may be too high, but the ratio of one trainee for every two journeymen is in agreement with our survey findings.

As the ratio implies, out of every two journeymen one must devote a substantial amount of his time in training a developmental controller. This ratio is much too high and does not allow enough latitude for periods of stress. A better ratio would be 4 journeymen per developmental; that is, developmentals should comprise about one-fifth of the controller workforce rather than one-third.

Question 8

I do not have access to the age and service time of all air traffic controllers. Relying on conversations and communications I have had with controllers, I believe that the proportion of air traffic controllers who will seek early retirement and training as soon as they are eligible will be very high. It will probably approximate or exceed the experience of both civilian and military career employees who accept full retirement as soon as they are eligible. What disturbed PATCO most was that we know of cases where controllers who were no longer physically or psychologically able to control traffic, were not being counseled and offered second career training; but they were still carried on the active controller roles.

I have attempted to reply to your questions to the fullest extent possible, given my limited access to some much needed data. I trust you find them satisfactory and responsive.

Sincerely yours,

JOHN F. LEYDEN. *President.*

Mr. DANIELS. The gentleman from Indiana.

Mr. HILLIS. Thank you, Mr. Chairman.

Mr. Leyden, I have enjoyed hearing your testimony and your statement this morning, and I remember when you testified before this committee previously, and I am sure you remember the part I played in this legislation, and I have a very sincere and dedicated and deep interest in air traffic safety, as I am sure you do.

I was happy to hear your statement in which you were misquoted in the New York Times article concerning possibly a slowdown, because I think this would do nothing for air traffic safety.

I wanted to mention, though, that you are also quoted in that article as saying we are back where we were in 1968 and 1969. Is that accurate? Is that your opinion today?

Mr. LEYDEN. Yes; and I relate to my experience in the field during that period of time, and one of the points I am trying to make on how to make the system operate effectively today without the use of increased overtime and so on, during the period between 1963 and 1968, we ran that system, as I indicated earlier, with the same amount of bodies, because the agency didn't hire a controller during that time.

I think it is indicative of the professionalism of the people I represent that they are now handling the burden again without the help. The system is operating, and incidentally I think it is the finest system in the world, but I also think it can be improved. The working controllers are the ones carrying this excessive burden once again.

The burden is coming back on the controller to hold the system together.

Mr. HILLIS. In 1966 and 1969, when you had those 14,000 controllers—were they developmentals?

Mr. LEYDEN. All categories. I think that that figure is blown out of proportion. We are the national exclusive representative of all the controllers in the country, and that number is about 15,000, sir, not 19,500.

Mr. HILLIS. Are all the controllers members of your organization?

Mr. LEYDEN. No, they are not. We have national representation rights for all controllers, whether they are members or not.

Mr. HILLIS. I made references that I would like to see information furnished on to the committee for the record, or informally. Let's look at page 2, for example, the third paragraph.

You stated that at some facilities, again including some very large ones, as many as one-third of the applicants are developmentals. Can you list those facilities for us?

Mr. LEYDEN. The list I just provided the chairman has a large percentage of them in there.

Mr. HILLIS. So that is available to us?

Mr. LEYDEN. Yes, sir.

Mr. HILLIS. Also, another serious thing you say, here, and this is on page 2: "Instances GS-9, and GS-11 Developmentals, although not qualified, are being used for radar handoff."

Can you tell us where this was being done?

Mr. LEYDEN. There was a specific case in the southern region where this practice was taking place. My understanding is that after the announcement of these hearings, that practice has been discontinued.

It was going on at the time that I prepared the statement and the hearings were announced.

Mr. HILLIS. On page 3, the first paragraph, you state that radar has been installed at facilities to allow an increase in the number of sectors and improve the safety factor in air traffic control, but since additional controllers would be required to man the radar equipment, it stands unused.

Can you cite an example of that?

Mr. LEYDEN. At a brand new airport, Kansas City International, where the funding was available from the airway user tax bill, and new equipment installed in the tower at Kansas City. It is being used as a VFR Facility, although the equipment is available for use at Kansas City. Our impression, which may differ from that of the agencies, is that if they would make the journeymen radar controllers, it would necessitate a grade increase, and because of the concern for funding; they have not moved in that direction, yet.

Mr. HILLIS. That is the basis of the statement you made, here?

Mr. LEYDEN. Yes, sir.

Mr. HILLIS. Do you know of other facilities?

Mr. LEYDEN. In the centers throughout the country, they would be cutting over to additional sectors with new radar positions, so that

the present staffing, before the cutover, may be sufficient in many of the centers throughout the country, but on the day of the cutover, with new sectors, new radar scopes to be utilized, there is a good possibility they would be shorthanded.

In New York, right now, some of the sectors and some of the scopes are not being used, because we do not have qualified personnel to man the positions.

Mr. HILLIS. In the last 18 months, or 2 years, we have had a number of new radar systems put into service. I think it is 41?

Mr. LEYDEN. For the terminal, yes, sir.

Mr. HILLIS. Do you still feel we are in the same bind that we were in 1968 and 1969, when it was an antiquated system?

Mr. LEYDEN. No; and I will give the credit to the agency in this situation. Because of the funding made available by Congress, the new equipment is appreciably better. What I am referring to is that if you have the equipment there, let us utilize it.

You cannot utilize it if you do not have the bodies. We do not have the bodies to use the equipment.

Mr. HILLIS. That is a very good point.

What is the situation currently on 6-day work weeks and overtime as compared to the 1968 and 1969 situations?

Mr. LEYDEN. It is appreciably reduced. There is a reason for it. Mr. Ford made a reference, yesterday, about a delay over the New Year's period in Miami. Possibly there is a change, and they are concerned about the employee. I rather think the reason for the delay was that it might have cost them money in overtime if they had people on board that day on a holiday.

The staffing was reduced. Possibly, they did it because they were concerned about the controllers' well-being. There is also a possibility that it saved them considerable money, by reducing the staffing during that occasion.

So the second point, although there has been a considerable reduction in the amount of overtime used, my counter to that would be, again, the controller is doubling the positions in many instances, so there is no need for the overtime or the extra bodies that were called for previously.

It is falling back on the controllers' shoulders again to carry the burden.

Mr. HILLIS. In other words, one man is asked to do the job of two, rather than two working longer hours?

Mr. LEYDEN. Right.

Mr. HILLIS. Mr. Rock, I would like to ask you a question. I respect your position, here, and I understand your statement is that you cannot really formulate any position on whether additional controllers could have prevented any of the accidents, or whether the accidents resulted from the controllers.

That will come out in the National Safety Board hearing. What was the weather like at O'Hare and Midway when those crashes occurred, if you know?

Mr. Rock. Both times, weather was bad. At O'Hare, it was reported as a quarter-mile visibility at the time of the crash. At Midway, I do not know the exact visibility, but it was low enough that they were making mist approaches.

Mr. HILLIS. A mist approach is when a pilot does not have visibility?

Mr. ROCK. And when he is too close behind another aircraft.

Mr. HILLIS. The point I am getting at is this: In marginal weather conditions, which we had quite a bit of in the Midwest in the month of December, 1972, was any staff added—that is when the center and the towers are put at the maximum load, is it not?

Mr. ROCK. That is correct. As an example, in the eastern part of the country, we had bad weather. New York Center sent out what they call a breakdown in the air traffic system. Weather came in, they did not have—there were more airplanes, they just could not handle it.

So they have to stop them all over the country. It is like a rebound, and it was getting out of hand. So the agency has to take action to stop aircraft, maybe in Los Angeles, or on the ground, trying to come to New York.

But, weather is a tremendous factor in the system today. Whenever weather comes in, it increases the workload tremendously for the controllers.

Mr. HILLIS. Is there any provision for adding to the complement of, say, O'Hare tower, under those kinds of conditions?

Mr. ROCK. That is why you have an authorized complement. It should be manned fully at all times, so that, if the weather does come in, you are prepared for it. That is one of the problems we have today.

It is nice, today, you come in the morning, so they are short five or six people. They predict it is going to be nice, and maybe we will double up a few positions to get through the day. The reason they do not call in for overtime is because that they do not have the funds, as Mr. Harding stated.

I think, if the chairman would like to check at Chicago O'Hare, I know they had a request in for overtime funds. There was a partial freeze on overtime throughout the country.

I believe since the accident, that the agency has suddenly found \$120,000, they have allowed for Chicago O'Hare to provide for overtime.

Mr. HILLIS. Fine. That was one of the points I did want clarified in the record. I think you have explained it very well.

Mr. Leyden, I think you do recognize the agency is trying to make efforts to rectify the situation. Your quarrel is that not enough is being done quickly enough?

Mr. LEYDEN. Yes; I do not find disagreement with the agency in attempting to relieve the problems. What my problem is, yesterday, it was referred to that the cessation of hiring had some connection with the freeze that was imposed by the President in December.

Sir, the record indicates that the hiring, the discontinuation of hiring occurred 7 months before the President issued that release. There was nobody hired for Oklahoma City for the last 9 months. So, in actuality, the agency had discontinued hiring well before the President implemented his freeze in December.

I feel it is our responsibility as an organization, representing the controllers to keep the pipeline open. Our problem is trying to find somebody in this agency, or outside of this agency, who can get this thing moving.

I have been unable to reach that person as yet. I have been to the Department of Transportation. I have been to the Senate Aviation Subcommittee. I have met with the Air Transport Association, with the president of the Airline Pilots Association. I addressed their safety committee meeting in Las Vegas. I have been attempting to get relief in this area for the last 6 months.

It is only after these hearings were announced that we see an appreciable change in the system. The history of FAA is that they react to problems and do not prepare for them. For once in FAA history, I would like to see something done before there are more dead bodies in the field. That is our role, and I think we are proceeding in that direction. Do it before, and not after.

Mr. DANIELS. On page 2 of your statement, you say that some aircraft control facilities are about 30 percent undermanned. How many people would that involve?

Mr. LEYDEN. Again because the figures are incomplete, Mr. Chairman, we weren't able to get all of them, we would be in a better position to analyze that if I had the complete figures from the agency. I was not able to get that.

The 30 percent figure we utilized there is just on the compilation that we got from the field, from our people, who sent us those figures, and that is where our 30 percent comes from. I don't know what the complete figure would be.

Mr. DANIELS. How many air traffic controllers do you represent?

Mr. LEYDEN. All of them, except a few—15,000 to 16,000. We have approximately 7,200 or 7,300 dues paying members. That is a problem, too, we have had with the agency. These are nondues checkoff members. They mail their dues in.

Mr. DANIELS. That is another problem?

Mr. LEYDEN. We are obligated to represent all the members whether they are members or not.

Mr. DANIELS. How many actual members do you have?

Mr. LEYDEN. There are 7,200 to 7,300, but let me say that in the national vote conducted by the controllers eligible to vote, we polled 87 percent of the vote of this country of the controllers who voted, many of whom were nonmembers. They voted for this organization to represent them.

Mr. DANIELS. When you are quoting these percentages, why can't you give us an exact figure of how many air traffic controllers are employed by FAA?

Mr. LEYDEN. I can't get the figures from FAA. We have tried to get reporters to get it, and we have also attempted to.

Mr. DANIELS. I will instruct the staff right now to request those figures of the FAA.

Mr. LEYDEN. I would appreciate that, Mr. Chairman.

Mr. DANIELS. Do you have questions, Mr. Dulski?

Mr. DULSKI. I had another appointment and was late arriving. I see how the other members of the committee feel on this matter. I came with six questions, but they already have been answered.

Mr. Leyden, I read your statement through and, of course, you know the great interest that our committee has had in promoting this legislation. Recently, we had an airport area accident in Buffalo, N.Y., and I asked for an investigation. You would be surprised at the letters I received from certain people claiming that I was just seeking

headlines. They said a politician is only looking for publicity, or words to that effect. This simply is not true.

I am interested in flying because I do a lot of it, as do the majority of the Members of the Congress. What's more, there are more people—the general public—flying today than ever before, both because of the time element and limited alternate forms of transportation.

With regard to air controllers, I consider them a vital part of air transportation on a par with the pilots. And with all due respect, and it should be so, when the President's airplane—Air Force One—is in an approach pattern, there is no other airplane in that vicinity, and you know that.

Mr. LEYDEN. Yes, sir.

Mr. DULSKI. I think my family has as much love for me as the President's family has for him, and I wish we could have that protection for all aircraft.

The testimony we had yesterday and the testimony we have here today disturbs me because it seems plain that we are cutting short in a very critical area. When I was in the common council, I was asked many times, "Why are we paying the firemen so much money?" I replied that "I wish to God those firemen would never have to go to a fire and we still should pay them." Those firemen are on duty to protect us in case we need it.

The same thing with the controllers. You need sufficient, qualified controllers on the job, as the able gentlemen have already explained.

It is my determination that we develop further legislation, if necessary, so that certain departments will be exempt when there is a personnel freeze.

Mr. Hillis is a pilot, and he will understand what concerns me. There are certain areas where we cannot afford to have manpower shortages and underqualified personnel. I feel that people traveling by air today should have that type of protection.

The manning of the air traffic control system should be a matter of great concern to all of us and I am happy that our committee has taken such an interest on both sides of the aisle.

I assure you that when we finish these hearings today, our committee is going to take a very deep look at this whole situation. We should not criticize the FAA unfairly where it is doing its best. It is under budgetary restriction.

I want to compliment each of you on the excellent testimony. I want to compliment the committee for making my job easier by asking the questions I was prepared to ask. They are already answered.

Thank you, Mr. Chairman.

Mr. HILLIS. Mr. Chairman, could I ask about two more questions?

Mr. DANIELS. We have one more witness.

Mr. HILLIS. I will make these very brief.

Yesterday, it came out in the testimony by the FAA that a minimum age of 31 had been more or less agreed upon between FAA and the Civil Service Commission as a minimum age to go into the system. Does your organization approve of this?

Mr. LEYDEN. As you are well aware, we work in concert with the agency closely on this, and we had discussions on this, and I will confirm Mr. Dulski's observation that both sides of the aisle worked to put this bill through.

We are in agreement with an early age entrance into the system, and 31 we would have no opposition to.

Mr. HILLIS. I take it, too, in your statement at the conclusion of your testimony and my questions that you answered a short time ago, that you would consider the implementation of this act for early retirement an important part of air safety?

Mr. LEYDEN. Absolutely, sir; and I have a gentleman with me who was on the Corson committee, and I would like him to refer to a problem that I see about the staffing, and you made a point about the firemen. The staffing people that the agency is using to bring us to adequate staffing do not provide for implementing, which I consider something to be related strictly to safety.

That would be adequate relief for the people on the positions.

Mr. RUTTENBERG. Mr. Chairman, I know you have another witness and the time is limited. Mr. Leyden's reference is to a specific situation that I think needs also to be called to the attention of the committee.

It is in Mr. Leyden's testimony, but it ought to be touched upon a little more fully. When the agency in its 1974 budget says it is increasing positions by 7,400, that does not mean that if you got all journeymen up to that proposed level that there would be an adequate number of controllers to maintain safety in this system throughout the country.

It does not mean that at all, because the Corson committee, a committee appointed by Secretary Volpe back in mid-1969, specifically recommended among other things that what ought to be done is that no controller should be required to work in an 8-hour work period more than 6 hours on the position.

He ought to be permitted at least a 2-hour period during the course of the workday to be relieved from the fatiguing—and the difficulty of the job and to be working on studying the regulations that are coming out and procedures, and getting himself ready to do the job, but he ought to be relieved for 2 hours.

There is nothing in the staffing pattern of an increase to 1,710 positions of the fiscal 1974 budget that permits this to take place at all. This is just one example. If we had more time, we could go into more detail in terms of the issue, but just to put it succinctly, the Corson Committee concluded and I think it is still true, that the FAA has no adequate system now to determine what a proper staffing pattern should be for the air traffic control system.

Mr. DANIELS. I think Mr. Harding said they proposed to bring in the 700 by fiscal 1974.

Mr. RUTTENBERG. That assumes, Mr. Chairman, that there will be 1,000 people who through attrition would drop out of the system. I think Mr. Harding's statement was that 2,700 would be hired on the assumption that—

Mr. DANIELS. In your opinion, that will not be sufficient?

Mr. RUTTENBERG. No, sir. The number of positions are only 1,700, and that is not sufficient.

Mr. DANIELS. What do you estimate would be sufficient?

Mr. RUTTENBERG. Well, I don't know. All I am saying is that the procedures by which they determine what the staffing pattern should be are not adequate, and the Corson Committee has said that, and another committee meeting at the same time as the Corson Committee came to the same conclusion.

I could give you the specific reference in the Corson Committee report to it, that the agency has not and has not developed the criteria to determine what an adequate staffing pattern is. I have no way of knowing other than the general field and having observed the system around the country, I think the 1,700 positions is more determined by what the budget level should be than by what the safety of the system should be.

Mr. DANIELS. Thank you. We must move on, we have another witness here. I want to thank you, Mr. Leyden, and your colleagues for coming here today.

Mr. LEYDEN. Thank you, Mr. Daniels, and Mr. Chairman.

Mr. DANIELS. Our next witness is Captain Alex C. Bonner, first vice president, Air Line Pilots Association.

**STATEMENT OF CAPT. ALEX C. BONNER, FIRST VICE PRESIDENT,
AIR LINE PILOTS ASSOCIATION (ALPA), ACCOMPANIED BY
CURTIS C. BOGART, SENIOR STAFF ENGINEER, ALPA**

Mr. DULSKI. Give us your name and position for the record.

Captain BONNER. Yes, sir. I am Capt. Alex C. Bonner. I have been an airline pilot for the last 27 years. I am first vice president of the Air Line Pilots Association.

In this capacity, I represent the professional interests of 31,000 pilots and 15,000 flight attendants flying for the Nation's airlines.

Our association is pleased that this committee has seen fit to look into the charge that there is a serious shortage of air traffic controllers. And we are gratified that we have been asked to testify on the controller situation which threatens to become a national scandal.

As airline pilots, we are in a unique position to judge the professionalism of those who guide us along the Nation's airways to safe landings at our destinations. We know firsthand when the air traffic control system breaks down for technical reasons and we know all too well when the controllers on the ground are feeling the effects of fatigue and overwork.

It was not too many years ago that the pilot was totally responsible for getting his aircraft safely from one point to another. When we learned to fly under instrument conditions, there has to be some standardized method of keeping aircraft apart. We flew at time intervals and at specified altitudes and depended upon each other to stay at our assigned altitudes and on course. Air traffic controllers on the ground kept track of us as we progressed along the airways but depended upon us to be where we said we were.

The better we kept our schedules, the more people traveled by air. Air traffic multiplied to such an extent that radar was introduced to verify our positions. When the traffic began to come across the radar scope at jet speeds, a controller's problems increased and so did ours.

In good weather, we have slim chance of seeing other aircraft even though the FAA insists that we must continue to operate on a "see and be seen" basis.

In bad weather, there is no chance at all. With the amount of air traffic in this country today, tragedy of great proportions is inevitable if both pilots and controllers are not operating in top form.

I think there is a tendency on the part of people unfamiliar with the air traffic controller's job to minimize the awesome responsibility he

faces while on duty. There are even more pilots who do not know exactly what he does during his hours on the job. But anyone who has visited an air traffic control center or tower at a busy airport will understand.

Every once in awhile our faith in the air traffic control system is shaken a bit. We know that human beings make mistakes. We know because we have had too many near-misses due to what are called "system errors."

We also know that electronic equipment can break down and give false information or no information at all. Because there are many human lives at stake, including our own, we support any and all measures that will keep the controller operating at his highest peak and prevent his equipment from falling down on its job.

Our association has been fighting for modernization of our national airways system for a long time. In the fall of 1971, we presented a program to the FAA that asked for the modernization of landing aids at all U.S. airports served by scheduled air carriers. We did this because we firmly believe our passengers deserve the highest level of safety possible.

There are too many airports without towers, runway lights, instrument landing systems and similar modern facilities and we felt it was our responsibility to tell FAA how to straighten out its priorities in the public interest.

To date, our program has been ignored. Today, for example, there are still 232 air carrier airports without air traffic control towers needed to control the ever increasing number of aircraft filling our skies.

In the past 25 years there have been more than 70 midair collisions involving U.S. air carrier aircraft. During the last 8 years alone, 279 people have died in 18 midair collisions. These tragedies have been caused by the system's inability to keep them apart.

Although the technology has been available for a long time, neither the facilities nor the people to man them have been made available.

In 1969, the Department of Transportation's Air Traffic Control Advisory Committee predicted that approximately 100 midair collisions per year involving airline aircraft could be expected by 1980. At this time there is no concrete action being taken by the FAA to eliminate this principal inflight hazard by providing an airborne collision avoidance system to make up for the inability of the ground-based system to keep aircraft adequately separated in flight.

One of the important links in the air traffic control system is the man on the ground—the controller. His capability depends upon the quality of his training. But there must be a sufficient number of fully qualified controllers on the job around the clock.

They must be more than fully qualified, however. They must be physically fit and fully capable each minute of their duty hours—free from stress, strain and tension. They must not allow themselves a single mental lapse or verbal mistake. They must be continually aware that a mistake on their part could mean the lives of people in the air and on the ground.

Tomorrow, more of the responsibility must return to the cockpit. Data link information will make it possible for the pilot to observe his own traffic situation, and be alerted to conflicts. This capability exists and should be expedited. This will help keep the controller's stress and environment well within the limits of human endurance.

In the meantime, we must not delay help for the controller.

We note that the administration's 1974 budget calls for the addition of 1,000 new air traffic controllers. This was our information. I understand from testimony, it is 1,700.

This request should not wait until the 1974 budget is approved. Those controllers are needed now. Even if approved this very minute, we would not see a single one of those men serving in a fully qualified status for approximately two and a half years. Meanwhile, there is an exceptionally high attrition of controllers.

The equipment planned to relieve them of some of the mental burden is slow in coming. It, too, is planned for the future.

It is a fact of life in the world of American aviation that we never seem to be ahead of our most serious problems. Although we forecast tremendous growth in our industry, the Government seems to ignore the predictions. Aviation progress seems to be the child of tragedy.

Only when people die in aircraft crashes do we get any attention to our needs. But the attention wanes quickly and any action that may have been discussed gets caught in a swamp of redtape. It is only when the death statistics completely overpower the bureaucracy that we finally get something done.

This seems to be the case with the controllers today. Their plight is serious. If the situation is not rectified immediately, I can only predict that we are going to experience a drastic upsurge in aircraft accidents as a result. In addition, the ontime performance of air carriers will deteriorate.

The fact that this subcommittee is investigating the matter is indeed encouraging. It could well be that the prompt action taken by its members will save the lives of hundreds of passengers and crew members in the months ahead. We earnestly hope that you will cause the lethargy on the part of Government officials to be overcome in the area of air safety.

If you can, airline pilots, their air controller colleagues, and the public they both serve will be forever in your debt.

I wish to add one statement, sir, that I am truly appalled that the FAA in their research and development program have not considered the economic savings to them and the safety to the passengers and crew members of investigating thoroughly a flight simulator or a controller simulator for a trainer.

We have done it in the cockpit for years. The trainers are over 35 years old, and certainly the technology today would be a savings to the Government and certainly it could accelerate the training and place qualified people in these cabs to help guide us through the airways.

I forgot to mention, but I will introduce Mr. Curtis Bogart on my right, a staff engineer with ALPA. He just recently attended NTSB hearing that concerned the accident at O'Hare. He is an air traffic expert for us.

Mr. DULSKI. I commend you on your short and very precise statement outlining very vividly the importance of the air controllers.

Captain, as your organization becomes aware of the critical shortages and staffing at a particular facility, do you have any opinion as to what action your members would take?

Captain BONNER. Sir, if this is made publicly known to our members, I believe, as I mentioned in my statement, there will be a rapid deterioration of scheduling of flights in and out of airports. The pilots, while they are in control in the cockpit, if they recognize that on the ground there is an insufficient number of qualified controllers, then as the old saying goes, they are going to allow an extra 2 minutes for themselves and 2 minutes for their families before approaching the airports on instrument conditions.

Mr. DULSKI. Mr. Leyden referred to the need for simulators in the training of air traffic controllers. Do you want to elaborate on that matter, Captain?

Captain BONNER. Yes, sir; as I just mentioned at the close, I feel personally and professionally that this is the proper way to train, just as it is to train pilots. We have been able through the years in air carrier operations to reduce the flight training necessary from approximately 12 hours of flying time down to 3 hours, and this is brought about by simulators, by exact duplicates of the cockpit, all of the systems. It even has imaginary field and runway in the windshield, so that you have a real environment.

Mr. DULSKI. Mr. Hillis?

Mr. HILLIS. Am I right that your career is over 31 years?

Captain BONNER. Twenty-seven years as an airline pilot.

Mr. HILLIS. During this period, you have seen changes in the system, haven't you? You probably started with the old low-range frequency.

Captain BONNER. I certainly did, sir.

Mr. HILLIS. Are you saying that the equipment has not kept pace with the times?

Captain BONNER. The equipment on the market for many years has not been fully utilized. It has just been in recent years, as an example, that we have radar coverage throughout the United States at high level.

We don't have it at a low level at this time, and I was just recently in Alaska, and there is very little of that area that is covered by radar.

Mr. HILLIS. What I want to ask, is, if you could, tell us how does the situation today from the cockpit compare with what you faced in 1968 and 1969 when problems erupted with the controller on the ground?

Captain BONNER. Well, in 1968, of course, I would have to make reference to the amount of traffic that entered and departed various airports. Those figures I can obtain to show you the increase, but just as the PATCO—Mr. Leyden pointed out—you have a system that has reached beyond its full limitations and expectations. As an example, the FAA has chosen to reduce the visibility for takeoffs, without giving the controllers any capability of advising the pilot that the runway on which he is going to depart or land on is sterile.

A quarter mile visibility, and now it is 700 feet, RVR, for takeoff, how does the pilot know that his runway ahead of him is—we had one incident where an elderly couple were found on the end of the runway. They thought it was another interstate highway. Yet they were cleared for takeoff. And the pilot, due only to his professional ability, pulled the plane off the ground and avoided colliding with these people.

We don't have airport security for this. How did these people get on the airport? How can we sterilize a runway? The manufacturers have the equipment today. It is available, and it is not the expensive type.

So conditions since 1968, it has been a result of the increased traffic in and out of the airports. More people, the projections are that by 1980 we are going to double. Now is our system prepared to take care of this?

Mr. HILLIS. Do you mean double in passengers?

Captain BONNER. In passengers. In number of airplanes, I would hazard a guess that there is no one professionally qualified to determine the number of airplanes.

Mr. HILLIS. Well, I take it from what you are telling us here that more needs to be done, and anything that can be done in the way of more controllers your association would heartily support.

Captain BONNER. Yes, sir; along with the equipment. Just as I mentioned in my testimony, in excess of 200 airports that we operate in and out of every day, you and your families, and my family, aren't they entitled to the same level of safety as though the people that flew in and out of New York, Los Angeles, and Chicago? We as pilots feel so.

Mr. HILLIS. Those are all the questions I have.

Mr. DULSKI. Captain, with regard to the new plane, the 747, can that be guided without the controller? Do you have enough equipment in that plane?

Captain BONNER. Sir, the 747, the 1011, and the DC-10, the most modern equipment available today, all have available for incorporation what is known as the inertial navigation system, INS, that can pinpoint by latitude and longitude any place on the globe you wish to fly, which would include a runway.

Now if the instrumentation is such at that particular airport and you are cleared by voice control from ground to make an approach, those planes have the capability of making an automatic approach, going down to touch down, but obviously, without controllers there, we don't know what is there. We don't know the planes ahead of us. The capability in the future we hope will give us this in the cockpit to spot traffic, also.

But our systems can go bad, just as the ones on the ground. So one would complement the other.

Mr. DULSKI. We had an incident at the Buffalo Airport, just to give an example. I don't remember the model number of the airplane. But, anyway, right within the same scope came another small plane, and we were told that the air controller didn't have it within his scope.

If we take all these precautions as far as our airports are concerned, what about the pilots or the individual planes? Shouldn't they be governed a little more closely, and shouldn't they be equipped so that they can be judged by the controllers?

Captain BONNER. Very correctly, sir, we advocate a collision-avoidance system for every plane in the air. The capability to identify an approaching plane that is in its flight path so that regardless of ground advice or control, we then have the capability within our cockpit to further identify.

They become redundant systems, but as I said earlier, should our system fail, we need a system on the ground. We need communications with the ground. That is how we prevent accidents.

Mr. DULSKI. I have no further questions. You have been very informative. What is the gentleman's name next to you?

Captain BONNER. His name is Mr. Bogart, B-o-g-a-r-t, Curtis Bogart.

Mr. DULSKI. Would you have any statement to make?

Mr. BOGART. No, sir; I have nothing to add. I think anything I might say has already been said by the previous witnesses.

Mr. DULSKI. Any further questions?

Mr. HILLIS. No further questions.

Mr. DULSKI. Thank you, Captain. We appreciate your coming down here and waiting this long. The committee stands adjourned to the call of the Chair.

Captain BONNER. Thank you, sir.

(Whereupon, at 11:55 a.m., the subcommittee adjourned subject to call of the Chair.)

(The statement and letter which follow were received for inclusion in the record.)

AIR TRAFFIC CONTROL ASSOCIATION, INC.,
Washington, D.C., February 6, 1973.

Hon. THADDEUS, J. DULSKI,
Chairman, Post Office and Civil Service Committee, Cannon House Office Building,
U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Air Traffic Control Association is pleased that you have established an *ad hoc* subcommittee, chaired by yourself, to hold investigative hearings regarding the adequacy of staffing and training for present and future air traffic control requirements. Your concern for continued air safety for each and every citizen of this country is also our concern.

We have observed trends in air traffic control staffing and training which, if left unchecked, could adversely affect the efficiency and safety of the air traffic control system in the near future. These trends, which are becoming more apparent each day, include:

A decrease in overall air traffic control staffing.

The "freeze" and limitations placed on hiring replacement air traffic control personnel, and recruiting for future air traffic control system requirements.

The interruption of the air traffic controller training program, resulting in a loss of momentum and lead time to provide qualified air traffic control personnel for future requirements.

An increase in attrition of air traffic controllers due to increased retirements.

Funding restrictions placed on the FAA by the Office of Management and Budget, forcing the FAA to forego implementation of some of its plans for hiring and training.

Continued procurement of new facilities and equipment without the parallel procurement of staffing and training to man and maintain the new facilities and equipment.

It is not difficult, in the face of these trends, to foresee serious problems developing in the near future unless immediate steps are taken to lift some of the restrictions and limitations placed on the hiring and training of air traffic control personnel.

There are over 40,000 applicants for air traffic control positions on the Civil Service register, many of whom are Vietnam veterans who would require a minimum of training to qualify at some of the airport traffic control towers. An immediate thorough screening of this register would assist in obtaining a large measure of relief in a short period of time if hiring were again resumed.

The Air Traffic Control Association supports your efforts on behalf of the air traffic control profession and in the interest of air safety. We commend you and your committee for your attempt to resolve some of the serious problems facing the air traffic control system.

Sincerely,

DONALD E. FRANCKE,
Executive Director.

STATEMENT OF THE AIR TRANSPORT ASSOCIATION

The U.S. scheduled airline members of the Air Transport Association are pleased that the House Post Office and Civil Service Committee is investigating a shortage in the number of air traffic controller personnel and its attendant adverse effect on the air traffic control system.

While the airlines are not currently experiencing delays which they can attribute to a controller shortage, they are seriously concerned about the controller situation. The controller retirement bill which your Committee and the Congress approved last year provided a boost in controller morale and an opportunity for retraining or early retirement of those controllers who could no longer meet the operational requirements of the air traffic control system.

However, we now have a new problem somewhat reminiscent of the pre-1969 controller shortage which led to severe air service disruptions. Vacancies created by attrition and the retraining and early retirement program provided in the new law have been only partially filled, apparently due in part to a lack of funds to carry out the retraining contemplated in the bill. Moreover, although Congress appropriated funds for 1407 additional controllers in FY-1973, we understand that most of these positions still stand vacant largely due to the freeze on hiring imposed by the Office of Management and Budget.

The consequence of this situation is that the normal flow of trainee controllers has not kept up with staffing requirements, and a shortage of fully qualified controllers seems inevitable. We are not in a position to say how many controllers the Federal Aviation Administration needs. However, it has been our experience that the Federal Aviation Administration has done a good job of justifying controller requirements and we rely on its judgment to determine the need. This year's budget also calls for additional controllers. But, unless the Federal Aviation Administration is permitted to commence hiring and training people promptly, the air traffic control system will soon be unable to handle present volumes of traffic, let alone the increases which have been forecast. In a year or so, when the effects of the recent freeze are felt, there will probably be delays to some airline flights unless action is taken now.

As we stated, we are not presently encountering excessive delays on a regular basis which can be attributed to a shortage of controllers. When delays do develop there is no adverse effect on safety because traffic flows are restricted to a safe manageable level by the Federal Aviation Administration. However, when air traffic flows are restricted, airline schedules are disrupted, passengers are inconvenienced, and operating costs go up.

The situation calls for an immediate release of funds for controller positions authorized in the FY-1973 budget which the Federal Aviation Administration has been prohibited from filling because of the freeze.

With respect to the influx of new controllers into the training cycle, it is our understanding that a possible serious problem will develop when the Federal Aviation Administration attempts to expeditiously train those people because of current restrictions on travel funds. Obviously, the freeze on travel funds must be lifted, too.

Because of the consequences likely to result if the freeze on the new hires, training and travel connected with training is continued, we urge the Committee to do everything feasible to resolve this problem as rapidly as possible.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. It begins with the first settlers, who came to the New World in search of a better life. They found a land of opportunity, but also a land of challenge. The early years were marked by conflict and struggle, as the settlers fought to establish their communities and defend themselves against the forces of nature and the indigenous peoples. Over time, the United States grew from a small colony into a powerful nation, shaped by the ideals of liberty and democracy. The American Revolution was a turning point in the nation's history, as the colonies declared their independence from Britain and fought a war to establish a new government. The Constitution was drafted, and the United States became a sovereign nation. In the years that followed, the country expanded its territory, fought wars, and experienced periods of economic growth and social change. The Civil War was a defining moment in the nation's history, as it fought to resolve the issue of slavery and preserve the Union. The Reconstruction era followed, as the country sought to rebuild and reunite. The 20th century brought new challenges, including the rise of industry, the two world wars, and the civil rights movement. Today, the United States is a global superpower, with a rich and diverse culture. Its history is a testament to the power of the American dream and the enduring values of freedom and justice.

VACANCIES IN AIR TRAFFIC CONTROLLER WORK FORCE AND H.R. 7416 AND H.R. 7417

MONDAY, MARCH 11, 1974

U.S. HOUSE OF REPRESENTATIVES,
SPECIAL AD HOC SUBCOMMITTEE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The ad hoc subcommittee met at 10 a.m. in room 210 of the Cannon House Office Building, Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Mr. DULSKI. The meeting will come to order.

Today the subcommittee continues its hearings on vacancies in the air traffic controller work force and the implementation of Public Law 92-297.

In addition, the subcommittee will hear testimony on two bills: H.R. 7416, which provides authorization for pay, travel, and per diem expenses for members of the Board of Review, established under Public Law 92-297, who are not Federal employees; and H.R. 7417, which provides that controllers who are temporarily detailed to perform work of supervisors shall be entitled to the higher pay of the position detailed to.

Our witness this morning is the Honorable Alexander P. Butterfield, Administrator of the Federal Aviation Administration.

Welcome, Mr. Butterfield. You may proceed with your statement.

STATEMENT OF ALEXANDER P. BUTTERFIELD, ADMINISTRATOR,
FEDERAL AVIATION ADMINISTRATION, ACCOMPANIED BY
CHARLES E. WEITHONER, ACTING ASSOCIATE ADMINISTRATOR
FOR ADMINISTRATION, AND RAYMOND G. BELANGER, DIRECTOR
OF THE AIR TRAFFIC SERVICE

Mr. BUTTERFIELD. Mr. Chairman and members of the committee, I am pleased to be here today to discuss the status of the air traffic controllers' second career program, air traffic staffing and two bills introduced which affect air traffic controllers: H.R. 7416 and H.R. 7417.

With me this morning are Messrs. Charles E. Weithoner, Acting Associate Administrator for Administration, and Raymond G. Belanger, Director of the Air Traffic Service.

Addressing first the status of the air traffic controllers' second career program—Public Law 92-297—I want to outline briefly the progress we have made in implementing the act since it was signed into law in May 1972.

I would remind you here that although the act was signed in May, its effective date was not until August 14, 1972, and that the implementing guidelines were published about 3 weeks later, in early September. So I will be talking essentially about the 16-month period September 1972, when the guidelines were published, through December 31, 1973. I might add that my statistics are as of the latter date, December 31, 1973.

From September 1972 through the end of December 1973, 690 controllers received notice of job disqualification and eligibility for second career training. Of these 690, 74 availed themselves of the early retirement provisions of the law, and 286 are taking now some form of second career training. The remaining 330 controllers fall into one of the following categories:

- (1) Did not request training;
- (2) Started training but later withdrew;
- (3) They have already completed training; and
- (4) Have not yet begun training but plan to begin soon.

The types of training, broadly speaking, and the number of former controllers now enrolled, are:

- (1) Academic education, 164;
- (2) Technical/vocational training, 69;
- (3) On-the-job training, 53.

The duration of training programs ranges from 3 to 24 months; the average period per controller being 22 months.

Since early fall 1972, about the time the act went into effect, the Department has completed three projects required for full implementation of the program.

First, at the request of Congress, a comprehensive review was made of our decision that flight service station personnel should not be covered by the provisions of the controller second career legislation. Last year, January 1973, to be exact, the Secretary submitted that study and its findings to the Senate Post Office and Civil Service Committee. The report determined that the inclusion of flight service station employees under the coverage of the act could not be justified in consideration of the difference in the nature of FSS duties and controller duties.

The second project was to establish a maximum entry to training age for controllers. The act authorized the Secretary of Transportation to establish a maximum age for candidates to the air traffic controller career field, with the concurrence of a Presidentially designated agent. The President designated the Civil Service Commission for this purpose. In February 1973, after gaining the Commission's concurrence on our proposal to establish the maximum entry age at 30 years, we implemented this provision of the act.

The third project the Department undertook was the development of a plan to fund both the direct costs of implementing the legislation and the costs of recruiting and training replacement controllers. For fiscal year 1973, the Office of Management and Budget authorized the Department to exclude 250 second career trainees from normal staffing limitations as specified in the act. The 1974 program contains, and the 1975 budget will contain, adequate provision for continued implementation of the program as envisioned by the Congress, including funding for an anticipated total of 500 second career trainees in 1974, and 750 second career trainees in 1975. We expect the number of people in

second career training to level out at the 750 figure. For fiscal year 1974, the Congress appropriated \$10 million for this program, and I feel confident that that amount will be adequate.

Mr. Chairman, the air traffic controller career legislation inaugurated a significant new program which we in the Department of Transportation believe to be essential not only to the needs of our highly deserving controller personnel, but to aviation safety as well. As you know better than most, we labored diligently with this committee to secure its passage. So we are genuinely pleased to be able to report that the past year saw the program's full implementation.

I would like now to bring the committee up to date on staffing for air traffic control terminals and centers.

Last February, Mr. Bertrand M. Harding gave you our anticipated hiring figures. He said that we would have to hire some 2,700 controllers between January 1, 1973, and June 30, 1974, an 18-month period.

Today I can tell you that we have made substantial effort and progress toward meeting that planned figure. To illustrate this progress, since the last hearing in February 1973, we not only met our fiscal year 1973 target as of June 30, 1973, but exceeded that target by 262 persons. Stated in terms of total hires: From February 1, 1973, to January 31, 1974, we hired 1,655 center and tower controllers. We believe these statistics demonstrate substantial progress toward achieving our planned staffing. We have every reason to believe that we can continue this progress until the end of fiscal year 1974 right on through fiscal year 1975.

I turn now to consideration of two bills, H.R. 7416 and H.R. 7417, both currently before this subcommittee.

With regard to H.R. 7416, Public Law 82-297 provided for a board to review the Secretary's determination to remove a controller from his career position. When convened, the board consists of three members: One designated by the controller; one by the Secretary; and one by the Chairman of the Civil Service Commission. H.R. 7416 provides for payment of fees or salaries and travel expenses of board members, including the member designated by the employee.

We consider provisions similar to those contained in H.R. 7416 while developing the regulations implementing the second career legislation. We recognized, for example, that there was some merit to the contention that the employee's representative was serving a function of the Department of Transportation by participating as a member of the Board of Review. As a consequence of this contention, payment of travel and per diem expenses of the employee's representative was specifically provided for in the implementing regulations.

We did not, however, provide for payment of professional fees or their equivalent. Our reasoning behind allowing one form of payment and not the other was that with regard to travel and per diem expenses, these could be associated, we felt, with convening the board. However, payment of the professional fees of the board member selected by the controller transcends the convening of the board and encroaches upon the traditional concept that the selection and payment of an employee's representative is his own business and, therefore, not a proper expense of the Federal Government.

In this connection, it must be recognized that this proposed legislation is unique in that in all appeals procedures we are aware of, employee expenses in the nature of professional fees are borne by the employee. For example, in adverse action and grievance procedures the employee is entitled to representation, but he is expected and required to obtain and pay for such representation on his own. While the Board of Review is somewhat unique and distinguishable as to form from adverse action and grievance procedures, in substance, the principle of having the employee obtain and pay for such services, in my opinion, is precisely the same.

In conclusion of my remarks concerning H.R. 7416, I feel the Agency made the correct decision in implementing the second career legislation to pay for travel and per diem of the employee-selected board member, but to leave to the employee the payment of his selectee's professional fee or salary. Based on this feeling, I am opposed to the enactment of H.R. 7416. In addition, to the extent that by regulation we already provide for travel and per diem expenses, that portion of H.R. 7416 providing for payment of such expenses would appear to be unnecessary.

With respect to H.R. 7417, it is our opinion that such legislation is unnecessary. The bill would provide for paying a controller at the rate of a supervisory grade for all periods of time during which he was designated to perform such supervisory duties.

Title 5, United States Code, and Civil Service Commission regulations already provide adequate authority and procedures for making temporary promotions and thereby compensating an employee for assignments to higher level duties. In order to assure that FAA employees were not unfairly assigned to higher level duties without proper compensation, I issued a policy statement on October 19, 1973, charging our regional directors to use temporary promotions whenever appropriate.

With further reference to the need for legislation of the nature proposed, at the present time we have only 103 supervisory vacancies in our terminals and centers, a minimal figure, considering that we have approximately 3,400 supervisors in those facilities. Recognizing the possibility of a few isolated incidents which have not come to my attention, based on the evidence I have seen, it is my opinion that the practice sought to be remedied by H.R. 7417 is at present neither abused by FAA nor has it resulted in the type of inequitable situation requiring the legislation under consideration.

In conclusion of my remarks concerning H.R. 7417, there are three points I would like to make in expressing my opposition to the measure:

(1) We do have adequate authority in title 5 and Civil Service Commission regulations to make temporary promotions to avoid inequitable treatment of controllers.

(2) I have emphasized to our regional directors the existence of and need to use such authority.

(3) I do not believe the present staffing situation demands a change or reemphasis of existing authority.

That concludes my prepared statement, Mr. Chairman. I shall be glad to answer any questions the committee may have.

Mr. DULSKI. Thank you, Mr. Butterfield. I have one question I think is very important:

What guarantees do we have that the Federal Aviation Administration will fill vacancies as they occur in the air traffic controller work force? Also, what is the Agency's plans as to a continual flow of new controller trainees to fill the vacancies which occur?

Mr. BUTTERFIELD. Well, it's difficult to give you a precise answer because we're not aware at the moment, and I don't think anyone is truly aware, of the impact of the fuel situation. We have that problem under study now, and hope to have some answers by mid-April. But, it's my opinion, and it has been my opinion for some time, that anything of that magnitude is going to require a considerable shakedown period, and we would be making a grave error if we were to prematurely judge that factor. And air traffic might be affected one way or the other.

I can assure you, Mr. Chairman, and committee members, that we're certainly conscientious where air safety controls are concerned, and we'll provide for adequate training to handle the centers and the towers.

At this point it is difficult to say precisely if that flow will be even or uneven.

Mr. DULSKI. Mr. Butterfield, you mentioned the fuel situation. I don't think the fuel situation should affect the hiring of and providing for adequate controller trainees.

I know that some of the airlines are increasing air flights, and some are decreasing. However, I don't believe this should in any way affect the controller trainee program.

Will the Federal Aviation Administration continue to hire people as soon as vacancies occur?

Mr. BUTTERFIELD. Yes, sir. I'll say again at this particular time that I definitely agree with you that the fuel shortage has nothing to do with it. We have records which indicate approximate attrition levels through the years of the numbers who are leaving our centers and towers. We have made provisions for hiring and for providing an adequate number of controllers to keep them flowing into the pipeline to replace those who leave.

Mr. DULSKI. Mr. Administrator, what has been the experience of the Federal Aviation Administration with this second career training option?

Mr. BUTTERFIELD. Well, we have had in the 13 or 14 months that the second career option has been available for controllers some 690 persons made eligible. And I would say that 74 of the 690 have chosen to retire voluntarily. That leaves 616 in a 14-month period, and 286 of the 616 are in training; 211 did not request training; 11 people started the training but withdrew later on, and 3 people have completed the training. At the moment, 105 plan to start training soon. That is the breakdown for the 690 total.

Mr. DULSKI. Mr. Butterfield, I have a very important engagement which I must keep at 11 o'clock. If I have to leave before you finish, I hope you will forgive me.

I will now yield to my distinguished colleague, Mr. Ford, from Michigan.

Mr. FORD. Thank you, Mr. Chairman.

Mr. Butterfield, this is our first opportunity to visit with you in your new capacity. We spent considerable time in getting attention around here drawn—and it also surprised me, with tremendous dependence upon air traffic, that it takes the individual Members of Congress and their staffs and the executive branch—that it takes us so long to get people exercised enough to take some very small steps toward what seem to be reasonable solutions to a very frightening situation that developed over a period of time. In this I include the whole profession and everything surrounding it.

The intransigency of bureaucracy in the Federal Government is absolutely amazing when you realize that the Bureaucrats are endangering their lives on a regular basis, with everybody else.

It is generally known among bureaucrats that they are sensitive where there is personal involvement. This is one exception that proved the rule. But in this type of legislation you have a revolving-door operation going on here.

In your statement you indicated that as of December 31, 1973, you have hired 1,655 new people. But the staff tells me that in that same period of time you lost 1,174. How does it happen that they come in the front door and then drop out the back door in so close and equal a number that we end up with a net gain of only 281 people?

In your statement, when I first glanced at it, it looked like you were really going to town on recruiting. But they're going out the back door as fast as you can bring them in the front door. And staff tells me that that amount of attrition during that period of time was unusual. Is there some reason why we see this happening? Has it puzzled you or bothered you enough so you can try to find out why it is happening?

Mr. BUTTERFIELD. I would preface the comments of the three of us with a reminder that the air traffic controllers' duties are unique. I know I don't have to remind you of that. But this is somewhat of a unique profession, and there is a certain type of person who is better equipped than most others to perform these duties.

You do have controllers going out the back door at a far earlier age than you have others in the Federal Aviation Administration going out the back door, to either retire or to assume secondary career duties.

I would call on Mr. Belanger to elaborate.

Mr. BELANGER. I think you're correct, Congressman, that this is a larger percentage of attrition than in past years. I would attribute this to the availability of the second career program to these people.

Mr. FORD. Let me ask you: There was a brief observation there about the possible effect of the energy crisis, or the fuel shortage, for air traffic on the subject matter that we're here to discuss today.

At first, I though I heard you suggest that somehow there would be a slackening of traffic that would continue for a period of time that would justify something less than full-scale efforts to implement the already committed legislation, but you cleared that up with the chairman. However, you thought that regardless of what happened with the fuel shortage we should continue to meet the requirements that are set forth in that statute.

With the tremendous number of people that have been put on layoff in the industry, would this be an ideal time for you to be recruiting

the type of personnel you need? And wouldn't it be an excellent time to build up a cushion in training for what we anticipate will be a return to normalcy in the future?

Mr. BUTTERFIELD. I would say that's true.

Mr. FORD. You compete normally for the kind of personnel you want to train as controllers in a normal expanding situation, and you are always competing for good people, as they do in any other segment of the industry; aren't you?

Mr. BUTTERFIELD. Yes.

Mr. FORD. Frequently you don't compete very favorably as to wages, hours, and working conditions, to get the same kind of talented and interested people in the industry that the average controller has in the expanding air traffic industry? In the air transportation business isn't it tougher for you to compete with these civil service jobs with the kind of pressures they have had? Isn't that true?

Mr. BUTTERFIELD. I'll defer to Mr. Belanger on that point.

Mr. BELANGER. A few years ago that would be true.

Mr. DULSKI. May we have your name for the record?

Mr. BELANGER. My name is Raymond Belanger.

Mr. DULSKI. What is your title?

Mr. BELANGER. Director of Air Traffic Service.

A few years ago that would have been true, and was indeed true. But due to the improved legislation that you gentlemen have enacted, we find ourselves in a relatively good competitive position in acquiring talented people. There are currently somewhat in excess of 19,000 candidates on the register for air traffic controllers.

Mr. FORD. The problem at the moment is not the lack of people for the program, but there are other difficulties: to be able to accomplish, or accommodate them, or meet the goal of that legislation? You are not going to make the figure that you're supposed to make this year; are you? At the present rate, you're taking into account attrition, and you won't have increased your overall personnel available by the magnitude that the legislation contemplates. And you're indicating that this is not because of a shortage of people applying for the jobs. We're now talking about qualified people, I take it?

Mr. BELANGER. Yes.

Mr. FORD. Your list of the register indicates they're all qualified people. Why aren't you going to do it?

Mr. WEITHONER. I'm Charles E. Weithoner, Acting Associate Administrator for Administration.

In response to the question raised a while ago, we are getting a great many applications from people out of airlines and the aviation industry. We have a great many people on the list, qualified people, who are now appearing on the top of the civil service list. Your observation is accurate on that point.

As of right now we have to really hustle to meet our target.

In terms of legislation, we're doing all the recruiting necessary to keep trainees in the pipeline and fill in behind those who have gone off on second career training.

Mr. FORD. I would like to talk a little about Mr. Butterfield's testimony on the two bills before the committee.

First, with respect to H.R. 7416, and the question of payment of the members of the board. Could you very briefly describe what you view to be the nature of the board and the function?

Mr. BUTTERFIELD. Yes, sir. It's simply a review board to look carefully at the merits of the cases. It reviews the merits of the appeals of the controllers.

Mr. FORD. All right. You don't view this as a board that's comparable to a board dealing with other kinds of labor/management disputes? In other words, do you view their function as being arbiters of antagonistic situations between a representative of management contending in one direction, and a representative of the employee contending in another direction? Or do they have an evaluating capacity? Or is there some way to maintain this balance between this antagonistic situation?

Mr. WEITHONER. Sir, it's not an adverse action situation. It's not an adversary hearing. So, in that sense, it's more adjudicatory. The Board generally meets, considers the evidence, and has a hearing conducted by one who is appointed from the rolls of the Federal Mediation Conciliation Service. He gathers evidence and presents it to the three-member Board that decides the case.

Mr. FORD. All three members of the Board are judges of the fact and apply the regulations, whatever they may be, to those facts, and possibly take a vote? And if two out of three vote in one direction, then that's the way the decision is made, and they all share equally in the factfinding and decisionmaking processes?

Mr. WEITHONER. Yes, sir.

Mr. FORD. What puzzles me is the way you set this up in the regulations. You treat—at least the representative—the one representing the employee, or employees, involved, in a kind of hybrid way. On one hand you say you should pay his travel and per diem expenses because he's a member of this board performing in his function; but you criticize the legislation for wanting to pay him a flat payment for what is equal to about a GS-18.

Mr. WEITHONER. Yes.

Mr. FORD. Well, I wouldn't call it professional fees. He's not going to hire a lawyer to represent him at those, right? We call those "professionals," and so you draw the line and say, on the one hand, he's a member of the board and you should pay his travel and per diem; and on the other hand, once he gets to where he's going to sit as the designee of the employee, he's the employee's representative, and they pay him what we're paying professional people.

In other types of work we would have a public representative and an employee's representative, and a management representative, and there would be someone there to make this kind of distinction, and to be able to recognize people designated by the employer as having a particular bias that is expected to show itself in the hearing. All the parties to the proceedings and the people representing the employee or the employees, come to that board and are recognized. And everything they do during the deliberation is colored by the title they have, or by their appointment. And that's all part of the process.

We have learned in our experience how to deal with that. Then, finally, when the vote is taken, you know this fellow here was appointed by the controller, and his vote can be expected, if he's got

anything to hang his hat on, to be in favor of the controller. And this fellow on the other side of you, they feel that it's the obligation to hold that back against him to as great an extent as possible. And all of that is taken into account and the vote is taken.

I can't see how you can make this kind of a distinction between these people as board members. And I would think that the criticism you make here we had better reexamine by looking at the way the Board is constituted. Either they sit as a board of they don't.

One alternative would be to have a series of accurately structured boards—sort of a traveling circus—go around the country, but there are pros and cons to that, also. In that case the same people would be doing this over and over and over again. And I suppose it would get to be such that after you'd gotten the first sentence out, everybody would acknowledge it, and the same argument would be made, whatever the comment on that would be. How do we get around that?

Mr. BUTTERFIELD. You mentioned some excellent human nature factors, and I understand those very well. However, the employee's designee is not a representative of the employee precisely; he is more a designee of the employee and is there to make an evaluation of the case, as are the other members of the board.

The reason that we see fit to pay travel expenses and per diem of all board members is because the board is convened here in Washington, D.C., probably for the convenience of the majority, which means the Secretary's representative, and the Civil Service Commission Chairman's representative. This is something we're sort of forcing him to do—that is, to travel to Washington—so we pay the expenses. I think it would be a good bit cheaper than having the Government pay for all personnel to travel to some area outside of Washington.

But, as we said in the statement, the employee's designation of someone to serve on the board is purely his own business.

Mr. FORD. This isn't his own business. He doesn't designate somebody to represent him on this board; he exercises the appointing authority of the board to appoint someone to represent his interest. And that someone is going to select his representative, or somebody that he is likely to have a natural business or some other relation to. And in that direction.

Once the board convenes and starts to act, this person is not a representative of the employee's.

Mr. WEITHONER. He's a representative in every respect, the same as the other two members, for the public interest.

Mr. FORD. It would seem to me, very frankly, maybe we ought to be a step further, and not only provide the expenses at some fixed rate for members of the board, but to provide that for that same period of time he could not accept other compensation, or additional compensation; that might be one thought. And perhaps you might want to look that over and see what effect it would have.

You could compete with the representatives of the employees, but it doesn't make sense to me to suggest that he either gets a volunteer on this basis, or what raises further question is, someone pays for it by himself, or the representative is paid by a representative group, if he belongs to an agency, and at whatever rate they see fit.

It seems to me that what you're suggesting is that the employee's designee should be a hired gun who is available to people who don't really have the time to do this thing on their own and to maintain that status in the community. So if you're going to do very much of this, you either have to be on somebody's payroll or collecting some fees. If that's what we wanted to do, we should clearly understand that this person is representing the employee and not the Government.

Mr. WEITHONER. Mr. Ford, that's a good point.

One point of information that I might make is that there have been only about 12 or 14 cases so far. In all but one case, the member of the Board designated by the employee was one of our own employees, and he was considered to be in an employee status and on the payroll. In one instance, there was a member of the labor union, and in that one instance we paid per diem and not a fee.

Mr. FORD. I think we have a little exploring to do in this field to determine exactly what the nature of this Board is. And I think you also have to be very careful.

I had done a lot of this kind of work before I got here; I did a lot of municipal work and was responsible for writing ordinances and regulating and setting up appeal boards, and all types of boards of various kinds. When there was a dispute between the building department and the contractors on certain matters, taking care of these problems and compensating these people could be very tricky.

If you continue, on the one hand, to treat him in every respect as an advocate for, and in some other stage you put him on the opposite side, he's really not an advocate for you, but really a representative of the point of view. Here we clearly have a problem.

Again, I don't think it's quite fair to characterize the level of attainment assigned, or to tie it to a civil service pay grade, as professional fees as such. I don't think they should be paid in that sense on a per day basis.

Mr. BUTTERFIELD. I've got to say that your suggestion that we look again at this question from every angle is a good one, because I certainly have no prejudice on the matter, other than the fact that I felt the selection and payment of his representative was a personal thing.

Mr. FORD. On page 6 you say, Mr. Butterfield, "While the board of review is somewhat unique and distinguishable as to form from adverse action and grievance procedures, in substance the principle of having the employee obtain and pay for such services, in my opinion, is the same."

What that represents to me is an inconsistency with the previous page. You don't want to deal with these fellows as an employee, and yet here you want to suggest that in fact he's a representative, a direct representative or advocate, for the employee. But you cross a line with this.

With regard to 7417, we took testimony a few years ago and it involved, on several occasions, the problem of people performing the duties of supervisory personnel under circumstances that led us to accept the proposition that intentionally or unintentionally the nature of this operation was rather easy—or it was rather easy in times of

stress to move people and sort of forget you're not promoting or moving people really in promotion status, but you were sort of automatically placing them on a day-to-day basis wherever the transfer was needed.

On page 7 you stated that in order to insure that FAA employees were not unfairly assigned to higher level duties without proper compensation, you issued a policy statement on October 19, 1973, charging, "... our Regional Directors to use temporary promotions whenever appropriate."

Now, on the one hand you start out quite simply on 7417 by saying that you now have initiated steps to use temporary promotions instead of having people perform the function of supervisory personnel on a temporary basis with the same compensation. In other words, you're saying that a person wouldn't be as likely to perform such supervisory employees' duties without a supervisory salary for as long as he might have under the old system.

Really, the only change that's been made is this "policy statement." What is the difference between a policy statement and the regulations? Does this policy statement simply go out there and say, "I would will, or wish, that wherever you can, you fellows can promote these people, and that's a better way to do it," and you just set this policy that way whenever you need it, and you'll promote somebody under these conditions?

Mr. BUTTERFIELD. The policy statement in this instance seems to me to be the better of the two.

We have a decentralized organization in the Federal Aviation Administration and we encourage Regional Directors to operate on their own and to make these kinds of decisions to the maximum extent possible. There are as many, or there could be as many, cases here in which payment of the higher level salary would not be appropriate, and I have felt it was wrong to literally tell the Regional Directors what to do by way of FAA regulations.

The supervisor, or management, may want to recycle three or four people into a particular supervisory position, to give all of them some good experience. That should be his prerogative. An FAA regulation or order from me shouldn't stifle him here. He must have some flexibility in personnel matters.

Mr. FORD. That is what puzzles me about the way you're doing it. The military has the authority to lower the levels and make temporary appointments, and they do this sort of thing all the time, and they make temporary promotions. And if they find out that someone doesn't fit a position, they can always move him back. This seems to me to be a much simpler way of doing things. It's much simpler than to just put a person into a position and then have to withdraw it and move him back.

What you have here is literally saying to your person out there who has the authority: make a promotion and don't fool around, and make it as quickly as possible, and change the status of this person.

Mr. BUTTERFIELD. I'm saying that what we're doing now is the more desirable way—rotating, let's say, four people through the supervisory job and paying each of them the pay the higher job calls for, if each is in the higher job for 30 or more days, then letting the Regional Director make his decision as to which of the four should fill the

vacancy permanently. That's much better than having somebody promoted immediately, before he or she has performed in the higher job, then having to back off if it becomes obvious that a mistake has been made. A Regional Director knows best what to do in each case. He may want to rotate people through and sort of experiment or he may have one person already in mind for the advanced position. He must be flexible, but I have encouraged promotions when they can be made.

Mr. FORD. I'm only asking this because I have a fixed idea, but this seems inconsistent to talk on the one hand about giving your Regional Director flexibility and on the other hand restricting him to using the temporary promotion ordinance and leaving a man in a position where he is going to a supervisory position on a different pay scale.

Mr. BUTTERFIELD. I'm not sure I understand. I think it would be a good idea for us to go into this more thoroughly among ourselves and submit a report later on to the committee. We seem to be experiencing a communication problem.

Mr. FORD. Maybe I misunderstood the statement. Are you saying that any time an employee is performing the duties of someone who would normally be a supervisor, that during that period of time you're giving him temporary promotion to that position?

Mr. BUTTERFIELD. I am encouraging that action, if the employee is in the higher job for a reasonable period of time.

Mr. FORD. We could still have people performing this higher level job at their lower level of pay?

Mr. BUTTERFIELD. Yes, you could have this situation for short periods of time.

Mr. FORD. What are we talking about?

Mr. BUTTERFIELD. Less than 30 days. As I recall, it would be from 30 to 120 days that they would be paid the higher salary. But again, I hate to come down hard here with specific figures. In my mind, 50 to 120 days is reasonable.

Mr. FORD. Do we really save any money doing that?

Mr. BUTTERFIELD. Save any? No, we don't really save.

Mr. FORD. What is the incentive other than the possibility of future employment for this fellow to take on added duties? All you're saying is that for 30 days you are saving the additional pay for this fellow.

Mr. BUTTERFIELD. We may; that's not hard and fast.

Mr. FORD. And the alternative is to then make a temporary promotion which is hard to back off from.

Mr. BUTTERFIELD. I would like to think that there are incentives other than money in this business.

Mr. FORD. Absolutely. However, it does stand in the wings. Again, I'm asking you to give us the benefits, not necessarily today, but some evaluation of how much money we're saving because that's all we're talking about. In fact, you might not be putting your director in a more rigid position making this promotion than if you allowed him to pay the higher salary for some reasonable period of time, and allowed him to train two or three people at that job before he had to make a final decision on who he is going to promote permanently.

Mr. DANIELS. Gentlemen, the time is up for Congressman Ford. I call upon my colleague, the gentleman from Texas, Mr. Collins. Do you have any questions?

Mr. COLLINS. Yes. Thank you for yielding briefly, and I will yield back to you shortly.

Mr. Butterfield, this committee has had a chance to go to several centers last year, and I'm sure you're aware of it. We're attempting to become aware, or more fully aware, of where it happens. We're informed that the training center in Oklahoma had been pretty well shut down, or is in the process of being shut down. Is that still shut down, or beginning to charge up?

Mr. BUTTERFIELD. No, it's not shut down.

Mr. COLLINS. Are you processing anybody through there now?

Mr. BUTTERFIELD. Yes, we are.

Mr. COLLINS. How many do you train now, and how long does that take to train them?

Mr. BUTTERFIELD. For controllers, formal training runs in the vicinity of a year, and developmental training can take anywhere from a matter of months to 2 or 2½ years. So there is a formal training period followed by a developmental training period before one is a fully qualified journeyman.

Mr. COLLINS. Why did you have to shut down? You really kind of cut off that pipeline. Why had that occurred?

Mr. BUTTERFIELD. Let me say one thing to Mr. Ford. I have a completely open mind, and I would like to consider what you say, Mr. Ford, on the matter of increasing salaries for those serving in supervisory or higher level position. I would like Mr. Belanger to answer the question.

Mr. BELANGER. We haven't shut down at the Academy. Let me retrace the cycle a little bit and tell you what are the various stages of training, and where we have our controllers now.

The tower controller has five phases of training. Two of the phases are completed at the Academy in 4-week intervals. The center controller goes to the Academy for 9 weeks. Data systems training is 16 weeks, so it's a little hard to broad-brush the length of time, but that's generally speaking, and it varies with the type of controller.

However, the Academy is still operating, and it will continue to operate. The reduced level is probably due to the basic requirement for training. All training requirements are being met.

Mr. COLLINS. Then your freeze is not still on?

Mr. BELANGER. No. No freeze of any type on training or recruits.

Mr. COLLINS. But there was?

Mr. BELANGER. About a year ago.

Mr. COLLINS. How long did that last?

Mr. BELANGER. About 4 or 5 months, roughly. It came off shortly after last year's hearings.

Mr. COLLINS. You mean our talks sort of stimulated a little interest in that?

Mr. BELANGER. I believe they did.

Mr. COLLINS. I'm glad to hear that. I will come back to further questions on that, but I would like to establish that you have taken the freeze off.

I want to get a little more background because I'm not completely familiar with controllers. What does a controller make after working 2 years on a job; and the top man, what does he make?

Mr. BUTTERFIELD. A tower controller or a center controller?

Mr. COLLINS. The best man. What is the senior job?

Mr. BELANGER. The senior job is generally a GS-13. An experienced controller should be a grade 13. It takes about 5 years to get there, and that's in the \$20,000 to \$22,000 bracket.

Mr. COLLINS. You said you have 19,000 on register now?

Mr. BELANGER. Right.

Mr. COLLINS. How many are basically qualified? Are they fully qualified when they get on the register?

Mr. BELANGER. They're qualified, which means they have the appropriate background and have scored well in the aptitude testing, they still have to be trained as controllers.

Mr. COLLINS. They're all under 30 years?

Mr. BELANGER. Yes, that's correct.

Mr. COLLINS. For qualification, you check things like college, or engineering, or go heavy on aptitudes and alertness?

Mr. BELANGER. There are several combinations that qualify to take the aptitude test. One would be experience, mostly in the military with air traffic control, or experience as a pilot. Another would be 4 years of college or a combination of college and experience. That would entitle him to take the aptitude test. They still must all take and score well to qualify in the aptitude test.

Mr. COLLINS. I see. When they come before the Review Board, most of these cases have to do—or all have to do with termination of controllers?

Mr. BELANGER. That's correct.

Mr. WEITHONER. All the cases involve people who were found disqualified for air traffic control. Some of them have appealed that finding.

Mr. COLLINS. When a general in command is found to have a problem, they just relieve him. Somebody has a problem as a controller, I presume you relieve him right away; is that right? I wouldn't like to have a doubtful person bringing these planes in.

Mr. BUTTERFIELD. He would be relieved from his duties by the supervisor on the spot, but there is a tremendous difference between the way the military does it and the way the Civil Service Commission requires things to be done.

Mr. COLLINS. All of us fly all the time, and if a fellow chokes up on a job for some reason, is it correct that he is relieved? I imagine if the cause is obvious, they do relieve someone right away because it can be reviewed? I'm wondering what is the purpose of this board.

Mr. BUTTERFIELD. There have been 12 controllers who have appealed the Agency's medical findings, and whether they are in fact qualified is the basis of the appeal. Of these 12 appeals, only 6 have gone to the board level. Three cases found in favor of the Government, one found in favor of the employee, and two are pending decision. In other words, he might be contesting his capabilities to control traffic, and he might be contesting the evidence submitted, or he might be contesting a medical case where medical evidence has been submitted. In any event, once the Agency has made an initial determination that there is a problem area, he is removed from active control until such time as the final determination is made.

Mr. COLLINS. I am glad to hear that, but going back on what you brought out, which seems very logical, you have only had four of these cases come up for review.

Summing up, why do we need this legislation which relates to such remote situations? Did you say there were only four cases that have come up to the Board for review?

Mr. BELANGER. That's correct.

Mr. COLLINS. That doesn't sound to me as if we should pass a law in Congress to take care of four cases.

Let me go into another thing about this situation. I would like to know about modern equipment. In other words, when I went through one of these centers one time, it really took a genius to bring these planes in, but we have gotten more and more equipment helping them, and at the same time, the airports are getting more and more crowded. They are talking about how many of these controllers we have, how much modern equipment we are adding, and to what extent are you all involved in helping airports get this modern equipment.

I mean they follow all of the planes down. Don't you have some equipment now that doesn't just take them down, it shows you the whole picture?

Mr. BUTTERFIELD. Yes, sir. We do.

Mr. COLLINS. What is the extent of the best equipment you have? What does it do?

Mr. BUTTERFIELD. Well, you are probably referring to the fact that in the past year our air traffic control system has become fully automated, not only in the terminal areas, the departure and arrival areas, but in the en route system also; and this has served to take the controller out of the clerical business and allow him to make judgments with regard to directing and controlling traffic.

But Mr. Belanger can speak better than I on the sophistication of the equipment.

Mr. COLLINS. I would like to know to what extent it assists because we certainly ought to be doing what we can do with your modern equipment in these airports.

Can you bring them in completely? Does it cover the complete picture?

Mr. BELANGER. The towers have one type of automation which has been introduced over the past several years, and the centers have the first phase of automation. What the automation currently does, as Mr. Butterfield said, is take care of what I would term the clerical tasks.

In addition to that, in the terminal area and in the center area, instead of the controller having to remember that a blip on a radar-scope is an airliner, American 210 for example, and remember that it's at 25,000 or 19,000 feet, the automation equipment will print this out on the radarscope where he had to remember it before.

Today he does not have to remember it. That is our base of automation.

From there we will build on automation in progressively increasing steps. The controller today is fully in the decisionmaking path. There is no decisionmaking done by automation today.

Somewhere downstream we'll be trying to help the decisionmaking process of the controller, but what we have done in automation so far is reduce the clerical task and help them in the equipment so that they can perform the decisionmaking process.

Mr. COLLINS. It's better in giving him the altitude, plus the location, of all the planes.

Mr. BUTTERFIELD. Altitude, airspeed, and identification, precise identification. So whereas before a controller was able to handle only as many aircraft as he could safely remember information about, now he can handle more because the information is displayed on the scope in front of him.

Mr. COLLINS. Let me ask one thing about air controllers; do you rotate them between an intense job and a lighter load job while they are on duty, or do they stay on an intense job at all times?

Mr. BELANGER. He rotates, particularly in the terminal area, approximately every 2 hours. He rotates less frequently in a remote area.

This is sometimes a little restricted by the availability of skilled levels which are improving very positively over the last year or two. For example, since we met here last year, we have 10 percent more productive, fully checked out controllers than we had a year ago.

Our ratio of developmental controllers to full journeymen controllers has improved from 63 percent to 74 percent.

Mr. COLLINS. If I could ask one question pertaining to supervisory personnel.

When an assistant does your job, is he raised in pay to your scale if you are out of town or otherwise occupied?

Mr. BUTTERFIELD. No, sir. Of course not, and one of the points that we hope to make is that there is a limit in our opinion as to how often you do this.

Mr. COLLINS. For the period of time that one is serving in a higher level?

Mr. BUTTERFIELD. Of course, we do not. That's right. I may be out of town or my deputy may be out of town, but we do not pay someone else an extra amount of money during the time that he substitutes for one of us.

Mr. COLLINS. How much of the time would a person be required to do this supervisory work where he would be filling in? Would it be a matter of 10 percent of his time, or would it be as much as half? Is that what you are talking about here?

Mr. BUTTERFIELD. Well, there are so many different occasions, it would be difficult to say. His immediate supervisor may be off on a training course. He may be gone for 3 or 4 or 5 months, or he may be away on leave for only 30 days.

Mr. COLLINS. Now, if he were gone for as much as a month, do you have a right to qualify him for that particular time in a temporary grade? You could give him a temporary rate.

Mr. BUTTERFIELD. We could, yes. We have the option.

Mr. COLLINS. Thank you.

Mr. DANIELS. The gentleman from California, Mr. Rousselot, do you have any questions?

Mr. ROUSSELOT. Yes. Mr. Butterfield, we have had a chance to go out to visit several towers and centers. By the way, I assume you have had a chance to do that yourself.

Mr. BUTTERFIELD. Yes, sir. I have. That was my first major action—to get out and visit field facilities.

Mr. ROUSSELOT. How many towers have you been to in the country?

Mr. BUTTERFIELD. I suppose 60 to 80, sir. Nearly every time I have landed I have visited a tower.

Mr. ROUSSELOT. How many centers?

Mr. BUTTERFIELD. I would guess at least 7 of the 20.

Mr. ROUSSELOT. I realize when you visit a center there is probably a difference than when we might visit the same center. We see it as it actually is.

Can you tell me what the status of the so-called 150 program is? We have found quite a few problems that are generated by that. What have you done on that program?

Mr. BELANGER. We have just conducted a complete staff study on the 150 program addressing and identifying problems.

Mr. ROUSSELOT. You found that was a major problem?

Mr. BELANGER. It was, and it is, but while we are not committing on abandonment of the program, we are structuring it so that the training is provided in an adequate manner in the proper locations. We are revamping the program entirely, and probably will have completed in the next few months a brand new program.

Mr. ROUSSELOT. Do you say that study is now completed?

Mr. BELANGER. The study is completed and we are working toward the implementation of the plans.

We found that that program generated some real problems for both your managers and others in having really fully trained and adequate people, and in some cases these people—and it wasn't their fault—were injected into the program. It created some real problems.

[The complete staff study on the 150 program was furnished the subcommittee and is retained in the subcommittee files.]

Mr. ROUSSELOT. How did you overcome some of those problems? How are you going to assure that the people who are brought in under this basis are more adequately trained.

Mr. BELANGER. One of the things we are doing is designing a training program on a new central basis. That will be common to all locations. The trainee will finish his training at Oklahoma City before he goes to the facility.

Mr. ROUSSELOT. Under the 150 program?

Mr. BELANGER. Yes, sir.

Mr. WEITHONER. Another thing we are doing right now is trying to figure out whether we would be better off to restrict the number of locations where "150" trainees actually report after they have finished their centralized training. Both of those options are being explored.

Mr. BUTTERFIELD. I might just add that I have put a great deal of personal emphasis on this program. And admittedly, my doing that was largely due to the fact that the FAA was so low in its hiring percentages of minority personnel and women that it brought the Department of Transportation down to the low rung on the administration ladder. This just happened recently when the statistics

were released, so since my assumption of this post, I have gotten together with the regional directors and talked to each of them individually and attended a conference on this subject at which I spoke and emphasized my personal interest in exceeding the current hiring goals.

On an agencywide basis, I can say now that our women hiring goal was 16 percent and we have now achieved about 29 percent, and the minority overall hiring goal is 20 percent and we are about at the 20 percent mark. So we are doing better.

Mr. ROUSSELOT. But you are doing this on the basis of competency, I assume, and not just for the sake of meeting quotas?

Mr. BUTTERFIELD. That is correct. A simple drive to meet quotas could create some real problems and pressure for our non-minority, the regular people. Not that they would fear of having minority personnel present in the IFR rooms and towers, not at all; but if it were discovered that minority people didn't know what they were doing and hadn't had adequate training, it surely would create great pressures on all of us. But that just would not happen.

It is essential in this business, which really is aviation safety, that controller qualification be based on competency and not in any way on a quota system.

Mr. ROUSSELOT. As we talked to these various tower chiefs and their assistants and center chiefs, we found that in the effort to make sure that there was not over staffing—too many people running around in many cases—arbitrary decisions had been made by Washington that really put the monitoring of aircraft in real jeopardy.

Are you able to deal with that problem a little more carefully now?

Mr. BUTTERFIELD. Yes, when I came to this post, Mr. Rousselot, the imbalances were apparent, and I was, of course, briefed on them—where they existed, et cetera. We were especially heavy in the center controller positions and light in some of the important tower positions.

Since that time we have decreased our center total by 300 controllers and increased the tower number by some 500 or 550, so there has been a concerted effort to solve the imbalance problem. At no time did we consider the imbalances so severe as to jeopardize safety. Safety, of course, comes first, and when there was cause for concern, the air traffic was slowed to a capacity level or a traffic level commensurate with the tower manning.

Yes, I would say that imbalance in assignments to towers is no longer a problem in the FAA.

Mr. ROUSSELOT. So, regardless of what tower we might happen to visit, where the workload is pretty substantial, we can be assured that in such an area of dealing with the safety of so many people—where a momentary decision can be so critical—that the positions are properly staffed by competent people.

In our findings, we came across several instances where you have trainees really doing a job which needed higher grade personnel, especially in towers. I guess you have found this true, also.

Mr. BUTTERFIELD. Yes.

Mr. ROUSSELOT. Are you convinced that you have changed that?

Mr. BUTTERFIELD. Absolutely. I do not know of any serious imbalances now, but I am confident of the fact that the situation has been remedied. There could of course be a temporary instance or two. Perhaps Mr. Belanger can speak to this.

Mr. ROUSSELOT. Mr. Hillis, a member of the committee, is a pilot, and flies his own plane. Our committee also went to several places where understaffing was considered a problem. Can you assure me today that those imbalances, as you have referred to them, have been corrected?

Mr. BELANGER. Yes, I can. I can do that.

Mr. ROUSSELOT. How often do you check for possible imbalances?

Mr. BELANGER. Well, I would say this. I think we're in what I would call good shape in terms of balanced work force.

At this point in time, 80 percent of our tower personnel are fully qualified journeymen, so there are only 20 percent in the developmental stage, which is a favorable balance. To say that we can guarantee to every facility in the system—we have a total of 700 including the flight service stations—adequately and totally staffed are what we would like to see down there every minute everyday is difficult to say, but we have a safeguard in the system that adjusts the traffic downward, commensurate with the staffing that's available.

Mr. ROUSSELOT. How often do you check to make sure that these imbalances do not exist? Is it on a daily basis? We're dealing with the safety of an awful lot of people.

Mr. BELANGER. Well, the people do check and keep very close tabs on it. You go to the region and they have what they call almost a war room keeping track of statistics, because it has been a critical area, making sure that the distribution has been correct. In the Washington level we also have an evaluation staff here that travels consistently to the facilities visiting them, making sure that all things, not only to the staffing, but the equipment, and morale—the whole gambit—the things that management is interested in.

Mr. ROUSSELOT. When the chief of a tower considers that he has a real problem of understaffing, how quickly can he get a response?

Mr. BELANGER. Well, he can get a response as quick as a telephone call if he has a good case, or he can do it by correspondence, or he can do it by a visit, and the question is how critical is the situation.

Each region has authority to make an adjustment within the quota. We can't sit in here in Washington and really second-guess the people who are on the scene in the region.

Mr. ROUSSELOT. The basic authority to make this decision is in the region?

Mr. BELANGER. Yes, indeed.

Mr. ROUSSELOT. If a tower chief feels he is going to be short of help, or there has developed a tremendous amount of traffic, or the weather patterns have changed—as they do very frequently—and suddenly the airport is overloaded with traffic that has been directed to that airport, how quickly can we adjust?

Mr. BELANGER. We can adjust immediately by overtime, which is obviously the quickest way to get additional manpower and the only way you can respond on an hour-to-hour basis or daily basis, so he has the authority and the capability of authorizing overtime.

Mr. ROUSSELOT. He also has that?

Mr. BELANGER. Yes.

Mr. ROUSSELOT. The problem that we have found is that even though the tower chief had the ability to ask for overtime, just adding another hour to a guy who has already worked 12 hours doesn't do it. Sometimes that's what we have found.

If he is already short of personnel and he has not been allowed to fill other critical shortages of manpower that already exist—because maybe a freeze has existed—it doesn't do much good to have a lot of overtime when you are already short-staffed. Do you see my point?

Mr. BELANGER. I see your point, sir, but if you go to a 6-day week, which we don't subscribe to, quite frankly; not because we worry about paying overtime, but because we don't think it's a good practice on a continuing basis to have a person working 6 days, or 48 hours a week. You can generate a substantial amount of increased manpower by going to a 6-day week, which we would hold on a temporary basis as long as it wasn't continuing.

So, in terms of a sudden emergency situation, we can pick up more manpower in a given facility by moving people to this facility to respond.

For example, you could have four people retire at one time, or through various circumstances you could become short in a facility. If you only had 10 men to begin with, it doesn't take much to be short. A couple of people getting sick, or things like that, could put you in a short-staff situation on a temporary basis. The same thing if there are unanticipated retirements, and unfortunately, people often let you know at the last minute when they are going to retire.

The quickest response is to increase the overtime while you are moving people into this facility.

Mr. DANIELS. What is the usual working week of a controller as compared with the supervisor?

Mr. BELANGER. They are both 40 hours a week.

Mr. DANIELS. When you have an employee who worked 5 days, 8 hours a day, and he goes into 6 days, he's on overtime?

Mr. BELANGER. That's correct, anything over 40 hours, or 8 hours a day.

Mr. DANIELS. How frequently do you ask your personnel to work a 6-day week? Have you been called upon to do that very often?

Mr. BELANGER. Very minimal right now. The average is 10 hours of overtime for a center employee and 20 hours of overtime for a tower employee annually.

Mr. DANIELS. Annually?

Mr. BELANGER. Yes, sir. The overtime levels are at a minimum right now. We are up a little bit in the center area because we're engaged in a rather massive training program in what we call our automated en route system.

If you have been out to the centers you have seen the automated equipment that requires regular training.

Mr. DANIELS. Under 20 hours perhaps?

Mr. BELANGER. No; it's running right about 20 hours right now.

Mr. DANIELS. Thank you.

How many supervisor vacancies are there today?

Mr. BELANGER. 103.

Mr. DANIELS. Now, does that number include those supervisors who are on the books but who are not able to work?

Mr. BUTTERFIELD. That includes permanent and temporary vacancies.

Mr. DANIELS. Who fills these vacancies, and the vacancies of those who are disabled?

Mr. BELANGER. They are filled by the appointed controller force. Sometimes you have to fill behind them and sometimes you don't. It depends on what the situation is.

There is an allowance, for example, for annual leave and sick leave in the staffing formula.

If you are in a period where you are not spending annual or sick leave, you will have enough supervisors on board to cover the operations, so it would vary on almost a week-to-week basis.

So, on the basic question, the supervisory vacancy on a minute-to-minute basis, or day-to-day basis, or week-to-week basis would be filled by a journeyman controller.

Mr. DANIELS. Now, do you feel that you have sufficient controllers and supervisors on hand to adequately handle all of the air traffic across the Nation?

Mr. BELANGER. Yes, sir. We do have 103. That's out of a total number of supervisors of 3,400, so that is basically nothing more than the normal administrative turnover, and personnel actions are already under way to fill these 103, and we indeed do have adequate numbers for that.

Mr. DANIELS. Do you have a continuing program to train personnel to fill your adequate future needs?

Mr. BUTTERFIELD. Yes, sir. We do.

As I said earlier, we have hired 1,655 people here in the past year or 13 months, and if we stay on target, we will hire another 900 to 1,400 between now and the end of this fiscal year, June 30. Then we will be in good shape. We have vowed never again to allow the pipeline to become dry. I think that put us in a box at one point.

Mr. DANIELS. It is anticipated that around October of this year there will be a cost-of-living increase.

Now usually quite a number of Federal employees take advantage of cost-of-living increases and file their retirement papers.

How many people do you expect to take advantage of this retirement?

Mr. WEITHONER. I don't have a specific number, sir. I would guess that among air traffic controllers it would be fairly small.

For one thing, the Congress amended the law so that we don't have the peaks and the valleys that we used to have; and, second, the controllers, of course, are a relatively young group. So, the retirement among controllers is lower than it is among other occupations.

Mr. DANIELS. Assuming there is a 5½ or a 6 percent cost-of-living increase in October of this year, how many employees, air traffic controllers, and supervisors, do you anticipate will retire?

Mr. BUTTERFIELD. May we submit an estimate of that to the committee, Mr. Daniels?

Mr. DANIELS. Well, I think, from your standpoint, Mr. Butterfield, it's very important that you know that so that your centers will be adequately staffed.

Mr. BUTTERFIELD. Well, we do know the approximate rate of attrition, and we're anticipating an attrition of about 300 controllers in the brief period between now and June 30. But I would say that our attrition in terms of center and tower controllers in a year's time is in the vicinity of 600 to 700.

Mr. BELANGER. It's about 4 percent. It's been running about 4 percent, which would be roughly 800.

The 800 would include the supervisors, 600 at the controller level.

Mr. BUTTERFIELD. I don't think that the cost-of-living increase in October would affect that figure appreciably.

Mr. DANIELS. Well, it seems to affect the other agencies in the Government, with many people taking advantage of it in these agencies.

Mr. BUTTERFIELD. But, in the controller ranks, because of the age group, I wouldn't think it would have an appreciable effect. It hasn't in the past.

Mr. BELANGER. Well, there are not many people who do remain in the controller business once they pass the retirement eligibility age, which is 55-years old. And, generally speaking, most of our people will retire once they are 55. So, the bulk that you see in other agencies that stay beyond the age of 55 and suddenly get an incentive and are motivated by the increase in retirement doesn't really happen to the controller force as much because not too many stay on after 55.

Mr. DANIELS. About 2 years ago, Congress passed and enacted into law a bill that liberalized retirement benefits for air traffic controllers.

Would you care to make any comments at this particular time as to how this new law has worked out with respect to retirements?

Mr. WEITHONER. We haven't had a whole lot of experience with it, so far. The employees think it's a very substantial benefit.

My recollection is that about 75 people so far, have taken advantage of the provisions of the Second Career Act to retire early.

Mr. DANIELS. Do you have any suggestions to make or any criticisms to make with reference to that law? Or do you propose any amendments that might be enacted to further improve it?

Mr. BUTTERFIELD. No, sir.

The figure is 85 to date. I think 74 of the controllers chose to retire in the last fiscal year and 11 retired in the month of January, so that number is only 85.

No, sir. I do not have any suggestions now with regard to retirement provisions.

Mr. DANIELS. Would you say that the air traffic controllers are happy with that law?

Mr. BELANGER. I'd say that they are happy with the law. I'd say, from a management standpoint, and being a former controller myself, that we're very pleased with it because it permits the man who feels that he has enough control—it's a way out, and I think it's an excellent law whether you do it through the early retirement provisions, or whether he drops out because he just can't hack the job anymore.

I think it's been a tremendous aid to management and to the controllers.

Mr. DANIELS. Mr. Ford, do you have any further questions?

Mr. FORD. Yes, I do.

Briefly, Mr. Chairman, if we were to pass H.R. 7416, I suppose you would be batting about 500 with this committee, because last week we had a bill before us to increase the salaries of some of your employees, and it's the first bill I have seen tabled around here in several years.

I don't really know why it was tabled, but it sure went down in a hurry, a very strong bipartisan effort as I recall.

You responded to Mr. Rousselot a few moments ago and said, Mr. Butterfield, "We like to consider qualifications in regard to the prior 50 program, not just the quota system alone."

What is the quota system?

Mr. BUTTERFIELD. I simply meant that we shouldn't strive to meet a percentage goal, that people absolutely must be competent to fill the position for which they are being trained. If they are not competent, then, regardless of percentage goals, they must fall by the wayside.

I just meant I didn't want to see the FAA ever become preoccupied with achieving a goal to the extent that safety would be overlooked and/or overshadowed.

Mr. FORD. I just thought that you would like a chance to make that semantic change.

You just off-handedly referred to the quota system.

Mr. COLLINS. I think I was the one who brought up quotas.

Mr. FORD. The administration generally talks about goals and insists that they don't have quotas, and it's a serious problem. Not here. There is no specific difference here, but speaking about whether you use goals or quotas, you have some particular places that you have set aside and said that women or members of other minority groups—

Mr. BUTTERFIELD. No, sir. There are obviously areas of interest which pertain and certain tasks which, perhaps, some consider better than others, but we do not have any particular scheme in mind when we set hiring goals for ourselves.

Mr. FORD. I was looking at the committee report on the visit that Mr. Rousselot discussed with you, one of them when he and Mr. Hillis went with the staff to the Pittsburgh Airport. When they arrived at the tower, they were told that there should have been, at that particular time in the tower, five controllers and the team supervisor.

There were five people there. Four of the people there were trainee-controllers. One was a journeyman controller, acting as a team supervisor; and of the four trainees, one was at the rate of a GS-4, a Project 150 trainee, who, they indicated, was subject to constant monitoring by other personnel.

It doesn't seem that it's a particularly good idea when you have, what would appear to be, a very thin cover on what you have already predetermined to be a requirement for that tower, to use that as one of the places where you put someone who was characterized during that visit as being not yet ready.

Is that one of the corrections that you would like?

Mr. BELANGER. Yes. I'm a little surprised that they had a "4" in there. There is nothing unsafe about it, but it places a burden on the people in that tower, and what we are trying to do before they get into the active facility, is to have them trained up to an acceptable level instead of requiring that the facilities do the training.

In other words, in Oklahoma City, before we send people into the 150 program, which we are referring to, we train them to an acceptable level of competency before we send them into the field facilities, rather than having the facilities bring them up to that level of competency. That's the thrust of our revised program.

Mr. FORD. We, apparently have no way to statistically tell from your records how many days a controller spends in the role of an acting supervisor, without a temporary promotion, do we, or do you have some idea of that?

Mr. BUTTERFIELD. No, we don't. Because, as I said there are many and varying situations.

Mr. FORD. I'd like to get back to our discussion a little while ago. I am told that what really happens, whether you talk about 30 days, generally, or 31 days, is that frequently the case is that every day, or every couple of days, a group of people working together just sort of arrive at work and agree that day whose going to be the platoon leader. It would be like organizing the platoon so that everybody has a chance. In fact, its a mechanical process. The controllers report to work and there is a red star (which is usually the device) that is stuck on the name board, and that day the named starred is the boss.

He might be the boss for the balance of the week or maybe for just that day. It just comes and goes like this, with no relationship to any pattern of how long you are going to be on a tryout basis or anything of the kind. Just throw him in because you need somebody to be the leader. It would be like organizing the platoon so that everybody has

And in fact, it's not tied to any plan or scheme that's needed, at least by the controllers as leading to a way of qualifying for a promotion.

Mr. BUTTERFIELD. Well, I didn't mean to infer that people must be rotated. I simply believe that in our decentralized system, when we are talking about 20,000 to 24,000 controller personnel, that it is proper to leave to the region director the precise manner of implementation of FAA policies and directives. But in a guide to region directors, I have sent out instructions saying that people should be raised to the higher levels whenever appropriate.

I envisaged that to mean in my own mind, if somebody is going to assume a higher level position for 2, 3, or 4 days, or even for 2 weeks, it would not be reasonable to raise that person's pay.

Yet again, this is nothing hard and fast. This is my own concept of it. But if you were going to serve for 4 weeks or between 30 days and 120 days in a higher position, then I should think the raise would be appropriate. I want to leave open to the supervisors at the facilities this important option.

Perhaps if a middle-level supervisor is going to be away for 3 months, the facility chief or region director may want to rotate four persons into the slot, each for 22 or 23 days and thereby let four people get some good experience. In such a case, it would seem a bit unreasonable to him to raise the pay level for each of the four for a period of 25 days or less.

Mr. FORD. Now, that kind of pattern strikes me, just as we're sitting here talking, as being reasonable. That's the way I understood it, but when you consider that at least until fairly recently, the pattern has indicated that there is a more frequent and unstructured kind of rotation that goes on so that, in fact, the magic 120 days never really acts as a trigger, and even your 30 days isn't reasonably material because that would mean 30 consecutive days, or working days, or an uninterrupted period.

Mr. BUTTERFIELD. I see what you mean. Now, perhaps I shouldn't have mentioned the word "rotate." I thought that that might be one supervisor's option or method of handling a situation. But frankly, I don't think we rotate to a really great extent, or to even a significant degree.

Mr. BELANGER. It depends on the position. It's healthy to rotate people in to give them some exposure to an area they haven't had. We do it in the administrative area.

We bring controllers in and let them work in the administrative area. It's generally considered good training, good exposure. It depends on the situation and circumstances.

If the administrative process is worth while, we shouldn't be confronted with a large number of supervisory vacancies or details other than some extended sick leave or special projects that the supervisor might be on.

Unfortunately, looking back to the period you are talking about, we did have freezes on promotions, and it does generate a substantial number of supervisory vacancies.

Fortunately, these are no longer there, and we have been able to catch up with the program.

Mr. FORD. Apparently, it still leaves the personnel with a feeling of fallout from the previous freeze. They still have this kind of a situation, even though it's not provided for in the regulations and perhaps not intended by you who are managing this.

Could you give us for the record a distribution of where your 103 supervisory vacancies are and also your impression on whether you're gaining or reducing that to the irreducible minimum.

Presumably, that's the goal, isn't it?

If we take the number of supervisory vacancies, do you know how small it is at a given time, what progress you're making on that, and whether or not there is a pattern that's discernible as to what type of facility and where in the country these vacancies most frequently occur?

Mr. BUTTERFIELD. All right, sir. We will furnish that for the record. [The following response was furnished:]

Position	Location	How function being accomplished
AEA—25 vacancies:		
2 assistant chiefs	CIFRR—JFK	Vacant.
Do	Washington Tower	Remaining assistant chiefs sharing duties.
1 assistant chief	Syracuse Tower	Team supervisor detailed via SF-52.
2 team supervisors	Greater Pittsburg	Vacant.
1 assistant chief	Newark Tower	Controller detailed to job, No. SF-52.
1 deputy chief	do	Assistant chief detailed to job via SF-52.
1 team supervisor	Richmond Tower	Vacant.
Do	Dulles Tower	Assistant chief assumes duties as required.
1 assistant chief	do	Shared by 3 other AC's and TS's as needed.
Do	Baltimore Tower	Duties shared by 3 other AC's.
1 team supervisor	do	Controller detailed via SF-52.
1 chief	Morristown Tower	Do.
Do	Teterboro Tower	Assistant chief detailed via SF-52.
1 team supervisor	Rochester Tower	Controller detailed via SF-52 for 60 days.
1 assistant chief	Allentown Tower	Controller on detail as required.
1 team supervisor	Albany Tower	Vacant.
2 assistant chiefs	Elmira Tower	Several details not to exceed 30 days.
1 deputy chief	Buffalo Tower	DSO on detail.
1 chief	Niagara Tower	Buffalo chief assumed double responsibility.
Do	Lewisburg Tower	New facility, not filled yet.
Do	Wilkes-Barre	Assistant chief on detail via SF-52.
ASO—25 vacancies:¹		
1 assistant chief	Melbourne Tower	New position, vacant.
Do	Opa Locka Tower	Rotating controllers.
Do	Louisville Tower	Do.
1 team supervisor	Miami Tower	Filled by a controller.
1 deputy chief	West Palm Beach Tower	New position, vacant.
1 team supervisor	do	Filled by controller.
1 chief	Meridian RATCF	Incumbent in place yet.
1 deputy chief	Atlanta Tower	DSO detailed.
1 assistant chief	Augusta Tower	Incumbent in place yet.
1 deputy chief	Greensboro Tower	Incumbent selected for position.
1 assistant chief	Columbus Tower	EPDS detailed.
1 deputy chief	Nashville Tower	Incumbent in place yet.
1 assistant chief	Tri-City Tower	Controller day-to-day detail.
1 deputy chief	Macon Tower	Vacant, new position.
1 assistant chief	Knoxville Tower	Filled Mar. 11, 1974.
1 chief	St. Croix Tower	ATCS acting.
1 team supervisor	Jacksonville ARGCC	Vacant.
Do	Miami ARTCC	Do.
1 assistant chief	Balboa ARGCC	New position, vacant.
1 deputy chief	Altanta ARTCC	DSO detailed for 120 days.
1 team supervisor	do	ATCS's rotating through position.
1 EPDO	Memphis ARTCC	EPDS detailed for 120 days.
1 assistant chief	do	Team supervisor detailed 90 days.
2 team supervisors	do	ATCS's detailed for less than 30 days.
1 assistant chief	San Juan ARTCC	MLSO detailed for 60 days.
ANE—6 vacancies:		
1 area officer	Boston ARTCC	Incumbent still in place.
1 assistant chief	do	Do.
1 flow controller	do	Do.
1 team supervisor	do	Controller detailed via SF-52.
1 EPDS	do	Vacant.
1 EPDO	do	EPDS detailed to fill, SF-52.
ARM—6 vacancies:²		
1 team supervisor	Colorado Springs Tower	Detail of controller.
Do	Denver ARTCC	Do.
Do	Denver Tower	Do.
1 DSO	do	Do.
1 chief	Missoula Tower	Incumbent in place yet.
Do	Arapahoe Tower	Do.
ANW—1 vacancy:		
1 team supervisor	Seattle ARTCC	Team Supervisor assuming double responsibilities.
AWE—5 vacancies:³		
1 deputy chief	Burbank Tower	Chief doing job.
Do	March RAPCON	OPS Officer detailed.
Do	SFO Tower	Chief doing job.
2 assistant chiefs	do	1 vacant, 1 GS-12 controller detailed for 90 days via SF-52.
AGL—9 vacancies:		
1 assistant chief	Akron Tower	Vacant.
Do	Meigs Tower	Designated controller in charge.
Do	O'Hare Tower	Vacant.
1 team supervisor	do	Do.
Do	Columbus Tower	EPDS filling in for team supervisor.
1 deputy chief	Detroit Metro Tower	Operations officer in position.
1 assistant chief	Evansville Tower	Controller in charge.
Do	Lansing Tower	Do.
Do	Battle Creek Tower	Do.

See footnotes at end of table.

Position	Location	How function being accomplished
ASW—19 vacancies:		
2 assistant chiefs.....	Tyler CS/T.....	Designated controller in charge.
1 assistant chief.....	Texarkana CS/T.....	Vacant.
Do.....	Lafayette Tower.....	Do.
Do.....	Addison Tower.....	Designated controller in charge.
Do.....	Redbird Tower.....	Vacant.
Do.....	Fort Smith Tower.....	Do.
Do.....	San Angelo CS/T.....	Do.
1 chief.....	Farmington CS/T.....	Filled by assistant chief from another facility via SF-52.
Do.....	Pine Bluff Tower.....	Controller detailed as Acting Chief.
Do.....	Roswell Tower.....	FSS Chief acting.
Do.....	Santa Fe CS/T.....	Supervisor detailed from another facility via SF-52.
Do.....	Shreveport RAPCON/Tower.....	Deputy chief acting.
1 team supervisor.....	Fort Worth ARTCC.....	Vacant.
Do.....	Albuquerque ARTCC.....	Controllers detailed for 60 days.
2 team supervisors.....	Houston ARTCC.....	Vacant.
Do.....	Moisant Tower.....	Do.

¹ Previous submission included vacancies in our FSS option. (9) (should not have been included in original submission of 103).

² Since original submission, existing vacancies have changed from 5 to 6.

³ Since original submission, existing vacancies have changed from 2 to 5.

Mr. FORD. Mr. Rousselot touched on something.

The Detroit Metropolitan Airport, is one of the recipients of this tremendous traffic, when they start closing down places like Pittsburgh and Cleveland and New York and everything in between us. It's great for local business. We fill up our motels and truck people into Detroit and everything else, but for short periods of time, and I experienced it myself a couple of weeks ago, all hell breaks loose and just everything that moves is coming in, because we cannot accommodate them for a little bit longer before the weather closes in some other places, and I personally would be kind of concerned the next time that happens.

As a matter of fact, I'm going up there and see what they are doing. I have flown in every kind of aircraft that comes in and out of Detroit Metro. I have had some experience when there are bad weather conditions where it's been very difficult, particularly, for the small planes. I would like to see if you have any anticipatory plan so that when this sort of thing develops, you have some reservoir to call on.

Mr. ROUSSELOT. How would you handle it, now?

Mr. BELANGER. Well, the volume of traffic is reduced or affected by many things. I thought, for example—

Mr. ROUSSELOT. No; I mean where an airport gets the kind of impact where it suddenly is getting the traffic from everywhere else.

Mr. BELANGER. They can only take what we have the capacity to take.

Mr. ROUSSELOT. What do you do, tell them to go land someplace else?

Mr. BELANGER. We have a flow-control system that only permits the number of aircraft into the system that the system can handle.

An example would be O'Hare. As we started to say, O'Hare is limited to 135 operations an hour. That's with four runways at the same time.

If you lose one runway, that 135 figure goes down rather drastically.

Now, that doesn't jeopardize safety because we have metering surface and flow-control techniques that reduce the volume of traffic to the airport.

For example, if we had an epidemic or something, and only 50 percent of the people were available, instead of 135 operations an hour, we're going to have 65 an hour because that's all the system can take. We hold part of the traffic back to the point of departure so the aircraft will not depart.

Mr. FORD. There are some airports that are more likely to have this occur than others because of the nature of the facilities and their locations. Is any preference given to that kind of an operation to see that that's not a place where you have 10 supervisory vacancies at any given time?

Mr. BELANGER. We try to identify the key airports in the system to the best of our ability and make sure that their staffing is not only adequate but has a little buffer in there.

Unfortunately, some of those are also the identical places that people don't like to work.

We have made a lot of progress, particularly in O'Hare. I've talked about O'Hare. We have come a long way at O'Hare.

Mr. ROUSSELOT. Do you mean they don't like to come to work when there is an emergency like that?

Mr. BUTTERFIELD. Because of the pressure of the activity in the most dense air traffic areas these are the most difficult to staff.

Mr. ROUSSELOT. We understand that. Don't you have some kind of extra emergency flow of personnel that you could bring in? I guess what we're asking is, what is your plan for the airports? For instance, in my area, if Los Angeles gets fogged in, you route them into Ontario. What is done to beef up the Ontario capability to handle it? That's what I am asking.

Mr. BUTTERFIELD. That's what Mr. Belanger is saying, that we have already pinpointed those areas which may require beefing up from time to time; and of course we try to put a cushion in there of an extra number of controllers, but doing that is difficult.

Mr. ROUSSELOT. Do you have a plan for establishing this cushion and making sure that it's checked occasionally to see that you are able to put it in being if this kind of thing occurs?

Mr. BELANGER. Our options aren't as free as they might be in the military. You don't tell one to go and serve any certain area. He has the right to say that he doesn't choose to go and that he would like to remain where he is.

Now, you have a history. There was a pattern that says I frequently experience additional workloads. It's covered in our staffing standard, and how we go about developing our staffing in the first place on the peak days and, basically, the busy hours.

In other words, you don't staff for the average hour. You staff for the peaks, so if Ontario has a history of peaks or Detroit has a history of peaks, the staffing level we provided and should have a buffer that would permit expansion.

If the buffer isn't there on a given day, and you can't call in overtime, you reduce the flow of traffic commensurate with the number of people who are available.

Mr. BUTTERFIELD. And, I would say, obviously, when the wind at Los Angeles is off the sea and strong, and suspect we'll have to use Ontario, as an alternate for Los Angeles International, this is taken into consideration. In other words, the Los Angeles-Ontario tower situation is one we have experience with.

Mr. BELANGER. We haven't experienced any difficulties in these areas.

Mr. FORD. Well, our looking back at our hearings from last February when we were given figures for about 8 or 10 major airports, at that time, Chicago had authorized controller strength of 565. Only 252 of them were journeymen controllers; 313 of them were so-called development personnel.

That, at that time, was being cited by a number of people as an indication that we were not disbursing these people in the way that's safe.

What I am asking is what you have done in the way of a plan to try to keep a place like Chicago at a personnel level better than that.

Now, I know that Detroit got only 72 authorized and 53 of them were journeymen and only 16 were development personnel. New York had only 32 developmental personnel, so there is a question why would Chicago have more people in training than journeymen, while these other major airports were on the other side?

Is it because people don't want to work in Chicago?

Mr. BELANGER. That's right. I am from Chicago, and I don't understand it. But that is true. It's absolutely correct that we have difficulty in retaining people at Chicago.

You know, it's a big country and there are more desirable places to work from the climate standpoint, the cost-of-living standpoint, and the pressure standpoint.

The figure you are reciting in Chicago is the center figure, not the tower figure, and that picture is steadily improving.

Now, the ratio of developmentals in the centers is higher than the ratio of developmentals in the towers, mainly because of the training period in most of the centers is longer than most of the towers.

I don't know about O'Hare tower or Detroit tower, but the period is longer.

Large numbers of people were brought on board in 1970 and 1971. These are large inputs, and it takes $3\frac{1}{2}$ to 4 years to get them trained.

These people are coming off the production line right now, and our ratios are improving rather dramatically, almost on a monthly basis.

Mr. DANIELS. Mr. Rousselot?

Mr. ROUSSELOT. When we went to these towers last year—and I went to some others on my own—we found a major complaint of the chiefs was understaffed positions. They claim that they have really been banging at this for a long time in their recommendations. It appeared to me to be a substantial enough complaint, and I want to see what progress you had made. They clearly were short handed on controllers and supervisors. And, though it's commendable to try to give other personnel a chance to try their hand at that kind of thing, it also seemed that it would occur at a time when they would suddenly have peak loads coming on.

What have you done to change that, and what is the situation now in the towers on this subject?

Mr. BUTTERFIELD. Well, other than what was said before, that we have taken care of most of our imbalances and have only 103 supervisory slots vacant at the moment, and those only on a temporary basis, I can't give you any other really precise figures.

Mr. BELANGER. Well, since this time last year, we have 548 additional controllers in the tower, and I feel our balance is pretty good.

I think we're in a reasonable posture.

Mr. ROUSSELOT. What about in the supervisor category?

Mr. BELANGER. That's true of the supervisors, where only 103 vacancies exist out of 3,400.

When we were checking we assumed that we would be asked about this, and we're a little bit surprised that we're in that good a shape, and all these are in the process of being filled.

Mr. ROUSSELOT. But we found in some occasions, that you list a person as a supervisor, and he might be, for some reason, incapacitated or disabled, so that the figure of the number available to the chief isn't that reliable when you get right down to it.

It's like our unemployment figures. We list all the students that have gone to college as unemployed, sometimes. I'm not sure that the figures, in all occasions, are realistic for that chief as a reservoir of people to call on for supervisors. They would tell us frankly that they just couldn't get that through to their regional personnel. Or the regional personnel would tell us that they had trouble convincing Washington that, realistically, you have to have listed a few more.

Now, does that make sense?

Mr. BUTTERFIELD. That makes sense, and you are correct. We cannot vouch for the fact that we are covered in all instances.

Mr. ROUSSELOT. This really relates to safety, and the ability to bring aircraft in and out. It's highly critical—at least as I saw it, and I don't pretend to be an expert—that your supervisory people become highly critical in these real pressure times. And for instance, in the Pittsburgh incident, there were seven supervisors who were unable to perform any duties and the chief really was under the gun.

Have you really looked into how to handle that problem and to give a greater availability of personnel to a chief? I don't mean just to overstaff. I appreciate your trying to prevent a bureaucratic malaise from growth, but, when we're talking about the factor of safety that you are charged with; how do we overcome it?

Mr. BELANGER. If we encounter a situation at Pittsburgh—the total number of supervisors in the tower in Pittsburgh would normally be somewhere in the 9 to 11 range—7 disabilities at one time would be a rather dramatic number, and the tower chief would, indeed, have a problem on his hands.

Mr. ROUSSELOT. I want to emphasize that I am very sympathetic to the problem you have of trying to keep bureaucracy from unnatural growth. However, in this area where we're dealing with the safety of so many planes; how do we answer that?

Mr. BELANGER. Well, if we're talking about the shortages—

Mr. ROUSSELOT. I'm talking about the supervisory—

Mr. BELANGER. All right. The supervisory. I think that we have a tremendously large number of talented controllers out there that we are able to draw on. They're closer to the operations and can fill in in the capacity of a supervisor as far as performing a technical task, and that there is a good reservoir at every facility to draw on in this area.

So, using that reservoir, the availability is there on a day-to-day basis and an hour-to-hour basis.

The question then is, once you tap the controller to move him into the supervisor's range on a temporary basis, then how do you backfill them; that's the taxing problem.

I think that the talent is there, the capability is there. The young men are bright. They're capable and they're ambitious and energetic, and in fact, you would find that they would like us to have more supervisors because they're interested in getting promoted, I'm happy to say.

Mr. ROUSSELOT. Again, sir, I'm very sympathetic to your responsibilities to try to correct against overgrowth.

However, in the towers we have visited, the chiefs tell us that the supervisor levels were not always realistic and there wasn't a constant current monitoring of his real problem to deal with bringing capable people into the pipeline to become supervisors and controllers. I just wondered if you are really giving the regional authority the ability to really move—once he has proved himself not to be an empire builder—on that kind of a problem, especially in these areas that have been described.

Mr. BELANGER. Well, I can only repeat, I think our ratios now are very good—there might be a difference of opinion between some of us and the numbers required.

We do have a national guideline which says these are the numbers of supervisors that you should have in proportion to the job you are doing and to the number of people.

That applies to both centers and towers. We believe in the team concept. We believe that everybody on the team should be together, live together, and work together and we do prescribe that they will rotate together and go that way.

So, we do have a national order. We found that our ratio of supervisors was one supervisor for 2.2 controllers.

Now, this seems a little excessive. In fact, it was very excessive.

Mr. ROUSSELOT. Maybe in some cases it was necessary where it is critical.

Mr. BELANGER. All right. We set a national standard for the level of facilities, the number of controllers, and the relationship, and we said if it doesn't fit, you come in and we'll give you a waiver, and we must have 15 or 20 waivers, at least 20 waivers out in order.

No rule fits every situation.

Mr. DANIELS. Mr. Butterfield, the basic object of your agency is air safety. It would appear to me that in order to promote air safety to a satisfactory degree, it's necessary also to have employee morale.

Now, in looking at the report that emanates, I believe, from your agency which shows that, at 14 major FCC facilities, as of March 5, 1974, 20 employees were detailed, 1 at Chicago tower, 9 at Houston center, 3 at Miami center, and 3 more at New York common IFR.

I don't know what IFR means. You might explain that to me.

Now, of this number, none were temporarily promoted. Now, can you explain how you detailed 20 men at these major centers and towers and why these men have not been temporarily promoted?

Mr. BUTTERFIELD. I personally cannot explain it. It would depend upon the length of time they were detailed. It would depend also upon the opinion of the regional director, or the other supervisors who were acting in the name of the regional director in those locations.

I'm aware of these numbers of detailees, but not why they are not receiving the increased grade, despite my policy memorandum.

It could be that Mr. Weithoner can add to that, but I would explain that the common IFR room is simply the radar room. It's just below the tower, and that is where the radar sets are located which are used to bring the aircraft in to within the visual sight of the CAB controllers.

This is called the common IFR room. But let me ask Mr. Weithoner to pick up where I left off.

Mr. WEITHONER. We would have to go to the individual facilities to get the background on each of these.

Mr. DANIELS. Have you looked into these cases, though? Now, this happened here rather recently. It was on March 5 of this year. It's only a few days ago.

Mr. BUTTERFIELD. No; we haven't, but I will.

Mr. DANIELS. Would you submit a report on this to the committee?

Mr. BUTTERFIELD. I will, indeed.

[The following response was furnished:]

NUMBER OF PEOPLE ON DETAIL OR TEMPORARY PROMOTION

[As of Mar. 5, 1974]

Facility	Detail	Temporary promotion	Notes
Houston tower	0	0	
Chicago (ORD) tower ¹	1	0	DSS to DSO.
Kennedy tower ²	4	0	
New York common IFR ³	3	0	
Kansas City tower	0	0	
Kansas tower (international)	0	0	Unable to contact.
Miami tower (DCA) tower	0	0	
Houston ARTCC ⁴	9	0	More than 3 days, normally short details.
Chicago ARTCC	0	1	Additional identical.
Los Angeles ARTCC	0	0	
Oakland ARTCC	0	1	Not attended Lawton yet.
Kansas ARTCC	0	0	
Miami ARTCC ⁵	3	0	
Washington ARTCC	0	0	

¹ A data systems specialist has been detailed into the data systems officer position for the past 60 days. A new data systems officer has been selected and will report for duty on Apr. 28, 1974.

² One controller has been detailed to cover an assistant chief who is attending 3 weeks of supervisory training at the Management Training School, Lawton, Okla. In addition, 3 controllers serve in supervisory positions for short periods of time to back up an absent assistant chief. An assistant chief can be absent for a variety of reasons including sick leave, annual leave, or administrative projects. Kennedy tower in some cases uses controller personnel in a supervisory capacity on the midwatch when assistant chiefs are detailed to other duties. Details never exceed 120 days.

³ At the New York CTRR details are used to cover relatively short periods of supervisory absence. In New York 1 controller is now detailed to a supervisory position to back up a supervisor attending the Management Training School, Lawton, Okla. One team supervisor is detailed to back up an assistant chief working on a major project in the eastern regional office and this team supervisor is being backed up by a controller detailed into the team supervisor vacancy. One team supervisor is detailed to back up an assistant chief participating in a major project.

⁴ Two team supervisors are medically disqualified. These jobs are advertised. Two controllers are detailed to backfill these individuals and details are expected to last less than 30 days. Four people were just selected for supervisory positions. These 4 are now attending Management Training School at Lawton, Okla. During their absence, 4 controllers are serving as acting team supervisors. They will serve in this acting capacity not more than 3 weeks. Houston Center uses acting team supervisors whenever the actual team supervisor is absent. These assignments are for very short periods of time, normally less than 2 weeks with the maximum being 4 weeks. Three controllers are involved and are serving in an active capacity.

⁵ Two controllers are now serving as acting team supervisors due to team supervisors being medically disqualified. One controller is detailed to a flow control position due to a flow controller being temporarily medically disqualified. This detail to the flow control position does not always involve the same person but is rotated.

Note: Most details are short lived, normally 30 days or less. There are instances where details last longer but these occurrences are infrequent. A temporary promotion for a detail of less than 30 days is not considered appropriate.

Mr. ROUSSELOT. Mr. Belanger, I want to be sure I understood you on your comment of $2\frac{1}{2}$ to 1. I understand you have 16,000 controllers and 3,500 supervisors. That's roughly 4 to 1.

Mr. BELANGER. This is before we put out the order on ratios, and this was going back to describe what the situation was before we put a Washington control on it.

That goes back about 2 years or so.

Mr. ROUSSELOT. Is the ratio now 4 to 1?

Mr. BELANGER. Those figures you cite here are correct.

Mr. ROUSSELOT. When you have a highly intensified airport that's taking air traffic abnormally, do you change that ratio or do they have the percentages? I guess that's what the chief from the tower was telling us. He doesn't want to be stuck with the inability to provide adequate capability to handle the input that's being given to him of air traffic because of emergency conditions.

Mr. BELANGER. He does not have the authority to change the ratio himself. Otherwise, we would have no control, but particularly, in the high density places, anybody that can make a reasonable point, we're rather open with the provisions of raises, and I would cite the New York Common IFR Room, which we just talked about a minute ago.

They were authorized nine supervisors. They came in with a request asking for 14, with good justification, and we gave them the 14.

That's first-level supervisors, in addition they have 7 second-level supervisors for a total of 21.

Mr. DANIELS. Thank you, gentlemen.

The hearing will be reconvened at 10 o'clock tomorrow morning, at which time we will hear from the witnesses from PATCO.

[Whereupon, at 12 noon, the hearing was adjourned, to resume on Tuesday, March 12, 1974, at 10 a.m.]

VACANCIES IN THE AIR TRAFFIC CONTROLLER WORK FORCE AND H.R. 7416 AND H.R. 7417

TUESDAY, MARCH 12, 1974

U.S. HOUSE OF REPRESENTATIVES,
SPECIAL AD HOC SUBCOMMITTEE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The ad hoc subcommittee met at 10:10 a.m., in room 210 of the Cannon House Office Building, Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Mr. DULSKI. The subcommittee today continues its hearings on H.R. 7417. Also under consideration are the vacancies in the Air Traffic Controller work force and the implementation of Public Law 92-297.

We welcome John Leyden, president of the Professional Air Traffic Controllers Organization.

Mr. Leyden, it is always a pleasure to have you before the committee. I ask that you introduce the members of your staff to the committee.

STATEMENT OF JOHN F. LEYDEN, PRESIDENT, PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION, ACCOMPANIED BY ROBERT E. POLI, NATIONAL VICE PRESIDENT; JOHN LAPINE, EASTERN REGIONAL VICE PRESIDENT, AND CARL VAUGHN, PITTSBURGH TERMINAL FACILITY, NATIONAL NEGOTIATOR AND AUTHOR, PATCO ASSIGNMENT ABOVE GRADE REPORT

Mr. LEYDEN. On my far right is Mr. John Lapine, our eastern regional vice president; on my right is Mr. Robert Poli, our national vice president, and on my left is Mr. Carl Vaughn, of the Pittsburgh terminal facility, which your committee visited last year. I think Mr. Hillis and Mr. Rousselot visited that facility earlier this year.

Mr. DULSKI. I welcome you gentlemen this morning. You may present your statement to the committee at this time, Mr. Leyden.

Mr. LEYDEN. Mr. Chairman, it is my pleasure to appear before this committee again. I am firmly convinced that because of your understanding and the attention that you devoted to the problems that we presented to this committee last year that FAA has moved to close the gap which existed last year between the number of controllers necessary to run the system and those actually on board. Your committee's past response to the other problems of this Nation's air traffic controllers has the sincere appreciation of all of the controllers that PATCO represents.

Public Law 92-297 was the first light offered at the end of the tunnel for those controllers who gave the best years of their lives to a profession and when severed from FAA had no alternate means of livelihood. We sincerely believe that because of this committee's concern we have made substantial headway in the long battle to end the many injustices which have been perpetrated upon the controller ranks by the Federal Aviation Administration—be they acts of omission or commission.

The evidence which was displayed by PATCO at the hearings last year was confirmed by later visits to some terminal and en route facilities by members of this committee. It became painfully evident that FAA had indeed created either by design or through unknowing policy a severe shortage in the ranks of controllers at this Nation's air traffic control facilities, and that shortage posed a direct threat to the safety of this Nation's flying public.

I would like to address myself first to H.R. 7416. I am convinced that when Public Law 92-297 was enacted that legislation, through oversight, did not include a provision for the payment to the employee's selected designee on the Board of Review which handles appeals by controllers who face involuntary retirement.

The Board of Review, as you know, is tripartite, composed of a person designated by the controller, a representative of the Department of Transportation and a representative of the Civil Service Commission. It is the responsibility of this Board to make a final and binding decision on whether to support, or rescind, the determination by the Secretary of Transportation that the controller should be involuntarily separated from the service.

This is a task requiring considerable concern on the part of the members of the Board of Review. They, in effect, are sitting as an appeals court in a matter that will determine the controller's future working career. The case is certain to be critical, and controversial, since the Board is empowered to act only on a written appeal from the controller for reconsideration of the Secretary's decision that the controller should be involuntarily separated from the service.

As Public Law 92-297 establishing the Board of Review states, this procedure "is the sole and exclusive administrative remedy available to a controller within the Department of Transportation." Obviously, the procedures of the board should be substantive and thorough.

Whoever the controller chooses as his designated member of the Board, it would seem to be in the best interest of not only the employee but of the agency that that individual who is selected be free to devote whatever time is required until the review is completed. Understandably, this procedure is time consuming and may require a compilation of lengthy and extensive material.

Since the Review Board procedure is not the type of hearing normally found in an adverse action or an appeals hearing, the question of the type of representation and the obligation placed on that representative differs. It seems unfair, but the possibility exists, that other members whom we are obligated to represent might be penalized if one of our regional representatives were removed from his elected position and responsibilities for any period of time to serve as the controller designated member on a Review Board.

There are still many questions from our membership about the legislation and how it is being implemented by FAA. We certainly feel

that FAA still has a long way to go in fully apprising all of its employees of their rights and benefits under Public Law 92-297. Since this is critical legislation for all controllers, and is designed specifically to assist controllers whose careers are being terminated, we feel more emphasis should be placed on educating all controllers of their rights under this law.

In prior investigations, and in previous hearings before this committee, there has been developed an extensive record on the physiological and psychological stress that controllers face on the job. The so-called Corson report, issued in 1970, spelled out the problem: It said then:

A major cause of dissatisfaction among the controller work force is the deep seated and widely held belief that most individuals will be physically unable to continue to control air traffic—even while physically able to perform other kinds of work—well before they will have qualified under prevailing provisions for retirement. The phenomenon, referred to as burn out, is believed to affect controllers at ages ranging from as low as 40 up to 50 years of age. Few individuals intimately familiar with this profession challenge it.

As we proceed under this legislation and as we gain new experience, more controllers will be utilizing the Board of Review procedure. This legislation, H.R. 7416, would guarantee that the employee is afforded the full protection of the law as was intended when it was drafted by the House Post Office and Civil Service Committee. Under present policy, the two members of the Board are reimbursed by their employer; the other, the employee's representative, is not compensated.

It is true that our union, PATCO, is vitally interested in assuring that all controllers receive full and effective representation. But this is a responsibility that should properly fall on those who are responsible for the Board's procedures.

The legislation asks nothing beyond the standard reimbursement procedures—

Pay at a rate equal to the daily equivalent of the maximum annual rate of basic pay currently paid * * * for individuals employed intermittently in the Government service as experts or consultants and paid on a daily, when actually employed, basis.

Without the benefits of this legislation, the controller could be forced to pay for representation on the Board of Review out of his own pocket. This raises the obvious implication that he may not receive the representation that the law affords him, because he cannot pay the representative's costs.

This is noncontroversial legislation. But it is critical to the controller who seeks to utilize the processes established by law and which are binding upon him and his future career. It is legislation that we hope will be quickly made into law.

With reference to H.R. 7417, I would like at the outset to point out that last year we provided evidence that indeed there were controller shortages in many of the centers and terminals in the United States. In spite of the pressure generated by this committee, we have not completely resolved that critical problem.

H.R. 7417 addresses itself to one specific area where a demonstrable deficiency in staffing still exists in the air traffic control system in both centers and terminals. We offer as a supplement to our testimony the staffing figures which we obtained from 81 facilities. Additionally, we are offering as part of the record FAA's own figures for that

period. These figures were current as of July 1973 and show specific examples of assignment above grade in every type of facility within the FAA structure.

[The two items of information referred to were retained in the files of the subcommittee.]

The problem we had in obtaining these figures still exists today, in that many facilities do not know what is required staffing or minimum staffing for a particular facility. PATCO, as well as many FAA managers, including facility chiefs, would like to know exactly what those figures are for a specific facility.

The reasons for above-grade assignments are many and varied and include, but are not limited to, the following: (1) Some facilities have no authorized supervisory staff; (2) supervisors are on extended sick leave; (3) supervisors are detailed to other supervisory or administrative positions requiring filling in behind them by controllers; (4) an improper ratio of controllers to supervisors; (5) supervisors do not work midshifts (12 p.m. to 8 a.m.); (6) supervisors do not work weekends; (7) supervisors on annual or vacation leave have to be backed up by controllers.

Since PATCO is assigned the responsibility of representing the interests of all the air traffic controllers of this Nation, it seems clearly inequitable to us that almost without exception our employees are constantly called to accept greater responsibilities associated with supervisory work without being paid for handling that extra responsibility.

We firmly believe in the old adage—equal pay for equal work—and we believe that that tradition should be upheld even though we are Federal employees. FAA has stood adamantly against what we believe to be a fair and logical approach to this subject.

A year ago an understanding was reached at the bargaining table in negotiations between FAA/DOT and PATCO that called for a survey to ascertain the prevalence of this practice of requiring controllers to work supervisory positions at air traffic control facilities. The results clearly show this is a common day to day practice. FAA has continued this practice to circumvent the responsibility of filling these positions on a permanent basis. Some of these positions become empty for a few hours, some for complete shifts, and even some for weeks, months, and, yes, even years. In some instances controllers are occupying supervisory positions at installations for more than half of their assigned duty time.

Under FAA policy, substitutions are required on a frequent basis. At some facilities, supervisory personnel are in short supply and entire shifts in many facilities are without supervisory personnel available. Controllers who are regularly assigned and paid to handle the flow of traffic are also required to fill in these supervisory slots. In effect, they are doing double duty and not receiving just compensation.

At many facilities the supervisory position is two grades higher than the controller position. An example of this is when radar is installed at a level II terminal the supervisory positions are upgraded to GS-13 but the controllers remain at GS-11. They are then required to work two grades above their position in an acting role, but when a supervisory vacancy occurs the controller is prohibited by agency regulation to even bid on the job. Therefore, it is impossible for that controller to be promoted within his own facility.

The FAA circumvents not only the spirit of these regulations which attempt to inhibit the indiscriminate temporary assignment to a higher job. The prevailing practice in many facilities is the assignment on a daily basis of controllers to fill the supervisory positions and therefore they are never obligated to issue temporary orders to any one individual to fill open vacancies.

Supervisors at air traffic control facilities make hundreds of temporary assignments for shorter periods, under 30 days, which do not require written orders. On those assignments of 30 to 120 days, it does issue orders in writing, frequently for the full 120 days. Then, that controller is removed from the supervisory post and another put in his place. And there is no upgrading of the controller.

FAA candidly admits that the assignment to temporary supervisory positions is a common practice. PATCO furnished FAA with extensive data to document our contention that this was a prevalent practice within FAA. FAA's follow-up to our findings specifically eliminated any request from field facilities for information relating to temporary supervisory assignments of 8 hours or less. This, in effect, deliberately misrepresents reports submitted by facilities on temporary assignments above grade. But our report, the summary of which we are submitting here today, shows clearly just how prevalent, and therefore illegal and unethical, this practice has become.

In more than 180 facilities responding to our survey, virtually all facilities reported extensive temporary assignment of controllers. The magnitude of this inequity can hardly be described as intermittent, infrequent, or temporary. Nor are they the "brief periods" which CSC dictates as the only appropriate period for temporary assignments, "unless there are compelling reasons for doing so." And that is from the civil service rights. And then a promotion should be given, under Commission regulations.

There are many precedents to support PATCO's position that controllers assigned to higher rated jobs should be paid at the higher rate while performing that job. As most of you who have served on this committee are aware, the Postal Service provides for full pay for any employee serving any period of time outside of his job description.

The current agreement between the U.S. Postal Service and the respective postal unions contains this clause: "An employee, except a rural carrier, who is detailed to a higher level work shall be paid at the higher level rate actually spent on the job. An employee's higher level rate shall be determined as if he were promoted to that position."

While the contract suggests a written order for management on the higher assignment, it adds, "The failure of management to give a written order is not grounds for denial of higher level pay if the employee was otherwise directed to perform the duties."

There are standard contract clauses in many of the white collar professions in the private sector. But, as you are well aware, FAA, like most bureaucratic agencies, responds only when outside pressure is generated. They have and will continue to honor and respect the "sentiments of the Congress" when you draft legislation affording us the same rights as nongovernment employees.

Pursuing this matter in contract discussions with FAA, agency management personnel have raised old, familiar and unconvincing

arguments why controllers should not be paid at supervisory levels if they perform supervisory duties. They still contend that temporary assignments to supervisory positions are considered on-the-job training despite the fact that their new manual omits this as a factor.

Members of this committee, I believe, there are sufficient precedents in both the private and the public sector to ask for your support of this vital legislation. We are certain that if this legislation is enacted into law, FAA, when faced with the requirement of paying a fair day's wage for a fair day's work, will undoubtedly reflect on its present practice of indiscriminate assignment of controllers to varied positions.

What we seek here is nothing more than equity for the controllers we represent. Passage of this legislation will assure that the air traffic controllers of this Nation are fairly rewarded for the extra duties they are now required to perform.

Mr. Chairman, I would be happy to respond to any questions that you might have pertaining to our formal presentation.

Mr. DULSKI. Thank you, very much. The statement that you have submitted brings up quite a few questions.

In its report on H.R. 7416, the Civil Service Commission states that—

We are opposed to enactment of H.R. 7416. We do not believe that a nongovernment person designated by an air traffic controller to serve as a member of this board should be compensated by the Government. It is our opinion that the person so designated by the controller represents his interests at the Board meeting. Therefore, it is considered most inappropriate for the Government to compensate such a person. The Government does not otherwise compensate a person selected by an employee to present his case in an adverse action or court proceeding.

Do you wish to comment on this position?

Mr. LEYDEN. I take exception to the position that civil service has just indicated. First of all, it is not an adverse action or a hearing as they refer to it, or what we commonly would consider the type which requires representation by a union official. We consider that when this committee formulated this group, it was a tripartite Board, considering an appeal by the controller that affects his career. It is the responsibility of the Board to make the decision, the total Board, taking into consideration not only the requirements of the Service, but the needs of the employee. So, I think he has more than just a specific interest in the employee when he sits on this Board.

I think the gentleman on my extreme right, Mr. Lapine, served as a representative of a controller on a board and he can speak to that.

Mr. LAPINE. Mr. Chairman, my name is John Lapine. I am the eastern region vice president of PATCO, and I had the honor and privilege to serve on the first board convened under this public law here in Washington. It pertained to a case from Alaska, and my distinct impression of the intent of the legislation was that my role on this tripartite board was that strictly of a neutral as far as the employee representative being selected to sit there who was to be an impartial, neutral individual to weigh the evidence presented.

I was in fact, contrary to the statement you have before you from the Civil Service Commission, reimbursed for actual expenses as far as transportation to the Washington area, and as far as overnight accommodations for participation. There was money available in that area.

As an employee organization representative not reimbursed for my time or salary, I represent an area and region with some 73 air traffic control facilities and 2,500-plus members who on a daily basis are in need of my services and continuous contact with FAA and other governmental agencies.

So to become involved in this particular thing, they are being denied their vice president, and I do feel that, contrary to the CSC position, some type of remuneration should be given to the employee representative.

I considered my role sitting on that Board as strictly a neutral member of that panel, the 3-member panel, to hear the evidence, hear the factfinders' recommendations of the appellant's claim, and to make a decision based on that material presented before us.

Thank you.

Mr. DULSKI. During the time that you occupied a position on the Board of Review, how many cases did you hear?

Mr. LAPINE. Just one case, Mr. Chairman.

Mr. DULSKI. Is the controller entitled to representation before the Board of Review by other than the designee?

Mr. LAPINE. Yes, he is, and that is another area which the legislation does not address itself to. That is a fact that in this particular case I sat on, the appellant was from the State of Alaska, and it was impossible financially for him to make an appearance before this review with a representative of his choosing to defend his position.

Mr. DULSKI. Mr. Leyden, yesterday the FAA Administrator, Mr. Butterfield, testified that there were only 102 supervisory vacancies. This is a very small number. Does this coincide with the figures you have?

Mr. LEYDEN. No, that is consistent with the position they stated last year when they stated there was no shortage in the system. I think your committee found to the contrary when they went to the field. I think based on last year's figures that they supplied you that the number 102 may be accurate, but I think if they brought the staffing up to the required levels, it would be a substantially higher level than 102.

Mr. DULSKI. Can an air traffic controller be assigned to a job more than one grade above his present duties?

Mr. LEYDEN. Yes, Mr. Chairman. As a matter of fact, that is the practice in many of the terminals, and as I indicated, in my testimony, it seems to be doubly inequitable for the individual who is involved in that situation, because he is assigned on a regular basis to act as supervisor, and a GS-11 will assume the duties of a GS-13, when a vacancy comes about in that GS-13 position, the gentleman who has been working in that position is not eligible to bid on it.

I think Mr. Vaughn has experience in that area that he can relate.

Mr. VAUGHN. In the report that you have in front of you, there are documented cases. In a period of time, October 14th last year to November 10, 320 hours out of a possible 672 hours at Newark Tower—a GS-12 was filling in and doing the duties of a GS-14. That is also prevalent in many level two facilities such as John cited the example of a GS-11 acting in a GS-13 capacity.

Mr. DULSKI. Mr. Leyden, could a controller obtain union representation when he is in an assignment above his grade?

Mr. LEYDEN. I wish we could answer that question for you directly.

We posed that question to FAA on the existing executive order, when an individual assumes a supervisory position, he loses the protection afforded him by the union.

He assumes the position, is not paid for it, and loses the protection of the union. He is not afforded any protection under the executive order while he is working in that temporary position.

Mr. DULSKI. The Chair will recognize the gentleman from California, Mr. Rousselot, at this time.

Mr. ROUSSELOT. Thank you, Mr. Chairman. Mr. Leyden, prior to your appearance here last February you put out a news release to the effect that the controller situation was so bad that we could have the beginning of a blood bath in the skies and that the controller facilities had become criminally short-handed. You and I had quite a discussion about that at your previous appearance. A year has passed since that time. Would you care to comment further on your concern?

Mr. LEYDEN. Yes, Mr. Rousselot, I would like to, and first I would like to say that last year's statement by me was sincere. Perhaps the way I phrased my language may have led you to take exception to it. I did think the system was critically shorthanded and that we were reaching a dangerous level as far as the safety of the system is concerned.

Mr. ROUSSELOT. Has that changed?

Mr. LEYDEN. Yes, and to respond further to your question, it is only because this committee took this on themselves to go out and force the agency to open up the hiring practices. I am convinced we would have been before the committee again this year with the same statements if the committee had not taken action. All you have to do is follow the facilities that the committee viewed and look at the action that took place afterwards.

Mr. ROUSSELOT. I think it is important for members of the committee to go into the field and see what the actual conditions are. I am glad I took the time to go. It was helpful to several of us to have that kind of insight, and we were probably very much prompted by you and your organization to do so.

Do you believe that we are criminally shorthanded now?

Mr. LEYDEN. Not now. I think there have been gains in closing the gap. It is not all we would like. I think there is still room for improvement to bring the staffing up to what we would consider essential to give us the provisions and other protections and safeguards which were recommended by the Corson committee. We are in a much better posture than we were at this same time last year.

Mr. ROUSSELOT. So, in your judgment, safety is not being compromised?

Mr. LEYDEN. No; it is not.

Mr. ROUSSELOT. One of the major arguments that was advanced in favor of the second career ladder which we enacted in the 92d Congress was the stressful nature of the air traffic controller's occupation.

Upon visiting the various centers and towers, we got the impression that there was pretty good new technological advances coming onstream, and that automated equipment that was in fact being installed slowly but surely throughout the country made the day-to-day work of the controller a little less stressful because it was more

accurate and gave him a greater capability to make judgments, and removed some of the hazy areas. Do you want to comment on that?

Mr. LEYDEN. I would like to. I think Mr. Belanger and Mr. Butterfield said it well yesterday, and I would concur in their observations, that although the automation has removed the details and housekeeping chores of the controller by identifying the targets, hopefully it will be a success when we get the new center radar, it has not removed the critical stressful pressures that are created by the decisionmaking function of the controller.

We are still a decade away from that. That is where the pressure is generated, the decisions made by the controller.

Automation has not made a dent in that yet. Those are the decisions that create the stress and the pressure on the controller. Automation has not appreciably relieved that particular area. It has taken care of the housekeeping, the writing that is associated with it, so that he can spend more time separating his traffic. But we are a long way from removing the pressures on the controller which result from his making the decisions.

I think the FAA acknowledges that.

Mr. ROUSSELOT. I have the impression, from talking to these controllers, that where the more modern equipment was available the previous "hazy areas" of decisionmaking had been partially or substantially eliminated. He was able to make better decisions as a result of new equipment. Now, did we get the wrong impression?

Mr. LEYDEN. Let me say, in contrast to working World War II radar off the battleships as we did up to 4 years ago, anything would have been an improvement, so it is true to say we are in a better position than we were 4 years ago, with respect to new radar. It has improved and allowed the individual to spend more time now concentrating on his primary responsibilities of separating traffic.

Mr. ROUSSELOT. In your statement, and I have not reviewed it that carefully, have you stated those areas where we need additional improvement in the field of technology?

Mr. LEYDEN. I have not, Mr. Rousselet, and I was not certain whether it would be this committee's function.

Mr. ROUSSELOT. We have been told that sometimes there is too great a stress on individuals to make this kind of decision, and therefore perhaps they need to be relieved more often and so on. Can we have a list from you of those areas that need improvement?

Mr. LEYDEN. Yes.

We have been working internally with FAA to try to correct what we consider a problem now that we think is being forced on the controller in the field. There is new radar which is supposed to go into the major en route centers around the country. I am convinced that FAA has advised Mr. Brooks' committee, Government Operations, that they are going to deliver this system sometime this year.

PATCO's feedback from our representatives in the field indicates that this equipment is not ready to go operational, and in fact it is unsafe if they cut over now to the new equipment. We are better off utilizing the old type of radar until we get the bugs out of this system.

Mr. ROUSSELOT. What is the new system called?

Mr. LEYDEN. RDP, digitized radar. I can give you an update on that, but so far we are satisfied that the agency originally put back

the cutoff dates. They were supposed to cut off in Los Angeles and Kansas City on the 4th of March. We told them we were not able to convert to the new type of radar, and they pushed the dates back.

I am sure there is external pressure being applied to these facilities to deliver the equipment this year. I think they have to get additional appropriations and they have to report back to the committee that they have delivered a partial system.

Mr. ROUSSELOT. In the centers in Los Angeles and Kansas City—

Mr. LEYDEN. In the centers, that is right.

Mr. ROUSSELOT. Has the input been strong enough so that the agency evidently is taking count of the concerns?

Mr. LEYDEN. Yes, sir. We felt so strongly about it that we called a safety committee meeting in Chicago, this organization did, and funded it, and we brought in the facility presidents of the top 10 centers that were going to convert this year, and we brought an automation specialist in, and listed the problem areas they gave us feedback on.

We made a presentation to the administrator and we convinced them that contrary to the reports they were getting from the field, the system was not ready to go operational.

Mr. ROUSSELOT. Does this new equipment reduce the number of personnel, and could the accusation be made that you are just afraid of automation?

Mr. LEYDEN. No; it will not reduce the number of people necessary to work the system.

Mr. ROUSSELOT. When we look at the civil service generally, with its many, many classifications, occupations, and specialties, it appears that the air traffic controllers, because of the conditions that prevail, have very clearly been singled out to have special status and benefits that are not available to other Federal employees who might claim they are similar.

As an example, your overtime compensation is sometimes higher. How can we make sure that we don't become pressured into making other groups recipients of special status and so forth?

Mr. LEYDEN. I think you probably addressed yourself to it, and when I say you I mean members of the committee and the House, when acknowledging that we are a unique group and identifying it as such by providing us with special retirement provisions.

So I think it is an acknowledged fact by even the other Government employee unions that the air traffic controller is set apart. I think the work dictates that he get some special consideration, and fortunately most members of Congress have a specific involvement in day-to-day traveling around the country in an airplane and are concerned about what happens.

Mr. ROUSSELOT. We have several pilots, too, and they have a special appreciation.

When you establish this special status, then the other groups within the framework of the Federal Government say, "Well, they have this special status, and therefore we need it."

Mr. LEYDEN. I think again we will stand on the record of this organization as far as making responsible positions and reasonable demands or requests of the Agency and of the Congress. I don't think that what we are asking for in the legislation before you today is

something that does not have precedent and has not been established for other Federal employees.

It is not something that we are asking for an exception. We think the Agency has a prevailing practice, they are using controllers outside of their job descriptions. We are asking them to fill those spots and make the system run more efficiently and more effectively.

Mr. ROUSSELOT. Thank you.

Mr. DULSKI. Mr. Collins?

Mr. COLLINS. Thank you, Mr. Chairman.

Mr. Leyden, I reviewed these remarks that you have made which are very comprehensive, and I had two or three questions that I wanted to go over with you. One of them, particularly over here, you said that a supervisor could not be promoted on the same basis. That seems like a strange ruling. What kind of a ruling is that?

Mr. LEYDEN. I am not certain I understand you, Congressman.

Mr. COLLINS. It says when a supervisory vacancy occurs that the controller is forbidden to bid on the job.

Mr. LEYDEN. Yes. In the system there are two great differences between the controller and the supervisor who is his immediate boss. That controller in many instances will work in his position on a temporary basis, and on a temporary assignment, never getting compensated for it. Yet, if a vacancy exists at the GS-13 level, this gentleman by civil service regulations is ineligible to bid for the position that he has been filling in on. He cannot go two grades. That must be filled by someone from outside.

He can't bid on that position.

Mr. COLLINS. Where are the GS-12's within the controller's levels?

Mr. LEYDEN. It would be in the other facilities, depending on the type of classification of the facility. It seems inconsistent that he would be filling in and then when the job becomes vacant—

Mr. COLLINS. That does not seem too inconsistent. If it is a smaller operation, they would have to double up more. If they had an operation setup in Utah or Kansas, it would not be like Chicago.

Mr. LEYDEN. We are talking about Newark. Newark has GS-14's that are supervisors and GS-12's who are the journeymen controllers.

Mr. COLLINS. The 12 could bid for a 13 at a smaller base if a 13 was a supervisory level at a smaller base?

Mr. LEYDEN. Yes, he could, within the region.

Mr. COLLINS. That is inconsistent with having different level jobs depending on the size of the facility.

Mr. LEYDEN. They do this on a 50 percent of the time basis, using the GS-12 to fill the supervisory position.

Mr. COLLINS. In offices in my own city of Dallas, a supervisor in an office makes about \$15,000 and is in charge of probably 25 or 30 staff employees, and that is the supervisor's pay scale. Now your people make about \$20,000 on this job. What is inconsistent about them doing a little supervisor's work along with it?

Mr. LEYDEN. Without castigating the individual who has 25 or 30 staff employees, we certainly believe that the controller who is responsible for upward of 50,000 or 60,000 lives a day is paid for that responsibility, and we certainly don't think the \$20,000 is too much for him.

Mr. COLLINS. Is there any difference between a supervisor's responsibility and a direct controller's responsibility?

I thought the controller was actually the one doing it.

Mr. LEYDEN. In some cases he is working both jobs and not being paid for the second one.

Mr. COLLINS. As an example, between 12 at night and 8 in the morning, why do we need to have a supervisor on, because very few people are flying then? You mean you suggest we keep a full shift on at that time?

Mr. LEYDEN. No, I didn't say a full shift, but we are required by law to have a supervisor on board. We don't set the time for air crashes or emergencies in the system, and if he has to fulfill the supervisory function that is required by law, we say pay the man while he is assuming those responsibilities.

Mr. COLLINS. How many air crashes have we had last year between 12 and 6 in the morning?

Mr. LEYDEN. I don't know, but I will get those figures.

Mr. COLLINS. The FAA comes through here and they say, if a man is off on Saturday, he should double up. They cut the flight schedules down a lot on Saturday, don't they?

Mr. LEYDEN. We are not objecting to the reduction of staffing on days when there is less traffic. What we are saying is that it is a practice in the agency that they are not filling positions that have been authorized for periods of time up to 10 years, and they have been constantly rotating controllers through those positions where vacancies are in existence. We say that is incorrect and it is wrong.

Mr. COLLINS. If you get some specific illustrations where you can show where it affected the safety, because that is what we are most keenly concerned with. In other words, these fellows you have, I do not think of them like I do an average employee. I really think you have the Rolls Royce crowd of the industry. You have fellows that train more and the very fact that it is a short span job, everything about them, we do expect more. I think anybody who does the job is competent to be a supervisor.

Mr. LEYDEN. We do, too, sir. The supervisor has the responsibility of making the decisions on the flow of traffic within the system, regulating the number of people who are going to come on, replacing those people on the positions, in addition to sitting in as a coordinator or helping actually to perform the functions of a controller.

Mr. COLLINS. Let me go through this. In most offices today, if a guy goes off on his vacation, you do not pay the person who fills in on the staff. The supervisor is paid if he is away on a 2-week vacation and yet you cite that as one instance. If a man did as much work and the job was set up, he ought to be classified temporarily in that category; does that ever happen?

Mr. LEYDEN. Yes, sir, but that is the exception rather than the rule. What I am referring to, Congressman, if your position became vacant for 2 years and they rotated someone there for 2 years, would your constituents put up with that? That is what they are doing with our people.

Mr. COLLINS. They hold a vacancy for about 3 months here.

Mr. LEYDEN. They make an attempt. They do make an attempt to—I am not making a comparison. What I am saying, though, is that they do make an attempt to fill that vacancy. We are saying in many instances they let the vacancy continue in existence and they do not

fill it because they are using the controller. Now, it is affecting the operation of that facility.

Mr. ROUSSELOT. Would the gentleman yield?

Mr. COLLINS. Yes.

Mr. ROUSSELOT. How often do they keep a vacancy in a supervisory position open and then rotate others through it? Is the average 2 years?

Mr. LEYDEN. Mr. Vaughn comes from Pittsburgh. How long were the vacancies open?

Mr. VAUGHN. There was a period of time when there was a vacancy extending for 12 years. That is the exception rather than the rule. The percent of time will vary.

Mr. ROUSSELOT. What is the average time, around the country in these critical supervisor's positions, that the positions are held open? You mentioned 2 years. Maybe it is 1 year. I do not know. I think 2 years—assuming that that is a critical supervisor's position—is too long. Is that the general practice, or is it only done in certain places?

Mr. LEYDEN. It is more prevalent in the terminals than in the en route centers.

Mr. ROUSSELOT. What is the average time in those cases?

Mr. VAUGHN. If I would have to estimate, I would estimate in the vicinity of less than a year, if you take all the facilities that we have covered.

Mr. ROUSSELOT. In some places it would be for a longer period, but the average is less than a year?

Mr. VAUGHN. That is purely a guess on our part, because we did not delve that closely into it, but in some instances we have dates, and you will see 50 references, probably, throughout the report. It will also vary depending upon the region.

Mr. ROUSSELOT. All right. I have just been handed a chart. I had not seen it before. We will try to study it. If you could give us some kind of response to that question, I would appreciate it.

Mr. VAUGHN. I would estimate it to be less than a year nationwide, but depending, again, upon the region, the money available, the grade level, oftentimes the agency will have to compress the grade and so forth. It all affects it.

Mr. COLLINS. I see a letter here before me that was addressed to our chairman and I have a copy of it, and I presume you have seen it. It is from the Civil Service Commission.

Mr. LEYDEN. Yes, the chairman read us a question from it.

Mr. COLLINS. So that is in the record.

Mr. LEYDEN. I believe so.

Mr. COLLINS. It refers to the Board meetings, should the controller represent the employee at the Board meeting?

Mr. LEYDEN. No, sir, Mr. Lapine, who was the first representative who served on a panel responded to the chairman's question.

Mr. LAPINE. My response to the chairman was that I considered myself to be a neutral member of that three party Board to sit, receive the appeal and evidence and to make an impartial decision based on the evidence that was presented before us. Again stating for the record, the individual should, in fact, have the right, and does have the right in the legislation, but finally cannot provide for that.

He does have a right to appear personally and with a designated representative in addition to the Board.

Mr. COLLINS. This is a most unusual setup that we have in this review Board which is not available to most workers in civil service, and I am a little bit reluctant to overextend its benefits, because there is already a certain amount of envy within the service about your group.

They are considered too elite, and then to have their representative covered on all of this, and where we only have four cases in civil service as such opposing it, why do you think we should make this exception?

Mr. LAPINE. I think, in this particular instance, you do have civil service appeals level people who sit on the Board. If it is a medical case, you then do have a representative of the FAA Medical Division, and the employing organization. I think it should be pointed out, as it was earlier in the record that this Review Board that Public Law 297 provided is the sole and exclusive administrative remedy in the field for that controller. Unlike his counterparts, the civil service works have other administrative remedies through civil service appeals.

Mr. COLLINS. Of course, from what I have seen of your organization, I think air controllers are as well represented as any group of people I know. PATCO, just judging by the benefits you have secured for your members, has achieved maximum consideration.

What else would they need? PATCO has done an aggressive job consistently for this group. I do not see anything in the record that indicates they have not been taken care of.

Mr. LEYDEN. Thank you for the comments.

Mr. ROUSSELOT. Put it out as a release.

Mr. LEYDEN. I will let you see it first, Congressman. Thank you for the compliment. I do think what happens if the employee designates one of our individuals in the case of Mr. Lapine, who is a regional vice president, he also has 2,400 or 2,500 other members in his region whom he is obligated by law to represent. When this gentleman is tied up, it is at the expense of the other members who have elected him to office.

Mr. COLLINS. It is at the expense of the taxpayer, too. He would not only get his salary, but he would draw extra pay.

Mr. LEYDEN. I think we would be obligated to find something to fill in his vacancy while he is at the Board. We have to provide for the individuals who do not have the representatives' services for that period of time.

Mr. COLLINS. Let me go back to one other thing. On supervisors, I do not see how this comes under the realm of legislation. It seems to me it comes under negotiation. You mentioned Pittsburgh. That must have been a crucial one. Do you negotiate every base separately?

Mr. LEYDEN. Yes, we are involved in negotiating with FAA now. We approach the bargaining table as Federal employees, absent some of the benefits people in the private sector enjoy. They will not entertain negotiations on this issue.

We tried to raise it last year. It will require action by legislation for FAA to move. That has been our experience in the past. No matter how good the case you present to them, they only move when they are prodded by members of Congress or an outside firm, not by employees organization. They have tremendous respect for the Congress, and they act accordingly.

Mr. COLLINS. Where else is civil service giving supervisory functions in relationship with unions and in what other areas have they digressed from the usual management function?

Mr. LEYDEN. As I read in the record, sir, between the American Postal Workers and the U.S. Government, any time spent by a postal employee outside of his job description, he is paid for all of that time spent in a position or duty other than that detailed in his job description. So there is precedent established by the postal employees.

Mr. COLLINS. There is a big difference between the postal workers and the kind of fellow you have. There are very few postal workers, maybe 820,000, who are not in a supervisory job now.

Mr. LEYDEN. I would like to clarify something, if I gave the impression we are trying to get our guys into supervisory positions. We are just asking the agency to fill the vacancies that they acknowledge exist. Many of our people would refuse if they were given an option. They are told and ordered that they must serve in these positions. They do not get employee representation when they assume this, and they are not compensated. All we are asking the agency to do is clarify the role of the employee and straighten this out.

Mr. COLLINS. Thank you.

Mr. DULSKI. Mr. Leyden, what are the retirement benefits of a controller who becomes medically disqualified while on an above-grade assignment.

Mr. LEYDEN. That falls directly in line with the response I just gave Congressman Collins. The controller is denied the benefits of accrual while he is serving in a temporary assignment for the law you passed last year and again he has no choice but to accept that assignment when it is given to him.

On accepting it, if it is outside the controller ranks, or outside the immediate supervisory area of the controller, he loses that time, so he has no choice but to accept it, and loses the benefits.

Mr. DULSKI. Yesterday, Mr. Belanger of the FAA said that facilities are used as alternate cushions. They have people on hand to handle traffic in other airports.

Mr. LEYDEN. I was pleasantly surprised by the comments of the Administrator yesterday. However, upon investigation by our national vice president, when he left this hearing yesterday, he made a call to two facilities where they have cushions as announced by the Administrator, and he can report his findings.

Mr. POLI. I am Robert Poli. Two facilities that were referred to yesterday in testimony were Detroit Metro and Los Angeles.

At Detroit Metro, when the Cleveland Airport closes or Pittsburgh closes, or sometimes Chicago, the traffic is diverted to Detroit Metro. There certainly is not any overabundance of staffing there, and there is no cushion that exists or no staffing order referring to cushioning.

In Detroit Metro journeymen controllers spend 15 percent of their time working in the supervisory position. In Los Angeles, it is a different story. The airplanes are diverted to Ontario, Calif. Ontario is a level one terminal—Los Angeles is a level four.

The radar portion of that operation is at March Rapcon if the Los Angeles Airport closes. Pandemonium sets in when Los Angeles Airport closes. There is absolutely no cushion or padding, and Ontario, California controllers who were subject to working level one traffic on a daily basis—in other words, they work 220 to 240 operations a day—are suddenly faced with 45 to 50 air carriers in 1 hour. They park them on the taxiways, on the runways, and all over the place. So, there certainly is not any cushion that exists there.

As far as the people in those facilities working assignments above grade, it happens every day. I would like to make a comment on a statement made by Mr. Butterfield yesterday, when he said he issued a directive that encourages supervisors to give a temporary promotion when it is in order.

I have been a controller for 13 years, and vice president of PATCO for 2 years and I have never heard of a controller being detailed to a supervisory position and being given a temporary promotion.

Mr. DULSKI. Assume that my airport at Buffalo closes and planes have to be diverted to Rochester. What happens then? Are they in a position to take the additional traffic? Are they able to handle all the traffic at Rochester or must they divert it to other points?

Mr. POLI. Buffalo is a larger airport than Rochester. If they diverted all the traffic from Buffalo to Rochester, it would be a tough situation for the controllers there. I mean they possibly might have to put some flow control limitations in but there is certainly no cushion in Rochester. They do not staff facilities on that basis.

Mr. DULSKI. You said that there are level one and level four terminals. What level is the terminal at Buffalo?

Mr. POLI. Buffalo is a level three, I believe, and Rochester is a level two.

Mr. DULSKI. All right.

Mr. Belanger testified yesterday that overtime can be used by management to make up for staffing shortages.

Mr. LEYDEN. It depends on the allocation of the region, what time of the year it is, and whether they have exhausted their overtime fund. They have to justify every time they use overtime in the system. They sometimes have backed up traffic. There are some regions that run out of the overtime and they adjust the flow and hold the traffic back, because they do not have money available for overtime. When he states that they have overtime money available, that is true, but other conditions apply when the overtime money is not available and cannot be used.

Mr. DULSKI. What happens when the airplane runs out of gas?

Mr. LEYDEN. They will not go that far and I think quite correctly. Nothing is going to happen to the airplane. They will take care of the airplane at another facility or take care of it by flow control but the point is that you should not be led to believe that the overtime is automatically available and they are going to call people in or call people over from another facility. If they run out of it in that region, they will not have the money, and they may hold back the traffic or let it sit in place.

Mr. DULSKI. Are there further questions?

Mr. ROUSSELOT. Yes. The testimony today submits a report dated June 30, 1973, and the subject is "Nationwide Survey on Details and Assignments Above Grade."

Now, that of course is 9 months old. How accurate is that report today to the best of your knowledge?

Mr. LEYDEN. Mr. Rousselot, when we first submitted the information and the Agency's response to that information, it was dated June 30. We have a few facilities that we have taken in January, and Mr. Poli can refer to those and give you those numbers.

Mr. ROUSSELOT. Then you say it is still fairly accurate?

Mr. LEYDEN. Yes; I believe that to be the case, and Mr. Vaughn, who received this information, can speak to that when Mr. Poli finishes.

Mr. POLI. Mr. Rousselot, I took a check when we left here. It was a sampling of facilities in the East. I checked a few of them. I do know that Kennedy tower, for the month of January, worked 418 man-hours in an assignment of upgrade. White Plains, N.Y., tower, 635 man-hours of assignment above grade; Bradley, Conn., tower, 179 hours. The controllers in Pittsburgh worked 20 percent of their time in assignments above grade. The Detroit Metropolitan towers that Congressman Ford asked about yesterday, worked 15 percent of their time and Baltimore-Washington International tower, the controllers there worked 20 percent of their time in assignment above grade and there is an individual controller who is in this room now who works 50 percent of this time in the facility in an assignment above grade.

Mr. ROUSSELOT. Do you believe that this practice—although you both acknowledge that the experience is good—is in fact endangering safety in any way?

Mr. POLI. The main point to be made for that, Congressman, is that it depletes the staff from the journeyman ranks. You have to, as you saw in Jacksonville and Pittsburgh, if we have to take a controller over the line, off the scope to work in a supervisory position, that is one less controller that is on the shift, and he has no alternative.

If he is directed to accept that assignment, he has to do it, or face disciplinary action.

Mr. ROUSSELOT. Has this report been discussed with FAA?

Mr. LEYDEN. Yes; it was.

Mr. ROUSSELOT. What was their response?

Mr. LEYDEN. The important point was this, they felt—when we reached the agreement to go out and get a sampling from the field on the amount of above-grade assignments that were being used by FAA, they neglected to ask for, either by omission or by design, for any assignments of 8 hours or less and the preponderance of these assignments are for 8 hours or less. So, their survey will show this is not done in a common, everyday way, because they do not address themselves to the daily repetition of using controllers in assignment above grade. As was indicated yesterday, when they place the star on the controller's name when he comes to work, he does not know until he comes in there that he is the supervisor for the day. The agency did not address themselves when they requested their information. They completely omitted 8 hours or less.

Mr. ROUSSELOT. When did you submit this report to the FAA?

Mr. LEYDEN. Mr. Vaughn submitted it, I believe, after our contract negotiations last year. I believe it was in early July.

We were assured at the negotiating table that if we could prove this was a practice that was recurring, that they would take our figures and do something about it and change the system and alter it and fill those slots.

Mr. ROUSSELOT. When did they make that promise?

Mr. LEYDEN. At the bargaining table last year.

We compiled the information and submitted it to FAA and we are still waiting for a change to take place.

Mr. ROUSSELOT. Was that response verbal?

Mr. LEYDEN. It was verbal. It is also in our contract on details and assignments above grade.

Mr. ROUSSELOT. Did they ever formally respond to this report?

Mr. LEYDEN. I think Mr. Vaughn can deal with that.

Mr. VAUGHN. There are several articles. There was a contract provision, and in addition to the contract provision there was a side bar agreement. There was correspondence that took place.

We submitted the list to the Director of Labor Relations on June 30, 1973. Then for the next 2-month period they conducted their own survey to substantiate the facilities that we had documented.

Then on October 23, we met in FAA headquarters and discussed both our report and their report.

Mr. ROUSSELOT. What was their response?

Mr. VAUGHN. Their response was rather candid, that if you compare their survey—ours is more comprehensive—by their own admission they are condoning the practice, but the big point and the reason that our report will show more assignment above grade than FAA's, is that as John mentioned, they only requested information of more than 8 hours, which in essence, the preponderance of the assignments above grade are on a rotational basis.

In other words, 1 day. They didn't ask for justification where it was done on a continual basis. That is a common practice.

Probably 90 percent of it is starred by your name, the asterisk by your name, your name is underlined. That day you are the boss.

Mr. ROUSSELOT. Then they have never, other than verbally, responded to this report?

Mr. VAUGHN. After the last meeting, we saw how fruitless it was. The only way that we could get anything for the controller in this field was here in legislation, because there is no way we can force them.

We are in contract negotiations right now, and it is the same thing, there is an emphatic no, that it is nonnegotiable. It is an adamant stand and it is prevented by Civil Service.

Mr. ROUSSELOT. How is it prevented by Civil Service that they couldn't overuse people in a supervisory capacity?

Mr. VAUGHN. On the back of the PATCO report, you will see the regulations in effect.

Mr. ROUSSELOT. How can they ignore that?

Mr. VAUGHN. They take the Federal Personnel Manual, and then they will write their own manual to circumvent it, and they will have various passages, means of short duration, and various devious methods of circumventing what the Civil Service has written.

Mr. ROUSSELOT. Mr. Chairman, I would like to send this report to the FAA and ask for a response. That is one of the purposes of this hearing. Maybe they have good reasons that we should know.

Do they tell you, verbally, why they are not willing to respond to it?

Mr. LEYDEN. They don't have to, sir. I think the point is well taken, and I appreciate the concern in this area.

When the committee asks for information, you get that information. We have had problems in obtaining from the agency, minimum staffing at facilities around this country. To date, we have been unable to find out from the FAA what are the minimum staffing levels around the United States.

The committee can get it. We can't.

Mr. ROUSSELOT. Can you show in some of these cases—and I realize it may not be in all cases, because there are roughly 60 places here—that as a result of the practice of taking controllers out of their normal function and putting them in a supervisory capacity thereby lessening the number that are participating as regular controllers, that there is a potential for diminishment of the safety factor?

If we can show that, then I think we have a responsibility to see that that is stopped.

You tell us it is somewhat improved, but if it is still a problem, we should know. You have listed here 60-odd locations throughout the country, many of them terminals, and if you say to me to the best of your knowledge and from your fact finding and gathering that this report is still basically correct on the shortages, then I think, Mr. Chairman, we should get a response directly from the FAA.

Mr. DULSKI. As was stated by Mr. Leyden, they don't have to respond, because it is not our report. It is a report made by PATCO.

However, if FAA would comment on the report, it would be very helpful to us.

Mr. ROUSSELOT. Except, Mr. Chairman, I think Congress has an oversight responsibility in the field of safety. I realize there are some jurisdictional problems with Government Operations and so forth.

I didn't find, when I went to the towers and centers, any evidence of their trying to featherbed. These people work very hard, as I saw it. Maybe they were putting on a show for us while we were there, but I think it is pretty difficult to do that. There are still that many planes in the sky. Our colleague, Mr. Hillis, who is a pilot and is somewhat familiar with the air patterns, commented that he thought it was a realistic appraisal.

I think we, at least, ought to ask for a response. If they are not willing to give it, we will get it some other way.

Mr. COLLINS. You raised a question about safety. I thought this was basically a question about remuneration. Is there any fact of safety involved, or does the controller have the competence to be a supervisor when he is called on?

Mr. LEYDEN. I think Mr. Rousselet raised the issue, and I think it is the domino-type theory. If you are pulling away from the base and putting people into supervisory positions, it does have an effect on the way the system is controlled.

Mr. COLLINS. I don't understand it. Explain to me how this affects safety. I believe the controller has competence.

Mr. LEYDEN. I do, too.

If I take 2 of 10 people away and make them supervisors, you have to some degree impacted on the degree of service being provided by those left to perform that function.

Mr. ROUSSELOT. Yes, especially as we found in one tower, that that spot was not then filled by somebody else, and somebody else would have to double up on a job.

Maybe he was the controller who was handling Air Force traffic, and he would have to double up with the console next to him, as I understood it. I saw it actually occur in a couple of places.

Mr. LEYDEN. That is an astute observation. There is doubling up and tripling up.

Mr. ROUSSELOT. Yet the number of operations has not decreased, and I am sure that is correct.

Mr. LEYDEN. That is correct.

Mr. ROUSSELOT. We are not talking about a railroad situation here.

Mr. COLLINS. Let me give you an example. National Airport is closed between 11 and 7 at night. Do you keep a controller on duty during this period?

Mr. ROUSSELOT. I believe they keep one for emergency purposes.

Mr. COLLINS. Do you need a supervisor on duty at that time?

Mr. POLL. I think in the case of level four terminals, there is a supervisor on duty. Now the airport is not closed. It is closed to jet traffic.

Mr. COLLINS. Shouldn't they, under those circumstances, just let a controller fill in for the supervisor if he is gone?

Mr. LEYDEN. This gentleman is an expert from this area, and he has advised me it is not officially closed. It is open to civilian traffic.

Mr. COLLINS. Very few planes come in, and if the supervisor is out, I certainly think that whatever they have, they could handle.

Don't you have a lot of situations like that? In other words, at night, between—I tell you, the airports I am in, they get pretty slow at 11 o'clock at night, and they are very slow until 7 o'clock.

Mr. LEYDEN. We use about one-fifth of the normal staffing during the midnight watch, because the traffic does abate during that time. They do make adjustments.

Mr. COLLINS. Is it in direct relationship?

Mr. LEYDEN. Yes, to the traffic.

Mr. ROUSSELOT. On the other side of the coin, Washington National becomes a standby airport when there are heavy snowstorms or other weather conditions in the Eastern States which causes traffic to be diverted here. It is in those kinds of periods that I am concerned. I clearly don't want to overstaff, and I am not suggesting overstaffing a midnight watch.

If a controller is pulled off his position into a supervisory position and the chief isn't able to replace him, because there is no other standby personnel, is where the problems are.

Mr. LEYDEN. I think that is essentially what happens. He would then have to assume an example you used of working military traffic. He would take not only that sector with him, but would be responsible for the additional traffic at the other sector if he had to combine the positions. In many instances, that is what happens.

Mr. ROUSSELOT. If we are in the kind of situation I described and if that does in fact compromise safety, I think we should know. That is what I am saying. I understand my colleague. He is so used to working on railroads—

Mr. LEYDEN. We don't featherbed in this industry. Maybe they do on the railroads.

Mr. VAUGHN. Let me make a comment on the midnight shift. Would you say, Congressman Collins, that 275 operations on a midnight shift would be substantial enough to have a supervisor in charge of the controllers?

Mr. COLLINS. Is that over an 8-hour shift, midnight to 8?

Mr. VAUGHN. Yes, in Atlanta, Ga.

Mr. COLLINS. How many men will bring them in?

Mr. VAUGHN. Seven, and sometimes 10, but their duties are divided between the control tower and the radar room.

Mr. COLLINS. That would be about 6 an hour?

Mr. LAPINE. They could all come in at the same given moment.

Mr. COLLINS. How fast can a good controller bring them in?

Mr. LAPINE. That depends on the experience of the controllers themselves.

Mr. VAUGHN. It depends on the runway acceptance rate, whether you are in a terminal facility, and other things. It is like the weak link in the chain.

Mr. ROUSSELOT. It depends on the weather, too. They have to have more conversation in bad weather.

Mr. VAUGHN. And equipment at the facility.

Mr. LAPINE. I wanted to give you one further example from our area, John F. Kennedy tower in New York. On the midnight shift, it is common practice to have one fully-qualified journeyman controller who is designated controller in charge, fulfilling the supervisory responsibility.

It is not an occurrence that is—this man may be on duty with a trainee who he also assumes responsibility for his actions and his training, and now he is not only supervisor, the only qualified journeyman controller on duty, but he is also responsible for the limited rated developmental trainee on duty with him, and these are the two bodies.

To cite a further example, you asked for a number for vacancies. In Kennedy Airport, the previous existing full-time chief passed away 2 years ago. That position remained vacant on a rotational active basis between seven separate individuals for a period of 18 months before that vacancy was filled.

We have additional situations over at Newark, N.J., where they have the chief position, and that was also a chief that died from a heart attack, that those vacancies remained open and people filled these roles on an acting basis from outside the facility.

We had a number of supervisory people there who were not on the second career legislation. Every time that happens, it is stripping the normal staffing for the control positions on that particular shift. That man is taken away, as you indicated earlier. It means his fellow colleagues, the remaining seven or eight, have to double up, and in some instances, triple up on the control positions.

Mr. COLLINS. What is the average number of hours, or is it all the same, that these fellows work?

Mr. LEYDEN. Different than our counterparts in Canada, they work a 30-hour week. We work a 40-hour week, as do other civil service employees.

Mr. COLLINS. 40-hour weeks on the screen?

Mr. LEYDEN. Depending on the traffic. You are allotted breaks if the traffic situation warrants it. It is not unusual to not get off the position for the entire watch.

Mr. COLLINS. I was trying to bring them in as fast as we could with full safety.

Mr. LEYDEN. We did try to. If we had sufficient staffing in the system, we would make that a positive, actual occurrence.

That was a recommendation of the committee that investigated the system.

Mr. COLLINS. He is on the job 40 hours, and that doesn't include time back and forth, but 40 hours on the facility?

Mr. LEYDEN. 40 hours on the facility, yes.

Mr. DULSKI. If there are no further questions, the committee stands adjourned subject to the call of the Chair.

[Whereupon, at 11:35 a.m., the committee was adjourned subject to the call of the Chair.]

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VACANCIES IN THE AIR TRAFFIC CONTROLLER WORK FORCE AND H.R. 7416 AND H.R. 7417

FRIDAY, NOVEMBER 8, 1974

U.S. HOUSE OF REPRESENTATIVES,
SPECIAL AD HOC SUBCOMMITTEE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
San Juan, P.R.

The ad hoc subcommittee met at 9 a.m. at the Americana Hotel, San Juan, P.R., Hon. Thaddeus J. Dulski (chairman of the subcommittee) presiding.

Mr. DULSKI. The meeting will come to order. First of all, I think it is in order to congratulate my two colleagues who were successful in the election last Tuesday. My congratulations to Mr. Dominick Daniels of New Jersey and Mr. John Rousselot from California.

Today, the subcommittee continues its hearings on vacancies in the air traffic controller work force and the implementation of Public Law 92-297.

In addition, we will be happy to hear any testimony which the witnesses may wish to offer on two bills presently before the subcommittee, H.R. 7416 and H.R. 7417.

As you all are aware, I established this subcommittee at the beginning of the 93d Congress to review serious allegations concerning the shortage of air traffic controllers, and the effect of these shortages on air safety, as well as on the health and well-being of controllers.

Upon completion of our study here, the subcommittee will have personally visited and inspected some 20 facilities located in all parts of the country.

To say the least, the results have not been encouraging in light of the shortages. Our preliminary studies indicate that this area suffers as badly as most in terms of shortages, which, we are told, is compounded by the adverse living conditions for all Federal employees during their tour of duty here.

We look forward to the testimony we will hear today, and are confident that it will be informative and most helpful in our studies.

Our witnesses this morning will be the regional vice president of the Professional Air Traffic Controllers Organization, David Siegel, who is accompanied by a number of PATCO facility representatives from Puerto Rico and the Virgin Islands.

We will also hear from the area manager of the Federal Aviation Administration, Mr. Michael Fenn, and the FAA facility chiefs from this area.

Mr. Siegel, you may proceed as you see fit.

STATEMENT OF DAVID E. SIEGEL, PATCO REGIONAL VICE PRESIDENT, ACCOMPANIED BY GREGORY RITTERBY, ST. THOMAS TOWER; JAMES HYLAND, SAN JUAN CENTER; REID CARROLL, SAN JUAN TOWER; RENE MATOS, ISLA GRANDE TOWER; SHELTON JAY MERRILL, ST. CROIX TOWER; AND ALLAN MOSKOWITZ, LEGISLATIVE ASSISTANT, PATCO

Mr. SIEGEL. Mr. Chairman, distinguished Congressmen, I am David Siegel, southern regional vice president of the Professional Air Traffic Controllers Organization.

I want to express my appreciation on behalf of our members for affording PATCO the opportunity to testify before your distinguished committee.

You will hear testimony from air traffic controllers employed in the southern region of the Federal Aviation Administration, on matters that impact on the air traffic system in Puerto Rico and the Virgin Islands.

The controllers who will testify are prepared to give testimony on problems that concern staffing, equipment, safety, assignment of above-grade duties, and environmental aspects.

In all these areas, our witnesses will show that the FAA is extremely slow and remiss in correcting deficiencies in the San Juan area.

PATCO does acknowledge that some attempts have been made to rectify a few of the problems, but only because of the insistent pressure by our organization that made it incumbent on the FAA to take action.

I want to once again express my appreciation to be able to appear before your distinguished committee.

I would like to introduce my colleagues here: to my extreme left is Jay Merrill, from St. Croix. Sitting next to his right is James Hyland of San Juan center. Next is Allan Moskowitz, legislative assistant from PATCO. To my right, Gregory Ritterby, St. Thomas tower; Reid Carroll, San Juan tower, and Rene Matos from the Isla Grande tower.

Mr. DULSKI. The first witness is Mr. Ritterby from the St. Thomas tower.

STATEMENT OF GREGORY RITTERBY, AIR TRAFFIC CONTROLLER FROM THE ST. THOMAS TOWER

Mr. RITTERBY. My name is Gregory Ritterby. I am an air traffic controller from the St. Thomas tower.

I would like to thank each and every one of you for affording me the opportunity to talk before this committee.

Staffing has been, in the past, and will continue to be, one of the biggest problems with which the FAA in the San Juan area has had to contend. The basis of this problem lies within different areas.

Staffing criteria have been established by the southern region, San Juan area office, or by the local facility chief, thereby, apparently ignoring the FAA's own staffing standards and criteria established in FAA Handbook 1380.33.

Staffing criteria is based on the combination of positions at St. Thomas tower. We feel that these combined positions can, at time, jeopardize flight safety.

Failure of FAA to fill authorized full performance level controller positions in the past, and arbitrarily reducing the present authorized staffing, appears to be an effort to justify staffing levels, should there be any question in the future.

This would also include abolishing our supervisory position in July 1974.

There has been a failure of the FAA to insure the timely arrival of replacement personnel so that they may be available for effective use by the receiving facility.

The FAA has failed to comply with its own staffing standards and criteria established in FAA/DOT Handbook, 1380.33. As the handbook states: "An engineering staffing standard is characterized by its objectivity and statistical validity, and its derivation from data that has been collected through on-site measurements."

These measures have been developed into a formula to determine the total CAB requirements, but based on this, St. Thomas is understaffed by two controllers, two assistant chiefs, and one part-time secretary.

By reducing staffing, the FAA has forced St. Thomas tower controllers to assume supervisory duties while controlling live traffic.

This, in turn, causes a doubling up of work load and stresses.

Present programs and conditions invite employees to return to the States, rather than remain for a second tour as is the stated policy of Handbook, 3330.6-A.

If the agency is sincerely interested in reducing the costly high turnover of personnel in the San Juan area, we have stated a number of actions that should be carefully considered in our booklet.

Positive action to reduce turnover should begin now in anticipation of the probable 100-percent turnover of controller personnel at the St. Thomas Towers that will occur during fiscal year 1976.

A more orderly method of timing the arrival of personnel selected, is imperative. Without orderly arrival, replacements arrive and depart in groups, followed by most to a year between. This puts a strain on training programs, overloads controllers with on-position training duties, forces curtailment of annual leave, and continued juggling of watch scheduling, which can later cause use of overtime for use or lose annual leave; over loads clerical duties and lends to rushing men through training in some cases, and stagnation in others.

With the transfer of the GS-12 first-line supervisor from St. Thomas Tower to the States in August 1974, the position was abolished, not to be refilled.

Although controller personnel have performed above-grade duties as supervisor for approximately 50 percent of the time in the past, it is now a matter of necessary daily routine for 100 percent of the time.

In addition, the facility secretary position was abolished years ago. Previously the supervisor assisted in facility administrative duties. Some of those tasks have now fallen on controller personnel, forcing one to leave the tower and combine positions or perform such duties on position where one's attention should be controlling aircraft.

Within the last year, articles have been published in the FAA World and in PATCO newsletters regarding the environmental aspects of living in the Caribbean.

We feel there is a direct relationship between the staffing problem and the San Juan area and the environmental problems that affected each family living here.

Due to frequent heavy rainstorms on St. Thomas, the housing units leak profusely. Water runs into the interior of the houses from the doors, walls, and ceilings, with some units having as many as 15 to 20 leaks in the ceiling alone.

Rugs, chairs, and sofas have been soaked repeatedly, in addition to numerous damage to other personnel belongings, caused by mildew, mold, warping, and corrosion.

Most tenants do not file a formal complaint each and every time they are inundated. Depending on their breaking points or their wife's, they file one every two or three storms, since little priority seems to be given to discrepancy reports.

The same problems have plagued the tenants since the FAA housing was built on St. Thomas; 42 formal complaints are presently on file, specifying a rain-induced leak. Almost all of these are from the present occupants, due to the fact that most previous complaints were destroyed when a tenant leaves St. Thomas.

The oldest outstanding complaint on file is dated October 10, 1969, for unit 6-A. Oddly enough, only one unit, 6-B, has no complaints, and has been occupied by maintenance personnel for the last 5 years.

We have detailed, within the booklet that you have before you, the particular sections of FAA order 4900.1, Housing and Employee Support Services, that we feel have been violated by the FAA.

Also enclosed are copies of letters sent to Mr. Michael T. Fenn, San Juan area manager, from the St. Thomas FAA woman's action organization regarding environmental problems.

While some may say St. Thomas has some of the most varied and beautiful topography in the world, it is also cursed with this type of terrain in respect to the location and operation of a safe airport.

While it is not our intent to determine where an airport should be located, it is our concern to insure that this airport be as safe as any of its counterparts on the mainland.

Communications-blind areas, lack of altimeter at the ground control position, combined positions of operations, excessive noise levels in the tower cab, UHF-link problems, lack of control over runway and taxiway lights, or their intensity, power-radio reception in the tower cab, and compromised security are all serious deficiencies that we feel should be rectified immediately.

The loss of our cost-of-living allowance has been an unnecessary burden on controllers in the Virgin Islands. We have suffered an actual loss of 10 percent of our income because we live in the Virgin Islands and not in San Juan, Puerto Rico. Government employees in Puerto Rico, who occupy Government housing, still receive their cost-of-living allowance. Some receive the 7.5 percent and have the added benefit of commissary and PX privileges, as in Mayaguez.

We feel that we have been singled out as "having it made," and "living in a paradise," and it appears that some seem to feel that this should more than compensate us for our loss of the 10-percent cost-of-living allowance.

We feel that no allowance was made for the climate that destroys one's personally owned vehicle within 2 years or the deplorable condi-

tion of the roads that cause many more repairs to one's car than stateside.

No allowance was made for the additional cost of schooling here. Public schools are generally not accredited and are rundown and overcrowded. The FAA compensates us for schooling, but it only covers a fraction of the actual tuition cost.

No allowance was made for the increased cost of medical care. Blue Cross-Blue Shield is not accepted here, so one must foot the bill and then try to get money back from Blue Cross-Blue Shield.

St. Thomas is serviced by the Knutt Hansen Memorial Hospital, but the hospital is not up to stateside standards in either quality of service or cleanliness.

If, while living on St. Thomas, one should experience medical problems that would require prolonged hospital care, or complications of a serious nature, one should seriously consider returning to the States for medical treatment.

Utilities will be increased by 60 percent in November for residents of St. Thomas. The normal bill for a family of four with no air-conditioning is approximately \$40 per month. The scheduled increase will raise that same billing to approximately \$64 per month. Tenants that occupy the trailers will be affected even more since the present utility bill averages \$100 per month now, which means they can expect a bill around \$160 per month after November.

The loss of cost-of-living allowance will certainly affect staffing at St. Thomas. One employee recently returned from home leave to find that he had lost his 10-percent cost-of-living allowance, utilities were going up 60 percent, and he was in danger of being downgraded to a GS-10.

You have just heard the many problem areas that affect the personnel living and working on St. Thomas. We are all deeply concerned about the existing situations and we are hopeful that they will be resolved in the near future.

Thank you.

Mr. DULSKI. Thank you very much for your statement.

[The attachment to Mr. Ritterby's statement—regarding problem areas pertaining to staffing, environment, equipment and other related fields—was retained in the files of the subcommittee.]

Mr. DULSKI. Our next witness will be Mr. James Hyland from the San Juan Center.

STATEMENT OF JAMES HYLAND, SAN JUAN CENTER

Mr. HYLAND. Mr. Chairman, distinguished Congressmen of the committee, thank you for taking time from your busy schedule to meet us today. It is very gratifying for me to be able to address you today concerning the air traffic system in the San Juan area.

I am prepared to present testimony to this committee which will show that the San Juan area must be ranked as the most unsafe system in the FAA.

Testimony will also show that the FAA is and has been fully aware of this situation for more than 2 years and has either totally ignored this condition or has instituted stopgap measures in order to keep San Juan operational.

There is much evidence to support the fact that the FAA has not only become insensitive to the safety of human lives but also to supporting the controller in his designated duties.

It is apparent to us that the FAA has lost sight of its primary function of providing safe, orderly, and expeditious service to the flying public. The controller is no longer being supported by the FAA to perform these functions. Controllers, instead, are being used to justify positions and relations taken by the FAA.

The controllers in San Juan hope that through this testimony changes can and will be made to once again provide air traffic services of which we can all be proud.

Thank you for this opportunity.

Mr. DULSKI. Thank you. Our next witness is Mr. Reid Carroll from the San Juan Tower.

STATEMENT OF REID CARROLL, SAN JUAN TOWER

Mr. CARROLL. Mr. Chairman, distinguished members of the committee. My name is Reid Carroll of the San Juan International Airport. I would like to welcome you and your committee to San Juan, Puerto Rico.

As the representative of PATCO and the controllers at San Juan International, I am prepared to testify on FAA's mismanagement of this facility and its personnel.

PATCO was organized for the safety of the air traffic system and the betterment of the controller environment. The unilateral powers which oppose this are sacrificing the safety of the system, not to mention the abuse of the controllers. This is why you are here, to try and correct this.

The air traffic system of yesterday is exactly that—yesterday. Today's aircraft are more complex, faster, and versatile. Therefore, what is now needed is more controllers, better training, and management that understands the complex and everchanging air traffic system of today.

The antiquated ideas of FAA are jeopardizing the safety of the system in order to save money, cut corners, and promote a false sense of security to the flying public.

FAA management has seen fit to let the operation of this facility slip into a state that paralleled that of International in 1969. During that year an aircraft accident occurred which cost the lives of over 18 people. The resulting charges from the accident cost the U.S. Government over \$7 million.

The problems that this facility has are not new. They have been reported repeatedly by PATCO. In many cases the only corrective action the FAA made was to try and silence PATCO and stop the publicity.

The following list is but a few of the safety and operational aspects that controllers must contend with at this facility: Apparent coverup of system errors, low experience level of controllers, inadequate training, combining of positions, shortening of FP, also, no set managerial policies, no override capabilities, no 1-to-1 transmitter and receiver, below-standard lines, false beacon targets, inadequate use of target generator program, head set mike, environmental difficulties, working above grade, inadequate proficiency training.

Thank you.

Mr. DULSKI. Thank you very much. Our next witness is Mr. Rene Matos, from the Isla Grande tower.

STATEMENT OF RENE MATOS, ISLA GRANDE TOWER

Mr. MATOS. Good morning, Mr. Chairman and members of the committee. My name is Rene Matos. I am from the Isla Grande tower.

Isla Grande Airport is primarily an air taxi and general aviation airport served by a level II VFR tower. Isla Grande tower ranks in the top third of all air traffic control towers operated by the Federal Aviation Administration, and it is presently No. 126 out of 388. This ranking is also misleading and does not give a true and accurate picture of the actual density of the traffic handled, due to the fact that Isla Grande tower is only part-time, 7 a.m. to 9 p.m., and is competing with mostly 24-hour facilities in its ranking. Hourly operations reaching 80 to 130 operations are not uncommon.

The controllers at Isla Grande are justly proud of their unblemished safety record in handling high-density traffic day after day under intolerable working conditions.

The unique problems at Isla Grande tower can be divided into four categories: working space, equipment, staffing, and airport layout.

WORKING SPACE

The tower is divided into four levels. One, entrance and supply room. Two, closet, bathroom, and recorder room. Three, administrative office. And four, control cab.

The recorder room measures approximately 11 feet by 6 feet and is occupied 50 percent by recording equipment and 50 percent designated training space. The training room has one 3 by 5 table and three chairs. The only ventilation in the room is a household-type air conditioner which has to be on high-cold all the time to keep the equipment from overheating. This results in personnel with an extremely high-cold average and assorted discomforts.

The administrative office has two desks, two bookcases, and a file cabinet crammed into it.

The tower cab has three designated control positions at the control console and the remaining crowded space is taken up by a refrigerator, stove, backup transreceiver, oven, bookcase, and a backup transmitter and receiver. There is not enough space to accommodate all the controllers on duty on a particular shift.

The allowable limit on personnel in the cab at one time is a maximum of four people. This is usually accomplished by the three assigned controller positions and an assistant chief or usually a GS-11 controller assigned as controller-in-charge, which is, in fact, an underpaid assistant chief.

This leaves three to five controllers in access at the facility with nowhere to train or nothing to do but sit on the steps across from the bathroom. The access controllers are generally from 11 a.m. until 3 in the afternoon.

It is an ironic situation where Isla Grande tower is the designated tower training facility in the Caribbean area and has not room for equipment to train new controllers. The controllers who have received

complete training, three GS-9 developmentals at the present, now have nowhere to go, but just bide time at the facility until radar developmental training becomes available.

The noise level in the cab becomes a critical situation daily. Two household air conditioners blow directly on the control positions and create a noise vacuum in themselves.

The speaker configuration is substandard and directs all transmission up into the ceiling, causing paramount distortion and high-volume intensity of noise.

EQUIPMENT

The cab equipment is old and obsolete. Maintenance personnel do a commendable job with what they have to work on. Their problem is one of recurrence. Day after day, the same equipment outages are reported and homemade modifications have to be made in a patchwork-like way.

As recent as October 25, 1974, there was a total power outage at Isla Grande. The so-called standby emergency generator did not start. The battery-powered transceiver did not meet adequate power requirements to work both local and ground control positions, and high density traffic was controlled under primitive conditions by three able controllers.

For the past 2 weeks Isla Grande Tower was unable to meet any security requirements because our inadequate intercom system between the cab and the entrance door was out of service.

The obsolete and dangerous speaker configuration in the cab increases controller fatigue, promotes high frequency unit situations with the controllers asking for repeat transmissions from aircraft, and is beset by high frequency static.

Lonnie Parrish, Southern Region Air Traffic Division Chief, personally inspected the inadequate cab and is aware of the extremely dangerous speaker configuration and high noise level in the cab.

Headset configuration has been promised time after time by both FAA area management and regional management. We will receive the headsets when it is too late, for history will repeat itself and lives will have to be lost before the problem is resolved.

STAFFING

The authorized staffing is one facility chief, GS-13, two assistant chiefs, GS-12, and nine controllers, GS-11. Actually, staffing is one facility chief, two assistant chiefs, and six full performance level controllers, GS-11, and three developmental controllers, GS-9.

There are also two 150-program GS-5 trainees detailed to the facility. There is also a vacancy announcement published for three more full performance level controllers, plus three more air hire trainees will be reporting to the facility soon.

As you can see, our problem is unique in the FAA. We are not understaffed, but overstaffed.

Referring back to working space and training equipment provided, you will concur that this facility does not have the capability to make productive work out of all its personnel. This overstaffing is a definite example of mismanagement and underutilization of experienced controllers.

AIRPORT CONDITIONS

A totally uncoordinated architectural and planning blunder has led to the fiasco of the new construction on the airport itself.

The new terminal building is blocking 500 feet of the runway from the control tower. Three incidents have been recorded where lives have been endangered by vehicles driving on the runway, aircraft being on the runway, people crossing the runway on foot, and even a bicyclist going down the runway. All the above incidents have been noted within the past 30 days.

The airport operator, Puerto Rico Port Authority, has no visible concept of airport management, airport security, now the desire for proper enforcement of all infractions brought to their attention by FAA personnel. Countless incidents are documented on the daily record of facility operations.

All the above-documented deficiencies contributed substantially to controller fatigue, discontent, and take a heavy toll on controller health. We not only control dense traffic, but have to contend with inadequate facilities, equipment, and a complete lack of airport management.

A great concern of the unique local hire program is his career progression within the Federal Aviation Administration. No guidelines have been established as to career progression or the required mobility for maximum career progression into management. Is a local hiree bonded to the Island? Will the FAA really allow him to be mobile and go stateside? Why have the three GS-9 controllers at Isla Grande been stranded at a level II VFR tower, when they should be receiving further training at level III facility as they are promised when hired?

For maximum career status on the Island, it is imperative that people be assigned further up along the career ladder. In this particular area the main concern of the local hiree is not to be branded second-class citizens within the FAA.

Thank you.

Mr. DULSKI. Our next witness will be Mr. Shelton Jay Merrill.

**STATEMENT OF SHELTON J. MERRILL, CONTROLLER,
ST. CROIX TOWER**

Mr. MERRILL. Mr. Chairman, distinguished Congressmen, my name is Shelton J. Merrill. I am a controller at the St. Croix tower. Thank you for allowing me to testify before your committee, and I hope my remarks will be helpful.

This summary covers the period from May 1974 to the present, when four vacancies were filled at the St. Croix tower under the merit promotion plan of the Federal Aviation Agency. This summary will try to point out in detail the experiences and adversities encountered by the newly recruited employee shortly after and upon his arrival at this facility.

Also the FAA practices and policies concerning these transfers, the general condition of FAA housing on St. Croix, along with the losses in personal effects that the FAA employee has suffered and is still suffering as a direct result of poor living conditions in the FAA housing compounds and also the losses, due to high costs and poor policies,

concerning the FAA's transfer procedures and reimbursement limitations.

In addition, to outline the considerations and allowances that were listed in the DOT promotional and career opportunity announcement for St. Croix tower, U.S. Virgin Islands, that were considered incident to this assignment by the newly recruited contract employee.

We seek to prove through this effort, that there never existed a true meeting of minds between the newly recruited contract employees and the FAA Southern Region, in reference to the actual conditions on St. Croix, U.S. Virgin Islands, and what considerations and allowances we were to be given as incidents to this assignment.

Also that the present staffing at St. Croix Tower did not, nor does it now, conform with Agency standards outlined in FAA Manual 1380.33, Part 60 and 61, Fig. 5-1.

We furthermore contend that the FAA did not tell us the whole and complete story, as they knew it, concerning the cost of living allowance, the FAA housing, the potential downgrade, the correct job description—nonradar approach control was no longer being provided by the ATCS at St. Croix when we arrived in May 1974—the educational costs in relation to the educational allowance, the lack of business service for the purpose of transporting school age children from the FAA housing compounds to any school on the Island, public or otherwise, and other major difficulties that exist in the U.S. Virgin Islands that we are unprepared to effectively deal with.

I would like to refer to the enclosure, the statement where I have drawn an outline concerning the bid for St. Croix, what we were promised. It is on the first two pages and the actual conditions, on the next four. I would like to submit this for the record. It is rather lengthy.

Mr. DULSKI. It may be placed in the record at this point.

[The outline follows:]

FOR YOUR INFORMATION

General Information about St. Croix U.S. Virgin Islands as it pertains to the contract employee recruited for this location by the Federal Aviation Agency, Southern Region.

I. Pre-employment Information provided by FAA, Southern Region to the newly recruited employee for this facility.

A. Information contained on the DOT Promotional and Career Opportunities Announcement for St. Croix Tower:

1. ATCS (Terminal), Non-Radar Approach Control, GS-11.

2. Notes on St. Croix:

(a) Educational Allowance per pupil for grades 1-12, \$974.00 per yr. \$487.00 for Kindergarten (half-time) per pupil per yr.

(b) Housing consists of five duplex houses which provide eight three-bedroom units and two four-bedroom units. 1. Rents: Three bedroom units—\$105.00 per month or \$48.56 per pay period. Four bedroom units—\$110.00 per month or \$50.77 per pay period.

(c) Five percent cost of living allowance.

(d) Transportation of employee, dependents, and shipment of household effects and one privately-owned vehicle authorized at Government expense, subject to signing two-year employment agreement.

(e) Employee selected will be eligible for administrative return rights in accordance with FAA Handbook OA P3330.6.

3. Instructions on how to bid on this assignment.

II. Information contained in the Southern Region brochure concerning Puerto Rico and the Virgin Islands.

A. As it pertains to St. Croix, U.S. Virgin Islands:

1. One hospital and adequate medical facilities located on the island.
2. Auto repairs are very high and the roads narrow.

3. Excellent climate and all major faiths represented.
4. Public schools below par but the government provides an educational allowance.

5. The FAA houses are on a hill overlooking the airport and ocean.

III. Other Information about St. Croix as received by on-coming new employees from the FAA Southern Region and verbal recommendations.

- A. A new car is recommended due to the high costs of auto repairs.
 - B. The educational allowance will more than cover the costs of private schooling.
 - C. A representative will meet you at the airport and secure temporary quarters for all new employees.
 - D. Automobile insurance is excessable at a very good rate.
 - E. No duty taxes on incoming personal effects. (Duty free port)
 - F. Medical insurance was excepted, such as government Blue Cross and Blue Shield.
 - G. If any problems should be encountered to contact the FAA area office in San Juan Puerto Rico and they would try to resolve them since they were completely briefed on the Virgin Islands.
 - H. No state and local taxes were levied—such as those found in the States.
 - I. Private furniture and automobiles are shipped via GBL priority dispatch and should be at St. Croix within thirty days.
- Actual conditions encountered by new employee shortly after his arrival on St. Croix Virgin Islands.

I. Actual Conditions.

A. As they pertain to the information advertised in the DOT Promotional and Career Opportunities Announcement for St. Croix Tower:

1. ATCS (Terminal), GS-11. The non-radar approach control portion of the job description had been assumed by San Juan ARTCC and was no longer being performed by ATCS at St. Croix Tower:

(a) The GS-11 journeyman grade for this facility was under study to be down-graded to a GS-10. The new employee participated in the regional re-classification study without any prior notification by the FAA.

2. After the new employee was certified he was assigned an off-the-street-trainee to train to the FPL level.

3. Notes on St. Croix: Actual conditions encountered.

- (a) Cost of education through an accredited school on St. Croix:

1. First grade \$1,250.00 per pupil per year.

2. Kindergarten (Half-time not available), full time over a \$1,000.00 per pupil per year.

3. No bus service, public or otherwise, to FAA housing. A second car is required to transport school age children to and from school.

- (b) The Five-percent-Cost-of-living-Allowance was withdrawn by the Civil Service Commission for FAA employees living in government housing in the Virgin Islands.

(c) Actual housing costs effective July 1, 1974:

1. Three bedroom units \$118.65 per month without utilities.

2. Four bedroom units \$129.95 per month without utilities.

3. Rental rates to be increased by another 13% by July 1, 1975.

(d) Condition of FAA houses advertised in the DOT Job Announcement for St. Croix Tower:

1. Housing, according to the standards and guidelines listed in FAA Manual 4900.1 is sub-standard and in need of repair and modification. (Refer to attached housing package—history of St. Croix's FAA housing)

2. Current tenant submitted UCRs to FAA/DOT national headquarters, Washington D.C. concerning the location and condition of the FAA houses located on St. Croix V.I.

II. Actual Conditions on St. Croix as they pertain to the FAA brochure and the descriptions received from agency officials at the FAA Southern Regional Offices in Atlanta Georgia.

A. Import taxes and road taxes were levied on the new employees' automobiles if the cars were made outside of the U.S.; concerning the road tax, if the cars were not under the private ownership of the employee for more than two years. It makes no difference how old the car is or its condition. This tax is levied at 11¢ per pound on the weight of the automobile:

1. The import taxes are refundable to the employee without penalty.

2. The road taxes were required by law to be listed on the employees' travel voucher under misc. expenses and were subsequently taxed as income and severely limited the employees right to claim other misc. deductions to which any other employee would be entitled under a Permanent Change of Station transfer (the standard being \$200.00 without receipts) this claim was denied to us because of the road taxes.

B. Educational allowance inadequate; fails to cover actual expenses encountered by the new employee.

C. New cars are not desirable due to the road taxes and high cost of insurance. Also the road to FAA housing on St. Croix is unpaved and full of deep holes—it also crosses a one lane bridge that is by the most liberal standards collapsing and should be condemned. The access road is officially abandoned by the Virgin Island government, and serves as our only access to government housing. It is also parallel to the active runway at the Alexander Hamilton Airport and not more than 250 ft from this runway. This condition also is in violation of FAA manual 4900.1. (See attached UCR and housing package)

D. The government Blue Cross and Blue Shield is not accepted as payment in the hospital on St. Croix. Neither is it accepted by any of the doctors on St. Croix. In addition the medical facilities are far below par by State-side standards.

E. Automobile insurance rates on St. Croix are extremely high and the amount of coverage extremely low.

F. In accordance with FAA manual 4900.1 the FAA employee residing in government housing outside of the 48 states is entitled to a variety of articles that are not, nor have they ever been provided to him, while living in the FAA housing compound.

1. Washer and Dryer. Ref 4900.1 Appendix 7. Not available.

2. Air Conditioning. Ref 4900.1 Appendix 3. Not available. (a) According to the manual this may be provided.

3. Yard and garden equipment on a lend lease basis. Ref. 4900.1 pg 28 para 56. If the employee does not have this equipment.

4. Furniture may be provided where local conditions or climate is such that a special type of furniture is required. Ref 4900.1 pg 49 sec 8 para 93 sub para 5. It is our contention that the tropical climate found in the Virgin Islands would more than meet the spirit of this directive. 1. The furniture the average person brings with him to St. Croix on an FAA transfer is designed for a colder less trying climate and does not last very long. The main reason for this is that the FAA fails to point out to the new employee that the FAA house he will be living in doesn't provide adequate protection for this type of furniture. The expense of furniture loss due to climate has to be shouldered by the employee.

G. For specific information about the condition of the FAA houses on St. Croix refer to the attached housing package.

H. Supporting information is attached for those subjects listed in this outline. Information concerning FAA housing on St. Croix U.S. Virgin Islands and its present condition.

Reference FAA manual 4900.1, "Housing Classifications and Standards," para 42, "Family Housing Standards," sub para 2, "Construction" and sub para 3, "Location." Also para 41, J, "Substandard Housing," pg 23 para 45 sub para A, B, and C, "Substandard Housing," pg 28 para 56, "Tools and Equipment." Manual 4900.1 pg 49 sec 8 para 93 sub para 5, "Furniture Criteria." In addition appendix 3, "Standards For Air Conditioning," appendix 7, "Housing Equipment Standards," para 73 sub para A and B, "Occupancy Standards"; and pg 6 para 16, "Maintenance and Repair," sub para A and B-4.

The FAA houses on St. Croix U.S. Virgin Islands fails to conform with some of the requirements of FAA handbook 4900.1; Ref para 42, "Family Housing Standards," sub para 2, "Construction." This portion of the manual states that government housing shall be weather and water tight, in a good state of repair and structurally safe, without potential hazards. The FAA housing on St. Croix does not conform to these directives. (See enclosed UCR Nr. 274544 and section labeled history FAA housing)

Ref. 4900.1 para 42, "Family Housing Standards," sub para 2, "Location."

FAA housing on St. Croix (U.S.V.I.) is located next to an airport and in a major industrial area consisting of a bauxite processing plant to the east—the largest oil refinery on the Western Hemisphere also to the east—a sewage and raw waste dump (open), to the southeast—a cement and chemical plant to the northeast and an active police pistol and rifle range to the north, along with a minimum

security prison in the same location. All of these conditions are within two and one-half miles of the housing compound except for the rifle range which is directly behind the compound at the base of the north side of the hill that the compound is constructed on. In addition the housing compound is located off an abandoned road which presents an extreme inconvenience and difficulty in commuting to airport traffic control tower on St. Croix; This is because the road is not paved and is full of large holes that damage the cars of the housing tenants when they drive over it—going to and from work and all other activities. This same road is served by a one-lane bridge that fills with water when it rains and is collapsing. This road also runs parallel and very close to the active runway at the St. Croix airport. (See enclosed copies of UCRS NRs. 311482, 274543, 274542 and other information labeled history of FAA housing on St. Croix, U.S.V.I.)

Ref 4900.1 sec. 41-J, pg 23 para 45 sub para A, B and C, "Substandard Housing."

In accordance with this section of the manual the FAA housing on St. Croix is substandard by agency standards. Also the condition of this housing fails to comply with the spirit of section 9(1), Public Law 89-670 pg 4 Par 3, "General Policy for providing Services," FAA manual 4900.1 pg 6 par 16, "Maintenance and repair," sub para A and B-4. In addition the houses fail to comply with the spirit of manual 4900.1 appendix 3, "Standards for Air Conditioning." In the FAA houses on St. Croix, V.I. air conditioning is not available or provided by FAA, yet these houses are located in the tropics. (The FAA houses in St. Thomas, V.I. are air conditioned.) This lack of air conditioning, along with improper housing structures and design is a major cause of furniture and clothing mildew and appliances and other metal objects and belongings rusting out, while they are stored or in use in these houses. The housing tenant has to shoulder the expense for replacing the property he owns that is damaged or destroyed by these conditions. It is our opinion that the FAA should make good our losses under the conditions of the "Military Personnel and Civilian Employees' Claims Act of 1964." Since this act makes the head of an agency or his designee the determining party in deciding what claims are to be paid, the act in effect leaves it up to his discretion as to whether the FAA should pay under the conditions described concerning articles damaged or destroyed while they are in these houses; However the FAA will not admit to the true condition of FAA housing on St. Croix, V.I. and this reflects in their willingness to pay under this act, therefore the employee has to make good his own losses.

Ref. FAA manual 4900.1 pg 49 sec 8 para 93 sub para 5, "Furniture Criteria," pg. 49 para 56, "Tools and Equipment", and appendix 7, Household Equipment standards.

The FAA houses on St. Croix fail to comply with manual 4900.1 appendix 7, "Household Equipment Standards", sec 2 Quarters outside of the United States, sub para A, "Housekeeping": In that washers and dryers are not provided for laundry purposes in the FAA houses; Since no laundry facilities are available within a reasonable distance from the housing compound for this purpose. Also manual 4900.11 pg. 49 sec 8 para 93 sub para 5, "Furniture Criteria"; Furniture may be provided by the FAA where local conditions or climate is such that a special type of furniture is required. Since the FAA housing in St. Croix, V.I. is located in the tropics, it would follow that this location would meet the spirit of this directive on all counts. The furniture the average contract employee brings with him to St. Croix from the United States is ill-suited for survival in the FAA provided houses, largely due to the lack of proper protection the houses afford. We maintain that if the FAA had advised us of the true condition of this housing, we would not have brought our good furniture into them. (Refer to enclosures concerning the history and present condition of FAA housing on St. Croix, U.S.V.I.)

In accordance with FAA manual 4900.1 pg. 28 para 56, "Tools and Equipment"; Necessary tool and equipment for ground care will be made available by the maintenance activity to the extent that the occupants do not have the adequate equipment available. Currently on St. Croix this directive is not being followed and employees are having to secure their own equipment; which in time rusts out due to the climate and inadequate storage facilities.

Ref. FAA manual 4900.1, par 73 A.

This portion of the manual implies that the FAA could, at any time, force the tenants of FAA housing on St. Croix V.I. to remain in the fore-mentioned houses for security and maintenance purposes. (Given the location and condition of this housing), (See enclosed copy).

Ref. BOB circular A-18 8/18/67 and other BOB publications concerning the Standards for construction of permanent housing. The FAA houses on St. Croix, V.I. do not comply with all of these standards or the intent and spirit of this circular.

Ref. FAA manual 1200, "Entertainment".

There is absolutely no recreational facilities in the housing compound on St. Croix, V.I. On a small island where racial tensions are high the FAA does not even provide one swing set for small children in the housing compound. The employee is forced, out of boredom, to join private beach or country clubs at a moderate to high expense to him and his family. (The public facilities are few and crowded—also, in some cases, they are not safe to go to and can be very expensive.

Ref. FPM LTR. Nr. 591-12, 8/16/74. Issued by the Civil Service Commission concerning nonforeign area cost of living allowances and post differential rates.

The FAA employee living in government housing on St. Croix, U.S.V.I., lost his cost of living allowance because he is provided government housing. The commission determined that there was a significant difference in living costs between employees who rent government housing and those employees who rent private housing or who are homeowners. We maintained that if the commission had known that the FAA employee living in government housing on St. Croix, V.I. was in fact living in substandard housing with extremely high hidden expenses plus having to meet the very high costs of food, insurance, education, etc., this action would have never occurred. Therefore we maintain that a grave injustice has been committed by the FAA and indirectly by the Civil Service Commission, for reasons previously cited, and that our cost of living allowance should be restored and our personal property claims against the FAA paid.

Mr. MERRILL. As a result and summation of all of these discrepancies, we contend that there did not exist a true meeting of minds, the kind you should have in any legal and binding agreement, between the newly transferred contract employee and the FAA Southern Region concerning the terms and allowances he would be given if transferred to the terminal facility on St. Croix, U.S. Virgin Islands. We furthermore contend that we were not properly made aware of the actual conditions concerning the promises and allowances listed in the aforementioned job announcements until after we had arrived at this duty station, and that pertinent information was not made available until after our employment agreements were signed and we arrived at this station.

In addition we believe that our efforts to arrive at the actual conditions of this station, at the time we were considering accepting these positions, were met with half-truths and hearsay information, which was presented as the most accurate available. We also contend that we acted in a prudent manner and in good faith, which is what the law requires of any man, in arriving at our decision to accept the terms and conditions advertised in the aforementioned job announcements as incident to this post which resulted in our acceptance of this duty station.

It is not clear to us, at this point, whether this information was willfully withheld or whether it was not made available due to bureaucratic inefficiency, however we would prefer to believe that the latter is true. Nevertheless, the reasons for these discrepancies in the FAA's recruiting policies and general maintenance and management procedures for St. Croix tower and accompanying facilities can be determined at a later date, it is our contention that all of the prestated promises made to the newly recruited contract employee during this period be lived up to by the FAA and that the FAA adhere to their own published directives by meeting the following requests:

1. The cost-of-living allowance or its equivalent, be returned to the FAA employees in Government housing.

2. The FAA repair and modify the FAA housing on St. Croix so that it conforms with their own directives and the intent and spirit of the public laws that were created for this purpose.
3. That the rents charged for FAA housing on St. Croix, U.S. Virgin Islands, be reduced to correspond with the figures advertised on the aforementioned job announcement.
4. That the police shooting range (also open to the public) be closed "immediatey"—so that it will no longer present a serious hazard to the residents of FAA housing on St. Croix, U.S. Virgin Islands.
5. That an acceptable access road be provided, one that is safe and free from hazards (paved), to the FAA housing compound.
6. That the FAA reimburse the current tenants of FAA housing on St. Croix U.S. Virgin Islands for furniture, clothing, personal effects, appliances and automobiles that have been damaged and continued to be damaged due to the forementioned living conditions in the FAA provided houses.
7. That the FAA increase their educational allowance to cover the actual costs of private education of St. Croix, U.S. Virgin Islands.
8. That the FAA authorize employees with school age children the option of shipping two cars to St. Croix U.S. Virgin Islands on a G.B.L. (At the expense of the FAA)
9. That the FAA provide recreational facilities in the FAA housing compound on St. Croix U.S. Virgin Islands.
10. That the FAA's policy concerning the reimbursement of road taxes be altered so to provide a direct payment by the FAA in the same manner that import taxes are reimbursed to the employee.
11. That the FAA provide air conditioning for the FAA houses on St. Croix, U.S. Virgin Islands. Also one washer and one dryer for laundry purposes for each housing unit.
12. That the FAA redefine the Virgin Islands as a remote area—so that proper medical facilities can be provided for those FAA employees stationed here.
13. That the facility staffing at St. Croix Tower be increased to accommodate training and to promote a safer operation.
14. That the GS grade listed on the job announcement for St. Croix remain unchanged for the duration of our present contracts.
15. That the FAA act in good faith and proceed without delay to act on these requests in order to sustain harmony and promote the efficiency of the service.
16. That the FAA make use of Public Law 80-647 Activities sub para 1 "General" Costs of emergency projects etc. To secure for the FAA employee on St. Croix all of the requests laid forth in this summary.

We feel that a grave injustice has been and continues to be served on the contract employee at St. Croix Tower, U.S. Virgin Islands. These statements are meant only to try to bring the full force of justice to bear against this pressing situation.

Thank you for allowing me to speak.

Mr. DULSKI. Thank you very much. I also wish to thank all the witnesses who have testified this morning for their contributions to this subcommittee.

From the testimony thus far, I find there are five categories—schooling, staffing, equipment, training, and working conditions—which need improving.

I had the opportunity to visit at the St. Thomas Tower, yesterday, so I will address my questions to Mr. Ritterby.

I understand at the present time that a young lady is in training for a controller position in your facility. She has not had the opportunity to complete the course at the academy, so she is receiving training by the individual in the tower. Does that affect his capability of performing his duties in air traffic control?

MR. RITTERBY. I believe that she attended one session of the academy. It is broken into, I believe, now, three different sessions. She attended one, I believe.

The rest of the training will be done at facilities, it is my understanding.

There have been extensive delays in her training due to being hired as a GS-5. She has not been allowed in the past to train on another position until she reaches a certain point. I believe it is 120 days prior to her promotion to the next level. There is a stagnation in the training process.

I believe it is due to grade requirements to the FAA standards which have been established in the past. She has been held back.

I have been in St. Thomas for 2 years. When I first arrived in St. Thomas she was checked out on flight data, ground control, and was turning to local control. We had a valuation team come down from the FAA. They said that she was not allowed to train on these positions.

Her training was stopped on local control. She was unchecked, so to say, on ground control and she could only train on flight data position for the remaining half year, so her training basically was stopped.

There were several study programs that she was active in as far as book learning and things, but she was not allowed to train on other positions.

MR. DULSKI. Let me interrupt you there.

I understand the training school has better equipment and is better staffed for individual learning. Would you think that she would be better equipped for her duties as a controller if she were trained at the training school?

MR. RITTERBY. Yes, definitely. The controllers, the FAA full performance controllers at St. Thomas, have to perform all training duties, train the individuals, new arriving personnel.

MR. DULSKI. Can you tell me why the trainees from the Islands are not using the training facilities in Oklahoma?

MR. RITTERBY. I don't know the reasons why the FAA does not allow them to attend.

MR. DULSKI. Did you attend the school?

MR. RITTERBY. I attended the academy in 1969.

MR. DULSKI. Where do you think the better training is offered?

MR. RITTERBY. At the academy.

MR. DULSKI. Is there an Army base in Puerto Rico where the children of personnel attend school?

MR. MATOS. Fort Buchanan.

MR. HYLAND. I have three children ranging from 10 to 13, and they attend school at Fort Buchanan. All three are at the middle school, which is conducted in Army barracks, which last year was condemned and there was a threat of not reopening the school. The only school of good repair is the elementary school.

My children many times come home with eyes watering because of the cement dust and pollution from the factories nearby. Through this period of time the mosquitos are so heavily infested they come home covered with mosquito bites.

Basically due to no air conditioning, the barracks are open, slotted for air, and it is extremely hot and difficult to study in.

I would say the quality of education, as far as teachers is concerned, is good. It is the conditions they have to go through to receive the education which is of current concern.

Mr. DULSKI. Mr. Matos mentioned something about staffing in his statement.

Could you further explain to us your statement that "We are over-staffed." Could you give us a little more detail on that?

Mr. MATOS. I had an interview with my Facility Chief.

Mr. ROUSSELOT. The reason that is so unusual, is that we never hear when a facility is overstaffed.

Mr. MATOS. For the physical capacity of our facility we definitely feel we are overstaffed.

Right now, on my last interview with the Chief, approximately 4 days ago, I asked what is the capacity, in other words, how many FPL's are authorized staffing in this facility. He stated nine FPL's, two Assistant Chiefs, and one Chief.

Right now we have nine controllers. Some are divided between developmentals and GS-11 controllers, all our facility training, but the problem is we do not have the physical room for these people to stay during the time that they are not working on a position.

They might be sitting on the steps, on the window ledge in the tower cab, because there is no place to sit down to take a break. That creates problems which I have noted on index 1.

Right now a position bid was just posted—I think it was just closed—for three more controllers. That means from 12 people we are going to go to 15. Not to say we have two 150-program GS-5 trainees. That make 17 people.

And we understand since we are the designated training facility for San Juan, the next time somebody is coming in we will accept people.

Mr. DANIELS. Are you telling the committee that because of the physical construction of the facility at Isla Grande Tower that you are overcrowded so far as personnel is concerned, but with regard to the amounts of traffic that is handled there, would you say you are still overstaffed?

Mr. MATOS. In regard to the amount of traffic I would not say we are overstaffed.

Mr. DANIELS. Would you say the staff would be adequate, but the complaint you are reciting to the committee is the fact that the facility is entirely too small to accommodate the personnel?

Mr. MATOS. Exactly, sir.

Mr. DULSKI. From the testimony given here this morning, the housing seems to be very inadequate in all the locations. Mr. Merrill, before you took your present position of controller, did you discuss the conditions in the area with any controllers who had formerly worked here?

Mr. MERRILL. I made an attempt to do just that and I ran up a \$100 telephone bill in Pittsburgh.

Mr. ROUSSELOT. You were based in Pittsburgh, previously?

Mr. MERRILL. That is correct. I called Atlanta and they referred me to San Juan. I called San Juan repeatedly. The telephones down there are horrible.

I got half-truths and hearsay. I had never been to St. Croix, but the housing I understand was beautiful.

Mr. DULSKI. Who told you that?

Mr. MERRILL. Officials in Atlanta. They say, "Call San Juan."

When I call San Juan they don't even know where St. Croix is.

Mr. ROUSSELOT. Can you give me the names of the people you talked to in San Juan?

Mr. MERRILL. It was in May of this year.

Mr. DULSKI. In 1974?

Mr. MERRILL. Yes.

Mr. DULSKI. You have just recently arrived here?

Mr. MERRILL. Yes. I am on a 2-year contract.

Mr. DULSKI. I will have other questions later. I will now recognize Mr. Daniels.

Mr. DANIELS. I would like to address a question to Mr. Matos.

You have made some comments about the local hire program. There is a program here to hire local personnel after they are trained. Is it not true that many of these people who are hired locally then desire to go to the United States?

Mr. MATOS. The way the program has been established, all the local hirees know is the fact that they would like them to stay here on the island, but no provisions have been made of no set provisions to say, "You will be staying in this facility for approximately 1 or 2 years, then you will move on."

Right now we are in a big limbo. Even if we do decide to stay in San Juan, Isla Verde Tower, for a career progression, that would not have merit. We see day after day controllers who are passed over and they bring in supervisors from the States.

So if any of the controllers who have been hired on locally has any ambition to go higher in management, they definitely must leave. That creates the problem.

If I were hired under the local hire program I would be forced to go to the States for there would be a back-door-type movement to keep me out of the United States and to make me stay here in Puerto Rico.

Mr. DANIELS. Do the local hirees desire to move on? Is that their intention?

Mr. MATOS. Sir, personally, and for the local hirees who work with me, the contention is we would like to get ahead in the Agency. We like our job and would like to make the most of it. We are presently in limbo status.

Since we don't know what is best for us, we are not informed what are the problems, or what action is taken to accommodate us, since there is a problem in Isla Verde.

And also, for the conclusion, which I have just stated, that for career progression we must definitely go to the United States for more training in order for promotion, so that when we come back we can get into supervisory positions.

Mr. DANIELS. I have a general question. Do the controllers receive any cost of living allowance?

Mr. RITTERBY. Not at St. Thomas.

Mr. DANIELS. Do you here at St. Thomas live in Government housing?

Mr. RITTERBY. Yes, sir; we live in Government housing.

Mr. DANIELS. Do you receive the cost-of-living allowance?

Mr. RITTERBY. No, sir.

Mr. DANIELS. If you lived outside the Government property, would you receive a cost-of-living allowance?

Mr. RITTERBY. Yes, we would receive 10 percent cost of living.

Mr. DANIELS. What is the average so far as personnel is concerned? Are most of them living in Government housing?

Mr. RITTERBY. All contract employees are living in Government housing. Local hires, according to the FAA handbook, are not authorized to live in Government housing.

Mr. DANIELS. Do they have the privilege to move out if they so desire at any time?

Mr. MATOS. You have the privilege. However, as Mr. Merrill mentioned, the handbook also states the FAA can force you, if they desire, to remain in the housing or return to the housing.

Mr. DANIELS. Have any of the employees expressed a desire to move out but have been prohibited from doing so by the FAA, to your knowledge?

Mr. RITTERBY. Not to my knowledge.

Mr. ROUSSELOT. Would the gentleman yield?

Mr. DANIELS. I would like to present the same question to Mr. Merrill.

Mr. MERRILL. Concerning the houses?

Mr. DANIELS. Yes.

Mr. MERRILL. We have one gentleman in one of the houses for the last 10 years who recently moved out. His comment to me was he had had it. He was tired of paying for furniture damage, tired of coping with water from leaky roofs, water that comes through improperly designed structures.

I can refer you to part 3 of the booklet I gave the gentleman, concerning the history of St. Croix housing. I'd like to read a letter dated July 28. They are in order concerning the dates starting from the earliest date on up.

This letter is from Mr. Lawrence F. Bauer, the FAA chief and housing manager of St. Croix at that time. I have underlined in red the most important parts of this. I will briefly run through it.

These roof leaks are due to the absence of a suitable roofing paper mounted in between the metal roof material and the wooden planks serving as the purlins of the roof structure. This is a deficiency of the original plans and specifications.

Mr. DANIELS. How long have those buildings been occupied?

Mr. MERRILL. They were built in 1964.

Mr. DANIELS. I recall you stating they have no windows, are located off an abandoned road, and have no air conditioning.

Mr. MERRILL. That is right.

Mr. DANIELS. Have these conditions been brought to the attention of FAA?

Mr. MERRILL. Yes. You will find under the housing history all of these have been brought to their attention.

Mr. DANIELS. How long ago?

Mr. MERRILL. Anywhere from 7 to 10 years.

Mr. DANIELS. Has anything been done?

Mr. MERRILL. Not that I can see. In my house it is the same.

Mr. DANIELS. Who has the responsibility with regard to the maintenance and organization?

Mr. MERRILL. The maintenance chief at St. Croix is responsible for it, but he has indicated to me that due to lack of funds they can't really get into the houses other than patch work where it is necessary.

According to the manual, I believe we complied with the spirit of the appendix of Manual 4400.1, Air-conditioning. The houses are in the tropics. You have a mildew problem, a rust problem, and a climate problem.

Mr. DANIELS. How many housing units are located there?

Mr. MERRILL. I believe there are 10.

Mr. DANIELS. Are they all fully occupied?

Mr. MERRILL. No, no. Five presently occupied, and of the five, two were contemplating moving out, including myself.

My position is, I will move out provided I am given a statement from the FAA that they will not invoke part 73A and force me to move back in after I have gone to the expense of moving out, and after they have paid the damages on my furniture which I have submitted to their claims office.

Mr. Siegel has my claim. I'd like to submit it as evidence.

Mr. DANIELS. Is any provision made under the regulations for moving expenses?

Mr. MERRILL. We moved into Government houses when we came down. The reason for this is a bid announcement in part 1, and under notes on St. Croix it says, "Selectee should live in housing provided for FAA employees." So I would take this to mean they would desire us to live in the FAA housing.

I also take it to mean it is suitable and not substandard. I am not that briefed in what is and what is not substandard in houses. I am not in the business of building houses. At first glance I had no idea the house was substandard, but after living in it I began to see the deficiencies and I compared it with the manual outline of FAA housing and in my opinion it is substandard.

Mr. DANIELS. Have you been informed by the management of FAA as to the reason why you are compelled to live in this housing? Could it be because of security reasons?

Mr. MERRILL. I know it is in the manual we are compelled. I was not informed either way. I went ahead and moved in. The FAA moved me into the housing. If I move out, the position——

Mr. DULSKI. Would the gentleman yield?

Mr. DANIELS. Yes.

Mr. DULSKI. You were afraid that they might invoke some section of the manual. What about the FAA's negligence in supplying the kind of housing that is alluded to in the manual?

Mr. MERRILL. I agree. I believe there was negligence.

Mr. DANIELS. I yield to Mr. Rousselot.

Mr. ROUSSELOT. Mr. Ritterby and Mr. Merrill, so that we understand each other on this issue, please answer this question. When you bid to come to any of these locations here, are you told you must live in or is it implied in any way, you have to live in Government-subsidized housing?

Mr. RITTERBY. Mr. Congressman, I did the same thing Mr. Merrill did. I spent quite a bit of money in telephone calls trying to find out something about the island. Nothing was furnished to me until after I was chosen, selected for the bid.

Once I was selected the facility chief called my house, when I was living in Chicago, advised me I would be moving into a trailer, I should store certain of my household effects because they were furnished trailers.

Mr. ROUSSELOT. Did he warn you there might be the kind of problems Mr. Merrill mentioned, and that it was a difficult climate?

Mr. RITTERBY. Negative. Two weeks later the chief called back and advised me that a house was available and that I would be moving into unit 5A. There wasn't a choice.

He just said, "You will be moving in," so I was of the understanding it was incident to the job and I was required to stay there.

Mr. ROUSSELOT. So you had the feeling you were compelled to live there on the basis of that phone conversation. Was the facility chief there, here, or——

Mr. RITTERBY. From St. Thomas.

Mr. MERRILL. I would like to build on that a little bit.

I was also of that opinion that the housing was meant as the incentive, in other words, to induce the employee to come to St. Croix and work there for 2 years and live in Government housing. Nothing was mentioned to me that the housing was substandard, was not weather-proof and watertight in accordance with the manual. I brought down all my furniture, which I wish I had stored.

Mr. ROUSSELOT. Your point is unlike Mr. Ritterby's, who was told housing was furnished. In your case you were not given any warning that the weather might be difficult here?

Mr. MERRILL. I knew the weather was difficult.

Mr. ROUSSELOT. Why did you want to come here in the first place?

Mr. MERRILL. The incentives: The housing, cost of living allowance, and I wanted to see the tropics.

Mr. ROUSSELOT. Any other reasons?

Mr. MERRILL. And the nonradar approach control that was offered at St. Croix. When I got there it was taken away.

Mr. ROUSSELOT. Did you feel it was a good place to live, or that it was difficult, or what? There were no external reasons such as your liking water sports?

Mr. MERRILL. No.

Mr. RITTERBY. I would like to clarify.

You said that I said the housing was furnished. Only the trailers are furnished and the houses are not. I was advised to bring all my housing effects. I did leave some in the States, antiques, and so on. The duplexes are not furnished.

Mr. ROUSSELOT. The information we have is that, and correct us if we are wrong, you were given a free choice. That is, if you take the subsidized housing obviously because it is of less cost to you as an individual, then you don't get the extra cost of living allowance; is that correct?

Mr. RITTERBY. This was not the case when I came down.

Everybody was receiving 5 percent cost of living at that time. I was not aware that I had the choice to move out. I was told I would get the house, the duplex, that I am in now.

After I arrived here, going through the manual, I realized if I moved out of that house all the costs involved would be a burden on myself.

Mr. SIEGEL. Mr. Congressman, when these controllers bid on the positions in St. Thomas and St. Croix, like Mr. Ritterby, who has been there 2½ years, Mr. Merrill, approximately 7 or 8 months ago, on the bid sheet the vacation announcements, they were advised they would receive a cost of living allowance which at that time was 5 percent, also basic housing, housing provided by the Government.

The Commission, the Civil Service Commission, just recently did a study on the Virgin Islands and Puerto Rico. They took away the cost of living allowance for those employees being provided Government-subsidized housing. They came down here with the intention of taking away from officers in Government subsidized housing the cost of living allowance and as from October 14, the cost of living has been taken away from them.

Mr. MERRILL. I would like to add something: the housing in St. Croix is advertised in the bids I bid on in May, early April. It listed housing prices for a three-bedroom house, \$105 a month. The actual cost is \$118.65 a month, to be increased next year to \$132.30 a month. The four bedroom was advertised as \$110 a month.

Mr. ROUSSELOT. What would be the cost of comparable housing in the private market?

Mr. MERRILL. I maintain the house I am living in now is not worth what I am paying.

Mr. ROUSSELOT. What would the cost be?

Mr. MERRILL. I can find a house for approximately \$250 a month on the islands. I was looking at one last week.

Mr. ROUSSELOT. That you found would be comparable without the leaks and other problems, is that true?

Mr. MERRILL. Yes.

Mr. DANIELS. You stated you desired to come down here. If you had the opportunity to come down here in advance to inspect and you observed just exactly what the conditions are, would you have made the change?

Mr. MERRILL. I would have never come down.

Mr. ROUSSELOT. In other words, you feel you were misled.

Mr. MERRILL. Yes.

Mr. DANIELS. I'd like to ask the same question of Mr. Ritterby. What would your attitude have been if you had the opportunity to come and see the actual conditions down here?

Mr. RITTERBY. At this time I would say no, knowing what I know now. It would be hard to tell if I had received all the information necessary at that time from the individuals I talked to.

Mr. DANIELS. I want to ask one further question. You were very complimentary about the education system. I'd like to ask a question of the whole panel.

What is your opinion of the quality of education down here in the Islands? Is it good, or classified as satisfactory, or below satisfactory condition?

Mr. RITTERBY. Mr. Congressman, I don't have any children in school at this time. However, based on discussions with other controllers in St. Thomas, the public school systems are substandard, I guess you would classify them, compared to the States.

Mr. ROUSSELOT. Where were you before?

Mr. RITTERBY. Chicago.

Mr. DANIELS. When you say "substandard" do you have reference to teaching, or do you have reference to the buildings or structures?

Mr. RITTERBY. No, sir. The teaching. And the private schools I have been told are very good. However, they are very expensive.

The lady, the female controller that some of you met yesterday, has two children in school. I believe they are in grades 5 and 6. The cost for their schooling is approximately \$1,250 per year per person, and the Government gives her an allowance of approximately \$850 per year. So she has the added burden of roughly \$1,000 per year which she has to pay out of her pocket.

Mr. ROUSSELOT. If you were to do it over again, would you come back?

Mr. RITTERBY. On the overall picture, I would say yes, because we have problems that exist in St. Thomas as which I feel can be solved. The area has things to offer me and my family that I very much like, water sports, scuba diving, traveling to places I had never been in the area.

Yes, I would. I think the problems can be solved.

Mr. ROUSSELOT. So you may stay a while.

Mr. RITTERBY. I have signed another contract based on the assumption these problems can be solved. I hope the FAA will solve them.

Mr. ROUSSELOT. So you do not feel that the personal inconveniences that you have described are so overwhelming that it is hampering your ability to do your job. That is, you are providing safety for air passengers, and that's the ultimate we have to be concerned about.

Mr. RITTERBY. Some conditions that exist in the tower, I would say yes, because they are unsafe conditions.

Mr. ROUSSELOT. As I understand the point being made by many of you, and I am sympathetic, you feel in the recruitment process you were not adequately and properly informed of what was adverse or difficult personal situations, housing, et cetera, as it relates to the job.

But on the other hand, you feel the ability to provide safety for the passengers has not been hampered. In other words, you feel these other personal inconveniences have not been so bad that you didn't want to stay and do the job?

Mr. RITTERBY. This is myself individually. In the past, the past history to my knowledge, up until this year, only one individual has signed a second contract, and that was because he was offered a supervisory position at St. Thomas. Nobody in the past, to my knowledge, has signed a second contract until this year.

Mr. MERRILL. Since you bring this up about hampering your ability, whether you will stay—

Mr. ROUSSELOT. You made it clear you would not have transferred down here if you knew then what you know now.

Mr. MERRILL. That's true. If they would improve the houses, they would get those people who would sign.

Mr. ROUSSELOT. Would they get you?

Mr. MERRILL. Probably not. I just don't have any faith in them.

I am reading from the FAA's brochure that they sent me. It is part 1. It is under medical and dental in the Virgin Islands. I will summarize it for you.

It says, "On St. Thomas and St. Croix, there is one hospital each providing 24-hour medical and emergency surgical service. The hospital is owned and operated by the local government through the Department of Health. The medical staff consists of six to eight doctors. Some of them are specialists, others are general practitioners. Student interns augment the staff from time to time. The nurses are well trained and efficient."

I do not agree with that statement. I would like to read a letter from a resident of St. Croix addressed to Mr. Fenn. It is from the controller's wife who was en route from St. Croix back to Pittsburgh last week.

Anyone who can sit down and write this letter has got to be a little mental. Under the conditions I have been put through, the problems encountered by me on the Island far surpass the realms of my mind.

I shall explain. I have a daughter who suffered with chronic tonsillitis. My husband and I have spent \$175 on her tonsils. The amazing thing, we have high option Blue Cross and Blue Shield insurance.

Unfortunately for us and the rest of the FAA personnel, it is not honored on St. Croix.

She received a letter from Blue Cross and Blue Shield on the supplemental benefits part of their policy and they refuse to pay her medical treatment on St. Croix.

Mr. ROUSSELOT. Mr. Merrill, before you came here, were you a member of PATCO?

Mr. MERRILL. That's correct.

Mr. ROUSSELOT. Did you check with any of those officials?

Mr. MERRILL. I read all the brochures I could find.

Mr. ROUSSELOT. Did they warn of any problems?

Mr. MERRILL. Some of them warned of problems in San Juan, but they were lacking in St. Thomas and St. Croix. There was a jumbling up of everything. San Juan this, San Juan that. No one knows anything about the Virgin Islands, other than it is America's paradise.

Mr. ROUSSELOT. Mr. Siegel, is there a general problem in the whole area, or is it St. Croix and so forth, and are you warning your members about this problem?

Mr. SIEGEL. Yes. Since I took over we have informed controllers through national publications in the country of the conditions they would be confronted with if they transferred down here.

The FAA puts out their own public relations programs in regard to the tours of duty here.

Mr. ROUSSELOT. Prior to the time Mr. Merrill came, 7 or 8 months ago, through your publications, to the best of your knowledge, there was no way that an individual would know of the problems within your organization.

Mr. SIEGEL. I think prior, no.

Mr. ROUSSELOT. And you felt FAA public relations were misleading, too?

Mr. SIEGEL. Yes. In some articles, it describes it as a tropical paradise. There are a lot of pluses coming.

Mr. ROUSSELOT. What are the pluses?

Mr. SIEGEL. The weather, the water sports.

One of the other publicized statements, it says more exposure for the controller to advance his career.

Mr. ROUSSELOT. You think that's true?

Mr. RITTERBY. I do not. Most of the articles that were written about the Virgin Islands, they did address themselves to the San Juan area. I had more information about San Juan proper than I did on St. Thomas and St. Croix at the time.

Mr. ROUSSELOT. Are you finding the FAA officials are more responsive to some of the complaints you make?

Mr. SIEGEL. Yes. At first, the FAA would not listen to me as far as facing up to the problems. And when I identified them, there was very slow action, getting action taken to correct the deficiencies.

I publicized conditions in an effort to deter controllers to force them to correct the deficiencies. Over the past 6 months, there has been a low effort to correct some of these problems that I have identified.

Mr. ROUSSELOT. What about the housing problems that Mr. Merrill has mentioned?

Mr. SIEGEL. I think they have painted some houses. They have done some sporadic repairs but nothing to any great extent.

Mr. ROUSSELOT. Are you familiar with this book that Mr. Merrill gave us?

Mr. SIEGEL. No, sir. I am not.

Mr. ROUSSELOT. Is this the first time you have put in this submission?

Mr. MERRILL. Yes, sir.

Mr. ROUSSELOT. Has this been passed on to the FAA?

Mr. MERRILL. Only on a piecemeal basis.

Mr. DANIELS. Mr. Merrill, in reading the letter, makes reference to health insurance, Blue Cross and Blue Shield. Do your employees enjoy the benefit of Blue Cross and Blue Shield?

Mr. SIEGEL. I know for sure the controllers in the States had the opportunity to use Blue Cross or Blue Shield. I am not familiar about the options they have down here.

Mr. MERRILL. I came down with what I have in the States.

Mr. CARROLL. With the problems of Blue Cross and Blue Shield, we have something that is triple-S, that is honored on the Islands. Most of the controllers buy that.

Mr. DANIELS. Would that apply to St. Croix? Mr. Merrill said Blue Cross and Blue Shield was not honored at the hospitals.

Mr. MERRILL. They won't take anything but cash. They won't treat you unless you have the cash.

Mr. DANIELS. Is that a down payment and then you supply insurance?

Mr. MERRILL. Paid in full. My little boy hurt his head, for an example. I had his head X-rayed. They would not let the doctor see the X-rays until I paid \$30 for those X-rays.

Mr. ROUSSELOT. Mr. Hyland, Mr. Carroll, Mr. Matos, do you share Mr. Merrill's concern about housing? Are you in the same situation?

Mr. CARROLL. We don't have housing available to us in Puerto Rico. We go out and rent apartments, or houses, or whatever. It could be made available but there has been some problems.

Mr. ROUSSELOT. You get an allowance for that?

Mr. CARROLL. No.

Mr. SIEGEL. They do receive a cost-of-living allowance in Puerto Rico, 7½ percent.

Mr. DANIELS. One general question to the entire panel. With regard to staffing at your various centers, would you state to this committee whether you feel you're adequately staffed or insufficiently staffed?

Mr. HYLAND. San Juan center is definitely insufficiently staffed.

Mr. DANIELS. Could you tell us in what respect? What would you recommend to correct the situation?

Mr. HYLAND. San Juan does not have enough bodies. As of November 1, we had 21 full performance level controllers which are capable of carrying on all the duties of controllers. We have 20 local hirees and trainees.

The authorized complement is 50 controllers. We had 308,687 operations in 1973 which, if broken down per man, figures out at 7,000 per man as compared to New York center, 2,396, and Atlanta, with 2,340 per man.

Mr. ROUSSELOT. Does your flow of traffic remain constant?

Mr. HYLAND. We have dropped a few thousand since 1972.

Mr. ROUSSELOT. There has been a drop in traffic?

Mr. HYLAND. This is fiscal year 1973 which ended in July.

Mr. ROUSSELOT. Would the reason for not staffing up be because of management considerations? Would that be part of the answer they would give us?

Mr. HYLAND. Negative. The staffing levels have always been inadequate here at San Juan. They have not reached full complement. I don't have the figure, but from 1972, there is not that drastic a drop.

Mr. RITTERBY. As I mentioned in my opening statement, the failure of FAA to fill performance level vacancies, that was based on September 1974 traffic count. And we were short two controllers, two supervisors, and one part-time secretary based on the standard established by the FAA.

Mr. DULSKI. Did you receive any new personnel as a result of the additional positions of controllers which were filled throughout the system?

Mr. MERRILL. St. Croix received two local hirees which we were required to train. When I say "we," I mean the other fellow that came down in May, certified and signed to train within a month. With the staffing of four full performance level controllers at the facility, by the FAA guidelines, it calls for seven.

Mr. DULSKI. Are there other questions?

Mr. ROUSSELOT. I still would like Mr. Hyland, Mr. Carroll, and Mr. Matos to comment on whether you think you were misled before you came here, and would you now sign up again? Mr. Merrill said he would not.

Mr. CARROLL. I definitely would not.

Mr. HYLAND. I am due to return.

Mr. MATOS. Since I am a local hiree, I am not on a contract until I go back to the States and come back.

Mr. ROUSSELOT. You would prefer to go back to the States and get additional training?

Mr. MATOS. Definitely.

If I can make a comment on the question asked on staffing presently in our facility, I would venture to say it is adequate. The only problem is with the people programed to go in there, local hirees and also people coming in from the States on a bid, unless some measure is taken, some measure that the administrative officers make to let people leave our facility to go in the San Juan tour are made, then we will definitely be in a dangerous level of overstaffing.

Mr. CARROLL. I would like to make a comment on staffing. In June of this year, we had 24 full performance level controllers available for work. We had, at that time, 40 hours of scheduled overtime. It was placed in the books for ticket operation. We had a traffic count of 16,588 for the month. This past month, we have 14 full performance level controllers, and the traffic count of 16,287.

We are working with 10 less full performance level controllers than we were in June and yet we have basically the same amount of traffic.

Mr. DANIELS. You have trainees filling the additional slots?

Mr. CARROLL. We have 15 trainees.

Mr. DANIELS. What effect has that had on morale and on the full performance levels?

Mr. CARROLL. It is a strain to train and keep going through the same program.

Mr. RITTERBY. St. Thomas yesterday, when you visited, we had one full performance level controller on duty and one developmental, the female, to cover for positions of operation. The additional time we will have one full performance level controller and three trainees. Two are full performance level controllers in training.

Recent replacements were one full performance level controller on board in the tower at the time and he is required to train these individuals at the same time working a position. What usually happens, he will put a trainee who is checked out on local control on the control.

The trainee on ground control, and another on flight data, on flight data position. He will then see all three trainees and they are trainees. They are not checked out controllers.

Mr. DULSKI. Isn't that rather dangerous?

Mr. RITTERBY. I consider it dangerous. In another situation Congressman Rousselot was talking about the aspect of flight safety. All this information is documented in the book that some of you have.

Mr. ROUSSELOT. You're talking about the book Mr. Merrill submitted?

Mr. RITTERBY. The book I submitted to the committee on St. Thomas. It begins on page 2, subpart 2, part 7: Staffing criteria is based on the combining of positions at St. Thomas tower. Approach control and local control are combined and flight data and ground control are combined, thus making it possible for the FAA to operate the tower with seven controllers.

We feel that these combined positions can, at times, jeopardize flight safety. In reference to this, I have filed an Unsafe Condition Report, No. 297012, dated September 21, 1973, which states that these positions are hazardous and unsafe.

In January 19, 1974, I resubmitted the same unsafe condition report, 28, 14, 74 because I received no reply to my first unsafe condition report.

Keith Rosenlund, our former facility chief, concurred with my unsafe condition reports. I will read his reply in a moment, and all of this information is in the booklet.

Mr. ROUSSELOT. Have you ever received a response?

Mr. RITTERBY. I received a response on, I believe, it is May 16th of 1974. Both unsafe condition reports were sent back to me. This is on page 16, the first unsafe condition report. Page 19 is the second unsafe condition report, the resubmitted unsafe condition report.

The FAA acknowledges the fact that it is unsafe and the facility chief thinks:

This is an unsafe position configuration. More of an unsafe condition than what Mr. Ritterby describes is that the air traffic controller specialist, assigned flight data, ground control, must make control decisions during coordination on flight data and the local control and approach control position, and a controller is responsible for these decisions. He cannot work local control, approach control, and flight data at the same time.

Mr. ROUSSELOT. Where is that?

Mr. SIEGEL. Congressman Rousselot, page 16, part 10.

Mr. ROUSSELOT. To bring that safety condition up to a proper level, what do you feel the personnel should consist of at that tower at all times?

Mr. RITTERBY. I felt the position should be redefined. We cannot provide the proper service. This way our attention is diverted from one position to another.

Mr. DANIELS. You recommend two controllers plus—

Mr. RITTERBY. I recommend three controllers, a combined approach and flight data, because they are compatible. A ground controller and local controller. The frequency for approach control was installed, a transmitter and receiver was installed many years ago at St. Thomas. It was 118.1. We had a manual approach control at that time, and the purpose was to provide an extra position.

I assume they would have a radar position for the approach control function. This was never done and they continue to keep the positions combined, it is my opinion, to cut down the operating cost of the facility and save money.

Mr. DANIELS. I draw the conclusion from your testimony that the staffing there is totally inadequate.

Mr. RITTERBY. Yes, that's correct.

Mr. DANIELS. By what number?

Mr. RITTERBY. By two additional full performance level controllers, supervisors and because we are performing supervisory duties which takes us away.

Mr. ROUSSELOT. I want to be sure I understand this. In your memorandum on page 3 you say that your original unsafe condition report was submitted on September 26, 1973. You resubmitted it January 19, 1974. Your facility chief agreed with your evaluation of the situation.

What was the date you got a response to these memorandums?

Mr. RITTERBY. Referring back to the unsafe condition reports, the replies, the reply from Frank Jaget, Acting Chief, Air Traffic Branch, San Juan, the reply was mailed from his office pertaining to both unsafe condition reports, on May 16, 1974.

Mr. ROUSSELOT. Is the mail service the reason for the delay in getting a response to your letters?

Mr. RITTERBY. No, sir.

Mr. ROUSSELOT. Does it normally take that long to get a response?
 Mr. SIEGEL. Unsafe condition reports come under a certain section of the FAA report. The FAA is committed by that manual to answer the report in a certain prescribed time. I believe the time per annum is 30 days.

Mr. ROUSSELOT. OK. This is 8 months.

Mr. SIEGEL. Yes, sir. We will have to see what the response by the management to that is.

Mr. RITTERBY. The reply on one of the unsafe condition reports is that it was permanently mislaid. It is hard to believe that both unsafe condition reports were mislaid and found at the same time.

Mr. ROUSSELOT. Your facility chief agreed.

Mr. RITTERBY. Upon my arrival I was requested, it goes back to September 22, 1972.

Mr. ROUSSELOT. Have you ever turned in these kinds of reports before?

Mr. RITTERBY. No, sir; not in Chicago. These were the first ones. I was not aware of how fast I would receive a reply.

Mr. ROUSSELOT. Have any of you others had the same experience?

Mr. MERRILL. At St. Croix, we submitted four unsafe condition reports on the 13th of September this year, concerning the housing area, and the shooting range, and we have yet to get a response from the FAA concerning these problems.

Mr. ROUSSELOT. Yours were not for flight safety? They were for housing problems.

Has anybody else had the same experience on flight safety?

Mr. SIEGEL. Maybe the reason why Mr. Ritterby got a response, Mr. Ritterby was unfamiliar with the procedures. They had a seminar in the Virgin Islands, and Mr. Ritterby asked what the unsafe conduct report procedures were and how soon it would take to reply. When he told me what the time was, I advised him to file a grievance with management requesting a reply to the unsafe conduct report.

The grievance eventually reached my office and went to the regional office, and they were requested to resolve that grievance. Mr. Ritterby finally got a reply 7 or 8 months later.

Mr. ROUSSELOT. I am interested to know, has anybody else got that kind of response? Mr. Carroll, have you submitted any unsafe reports?

Mr. CARROLL. No.

Mr. HYLAND. We have not had the experience of a long time lag in response to unsafe conduct reports, but the kind of response we get back, such as there are proposals in the mail which would take care of these and some of these proposals have gone on for 2 years.

Mr. RITTERBY. Congressman Rousselot, if my memory serves me correctly, the time period with that, with the FAA, there was a time limit of 10 days. Ten working days per office that it went to, and if no action could be taken at that level, it would be referred to the next office like from the San Juan area to the southern region, to Washington. These unsafe-condition reports were never sent out of the San Juan area to comply with the 10-day period.

Mr. ROUSSELOT. Ten days?

Mr. RITTERBY. Ten days. If there is a delay, if one office, like the San Juan area office, delays the unsafe condition report pending action by it, they are required by the manual to notify me, explain what is

happening, how long they expect the delay will be, and so forth. This was never done.

Mr. DANIELS. Mr. Ritterby, having visited the tower at St. Thomas, I noticed there is a delay in flights coming in. Would it be your opinion that the delay was caused by the fact that you are understaffed there?

Mr. RITTERBY. I would say overall—I was not working yesterday. I would say overall, no, because we try to make the system work. There might be a couple minutes' delay while you're trying to make a decision, which takes you away from local control, which jeopardizes flight safety. I would say as far as delay to the aircraft, no, because we are making the system work.

Mr. DANIELS. The full performance level controllers can assign supervisory duties. What effect has that on the staff?

Mr. RITTERBY. The biggest effect, I would say, is morale. Increase workload, jobs that—doing things that we don't feel we should be doing. We are controllers. We should be controlling traffic, not doing clerical administrative duties.

Mr. DANIELS. You say it does have an effect on your work, as well as the physical well-being of the individuals?

Mr. RITTERBY. Yes.

Mr. ROUSSELOT. Mr. Siegel, I wonder if you and each of your colleagues here could submit to us, if it is not already in these packets that we have received, the things that you think need improvement in order to attract people to come to the area?

Mr. SIEGEL. I believe, Mr. Congressman, that most of the reports that you have received have identified the problems and have given reasonable solutions to them.

Mr. ROUSSELOT. You think the material we have is sufficient? We certainly recollect the size of the notebook—it is thick enough. But I would like your overview on these.

Mr. SIEGEL. At the conclusion of the hearing, we would like to prepare an additional statement at a later date.

Mr. ROUSSELOT. Whatever is feasible.

Mr. RITTERBY. The book you have on St. Thomas, we do have solutions on the staffing problems. They begin on page 9 of the booklet and extend to—page 9 through page 13 of the booklet.

Mr. ROUSSELOT. My principal concern on staffing is the high turnover of personnel in San Juan and the Virgin Islands. If it is as bad as Mr. Merrill and Mr. Carroll say, we want to know how do we encourage people to stay here so we don't have such a huge turnover.

Mr. MERRILL. In St. Croix, if they were to repair the towers, provide proper access roads to the facilities, staff facility proper, I believe, I earnestly believe you would not have a retention problem.

Most of the time you're dealing with three controllers and one chief. And then at one time, no chief, and two controllers, and people are brought over from San Juan and St. Croix to supplement the staffing.

Mr. HYLAND. If I could, I would like to digress back to the staffing thing. In our situation report, which we have forwarded to the committee, we have included an unsafe conditions report that was written February 16, 1970. In reading through this unsafe condition report, you will read a carbon copy of what everybody included for 1974. There have been no corrections made to this unsafe condition report.

Another point as to the staff, when we say we have 21 full performance level controllers, these are the only people that can perform, the full performance of controllers. We are faced with the conditions such as working four people from 8 in the morning to 11 at night, and this means combining sectors.

We have three sectors that work in San Juan center which takes the minimum of six people. Weather conditions and equipment problems are probably between that. An additional 20 trainees that they brought in now will not be of benefit to us for a period of 2 years at a minimum, or the possibility exists that they will be rushed through training and brought out to the board in the condition which is not safe to conduct air traffic.

Mr. DULSKI. If there are no other questions, gentlemen, thank you very much for your statements.

Mr. SIEGEL. Mr. Chairman, I don't believe that San Juan situation has been submitted formally. I would like to submit it at this time.

Mr. DULSKI. Thank you.

[The material referred to was retained in the files of the subcommittee.]

Mr. DULSKI. Mr. Siegel, I would like to thank you and your colleagues for appearing and giving us the benefit of your testimony.

Mr. ROUSSELOT. Thank you, we appreciate your coming.

[Recess.]

Mr. DULSKI. The subcommittee will resume its hearing. Our next witness will be Mr. Michael Fenn, FAA area manager.

STATEMENT OF MICHAEL FENN, FAA AREA MANAGER, SAN JUAN AREA OFFICE, ACCOMPANIED BY WALTER MOYLETTE, CHIEF OF THE SAN JUAN INTERNATIONAL TOWER; WILLIAM DAVIDSON, ACTING CHIEF OF THE ST. THOMAS TOWER; TOM PROTIVA, ACTING AIR TRAFFIC BRANCH CHIEF; JAMES BRYANT, BRANCH CHIEF OF AIRWAY FACILITIES; MRS. BLANCA HARRINGTON, COMMUNITY RELATIONS OFFICER; PRESTON TWYMAN, ACTING CHIEF OF THE SAN JUAN CENTER; BOLIVAR PEREZ-RIOS, ADMINISTRATIVE OFFICER

Mr. FENN. At the extreme left of the table is Tom Protiva, acting air traffic branch chief. Next to him is James Bryant, branch chief of the airway facilities. Next to him is Mrs. Blanca Harrington, our community relations officer, and as far as is known, she is the only one in existence in the FAA.

Next to Mrs. Harrington, the chief of the San Juan International Tower, Mr. Walter Moylette. To my right is the acting chief of the San Juan Center, Mr. Preston Twyman. Next to him is Bill Davidson, acting chief of the St. Thomas Tower, and to my extreme right is Bolivar Perez-Rios, who is our administrative officer.

Mr. DULSKI. You may proceed.

Mr. FENN. Mr. Chairman and members of the subcommittee, my name is Michael Fenn. I am the FAA area manager of the San Juan area office. I would like to welcome you and your staff people to San Juan, and to thank you for demonstrating an interest in holding this hearing, this meeting, and touring our facilities.

Jurisdiction of the San Juan office includes all of Puerto Rico and the United States Virgin Islands. The primary mission of FAA in this area is to provide air traffic, flight standards, airway facilities, and air transportation security services.

It is my understanding that you are interested in air traffic controller staffing in Puerto Rico and the Virgin Islands as well as the existing living environment. I would like to brief you on these topics and then to acquaint you with steps being taken to broaden the acceptance of living in Puerto Rico and the Virgin Islands by those FAA personnel seeking employment here.

With regards to current controller staffing levels, let me say at the outset, that the situation today does not represent a serious problem. While we are not staffed to currently approved staff levels at all facilities, we are by no means in a situation at any facility where safety of flight is derogated due to inadequate staffing.

For example, I would like to give you the following staffing statistics: at the San Juan Isla Grande Tower, the approved staffing level is 12. On board, 12.

At the San Juan International Tower at Isla Verde, the approved staffing level is 48. On board, 42. In the San Juan Center, the approved staffing level is 70. On board, we have 68.

At Ponce Tower, the approved staffing level is 7. We have on board 9. At the Mayaguez Tower, the approved staffing level is 5. We currently have on board, 4. At the St. Thomas Tower, the approved staffing level is 8. We have on board 9. At St. Croix Tower, the approved staffing level is 6. We have on board 7.

This is not to say that we are without problems in the staffing area. We have had difficulty in attracting controllers based in the United States to come to this area to work.

Many of those initially attracted to the area have had difficulty in adjusting to the environment for a variety of reasons, and have either sought relief from their 2-year commitment to stay, or have failed to renew their overseas employment agreement for an additional 2 years following the initial period.

This causes a higher than normal turnover rate at our facilities with resulting management difficulties and expenses.

Briefly, the major reasons most often cited by controllers for not wishing to remain are the following:

Lack of adequate public schooling for children; lack of adequate medical facilities; inadequate working conditions; lack of adequate affordable housing; high crime rate; language barrier, particularly in Puerto Rico; and the general high cost of living.

Mr. Chairman and members of the subcommittee, I submit that in some of these areas, there is not a great deal the FAA can do to help. We cannot, for example, recreate a home town atmosphere for every controller who comes to this area.

However, we are deeply concerned about the views expressed by some of our people, and we have initiated a program, now underway for over a year, to tackle these problems, and to either solve them or to at least, lessen the impact of such problems on those controllers who are unhappy.

I would like to indicate some of the things we have been doing which, in my opinion, have already been successful. We have substantially improved working conditions in all facilities, including

improvements of physical conditions and enhancement of equipment reliability.

As an aside, I am sorry if I appear to talk funny. The reason for that is I was born in England and naturalized in Puerto Rico in 1955.

We have established a community relations officer to assist families in adjusting to life in an island environment such as Puerto Rico and the Virgin Islands. The incumbent in that position conducts an orientation and counseling program to employees and spouses before they enter on duty. She has made herself available to give Spanish lessons to interested persons. She has also made an effort to interest FAA personnel in community involvement.

Mr. ROUSSELOT. How long have you had that position?

Mr. FENN. The community relations position has been in existence for approximately 3 years. Prior to Mrs. Harrington coming on board as the community relations officer, it was an office that did not function as well as it should. That was before we provided added facilities to orientate newcomers to the Virgin Islands.

Mr. ROUSSELOT. Thank you.

Mr. FENN. We have come to see the most reasonable solution to the staffing turnover problem as one of recruiting, hiring, and training local personnel. Last year, we committed ourselves to a priority area hire program, and to date, the program has been very successful. Thus far we have hired 24 highly promising people from the local area. One tower chief at Ponce began his career as an area hire and has been a prime mover in furthering this program.

Over the next 3 years, we anticipate an increase in percentage to reach 60, and hopefully 70 percent, of the total work force.

That concludes my prepared statement, Mr. Chairman. We recognize that we do have some problems with employee morale in Puerto Rico and the Virgin Islands. However, we have taken several steps to improve the situation, and these steps are paying off. Continuation of the area hire program is, in my opinion, the long term solution.

Thank you again for your interest. I have certainly welcomed the opportunity to appear before you today. My associates and I are available to answer any questions you may have.

Mr. Chairman, while it is still fresh in the minds of committee members, with your approval, I would like to defer to Mr. Protiva to reply to the air traffic controller's allegations, and then to Mr. Bryant to reply to the airway facility-type housing allegations.

Mr. DULSKI. There is no objection.

Mr. PROTIVA. Mr. Chairman, members of the subcommittee, my name is Tom Protiva. I am detailed as air traffic branch chief.

I would like to just speak generally of those areas that were covered earlier by the representatives concerning the air traffic aspects of staffing and a few other problems.

I would like to first say that PATCO's presentation stated figures and gave no relationship to those facilities in the continental United States, and those available positions that we are funded to support. I would like to state generally we are not in any dire situation as far as staffing and safety goes in the San Juan area. That, for the most part, San Juan facilities are as well staffed in numbers as the continental U.S. facilities. In fact, in many instances, better staffed.

As we go through the facilities, as spoken to by the PATCO representatives, to the St. Thomas tower by Mr. Ritterby, many of the things he said I can support. In the staffing, I will add something to shed a little more light on that subject. We have recently reduced our approach control function. The approach control function will be removed from the tower completely and this will be placed in the San Juan center, placed under radar control rather than nonradar control.

As far as the statement made in the San Juan center, I cannot respond to it. There was nothing specific that Mr. Hyland made in his statement.

The Isla Verde tower, again, it is a generalization and no specifics.

Mr. Matos in Isla Grande spoke of the quarters. What he says is accurate. They are inadequate quarters. We have a new tower that is programed for Isla Grande.

Mr. ROUSSELOT. When?

Mr. PROTIVA. It is in the 1975 budget. It does not give a completion date in the budget.

Mr. ROUSSELOT. To be constructed?

Mr. PROTIVA. To be constructed.

In addition to that, we have requested, and it is tentatively approved, to ship the training trailer from Lexington, Ky., to San Juan to accommodate the training that is being done in Isla Grande tower.

Mr. ROUSSELOT. How soon will that be done?

Mr. PROTIVA. The trailer was supposed to be released a week ago and shipping of that, I don't know how long.

Mr. ROUSSELOT. The purpose of that is to help to relieve the problem of space?

Mr. PROTIVA. The overcrowding that Mr. Matos spoke to, is very accurate. It is inadequate quarters, and we do need training quarters, and we are attempting to get it in a reasonable period of time.

I would like to enlarge a bit on what he spoke to in the training situation. We have designated Isla Grande to bring new hires in to get them basically orientated, give basic instructions in air traffic control, and get them to a skill level that will allow them to move on to Isla Verde and other facilities. They do carry a very heavy workload in training in Isla Grande.

Mr. DULSKI. If the tower is so small, why are you designating it as a training tower?

Mr. PROTIVA. Because of where the tower is located. It is in the area where the people are hired, in the San Juan area.

Mr. DULSKI. You are going to put up a new building?

Mr. PROTIVA. It is a house trailer, 60 feet by 12 feet 10 inches.

Mr. DANIELS. How soon would that be done? You said within a reasonable period of time. What do you mean, "Within a reasonable period of time?"

Mr. PROTIVA. What I said, at the beginning, they had approved the shipment of the trailer. I do not know the shipping date. It was released at Lexington a little over a week ago.

Mr. DANIELS. When was it approved?

Mr. PROTIVA. The first part of October.

Mr. DULSKI. If it takes 8 months to answer a letter, I don't know when they are going to ship that trailer.

Mr. PROTIVA. We hope it gets here soon.

Mr. DANIELS. Do you feel the trailer would be adequate to take care of the complaint that was made about the training center?

Mr. PROTIVA. Yes, sir, I do. I have no fear in this area. There are inadequate facilities at this time.

Mr. DANIELS. When was the request made for this additional facility?

Mr. PROTIVA. For the trailer?

Mr. DANIELS. Yes.

Mr. PROTIVA. Around the first of October, and we received immediate approval.

Mr. DANIELS. Was that the first time this request was made?

Mr. PROTIVA. As far as I am aware, yes. I could defer to someone else. I have been here since the 25th of August.

Mr. DANIELS. Do you anticipate it would become operational very soon?

Mr. PROTIVA. I anticipate that, yes. If it is shipped promptly and installed.

Mr. DANIELS. When it arrives, will it take very long to locate it in the proper place?

Mr. PROTIVA. I defer to Mr. Bryant on that.

Mr. BRYANT. With the lease arrangements—we will have to lease some space for it, but I would estimate within the next 90 days it should be onsite.

Mr. DANIELS. That is to put it onsite. How soon will it become operational?

Mr. BRYANT. We can make it operational very quickly.

Mr. PROTIVA. When it is onsite, it will be operational. All it requires is electricity.

Mr. DANIELS. You say "within 90 days after arrival?"

Mr. BRYANT. We do not control the shipment of the trailer from this end.

Mr. DANIELS. Have you received any kind of report from headquarters as to when it might arrive?

Mr. BRYANT. No; not to date, I have not.

Mr. DANIELS. Is anything being done by your office here to expedite its arrival?

Mr. BRYANT. Yes, sir.

Mr. DULSKI. Mr. Protiva, you may continue.

Mr. PROTIVA. Further, the question of training and the concern of the selection of new hires in Isla Grande. This is an ongoing program. They are hired for Isla Grande as recommended. They are eligible to bid on any facility in the southern region as they are advertised and they are entered into the selection process just as any other controller.

The concern for being selected for Isla Verde tower that was mentioned in earlier testimony, the number of full level performance controllers versus the number of people in training, it makes it very difficult until we get the number of full level performance controllers to take in—

Mr. ROUSSELOT. Do you find the local hires are more likely to stay here and be retained here, once they qualify, than those coming from outside the area?

Mr. PROTIVA. That is our experience, yes, sir.

Mr. ROUSSELOT. They are not just looking for a chance to go to the other places?

Mr. PROTIVA. That is true, but it would be to our benefit for some of them to be selected in rotation for stateside assignments for the experience that they would gain. And then we find that people that we have hired in Puerto Rico and leave Puerto Rico, and have gone to stateside, want to return.

Mr. DANIELS. Mr. Protiva, when this trailer arrives, you will train your personnel there, is that correct? How will they get on-the-job training? They are going to be assigned to a tower to take care of the safety of the traveler. Will they receive sufficient training in a trailer to fully qualify them to do the job in the tower?

Mr. PROTIVA. Their training will be the same as any other air traffic controller. The need for the trailer is to conduct the classroom training that we do not have room for in the tower. They will be involved in the on-the-job training as in any other facility.

Mr. DANIELS. How will that training alleviate the problem at the tower?

Mr. PROTIVA. The main thing that Mr. Matos spoke to, was the small room, the number of people, no place to give classroom training, where the recorder and everything is down in one small room. They can only accommodate a certain number of people in the tower cab. There will be enough room to accommodate them by rotating the trainees between the tower and the classroom. Hopefully we will have our new tower up by January 1, 1976. They have not given us a date on it.

Mr. ROUSSELOT. Will that facility also have training facilities that are adequate?

Mr. PROTIVA. Yes.

Mr. ROUSSELOT. You have seen the plans? They have all been approved?

Mr. PROTIVA. There was a difference. There was some discussion about this tower whether a 40-foot tower or a 30-foot tower which we insisted on sticking with the higher tower to include the room for training. We feel the training at Isla Grande is one of the most beneficial programs in the San Juan area.

Mr. ROUSSELOT. The contract has been let?

Mr. PROTIVA. The contract has not been let at this point.

Mr. ROUSSELOT. Is it out for bid now?

Mr. BRYANT. We have done the site survey, soil borings, and preliminary engineering; it is just a matter of going to bid and proceeding.

Mr. FENN. It is a priority item in the regional office.

Mr. PROTIVA. One reason it has been this long in getting this far, we just recently received assurance from the Puerto Rican Port Authority that Isla Grande will be one of the airports in the airport system.

Mr. ROUSSELOT. You mean local approval was holding up the ability to get the tower done?

Mr. PROTIVA. Local decision is necessary whether Isla Grande was going to remain an airport or not.

Mr. FENN. Can I enlarge.

Mr. ROUSSELOT. Yes.

Mr. FENN. I have been encouraging the Puerto Rico Port Authority to come up with an airport system planned for the isle so we can

integrate their thinking into our planning for the airport. The future role of Isla Grande has been sort of cloudy. The airport system plan, we hope would show that Isla Grande Airport, that the airport would remain as an airport for the general aviation. We didn't know that; I asked for preliminary information from the Puerto Rican Port Authority as to what role Isla Grande would play, would it continue to play the role as airport, or would it be integrated into the expanded port facility.

When we received that information, then and only then could we go ahead and lay seige for the control tower, and as I say, it is a priority item in the regional office.

Mr. ROUSSELOT. When, is it your guess, the new facility would be completed?

Mr. FENN. As Tom says, it should be ready to go by the end of calendar 1975.

Mr. ROUSSELOT. That's your guess, too?

Mr. FENN. Yes.

Mr. PROTIVA. Summing this portion up, I understand local area hires are concerned about career advancement. I want the committee to know they are full-fledged career employees as any else. The opportunities are the same.

For the St. Croix Tower, I would only like to mention the traffic in relation to staff. St. Croix is down considerably over the last couple of years.

Mr. ROUSSELOT. How much?

Mr. PROTIVA. I don't think I have the figures on that right now. Also in the year as he stated, the approach control has been removed from St. Croix and put back in the San Juan center which has further reduced the workload.

Mr. ROUSSELOT. Is the reduction in traffic proportionate to what Mr. Merrill felt was an unreasonable reduction of staff or lack of staff?

Mr. PROTIVA. Our feeling is there is adequate staffing.

Mr. ROUSSELOT. You don't think he has a point at all?

Mr. PROTIVA. No. I don't think he has a point on inadequate staffing.

Mr. ROUSSELOT. Can you respond in writing to his criticism on staffing? You heard his statement. He feels double-up—

Mr. PROTIVA. As far as doubleup, I would like, at this time, to give credit to controllers in the system, especially at the San Juan Center, and Isla Verde tower, because of the heavy workload and doubleup of controllers in training. This is partly due to the hiring freeze we had a couple of years ago. It is picking back up by even flow recruitment. We are about 1 year from getting out of the woods. In another year, we will not be in this position.

It takes 2 to 3 years from when a man comes on until he is productive as a full level performance controller. It is one of the problems we have in recruiting people for San Juan. Stateside facilities have the same situation, the same problem, and they just don't like to release employees from their facility. They just can't afford to.

Mr. ROUSSELOT. Why do you suppose there is such a difference on the issue of staffing, in the numbers between yourself and Mr. Merrill? Is he just not very bright?

Mr. PROTIVA. I think he is very bright, and I think he is a very good controller from the reports I have.

Mr. ROUSSELOT. Doesn't that bother you? When a controller tells you this, do you think he is bureaucratic or that he got that background in Pittsburgh, or what?

Mr. PROTIVA. If I were a controller, I would be looking for more relief. I appreciate that. I think they have a right to voice these feelings. I have a job as management to make recommendations as to what is necessary.

Mr. ROUSSELOT. Have you read his report?

Mr. PROTIVA. No.

Mr. ROUSSELOT. Would you respond to that in writing sometime so we understand what the difference is? I became concerned on the basis of what he said. You both have been controllers and I don't understand there should be such a wide discrepancy in an opinion about adequate staffing.

Mr. PROTIVA. I would be glad to do so.

Mr. DULSKI. Would the gentleman yield?

Mr. ROUSSELOT. Certainly.

Mr. DULSKI. You say if you were in his place you would give the same testimony. That confuses me.

Mr. PROTIVA. I probably could give the same testimony based on what my responsibilities are. They would be different as a controller. As a controller, I would have liked to have more relief. But that does not eliminate the need for training of—

Mr. DULSKI. Is that part of their duties, that they are supposed to train people?

Mr. PROTIVA. Part of their position description, part of their job requirements, yes, sir; and anytime an individual can reduce the requirements of his responsibilities for the same pay, he would like to do so.

Mr. DULSKI. With the committee's indulgence, I would like to refer to a portion of Mr. Fenn's statement and get his response.

Mr. Fenn, I have some questions pertaining to the figures you gave on page 2 of your statement regarding controllers assigned to other duties, on sick status, or extended leave. Could you give us a breakdown?

Mr. FENN. Mr. Chairman, in the case of the San Juan Center, in the case of the San Juan International Tower, if I could defer to the respective facility chiefs, I would appreciate that very much.

Mr. DULSKI. Definitely.

Mr. MOYLETTE. As of today, we do not have any controllers on extended leave, sick leave, or detail to other positions, or otherwise assigned, other than the primary function.

Mr. DULSKI. Do your onboard figures include developmentals? Can you give the subcommittee a breakdown as to how many are onboard and their grade?

Mr. MOYLETTE. Yes, sir. To treat the first question: the number of people onboard in the controller category is 29; 23 GS-12's, 5 GS-11's, and 1 GS-7. Of the 23 GS-12's, 9 are not facility rating. Correction: 15 are not facility rating; 14 are, 15 are not. They are in some stage of training.

Mr. DULSKI. Do your onboard figures include controllers who have bid and are due to arrive at a later date?

Mr. MOYLETTE. No, sir, they do not; those are people on board.

Mr. DULSKI. Mr. Protiva?

Mr. PROTIVA. In summing up, I want to state that controllers in the San Juan area as well as other areas in the southern region are carrying a heavy training load at this time.

Mr. ROUSSELOT. Do you think that is partially related to the fact that you can't now get people in other parts of the country to bid on the positions because they are beginning to learn of some of these other problems?

Mr. PROTIVA. I suppose, yes, sir, it is part of it. Yet there are many controllers that shy away from this when it gets down to the nitty-gritty. They do train and they do work. I don't think it is a big factor in recruitment.

Mr. ROUSSELOT. You were here when we asked most of the controllers would they re-sign up. Only one said he would, and it was based on these other factors.

Mr. PROTIVA. Which included—

Mr. ROUSSELOT. That does not jibe with what you just said.

Mr. PROTIVA. I think it does. They listed training as one of the factors. I don't think it is a determining factor.

Mr. ROUSSELOT. They say it is.

Mr. PROTIVA. Training responsibility is the determining factor?

Mr. ROUSSELOT. When I say other factors, I mean the housing problem, your inability to recruit from other places in the country maybe because the word may now be out that there are problems of housing, there are problems of race, crime, high crime, which Mr. Fenn mentioned. I know you can't do a lot about the crime problem but, obviously, something can be done to the related housing problems.

Mr. PROTIVA. These factors you mentioned, yes, are causing difficulty.

Mr. ROUSSELOT. Have you notified your regional offices and others in Washington that these things need to be corrected so that we can enhance the ability to recruit here?

Mr. PROTIVA. Yes, sir. We had an air traffic evaluation from July 25 to August 2 of this year, and part of that was numerous recommendations.

Mr. ROUSSELOT. And those recommendations were in that report?

Mr. PROTIVA. Some.

Mr. ROUSSELOT. Could we have a copy of that report for the record?

Mr. PROTIVA. Yes.

Mr. ROUSSELOT. It outlines some of the problems we heard?

Mr. PROTIVA. Our recommendations and approaches to improve the recruitment in the San Juan areas.

Mr. ROUSSELOT. Is Mr. Siegel aware of that report?

Mr. PROTIVA. Mr. Siegel is probably aware, although he shouldn't be.

Mr. ROUSSELOT. Why do you say he shouldn't be?

Mr. PROTIVA. At this point, the evaluation has not been finalized as yet. Many of these are outside of the control of the agency.

Mr. ROUSSELOT. I am a little disturbed that you don't think Mr. Siegel has seen it. Why wouldn't you notify him about it? Wouldn't it be to his advantage to know what you are going to get so that he can in turn get favorable response from his level, too?

Mr. PROTIVA. At the appropriate time those things that affected the working conditions, those things that affect personnel actions, the things that union gets into at the bargaining—

Mr. ROUSSELOT. And also his ability to get people to come here. You do not want them to pass information around that this is a terrible place to serve, do you?

Mr. PROTIVA. I feel they have a right to say it as they see it.

Mr. ROUSSELOT. Will you make it available for us to see?

Mr. DULSKI. I think there was a report that cost-of-living allowance was taken away. That report has never reached anybody. It was the decision of the Civil Service. After the survey was made, they thought it was not necessary, so they took the cost-of-living allowance away from you. If this report is taken in and you get, to use their term, a negative report, then I am sure that you will be disturbed and also Mr. Siegel's effect will be disturbed.

Don't you think there should be more coordination? I am sure everybody in this room would agree in this area you need a cost-of-living retention, and it was taken away by the decision in Washington.

Mr. PROTIVA. The question is should more coordination be required?

Mr. DULSKI. On this particular report.

Mr. ROUSSELOT. You are talking about the one they submitted?

Mr. DULSKI. Yes.

Mr. PROTIVA. As far as coordination, this is a technical report and appraisal of the training program. It is a management document.

Mr. ROUSSELOT. One of the segments of the report relates to your ability to recruit and the conditions that make it difficult to recruit, is that correct?

Mr. PROTIVA. That is true.

Mr. ROUSSELOT. One of those conditions that helps to depreciate your ability to recruit is the fact that adequate cost-of-living adjustment is not made, I would think. Is that included in the report?

Mr. PROTIVA. The cost-of-living allowance is one of the factors in the report, yes, sir.

Mr. ROUSSELOT. That is in there?

Mr. PROTIVA. Yes.

Mr. ROUSSELOT. You make that clear that this is a potential problem for recruitment?

Mr. PROTIVA. Yes.

Mr. DANIELS. How long does it take for a full performance level controller from another area to be fully qualified in this area?

Mr. PROTIVA. That would depend on which facility he was entering duty on. If you want specifics on Isla Verde tower, I would defer to Mr. Moylette.

Mr. MOYLETTE. If we received, as we have very fortunately, but very rarely in the past, radar controllers automation trained, the man will check out that facility completely in 60 days. Conversely, a man with no radar experience, limited tower control experience, it will take him in the neighborhood of 6 months.

Mr. DANIELS. How about developmental?

Mr. MOYLETTE. Developmental, the term is a little misleading. It is the grade. However, you can have a man that is developmental that is from another facility. For example, we may select a GS-11 from Isla Grande tower and bring him over to Isla Verde on promotion on a 12. He was a journeyman controller here and has no radar experience, but he has a vast amount of ability. He will progress and check out in 3 months.

Mr. DANIELS. Suppose he is from Stateside?

Mr. MOYLETTE. It all depends on the individual. It is no good bench marker. It depends on the guy's innate ability, his attitude.

Mr. DANIELS. It would take about a year, year and a half.

Mr. MOYLETTE. We have not run as far as a year on anyone that we receive Stateside.

Mr. DANIELS. No one at all?

Mr. MOYLETTE. No one that I can recall, offhand, in the facility for a year.

Mr. DANIELS. I was wondering about the advisability of a policy to bring any trainees from Stateside down here on a short tour of duty for 2 years. Is that good policy to pursue?

Mr. PROTIVA. It isn't a good policy. It would be much more desirable if the man you could select was at least exposed to radar, had some radar training. We are not getting that type of bidding. The selections that we have to make, or the list we have to make a selection from, is very limited in talent.

Mr. ROUSSELOT. Why do you think it is so limited?

Mr. MOYLETTE. I think there is a lot of bad words, and bad words are going through the entire system about the San Juan facility. That is what I am told. They say what about your problems down here?

Mr. ROUSSELOT. So, it does weigh on the ability to recruit good people, these other factors?

Mr. MOYLETTE. Certainly. There is no question about it. I would like to say if the man is determined to come down here, if he really wants to come down, for God only knows what reason—

Mr. ROUSSELOT. For God only knows what reason?

Mr. MOYLETTE. What particular reason. Every bad seems to have one. Whether a career development, no matter what you tell him, how bad the school system may be, or what the problems are, what the bus-ing situation is, or the problems you may have with the local telephone company, or the electric company, or the water strikes, he is going to come.

Mr. FENN. Mr. Rousselott, I would like to expand.

Mr. ROUSSELOT. That would be helpful, if you would.

Mr. FENN. In June of 1972, we decided to do a full scale orientation program in Atlanta.

Mr. ROUSSELOT. For that area?

Mr. FENN. For this area specifically.

Mr. ROUSSELOT. How did Mr. Merrill miss that? He tells us he did not have any advance orientation.

Mr. FENN. There were three mass orientations. The first attracted 20 controllers and their wives, specifically their wives. We were more concerned about the wives than the men because they will be in the community while their husbands are doing familiar things with familiar people. Mrs. Harrington accompanied me there.

It was a big show-and-tell in the regional office. We placed special emphasis on the difficulties in life in Puerto Rico. We wanted the people to come, but if they seemed to teeter one way or another, we tried to dissuade them. We actually told them because of the line of some of their questions, they would not fit into the Puerto Rico life and would not be accepted.

As Mr. Moylette said, and as the autopsy showed afterwards, after the three mass orientations, these people came just for the ride. They made up their minds to come to Puerto Rico. They did not want to hear the negative side of things. They have visions of palm trees and sand, and 82 degrees around-the-year weather in their minds, and for one reason or another, whether it was due to marital difficulties that they thought they may be able to repair by a geographic move, and were not able to—lots of reasons why people want to come to Puerto Rico, so they actually turned off when we got to the negative side.

Mr. ROUSSELOT. You had three orientations?

Mr. FENN. Three. It proved to be very, very expensive, and because of the expense, we ran into a problem with the Civil Service Commission on that. We discontinued those and embarked on the present orientation process that we have.

Mr. ROUSSELOT. Which is?

Mr. FENN. For awhile we were sending people from the regional office who had served some time in Puerto Rico to locations anywhere in the States where people were identified as having a need or a wish to come to Puerto Rico. They, again, found that the people being oriented, did not want to hear the negative side. That was discontinued.

Right now we do all our orientation by telephone. Mrs. Harrington has done a yeoman, I guess you would say yeowoman, service by providing all the materials that we think they should have to prepare themselves for overseas tour.

Mr. ROUSSELOT. Mrs. Harrington, did you talk to Mr. Merrill before he came here? Did he know or was he aware of your office?

Mrs. HARRINGTON. He must have. I sent him a package. Before employees come to Puerto Rico and they are selected for a position, immediately after I know of their selection, I send them a package.

Mr. ROUSSELOT. You sent Mr. Merrill a package?

Mrs. HARRINGTON. Yes, sir.

Mr. ROUSSELOT. In that package, did it explain the potential problems of housing and schooling?

Mrs. HARRINGTON. Potential problems?

Mr. ROUSSELOT. Yes.

Mrs. HARRINGTON. No.

Mr. ROUSSELOT. Could we have a copy of that packet?

Mrs. HARRINGTON. Yes, sir, you may. You want me to go ahead and answer the question?

Mr. ROUSSELOT. Yes.

Mrs. HARRINGTON. We include in that packet a map of Puerto Rico and a booklet put out by the Department of Tourism, a booklet of driver's license procedures, material given to us by Hertz Rent-a-Car, which has a map of Puerto Rico and a map of the San Juan area. I also include a brochure on the medical triple-S plan in Puerto Rico, which we find is the best for people coming down here because they don't have to go through a lot of explanation of their expenses.

Mr. ROUSSELOT. Are those insurance benefits comparable to Blue Cross?

Mrs. HARRINGTON. I think they are lower. They are better and lower. And I give them information on kennels if they are bringing a pet or pets. I give them information on schools, the dates that they

have for children to be registered in schools, all information that I can get on schools, and I also give them information on temporary accommodations.

Our employees are first put in the Caribbean Beach Club Hotel, which is in the Isla Verde area, and we put them there for a week, and we tell them in my welcome letters, I tell them we put them there for a week and after that they are on their own, they can get their own accommodations.

Mr. ROUSSELOT. And that information is in the packet?

Mrs. HARRINGTON. Yes, sir, all of that.

Mr. DANIELS. Everything you have in that packet is very glossy and attractive. You don't tell them about the shortcomings, is that true?

Mrs. HARRINGTON. Yes, sir, if you put it that way.

Mr. DANIELS. That packet is like a brochure put out by these real estate operators in Arizona trying to sell land.

Mrs. HARRINGTON. My idea is not to sell anything on Puerto Rico. I understand when they are selected, when they are finally selected, they have been oriented by the people in the regional office. They have also talked on the telephone with the chief of their facility, so whatever is to be said, or any questions that they have, I understand that these questions have already been answered.

Mr. ROUSSELOT. Mrs. Harrington, were you here when Mr. Merrill gave a list of complaints?

Mrs. HARRINGTON. Yes, sir, I was.

Mr. ROUSSELOT. Did he sound like his complaints were unreasonable?

Mrs. HARRINGTON. As far as the housing in St. Croix, some of his complaints, they sound a little bit—

Mr. ROUSSELOT. Overdone, maybe?

Mrs. HARRINGTON. Yes.

Mr. ROUSSELOT. But they were realistic problems.

Mrs. HARRINGTON. They were realistic, yes, sir.

Mr. ROUSSELOT. Anywhere in your pamphlet—is there any possibility in the future you might be able to include a memorandum from you listing, according to the area, because I can see there are obvious differences even in the area, the potential problems that they might face in schooling or housing? Is that possible? So that they know it is different than in Pittsburgh, Pennsylvania, or wherever they might come from?

Mrs. HARRINGTON. Yes, sir.

Mr. FENN. Mr. Daniels, I think it should be made clear that Mrs. Harrington sent this orientation packet to people who have bid. Not to people who are considering bidding. It is not a lure of any kind. It is information to people who already committed themselves to come to Puerto Rico and the Virgin Islands.

And on the subject of really showering them with material, we have to assume, and we do assume, that we are dealing with grownup people.

If I were going to be transferred to Afghanistan tomorrow, with all due respect, I would know everything I need to know by 5 o'clock tonight. I would assume from what I know and what I read about Afghanistan, it is a very difficult place to live.

Mr. DANIELS. I understand your packet describes the housing to this effect:

Located on a hill overlooking the Alexander Hamilton Airport on the southwest shore. Florida-type units, have screened and louvered windows, 1 $\frac{3}{4}$ baths, screened porch and sundeck.

There is no mention about the roof leaking and the termites, and the other conditions of disrepair that were described by Mr. Merrill, is that so?

Mrs. HARRINGTON. Excuse me. I don't recollect any of that language in notes I have written. These may have been notes that may have been written in the regional office, or somewhere else, but what I prepared is a bit of information for bids, and I have copies of that here. It is different language.

Mr. DANIELS. I have something in front of me which says, "Career Promotions. 0-74-2-69, opening date, 3-28-74."

Mr. ROUSSELOT. This is from the Federal Aviation Electronic Technician position, GS-11 position; location, where it is, and then the duties, notes on St. Croix. And what the gentleman from New Jersey is reading from is a description of the living conditions in St. Croix, and it is an invitation to bid. Obviously you don't have much input on that.

Mrs. HARRINGTON. I sent to the regional office information I think they should have. Whether they cut it, or embellish it, or whatever they do, I do not know, but I do not recollect that language in the bid information that I have given, sent to the regional office. I have a copy here of the copy I sent to them.

Mr. DANIELS. I suggest you get a copy of this invitation to bid.

Mrs. HARRINGTON. What is the number on it?

Mr. DANIELS. The number is announcement number SO74-2-69, and it says, "Opening date, 3-28-74."

Mr. ROUSSELOT. "Closing date, 4-18-74."

Mr. DANIELS. "FAA position, electronics technician."

Mr. ROUSSELOT. And the part from which the gentleman was reading is under a section called "Housing."

It says, "Florida-type units, screened louver windows." It really doesn't sound too bad; 150 bucks a month sounds pretty good.

I think the point—you understand the point?

Mrs. HARRINGTON. I understand the point, but Mr. Bryant, who is the housing manager, he said he would word it that way. It is true they are Florida-type houses.

Mr. BRYANT. No. I say it is true as far as it goes, but it does not elaborate on Mr. Merrill's complaints. They are Florida-type houses. They are screened.

Mr. ROUSSELOT. By omission a newspaper can do a fabulous job on any one of us by not saying the full statement—what we made.

I don't think we need to reemphasize the point. In fact, one of the problems you face, because the word has gone out, Mr. Merrill's complaints are going through the system, there are a lot more problems here than people are warned about.

Your ability to recruit may be deterred to some degree because of the problems of which a person is not forewarned.

Mr. BRYANT. In the last 12, 13 months, we have four complaints of roof leaking in St. Croix. They all came the same week. One of those

four complaints came from the same man 2 days in a row before we had time to attend to it.

In October we completed—they were repaired.

As I said, we had no roof-leak complaints until—I don't know whether August or September. We had four complaints in 1 week from three different people: two from the same man in 2 consecutive days.

Perhaps September 19, September 28. I don't know the exact days. We sent a crew to repair it.

Mr. ROUSSELOT. We are talking about the 10 units, roughly?

Mr. BRYANT. Yes, sir.

Mr. ROUSSELOT. Five of those are occupied. Obviously you won't hear from those that are unoccupied.

Mr. BRYANT. During the year the people—

Mr. ROUSSELOT. Do other Government officials occupy those official quarters besides FAA officials?

Mr. BRYANT. Not in St. Croix.

Mr. DANIELS. That is under the control of FAA, is it not?

Mr. BRYANT. Yes, sir.

Mr. DANIELS. You have complete supervision?

Mr. BRYANT. Yes, sir.

Mr. DANIELS. Does your budget make sufficient allowance for the necessary repairs?

Mr. ROUSSELOT. Maintenance.

Mr. BRYANT. As a matter of fact, we have spent \$22,000 and 2,312 hours in maintenance repairs since February 15, 1974.

Mr. DANIELS. In dollars and cents, how much?

Mr. BRYANT. \$22,000 for actual money plus 2,312 man-hours, \$4 an hour, since February 15.

Mr. DANIELS. How many complaints have been received in the last 2 years with regard to termites, leaking roofs, furniture water-soaked, and the houses being substandard?

Mr. BRYANT. I don't have the exact figures in front of me, but we have had very few complaints. We have had a surge, we have had complaints, more complaints from St. Thomas. Those houses do leak. As the present time we have three units leaking, to my knowledge.

Mr. ROUSSELOT. If the gentleman would yield?

Mr. DANIELS. Yes.

Mr. ROUSSELOT. Just the last 2 weeks?

Mr. BRYANT. In the last 2 weeks I have had four complaints.

Mr. DANIELS. For the last 4 days I was in two fine hotels in San Juan and I found water coming through the room.

Mr. ROUSSELOT. The reason I find that difficult to believe is because Mr. Merrill submitted memorandums from other personnel that he has researched himself. The first one, November 30, 1962, on housing problems.

Mr. BRYANT. I have had more in the last 2 weeks than I have had in some time.

Mr. ROUSSELOT. You are not aware of the memorandum he submitted?

Mr. BRYANT. Yes.

Mr. ROUSSELOT. You promise to go through those? Did you happen to see these?

Mr. BRYANT. I have never seen these.

Mr. ROUSSELOT. It is quite an impressive file. He went through part of it.

The impression we get from him is slightly different, because I am realizing you are not claiming there have been no complaints.

Mr. BRYANT. No.

Mr. ROUSSELOT. But you say it has accelerated the last couple weeks. That is somewhat in conflict with what Mr. Merrill said.

Mr. BRYANT. I say in the past year we have had relatively few complaints as to what I understand used to be. I have been here just 16 months.

Mr. ROUSSELOT. You are going to stay?

Mr. BRYANT. At this time, I don't plan to.

Mr. FENN. Mr. Roussetot, in April 1971, there was an industrial hygiene survey of the San Juan area made by the Washington office of the Federal Air Surgeon, and it is extremely critical of just about everything in San Juan, from the point of view of the environment.

After I got here, and in late 1973, I requested another survey be made from the same office by the same man.

Dr. Siegel in Washington acceded to the request. The report that he submitted is dated April 8, 1974.

After assessment—the new assessment that was made in February, on St. Croix, if I can just read this to you and then provide both of the documents for the record, I would appreciate that:

St. Croix: Inspection of tower and aviation facility area revealed conditions to be excellent. These facilities are located on the Harry S. Truman Airport and it was interesting to note that the interior of the tower has been completely refurbished in wood panel with the entire paneling job being done by the tower controllers themselves and at their own expense.

This is an indication of the interest of these controllers in their environment. A visit to the housing area revealed that a tremendous amount of work has been done to improve conditions in this area. All of the houses have been completely repaired and renovated, and the entire housing area is surrounded by a seven-foot cyclone fence with electrically operated gate for the protection of the inhabitants.

Kitchen appliances have been inspected and replaced when necessary, auxiliary generator has been installed, and the approach road has been resurfaced.

All in all, the housing area was found to be in excellent condition.

This was signed by E. A. Richardson, who is in charge of the Environmental Health Survey, and sent to us by the Federal Air Surgeon.

I lived in one of the houses for 4 years. They were begun in 1963 and completed in February of 1964. From that period to now, and as was mentioned earlier, there are environmental problems, mostly originating from the bauxite operation which is $1\frac{1}{2}$ miles east of the housing area.

Mr. ROUSSELOT. What problems does that cause?

Mr. FENN. Airborne pollution of bauxite particles that descend onto the roofs and get into the water tanks.

Mr. ROUSSELOT. Is that damaging to health?

Mr. FENN. Dr. Richardson said no, if anything it is beneficial to the health, but it makes the water taste bad.

Mr. ROUSSELOT. From the bauxite plant?

Mr. FENN. Yes.

There were other problems we had, after expansion of Amerada Hess Refinery, in the time the housing was built—

Mr. ROUSSELOT. And the pollution from that is good?

Mr. FENN. No, I am not saying it is good. I say in the intervening years this has been expanded. If we were to site these houses today with the bauxite and the chemical plants, and God knows what else, we would not have sited them there.

It is an expansion that was sponsored by the territorial government of the Virgin Islands, called "Island Economy."

Mr. ROUSSELOT. You think it is bad enough that they should be moved, relocated?

Mr. FENN. The expense in that would be astronomical.

I don't think you would get anybody in the regional headquarters to buy that. The houses cost \$350,000 in 1963. It would be anybody's guess what it would cost now.

Mr. ROUSSELOT. To physically move them onto another location?

Mr. FENN. It would be impossible. These houses are permanent houses.

Mr. DULSKI. Mr. Fenn, I have a question regarding the repairs which have been made and which have cost \$22,000. With the cost of material these days, how much could have been done for \$22,000?

Mr. FENN. I would refer to the technical officer.

Mr. BRYANT. Almost all the repairs are minor. We have had few major complaints.

So far as the major structure of the house, there is a housing design problem in St. Thomas. We have had a very difficult time keeping the water out for 7 or 8 years. We have got to do something different. We have had no major complaints.

Mr. DULSKI. When you say, "minor," it may be to you. However, to the individual living in that unit it is a major thing because if there is a leak that costs \$100 to repair and he has furniture valued at \$1,000, there is a discrepancy of \$900. The figures don't jibe.

Mr. FENN. Mr. Chairman, I think it would be useful for Mr. Bryant to give a breakdown between the cost of material and labor.

Mr. DULSKI. He did. The labor is 2,000-some-odd hours at \$4 an hour.

Mr. FENN. I lived in one of the houses.

Mr. DULSKI. When did you live there?

Mr. FENN. 1963 to 1970.

Mr. ROUSSELOT. This is prior to the time of additional industrial activity?

Mr. FENN. It was building up pretty heavily.

As Mr. Merrill said, Amerada Hess Oil is going to be the biggest chemical producing plant in the world, and it is of great concern to us. I have been in touch with the people at Amerada Hess and they have been very nice about it.

They say "We are going to provide suppression about the flare stacks." They have received warning from the Environmental Protection Agency that they have to do it, and I think there is a deadline.

I am afraid I can't give you a time. I think EPA has leveled a deadline to provide suppression.

During the time I lived in that house the roof did leak and it leaked in various spots, parts of the house, but at no time was anything that I had damaged. I sympathize with Mr. Merrill. We had a bucket in the middle of the livingroom. It is a question of whether the individual can cope or not, more than anything else.

If we can leave the housing area for a minute and go to the rifle range that Mr. Merrill mentioned.

He specified that one bullet was found in the housing area. He is quite incorrect in that. There were two bullets found.

Mr. ROUSSELOT. So it is twice as bad as he says?

Mr. FENN. It is twice as bad as he says.

When that information came to my attention I wrote the following letter to the Chief of Detectives at St. Croix and, with your indulgence, I will read it:

Dear Miss Schrader: I have information that a spent bullet, apparently as the result of a ricochet, came to rest within the FAA housing area on top of Manning Hill in Estate Paradise. It is thought that this bullet originated in the police firing range on the north side of the hill.

There have been reports from our people that the passage of ballistics has been noted at other times, and in close proximity to the housing area, and this has caused grave concern among our employees and their families.

I share that concern and would appreciate an investigation by our office with a view to ending a potentially very dangerous and possibly tragic condition.

That was written August 15, 1974.

Then Miss Schrader's reply:

Dear Mr. Fenn: I am in receipt of your letter of August 15 reporting the possibility of bullets from the Department of Public Safety firing range endangering the safety of persons residing within the FAA housing area at Estate Paradise.

We regret this incident and will move to insure the safety of those persons in the area of the range.

That exchange of correspondence followed the first bullet.

Mr. DULSKI. What date was that?

Mr. FENN. August of 1974.

Mr. DULSKI. They answered within a few days?

Mr. FENN. I wrote my letter on August 15 and she replied on September 9.

Then on the second bullet, when the second bullet was found in the housing area, I sent the chief of our Air Transportation Field Office to see Miss Schrader to see what is happening, and here is his report [indicating]. It is quite involved.

Mr. ROUSSELOT. What is the essence?

Mr. FENN. The essence is that Miss Schrader is going to redouble her efforts in either relocating the range or changing the direction of firing to where it will be east and west instead of north and south.

They are as concerned as I am, and the employees are. I think we will get some relief from that.

Mr. DULSKI. I want to commend you for taking action immediately.

Mr. ROUSSELOT. Is that a high crime area?

Mr. FENN. Over the last year or so you must have read about the Fountain Valley massacre and the various random shootings. It has been attributed to the racial tension which I think is a fair description of what it was.

Mr. ROUSSELOT. Therefore the employees need a little additional protection.

Mr. FENN. It was due to the uneasiness and unrest when I was leaving St. Croix tower, that I, before going to Washington, placed special emphasis on the need for security for our people living in that isolated area. It is very unsafe.

Mr. ROUSSELOT. Is that the reason for the fence?

Mr. FENN. Yes.

They agreed with me that a fence should be constructed, and a \$46,000 one was. It was electrically operated, and was installed at my request.

Very soon after I went to Washington the construction was completed and on a tour later, I felt that did a great deal to alleviate the fears that related to tension in the housing area.

I would describe the housing area in St. Croix without question to be the most secure area on the island. But the tension seemed to lessen.

Mr. ROUSSELOT. When you say secure, do you mean where they are living? If they decide to go other places—for instance, school, do they have to go out of the compound?

Mr. FENN. Yes.

And they have to go out of the compound to shop. And it was a very bad situation.

After a while I gave the employees at that time, during the height of all this, the option of evacuating their immediate families to San Juan, to hotel accommodation in San Juan, of their choice. Not really of their choice, to the Caribbean Beach Hotel, where Mrs. Harrington described we bring our newcomers into when they first arrive. I am very proud nobody took me up on that option.

They decided to keep the family unit together. Nobody took me upon the option. That was at the height of the trouble.

Mr. ROUSSELOT. I think on the basis of the problems of crime, and the obvious problems on maintenance and so forth, has the Government considered the possibility of relocation, selling that off to somebody else, using it for something else?

Mr. FENN. There is a possibility. If you recommend that we pursue that, then we shall. It would be horrendously expensive, but as I say, if you recommend we pursue it, I shall.

Mr. ROUSSELOT. Do you recommend it?

Mr. FENN. No, I don't.

Mr. DULSKI. Are there any further questions?

Mr. ROUSSELOT. Yes.

Mr. Ritterby, as I am sure you heard, Mr. Fenn, about the memorandum that he sent on the "Unsafe Condition Report" of September 21, 1973, and his followup on January 19, 1974—can you imagine why it would take until May 16, 1974, for a response?

Mr. FENN. I will defer that to Mr. Protiva, with your permission.

Mr. PROTIVA. No logical reason.

Mr. ROUSSELOT. It is just a goof?

Mr. DANIELS. Is there anything further, Mr. Protiva?

Mr. PROTIVA. On the "Unsafe Condition Report," is this the one about decombing positions?

Mr. ROUSSELOT. It was an unsafe condition report in which he said his facility leaked and Mr. Keith Rosenlund concurred and my concern was that the response took as long as it did to reply to two memoranda.

Mr. PROTIVA. It was a goof.

Mr. DANIELS. Mr. Bryant, did you complete your testimony?

Mr. BRYANT. I will just add that the housing has been a problem.

It will continue to be a problem. Everything in the tropics deteriorates rapidly, not only the FAA housing.

I have leaks too. We are putting everything we can, within the limit of manpower and the budget, to try to keep those houses livable and I can assure you as long as I am in San Juan I will do everything I can to improve the situation.

Mr. FENN. May I expand on that a little bit?

Mr. Bryant's predecessor placed the housing in Ponce, St. Thomas, and St. Croix, fairly far down on his priority list of things to be done.

Mr. Bryant, when he came on board, recognized that the position on the priority list was too low with the fragility of morale of the people being what it is. Mr. Bryant has made a concerted effort since he has come to San Juan to repair the houses, to keep people who occupy them as happy as he possibly can.

Mr. DANIELS. Have you asked for increased funds so that necessary repairs may be done and keep the property up to date?

Mr. BRYANT. Yes, sir. Some of the things we have requested, because of budget limitations are 2 years down the road. We have gotten sufficient funds for day-to-day operation and we are planning improvements to make the houses more comfortable.

Mr. DANIELS. How much additional funds have you asked for?

Mr. BRYANT. I don't know the total figure, sir, that we have asked for. I do know the types of things that we have asked for. I don't know the exact figure in dollars.

Mr. ROUSSELOT. Mrs. Harrington, do you suppose it might be wise for your office to notify the FAA office in Washington that when they put out a promotional and career opportunity announcement that some of the burdens that an individual has to go through be included in the memorandum as a kind of warning to prospective employees?

Mrs. HARRINGTON. Yes, I suppose I could include all those warnings. Like I told you before, and I would like, with your permission, to read from those notes I have here on St. Croix, so you see my wording is not the language that was read.

Mr. ROUSSELOT. We understand that was not your verbiage. That was the announcement memorandum.

Mrs. HARRINGTON. But the announcement is supposed to be made on the basis of the notes I send to them. I send them to the regional office in Atlanta.

Mr. ROUSSELOT. They are not paying attention.

Mr. FENN. We are continuously updating the information on bid information.

Mr. ROUSSELOT. Mr. Fenn, please make sure they update it a little more rapidly.

Mr. FENN. Indeed we will.

Mr. DULSKI. I was in the tower at St. Thomas yesterday. I found that it was difficult to hear some of the radio communications. How does the equipment compare with that which is in use in other areas?

Mr. BRYANT. With the exception of some of the communication equipment, the majority of our equipment is exactly the same as we have in the majority of our stations in the States. There is an effort in the Agency to replace obsolete equipment with new up-to-date solid-state equipment throughout the Agency.

Mr. DULSKI. How old is the equipment?

Mr. BRYANT. It varies in age, sir. Some of it has been in use for a number of years.

Mr. DULSKI. How many years?

Mr. BRYANT. I don't know the exact time.

Mr. DULSKI. There is newer equipment available every year. How old is this equipment; 10 to 15 years, or World War II equipment?

Mr. BRYANT. Very little of it from World War II. Some of it has been in existence in the Agency for several years. It is the same equipment used by the military.

Mr. DANIELS. That is how long?

Mr. BRYANT. I came to the Agency in 1958. It was in use then, but that does not mean it is obsolete. We have had some communications problems in St. Thomas, most of which have been solved.

Mr. DULSKI. Are you familiar with the facility I am referring to?

Mr. BRYANT. Yes.

Mr. DULSKI. I am talking about the audio on the left in the tower. I am sure the controllers have better hearing than I have, but the audio did not come in very clear. The controller had to bend down to the receiver in order to hear.

Mr. BRYANT. Was this from an aircraft?

Mr. DULSKI. Yes. The controller said it was old equipment.

Mr. BRYANT. I don't know which one it is.

Mr. FENN. Mr. Dulski, if you remember, there were quite a few of us in the tower yesterday, and the noise level would increase with the number of people that visit the tower.

He does have volume control. I would consider that not to be one of our major problems.

Mr. DULSKI. Adjusting the volume on a radio does not clarify the sound, it just distorts it more.

Mr. FENN. I don't understand the need for the individual to bend down and listen to the receiver.

Mr. PROTIVA. That situation occurs in most facilities at one time or another. There are many answers to it, and one is the quality of the transmission of the airborne radio which in this area is not always what is desired.

And overmodulating equipment in an aircraft makes it very difficult to read, and it could be many things, but this could have been one of them.

Mr. ROUSSELOT. Mr. Fenn, in addition to your local hire program, trying to get more people that live here that are used to the area, what other programs do you recommend that might—that you are encouraging to get more air traffic controllers to come to this general area and stay beyond the 2 years?

Mr. FENN. I would like to answer that in two parts, if I may.

One, what we are doing now, and the second part would be my recommendations.

The first part is that the No. 1 priority in the San Juan area is to do three things: is to stabilize the area by bringing in as many local youngsters as we can. By so doing we will be fulfilling what I consider to be my management obligation in providing career opportunities for local youngsters.

The third, and I think very important part of this, is to relieve the U.S. taxpayers of these horrendous expenses in bringing people in. We have found—and it is increasing yearly—that the average cost of moving a controller and his family out regardless of the geography, in the United States, is \$10,000.

Mr. ROUSSELOT. Each way or round trip?

Mr. FENN. \$10,000 for one family.

Mr. ROUSSELOT. Round trip?

Mr. FENN. One way. And \$10,000 to bring his replacement in. The No. 1 requirement is to stabilize the area by providing career opportunities.

I hear what the gentleman from Isla Grande said today about it. The inference I read into it was that we are using Puerto Rican lads and gals as something for our own convenience. That is not true.

When Mr. Matos, and we are watching him very closely, he is a bright young man, and very good controller as we are watching all of our area hirees—local hirees sounds a little demeaning. They will be encouraged under the national mobility program of the FAA to go to the United States to seek diversified, more diversified experience and bring it back if they wish to come back to the San Juan area.

Should they wish to come back they would then—and this is stressed—they would then be eligible for the benefits that do not normally accrue to local hirees.

In other words, our imports have the privilege, if they signed up for additional tours as Mr. Ritterby just did, to go, expenses paid, to where they came from and back.

Mr. DULSKI. It is costing you \$10,000 for a man to leave. Would you make that impression on the Civil Service Commission that it costs \$10,000 to move?

Mr. FENN. Through the regional office we have made that impression to the Washington level.

Mr. ROUSSELOT. Are they having trouble getting the message?

Mr. FENN. We have trouble getting the CSC to respond to the message. We can tell them it is costing us \$20,000 to move two families.

Our approach to it is to provide a \$5,000 incentive bonus to people, who are imports, to sign up for another tour. The most simple arithmetic indicates the saving to the tax-payer would be enormous.

At the Washington level the CSC—the idea, though it had merit, was turned down. It underlined the undesirability of service to the individual in the San Juan area.

I think it is time we stop nibbling at the bullet and bite the damn thing, and say it is an undesirable area. Let's provide a bonus, an incentive.

Right now we are providing nothing. We are saying to the man after two years, "Thank you very much. Would you sign up?"

We could say, "Here's a check. We are not buying you, this is an incentive."

Maybe he would say no. But he would at least give it a second thought.

Mr. DULSKI. That is a very good suggestion.

Mr. FENN. That would only be a stopgap to try to provide the incentive for the people we have here now to reup until we get through this very critical period that we are in right now.

It will be 2 years from now, Mr. Chairman, until the area hirees are coming out on the pipeline as full performance level controllers. We have to have some kind of relief until then. Otherwise we are going to continue the same merry-go-round.

A year ago the estimated cost of moving families was \$7,000. Right now we estimate it is \$10,000. This is based on figures drawn from travel vouchers.

Mr. ROUSSELOT. \$10,000 down and \$10,000 back?

Mr. FENN. \$10,000 to move a family either way, \$20,000.

Mr. DANIELS. If you enter this program of hiring local people would they get the cost of living allowance as those from the States?

Mr. FENN. Yes, sir. They get the same 7.5 percent.

Those local people on board are not required under the regulations to reside in government quarters, so they get the 10-percent cost-of-living allowance. Those who do live in Government housing had the 5 percent removed.

The 5 percent, when it was in place—the 7.5—we enjoy now in Puerto Rico, is grossly inadequate; 25 percent in Puerto Rico and 30 in the Virgin Islands would be barely acceptable.

Mr. DANIELS. Mr. Chairman, I would like to compliment Mr. Fenn and the witnesses for their frankness in this discussion. I think the views you have expressed here today will be extremely helpful to this committee with regard to the recommendations we are making.

It has been very satisfying to hear what you have to say, and the view you have expressed here today. I just want to compliment all the witnesses.

Mr. FENN. Thank you, sir, I appreciate it.

Mr. ROUSSELOT. I think the three of us can jointly sign a letter to Mr. Hampton of the Civil Service Commission about the situation, unless there is some factor—

Mr. FENN. We would be profoundly grateful.

Mr. ROUSSELOT. To try to alleviate that obvious problem.

Mr. FENN. If I may say something very briefly. PATCO and the FAA are sort of in adversary position by type status. They are FAA employees.

It has been my observation over the years that some of the brightest people we have, some of the most articulate and intelligent young men we have, are PATCO members.

I would also like to say that PATCO did not invent itself. I think it is a fact that FAA management invented PATCO, and I would like to say that we would enjoy a less adversary relationship with the union. I find that they are intelligent, articulate, and contributing members of what we are all trying to do; that is, to provide air transportation safety for the United States.

Thank you very much.

Mr. DULSKI. Mr. Davidson, do you have anything to add?

Mr. DAVIDSON. No.

Mr. DULSKI. Mr. Rios.

Mr. RIOS. On the local hire programs, we are working on the 150-program. We are trying to work under the cooperative program and we have plenty of people in the service register we can pick up.

We have a reservoir of local talent to get into the program. We anticipate no problem.

Mr. DULSKI. Mr. Twyman?

Mr. TWYMAN. I have nothing to say other than to say I am glad to have been here. I enjoyed the experience. I don't think Mr. Daniels had one of his questions answered on the type of staffing, but we would be glad to supply you with the breakdown.

Mr. DULSKI. In conclusion, I want to thank you for your testimony and for your answers to the questions of the members. I thank you very much.

The subcommittee is adjourned subject to the call of the Chair.

[Whereupon, at 1:10 p.m., the hearing was adjourned, subject to the call of the Chair.]

