

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

WASHINGTON, D.C. 20591



STATEMENT OF BERTRAND M. HARDING BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE REGARDING IMPLEMENTATION OF P. L. 92-297
7 FEBRUARY 1973

Mr. Chairman and members of the Committee:

I am here today at your request to discuss the Department of Transportation's program to implement the Air Traffic Controller Career legislation (P.L. 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 three 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 (14 August 1972). Within the first two 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 provisions, 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 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 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 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 thirty as the maximum entry age. Last month the Commission gave its concurrence. We anticipate the implementation of this proposal in the 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 cost 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 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 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.

With respect to air traffic controller staffing, since FY 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 FY-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 FY 1973. This situation will be corrected over the next eighteen months, however, beginning with the filling of 700 vacancies to reach authorized 1973 employment levels. An additional 1000 controllers will be hired in 1974 just to offset anticipated attrition. Finally, the President's budget, recently submitted, provides for the hiring of another 1000 controllers over the authorized 1973 levels to meet additional 1974 operational requirements in centers and towers. The total influx of 2700 new trainees will satisfy our training pipeline requirements through 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 have corrected these imbalances by transferring controllers to those facilities which, due to unanticipated attrition or other reasons, might find themselves shorthanded. In all cases the FAA's Air Traffic Services 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 shall be glad to answer any questions the Committee may have.