

STATEMENT OF DREW LEWIS, SECRETARY OF TRANSPORTATION, BEFORE THE GOVERNMENT ACTIVITIES AND TRANSPORTATION SUBCOMMITTEE OF THE HOUSE COMMITTEE ON GOVERNMENT OPERATIONS, CONCERNING THE AIR TRAFFIC CONTROL SYSTEM, SEPTEMBER 9, 1981.

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to appear before your Committee and make clear the Department of Transportation's continuing commitment to complete airway safety in the aftermath of the air traffic controller strike.

With me is Lynn Helms, Federal Aviation Administrator, who will go into detail on the many steps we have taken to assure complete safety of flight operations during this difficult period.

Our paramount concern, of course, is safety of the airways. We have had to terminate many controllers nationwide due to the August 3 strike. However, with the 3,000 available supervisors and staff specialists, over 5,000 non-striking controllers, and a complement of military controllers now approaching the 1,000-person level, our airways remain under the control of fully trained, fully qualified, and completely certified personnel.

As an additional safeguard, we are limiting commercial air traffic at peak hours at the 22 largest airports, and implementing flow control procedures whenever and wherever required. This means that manning levels are at equivalent strengths to those before the strike, and with the reduced density they are more than able to handle the traffic. Administrator Helms will go into more detail about the Interim Operations Plan we are implementing to reduce traffic levels, and what our future intentions are.

We have no evidence to date of any safety problems. As a check, however, we have asked the Flight Safety Foundation, Inc., an international organization headed by John H. Enders, to conduct an independent evaluation of FAA practices and procedures. The National Transportation Safety Board has also announced its intention to investigate the changes that have been necessitated by the strike.

The Department has had complete support from all of the other cabinet agencies and the Office of Personnel Management throughout this difficult period. The aviation industry has also been extremely cooperative in putting in place our interim measures for dealing with unavoidable service cutbacks, despite the financial setbacks it encountered during the earlier phases. I have attended briefings given by Administration Helms to the airlines, commuter, and general aviation groups on our air traffic plan, and all have supported the plan as safe.

I find the PATCO strike action unfortunate and its outcome unavoidable. A strike against the federal government is a strike against the American people, and is prohibited under U.S. law both criminally and civilly. All federal government employees individually and voluntarily accept this prohibition as a condition of employment. The Administrator and I are sworn to uphold the law and to assure the functioning of the nation's transportation system. The President agreed that a strike by federal employees is an unacceptable bargaining tactic for federal employees but, nevertheless, established a 48-hour "grace" period in which striking controllers could return to their jobs without consequence, trusting that the union membership and its leaders would fully recognize the severity of its elected actions.

This did not dissuade the vast majority of PATCO members, however, who did not return to work. We were required to take special air traffic measures to operate as much commercial air service as possible, and to begin the process of training new controllers as rapidly as is consistent with safety. We also began termination of employment for those who did not return to work, consistent with their rights under the civil service system.

I believe we have carried out the law in good faith. It would have been vastly preferable for all concerned if the PATCO members had not elected to walk off their jobs. The airlines and their employees are suffering unwarranted hardship, including the loss of many jobs. Travellers have been inconvenienced, though not to the degree most anticipated. Foreign citizens and their governments have also been affected. I should add that the foreign governments have supported the Administration's actions fully. The air traffic controllers themselves have lost good jobs which carried real responsibility with them.

With many important and interrelated rights involved such as these, however, the government is bound to take the difficult but necessary actions we did to assure that the fundamental responsibilities of government and its employees to the U.S. public are upheld. The crux of the issue is not uninterrupted use of the nation's airspace, important as that is, but rather to assure that government action is protected from unauthorized strikes that contravene each federal employee's oath of office.

Now is time to put the strike behind us, and to concentrate on building up the air traffic control system as rapidly as is consistent with safe operations. Administrator Helms will address our plans in his statement, and then we will be pleased to respond to any questions you may have.