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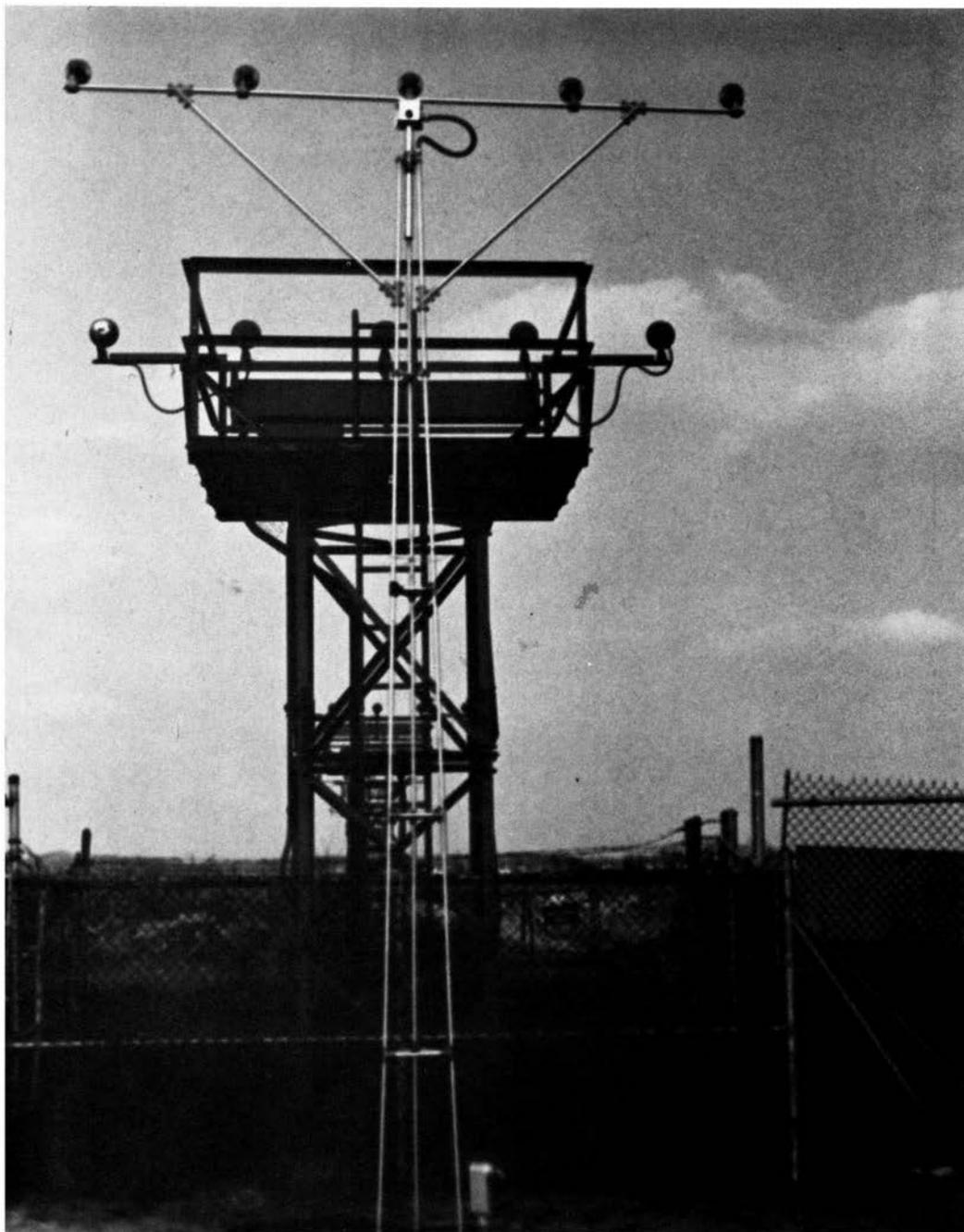
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U.S. Department
of Transportation

**Federal Aviation
Administration**







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By John G. Leyden
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tions Division, Office of
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former reporter for the
Washington Star.



Enforcement Policy for the 80s

Bronson Potter of Mason, N.H., swears he was stone cold sober when he yielded to one of flying's oldest and most dangerous temptations.

"I went on the wagon for a year before I did it," he says, referring to his flight under a railroad bridge across the Souhegan River near Greenville, N.H.

And it wasn't as if the 1952 Harvard graduate just hopped into his venerable Aeronca L3 and pulled the thing off on the spur of the moment. He says he carefully planned the operation, taking precise measurements of his clearances, cutting down some trees that might present a problem and even clearing a potential "impact" area in case he failed.

Nor did he try to keep his flight a secret. Quite the contrary. In fact, about 1,000 locals showed up at the railroad trestle on July 22, 1979, to witness the event and roar their approval as Potter swept down from the south, flashed briefly underneath the trestle and then climbed out to the north.

But FAA was not amused when it learned of the dangerous stunt. It launched an investigation of the incident and finally—with great persistence—overcame local reticence to talk about the event. The end result was a six-month suspension of Potter's private pilot's certificate for "operation of an aircraft in a reckless manner, which endangered the lives of others."

None of this seemed to faze Potter in the least. "The FAA was easy on me," he remarked to one and all. "They did their job." And later, to show there were no hard feelings, he sent FAA's New England Regional Counsel an 8 x 10 color

photo of himself flying under the Souhegan River bridge.

Understandably, not everyone feels as charitable toward the agency when he or she becomes the object of an enforcement action. A notable example is Ed Tripp, the editor of the *AOPA Pilot*.

Tripp wrote a lengthy article in the April 1980 issue of his magazine describing his personal encounter (he called it a "trial") with FAA inspectors after the airplane he was flying ran out of fuel and crashed near Martinsburg, W. Va. Based on this experience, which cost him a civil penalty of \$500, he had some words of advice for other pilots who might find themselves in a similar circumstance:

"And if you ever have an accident . . .

**We now have spread
the enforcement effort,
and we have the emphasis
where we think
it's most important.**

assume that the FAA is going to try to punish you. Don't accept their assurances or suggestions. Don't do anything until you get the advice of a lawyer experienced in enforcement proceedings. They [FAA] ain't the 'friendlies,' even if the kindly gent across the table is your brother. Bend a rule, or even let them suspect that you have, and they are the enemy."

Tripp's comments reflect the continuing apprehension of general aviation pilots that FAA's tougher stance on enforcement, announced by Administrator Bond in March 1979, means the agency is out to "get" them.

FAA Chief Counsel Clark Onstad is not

surprised by this kind of reaction, but he thinks it's misplaced.

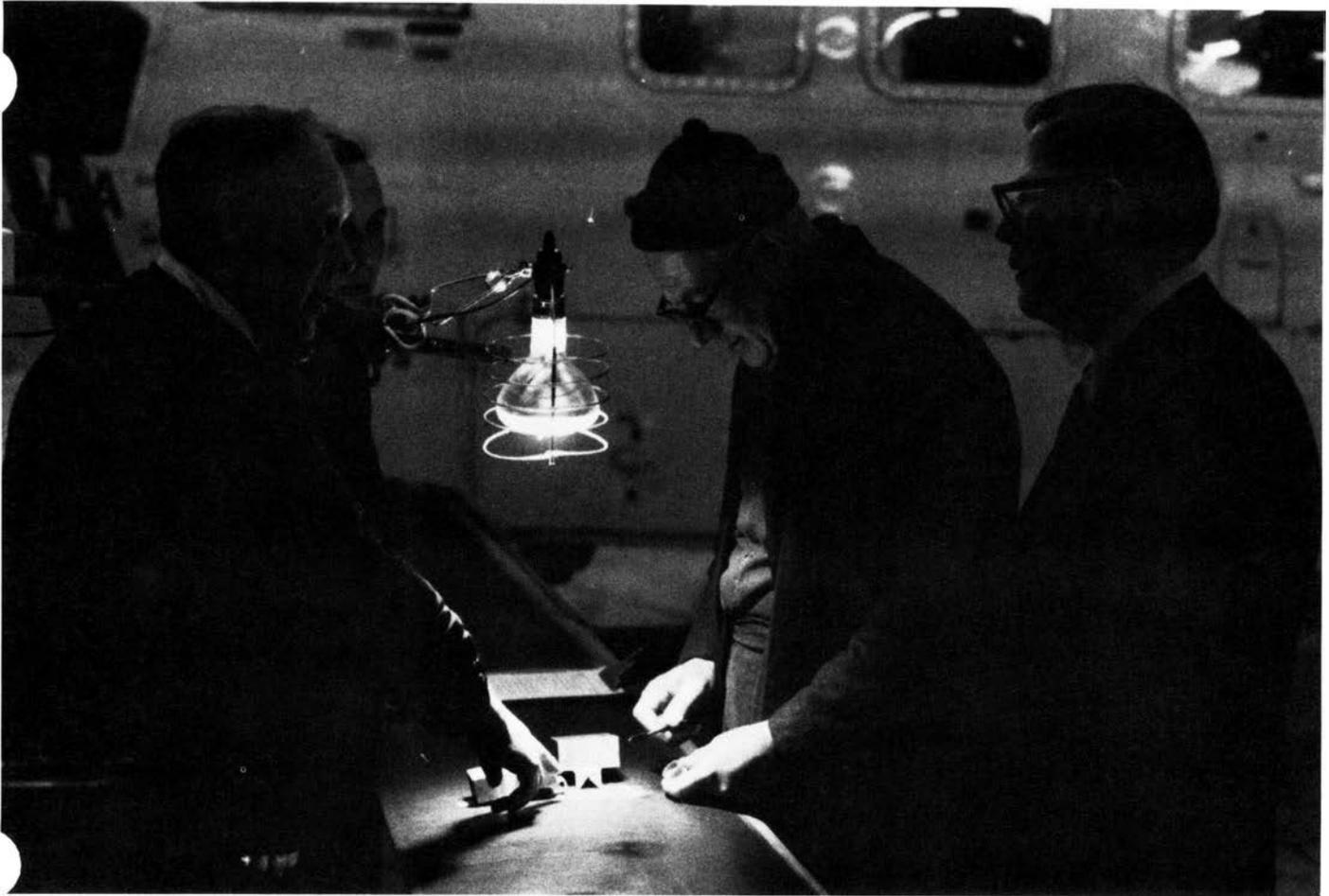
"I think our track record since the start of our new enforcement program shows so far that we have gone after the big offender," he says. "The severest penalties have been limited to situations where there is a pattern of abuse and a lack of management attention to the problem.

"The other thing that's important about this enforcement effort is the different kinds of investigations we've undertaken," he adds. "We've been looking at repair stations, manufacturers, air taxis, commuters and air carriers, among others."

"For example," he continues, "we pulled the repair station certificate of the Raisbeck Group in Seattle and later proposed a \$250,000 civil penalty for faulty Sabreliner modifications. We collected \$300,000 from McDonnell Douglas for a quality control problem with the DC-10. We recently settled with PanAm for over \$50,000 for letting one of its 747s almost run out of fuel because of an erroneous fuel management chart. And we currently have a \$1.5 million civil penalty pending against Braniff for a long list of maintenance violations.

"In fact," he adds, "during the first six months of this fiscal year, we collected more money in penalties from air carriers and manufacturers than in any previous two-year period in the agency's history.

"If you look back over the last 10 years of this agency and talk to people who've been around longer than I have, you'll find insufficient attention to these types of investigations. In other words, we now have spread the enforcement effort, and we have the emphasis where we think it's most important.



A maintenance inspector (right) observes the reinforcing of a helicopter rotor in an air taxi maintenance shop.

“This goes back to the question of the general aviation pilot,” he continues. “He’s important to the system. Our enforcement effort with him will continue, but we recognize there are other facets that may affect more people than one-on-one with the general aviation pilot. And we’re going to continue the work on quality control, maintenance—things of that nature. These are the aspects of the system that affect the greatest number of people.”

A New Priority to Enforcement

Langhorne Bond was scheduled to unveil his new “get tough” enforcement program before the National Aviation Club in Washington on March 16, 1979. But first, the FAA chief wanted to brief agency inspectors on the program, since they would

have the ultimate responsibility for translating it into action.

Thus, on March 15, he flew to Chicago and told a meeting of more than 400 FAA inspectors from field offices all over the country that the agency was giving a new priority to enforcement actions.

Bond suggested that FAA inspectors may have over-emphasized their educational and instructional roles and become “a little bit suspect on the punishment side.”

“Well,” the Administrator continued, “I don’t think our sole role in life is just to tell people how to do it right. There’s an additional dimension to the business, and that is simply hard enforcement—serious, responsible punishment for people who are serious local violators of safety.”

At the same time, Bond cautioned the inspectors “not to go out on a crusade to file violations in every case.” He noted that the agency was after “serious and repeated willful violators” and promised the inspectors that they would have his personal backing in actions directed at “those people who are continuously contemptuous of the rules of the sky.”

Not surprisingly, Bond’s Chicago talk was greeted enthusiastically by the FAA inspectors, who, after all, were the “enforcers” of the new policy. But he ran into a tougher audience the next day at the National Aviation Club in Washington. Again, this was to be expected, since the industry crowd in attendance was destined to be the “enforcees.”

Most of the major newspapers and news magazines applauded Bond for what quickly became known as his “No More Mr. Nice Guy” speech. The aviation trade press was a bit more skeptical and critical.

“Certainly not all Bond’s proposals are without merit,” wrote Arnold Lewis in the magazine *Business and Commercial Aviation*, “and when (not if) the next midair occurs, he has adequately covered his posterior, to use the vernacular. But if he pursues some of these questionable policies, then one would have to question the wisdom of his advisors.”

Essentially, Bond laid out an across-the-board program to “tighten up the agency’s whole enforcement system.”

A key element in the program was proposed legislation to raise the maximum civil penalty for violations of Federal Aviation Regulations from \$1,000 to \$25,000 and also to authorize the agency to seek criminal penalties in flagrant cases. Bond said the \$1,000 limit no longer served to deter would-be violators and was even viewed by some operators as an "inconvenient but bearable part of the costs of doing business."

Another action was aimed at the kind of marginal operators that inhabit places like Miami International Airport's "Cockroach Corner." Bond noted that these operators were flying old airline planes on passenger and cargo-carrying flights but using "legal subterfuge" to duck the strict safety standards required of commercial operators. His proposed remedy was the addition of a new Part 125 to the Federal Aviation Regulations that would make these operators subject to the same general safety standards as the airlines.

Bond also said he had ordered development of a new consolidated FAA Enforcement Handbook to replace four existing documents. "This not only will help the FAA itself become more consistent," Bond said, "but also will let the public know what they can expect from us."

Still another important element in the program was the proposed modification of the immunity provision in the Aviation Safety Reporting System. Bond decried the situation in which pilots and controllers could break safety regulations with impunity as long as they reported the inci-

dent to the National Aeronautics and Space Administration, which administers the program for FAA.

In addition, the FAA chief said he had reached agreement with the Department of Justice to let FAA attorneys handle enforcement actions in the courts in order to speed up the processing of these cases. He also announced his intention to appeal all "unwarranted reductions" by National Transportation Safety Board law judges of FAA-imposed penalties. And finally, he said the agency was working to build "a computer-based system which will give each region prompt access to an airman's history of past violations, whenever and wherever they may have happened."

Policy Two Years in the Making

The new enforcement policy outlined in Bond's speech to the National Aviation Club was the product of almost two years of planning, according to FAA Chief Counsel Clark Onstad. He noted that Bond was keeping a promise made to the Congress during his confirmation hearing in the spring of 1977.

"Langhorne and I discussed a new enforcement program right after I came on board at the end of August 1977," Onstad recalls. "He already had made up his own mind that he was going to wait until he finished the reorganization of Flight Standards and other organizational units before initiating a new enforcement program.

"He felt very strongly that we had to

have a coordinated enforcement policy, and that wouldn't be possible until the reorganization was completed. So he very purposely waited until he had the Booz-Allen [management] study and the key appointments completed. It was a very conscious decision on his part.

"Another part of this that people shouldn't forget," Onstad added, "is that we also coordinated this enforcement program with our approach on the immunity program. We knew that we had to get the immunity program in order, too. So there really were two issues to resolve—reorganization and immunity—before we got going on the enforcement program."

Bond himself described the thinking that led to his decision for a tougher stance on enforcement in his March 16 speech to the National Aviation Club:

"I wasn't worried about the machinery used in aviation. . . . What worried me was that the opportunity for human error on the ground and in the cockpit keeps growing as aviation itself expands. . . . The potential for human error will always be present—but it can and must be held to an absolute minimum. One of our most effective ways to do this is strict enforcement of the rules. But as I looked at the way we enforce our rules, a number of questions began to bother me.

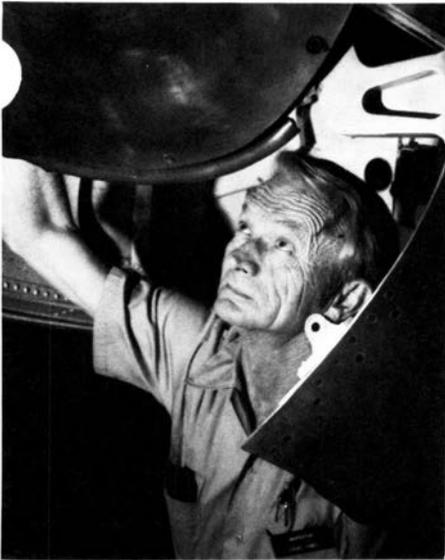
"Can everyone in the aviation community count on fair and even-handed treatment from the FAA, with similar penalties for similar infractions? Or do violators sometimes receive widely differing penalties for the same offense? Are the penalties themselves adequate to deter the reckless and unsafe behavior of a few? Are flagrant and blatant offenders sometimes allowed to escape punishment entirely? All too often, the answers I found to these questions were the wrong answers."

Immunity Changes Attacked

The most controversial element of Bond's enforcement program proved to be the modification of the immunity provi-



A manufacturing inspector discusses the match-up of passenger door motors with their specifications with the manufacturer's assembly line inspectors.



What's sauce for the goose . . . An FAA inspector checks out an FAA aircraft.

sion in the Aviation Safety Reporting System (ASRS). The various aviation user groups achieved rare unanimity in their opposition to the move.

Only a few days after Bond delivered his speech to the National Aviation Club, the industry-based ASRS Advisory Committee complained that the proposed change would discourage persons from filing reports of safety problems. As a result, it added, "those situations which would most likely become accidents will in large measure go unreported."

The same theme was struck by a parade of industry witnesses at a hearing on April 3, 1979, before the House Government Operations Subcommittee on Government Activities and Transportation. Typical was John Winant of the National Business Aircraft Association, who warned that "we face the strong possibility of a disastrous end to the ASRS." And J. J. O'Donnell of the Air Line Pilots Association predicted that 95 percent of his union members would not participate in the reporting program without the blanket immunity provision.

Despite these dire predictions, the Aviation Safety Reporting System is alive and well and operating out of NASA's Ames Research Center in California. Pilots and controllers are filing reports on safety in-

cidents and potential problems at a rate of about 100 per week. And that's the same rate the program enjoyed before the immunity provision was modified on June 30, 1979, for all airmen except controllers. [Note: Controllers remain unaffected by the change because the ASRS immunity provision was incorporated in their union contract and cannot be changed until negotiations between FAA and PATCO have taken place.]

As yet, no Congressional action has been taken on the proposed legislation to increase civil penalties and empower FAA to seek criminal sanctions in certain cases. The bill was sent to Capitol Hill in February but had to take a back seat on Congressional calendars to anti-noise and airport-aid legislation.

Still, some opposition to the proposal has surfaced both on and off Capitol Hill

on the grounds that FAA might use its new authority to zap the general aviation pilot. For example, Thomas Block, writing in the May 1980 issue of *Flying* magazine, told pilots to oppose the bill, or the next time they "misread a clearance or take a wrong turn on a taxiway," they might find themselves in the "slammer." And Senator Barry Goldwater, an active pilot himself, recently wrote Bond that "Congress is afraid that if we give you a sledgehammer, you will use it to crack peanuts."

Clark Onstad counters these arguments by citing Bond's statement in his National Aviation Club speech that the agency is not interested in "dispensing speed-trap justice for minor offenses."

Moreover, he adds, the proposed legislation would merely give the Federal Government the same power to punish dan-

Single Enforcement Handbook To Be Issued

Beginning next month, all FAA employees involved in the agency's enforcement program will be working from the same handbook. Gone forever will be the separate handbooks for FAA safety inspectors, security specialists, airports people and attorneys.

But FAA Chief Counsel Clark Onstad says the new handbook represents much more than just a consolidation and coordination of material. He notes the changes are substantive and not just editorial.

"The new enforcement handbook is a far different document from the handbook of the past," he says. "For example, it has a chapter on major investigations. When we looked at the old enforcement handbook, we found that it concentrated too much on the garden variety general aviation pilot investigation. It didn't have anything in there about maintenance violations, about repair station violations, about aircraft manufacturer quality-control violations. And these are the kinds of problems we find there has been less than sufficient attention to in the agency in the past. So we have tried to reorient the handbook to broaden its scope and its examples.

"The second thing which we have done with the handbook is to articulate the way in which we want legal and the various services to work together," he adds. "It is a bad policy where legal waits for the en-

forcement package to come up from the service and doesn't get involved earlier. And it is a bad policy when legal takes the package and the service feels its work is done.

"The lawyers and the enforcement people are supposed to work together from start to finish. And too often we've found that people don't. Their view of their job is very compartmentalized. That's a very bad way of doing business. It ends up making cases which aren't as strong as they could be; it ends up with people having less than a total feeling of responsibility to the program or lack of commitment to the program.

"The third thing which the enforcement handbook does is describe the manner in which the lead region concept works with the enforcement program," Onstad continued. "And while I won't go into detail now, it basically leaves the inspector in the field who finds a violation—no matter what region he's in—with responsibility for the enforcement action. But he will have to coordinate his enforcement action with the lead region or the certificate-holding region so that that region can provide him background as to exactly what their interpretations of the regulations have been and as to the procedures which they've worked out with the particular air carrier, for example." ■

gerous pilots that state governments already have to punish dangerous motorists.

“If reckless drivers, who endanger human life on the nation’s highways, can be punished as criminals,” he asks, “why not pilots who display a similar disregard for life?”

The major problem in promulgating the new Part 125 rule has been accommodating corporate operators of large aircraft. FAA’s notice of proposed rule making, issued last November, would make these operators subject to the new regulation, along with aircraft leasing and service companies that are the real target of the agency action.

The agency is not interested in dispensing speed-trap justice for minor offenses.

Essentially, Part 125 is aimed at closing a legal loophole that has permitted owners of large aircraft to engage in commercial ventures without meeting the stiff safety standards for commercial operations. This is possible because of the difficulty in establishing whether an aircraft is being operated for “compensation or hire” and thus involved in commercial operations. In the absence of such a finding, the aircraft can be operated under the less demanding rules governing “private” operations.

Part 125 would deal with this situation, which costs FAA inspectors and attorneys thousands of man-hours each year, by making the size of the aircraft, rather than its use, the basic criterion for determining the applicable safety standards. It would cover all aircraft capable of carrying 20 or more passengers or a maximum payload of 5,000 or more pounds.

To lessen the impact of this across-the-board approach on corporate operators, who are not involved in commercial flying and have an excellent overall safety record, FAA is studying several alternatives for narrowing the Part 125 focus.

One method, suggested by the National Business Aircraft Association, is to increase the payload of Part 125 aircraft from 5,000 to 6,000 pounds. NBAA estimates that this action alone would drop the number of corporate aircraft covered by Part 125 from 900 to 100. These details will be worked out this summer, and the agency expects to have the final rule ready to go in October.

Inspectors Like the Program

Regardless of the reception accorded FAA’s new enforcement program outside the agency, there is little argument that it has been popular with agency inspectors, attorneys and others who have to make the safety rules stick on a day-to-day basis.

“The program has had a positive impact on our people; no doubt about it,” says Richard Collie, who heads the Air Transportation Division in the Office of Flight Operations. “It has really helped morale in the field.

“I think we’re more sensitive now to enforcement actions, particularly those involving air carriers,” Collie adds. “And that, of course, is because we know we have the backing of the Administrator. I don’t mean to imply that we didn’t before,” he continued. “I spent a good many years in the field and I never felt that we didn’t have the support of the people up the line. But I think it helped to hear the Administrator stand up, as he’s done on several occasions, and state his goals in this area. It removed any reservations people might have had about how they’re expected to do their job.”

And Clark Onstad, the agency’s top lawyer, says he sees “a tremendous change in attitude both on the part of the inspector and the industry’s view of the inspector.

“There’s no question that industry’s responsiveness to the air-carrier and general-aviation inspectors has been greatly heightened by this program,” he adds.

“And I think you’ll continue to see an improvement in that situation.

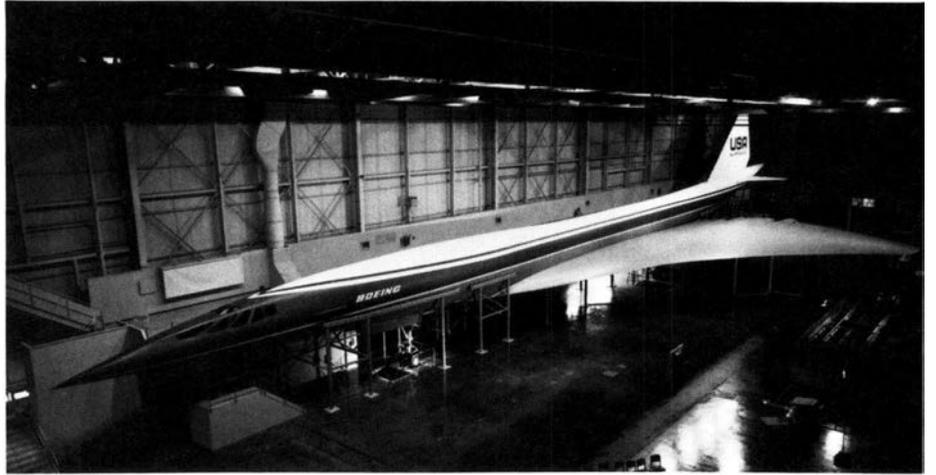
“But I don’t want to imply that we’ve abandoned our traditional duties as advisor and educator. What we’re trying to do is strike a better balance between being



An operations inspector rides the jump seat to check on airline pilot proficiency.

cop and coach, as Langhorne puts it. In the past, we’ve been perhaps too much coach and not enough cop. We’ve got to change the emphasis and that’s what we’re trying to do. That’s what we are doing.

“I just can’t stress enough how impressed I’ve been, as a relative newcomer to the agency, with the performance of our inspectors. Once you tell people you’ll back them up, they do one hell of a job.” ■



The SST Mock-Up

When the British-French Concorde supersonic transport (SST) began rolling off the production lines in the early 1970s, the cost was about \$50 million per copy. That made the American SST a real bargain by comparison. It cost a mere \$31,119.

There was a difference in the two SST versions, of course. The American SST couldn't fly. In fact, it wasn't even a real airplane—just a full-scale aluminum mock-up built by the Boeing Company of Seattle.

Today this engineering mock-up is the only survivor of the \$860 million, FAA-managed SST program that crash-landed on Capitol Hill in Washington, D.C., in 1971 after taking an unknown number of direct hits from the batteries of environmentalists and budget-cutters. The 288-foot-long model later was sold at public auction and currently is on view at the SST Exhibit Center in the town of Kissimmee, Fla., not far from Orlando.

A second SST mock-up was destroyed in the early 1970s after being used for a series of passenger-evacuation tests at the FAA Aeronautical Center in Oklahoma City. This one was a plywood affair built by Lockheed before it was aced out of the SST competition.

Aeronautical Center Public Affairs Officer Mark Weaver said the mock-up was "parked outside and the weather got to it." After the evacuation tests were completed in the summer of 1971, workmen broke down the model into scrap lumber.



Two contenders for the honor of being America's first SST were mocked-up by Boeing and Lockheed. Boeing's (top) won out, but neither design went into production or ever flew.

The Boeing mock-up has proved a popular tourist attraction in central Florida. Museum curator Jack E. Jacks estimates that between 40,000 and 50,000 people a year pay the \$2 admission fee to walk through it. And, he notes that most of the museum visitors seem to feel that the U.S. should have built the SST.

Jacks says he used to feel the same way, but he's not as sure today. An active pilot with 47 years experience who was the model for the "Smiling Jack" cartoon character, he points to the Concorde's serious financial problems and suggests that perhaps the SST is an idea whose time has not yet come.

Apparently, the British and French governments agree with him. They recently announced they would not produce any more Concorde beyond the 16 originally committed to production.

Still, many people wonder what would have happened to the American SST if the program had been carried through to completion. In fact, former Administrator John Shaffer once observed that the agency made a serious tactical error in calling its vehicle the SST.

"We should have thought up a name like Concorde," he mused in a semi-serious moment, "and by the time the opponents got to the dictionary to look it up, we would have had the damn thing flying." ■

By Leonard Samuels

The editor of FAA WORLD, he has edited and written for *Popular Mechanics* and business and government magazines.



Rideshare it!

... or, Why Drive Yourself to Fuel Exhaustion?

FAA astronauts: In a 30-year career of commuting to work, you are likely to have traveled between a trip and a round-trip to the moon!* If your gasoline mileage is between 10 and 30, you will have consumed between 7,500 and 45,000 gallons of gasoline, which, at today's prices, amounts to between \$9,000 and \$54,000.

So what? You've got to get to work and you can't bank that money all at once for the interest it could earn.

But in addition to that fuel expense cutting into your grocery money, you'll have burned out four or more cars, and if you don't cut down your fuel extravagance, there may not be enough gasoline for you to finish your commuting career.

The answer for conserving money, your chariot and fuel is either public transportation or carpooling. In urban or suburban areas, you sometimes have a choice, but carpooling or vanpooling usually is the preferred method for convenience and lower cost. In exurbia, if the railroad or long-distance buses aren't near at hand, the car or van may be your only means of transportation.

The pleasures of bus or subway travel often depend on where you live and work. If you can get on near the beginning of the run, you have a seat and can read or

snooze unmindful of traffic or weather. It also is almost always cheaper than driving alone.

But for Dan Keenan, aviation safety inspector in the Training and Technical Standards Branch of the Office of Flight Operations, busing was a nightmare.

"It was all right in the morning, but going home drove me bananas," he said. "My stop was the last one in town, so I always had to stand, if I could catch a bus—frequently the bus would be full and pass me by. And there was no shelter, so if it was raining or snowing, I got wet."

Then, too, is the question of whether public transportation goes where you want to go. Can you walk to and from a bus or subway stop or park conveniently near one? Does the direction of your trip require combinations of transportation, with the attendant waiting for each vehicle to arrive?

When Zeke Lopez, supply systems analyst in the Material Systems Branch of the Logistics Service, worked in the Eastern Region, his commuting was from one end of New York City to the other. Public transportation would have involved two subways and a bus and would have taken two hours in a circuitous route. Instead, he carpoled, a straight trip of 35 minutes.

Ridesharing—which includes carpools, vanpools, privately leased buses, public transportation and other multi-occupancy modes of travel—got its impetus with the fuel crisis of 1973 and again in 1979. Last fall, President Carter appointed a national task force under DOT Secretary Goldschmidt to develop ridesharing programs. He pointed the finger at more than 52 million Americans who drive to work alone each day. If just half of them doubled up, he noted, the country would save 375,000 barrels of oil each day.

In looking to double ridesharing, Secretary Goldschmidt has asked that each

operating administration in the Department review the President's ridesharing incentives for adoption where possible.

The incentives include:

- Provide for flexible working hours to ease employee ridesharing arrangements
- Reserve the majority of conveniently located Federal parking spaces for carpools and vanpools
- Encourage Federal credit unions to establish favorable commuter vanpool financing arrangements
- Provide opportunities for employees to form vanpools through third-party leasing arrangements
- Schedule meetings at times that will not interfere with ridesharing arrangements
- Provide convenient places and opportunities for employees to meet potential ridesharers
- Install public transportation information kiosks and passengers shelters on government property
- Help to distribute monthly transit passes
- Encourage major Federal contractors to promote ridesharing at their facilities and
- Recognize through agency awards those employees who are instrumental in establishing effective ridesharing programs or who contribute valuable ridesharing ideas.

The biggest incentive for ridesharing, however, is that "the gas is eating me alive," as Stan McDonough puts it. McDonough is in the New England Region's public affairs office. He moved

* Assuming that all annual leave is taken and about half of your sick leave, leaving 1,500 hours to add to your annuity computation, you will have worked about 6,944 days. The distance is based on one-way commuting between 16 and 32 miles.





from lower-cost Texas and got hit with the 1979 fuel crisis and soaring gasoline prices at the same time.

The price of gasoline is the most obvious factor because it's out-of-pocket day-by-day, but the costs of cars, parts and maintenance have also risen, and the more your car is used, the sooner these costs must be met. A recent estimate of the overall cost of operating a small car is 30.5 cents a mile, of which only 15 percent is the cost of gasoline.

Then, too, McDonnough points out, "The days you don't drive, it's easier on the nerves—you don't fight the traffic." He qualifies that, however, recalling the common hassles about windows up or down, the radio loud or soft, smoking or no smoking and the exasperation with drivers who will never pass another car or who cut in and out recklessly.

And there's the rub.

People in carpools often still want to retain their independence. "I used to think that if Matthew, Mark, Luke and John, and perhaps Mary, were in a carpool, they'd still have some problems," says Thom Hook of the Headquarters Office of Public Affairs. "They are people problems. A lot of carpoolers are not very concerned with other people's comfort, whether it's the seating, the music or the waiting for all of the members to assemble."

Compatibility is the word for a successful carpool. Where members are unwilling to bend a little or be considerate, there's high turnover. With the right chemistry, though, some carpools have gone on for 15 years or more, their only turnover due to job changes and retirements.

The irritants are legion. "There was

the sleepyhead who would always come 15 minutes late," McDonnough cited. "We'd all be sitting there in a parking lot wondering if we were gonna have to drive like crazy to make it to the office."

"... or the driver you told not to pick you up the next day because you had a medical appointment," Hook recalled, "and the day after failed to show for your morning pickup."

Another Hook tale: "There was one guy who would frequently show up with a large cup of coffee with no lid, regardless of whose car it was. I used to worry about his spilling it, so I suggested, in a nice way, that he ought to buy a commuter cup, which he ignored. Sure enough, in

someone else's car, he spilled it all over the seat. We had to pull over to the shoulder where we found that he and the car were the only victims, his pants sopping wet and steaming from the hot coffee. But the members of this carpool were all very forgiving."

Forgiving makes life easier. Most carpools run on a very tight schedule, but Zeke Lopez' carpool just waits until everyone gets to the car in the evening. If someone has a need to get home quickly, it's prearranged to avoid dilly-dallying.

"We have a very informal arrangement," Lopez says, "working on recall: to whose turn is it to drive or who owes a turn from a past skip. If someone hasn't taken his turn, we'll nudge each other and say, 'Isn't it so and so's turn to drive Friday?' and we'll agree, and the guy usually will say, 'Okay, you got me.'"

Sometimes, it can get too informal, and forgiving takes on a different cast. Dan McGrath, also of the Logistics Service, had a three-person carpool, one of whom was his wife. One evening, he forgot to take her home.

The friendlier and more-durable carpools may go a step further. Hook's used to have a delay enroute around Christmas. They'd stop off on the way home one day, perhaps to enjoy a pizza together.

In his New England days, Lopez recalled, "one guy had a '68 Pontiac, a beautiful large car, although bad on gas consumption and having seen better days. In that one, everybody but me smoked, and we used to serve cocktails on the way home occasionally—for everyone but the driver, of course," he smiled. "We'd buy the liquor and mixer the night before because of the lower prices in New Hamp-



Secretary of Transportation Neil Goldschmidt addresses a lunchtime "Pool Party" for Department and other southwest Washington workers designed to stimulate ridesharing. The plaza of the DOT building was the site of vanpools, van sales organization, public transit information, metropolitan area carpool route sign-up boards and a country music band.



Waiting for her riders to assemble, this vanpool driver is an alternate to the van's operator. Necessary to spell the operator during illness or leave, alternates are sometimes hard to find. Riders are unwilling to accept the responsibility or to start out earlier in the morning.

shire and put ice cubes in an old coffee can at the office.

"When the Pontiac owner decided to replace that car, we all chipped in to buy the car from him to use as a carpool car to save our own cars." That idea wasn't carried out, and Lopez ended up buying out the others for his child's use for college.

One of the things that Lopez likes best about carpooling is the opportunity to learn what's going on in other offices or agencies, rather than being confined to discussing his own specialty, as he is all day long.

At one time, Dan Keenan supplied ice for his vanpool riders but there weren't enough takers. Now, on occasion, the passengers buy some six-packs of beer for the homeward journey, along with a soft drink for Keenan. On New Year's Eve, he has a

party to which his vanpoolers are invited.

Keenan's answer to his busing problem was to distribute leaflets on the bus to see if there was any interest in vanpooling. There was and he bought a 15-passenger van—the largest one he could that would fit in the Headquarters basement garage and one that was easy for him to service himself.

Keenan's van runs like clockwork. It's his way or no way. "If it got to be a hassle, I'd quit," he says.

He makes a straight-line run with a few stops to pick up passengers before he enters the express lanes of a freeway. The riders had better be there—he waits only 60 seconds and then he's off. In the evening, the van leaves five minutes after quitting time and makes two or three stops along a side street to pick up riders from other agencies.

In three years, he hasn't been more than two or three minutes late, except during snow. Then, he allows an hour for the traffic to settle down. He's had a local radio station announce for him, "Dan's Van is running one hour late . . . because the bartender didn't show up."

His fare structure is novel. "I charge 70 percent of the public transit fare. If someone is on travel or leave, I compute the full transit fare for the days actually traveled or the regular 70 percent for the month and charge whichever is less." He lets everyone pay half fare for one month in the summer, which takes care of the riders' vacations.

With so many riders, there are bound to be some problems, including the usual turning the heat up or down, the air conditioning up or down and the radio up or down. But one woman wanted him to wait for her fare until she collected her alimony check. His answer was no; he didn't know her husband and he wasn't a rider who owed him.

He's found the group generally compatible. They frequently start out the homeward trip with trivia quizzes and on rainy days bet whether the spouses will be at the pickup points before the van arrives.

Dan Schierer, a highway design engineer in the Federal Highway Administration, also a van driver, heads an informal association of 33 DOT vanpools in Washington. Its purpose is to make vanpool operators' experience available to others and function as an information source for the Department. Among its services, the association has contracted with a tire dealer for bulk purchasing and provides advice on how to get started in vanpooling, financing, insurance and licensing procedures.

In essence, there are many strokes for different folks to beat the fuel crisis. With all costs considered, public transit will probably save you money in the long run, plus your nerves in the roadway jungle, plus the most fuel for the country. Similarly with vanpooling, which may include door-to-door service but gives you at least one door. The only trouble with it is that if you miss your ride, there won't be another one along in 15 minutes. Carpooling provides the most flexibility, puts you in the driver's seat less frequently and conserves your car and fuel significantly.

Driving to work solo when unnecessary belongs with the American frontier—an ethos of the past. ■

You've tried the normal channels—your supervisor, the personnel management specialist, the regional office—and can't resolve a problem or understand the answers you've gotten. Then ask FAA WORLD's Q&A column. We don't want your name unless you want to give it or it's needed for a personal problem, but we do need to know your region. All will be answered here and/or by mail if you provide an address.

Order 1100.146, Standard Organization of Air Traffic Flight Service Stations, sets up new organizational structures for FSSs. My region has several part-time satellite stations and two part-time Level II FSSs. The parent facilities for the satellites are Level IIs or IIIs. Appendix 1 of the order states that administrative/supervisory support will be provided by the parent facility, which in our case is a remoted position with a team supervisor. When a shortage of GS-9 personnel exist at the satellite, the position is temporarily staffed with a GS-10 or 11 from the parent facility. Why aren't all full-performance-level specialists the same grade? Is it correct to assume that the order makes all part-time FSS facilities satellites only up to one year from the date of the order? What is the meaning of administrative/supervisory support?

FPL pay grades are determined by the total number of flight services that are performed at a given location. For pay purposes, each facility is considered a separate entity. The activity counts at the satellite and parent facilities are not combined to determine pay grades. While temporary assignments for leave relief or emergencies may seem an inconvenience to some, there are times when they are necessary. In these instances, it is not the agency's intent to penalize specialists by having them accept a lower pay grade when they perform temporary duties at a location where the pay grade is lower.

The cited order does not deal with a time limit or requirement for the part-

timing and satelliting of FSS facilities. The order does complement other agency policies and orders related to the establishment of part-time satellite facilities. It prescribes the internal organizational structure and staffing of various types of FSSs.

Administrative/supervisory support consists of functions that may be more complex at one location than at another. Some of it would consist of insuring that adequate supplies are ordered and available, that work schedules are maintained that fulfill the mission of the facility and that employees are trained to carry out this mission. Supervisory responsibilities include making performance appraisals and providing career counseling.

I would like an interpretation of Para. 280b in Handbook 7110.65, Geographical Separation. Do both aircraft being separated have to be using the separation as it is explained there? Do you need three miles minimum between the two geographical points? Specifically, is it legal to apply this separation between a fog-seeding aircraft on a run in the top of the fog layer who has been told to remain to one side of a road that is about 1,700 feet from and parallel to the instrument runway and IFR aircraft being cleared for takeoff from that runway, assigned "runway heading"?

Also, do you know of any controlled airports where weather reporting service is not provided by the National Weather Service, a controller or an FSS specialist? I ask, because we have a seaplane base about a quarter-mile from an international airport controlled from the same tower. Because they are in the same airport control zone, the ceiling

reported by NWS personnel governs both fields. But if the visibility at the international airport is below minimums, with no reported ceiling, the seaplane base might still be considered VFR, with the pilot responsible for determining if the visibility requires asking for a Special VFR clearance. If he doesn't, he still must be allowed into the traffic pattern, even if the controller can't see him.

Handbook 7110.65B does not contain specifics on geographical separation of aircraft other than permitting its application. Although not stated, geographical separation is intended as a means for providing nonradar separation between SVFR aircraft. In today's environment of prescribed separation criteria, this may no longer be valid. As a result, we are coordinating a change to the handbook, Para. 280, to resolve any problems regarding geographic separation. This change, if adopted, should be effective no later than October.

We know of no airports that provide air traffic control services that do not have a weather-reporting service. Your statements on the weather governing the seaplane base and the pilot's responsibility for determining visibility is in accord with the FARs. Any suggestions for change of these FARs or the local weather-reporting procedures should be submitted through your regional office.

I am a former controller who has been medically disqualified and is in second-career training. Is my transition from second-career training to retirement automatic, or do I have to take action myself? When the training ends, do I first use up my accrued sick

leave? If there is a pay raise in October when my training ends, am I included, even though on sick leave? Will my annuity be partly based on the higher salary? When and how is my unused annual leave paid? I have a claim in the Office of Workers Compensation Program; how does it affect my regular retirement?

If you filed an application for disability retirement and it was approved by the Office of Personnel Management, no further action will be necessary. If you had not filed at the time you were found medically disqualified, you would have to do so before the end of your second-career training. You have the option of remaining on the rolls and being carried on sick leave until it is exhausted or of requesting that your sick leave be credited toward your service time for computing your retirement annuity. It normally would be to your advantage to use your sick leave unless you have applied for compensation benefits and the claim is approved.

You would be included in the pay raise, which would be used to compute your high three-year average salary.

The value of your leave balance from the previous year plus the unused annual leave in the current leave year would be paid in a single lump sum based on your hourly rate of pay at the time of separation and is generally paid in the pay period following the pay period in which the final salary check is issued.

If your claim for compensation benefits has been approved and you elect to receive those benefits, you must suspend your retirement annuity benefits. In this way, you will provide for continuity of survivorship protection as well as your annuity

rights under the retirement system if your compensation is discontinued. If you don't want to retain retirement benefits, you may obtain a refund of your retirement contributions. In doing so, however, your right to an annuity and the rights of your survivors to annuity benefits are lost.

Is the pilot of an aircraft in violation of FAR 91.119, or any other, if he operates his aircraft on an IFR flight plan—with a clearance to maintain VFR conditions on top—at an altitude below the minimum enroute altitude along a Federal airway? What action should a pilot take if he is operating in a Positive Control Area on an IFR clearance, his radio fails and he hits visual meteorological conditions (VMC)? Should he descend VFR in the PCA and remain VFR until landing, or should he continue at the last assigned altitude to his destination and make his let down from cruising altitude after reaching the approach fix (FAR 91.127)?

The "VFR conditions on top" altitude is an IFR altitude when assigned by air traffic control to a pilot operating IFR in controlled airspace. Therefore, the pilot is responsible for maintaining a minimum altitude for IFR operation, as prescribed in FAR 91.119. This includes maintaining an altitude not below a published minimum enroute altitude on a Federal airway.

FAR 91.127 makes no distinction as to positive-controlled, controlled or uncontrolled airspace for pilot compliance with IFR two-way radio communications failure requirements. Also, the rule refers to VFR, rather than VMC, weather conditions. Thus, if a pilot operating IFR in positive-controlled airspace experiences radio failure and encounters VFR weather, the pilot must continue the flight under

VFR and land as soon as practicable. However, you must remember the rule contains the phrase "unless otherwise authorized by ATC." This means that in the event of a radio failure, ATC clearances and pilot acknowledgments may be made via navigational aids, other aircraft and coded radar beacon replies. In such cases, when communications other than two-way radio are established, the flight probably can continue to its intended destination.

Upon retirement, all accrued annual leave is paid in a lump sum. Why is this money taxed? Envision two employees following identical careers in FAA—same grade and salary, same promotion dates, same number of dependents, etc. Yet, upon retirement, one has no accrued annual leave because he was able to use it, while the other has a leave balance and is taxed for it. One, then, has paid more taxes than the other during a similar career.

A lump sum payment for annual leave is classified as "supplemental wages" paid to a separated employee. The Internal Revenue Code includes these wages in the definition of "taxable income" and requires employers to withhold taxes from such payments. Ref. 5 U.S.C., Para. 5551. In your example, both employees would be paid and taxed the same to the date of retirement, whether they worked or were on leave. Then the employee with a leave balance at retirement would be paid an additional sum, which for tax purposes is computed as though he had worked beyond the retirement date. He would pay more taxes because he would receive more taxable income than the employee without a leave balance.



The Hunt

The average healthy red blood cell is seven microns (seven-thousandths of a millimeter) in diameter. Yet it is flexible enough to squeeze through blood vessels only half a micron wide.

But if that flexibility is lost, it and other red blood cells like it can't make it through the microscopic vessels. Not being able to get through, they clog up and block the flow of blood.

The spleen, which has hundreds of tiny openings for filtering and recycling the blood, is particularly susceptible to this clogging. The result can be pain, unconsciousness and even death.

This loss of flexibility, along with a change in the shape of the red blood cells, is the basic characteristic of Sickle Cell Anemia, a blood disorder that primarily, although not exclusively, affects blacks.

FAA is interested in Sickle Cell Anemia because of a long-standing belief that flying quite often can trigger the disease in people who have never had it but who have inherited the trait that leads to it.

This is because the "sickling" process, whereby the red cell hardens and becomes sickle-shaped, had been linked to a lowering of the oxygen level in the blood that occurs as aircraft gain altitude. FAA shared this view for a number of years and

An electron microscope photograph of sickle-shaped red blood cells at 3000 magnification. The disc shapes are normal blood cells.

Photomicrograph by A. Tuley and R. Chilcote, Comprehensive Sickle Cell Center, U. of Chicago, J. Bowman, Director

By Fred Farrar

A public information specialist in the Office of Public Affairs, he is a former Washington correspondent for the *Chicago Tribune*.



for the Missing Factor

refused to issue medical certificates to those with the inherited trait. Approximately eight percent of the blacks in this country have the trait.

In 1976, after an exhaustive search of the existing medical literature, the agency reversed itself and concluded that most people with the Sickle Cell trait, although not the disease itself, could fly safely and without any danger to their health. It thus began issuing the medical certificates that they needed to learn to fly or to continue to fly.

Now FAA has a research project underway which it hopes will show that those rare cases in which persons with the trait are affected by flying actually result from other blood factors. FAA researchers believe that these other factors, acting in conjunction with the inherited trait, are the real culprits.

“The purpose of our study is to identify blood factors which, when combined with the Sickle Cell trait, might make low oxygen levels a danger,” says Dr. Jess M. McKenzie of the agency’s Civil Aeromedical Institute in Oklahoma City, who is directing the project.

“There are about 300 possible abnormalities in the blood that might be responsible,” he continued. “We hope to identify those that might cause problems.”

“If we can do that,” he says, “we will be able to devise tests to identify those who should not be flying.”

The corollary of this, McKenzie says, is that it also will be possible to identify those who wouldn’t be affected. They would then be able to fly with the certain knowledge that their red cells will not sickle if they run into low oxygen levels during a flight.



Top: Maryann White, a CAMI biologic technician, checks a blood specimen with a microscope for signs of Sickle Cell Anemia, under the direction of physiologist Patsy Fowler.

Above: CAMI chemist Russell Moses (seated) and Dr. Jean McKenzie operate a Hem-O-Scan, used to evaluate the interaction between blood and oxygen.

Other possible beneficiaries would be blacks and others with the Sickle Cell trait who are interested in flying careers in the military. The military services now bar anyone with the Sickle Cell trait from flight duty because of possible sickling. If a test is available that will identify those who would not be affected, the military services might change their policy and allow them to fly.

The research project will involve a detailed analysis of the blood of people with the trait compared with an equal number who do not have it. A specialist in blood components will do the analysis, looking for properties in the blood that people with the Sickle Cell trait might have in common other than the trait and, if possible, identify the ones that could cause problems at altitude.

McKenzie had hoped to have the project finished by this summer, but a shortage of volunteers has delayed the project indefinitely. He says he needs a minimum of 15 volunteers with the trait but has only been able to locate seven so far.

He also points out that no flying, pressure chamber sessions or medication will be involved—only the taking of blood samples. Minimum wages as well as local transportation costs will be paid to the volunteers. Volunteers should contact McKenzie at (405) 686-4861. ■

A One-of-a-Kind

The first woman to be accepted at the Naval Air Test Center's test pilot school at the Patuxent River Naval Air Station in Maryland is Mary Ellen Schutt, an aerospace engineer in the Great Lakes Region. She also is the first agency employee to attend this special school, which offers 11 months of intensive training for both flight test pilots and flight test engineers.

"This is a big step for the Navy," Schutt says, "but even more so for the FAA. This is the first time the FAA has sent an engineer, male or female, through a world-reowned test pilot school.

"The reason I'm here is really to qualify me for my job, since the FAA has no such training facilities. FAA's air crew personnel are either prior [military] service or trained by the aircraft industry. I was employed with FAA right out of college."

Schutt came to the Flight Standards Division in 1976, shortly after earning a B.S. in Aeronautical Engineering. She has begun work on a Master of Engineering Management degree, while her husband, Thomas, a graduate civil engineer, now attends law school. The Navy course provides 12 hours of graduate credit at the University of Maryland, which may be transferable.

Because of her strong academic background and interest, her supervisor suggested that she apply for the Naval Test Pilot School. A co-worker, himself an earlier test pilot school graduate, helped her with her applications.

"Usually, training requests are approved at the regional level," Schutt said, "but because this was setting precedence, my application had to be approved by FAA's Washington headquarters as well as by the Navy."

She was surprised at how structured the course of instruction was. Half her time is spent in classes with 28 military students

from the U.S., Canada, the United Kingdom, The Netherlands, Italy and Australia. The other half involves test-plan development, preparation for flight, data collection in flight with a fellow student as test pilot, data analysis, report writing and oral presentations.

She will be flying in the back seat, behind a student flight test pilot who uses flight test plans she developed. Though she has a private pilot's license, she isn't test-piloting any of the aircraft, which include the supersonic T-38 Talon, the short takeoff/landing NU-1 Otter, the AH-1 Cobra and the medium-lift helicopter CH-46 Sea Knight.

"I am not a test pilot," Schutt emphasizes; "I am a flight test engineer. I will get a chance to pilot the aircraft a few times to give me, as an engineer, a demonstration of what a pilot is up against and a better understanding of the data I have to record. I am learning here how to develop test plans, fly them and make engineering recommendations on deficiencies."

Three separate but inter-related courses will enable her to advance in fixed-wing, rotary-wing and airborne-systems experience. The rotary-wing flight-mechanics course, offered nowhere else, emphasizes helicopter performance, handling qualities, reliability, maintainability and safety.

The students learn many valuable test practices for uncovering problem areas, which then are analyzed, corrected and retested. No academic institution offers such an intensive, in-depth training program or maintains such a wide range of sophisticated test equipment and advanced aircraft for "hands on" instruction as does the Patuxent test pilot school, according to the Great Lakes Region's Flight Standard Division. Students at the school follow in the footsteps of many space-program pioneers, including a number of astronauts.



How did she prepare for the test pilot school?

"I learned how to roll dice," Schutt laughs. "My co-worker told me, 'You can't go to TPS unless you know how to play dice.' But the school did send me a package of materials," she adds, "and I reviewed my old college text books, too. Then, I set an exercise program for myself to make sure I was in top physical shape."

Being away from her husband so much of the time is rough, she admits, but "a good sense of humor helps you through when times seem tough," she says.

And a sense of humor Schutt does have. As the photographer finished his shooting session, she grinned and told him, "Make me a '10'." ■

People

Aeronautical Center

- Raymond H. Corley, chief of the Management Systems Branch, Data Services Division, from the Aviation Systems Branch.
- Ruble G. Garner, chief of the Software Systems Branch, Data Services Division, from the Aircraft and Logistics Systems Branch.
- Durrell T. Treadway, chief of the Aviation Systems Branch, Data Services Division, from the Management Systems Branch.

Alaskan Region

- Monte M. Larsh, chief of the Cold Bay Sector Field Office, King Salmon Airway Facilities Sector, from the Maintenance Operations Branch, AF Division.
- Thomas H. Wardleigh, chief of the Anchorage Flight Inspection District Office.

Central Region

- Donald D. Early, chief of the St. Louis Tower, from the Evaluation & Automation Branch, Air Traffic Division.
- Lindon R. Wynes, team supervisor at the Kansas City ARTCC.
- Theodore Zaemes, manager of the Grand Island, Neb., Airway Facilities Sector, from the Omaha, Neb., Sector.

Eastern Region

- Alfredo R. Astillero, watch supervisor at the Philadelphia Airway Facilities Sector in Lester, Pa.
- George E. Brugos, team supervisor at the Greater Pittsburgh Tower.
- Frederick L. Gibbs, deputy chief of the Philadelphia Flight Service Station, from the Poughkeepsie, N.Y., FSS.

- Robert V. Girani, team supervisor at the New York ARTCC.

- Kenneth N. Patton, team supervisor at the Greater Pittsburgh Tower.

Great Lakes Region

- Donald F. Carter, chief of the Training Branch in the Personnel Management Division, from the Program and Planning Branch of the Airway Facilities Division.
- Delbert L. Garner, unit supervisor at the Chicago Midway AF Sector.
- Ryan F. Gove, chief of the Oshkosh, Wis., Tower, from the Madison, Wis., Tower.

- Howard B. Kehlenbeck, systems performance officer in the Minneapolis ARTCC AF Sector.

- Martin T. Mendel, assistant chief at the Indianapolis, Ind., Tower, from the Decatur, Ill., Tower.

- Lloyd S. Rich, chief of the South Bend, Ind., General Aviation District Office, from the Ypsilanti, Mich., GADO.

- John F. Scofield, team supervisor at the Flint, Mich. Tower.

- William H. Thelen, chief at the Cincinnati Lunken, Ohio, Tower, from the Greater Cincinnati Tower in Covington, Ky.

- James E. Tyvand, technical support officer at the Minneapolis ARTCC AF Sector.

New England Region

- Richard A. Fontes, chief of the Air Security Branch, Air Transportation Security Division, from the Investigation and Internal Security Branch.

Northwest Region

- Ernie S. Hambright, team supervisor at the Pasco, Wash., Tower.

- Paul I. Miyake, unit supervisor of the Establishment Operations Section, Facilities Establishment Branch, Airway Facilities Div.

Rocky Mountain Region

- Eugene L. Homer, chief of the Salt Lake City, Utah, Flight Service Station, from the Minot, N.D., FSS.

Southern Region

- Carlo J. Calcasola, chief of the St. Croix, Virgin Islands, Tower, from the Mayaguez, Puerto Rico, Tower.

- William E. Chase, chief of the St. Croix Airway Facilities Sector Field Office, from the Charleston, S.C., Sector Field Office.

- Benjamin T. Driggs, chief of the Ft. Lauderdale, Fla., Executive Tower, from the Birmingham, Ala., Tower.

- Harold E. Greer, team supervisor at the Muscle Shoals, Ala., Flight Service Station.

- Cecil L. Hall, assistant chief at the Miami International Airport Tower.

- Robert K. Seagle, chief of the Crestview, Fla., FSS, from the Atlanta FSS.

- Eugene J. Stys, chief of the Mayaguez, P.R., Tower, from the Isla Grande, P.R., Tower.

Western Region

- Merle D. Clure, deputy chief of the Oakland ARTCC.

- John J. Faletti, assistant manager of the San Diego Airway Facilities Sector.

- William M. Reidy, team supervisor at the Santa Barbara, Calif., Tower, from the Coast TRACON, El Toro Marine Corps Air Station, Santa Ana, Calif.



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