



U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE TUESDAY  
April 5, 1988

DOT 25-88  
Contact: Catherine Bedell  
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## DOT'S MONTHLY CONSUMER REPORT SHOWS DECLINE IN DELAYS, BAGGAGE PROBLEMS

The nation's major airlines showed improvement in the number of flight delays and baggage problems reported in February, according to the Department of Transportation.

The Department released its monthly Air Travel Consumer Report today which also provides information on the number of passengers "bumped" from oversold flights in 1987 and the number of consumer complaints in March.

The 14 largest U.S. air carriers reported that excluding mechanical delays, 74.7 percent of their flights operated on time in February, compared to 69.2 percent in January.

Mishandled baggage reports filed by passengers against the carriers also declined, averaging 8.75 reports per 1,000 passengers in February compared to 11.83 the previous month.

Meanwhile, consumer complaints against the industry reported to DOT in March rose slightly, totaling 2,584 compared to the 2,235 complaints filed in February.

The Department, interested in helping the public make more informed choices among competing carriers, again urged consumers to ask their airline ticket offices or their travel agents -- when making reservations -- for on-time performance information for specific flights. That information is available on the computerized reservation system screens used by these agents. Next to each flight, a single-digit code indicates the percentage of time that flight arrived on time during the previous month.

While providing a summary of flight data in its monthly report, the Department also maintains a file covering more than 20,000 flights available for inspection in Room 4201 of the DOT headquarters building at 400 Seventh St., S.W., Washington, D.C. For those interested in obtaining all the flight information, computer tapes (\$150 per tape reel) and a complete computer printout (\$100 per copy) are available from the Department's Transportation Systems Center at Cambridge, Mass.

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U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR IMMEDIATE RELEASE  
Wednesday, April 27, 1988

DOT 31-88  
Contact: Catherine Bedell  
Tel.: (202) 366-4570  
Bill Mosley  
Tel.: (202) 366-5571

## INTERNATIONAL AIR CARGO STUDY EXAMINES INDUSTRY TRENDS

The Departments of Transportation and State released today their joint study on the United States international air cargo industry.

The study, An Analysis of the United States International Air Cargo Market: 1975-1986, was the subject of an October 1987 Congressional hearing by the Subcommittee on Investigations and Oversight of the House Committee on Public Works and Transportation.

"The study formed the basis for the development of a new policy statement on international air cargo which was presented in draft to the Subcommittee earlier this month," said Matthew Scocozza, Assistant Secretary of Transportation for Policy and International Affairs.

Eugene J. McAllister, the Assistant Secretary of State for Economic and Business Affairs, added, "The study has brought into much sharper focus the critical cargo issues which we must pursue in our aviation negotiations. Its findings will play an important role in our continuing efforts to negotiate broader rights and a more open operating environment for U.S. air cargo carriers."

The study explores the major historical trends in the U.S. international air cargo industry and its regulation, and reviews factors affecting U.S. industry performance. It also examines how these factors have affected specific components of the U.S. air cargo industry, including traditional carriers, freight forwarders, new entrants and airports.

The study examines the participation of the U.S. airline industry in 20 international air cargo markets covering Canada, Asia/Pacific, Europe and Latin America. It analyzes the diversity of methods employed in successful air cargo strategies, including belly services, all cargo carriers and integrated mixed-mode carriers.

The study reveals that with a significant and growing portion of the value of U.S. exports and imports moving by air, international air cargo services play an increasingly important role in facilitating U.S. trade. It further demonstrates that deregulation has been and will continue to be an enormously important factor affecting the degree of dynamism and the ability of the air cargo industry to offer speedy and reliable service at a competitive price.



The study demonstrates the growing importance of third country carriage of cargo in major U.S. international air cargo markets. It concludes that this development, coupled with aggressive development of air freight services by foreign competitors and a relative de-emphasis of cargo operations by most U.S. combination carriers, has resulted in declining U.S. carrier participation in international markets. The study illustrates, however, that in markets where U.S. carriers concentrate on all-cargo services -- as evidenced, in part, by the offering of maindeck freight capacity -- they compete strongly.

The study was prepared in response to direction from the Subcommittee on Investigations and Oversight. Copies may be picked up without charge between 1:00 and 4:00 pm on Thursday, April 28 and Friday, April 29 in room 6436 of the U.S. Department of Transportation, 400 Seventh Street S.W., Washington, D.C. 20590 or by contacting Ed Robinson, Chief, International Data Systems Division, telephone (202) 366-2362.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE THURSDAY  
April 28, 1988

DOT 30-88  
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## CRASH SURVIVOR RECEIVES DOT HEROISM AWARD

A transportation consultant who helped survivors escape from a plane's wreckage and led them through waist-deep snow to safety received an award for heroism today from Deputy Secretary of Transportation Mimi Dawson.

Peter Schauer of Boonville, Mo., was a passenger on the Continental Express flight which crashed Jan. 19 as it was approaching the Durango, Colo., airport. Nine persons died in the accident. Although he suffered serious injuries, Schauer helped several passengers get out of the wreckage and led five adults and a little girl 1.5 miles across fields to a farm house and called local police.

In presenting the award, Dawson said, "Peter Schauer is to be commended for his selfless and courageous actions to save other passengers without any regard for his own safety. By his extreme bravery and concern for his fellow passengers, he has earned the respect and gratitude of the U.S. Department of Transportation, the Urban Mass Transportation Administration, and the admiration of all those who fly."

Dawson said, "I know Secretary of Transportation Jim Burnley and (UMTA) Administrator Al DelliBovi share the admiration and pride we feel for Peter Schauer. His decisive actions demonstrated his courage."

Schauer is a nationally recognized expert on transit systems. He provides services in planning, marketing, personnel practices, and in other phases of passenger transportation. He has successfully completed projects in urban and rural areas, including San Diego, Anchorage, Alaska, and Montana, among others. On the day of the crash, Schauer was scheduled to meet with Durango city officials and UMTA officials in connection with transit planning activities.

(more)



Dawson took note of the fact that evidence of cocaine use was found in the body of the airline captain who was among those killed in the Continental Express flight that crashed. She said, "As Secretary Burnley said at the time the cocaine finding was announced, this is a tragic reminder that not even commercial aviation is exempt from the drug abuse problem that plagues our society, and it furthers our commitment to move ahead on a comprehensive drug testing regulation for the aviation industry."

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Office of the Secretary  
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U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE THURSDAY  
April 28, 1988

DOT 32-88  
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Tel.: (202) 366-0237  
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FAA REFORMS INCLUDE STRENGTHENING  
CONTROL OF REGIONAL OPERATIONS,  
BURNLEY AND MCARTOR SAY

Secretary of Transportation Jim Burnley and Federal Aviation Administration Administrator Allan McArtor announced today that FAA will make substantial changes in the way the agency administers major functions such as safety inspections, aircraft certification, and air traffic control.

The changes result from a joint DOT/FAA Task Force established by Secretary Burnley March 9 to recommend internal reforms in the FAA. The Secretary endorsed all of the recommendations, but emphasized that these reforms in no way obviate the need for more fundamental changes in the FAA's structure.

Burnley said, "As I have made clear on numerous occasions, incremental changes can make some improvements in FAA's effectiveness and responsiveness, but they do not resolve the underlying problem. Meeting the needs of this Nation's booming aviation industry requires more far-reaching efforts. Specifically, I believe the air traffic control system and the approximately 30,000 people who run and maintain it should be freed of governmental red tape that impedes the purchase of new equipment, inhibits the development of modern personnel policies and creates chronic budget uncertainties. To do this effectively requires moving the air traffic control system out of the FAA and this Department."

The Task Force recommended changes to the management structure of FAA's nine regions. Under the current system, the regional division managers who implement programs such as Air Traffic report directly to Regional Directors. Regional Directors in turn report directly to the Administrator. The Associate

(more)



Administrators in FAA Headquarters, who write the National policies and guidelines, have no line authority over program implementation or operation. As a result, there are inefficiencies in the organization and inconsistencies in FAA's relationship with the aviation community.

Under the new structure, FAA's regional division managers will continue to have local decision-making authority, but will report to the Associate Administrators who are their functional counterpart. This arrangement will lead to far more consistent interpretation of policies and regulations. In addition, the Associate Administrators who have been responsible for policy development will now also be held properly accountable for how that policy is implemented.

FAA Regional Directors will be freed from day-to-day operational responsibilities and given an enhanced role in monitoring the quality and effectiveness of FAA programs. As representatives of the Administrator, they will provide a "check and balance" to assure consistency in the implementation of critical safety programs.

McArtor said, "The recommendations we are making to the Secretary will help achieve one of the major goals of the Impact 88 program: to increase FAA effectiveness by improving the organizational structure and support systems. We need to do everything possible to make sure the FAA work force can meet the tremendous challenge confronting aviation today."

Burnley also noted that the task force had made recommendations for improvements in personnel practices, procurement procedures, budgeting and rulemaking processes. "These changes will improve FAA's effectiveness until more fundamental legislative reforms are implemented," Burnley said.

The Task Force highlighted several current FAA initiatives including plans for accelerating hiring of air traffic controllers. McArtor noted that "we have already begun to shorten dramatically the time it takes to hire air traffic control personnel. This process can be reduced from the current six-to-18 months to about two months."

The Task Force also recommended development of a demonstration project to provide relief to difficult-to-staff facilities. The project will be developed with the Office of Personnel Management to provide geographically based pay incentives and recruitment and retention bonuses. This is an interim step pending the outcome of a comprehensive pay study currently underway in the FAA.

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Other major recommendations:

o Undertake a comprehensive review of the rulemaking process to reduce the time it takes to develop final rules and provide for earlier input from the Secretary and the Administrator.

o Create a special program to bring more women and minorities into key safety occupations.

o Review the structure of FAA's Aviation Standards Office. Among the issues to be considered are the organizational placement of the security and medical functions, and the effectiveness of the rulemaking process.

o Streamline the FAA procurement process to expedite the implementation of major technical programs under the National Airspace System Plan.

A transition plan will be developed in the next thirty days to implement the organizational changes endorsed by the Secretary. All the changes recommended by the task force can be made within existing statutory and regulatory constraints and should be implemented by this summer.

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Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

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MIMI WEYFORTH DAWSON  
U.S. DEPARTMENT OF TRANSPORTATION  
DEPUTY SECRETARY

Mimi Weyforth Dawson, appointed Deputy Secretary of Transportation by President Ronald Reagan, was sworn in on December 3, 1987, by Secretary of Transportation Jim Burnley.

Mrs. Dawson is the equivalent of chief operating officer of a 100,000-employee organization with a \$26.5 billion budget and responsibility for program and policy guidance over surface, sea and air transportation. She brings to the office a broad knowledge of economic regulatory issues gained as a member of the Federal Communications Commission for over six years, beginning on July 6, 1981. She also gained key insight into transportation issues while working with the Senate Commerce Committee in the 1970s.

Prior to her appointment to the Federal Communications Commission, Deputy Secretary Dawson served as Chief of Staff to Senator Bob Packwood (R-OR). In that capacity, she coordinated and directed the activities of the Washington and Oregon Senate offices, and the Senate Commerce Committee for the Senator. She also held responsibility for assisting the Senator with his Republican leadership roles as Chairman of the National Republican Senatorial Committee and the Senate Republican Conference Committee. Deputy Secretary Dawson first came to Washington in 1969 as legislative assistant to Missouri Congressman James Symington. Before joining Packwood in 1973, Mrs. Dawson worked for several members of the Missouri delegation.

The Deputy Secretary has a long-standing interest in international affairs which she pursued in her duties on the Federal Communications Commission and will continue to pursue in transportation issues. In 1983, she was elected and served for four years as Secretary-General of the Atlantic Association of Young Political Leaders (AAYPL). AAYPL is an association formed under the auspices of and funded through NATO. The post of Secretary-General is the chief executive officer of this representative organization of NATO countries. Mrs. Dawson is also a member of the Board of Trustees of the American Council of Young Political Leaders, the U.S. affiliate of the Atlantic Association.

Mrs. Dawson has also served as a member of the Board of Trustees of the National Cystic Fibrosis Foundation, the Corcoran School of Art and the Washington Center.

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Born and raised in St. Louis, Missouri, Mrs. Dawson received her B.A. degree in government from Washington University in 1966. She is married to Rhett B. Dawson, who currently serves as Assistant to the President of the United States for Operations. They have two children, a daughter, Elizabeth Stuart, and a son, Andrew Brewer.

May 1988

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U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE WEDNESDAY  
May 4, 1988

DOT 33-88  
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Hal Paris  
Tel.: (202) 366-5571

## DOT'S MONTHLY REPORT SHOWS DECLINE IN DELAYS, BAGGAGE PROBLEMS, COMPLAINTS

The nation's major airlines showed continued improvement in the number of flight delays and baggage problems reported in March, and consumer complaints against the industry declined in April to its lowest level in 14 months, according to the Department of Transportation.

The Department released its monthly Air Travel Consumer Report today which also provides information on the number of passengers "bumped" from oversold flights in 1987.

The 14 largest U.S. air carriers reported that -- excluding mechanical delays -- 78.8 percent of their flights operated on time in March, compared to 74.7 percent in February and a low of 66.4 percent in December 1987.

Mishandled baggage reports filed by passengers against the carriers also declined, averaging 7.48 reports per 1,000 passengers in March, compared to 8.75 reports the previous month and 11.83 in January.

Consumer complaints to DOT in April totaled 2,033, down 21 percent from the 2,584 filed in March and the lowest number of complaints since February of 1987.

The Department reminded consumers who want on-time performance data for specific flights to call their airline ticket offices or their travel agents for such information, which is available on the computerized reservation system screens used by these agents.

While providing a summary of flight data in its monthly report, the Department also maintains a file covering more than 20,000 flights available for inspection in Room 4201 of the DOT headquarters building at 400 Seventh Street, S.W., Washington, D.C. For those interested in obtaining all the flight information, computer tapes (\$150 per tape reel) and a complete computer printout (\$100 per copy) are available from the Department's Transportation Systems Center in Cambridge, Mass.

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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR IMMEDIATE RELEASE  
May 5, 1988

DOT 34-88  
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Lou Brott  
Tel.: (202) 366-0881

## DOT PROPOSES REGULATIONS TO PROHIBIT DRUG USE BY RAILROAD EMPLOYEES

Secretary of Transportation Jim Burnley today proposed new safety regulations prohibiting the use of controlled substances by railroad operating employees, whether on or off duty, and mandating a program of random drug tests for the nation's railroads.

"Our objective is a drug-free environment in all transportation modes," Secretary Burnley said. "In light of our post-accident statistics on drug use, it is of paramount importance that we rid our nation's railroads of illegal drugs, and random testing can play a major role in that effort."

The Secretary, noting the recent White House Conference for a Drug Free America's emphasis on deterrence through "zero tolerance" of illegal drug use, said:

"Our nation is under siege by the drug menace, but we are committed to using every means at our disposal to attack this deadly enemy wherever it surfaces."

During the 14-month period beginning with the Chase, Md. accident of Jan. 4, 1987, the nation's railroads experienced 37 accidents in which one or more employees tested positive for illegal drugs and four in which one or more employees tested positive for alcohol. Twenty-nine people died in those accidents, and 341 were injured. Property damage exceeded \$31 million.

The Notice of Proposed Rulemaking (NPRM), issued by the Department's Federal Railroad Administration (FRA), is one of a series of rulemakings which would establish a full drug testing program in all major modes of transportation. On March 3, DOT proposed drug testing for all employees in sensitive safety and security-related jobs in the aviation industry.

Federal Railroad Administrator John H. Riley said, "The success of a reasonable cause drug testing program is dependent on the supervisor's ability to detect symptoms. Unfortunately, many drugs in use today can impair an engineer's judgment without producing symptoms recognizable to even a trained layman. Random testing isn't keyed to observable symptoms, and the users know that. It provides a much stronger deterrent."



In 1985, the FRA became the first civilian agency to mandate a program of broad-based alcohol and drug testing in the industry it regulates. The proposed random testing rule would supplement the current program which requires preemployment and post-accident testing and a program of treatment and counseling designed to promote self-help by troubled employees, and authorizes reasonable cause testing. The employees covered by the random testing proposal are the same as those covered by FRA's existing regulation: those directly connected with the movement of trains, such as train crews, railroad yard crews, dispatchers, and persons responsible for the installation and maintenance of signal systems.

In announcing the proposed rule, Secretary Burnley said, "The current drug testing program for railroad employees has unquestionably had a positive impact in reducing substance abuse in the railroad workplace. But our experience under the current FRA rule has confirmed the existence of a hard core of drug users that persists despite the deterrent effect of the current regulatory program, despite voluntary alcohol and drug prevention activities, and despite a long history of substance abuse treatment programs targeted at the railroad employee population."

Under the proposal, all carriers subject to FRA jurisdiction must establish random urine testing programs. Samples would be analyzed for marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). Testing would be conducted by independent laboratories to ensure that the tests are administered in a fair and accurate manner that will protect the privacy and dignity of the individual.

The NPRM requests public comment on three generic options for dealing with the issue of whether employees should have the right to rehabilitation.

Public hearings on the proposed rule will be scheduled later, and the proposal will be open for public comment for a period of 90 days from publication in the Federal Register.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE MONDAY  
May 9, 1988

DOT 35-88

Contact: Catherine Bedell  
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Jeff Walter  
Tel: (202) 366-5770

## **DOT ESTABLISHES MINIMUM INSURANCE REQUIREMENTS FOR CONATEC, INC.**

The Department of Transportation today issued two orders that establish minimum insurance requirements for two suborbital launches Conatec, Inc. will conduct later this year.

As a condition of its launch license, Conatec, a Lanham, Md., company, is required to carry insurance to cover third party liability and damage to U.S. Government property. The orders call for Conatec to obtain \$10 million to cover liability for damage to third parties and \$7 million for damage to government property.

The third party liability requirement is based on a thorough risk assessment of the launch activity to identify the hazards involved in the launch. DOT found these risks to be low and comparable to similar launch activities which the government has conducted at White Sands Missile Range over the past 40 years. The White Sands range was closely involved in assessing the additional risks posed by the Conatec launch.

The property coverage requirement protects the government for any damage to its own facilities as a result of the launch. The likelihood that damage will exceed the required level of insurance is considered to be remote and the level of insurance is more than adequate to cover probable damage in the event of an accident.

In the past, companies whose payloads were launched by the government were required to obtain the maximum amount of third party liability insurance available at reasonable premiums. DOT is attempting to craft its insurance requirements for both third party liability and government property damage in a manner that accurately reflects the specific hazards associated with individual launches. In reaching its decision, DOT conducted hazards analyses in order to determine the appropriate level of required insurance.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR IMMEDIATE RELEASE  
Friday, May 20, 1988

DOT 37-88  
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Hal Paris  
Tel.: (202) 366-5571

## DOT ORDERS INVESTIGATION INTO NEW LANDING FEES AT LOGAN

Secretary of Transportation Jim Burnley today initiated an investigation into a revised landing fee schedule set by the Massachusetts Port Authority (Massport) for Boston's Logan International Airport.

The Secretary said that because of the effect that the new fees will have of increasing the cost burden of the operators of small aircraft at Logan, DOT is asking Massport to defer implementation of the new fees (scheduled for July 1, 1988) until the Department completes its investigation.

Secretary Burnley signed an order which states that, based on an initial review of all complaints challenging the changes in the landing fee structure at Logan, and Massport's response to two of the complaints, the Department has determined that reasonable grounds exist to investigate whether Massport's action violates various sections of the Federal Aviation Act and the Airport and Airway Improvement Act of 1982. The investigation is not intended to dictate a single methodology for cost allocation, nor is it intended to discourage suggestions for and discussion of efficient alternative pricing mechanisms for airports, such as peak period pricing. While an earlier version of the fee schedule included a peak period pricing mechanism, the program that Massport adopted does not.

The Secretary directed that the presiding officer for the investigation issue a written report, including a summary of factual findings, on or before Nov. 15, 1988. He also directed DOT's Office of Aviation Proceedings and Enforcement, assisted by FAA and OST personnel, to participate in the investigation.

In a notice issued April 29, 1988, DOT decided to consolidate all the complaints in a single investigation in FAA Docket 13-88-2 and all future filings on this issue should address that docket number.

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U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE MONDAY  
May 23, 1988

DOT 38-88  
Contact: Wendy DeMocker  
Tel.: (202) 366-0237  
Hal Paris  
Tel.: (202) 366-5571

## BURNLEY URGES HOUSE SUBCOMMITTEE TO SUPPORT FULL FUNDING FOR COAST GUARD, FAA PROGRAMS

Secretary of Transportation Jim Burnley, citing the war on drugs as a major concern of the American people, today urged the House Transportation Appropriations Subcommittee to support President Reagan's requested level of funding for the Coast Guard.

The Secretary, in letters to subcommittee members, also called for full funding of Federal Aviation Administration programs to ensure the safety of the nation's aviation system.

The Transportation Appropriations Subcommittee is scheduled to mark up the transportation bill for Fiscal Year 1989 on Tuesday.

"It is imperative that the Coast Guard have the financial resources to effectively patrol the U.S. coastline and the high seas to help stem the flow of drugs entering this country," Burnley said. "To effectively combat the problem, the Coast Guard must play a major role while carrying out its other critical duties in marine safety, environmental protection and fisheries enforcement."

The Coast Guard has reduced routine drug patrols this year due to cuts made by Congress in the President's budget request for FY 1988. President Reagan and Secretary Burnley have asked Congress to correct this action by approving the reprogramming of \$60 million from other transportation programs.

For FY 1989, the Secretary urged support for a proposed funding level of \$2.96 billion for the Coast Guard, including \$2.1 billion for operating expenses and \$348 million for capital acquisitions. This would be a 13 percent increase over FY 1988.

Burnley also said it is "absolutely necessary" to fully fund the FAA at the proposed level of \$6.44 billion, also a 13 percent increase.

"I particularly request your support for the \$3.44 billion in operations and the \$1.6 billion in facilities and equipment which are necessary to hire the needed 900 additional air traffic controllers, 300 more safety inspectors, and to fully implement the National Airspace System (NAS) plan. Without this funding, we would be truly jeopardizing the convenience and, more important, the safety of the nation's aviation system while the American public is demanding improvements," the Secretary said.

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U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE THURSDAY  
May 26, 1988

DOT 39-88  
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Tel.: (202) 366-0237  
Bill Mosley  
Tel.: (202) 366-5580

## BURNLEY TO OPEN HEARINGS ON RAILROAD DRUG TESTING PROPOSAL

Secretary of Transportation Jim Burnley will chair the first in a series of public hearings June 14 on the Department's proposed rule to mandate a program of random drug tests for employees of the nation's railroads.

Burnley will chair the first hearing, to be held in Chicago on June 14, on the Department's proposal to require random tests for illegal drugs for all railroad personnel connected with the movement of trains. The proposal was announced by Burnley on May 5.

The hearings will be conducted by the Department's Federal Railroad Administration (FRA) as follows:

- o Chicago, Tuesday, June 14, 9:30 a.m. at the Midland Hotel, 172 West Adams Street.
- o Atlanta, Wednesday, June 15, 12:00 noon at the Georgia International Convention and Trade Center, 1902 Sullivan Road, College Park.
- o Los Angeles, Thursday, June 23, 9:30 a.m. at Hyatt at the Airport, 6226 West Century Blvd.
- o Washington, D.C., Tuesday, June 28, 9:30 a.m. and Wednesday, June 29, 9:30 a.m. at the FAA Auditorium, FOB-10A, 800 Independence Ave. S.W.

Prepared statements (five copies) and written comments (three copies) should be submitted to the Docket Clerk, Office of the Chief Counsel (RCC-30), FRA, Room 8201, 400 7th St. S.W., Washington, D.C. 20590. Persons who want to be notified that their written comments have been received by FRA should submit a stamped, self-addressed postcard with their comments. Written comments will be available for examination, both before and after the closing date for comments, during regular business hours in Room 8201 at the above address.

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Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE THURSDAY  
June 2, 1988

DOT 40-88  
Contact: Wendy DeMocker  
Tel.: (202) 366-0237  
Bob Buckhorn  
Tel.: (202) 267-3462

BURNLEY SAYS AVIATION DRUG  
TESTING RULE IS "CRUCIAL"

Secretary of Transportation Jim Burnley said today a proposed rule that would require drug testing of aviation industry employees in sensitive safety and security positions "is crucial in our efforts to establish a drug-free aviation system."

Speaking at a two-day public hearing on the proposed Federal Aviation Administration rule, Burnley said the proposal underscores the fact that "transportation and drugs are a fatal combination." When society has a drug problem, no segment of our population is exempt from it, he said. The Secretary chaired the morning session of the hearing.

He said, "Every town in every state across this land has been affected by the mammoth social ill of drug abuse. Clearly, this is no time for tolerance or moderation or compromise with the enemies in this battle -- the suppliers, the smugglers and yes, the drug users. There is nothing 'recreational' or 'casual' about what drug abuse has done to this country.

"We are committed to pulling apart the drug chain in this country, link by link."

Every day, Americans place their confidence and trust in the aviation network, he said. "When a key airline employee uses drugs, he is tossing that trust out the window by acting in blatant disregard for the physical well-being of passengers," he said.

Burnley noted that the pilot of a commuter airline plane that crashed near Durango, Colo., last January tested positive for cocaine. Nine people died in the crash.

The Washington hearing is the first of three to be held on the proposed rule to require pre-employment, periodic, random, reasonable cause and post accident drug testing for employees

(more)



in sensitive safety and security-related positions. Other hearings will be held June 7 in Denver and June 9 in San Francisco. Under the proposal, those employees subject to testing would include commercial pilots, flight engineers, mechanics, aviation security screeners, and flight attendants.

Burnley noted the Department also proposed a rule requiring random drug testing of railroad employees and said DOT will soon announce similar proposed rules to cover commercial truck drivers and mass transit vehicle operators.

Hearings on the proposed Federal Railroad Administration rule will be June 14 in Chicago; June 15, Atlanta; June 23, Los Angeles, and June 28 and 29, Washington, D.C.

# #

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE MONDAY  
June 6, 1988

DOT 41-88  
Contact: Catherine Bedell  
Tel.: (202) 366-4531  
Hal Paris  
Tel.: (202) 366-5571

## MONTHLY DOT REPORT SHOWS DECLINE IN DELAYS, BAGGAGE PROBLEMS, COMPLAINTS AND OVERSALES

Airline service continued to show marked improvement in four major categories, according to the monthly Air Travel Consumer Report released today by the Department of Transportation.

The nation's major airlines reported declines in flight delays and baggage problems in April, the number of passengers "bumped" from oversold flights in the first quarter of 1988, and consumer complaints for the month of May.

The 14 largest U.S. air carriers reported that, excluding mechanical delays, 82.6 percent of their flights operated on time in April, compared to 78.8 percent in March and a low of 66.4 percent in December 1987. The 82.6 percent on-time performance was the best for the airlines since last September when a DOT disclosure rule was issued requiring carriers to report monthly information on flight delays and baggage problems.

Mishandled baggage reports filed by passengers against the carriers also declined to 6.53 reports per 1,000 passengers in April, compared to 7.48 reports the previous month and 11.83 in January. It also marked the best performance by the airlines in this category.

Consumer complaints against the industry reported to the Department in May totaled 1,820, a 36 percent decline from the 2,855 complaints registered in May 1987. It marked the first time since February 1987 that monthly consumer complaints dipped below the 2,000 level.

The number of passengers denied boarding (bumped) involuntarily for the first quarter of 1988 was down to a 3.71 rate per 10,000 boardings compared to 5.46 for the January-March period in 1987.

Consumers who want on-time performance data for specific flights were reminded again by the Department to call their airline ticket offices or their travel agents for such information. It is available on the computerized reservation system screens used by these agents.

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While providing a summary of flight data in its monthly report, the Department also maintains a file covering more than 20,000 flights available for inspection in Room 4201 of the DOT headquarters building at 400 Seventh Street, S.W., Washington, D.C. For those interested in obtaining all the flight information, computer tapes (\$150 per tape reel) and a complete computer printout (\$100 per copy) are available from the Department's Transportation System Center in Cambridge, Mass.

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Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE MONDAY  
June 6, 1988

DOT 42-88  
Contact: Catherine Bedell  
Tel.: (202) 366-4570  
Bill Mosley  
Tel.: (202) 366-5571

## DOT ISSUES RULE PROHIBITING THE AWARD OF CERTAIN CONSTRUCTION CONTRACTS TO JAPANESE FIRMS

The Department of Transportation issued a rule today implementing a law that prohibits the award of DOT-funded public works contracts and subcontracts to foreign firms listed by the U.S. Trade Representative as discriminating against American firms in their public works contracts. Japan was identified in the legislation and is currently the only country on that list.

The Continuing Resolution on the Fiscal Year 1988 Transportation Appropriations measure and the Airport and Airways Safety and Capacity Expansion Act of 1987 prohibit the use of federal funds for procuring construction services and products for U.S. public works projects from Japanese firms (and potentially, nationals of other countries). The restrictions cover not only foreign firms but also foreign-owned U.S. firms and U.S. firms that are directly or indirectly foreign-controlled.

The regulation, intended to assure uniform implementation of the statute throughout DOT-assisted programs, also covers supplies and products produced in foreign countries that are incorporated into U.S. public works projects.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE WEDNESDAY  
June 8, 1988

DOT 44-88  
Contact: Catherine Bedell  
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Thomas Carter  
Tel.: (202) 366-2005

## DOT OFFICE OF INSPECTOR GENERAL REPORTS MANAGEMENT COMMITMENTS TO SAVE \$208 MILLION

The Department of Transportation's Office of Inspector General (OIG), in a semiannual report released to Congress, identified savings of \$208 million that could be obtained through recoveries and improvements in government operations. Some of the benefits involve audit reports issued during prior periods.

The OIG's six-month report ending March 31, 1988, shows that 967 audit reports were issued for this period which questioned \$21 million in costs on contracts and grants, and made recommendations on improving the internal operations of the Department with potential dollar benefits of \$136 million. Efforts are in progress to seek recoveries and to make more effective use of resources which will account for \$93 million from current reports and \$115 million from prior period reports, for a projected savings of \$208 million.

Investigations by the OIG resulted in 36 convictions; 63 indictments; \$4 million in fines, court-ordered restitutions, administrative recoveries and cost avoidance; 30 suspensions and debarments; 77 other administrative actions; and 27 years in jail sentences. The OIG's contract bid-rigging investigations are now active in 18 states.

The report also highlighted several improvements that were made to increase the effectiveness and efficiency of OIG operations. For example, the OIG strengthened its Quality Assurance Program by developing guidance and expanding responsibilities for completing self-evaluation program reviews. In addition, the regional offices in the Northeast United States were realigned to provide more responsive audit service.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE FRIDAY  
June 10, 1988

DOT 45-88  
Contact: Wendy DeMocker  
Tel.: (202) 366-0237  
Gary Hoitsma  
Tel.: (202) 366-0660

## MANDATORY DRUG TESTS PROPOSED FOR TRUCK AND BUS DRIVERS

Secretary of Transportation Jim Burnley today proposed comprehensive drug testing and rehabilitation for truck and bus drivers operating in interstate commerce.

The Secretary called the proposal another important step in a series of actions the Department is taking to achieve a drug-free transportation environment. The proposed rule is designed to prevent drug abuse and to encourage rehabilitation rather than punishment, but calls for penalties up to and including disqualification of drivers.

Secretary Burnley said, "When society has a drug problem, no segment of our population -- from welfare recipients to Wall Street brokers -- is exempt from it. The trucking industry is clearly vulnerable as well. Trucks and buses are essential to this country's economic health and social fabric.

"The evidence is compelling. We must act to identify those commercial drivers who abuse drugs and get them off the roads. When one drugged truck or bus driver goes out on the road, he not only puts the lives of many people in danger, he gives the entire workforce a bad reputation."

The Notice of Proposed Rulemaking (NPRM), issued by the Department's Federal Highway Administration (FHWA), is the third in a series of rulemakings which would establish a full drug testing program in all major modes of commercial transportation. On March 3, DOT proposed drug testing for all employees in the aviation industry in sensitive safety and security-related jobs. And on May 5, the Department proposed new safety regulations prohibiting the use of controlled substances by railroad operating employees and mandating a program of random drug tests for the nation's railroads.

-more-



The new rule would cover testing for marijuana metabolites, cocaine metabolites, opiates, phencyclidine (PCP), and amphetamines. The rule proposes five types of drug testing -- preemployment, periodic, random, reasonable cause, and post-accident. Tests would be conducted in a fair, accurate way, following strict federal guidelines, to protect the privacy and dignity of the driver. The proposal notes that interstate commercial drivers already are prohibited from using drugs, such as amphetamines, narcotics, or other habit-forming drugs.

The notice seeks public comment on four alternatives under which drivers might qualify for rehabilitation and a return to employment afterward. The alternatives are: (1) Offer an opportunity for rehabilitation to drivers who seek help voluntarily and to all drivers whose tests show illegal drug use; (2) Offer an opportunity for rehabilitation to drivers who seek help voluntarily or who are found to use drugs through random or periodic testing but not through post-accident or reasonable-cause testing; (3) Offer an opportunity for rehabilitation only to drivers who voluntarily seek help; or (4) Not mandate any rehabilitation and leave this decision to labor-management discussions.

Under the proposed rule, each company would be required to provide at its expense information and training for both drivers and supervisory personnel on the effects and consequences of drug use on health and safety, and carriers would be required to appoint or designate a medical review officer charged with administering the testing.

FHWA specifically invites comments on how best to include owner-operators and small motor carriers in a drug testing program. One option suggested in the proposal is for groups of small operators to form consortiums that would either develop random testing programs to which all of their members could subscribe or hire a contractor to do so. Individual operators might also be able to contract with a company set up to provide these services. Another option would be for trade groups made up of owner-operators and small carriers to perform these services.

Comments on the proposal should be sent to the Federal Highway Administration, Room 4232, HCC-10, 400 Seventh Street, S.W., Washington, DC 20590. The FHWA will be holding public hearings to be announced in the near future.

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FOR RELEASE FRIDAY  
June 10, 1988

DOT 45-88  
Contact: Wendy DeMocker  
Tel.: (202) 366-0237  
Gary Hoitsma  
Tel.: (202) 366-0660

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-more-



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Comments on the proposal should be sent to the Federal Highway Administration, Room 4232, HCC-10, 400 Seventh Street, S.W., Washington, DC 20590. The FHWA will be holding public hearings to be announced in the near future.

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# News:

Office of the Assistant Secretary for Public Affairs  
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FOR IMMEDIATE RELEASE  
Tuesday, June 14, 1988

DOT 47-88  
Contact: Wendy DeMocker  
Tel.: (202) 366-0237  
Bill Mosley  
Tel.: (202) 366-5571

## SECRETARY BURNLEY CALLS PROPOSED DRUG TEST RULE CRUCIAL TO DRUG-FREE RAIL SYSTEM

Since January 1987, there have been 50 major rail accidents in which one or more key railroad employees tested positive for illegal drug use. These accidents resulted in 31 fatalities, 353 injuries and \$35.7 million in property damage, Secretary of Transportation Jim Burnley cited today as he opened the first of four public hearings on a Federal Railroad Administration proposal that would require random drug testing of railroad employees.

Burnley said the most serious of these accidents was the collision of an Amtrak passenger train and a Conrail freight in January 1987 near Chase, Md., in which 16 persons died and 174 were injured. The engineer and conductor of the freight used marijuana shortly before the accidents.

"As we begin this series of hearings on this difficult issue, I hope we all remember how high the stakes have become in this battle," the Secretary said at the hearing in Chicago.

He called comprehensive drug testing "crucial" to the administration's efforts to establish a drug-free rail system. "How can we guarantee maximum levels of safety if we cannot identify drug abusers in our rail industry -- individuals who put the lives of hundreds of innocent people in jeopardy when they show up for work high?"

The Secretary continued:

"Clearly, this is no time for tolerance or moderation or compromise with the enemies in this battle -- the suppliers, the smugglers and, yes, the drug users. Whether we are talking about drug use by railroad engineers or by Wall Street brokers, the war on drugs has become a fight for the future."

-more-



The most recent drug-related train accident involved a collision between two commuter trains in April 1988 in Mount Vernon, N.Y., resulting in one fatality and six injuries. The engineer on the striking train tested positive for marijuana and all of the dispatching/tower personnel tested positive for controlled substances.

The proposed rule would prohibit the use of controlled substances by railroad operating employees whether on or off duty and mandates a program of random drug tests for the nation's railroads. Under the proposal, those employees subject to testing would be those directly connected with the movement of trains, such as train crews, railroad yard crews, dispatchers, and persons responsible for the installation and maintenance of signal systems, a total of approximately 120,000 persons.

In 1985, the FRA became the first civilian agency to mandate a program of broad-based alcohol and drug testing in the industry it regulates. The proposed random testing rule would supplement the current program which requires preemployment and post-accident testing and a program of treatment and counseling designed to promote self-help by troubled employees, and authorizes reasonable cause testing.

Secretary Burnley said the current drug testing program for railroad employees "has unquestionably had a positive impact in reducing substance abuse in the railroad workplace. But our experience under the current rule has confirmed the existence of a hard core of drug users that persists despite the deterrent effect of the current regulatory program, despite voluntary alcohol and drug prevention activities, and despite a long history of substance abuse treatment programs targeted at railroad employees."

Burnley said that implementation of the recently-approved 1988 Rail Safety Act, together with the proposed rule to prohibit drug use, will give the Department needed authority to assure that rail travel in the United States is as safe as possible. The Act gives the FRA direct authority to enforce safety requirements for railroad employees, increases the maximum penalty for violations from \$2,500 to \$10,000, and provides the Department access to the National Driver's Register to permit evaluation of the qualifications of locomotive engineers and other rail personnel by identifying those who have drunk driving convictions.

Burnley noted the Department has also proposed rules requiring drug testing programs for employees in the aviation industry and for commercial truck and bus drivers. He said DOT will soon announce similar proposals for other modes of transportation.

Other hearings on the FRA rule will be June 15 in Atlanta, June 23 in Los Angeles, and June 28 and 29 in Washington, D.C.

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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE FRIDAY

June 17, 1988

DOT 49-88

Contact: Wendy DeMocker

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Roslyn Kaiser

Tel.: (202) 366-5571

## BURNLEY PROPOSES RULE TO PROHIBIT AIRLINE DISCRIMINATION AGAINST TRAVELERS WITH DISABILITIES

A proposed regulation that would prohibit airlines from discriminating against travelers with disabilities was announced today by Secretary of Transportation Jim Burnley.

"We want to ease many of the problems that have arisen when people with disabilities have traveled on airplanes," Secretary Burnley said. "We are proposing rules to ensure that disabled individuals receive access to commercial air transportation in a manner which is predictable and which does not impose unnecessary restrictions."

People with disabilities who want to travel by air have objected to airline policies which they view as inconsistent, inconvenient, unnecessary and discriminatory.

The Air Carrier Access Act of 1986, signed by President Reagan in October 1986, directed DOT to issue regulations to ensure that no air carrier discriminates against a handicapped person on the basis of the handicap.

A regulatory negotiation committee, composed of representatives of people with disabilities, the air travel industry and the government worked with the Department in an attempt to produce a consensus proposal. The proposed rule is based largely on the material produced by the committee, which met from June through November 1987.

The proposed rulemaking covers a wide variety of subjects, including information needed by the traveler with a disability, conditions under which service may or may not be refused by the carrier, requirements for attendants, seat assignments, aircraft accessibility features, storage of wheelchairs and other mobility aids, training for airline personnel and enforcement procedures.

On the issue of exit-row seating, the proposal would bar exclusions from any seat on the basis of disability unless a Federal Aviation Administration safety rule requires such an action. The FAA is now considering whether it is necessary to propose such a rule.

The Notice of Proposed Rulemaking (NPRM) will be published in the Federal Register. Written comments should be sent to Docket Clerk, Docket No. 45657, Department of Transportation, 400 7th St., S.W., Washington, D.C. 20590, Room 4107.

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U.S. Department of  
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# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE WEDNESDAY  
June 22, 1988

DOT 50-88  
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Tel.: (202) 366-0237

## AIR TRAFFIC FUNCTION SHOULD BE SEPARATED FROM EXECUTIVE BRANCH, BURNLEY SAYS

The air traffic control system should be separated from the Federal Aviation Administration and the Executive Branch, and the regulation of aviation safety should remain within the Executive Branch of the federal government. That was the message delivered today to the House Public Works and Transportation Subcommittee on Aviation by Secretary of Transportation Jim Burnley.

In discussing the air traffic system, Burnley said, "The only way to permanently free the air traffic control system of the debilitating red tape that hinders it is to break the operation out of the FAA and the Executive Branch. Although separating the operational side of the FAA from its other functions may be complicated, it can be done, and it is good public policy to do so."

Citing the need for a fundamental restructuring of the FAA, Burnley said, "It will require bold action, but I am committed to working with Congress to achieve real, not cosmetic, reform."

At the same time, Burnley stressed that safety regulation and enforcement should remain as part of the Executive Branch. "We are more likely to have the safest system possible if the regulation of aviation safety is subject to the checks and balances inherent in being a part of a Cabinet department," he said.

The Secretary reiterated the fundamental criteria by which he believes any restructuring plan should be judged.

It should address the problem of rigid personnel rules that prevent the efficient deployment of key air traffic control personnel. It should remove the burden of "abstruse" procurement rules that prevent timely acquisition of new technology. It should liberate the air traffic control system from the uncertainties of the federal appropriations process and ensure adequate

(more)



resources on a long-term basis. There must be adequate oversight and maximum accountability to ensure public safety.

On the fifth criterion -- consistency in the delivery of safety and operational decisions throughout the system -- Burnley reported, "We have made a lot of headway on that problem administratively" as a result of recommendations on internal reform made by a DOT/FAA task force. FAA is now in the process of implementing these recommendations, he said.

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# News:

Office of the Assistant Secretary for Public Affairs  
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FOR RELEASE WEDNESDAY  
June 22, 1988

DOT 51-88  
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Tel.: (202) 366-0237  
Ed O'Hara  
Tel.: (202) 366-5571

## BURNLEY PROPOSES BILL TO TIGHTEN AIRPORT SECURITY

Secretary of Transportation Jim Burnley today sent to Congress proposed legislation to tighten security at U.S. airports, including the security of aircraft on the ground.

The legislation authorizes rulemaking that could require background checks, including criminal history records checks, of current and prospective employees having access to restricted airport areas, including aircraft operations areas.

Burnley said, "An employee who has been convicted of a serious crime should not be working in a job that includes access to secure airport areas.

"This legislation would require airports and airlines to make security a key factor in employment decisions."

The Federal Aviation Administration would be required to issue regulations to implement the program. Those covered by the program could include not only air carrier and airport employees but also contract employees of domestic and foreign air carriers, airport operators, and fixed base operators (who perform work on aircraft or in secured areas at airports).

The legislation would authorize airlines and airports to have the FBI perform checks of criminal records of selected categories of current and prospective employees. This authority is comparable to that already in place in the banking and securities industries.

Burnley said the proposal was designed to achieve an optimum balance between the individual rights of employees and the need to protect the traveling public. The bill requires that the regulations protect the privacy of employees undergoing clearance by

(more)



limiting access to the information obtained and assuring that it is used only for employment screening of individuals who would have access to secured areas.

The bill does not prohibit a person from being employed by an air carrier, but only from being assigned to a position that requires or authorizes access to aircraft or secured areas at airports. Since an employee for whom a background check has not been completed may need to have access to an aircraft or secure area, the bill permits the FAA to approve alternate security arrangements to provide for monitoring or supervised access by such employees.

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# News:

Office of the Assistant Secretary for Public Affairs  
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139-117  
M-49

FOR RELEASE MONDAY  
June 27, 1988

DOT 54-88

**Contact:** Wendy DeMocker  
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Jeff Walter  
(202) 366-5770

## **DOT ISSUES COMMERCIAL SPACE LAUNCH MANIFEST, BURNLEY PRAISES PRIVATE SECTOR INITIATIVE**

The United States' first Commercial Space Launch Manifest was unveiled today as Secretary of Transportation Jim Burnley praised the private sector's initiative in revitalizing the nation's space program.

"Commercial space launch activity may well represent the most active part of America's non-military space program over the next several years," he said. "U.S. firms plan to launch 20 payloads through 1992, adding nearly \$1 billion and thousands of jobs to the U.S. economy. The President has called on the private sector to direct its resources toward achieving many of the nation's ambitious goals in space and the private sector is answering that call," Burnley said.

The Department of Transportation, which has responsibility for licensing commercial space launch activities, made available to the public a comprehensive list of scheduled launch activity reported by American firms. The launch manifest will be updated periodically to reflect new launch contracts.

Private sector firms have already invested more than \$400 million in commercial launch activities. The return on that investment is already more than twice that amount: America's three major launch vehicle manufacturers have contracts worth nearly a billion dollars to launch 18 payloads -- 11 of them for foreign customers. Launches of these satellites on American rockets will have a positive impact on the trade balance of as much as \$660 million in foreign revenue.

The three largest aerospace manufacturers -- Martin Marietta, General Dynamics Corporation, and McDonnell Douglas Astronautics Company -- have estimated that their combined launch business

(more)



24-119

initiatives will add about 8,000 new jobs to the economy. This does not take into account the direct and indirect employment that could be added as a result of the activity of entrepreneurial start-up firms like Space Services, Inc., American Rocket Company, Conatec, Inc. and E'Prime Aerospace Corporation.

The Office of Commercial Space Transportation has issued launch licenses to Mc Donnell Douglas Astronautics Company and Conatec, Inc. The Office has previously granted mission approvals to Space Services, Inc. and Martin Marietta and has several other license reviews under way.

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# Transportation Facts

Office of Public Affairs

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SUBJECT: Commercial Space  
Transportation

Contact: Catherine Bedell  
Tel: (202)366-4570  
or  
Ann M. Linnertz  
Tel: (202)366-5770

## Background

The President signed an Executive Order on February 24, 1984, designating the Department of Transportation as the federal government's lead agency for facilitating the development of a commercial launch vehicle industry. In October of that year, he signed the Commercial Space Launch Act, which established the statutory basis for encouraging and licensing private sector space transportation services.

On August 15, 1986, the President announced that this industry would play an increasingly important role in the American space program and that NASA would no longer be in the business of launching private satellites. This announcement was followed, in December, by a National Security Decision Directive.

The President consolidated these and other actions into a comprehensive statement of national space policy in January 1988. This policy reaffirms the Administration's commitment to eliminate government competition with the private sector and increase reliance on commercial launch services for providing access to space. DOT's job is to foster growth and diversity while assuring that commercial launch activities are conducted safely and do not compromise U.S. foreign policy or national security interests.

## Status of the Launch Industry

As a result of the President's National Space Policy, America's commercial launch industry is now providing launch services to a wide range of foreign and domestic customers, as well as to the U.S. government itself. This new transportation industry assures that America will never again be restricted to a single means of getting to space.

American launch companies have contracts worth nearly one billion dollars to launch 18 payloads through 1992. The first launches are planned for early 1989. U.S. firms have invested more than \$400 million dollars in bringing commercial launch services to market.



### The Companies Involved

The primary launch operators include such major aerospace firms as Martin Marietta, General Dynamics, and McDonnell Douglas. Newer entrants, like Space Services, Inc., American Rocket Company, Orbital Sciences Corporation and Conatec, Inc. have also entered the market for launching satellites using unmanned rockets.

Unmanned rockets provide a highly competitive method of launching commercial satellites and doing those things which do not require a manned presence in space. The commercial demand for these launch services is generated primarily by the need to position satellites to provide services such as telecommunications (long distance telephoning, data transmission, and television broadcasts), materials processing (manufacture of pharmaceuticals, crystals, and alloys), and remote sensing (search and rescue, navigation, resource management and the detection and tracking of weather patterns and air and water pollution).

American launch vehicles are highly reliable. Over the past two decades, Delta, Atlas Centaur, and Titan launch teams have built success rates of more than 96 percent.

### DOT's Role

The National Space Policy calls for DOT to assume the lead in assuring a safe and competitive industry. All government agencies are directed to use commercial services unless there is a compelling reason to do otherwise. This helps to expand the customer base for industry and enhances savings to government agencies.

DOT's Office of Commercial Space Transportation has issued regulations that outline the policies and procedures for licensing commercial launches. These regulations are designed to remove unnecessary government barriers and provide a responsible mechanism for ensuring that public safety and other important national interests are protected. As part of the license, DOT also sets requirements for the amount of insurance that companies have to carry to cover damages that result from private launch operations.

### Potential Benefits

U.S. firms have successfully competed against Europe's Arianespace satellite launcher. In 1987, U.S. firms captured 13 launch contracts while Arianespace captured only two.

When an American commercial rocket delivers a payload into space for a foreign customer, it offsets the trade deficit by as much as \$40 million to \$100 million. Current contracts represent a \$660 million offset to the balance of payments.

Industry reports the potential to create 8,000 new jobs in the U.S. and add \$1 billion annually to the gross national product (GNP).





U.S. Department of  
Transportation

# News:

Office of the Assistant Secretary for Public Affairs  
Washington, D.C. 20590

FOR RELEASE WEDNESDAY  
June 29, 1988

DOT 55-88  
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## BURNLEY PROPOSES DRUG TESTS FOR 350,000 TRANSPORT WORKERS

Secretary of Transportation Jim Burnley today proposed drug testing for more than 350,000 mass transit, merchant marine and pipeline industry workers in sensitive safety positions with opportunities for rehabilitation for those who use illegal drugs. Under the mass transit proposal, systems that fail to implement a program would become ineligible for federal assistance.

He announced Notices of Proposed Rulemaking (NPRMs) that would cover some 108,000 vehicle operators and maintenance personnel in mass transit systems that receive federal funds, an estimated 131,700 seamen on commercial vessels, and an estimated 116,500 employees of companies operating pipeline facilities used to transport natural gas and hazardous liquids.

Burnley said, "It is crucial that we send a "zero tolerance" message to all segments of our population regarding drug abuse -- the transportation industry included.

"The goal of all these proposed rules is to discourage drug abuse by key members of our transportation industries. The American people rightfully expect and demand the safest and most efficient transportation system possible. Drug testing is a necessary step as we work to fulfill that responsibility."

The proposals include pre-employment, post-accident, random, reasonable cause, and periodic testing for employees as part of a comprehensive program that includes education and rehabilitation.

Under a proposed rule issued by the Urban Mass Transportation Administration, transit systems would be required to have drug programs covering certain employees. While the proposed rule asks for comment on which transit workers should be tested, UMTA assumes that about 108,000 vehicle operators, vehicle maintenance workers and other maintenance personnel would be tested.

(more)



Under a proposed rule issued by the U.S. Coast Guard, an estimated 131,700 merchant seamen would be subject to various kinds of drug testing. Seamen who test positive could lose their licenses or merchant mariners documents and their jobs.

The proposed rule covering seamen includes an implied consent provision. It provides that a mariner, by accepting employment on a vessel that requires even one licensed mariner, automatically agrees to be tested. Self-employed vessel operators would also be included.

For pipeline industry workers, the Research and Special Programs Administration issued a proposed rule that would require pre-employment, random, reasonable cause and post-accident drug testing. This would apply to employees of companies which operate 1.7 million miles of pipelines used to transport natural gas and hazardous liquids, and operators who produce and store liquefied natural gas.

Under the proposal, the pipeline operator would be required to incorporate a drug program in its Operations and Maintenance or Personnel Health plan. Such operators would also be required to keep records of the results of drug testing and make them available to federal and state pipeline safety personnel.

Under all three proposals, urine samples would be analyzed for marijuana, cocaine, amphetamines, opiates and phencyclidine (PCP). To ensure that testing by employers is conducted in a fair and accurate manner that will protect the privacy and the dignity of the individual, the procedures would have to follow guidelines of the Department of Health and Human Services.

Under the proposals, rehabilitation may be available to those detected as drug users or for those volunteering for it. All the proposals ask for public comment on four alternatives: (1) offer rehabilitation to employees who seek help voluntarily and to those whose tests show illegal drug use; (2) offer rehabilitation to those who seek help voluntarily, or who are found to use illegal drugs through random or periodic tests, but not through post-accident or reasonable cause tests; (3) offer rehabilitation only to those who seek help voluntarily; (4) offer no rehabilitation.

The NPRMs announced today are the last in a series of proposals to establish drug testing programs in major modes of transportation. The Department previously issued proposed rules covering the aviation, railroad and motor carrier industries. All three proposed rules will be published in the Federal Register.

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## PLAN PROPOSES FULL RECOVERY FOR PASSENGERS IN INTERNATIONAL AIR CRASHES

Secretary of Transportation Jim Burnley has sent to Congress a proposed compensation plan that would permit full recovery of economic losses suffered as a result of passengers killed or injured in international aircraft accidents.

In submitting a revised Supplemental Compensation Plan, he asked the Senate to renew active consideration of the Montreal Protocols 3 and 4 to the 1929 Warsaw Convention. The convention sets rules of liability for air carriers engaged in international air transportation.

In his letter, Burnley said that "While the convention promotes uniformity of law in international transportation of passengers and cargo, it is badly in need of reform, particularly in regard to its outdated \$10,000 limitation on recovery for death or injury in international air transportation."

The Secretary said the 1975 Montreal Protocols combined with the supplemental compensation plan "will provide the traveling public an adequate and fair system of recovery."

He noted, however, that in 1983 the Senate failed to approve a proposed revision of the protocols by the necessary two-thirds majority. He said the proposed new compensation plan:

- o Would eliminate the major concern of the Senate by creating a private insurance program with unlimited recovery per passenger for economic damages, subject only to a limitation of \$500 million per incident, per aircraft.
- o Contemplates a passenger fee of \$5 or less per round trip international ticket bought in the United States. This would be collected by air carriers and paid to a private insurance carrier.

(more)



o Would establish procedures for the presentation of claims and their evaluation by air carriers and the insurance carrier. The plan would promote prompt settlement of claims for passenger injury or death.

The plan would not pay punitive damages or claims for pain and suffering.

Burnley said the Montreal protocols improve the Warsaw Convention in several important ways. They make it possible for liability suits to be filed in courts in the country where the passenger resides. Thus, U.S. military personnel or diplomats traveling between two points outside the U.S. could pursue recovery for personal injury and death in U.S. courts.

Under the protocols, the liability limit applicable to air carriers (not including recoveries under the plan) would be increased to \$136,000. (Under present carrier arrangements, the limitation of liability for carriers serving the United States is \$75,000.) The carrier is made strictly liable for passenger death or injury during international air travel.

Burnley said he hopes the Senate will reconsider granting its advice and consent to ratification of the protocols, "so that the inequities in the present Warsaw system may be corrected in the near future."

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