

# OPENING REAGAN NATIONAL AIRPORT TO GENERAL AVIATION

---

---

(108-68)

HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
AVIATION  
OF THE  
COMMITTEE ON  
TRANSPORTATION AND  
INFRASTRUCTURE  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED EIGHTH CONGRESS  
SECOND SESSION

MARCH 16, 2004

Printed for the use of the  
Committee on Transportation and Infrastructure



U.S. GOVERNMENT PRINTING OFFICE

95-119

WASHINGTON : 2005

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DON YOUNG, Alaska, *Chairman*

THOMAS E. PETRI, Wisconsin, *Vice-Chair*  
SHERWOOD L. BOEHLERT, New York  
HOWARD COBLE, North Carolina  
JOHN J. DUNCAN, Jr., Tennessee  
WAYNE T. GILCHREST, Maryland  
JOHN L. MICA, Florida  
PETER HOEKSTRA, Michigan  
JACK QUINN, New York  
VERNON J. EHLERS, Michigan  
SPENCER BACHUS, Alabama  
STEVEN C. LATOURETTE, Ohio  
SUE W. KELLY, New York  
RICHARD H. BAKER, Louisiana  
ROBERT W. NEY, Ohio  
FRANK A. LOBIONDO, New Jersey  
JERRY MORAN, Kansas  
GARY G. MILLER, California  
JIM DEMINT, South Carolina  
DOUG BEREUTER, Nebraska  
JOHNNY ISAKSON, Georgia  
ROBIN HAYES, North Carolina  
ROB SIMMONS, Connecticut  
SHELLEY MOORE CAPITO, West Virginia  
HENRY E. BROWN, JR., South Carolina  
TIMOTHY V. JOHNSON, Illinois  
DENNIS R. REHBERG, Montana  
TODD RUSSELL PLATTS, Pennsylvania  
SAM GRAVES, Missouri  
MARK R. KENNEDY, Minnesota  
BILL SHUSTER, Pennsylvania  
JOHN BOOZMAN, Arkansas  
CHRIS CHOCOLA, Indiana  
BOB BEAUPREZ, Colorado  
MICHAEL C. BURGESS, Texas  
MAX BURNS, Georgia  
STEVAN PEARCE, New Mexico  
JIM GERLACH, Pennsylvania  
MARIO DIAZ-BALART, Florida  
JON C. PORTER, Nevada  
VACANCY

JAMES L. OBERSTAR, Minnesota  
NICK J. RAHALL, II, West Virginia  
WILLIAM O. LIPINSKI, Illinois  
PETER A. DeFAZIO, Oregon  
JERRY F. COSTELLO, Illinois  
ELEANOR HOLMES NORTON, District of  
Columbia  
JERROLD NADLER, New York  
ROBERT MENENDEZ, New Jersey  
CORRINE BROWN, Florida  
BOB FILNER, California  
EDDIE BERNICE JOHNSON, Texas  
GENE TAYLOR, Mississippi  
JUANITA MILLENDER-McDONALD,  
California  
ELIJAH E. CUMMINGS, Maryland  
EARL BLUMENAUER, Oregon  
ELLEN O. TAUSCHER, California  
BILL PASCRELL, Jr., New Jersey  
LEONARD L. BOSWELL, Iowa  
TIM HOLDEN, Pennsylvania  
NICK LAMPSON, Texas  
BRIAN BAIRD, Washington  
SHELLEY BERKLEY, Nevada  
BRAD CARSON, Oklahoma  
JIM MATHESON, Utah  
MICHAEL M. HONDA, California  
RICK LARSEN, Washington  
MICHAEL E. CAPUANO, Massachusetts  
ANTHONY D. WEINER, New York  
JULIA CARSON, Indiana  
JOSEPH M. HOEFFEL, Pennsylvania  
MIKE THOMPSON, California  
TIMOTHY H. BISHOP, New York  
MICHAEL H. MICHAUD, Maine  
LINCOLN DAVIS, Tennessee

SUBCOMMITTEE ON AVIATION

JOHN L. MICA, Florida, *Chairman*

THOMAS E. PETRI, Wisconsin	PETER A. DeFAZIO, Oregon
JOHN J. DUNCAN, JR., Tennessee	LEONARD L. BOSWELL, Iowa
JACK QUINN, New York	WILLIAM O. LIPINSKI, Illinois
VERNON J. EHLERS, Michigan	JERRY F. COSTELLO, Illinois
SPENCER BACHUS, Alabama	ELEANOR HOLMES NORTON, District of Columbia
SUE W. KELLY, New York	ROBERT MENENDEZ, New Jersey
RICHARD H. BAKER, Louisiana	CORRINE BROWN, Florida
FRANK A. LoBIONDO, New Jersey	EDDIE BERNICE JOHNSON, Texas
JERRY MORAN, Kansas	JUANITA MILLENDER-McDONALD, California
JOHNNY ISAKSON, Georgia	ELLEN O. TAUSCHER, California
ROBIN HAYES, North Carolina	BILL PASCRELL, JR., New Jersey
TIMOTHY V. JOHNSON, Illinois	TIM HOLDEN, Pennsylvania
DENNIS R. REHBERG, Montana	SHELLEY BERKLEY, Nevada
SAM GRAVES, Missouri	BRAD CARSON, Oklahoma
MARK R. KENNEDY, Minnesota	JIM MATHESON, Utah
BUD SHUSTER, Pennsylvania	MICHAEL M. HONDA, California
JOHN BOOZMAN, Arkansas	RICK LARSEN, Washington
CHRIS CHOCOLA, Indiana, <i>Vice Chairman</i>	MICHAEL E. CAPUANO, Massachusetts
BOB BEAUPREZ, Colorado	ANTHONY D. WEINER, New York
STEVAN PEARCE, New Mexico	NICK J. RAHALL II, West Virginia
JIM GERLACH, Pennsylvania	BOB FILNER, California
MARIO DIAZ-BALART, Florida	JAMES L. OBERSTAR, Minnesota
JON C. PORTER, Nevada	<i>(Ex Officio)</i>
VACANCY	
DON YOUNG, Alaska	
<i>(Ex Officio)</i>	



# CONTENTS

## TESTIMONY

	Page
Bennett, James E., President and Chief Executive Officer, Metropolitan Washington Airports Authority .....	9
Bolen, Edward M., President, General Aviation Manufacturers Association .....	16
Boyer, Phil, President, Aircraft Owners and Pilots Association .....	17
Coyne, Hon. James K., President, National Air Transportation Association .....	12
Haskins, Elizabeth, President and Chief Executive Officer, Signature Flight Support Corporation .....	10
Longmuir, Shelley A., President and Chief Executive Officer, National Business Aviation Association, Inc. ....	14
Stone, Hon. David M., Acting Administrator, Transportation Security Administration, Department of Homeland Security .....	8

## PREPARED STATEMENT SUBMITTED BY A MEMBER OF CONGRESS

Porter, Hon. Jon, of Nevada .....	110
-----------------------------------	-----

## PREPARED STATEMENTS SUBMITTED BY WITNESSES

Bennett, James E. ....	39
Bolen, Edward M. ....	42
Boyer, Phil .....	49
Coyne, Hon. James K. ....	61
Haskins, Elizabeth .....	98
Longmuir, Shelley A. ....	105
Stone, Hon. David M. ....	111

## ADDITIONS TO THE RECORD

Letters from Members of Congress and the Senate concerning the reopening of Ronald Reagan Washington National Airport .....	77
---	----



## OPENING REAGAN NATIONAL AIRPORT TO GENERAL AVIATION

TUESDAY, MARCH 16, 2004

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, SUBCOMMITTEE ON AVIATION, WASHINGTON, D.C.

The subcommittee met, pursuant to call, at 2:00 p.m. in Hanger 7, General Aviation Terminal, Ronald Reagan Washington National Airport, Arlington, Virginia, Hon. John Mica [chairman of the committee] presiding.

Mr. MICA. Good afternoon. I'd like to call this field hearing of the House Aviation Subcommittee to order.

I'd like to welcome everyone to this hearing, which is going to deal with the subject of opening Ronald Reagan National Airport to general aviation. The order of business today will be, we'll have opening statements from members of Congress, members of the Subcommittee. We also had a request from Mr. Moran of Virginia to participate, and if there is no objection, what we'll do is after we've finished with all the members of our panel, when Mr. Moran arrives, we will allow him to participate in the field hearing today.

Without objection, so ordered.

The order again of business will be opening statements from members, and then we have two panels—I'm sorry, one panel of witnesses today. And we will hear from those witnesses after we've had opening statements.

So to begin today's hearing, I will begin with my statement, and then I will yield to other members. As I said, this afternoon's hearing is going to focus on the important question of reopening Ronald Reagan National Airport to general aviation. As you can see, ladies and gentlemen, from this empty hangar, other than those who came to the hearing today, this hangar is vacant and general aviation in fact is closed down at Ronald Reagan National Airport.

This field hearing here in a vacant hangar, which is still devoid of workers, mechanics, pilots and planes dramatically demonstrates that terrorists have won and jobs and civil aviation have lost. Prior to 9/11, this was an active, vibrant facility. The ramp outside was filled with parked aircraft, dozens of flights went in and out of this facility on a regular basis. Unfortunately, that's no longer the case. Charter flights, business aviation, private aircraft, helicopters and most medical flights are banned now.

This closing of Ronald Reagan Airport has cost the local economy millions of dollars and unfortunately hundreds of hard working people have been put out of work. There is no question that Ronald Reagan Airport is a unique airport and requires special protection

and attention. I believe we have with prudence and proactive measures restored commercial passenger at DCA. Airline flights are required to carry armed air marshals, they have secured cockpit doors, and passengers must stay seated for 30 minutes after takeoff and before landing. These procedures have been instituted to satisfy the Department of Homeland Security's concerns and have allowed very large aircraft that could pose a potential threat to fly into our Nation's capital.

The Administration has had more than two years to devise a system that would allow smaller, lower risk aircraft to also land here. I understand that intelligence reports indicate that terrorists continue to be interested in general aviation. This is a concern, but it's not a valid reason for shutting out those with legitimate business.

We've been promised in past hearings, almost every hearing that we've conducted where the subject has come up, we've been promised in discussions, we've been promised in meetings, both open and closed door sessions, that the Administration would find a way to open this airport to general aviation. And still, it has not happened.

In May 2002, the Department of Transportation testified that DCA would be open in one month, one month from that time, to general aviation. That never happened. In closed door sessions we were promised future acceptable procedures and protocols for flying into this airport, but nothing has happened.

I for one, and I know others are tired of promises, we're tired of being ignored, we're tired of finger pointing. I think we're also tired of the fact that we haven't been able to find an acceptable solution. Now, in the recent reauthorization four year bill of our FAA Federal policy, in Section 823 of the Vision 100 Act, it in fact requires the Department of Homeland Security to develop and implement a security plan to permit general aviation to take off and land at Reagan National Airport.

Congress is now and has demanded action on the part of the White House, Department of Homeland Security, the Secret Service and also TSA, which is charged with developing a proposal. The industry has come forward on many occasions and proposed many very good security measures. Several sectors have already adopted TSA approved security plans. They are willing to adopt even more stringent measures if it means they have open access to our Nation's capital premier airport.

The industry has yet to receive any indication whether their proposals are even being considered. TSA has given out hundreds of waivers to special dignitaries to allow them free access to this airport. While they do not follow additional security measures, they do not have to have secured cockpit doors, they aren't required to have screening nor do they carry air marshals.

I'm frustrated that VIPs, members of Congress, and I won't name them, and other elected officials continue to receive special treatment under this process. I want TSA, Homeland Security and FAA to stop granting waivers. It's patently unfair. If the private sector is going to suffer, then so should everyone else, including members of Congress. There is no good, sound reason that protective security measures, adapted and approved and set by TSA, NSA and other agencies cannot be put in place to reopen this airport to most of

general aviation, period. I'm disappointed with the lack of response and lack of action.

I think that we can outsmart terrorists. I think we can restore jobs. I think we can restore economic activity. I think we can reopen the doors of this hangar and other facilities here to general aviation to serve both our Nation's premier capital airport and also in other places across our Nation.

So with that opening comment, I'm pleased to yield at this time to the Ranking Member of our Subcommittee, Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. Chairman, I will have some brief opening remarks, but at this point I'd like to yield to Ms. Norton to go first, since she has been such an extraordinary advocate on this issue.

Ms. NORTON. I thank the gentleman for yield, I thank him for his generosity in yielding to me in his place as Ranking Member.

And may I thank you, Mr. Chairman, not only for your initiative in calling today's hearing, but for thinking to call it here in this empty hangar, which points out the reason for this hearing perhaps as eloquently as some of our witnesses will. May I thank you also for your vigilance and refusal to blanketly accept the notion that a major part of Reagan National Airport must remain summarily closed.

You have never made me feel at Aviation Subcommittee hearings that I was raising a mere regional issue. But as Chair, you have regarded this solitary, remaining closure as a national issue of Committee concern. As a result of the long delay in reopening, our Subcommittee initiated Section 823 of the Federal Aviation Administration Reauthorization Bill, which in mandatory language requires the development and implementation of a security plan to permit lands and takeoffs of general aviation at this airport.

In addition, in order to avoid another round of unexplained extended closures, Section 823 also requires the President to submit to our Committee and to our counterpart in the Senate a report of the reasons for any future suspension of general aviation within 30 days. Section 823 was signed by President Bush on December 12th, 2003.

When I asked about the delay in receiving the plan at a recent hearing, our Subcommittee Chairman Mica indicated he intended to hold a field hearing. Later, at a Homeland Security hearing, I asked Homeland Security Secretary Tom Ridge about the progress on drawing the security plan, but he wasn't able to provide any information.

It is unusual for Congress to grow so concerned with unexplained delays that it requires the reopening of a facility. It is more unusual for Congress to be ignored.

Mr. Chairman, all the law requires is that a security plan detailing requirements that the industry and the airport must take, so that the Congress, other affected elected officials, and security agency personnel and officials can either satisfy themselves that general aviation can be made secure enough for the special conditions here, or conclude that general aviation must indeed remain closed. Failure to even vett the idea of reopening the regulations is inexcusable and unfair to all concerned.

We know that such a plan is possible, because the Department of Transportation prepared such a plan. However, in July of 2002, the Department abruptly pulled it back from publication without explanation. This reluctance conveyed an appearance of weakness and confusion, not of strength and resolve against terrorism that makes the Department, the industry and our country look far less prepared than we are to protect ourselves, following almost three years of experience and billions of dollars spent on safeguards since 9/11.

The reluctance to even draw regulations is particularly unjustified, because the industry has indicated that its only interest is in resuming operation, and it is prepared to absorb whatever requires are deemed necessary to open and operate. In the absence of security regulations or requirements, the economic and financial losses growing from the closures are impossible to justify, and are totally at odds with the country's demonstrated resolve to make sure we do not give terrorists what they want, the shutdown of commerce, especially here in this region.

However, more is at stake than the \$50 million annually in direct economic losses to the region or the millions in losses of jobs and losses to the industry that cannot be recovered. Our Subcommittee has authorized \$100 million to the industry to partially account for its losses. General aviation is a major industry in this country and an indispensable service to any country's capital. General aviation is of manifest importance to this region, which is one of the economic engines of our country, serving significant parts of the regional economy as well as critical services, such as emergency medicine.

Securing general aviation is no greater challenge than securing commercial aviation. Our success and experience with commercial aviation should make the job to be done for general aviation at Reagan National far easier. At the same time, there is no doubt that securing air travel within minutes of the Nation's capital and its monuments poses unique challenges that must be met if general aviation is to be resumed.

Yet, as Americans, we would all agree that this challenge is not beyond us. No part of our country must stand as a lasting casualty to 9/11, and certainly not any part of the Nation's most visible airport and one of the most symbolic of our Nation's strengths and unity.

Thank you again, Mr. Chairman. Thank you, Mr. DeFazio, for yielding to me.

Mr. MICA. Thank you. Former chair of the Subcommittee, Mr. Duncan, gentleman from Tennessee.

Mr. DUNCAN. Thank you, Mr. Chairman, and thank you for calling this hearing. You can see by the attendance here the great interest there is in this subject and the importance of this issue. As you said, Mr. Chairman, if we go overboard in regard to security, we're giving undeserved victories to the terrorists.

As many people here know, former Virginia Governor James Gilmore was appointed to head up a Federal Commission to study the threat of terrorism and what to do about it. In the letter accompanying his report, at the conclusion of their meetings, he said this: "There will never be a 100 percent guarantee of security for our

people, the economy and our society. We must resist the urge to seek total security. It is not achievable and drains our attention from those things that can be accomplished.”

The National Journal, one of our most respected publications, and Charlie Reese, a nationally syndicated columnist who a couple of years ago was voted the most popular columnist by thousands of C-SPAN viewers both have pointed out in recent articles that we’re thousands of times more likely to die from a car wreck or a heart attack or cancer or something like that than we are by some terrorist event. We must take terrorism seriously, and we are. But we can take reasonable precautions and open this airport back up to general aviation. We should remember that it was commercial aircraft that were involved in the events of 9/11.

So I thank you for calling this hearing, and I’ll end my statement at that point and look forward to hearing from the witnesses.

Mr. MICA. Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman. Thank you for holding this hearing.

We’ve simply got to make sense out of what we’re doing for security here in the Nation’s capital. I feel, we’ve all puzzled over the half an hour rule, any plane, commercial plane less than half an hour out of National is already well beyond the perimeter of BWI or Dulles or whatever. Yet we can’t find anyone anywhere in the Administration who will take responsibility for that nonsensical rule.

And I’m afraid we’re running into the same thing here. We have members of the general aviation community, which unlike the commercial carriers is actually doing better. It’s robust, we still make a lot of planes in the United States, small planes that there could be more market for. We’ve got to enhance and grow that industry.

The restrictions here, we’ve had people come forward with what I think are plans that are comparable to what apparently, I wasn’t aware of the members of Congress sneaking in and out, but there are a lot of things going on in Congress that I don’t know, are allowed for special exemptions. But they would seem to be, now that I have read about that, comparable to those waivers. Why can’t we accept those criteria and conditions for members of the GA community to provide secure travel to the Nation’s capital?

And if those proposals are not adequate, then we need some individual responsible in the Administration to tell us why not and what further steps need to be taken. We would simply like to have some dialogue over this issue. No one is advocating we should compromise the security of the people working at the Pentagon or downtown in the Nation’s capital or the local citizenry. But we believe there are ways to do this and do it safely. We simply need someone to respond to the testimony we’re going to hear today, the proposals we’re going to hear today, which I believe have tremendous merit, so that we can move forward.

Thank you, Mr. Chairman.

Mr. MICA. Thank you. Mr. Hayes.

Mr. HAYES. Thank you, Mr. Chairman. I would have here earlier, but after landing in Manassas, it took me about an hour to drive here.

[Laughter.]

Mr. HAYES. I can assure you it wasn't me that got one of those mysterious waivers.

Chairman Mica, thank you for holding the hearing today, and thanks to the witnesses for appearing. As a pilot with over 35 years of experience, I believe that I can provide a unique perspective on the issue of whether or not to reopen Reagan National Airport to general aviation traffic. Many of the members of Congress have been following this topic very closely for some time. During that time, we have also been engaged in ongoing discussions with TSA, the FAA, United States Secret Service, a very cordial relationship and very cooperative with Admiral Loy and Admiral Stone, and I appreciate that. We just haven't got the blanks filled in yet.

I believe that the concerns of the general aviation community and the concerns of the aforementioned security groups need not make the final goal of each group mutually exclusive. Working together, I believe, I know that we can all develop and refine procedures and regulations that would facilitate the reopening of Reagan National Airport. Furthermore, through these same efforts, we can also work to alleviate some of the current problems at other general aviation facilities in the Metro Washington, D.C. area, such as College Park.

I look forward to the testimony of all the witnesses, and I'm sure that I will have some questions for the panel. Thank you all.

Mr. MICA. I thank the gentleman. I thank him also for not posing a security risk and getting a waiver to fly into this airport.

I passed a unanimous consent, Jim, someone tried to call a vote on it, but we did have unanimous consent to recognize you, even though you're not a member of the panel. Welcome, and you're recognized.

Mr. MORAN. Thanks very much, Chairman Mica. I join in the consensus of appreciation for your holding this hearing. This needed to be done, and it needed to be done here in this empty hangar.

General aviation officials, employees, etc., they all know that everything changed on 9/11. They don't expect things to be fully back to normal. But we have all done everything we could to get this economy back on its feet. And I really think that virtually every other type of business sector in our economy has had that hand extended to help them get back on their feet to enable our economy to realize its potential.

With one except—general aviation here at National. I agree with the Chairman and the Ranking Member, this just is not right for a few privileged elected and appointed officials to be the only ones using this airfield. That's just rubbing salt into wounds, frankly. Prior to September 11th, over 60,000 business aviation flights a year went through National Airport. And it wasn't the typical Piper Cubs and Cessnas, although there's nothing wrong with them.

But it was not just tourism. This was an important component of our economy. It was businesses, Government officials, CEOs that make decisions on where to locate, where to do business based upon whether they can get into a metropolitan area and out in an efficient manner. And this airfield enabled them to do that, right outside of Washington, D.C., it was perfectly located. Prior to 9/11 Signature Flight Support was generating revenues of \$24 million

a year. They had hundreds of people whose jobs were related to their presence here.

And in fact, the Government encouraged Signature to stay. Under the terms of its lease, it was required to operate 24 hours a day, 7 days a week, regardless of demand for its services. Eight months the Department of Transportation worked with security agencies, they had everything worked out, there was virtually nothing that general aviation didn't agree to go along with, to do, to implement. And then on July 19th, 2002, as the Chairman stated, everything came to a halt. We got this dictum from the Secretary of Transportation that they were not going to allow general aviation.

Well, that was wrong. This Signature Flight Support company has lost more than \$2 million annually in personnel costs, equipment, maintenance, all for the few Government officials that continue to operate here at National.

The businesses, the operators of general aviation feel they know they have to live under new security procedures and restrictions. But that's not a security procedure and restriction simply to say, you can't function. Everyone has to make some accommodation. We have to make some judgment.

The fact is that people using general aviation are by and large the last ones who would want to damage our economy. I mean, the CEO, the top executives of major companies in our country are the last ones who want to do any damage to our economy and certainly they are going to screen anyone that would be in one of their airplanes far more so than we will ever be able to screen people that use traditional commercial jets in and out of National. It doesn't make sense.

We need to return general aviation to National. We need to get our economy fully back on its feet and I very much appreciate again, Mr. Chairman and Ranking Member and members of this Subcommittee, the unanimity of opinion to do the right thing.

So thanks again for holding the hearing, Mr. Chairman.

Mr. MICA. I thank you.

There being no additional opening statements, we have a total of seven witnesses. I'm going to impose, of course we have a five minute rule, most of you have testified before the Subcommittee before, you're familiar with it. If you have an extra material like the comments that you'd like to be made part of the record, just request so through the Chair and we'll get those in.

I'm going to hold everybody to the five minute rule except our first witness, which is Admiral David M. Stone, Acting Administrator of the Transportation Security Administration. Other than Mr. Stone, we'll be watching the clock carefully.

The additional six witnesses are, first, Mr. James E. Bennett, President and Chief Executive Officer, Metropolitan Washington Airports Authority; Ms. Elizabeth Haskins, President and Chief Executive Officer, Signature Flight Support Corporation; the Honorable Jim Coyne, President of the National Air Transportation Association; Ms. Shelley Longmuir, President and Chief Executive Officer, National Business Aviation Association; Mr. Ed Bolen, President and Chief Executive Officer of General Aviation Manufacturers Association; and finally, Mr. Phil Boyer, who is President of the Aircraft Owners and Pilots Association.

With that, welcome, and we recognize the Acting Administrator for the Transportation Security Administration, Admiral David Stone. Welcome, sir, and you are recognized.

**TESTIMONY OF HON. DAVID M. STONE, ACTING ADMINISTRATOR, TRANSPORTATION SECURITY ADMINISTRATION, DEPARTMENT OF HOMELAND SECURITY**

Admiral STONE. Thank you, Mr. Chairman. Mr. Chairman, Mr. DeFazio, Mr. Moran, Congresswoman Norton and other distinguished members of the Subcommittee, I am honored to testify this afternoon as the TSA Acting Administrator and address issues related to Ronald Reagan National Airport and general aviation.

Our TSA team is dedicated and focused on executing the Department of Homeland Security vision statement which reads, "preserving our freedoms, protecting America--we secure our homeland." In the spirit of preserving our freedoms, we are fully committed to facilitating the flow of commerce and enhancing travel. In full partnership with the aviation community and the leadership on this panel, we have been able to capture the best risk mitigation ideas and to incorporate them into the planning process.

In fact, only yesterday, I met with Shelley Longmuir, the President and CEO of the National Business Aviation Association, and received additional input for our planning effort. I cannot thank my fellow panel members enough for their strong leadership and their spirit of partnership with TSA. Our agency has taken their ideas, and we will be participating within the next two weeks in the Department of Homeland Security inter-departmental planning process that will specifically address the issue of opening general aviation at Ronald Reagan National Airport.

Rest assured that there is a sense of urgency on this subject, and that TSA is aware and sensitive to the economic impacts of the current restrictions. We are also attuned to the fact that this is an important risk based decision issue. When one looks at the current issues through the lens of (1) criticality of assets, (2) the threat, and (3) the vulnerability, this risk based decision is not an insignificant matter. Washington, D.C. has a great concentration of critical assets. The use of aircraft as weapons by terrorists remains at the top of the potential threat list. And the vulnerability of targets in close proximity to Ronald Reagan National Airport is a crucial factor, due to the very limited reaction time to air threats.

This combination of criticality of assets, threat, and vulnerability means that we need to have a risk mitigation plan that gets it right every time, so that we may safely resume general aviation traffic at Ronald Reagan National Airport. Our goal is to attain that quality plan quickly and achieve our vision of preserving our freedoms, protecting America and securing our homeland.

In closing, I would like to thank you, Mr. Chairman, for your support and that of the Subcommittee members. I look forward to answering your questions today.

Mr. MICA. I have some questions, but I'll wait.

We'll go ahead and hear from James E. Bennett, President and Chief Executive Officer of the Metropolitan Washington Airports Authority. Welcome, and you're recognized, sir.

**TESTIMONY OF JAMES E. BENNETT, PRESIDENT AND CHIEF  
EXECUTIVE OFFICER, METROPOLITAN WASHINGTON AIR-  
PORTS AUTHORITY**

Mr. BENNETT. Thank you very much, Chairman Mica, Ranking Member DeFazio, Congresswoman Norton, Congressman Moran and other members of the Committee. On behalf of the Metropolitan Washington Airports Authority, I want to welcome you this afternoon to Ronald Reagan Washington National Airport.

It seems appropriate that we have gathered here today in a facility that just three short years ago was a hub of business activity and commerce for the Washington region. Today, this facility remains fallow and the activity that once symbolized the importance of general aviation and our Nation's economy is no longer.

The impact on the Authority of this 917 day closure to general aviation has been significant. In the area of financial impacts, the Authority has realized a substantial loss of revenue from the restriction on general aviation. Prior to 9/11, general aviation activity at Reagan National generated the Authority approximately \$4 million per year in rent. Since this closure, our aggregate net loss of revenue is approximately \$9.7 million.

This does not include any lost landing fees or fuel charges. The air carriers serving Reagan National have now assumed the full cost of operating the airfield, adding further to the increased costs that they have had to bear since 9/11. We calculate that the air carriers serving Reagan National have paid an additional \$2.5 million in fees to cover costs, which would have been borne by general aviation users were they allowed to operate at the airport.

While a substantial portion of general aviation activity has migrated to Washington Dulles International, we believe, and we have had it affirmed here today, that we've lost some of it to airports further out from the Metropolitan area, including Baltimore, Leesburg and Manassas. In fact, the relocation to Dulles of some of the general aviation activity is having the effect of what we would consider a capacity dynamic. Because we have now run out of space for general aviation at Dulles, we've had to close certain taxiways and runup areas for two or three runways in order to accommodate general aviation aircraft parking and we've delayed making permanent infrastructure improvements at Dulles because of our belief that general aviation should be returned to National Airport. Once that occurs, the infrastructure shortage we have at Dulles will ease.

Finally, the return of general aviation to Reagan National should be considered an extremely important step to maintaining a link from the entire country to the Nation's capital. For 53 years, general aviation has brought the citizens of our country right to the center of our democracy. They come to visit with Congress, our Government and industry, they come for pleasure, they come for work and they come in very large numbers every four years for the President's inauguration. We would not want this very important and very special connection to commerce and Government in our region to cease to exist.

The Authority has always been aware of the security concerns associated with operating a major airport so close to the Nation's capital. As many people in this hangar can attest, being completely

shut down for 22 days in 2001 was extremely traumatic to the Authority and to our region. But just as we made a commitment to Congress and to our entire Federal Government that we would do everything within our power to securely return commercial aviation back to Reagan National in 2001, we make the same commitment today with respect to general aviation.

The many groups here today representing general aviation are committed to security programs that if implemented would allow the industry to securely return to flying at Reagan National. The Authority will work with these groups, Signature Flight Support, the Department of Homeland Security, the Transportation Security Administration and others to ensure that this important component of our national and regional economy is restored.

For almost as long as we have had aviation in our country, the Government has insisted that all public airports be open to all users. We think it is time that all users once again be allowed to operate at Reagan National, and welcome your support for the return of general aviation. Thank you for holding this hearing here today.

Mr. MICA. Thank you, and now we'll hear from Elizabeth Haskins, President and CEO of Signature Flight Support Corporation. Welcome, and you're recognized, or I should say, thank you for having us, and you're recognized.

**TESTIMONY OF ELIZABETH HASKINS, PRESIDENT AND CHIEF EXECUTIVE OFFICER, SIGNATURE FLIGHT SUPPORT CORPORATION**

Ms. HASKINS. Thank you for being here. I said to Congresswoman Norton a few minutes ago that this is the most people that's been in our facility in 29 months. So we're very happy to have you here.

Good afternoon, Mr. Chairman and distinguished members. It's a privilege to appear before you today on behalf of the men and women of Signature Flight Support Corporation, and to be afforded the opportunity to testify on the important issue of reopening Ronald Reagan National Airport.

Reagan National was until September 11th, 2001 one of the most important business aviation portals in the country. I appreciate the continuing interest of the members of Congress, particularly this Committee and those who represent the Washington Metropolitan Area in restoring business aviation to Reagan National, and in compensating those who have suffered substantial losses as a result of its closure more than two years ago.

Signature Flight Support is the world's largest network of fixed base operations for business aviation services. Signature products and services include fueling, ground handling, passenger services and maintenance. Signature operates at 60 airports worldwide, including 42 airports in the United States, and is the sole provider of business aviation services at Reagan National.

Signature employs more than 1,700 people who safely and efficiently support more than 1.7 million aircraft movements a year. As Reagan National's sole business aviation FBO, Signature handled 175 flights per day and employed 55 aviation professionals before September 11th. Today, 2 employees handle approximately 20

flights per month. All these flights have been Government officials. The flights have included aircraft belonging to the Bureau of Immigration and Customs Enforcement, Drug Enforcement Agency, FBI, NASA, miscellaneous Government dignitaries that we've discussed, and an increasing number of State governments.

Signature supports the reopening of Reagan National to business aviation. We believe the Administration can and should adopt a plan to lift the ban on business aviation at Reagan National for two key reasons. First, the closure of business aviation continues to cause economic and political harm. Second, business aviation can operate safely and securely in a post-9/11 environment at Reagan National. Signature is fully prepared to make necessary modifications to assure the highest level of security.

Additionally, it is fair and appropriate for the Federal Government to compensate Signature and other affected businesses for the losses suffered as a result of the ban on business aviation around Washington, which ban is unique to the entire Nation. The elimination of 60,000 business aviation flights a year and the massive curtailment of operations associated with those flights means not only the loss of business aviation industry jobs, but also translates into the loss of a major source of income to the D.C. hospitality and transportation industries.

Although Signature's rent has been abated by the Metropolitan Washington Airports Authority, we've suffered substantial losses. In the 29 months of closure, Signature alone, not counting the downstream businesses that have lost money, have lost in excess of \$10 million in 29 months. That's after tax profits. Additionally, with our facility virtually closed, we've been forced to lay off almost all of our employees.

The harm, however, is not just economic. By depriving general aviation access to Reagan National, we restrict citizen access to the Government. It seems particularly unfair that only the Government is currently allowed to use this public facility. Since the restoration of commercial operations less than a month after the 9/11 attacks, Reagan National has stood as a symbol of the Nation's refusal to be intimidated by terrorists, and of our determination to carry on the Nation's business as normally as possible.

President Bush expressed this resolve on October 2nd, 2001, when he announced the restoration of commercial operations. He said, this is the airport that brings our Nation's leaders to Washington to do the people's business. By opening this airport, we're making yet another statement to the terrorists: you can't win.

Signature and the rest of the business aviation community share this determination. However, the reality is otherwise, until we achieve a truly full restoration of service at Reagan National. Compensation for the closure is needed and appropriate. The Fifth Amendment to the Constitution provides that no private property shall be taken for public use without just compensation. The closure of business aviation and its effect on Signature is legally known as a regulatory taking. The shutdown has left Signature with a facility and a business that cannot possibly be used for any other purpose except maybe Congressional hearings.

Given this situation, which is unique in the country, it's fair and appropriate for the Federal Government to compensate Signature

and other affected businesses for the losses that have resulted. Congress recognized the immediate need for compensation in the wake of 9/11 when it passed the 2001 emergency supplemental. However, no funds have been made available to businesses that continue to suffer substantial losses at Washington area airports. The failure can and should be addressed this year.

Congress also recognized the importance of compensating general aviation businesses for the significant losses suffered. This Committee in particular was instrumental in adopting a provision authorizing the reimbursement of losses incurred by general aviation entities in the Vision 100, Century of Aviation Reauthorization. This provision states that the Secretary of Transportation may make grants to reimburse the following general aviation entities for the security costs incurred and revenue foregone as a result of the restrictions of the Federal Government.

I'd like to close with one question, Inauguration Day 2001, January, we had hundreds of aircraft out here. I'd like to know where those hundreds of aircraft are going to go January 20th, 2005. I think it's a valid question. The capacity at the other airports can't handle it. And it makes for a much longer trip, as you know.

So my question is, where will we be at Inauguration Day 2005?

Mr. MICA. Thank you. We'll now turn to Jim Coyne, who's President of the National Air Transportation Association. Welcome, and you're recognized.

**TESTIMONY OF HON. JAMES K. COYNE, PRESIDENT, NATIONAL AIR TRANSPORTATION ASSOCIATION**

Mr. COYNE. Thank you very much, Mr. Chairman, Ranking Member DeFazio, and former Chairman Duncan, Congresswoman Norton, Congressman Moran, Congressman Hayes and other members of the Committee.

I'm very proud that you're holding this meeting here today. This, as we all know, is an FBO. I believe, certainly in my experience in aviation, this is the first time that Congress has held a hearing in an FBO. On behalf of the association representing FBOs and charter companies across the country, come back any time you would like. We enjoy having you here. But we most of all want to remind you that this room is supposed to be filled with airplanes, not people.

A few months ago, we celebrated the 100th anniversary of aviation, and we did it in this room. As many of you know, you were here, you saw 1,800 people celebrate the Wright Brothers trophy being given to John Glenn. I'd like to submit for the record a little picture I took that night, John Glenn and me, a little sign that he's holding up that says, we should be parking planes here, not cars.

It's time we get back to the fundamental purpose of this airport, which is to support the needs of commercial users across the country of aviation and private citizens. Unfortunately, there's been some confusion about the word commercial as it relates to aviation. The President and others have said, well, we've reopened National Airport to commercial aviation. That's not true. We've only opened it to airliners, commercial airliners operating under Part 121.

But thousands of charter operators are also commercial operators, just like airlines. They deserve the same right to serve their

customers that don't come from those 36 airports that currently have service into National. Most of you have Congressional districts where, if you want to get from Daytona or Portland or Tennessee or some other part of the country, North Carolina, easily to Washington National Airport, there isn't commercial service on the airliners to get you here. But there is commercial service available through aircraft charter, so-called general aviation charter. And these commercial activities have been denied at this airport for 29 months.

Why is that? Why is it that one set of commercial operators are allowed in and another set of commercial operators is not allowed in? Is it a belief that one set of operators is more secure or safer? I don't believe that can be the case at all. In fact, commercial charter operators have agreed to do literally everything that the airlines do today and more. And most unbiased observers will admit that the security risks associated with a professionally flown charter aircraft, since there are so few passengers on board, is much lower than it is on a commercial airline.

In both these types of aviation there are essentially three kinds of security or terrorism risks that have to be questioned and dealt with. The first is the risk of the pilots. Both kinds of airplanes have two professional pilots flying, and both sets of pilots meet the same sets of security background checks, the same fingerprinting, the same FBI requirements if necessary. So clearly, the concern cannot be on the pilot side, since charter flights will do everything that commercial will do.

The second security risk relates to the concerns about the passengers. Well, clearly, when you only have one or two or three passengers on board a charter airplane, you can become much more secure about who those people are. We now have on most airliners virtually anonymity as to who those passengers are, although they are required to show a driver's license. But charter passengers are willing to go to far greater degrees of security background checks to ensure that they are safe.

And the third area of security is the airplane itself. Can the airplane create a great deal of damage through its flight or loss of control? Once again, the larger airliners, because of their size, are clearly much more of a threat than the small charter planes could be.

So we ask the question simply, why are we being discriminated against as commercial operators? Why shouldn't all commercial operators be given the opportunity to serve their customers? Why in essence are charter operators being banned?

Terrorists of course have used airlines in terrorist acts. But airlines are not banned. Terrorists have used trains in terrorist attacks. But trains in Washington aren't banned. Terrorists have used boats. But boats aren't banned. Terrorists have used subways, buses, ambulances, military vehicles. They've used Ryder trucks, they've used cabs, they've used motorcycles. They've used people in wheelchairs. But none of those are banned here in Washington.

The only form of commercial transportation that is in fact banned is charter aircraft. And we insist that that is wrong.

Now, of course, this FBO, some of you may not know, is, prior to 9/11, the largest by volume single FBO in the world. The most

successful FBO in the world, and it has been shut down. And that, too, is a crime. We believe that the issue before us today is simply one of equity and intelligence and responsibility. It's not fair for those people who have lost their jobs. It's not fair for your constituents who cannot get to Washington on charter flights or private aircraft. It's not fair for the businesses that make their living supporting these economic activities. It's not fair for favored politicians to have preferred treatment. It's just not fair for charter and private business aviation to be excluded.

But are we intelligent enough to come up with a solution? That's the question. Are we intelligent enough to come up with a set of regulations, as Congresswoman North said, that responds to these risk in an intelligent way? I can't help but think that if we could do it for the airlines, if we can do it for other forms of transportation, we can certainly do it for charter and private aviation.

But the real question is responsibility. It appears that within the bureaucracy today here in Washington, here in Washington, in this Administration, there are people who have the responsibility for making this decision, for setting these rules, for allowing these planes back in. And the people who have the responsibility are not making the decision. And I think it is up to our Congress to force the people who have the responsibility to make that decision or to take that responsibility away from them.

Thank you very much.

Mr. MICA. Thank you, and we'll now hear from Shelley Longmuir, President and CEO of the National Business Aviation Association. welcome, and you're recognized.

**TESTIMONY OF SHELLEY A. LONGMUIR, PRESIDENT AND CHIEF EXECUTIVE OFFICER, NATIONAL BUSINESS AVIATION ASSOCIATION, INC.**

Ms. LONGMUIR. Thank you. Chairman Mica and distinguished members of the Committee, it is indeed an honor to appear before you today on behalf of the more than 7,500 member NBAA companies.

More than two and a half years have passed since the terrorist attacks of 9/11. Today in the general aviation community, we live in a world of flight restrictions, but also one that is more secure than it was before the attacks.

However, with the clarity afforded by two and a half years of hindsight, national security concerns which resulted in blanket restrictions at Ronald Reagan Washington National Airport, as well as the imposition of nationwide temporary flight restrictions, or TFRs, are no longer serving the national interest for which they were established. Unfortunately, these restrictions have been imposed universally, without consideration for the existing security of any aircraft operator or even for their willingness to operate to extremely high security standards.

These blanket restrictions need to be reviewed and lifted under an enhanced and robust general aviation security program we call Secure Access. As many of you may know, the closure of DCA and the increase of TFRs since 9/11 have resulted in significant economic losses for the Nation.

Last Friday, we received a new economic impact study completed by HLB Decision Economics, Inc., a firm headed by Dr. David Lewis, a former principal analyst for the Congressional Budget Office. That study indicates that these combined restrictions are estimated to have cost the Nation approximately \$1.3 billion since 9/11 in lost jobs, lost productivity and lost economic activity. That equates to approximately \$43 million per month, and it represents a more than \$177 million loss locally as a result of the closure of DCA, and a more than \$1.1 billion loss nationally as a result of the imposition of TFRs.

The economic impact study, which I ask, Mr. Chairman, to have included for the record, indicates that those losses could even be higher. NBAA believes that reasonable and effective security guards must be in place, and that the Nation and the capital region must be protected, but that there is a reasonable and secure way to do this, other than by denying general aviation access to Reagan National Airport. We believe that it is time to strike a more sophisticated balance between general aviation security, the pressing need to further economic activity and the freedom to travel. We call this more sophisticated balance Secure Access, wherein security-qualified general aviation operators have access to DCA and TFRs equivalent to that level enjoyed by the scheduled commercial carriers.

We believe that the Secure Access approach that we are proposing today and as detailed on the chart to my left, to the Committee's right, is equal to or more secure than that employed by the scheduled commercial carriers. We further believe that the circumstances of DCA are unique and that Congress should make absolutely certain that the security protocol proposed and applied at DCA, as in the commercial airline case, not be used as a basis for access to any other airport.

Finally, and thankfully spurred by this Committee through Vision 100, the Century of Aviation Reauthorization Act, we believe that now is the time for the Government to act. The Secure Access matrix you see here on our poster board identifies differences in security strategies for the major categories of air transportation. An analysis of these differences reveals ten rings of security that are critical to any security plan. For access to DCA and TFRs nationally, we are proposing reasonable and effective requirements covering intelligence, ground security, airport owner, crew, passenger and baggage screening, preflight and inflight security and compliance enforcement.

One aspect of this analysis is the recognition that the security risks of the commercial airlines are different than those of the general aviation community, requiring different countermeasures to achieve the same security goal. Unlike the scheduled commercial airlines, business aviation passengers are on board only by the invitation of the others, who know not only who they are but why they are there. We know their intent and where they are going, all on an unpublished time table.

Because of these and other differences, a one size fits all approach to aviation security is not only unworkable but unwise. What is wise is an approach which is genuinely risk based, which methodically and dispassionately assesses threats and

vulnerabilities and addresses them directly. Today we welcome Congressional and Administration discussion, review and support of the Secure Access proposal. Please review it, augment it if necessary and implement it.

We ask further that the Committee take the necessary step of asking the Department of Homeland Security to complete implementation of a reasonable and effective plan, such as Secure Access, by August 1, 2004. We cannot turn back the clock, but through the Secure Access program, we can further safeguard general aviation operations, improve our economy locally and nationally and restore freedoms lost on 9/11.

Thank you for your consideration.

Mr. MICA. Thank you. We'll hear next from Ed Bolen, who is President and CEO of General Aviation Manufacturers Association. Welcome, and you're recognized.

**TESTIMONY OF EDWARD M. BOLEN, PRESIDENT, GENERAL AVIATION MANUFACTURERS ASSOCIATION**

Mr. BOLEN. Thank you, Mr. Chairman and members of the Committee.

In response to the terrorist attacks on September 11th, our Nation took swift and decisive action to secure our airways. We grounded the airplanes. It was not a particularly sophisticated approach to aviation security, but it was effective. And it was probably appropriate under the circumstances.

But as you know, even before the last airplane reached the ground, we all realized that banning aviation was not an appropriate long term solution to our Nation's security interests. The Government began working almost immediately to try to find a way to securely resume aviation in the United States. Within two days of the September 11 attacks, commercial airline service was restored almost everywhere in the country except this airport. That waited another three weeks.

Now, why did we succeed in returning commercial airline service to the United States? We did it because there was an absolute determination to find security solutions to the challenges posed by those types of operations. Unfortunately, that same level of determination has not been in evidence with regard to general aviation. How else can you explain it only taking three weeks to open this airport to the types of operations where you're dealing with unknown passengers and almost three years without being able to find a way to bring in private aircraft?

In my opinion, it's not that our security organizations have failed to find an appropriate solution, it's that they have failed to try. The security organizations talk a lot about security being a filter, not a guarantee. I think they're right. But a filter presumes that something good flows through while something bad is trapped behind. With general aviation at this airport, nothing flows through.

Now, in the absence of a public-private partnership with the security groups to try to determine the appropriate ways to bring general aviation back, the general aviation community has been working with and amongst itself to try and develop solutions. We've developed a number of recommendations that we have proposed for general aviation security across the country. And we have

succeeded in getting a number of those institutionalized across the United States. I've included that in my written testimony and I would ask you to look at it.

We also have a number of groups who have worked on specific proposals to get back to Reagan National. In fact, we were working for a while with the TSA and the Department of Transportation. But that basically has gone dormant, and in the meantime, we've been left to work on our own. We think we have the appropriate solutions, but we have to have a partner. We have to understand what we don't know in order to make effective recommendations. And for that, we need your help.

Why is it important for general aviation to be returned to National Airport? It's important for a lot of reasons. It's important because general aviation is important to our economy. Congresswoman Norton talked about that a little bit in her opening remarks, and I appreciate that very much. General aviation leads the United States, leads the world in manufacturing. Important, high wage, high tech jobs, manufacturing jobs that we can keep here in the United States over a long period of time, as long as we have a healthy general aviation industry. General aviation airplanes bring economic development to our rural communities and take corporations to places where they wouldn't otherwise operate.

It's also important that we return to Reagan National Airport because of the perception. With general aviation banned at Reagan National Airport, it causes a misimpression that general aviation is somehow inherently insecure. That is not the case. And I think as all of you know through your work in public policy, bad ideas can have consequences. And bad policy in one place can migrate to others. We've got to open Reagan National Airport to general aviation. We've got to find workable solutions that will allow some general aviation qualified operators to have access to the temporary flight restrictions that the commercial airlines do.

We need a determined goal of working with the security organizations to resume the operations that we had before. Not in the same way, but in a secure way, resume general aviation all across the United States. Thank you.

Mr. MICA. Thank you. And we'll hear last from Phil Boyer, who is President of the Aircraft Owners and Pilots Association. Welcome.

**TESTIMONY OF PHIL BOYER, PRESIDENT, AIRCRAFT OWNERS AND PILOTS ASSOCIATION**

Mr. BOYER. Thank you, Mr. Chairman and members of the Committee. AOPA, the Aircraft Owners and Pilots Association, represents now well over 400,000 pilots, or two-thirds of the Nation's licensed pilots from airline captains, to Congressman Moran, your Piper Cub pilot.

But think of our average member as a person who flies a single engine, fixed gear, four seat airplane, about the size and weight of a Honda Civic. Today with your permission, I'd like to expand the scope from our support of reopening National Airport and include a ring about 38 miles around the Nation's capital, in which we would call for the elimination also, at the same time, of something we call the ADIZ, the Air Defense Identification Zone.

Now, what in the world is the ADIZ? The ADIZ is an area in which none of our aircraft can fly without using instrument flight rules procedures. Less than half of our Nation's pilots are instrument rated. They must file a flight plan, they must operate with two way communication, they must have an assigned transponder code. This was put into place just a little over a year ago as a temporary security measure when our Nation was at an orange security alert level.

It is causing a huge increase in controller work flow. A typical bad day for a controller, as some of our pilots on your Committee know, used to be when Baltimore, National and Dulles airports are with no ceiling at all and no visibility, down to one runway perhaps because of conditions. The worst day now in this area is when we have a beautiful weekend day and the controllers are overworked.

I talked to our friends at NATCA, the National Air Traffic Controller Association. Simply put, they say, the Washington ADIZ creates an unworkable situation for both pilots and controllers. The ATC system is being asked to perform a function for which it is not designed, and for which it lacks the capacity. It creates confusion for both pilots and controllers. Proper resources have not been allocated. And what better way to think about returning aviation to National Airport than listening to the sounds outside. But also, let's listen to the controllers working the traffic in this area.

[Tape played.]

Mr. BOYER. Just total confusion is what occurs in this area on what, as I say, is a weekend day in which we put these procedures on pilots.

Look at the impacts here. Besides National Airport, little Maryland airport, a 60 percent drop in fuel sales. And you can see the rest of them. A vibrant airport very close by, used to be that you had to wait in line to get a tie-down to put your plane there, now 30 paved tie-downs are eliminated. And I might add, in New York City when they went to an orange alert level, actually at that time when we went back to yellow, New York City's ADIZ was rescinded, but our temporary one was not.

This Committee passed language signed by the President on December 12th, the same language you were referring to earlier in your bill, required that if an ADIZ is in effect on the date of enactment of this Act, the Administrator shall transmit an initial report not later than 30 days after such enactment, a description of any changes in procedures or requirements that could improve operational efficiency or minimize operational impacts of the ADIZ on pilots and controllers.

I ask the Committee, have you gotten that correspondence yet from the Administrator? I think not. And when you do, I encourage you to see that it complies with the very restrictions that you added in that regard.

There have been many violations in this ADIZ. A lot of people are spending a lot of time running around after innocent pilots who inadvertently have made a mistake. From an airport 15 miles away, I'm a flight instructor inside the ADIZ, my student inadvertently switched the code on my transponder to 1200 and I was advised by ATC to change frequency. The FAA investigator got to me 30 days earlier, told me not to worry, it's only a 30 day suspension

of my license. Little does he know that 30 days will make me lose my job, put me on the streets with no income, not to mention the black mark I have on my record.

AOPA strongly urges that we rescind the ADIZ and stay with what would be in place, a 15 mile, as shown on here by the hash marks, of a no-fly zone. And there are three small airports, in closing, that I must acknowledge: Potomac Airfield, Washington Hyde and College Park. College Park is our national airport for small planes. It allows us to get out of the plane, walk one city block and end up on the Metro to be able to come into town. These airports can have no transient aircraft. And they have lost some 54 percent of their gross revenues in the time during his period since they were closed after 9/11.

Rescind the Washington ADIZ and allow access as you deliberate on Washington National to these three small airports. Thank you, Mr. Chairman.

Mr. MICA. I thank you, and I thank all of our witnesses today. We'll go ahead and get right into come questions, because I know some of the members would like to get to that portion of our hearing.

I have a few questions, and I'll start with Admiral Stone. Admiral Stone you testified today that in approximately two weeks you would have some preliminary information back, a schedule back as to where we can go in reopening this airport to civil aviation. Can you talk a little bit more about what you will actually have in two weeks?

Admiral STONE. Yes, sir. TSA will present to the DHS, Department of Homeland Security, inter-departmental planning group the plan that we propose for reopening Reagan to general aviation. So we have been collecting over a period of time the inputs from the various groups, a number of which are represented here, and put together that risk mitigation plan with the phases and the timelines. It's our intent to brief that plan within two weeks to the Department and move forward from there.

Mr. MICA. Over the past more than two years, we've heard various testimony to Congress and reports to Congress and meetings, both open and closed, that we would proceed, you all would proceed. Do you have any estimate as to when this process will conclude with some determination as to whether or not they're going to open this airport to civil aviation?

Admiral STONE. No, sir, I don't, other than it's that sense of urgency to move forward on this plan quickly and to make sure that we've got an appropriate plan. We think we do, based on the inputs that we've received, so that we can then brief that plan and then provide feedback on what we need to adjust if the threat changes or if there are other considerations that the Department would like us to factor in.

But I wanted to reassure you that a sense of urgency to get that good plan briefed so that we can move forward is definitely there.

Mr. MICA. We in fact have a way for certain limited individuals to fly into this airport, general aviation. I have a copy of the TSA waiver form. This has been used, I'm told by, what, a hundred different, on a hundred different occasions or more to come into this airport?

Admiral STONE. Sir, we checked with the FAA, who helped tally that information for us. From January of 2003 to March of 2004, 146 flights have flown under that waiver.

Mr. MICA. What mystifies me, if we can have a form and a procedure, a waiver to be granted and a protocol set forth, why can't we do this, not just for members of Congress or some special VIPs or Federal agencies, why can't we do the same thing for general aviation aircraft?

Admiral STONE. Sir, that's the plan for that waiver. Those elected officials were required to have a law enforcement official with them, and it's that sort of thinking, although our plan does not require law enforcement, what type of risk mitigation actions can we take comparable to that waiver request that will allow for an appropriate plan to restore general aviation here.

Mr. MICA. Well, Admiral Stone, you've only been on the job a short time and we appreciate your cooperation. We've been through this right after September 11th, we've been through this with Mr. Magall, we've been through this with your predecessor. We're a bit frustrated, you can understand. Because people are coming into this airport and there is somewhat of a procedure, but we can't seem to get a procedure that does open this up.

I believe, I personally believe that Washington, D.C. is still a terrorist target. I honestly believe that. I think we only have to look at their pattern, what they did with New York City, and it took them some eight years to come back and take down the World Trade Center. I think that this is still a serious target.

Now, how they'll come after us, last week we saw how rail was used. We've seen at the Capitol, since I've been there, we've seen a deranged individual come in with guns. We've seen an individual fly a plane, a small plane into the White House since I've been around. We've seen all these systems put in place. I've even seen a 37 cent stamp penetrate the security barriers we've set up.

But we do put protocols and procedure. We can't close down the whole country and we've closed down one segment of aviation, which is totally unfair. I just don't think that we should allow the terrorists to win.

Don't you believe that we can find procedures that would allow us to open this airport up?

Admiral STONE. Yes, sir. The TSA position on that is that we know that there is a significant threat in Washington, D.C. We know that just last December and January we were at the orange threat level and the chatter was at a level that was the highest since September 11th. We also know today we have a handful of airports that we're keeping at an elevated yellow condition.

But we do believe that with risk mitigation actions that we've developed in partnership with the aviation community that we can present a plan and that, if in fact there's not significant changes to the threat or a reevaluation of the threat, that the risk mitigation actions that we propose we think are thoughtful and deserving of consideration by the Department.

Mr. MICA. Well, finally, I guess rescinding this ADIZ, this imposition on stopping aircraft coming into this whole area, you've seen the impact, not just on this empty hangar and the hundreds of lost jobs and the economy, but the same thing's happening in a tier out

from here. We also passed a law that requires that you report back to us. I think we passed that deadline of 30 days. When can we expect a response on that situation?

Admiral STONE. Yes, sir, I apologize for the tardiness of that report. We will work to get that to you very quickly. The layered response of having an ADIZ in the FRZ are all part of the overall National Capital Region Security Plan. And we plan on being able to properly articulate and give you the report that is required soonest. So I promise you, sir, we'll get back to you on that very quickly.

Mr. MICA. All right. Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. Chairman, Mr. Boswell was delayed through no fault of his own, and I'd like to yield to him now for a brief opening statement before I go to my questions.

Mr. BOSWELL. Thank you very much. I do appreciate being here, and I guess it's fair to say, if I'd been flying general aviation, I would have been here on time today.

One thing you said, Admiral, kind of bothers me a little bit, knowing your background and some of my own. The sense of urgency, the word you used, after 30 months, I don't know. I'm not too sure about the sense of urgency, and I know you meant it well. I like other things you have to say. But this has to change. I can't imagine what it's like for Ms. Haskins and her situation with Signature, and trying to make things work, and Mr. Bolen and everybody else.

I just think that we have got to do better. I flew in here today, and many times we all do, I see this space out here, now, how long can we afford to keep that space out there? Surely we don't want to use it for something else.

So I think it's time to quit talking about it and time to move. I appreciate what the Chairman said. If you have a requirement you want to put on us, put it on us and let's see what we can do with it.

I appreciate the presentation that AOPA has made, and they continue to bring us information. Thank you, Phil, for what you've said, and for the rest of us that fly general aviation. My pilot right here, he's co-piloted a few times, he's never had enough nerve to be mine.

[Laughter.]

Mr. BOSWELL. We have to do something here. It's the inconvenience—I have a CEO who came in here months ago and he said, Leonard, what do we have to do? Do you want a background check? What do you want? He said, the reason I'm paying for this high priced airplane is to be able to fly in here. I don't understand, if I'm willing to do what you want, why can't we do it? And I didn't have a good answer.

I yield back. Thank you.

Mr. DEFAZIO. Thank you, Leonard.

Admiral Stone, I think it's most appropriate to direct questions to you. I think the panel has made a compelling case, and a number of them have a very detailed plans, others have particular complaints that even go beyond the scope of this hearing, which I think need to be addressed.

But if you could, I understand that you're working on a plan that would allow general aviation to access the airport. You're going to take that, as I understand your testimony, to a DHS inter-departmental meeting. My question is, we've gotten to this point before and suddenly we are now, it's like the energy of the black hole, it's sucked inward and nothing can escape.

So can you explain to me who will be there, who ultimately will make the decision on your plan, and what assurances we have that this won't just disappear into this black hole of unaccountability? I realize again this is not of your making, this predates you. But the frustration is, who really is holding things up, and the rumor is it's the Secret Service. Who's the Secret Service and how can we talk to them and who are they accountable to?

So could you just enlighten us a little bit here?

Admiral STONE. Yes, sir. My intent is to brief that plan at my level to make sure that the sense or urgency and what our position is on it is very clear because of the importance TSA places on that issue. At that inter-departmental briefing, I don't have the attendees on that, but I do know that based on what's been written in the FAA reauthorization that the Department is very keen to ensure that this gets addressed very quickly and properly, and that they have options provided to them, which our plan will have, I think, the risk mitigation options that, like I stated earlier, are thoughtful and address the specific threats that we believe are faced when we go about restoring general aviation here at Reagan.

After that briefing is conducted, what I do not have is where that goes in terms of the inter-agency process and the like. But I've been reassured at the Departmental level that there is a sense of urgency to make sure that this gets briefed properly and that we present that to them here in the next two weeks, so that they can then take action on that.

Mr. DEFAZIO. To whom would we properly address our concern and find out who ultimately will be the decision maker in this? Who can tell us who might be the decision maker?

Admiral STONE. Sir, I can only attest that the TSA, myself, as the acting administrator will be responsible to you on briefing you on my briefing and how that went, and be able to make sure that I relay that information to you, and that at the Department of Homeland Security I'll find out who would be the point of contact for the status at their level.

Mr. DEFAZIO. Okay. I think you've heard my concern and I think it's shared by all the members of the panel. We've tried to express it in a statutory manner. We really feel that we've just got to get beyond this point of unaccountability. That's what we're really looking at here. I'm confident you will come up with a plan, now, whether everybody here will agree with your plan or feel it's too stringent, we don't know. But at least it would be progress from beyond the point we're at today.

But the point is, does that plan just disappear in a black hole. I guess at that point, I would hope that you would have some pride of authorship and continue your sense of urgency and come back to us and say, who the black hole is, and we can call, or try and bring those people into hearing, open or closed, to hear their concerns rather than what we have thus far, which is no response.

That's the concern, that we'll get to that point again. So thank you, Admiral.

Admiral STONE. Yes, sir.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. MICA. Thank you. Mr. Ehlers?

Mr. EHLERS. Thank you, Mr. Chairman. Thank you for having this hearing here. It's long overdue and it's a very appropriate setting.

I am an extremely patient person, as almost anyone who knows me will attest. But I have lost patience. One thing I cannot abide is injustice. I got into politics partly to fight injustice. Now we face our own Government treating its citizens and its businesses unjustly. And I am just simply fed up with it. There has been far more time than necessary to deal with this situation.

We keep getting the same stale answers from TSA, Homeland Security, all the others, and they don't make sense. It's clear that someone or some agency doesn't want this airport open to general aviation again. In fact, they didn't even want it open to passenger service. And we're just not going to put up with it. The Government has caused severe financial loss for a number of different companies and entities, caused great inconvenience, and that's not the Government's job.

I think the real problem is the inside the Beltway thinking that goes on in the agencies that somehow Washington is the center of the universe, obviously the terrorists are going to attack every possible point here and this is so important we have to protect it. I just flew in a few minutes ago, I'm sorry I was late, but believe it or not, we have snow in Detroit, which held me up. But for the last 30 minutes of the trip, we have to stay in our seats. One of the most absurd rules I've ever heard of, applied only to Washington, D.C., the center of the universe again.

And when I fly out, I fly west, in 10 minutes, I'm past Dulles Airport. Why don't they have to sit down for 20 minutes, or if they're going east, why don't they have to sit down for 40 minutes? I mean, using the logic that has been used to set up that rule, that's the rules you should have on Dulles. Besides, the plane that hit the Pentagon came from Dulles, not from National.

The stories that I've heard, the things that have been made up to explain it just don't make sense, particularly for the smaller Maryland airports, which have suffered even greater financial loss compared to their capability to deal with it. We want some action, we want some results. And I'm being very kind to you because you're new. I am not accusing you of any wrongdoing at this point. I think the Secret Service has tended to have much greater power in this decision than they should have, and you're going to have to stand up to them if that is the case.

But it's just simply a real injustice to do this much harm to this many people, both financial and other harm, without justification. I sincerely mean that, without justification. Your testimony talks about, this is demonstrably an obvious target for would-be terrorists. There's only been one terrorist attack here of any size. A plethora of high value, symbolic targets. How often do the terrorists attack symbolic targets? They're out to kill people, as we saw in Spain this past week.

We are acutely aware of the burdens now being borne by the general aviation community. That certainly has not manifested itself. If the Department were acutely aware, they would have taken action long ago.

You talk about the absolute necessity to prevent the use of an aircraft as a weapon of mass destruction. If you truly believe that, you'd better ground every airplane in this country, including those that can do much more damage than general aviation.

We simply cannot provide absolute security without grinding to a standstill. I think there are so many multiple targets in this country, we have to live with the fact that we have to get reasonable security. We cannot achieve absolute security.

So I plead with you to come up with something meaningful. We've had enough gobbledy-gook, enough dodging the answer, enough crazy ideas advanced to explain why such and such is being done. We need a decision, and the Congress—I'm not the only one who is impatient, when this issue came up in our Committee, it zipped through so fast, it was almost beyond the speed of light. Since I'm a physicist, I can't say that, it did exceed it.

But I'm very familiar with black holes, and I have to say that the gentleman from Oregon is right. The black hole that we've seen on this rivals anything I've seen in space. Thank you.

[Laughter.]

Mr. MICA. I thank the gentleman. I guess that was a statement and sort of an open question.

Admiral STONE. Yes, sir, I can state with regard to the threat, and there's been a lot of discussion about that, and without getting into a classified discussion on it, the logic that the availability and access to general aviation aircraft is much easier than to access a commercial aircraft, that the ability for a pilot to receive training to fly a general aviation aircraft, rather than a commercial aircraft, the cost of acquiring a general aviation aircraft, as one looks at those factors and talks about, well, how difficult would it be for a terrorist to acquire and be able to fly that type of an aircraft into what is considered a symbolic, high value target here in the capital, which is the representative city of our country that represents freedom and democracy around the world.

That weighs heavily on decision makers about what is the risk associated with restoring general aviation. There's been a lot of thoughtful discussions in the intelligence briefings that I've received about Al Qaeda's focus on aviation and the desire to use an aircraft once again as a weapon.

So those discussions that have centered about risk based decision making and whether or not the criticality of assets in Washington, D.C., the vulnerability because of the time and distance to go to a target from Reagan, and then of course the threat which is well advertised both in classified and unclassified forums, leads to the discussion of, we'd better get this right, we should not rush to a decision on how this is done.

So, we believe in our briefing that we're going to cover those bases. There is risk associated, sir, as you pointed out, with all of that. And the costs, we believe, are high if we get that wrong, both from the symbolism of our country and the targets that are here,

as well as the loss of human life. But I understand fully what you are saying, sir, and we'll work that with a degree of alacrity.

Mr. EHLERS. Just a very brief response, Mr. Chairman.

You certainly have not rushed to deal with this, it's 27 months. That's a very, very long time to keep people hanging.

The second factor is, terrorists may like to use airplanes. They've also used tugboats on the Cole. They've used a Ryder truck under the Trade Center. And if you're serious about using that as a standard, then we'd better stop all traffic past the Executive Office building, because I can go out and rent a Ryder truck, fill it with explosives, drive past the Executive Office building and set it off.

I'm just saying, look, you have to look at the whole picture. Don't assume, as CBS wrongly did recently, that airplanes are the greatest threat. They are no greater threat than any of these other things. I'm just asking for a balanced approach.

Admiral STONE. Yes, sir.

Mr. EHLERS. Thank you.

Mr. MICA. Thank you. Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

Admiral Stone, as the other members have said, you're the messenger. That's why you're getting it today. You're dealing with a Committee that has pressed this issue relentlessly with great, great patience. And we know you agree with us about the real losses here. You've heard some of them, and they are losses of jobs, they are losses in business. This is the region, one of the great economic engines of the country.

That would be reason enough, but it is where the Nation does its business. The notion of not being able to fly a small aircraft into London or Paris would, I'm sure, for those countries be simply unthinkable. And it has frankly become a national embarrassment, far beyond this region at this time.

I presume that Ms. Longmuir gave as her target day August 1, 2004, she can correct me if I'm wrong, or tell me if she had in mind that we would be coming onto the third anniversary of September 11th. Is that where your August date came from?

Ms. LONGMUIR. It was actually based, Congresswoman, on the notion that this Committee passed its mandate December 12th of 2003, and certainly right after that date, we began working with TSA to try and craft something. We think that's a reasonable amount of time and we would hope the Committee would agree.

Ms. NORTON. That's another reason, then. Certainly the notion that this airport, we would on September 11th look and see this airport closed down would only deepen the concern, I think you've heard, of this Committee.

Admiral Stone, when I heard the words two weeks out of your mouth, I jumped for joy. I then grabbed your testimony, looked through it, could find nothing that said two weeks. I called my staff and said, look at this, I must have missed it, where does it say two weeks? He can't find two weeks in your testimony. It's not in your written testimony. Where did two weeks come from, Admiral Stone, and why isn't it in your written testimony?

Admiral STONE. I wanted to give you the most recent up-to-date information since the written testimony had been submitted. I was able to ascertain the time line that I would be available to brief

that and wanted to provide that to you here very quickly at this hearing.

Ms. NORTON. That's the kind of instant response we would like after this hearing.

Let me indicate something of my skepticism. You went down the list of some of the various parts of the Government that will have to vett the regulations. And some of them are Immigration and Customs Enforcement, Secret Service, FBI, Department of Defense, FAA, and then something called the Air Space Protection Work Group. I'm on the Homeland Security Committee. As I heard, what you'd have to do to get a decision about aircraft in one airport, I thought to myself, have we created a monster? Is that what we have to do for every decision on homeland security? It began to make me wonder if we could ever be secure.

So I'm going to ask you this, Admiral Stone. The Chairman and the Ranking Member have both pressed you for deadlines. Ms. Longmuir gave you a target date. You have been unresponsive on deadlines. This I'm going to ask you to do. When you see that list of various agencies that must somehow weigh in, you only deepen our skepticism that any deadline you gave in any case would be credible.

So in place of a deadline, Admiral Stone, could I ask that you submit to the Chairman within the next 30 days an official whose responsibility it is to shepherd the regulations through the various agencies that have some responsibility? Would you commit to doing that, please, give us the name of a person to whom we can relate, so that we can be assured that the matter is going forward, and the indignation you have heard here won't bubble up again, because we just don't even know who to talk to?

Admiral STONE. Yes, ma'am, I'll do that. And I also want to make sure that I reiterate that I will be responsible to the Chairman on how TSA is performing its job of briefing the plan and what the status of that plan is.

Ms. NORTON. Yes, sir, but we understand you're the head of the agency. We just want a delegated official who can say, where are you now, have you moved from the Secret Service to the FBI, are you putting them on a time—they all have a lot of things to do. We're not critical of the fact—we created the Homeland Security Department. We know you have to go through these things. But we've got to go through them at this late date with all deliberate speed.

One more question, I see my time is gone for this round. How have you gone about assuring that the waived aircraft—how many is that, 144?

Admiral STONE. A hundred and forty-six flights from January of 2003 to present.

Ms. NORTON. How have you gone about assuring that the 146 flights that have been waived in have been in fact secure in every way? Have they have hardened cockpits? Has each and every person on the plane been verified to have been FBI fingerprinted? And have other similar safeguards been afforded for all 146 of those waived flights?

Admiral STONE. The requirement is that they have law enforcement, armed law enforcement on board for those waived flights,

and that TSA runs the no-fly and selectee as well as the NCIC check on the passengers that are on those flights, the national crime information center check on those waived flights.

Ms. NORTON. Which means you've gone through the FBI check?

Admiral STONE. It means we've gone through the—well, the FBI check, whatever that consists of under the NCIC, national crime information center. That's correct.

Ms. NORTON. And the watch list?

Admiral STONE. And our own no-fly and selectee lists. Our watch at the transportation security operations center would run those names through that before those flights.

Ms. NORTON. But the cockpits are as they were, for example?

Admiral STONE. You're right, ma'am, there are no hardened doors on that, and the requirement is to have armed law enforcement on board for those waivers.

Ms. NORTON. In place of the doors.

Admiral STONE. Yes.

Ms. NORTON. I see my time is out. If I may have another period after everyone has gotten an opportunity, Mr. Chairman.

Mr. MICA. I thank the gentlelady.

Mr. Boozman.

Mr. BOOZMAN. Thank you, Admiral Stone, for being here. Again, I do appreciate the job that Homeland Security is doing. We have tremendous respect for Secretary Ridge.

One thing I would like to know as a result of this meeting is, I really don't think it's to much for us as a Committee to ask—who's going to make this decision?

You mentioned an inter-departmental meeting. You're a pretty important guy in the agency, but we really didn't get an answer as to who it was going to be there. My question is who do you think is going to be there?

Admiral STONE. The senior leadership from the Border and Transportation Security Directorate, which TSA is a part of.

Mr. BOOZMAN. Which would be who?

Admiral STONE. I'll have to find out who they plan on supplying on that, sir, and get back to you on that. We know that the Secretary, Secretary Ridge is required to have this Department provide this plan. So I'm very comfortable and understand that this will be receiving the highest level of attention at the Department, and intend to make sure that we have a representative there.

Mr. BOOZMAN. You're going to have the meeting in a couple of weeks. So, fairly shortly we're going to find out who's going to be there, if it's going to be in two weeks. I would really appreciate it if you would let the Committee know who's going to be there.

The other thing is, once the interdepartmental meeting takes place and the information is gathered, who ultimately makes this decision? Does Secretary Ridge make it?

Admiral STONE. The interagency process will then take place between the Department and other interested parties that are in my written testimony. And then at that point, the Secretary has to approve of this plan and promulgate that from the Department.

Mr. BOOZMAN. So will other agencies, the FBI and the Secret Service, have a role in the decision making process, or will they just submit information to this interdepartmental group?

Admiral STONE. It's my understanding that other agencies will have a role as part of that interagency process on their thoughts on the risks associated with that, and that's all part of that process, yes, sir.

Mr. BOOZMAN. Okay. Well, again, I'd really appreciate it if the meeting is going to be in the next couple of weeks, to know who's going to participate. Thank you.

Admiral STONE. Thank you, sir.

Mr. MICA. Mr. Boswell and then Mr. Hayes.

Mr. BOSWELL. Thank you very much. I appreciate the opportunity to be here today. I'm sorry I was late. It couldn't be helped.

I have a couple of questions, they'll just be short, and I'll come back for the next round, too. But I guess I'll go to Mr. Boyer. Is there documented evidence about DM ADIZ violations that have been intentional?

Mr. BOYER. Yes. There have really no intentional violations, they have been unintentional violations, a significant number. I might add that the FAA is spending most of their legal time assigning a lawyer to each one of these inadvertent cases. It's almost like we are spending Government's money to prosecute the jaywalkers when a bank's being robbed down the street.

Mr. BOSWELL. I think that's clear. Tell me, what would you recommend for a solution to this dilemma we've got here?

Mr. BOYER. I think you're hearing from Admiral Stone and others the same thing many of us on the panel have heard for the last 27 months when we address issues like the ADIZ, when we address issues like the Presidential movement TFRs, and other air space restrictions, not necessarily the fault of Admiral Stone or the TSA or his predecessors. But this who is really in charge question is critical for all of us. We are action kind of people for our constituents. You are, too. We're in the same boat.

But we can't put our finger either on who could we go to, who can we have our members write to, who can we have our members write to, who can we have our CEOs address that's going to make a decision.

Mr. BOSWELL. Thank you. Mr. Coyne, do you think that general aviation is at least as secure as airlines?

Mr. COYNE. I think there is no doubt that thousands and thousands of general aviation airplanes can fly into National Airport with a higher level of safety than are currently met by the airlines. That's not to say that there not might be an airplane somewhere far removed that could become a terrorist action.

But there is no doubt that we are smart enough to come up with a set of procedures to allow virtually every single GA pilot who wants to get into National to be vetted properly and to be confidently, just like we want to let people come and work in the White House or people that we want to come visit the Capitol. We have thousands of examples where we let people in our country do things that citizens in our country want to do. And the only thing we don't let them do is fly an airplane into this area.

I think there's no doubt that we can do it. But what we are dealing with here is not just a difficult decision making challenge in the bureaucracy, we're dealing with bureaucratic non-feasance.

Mr. BOSWELL. We're agreeing with what you said so far. Let's just go to that. What do you think is the delay? What's holding this up?

Mr. COYNE. It fundamentally boils down to that when TSA takes their proposals, when DOT took the proposal. When we got the message on July 19th, 2002 that DOT's proposal to reopen was vetoed, that's essentially what was done, it was vetoed by people in the Administration, this is before DHS even existed, we said, who vetoed it? Who turned down the proposal of the Secretary of Transportation? That's pretty high up in our Government.

He said he wanted it reopened, and on July 19th, he called us into his office, and we sat with what I call the four ghosts. We sat with four officials who wouldn't really identify or—before we met with them in the room, we had to sign a piece of paper that said we would not reveal the names of anybody we met. Seriously. We were in that room together.

And these four ghosts essentially told us that they had vetoed the Secretary of Transportation's proposal. We asked them why, they would not give us an answer. The only thing they would say is, we know that Al Qaeda realizes that the airplane has been invented. And we know that they know there are targets in Washington, D.C. That's the limit of what they said.

So we who are trying to affect, to petition our Government, we're like battling with ghosts. They will not respond to us, they will not present their rebuttals. And they all, in a bureaucratic sense, in their own minds, say well, I think I'm better off if I just say no. Because my fingerprints won't be on this decision.

So each of these people have every incentive, since they're "security professionals," each of them, to say no in the event that some God-forsaken reason there might be a catastrophe they don't want their fingerprints on it. And there's nobody to whom we can go and seek justice except you folks. That's why we're here today.

Mr. BOSWELL. Thank you. I see my time is up. Maybe I can get another round.

Mr. MICA. Thank you. Mr. Hayes.

Mr. HAYES. Thank you, Mr. Chairman.

Mr. Stone, you don't have to take the fall for this by yourself. Has that become apparent to you?

[Laughter.]

Mr. HAYES. To whom do we address the question, how do we identify the ghosts to find out who is responsible, to whom do we address our letter, that we haven't been sending to the right person?

Admiral STONE. In fairness to the issue of assessments and intelligence, TSA's intelligence as well and our threat assessments I believe correspond very well with those that historically have said the threat is too great.

Mr. HAYES. I'm going to talk about that in a minute. Do we need to formally ask Secretary Ridge who's responsible for this decision? Do we need to formally write a letter to Tom Ridge and say, who's responsible for this?

Admiral STONE. The decision back in the past on why it's not been—

Mr. HAYES. No decision, right.

Admiral STONE. My understanding is that's based on threat and where that resides in a classified forum, I'd be happy to discuss that further, sir.

Mr. HAYES. Okay, I've been in a very classified forum with identified people and offered services for everybody and they said, great, we'll follow up, never happened. Is there any lack of cooperation, information, ideas from any of the people on the panel, on the committee that you all are not getting?

Admiral STONE. No, the partnership with the folks that are on this panel I think is superb with TSA.

Mr. HAYES. All right. And again, I'm sorry to keep beating up on you here, but there's a couple real ironies here. If this is the threat, if this whole sheet of paper is the threat, then that's general aviation's part of the threat. But we have manufactured an entire unnamed group of people to focus on that pinpoint. And it makes no sense. If a terrorist were going to attack anything here, he would not land at College Park, Potomac, Washington Exec, Dulles in order to have lunch, fuel up his plane and then carry on his attack. This is a big world. Planes are flying around as we speak with nothing to do with the threat on Washington, D.C. and what's happening and where these people are landing. Zero.

And Mr. Bennett, just a quick aside, I went to Manassas because of the congestion problem, Dulles, I'll go there if the traffic's bad as well. But this makes no sense.

Admiral STONE. I think when we have a discussion about the operational issues of, when you have no general aviation aircraft in your air picture, does that significantly reduce the threat, do you have better situational awareness of what's out there, do you have better certainty on known aircraft versus unknown aircraft? When you go down that list of risk mitigation options and whether or not having general aviation there, I think from an operational perspective one would say, well, certainly that's reduced risk. You don't have the numbers of aircraft and the degree of uncertainty.

But the question that we're addressing here is, can a risk mitigation plan be developed to reduce that risk, so that you can have the flow of commerce and the industry here? And our position is, we've gotten those inputs and we're presenting a plan here in two weeks that we think addresses those concerns. And then we'll take a look and see how that threat is.

Mr. HAYES. What's the actual date certain of this two week meeting?

Admiral STONE. I'll find out exactly during that week what that date is, sir, and provide it to the Committee.

Mr. HAYES. And the date certain after which we will hear from you?

Admiral STONE. Sir, I will make a report following that meeting on the status of how that went.

Mr. HAYES. I appreciate it. Again, sorry you didn't bring the ghosts with you. Thank you, Mr. Chairman.

Mr. MICA. Thank you. I think we've covered all the members on our panel. We'll yield now to the gentleman from Virginia, Mr. Moran.

Mr. MORAN. Thank you very much, Mr. Chairman.

My first questions are actually directed at you. I want to start off by saying that some of us are very much aware of exactly how and why National Airport was opened up to traditional commercial traffic, and I want to thank you, Mr. Chairman, publicly for the instrumental role that you played in achieving that result. Had it been up to the Secret Service, we would still have an airport dead here, and our economy would be crippled. I think we need the same kind of leadership again. And I think this hearing is a step in that direction.

Admiral Stone, you've been very nice, and I appreciate the fact that you're nodding your head and so on. I think they sent you up here because you just came on board and so that you don't have to accept any responsibility for what happened in the past. They know what a nice guy you are, and you're articulate and affable.

But I don't think that you're going to play much of a role in getting this opened unless you really take a hard stance on this. I think what's going to happen is, you're going to have all the meetings that you've talked about here and get all these people together at the Department of Homeland Security and Secret Service is sitting back and just waiting to trump whatever recommendation comes out of the Department of Homeland Security.

Now, I think that's what happened last time. I think you had all these security precautions prepared, you were ready to go, and then probably Secret Service decided at the last minute, the heck with it, the economy's not our problem, we're not going to let them open. So I hope we don't just reinvent the wheel again.

So let me go back to the Chairman. Mr. Chairman, am I correct that the Committee has the authority to subpoena the Secret Service to compel them to testify?

Mr. MICA. I'd have to defer to counsel, really, to find out whether we have that authority. Of course, we can vote to subpoena anyone. I'm not sure of all the rules as far as compliance.

Mr. MORAN. It might be an interesting thing to find out, even to let Secret Service know that the Committee was contemplating doing that.

Let me ask former Congressman Coyne and Ms. Haskins, and great testimony there, as the rest of the panel did, you were great, too, Admiral Stone. But you didn't tell us what we wanted to hear. So we're not all that appreciative. But you did a nice job for what you had to do.

[Laughter.]

Mr. MORAN. I'd like to find out, I'd like you to tell us again, what's the profile of the people we're talking about here? What would be the worst risk on general aviation of someone that might attempt to hurt the economy? Tell us honestly, what's the worst that could happen with the clientele that you're representing?

Mr. COYNE. I think in all honesty, sir, if the Secret Service was given the job of trying to find 100 of the most trustworthy people in America, around whom they could be sure that there would not be a security risk to our country, probably the best place to look would be looking to the people who flew into this airport in the 100 days prior to 9/11. Those men and women, those business leaders, those political leaders, those heads of state, those heads of universities, those celebrities of various stripes, I cannot think of a group

of people who would be more secure and who our country would be more confident about allowing these people to have access into this airport.

When you compare it to who goes on an airliner today, anybody can get on an airliner, even one coming into National Airport. Literally anybody, with almost total anonymity. We talk about the background checks and we talk about the driver's licenses and so forth, but the reality is, you can get on an airplane today really without, a commercial airplane without proving who you are, really. Yet for a private charter airplane, private business aviation, the people who have been coming into this airport for the last 20, 30 years, I don't think anyone has ever alleged that any of those people who come into National Airport and have private planes represent any kind of security risk at all.

Mr. MORAN. Thank you. I can see why they've chosen you to represent them.

Ms. Haskins, have you been asked to comply with any security precondition, any kind of screening procedure whatsoever that you would refuse to carry out, or that you think is impossible to accommodate within your operations?

Ms. HASKINS. Actually, we've been asked to accommodate several different types of security in several different cities. As you would expect, there are some cities, Chicago and Boston and New York that are fairly astute about what's going on in their city and concerned. We have accommodated every request of those cities. We worked in the spring of 2002 along with all of these industry groups with Department of Transportation to come up with the plan that was vetoed.

Signature Flight Support had agreed that we would perform all the duties that were included in that plan to the point where, as a matter of fact, the equipment was getting ready to be moved in, we painted for a grand opening and two days before the opening we were told we weren't opening.

Mr. MORAN. Let me just say, Mr. Chairman, as you know, virtually everything in life is a matter of seeking balance. This is a classic case in point where we have to find some balance between the economy, fairness to the business involved and reasonable security precautions. Right now, it's been imbalanced. The fact is that the security people in our Administration have trumped other considerations. We're asking that every consideration be weighed on its merits, and that the President ultimately make the decision of what's in the best interest of the country as a whole, looking at what this has done to the economy and particularly the ability of several companies to be able to even function and hire and retain employees.

It needs to go to the President. He needs to make that decision and he needs to decide in the same way that he decided to open commercial traffic at National Airport. Again, I thank you, Mr. Chairman, for holding this hearing.

Mr. MICA. Thank you.

We'll go to a quick second round here. Ms. Haskins, I saw the screening equipment pushed to one side as I came in. I know that this facility is closed for the most part, with very limited traffic.

But isn't that the same kind of screening equipment that's used on passengers that are leaving the commercial—

Ms. HASKINS. That's exactly right. At the time that it appeared in 2002 that we would reopen, we worked with the Metropolitan Washington Airports Authority who in fact was going to donate some equipment that wasn't being used right now, it's exactly the same equipment that's being used on the commercial side.

Mr. MICA. I know, we've met in private meetings, we've met in public meetings, we've talked about this, there are so many solutions that make so much common sense, we could have TSA screen the passengers, we get advance information, which has been stated here in an unprecedented amount about the individuals that are on the plane. We can track the plane from when it takes off, we can search the plane with TSA personnel even before it takes off. And we've got equipment that would detect explosives and other risks.

With all these, Admiral Stone, there's got to be a way. Really, the terrorists are winning and we're all losing. There were some people here in the audience that lost their job, that haven't worked since September 11th. There are a lot of folks that depended on this, not just the ones that were employed by Signature.

But there's a pyramid and domino effect by all that's happened here. They talk about the 3,000 jobs, and again thank you for bringing up the economic data. I'm sorry, the 3 million jobs that we've lost since September 11th. I venture to say that half of those I could relate right to the aviation industry, and some of them are still lost because the doors here are closed.

So I just, it's not something you have to respond to, but we've got to find a way. They can't close us down here in such an unfair manner. So I'm counting on you.

With that quick comment, let me see here, I've got a minute left. We'll take Mr. Ehlers and then we'll got to Ms. Norton again.

Mr. EHLERS. Just very briefly, Mr. Chairman. What I also don't want to see is a reopening with so many restrictions that it makes it virtually impossible for people to come in. And I know very well, someone who didn't want it to reopen could very well engineer a protocol that is so difficult to manage that they'll simply stay away. I don't want to see that either. I want a reasonable approach to this.

You mentioned you were planning to do risk calculations. I have some good physicist friends who are very good at risk calculations. So I'll be asking you for the numbers and I'll have them repeated just to make sure it's valid. Thank you.

Admiral STONE. Yes, sir.

Mr. MICA. Thank you. Ms. Norton.

Ms. NORTON. I thank the gentleman for his last comments about feasibility, and for Mr. Moran's comments about balance. Because the industry has apparently said they would do virtually anything. We know that this can be done in the same way it's been done with other industries.

Let me quickly get to a few questions that are important to us here. If I were to look for the vortex of the credibility problem that the agency seems to have, it would be this. The small planes take off from Dulles, from BWI, they take off from New York, from Chicago, from Boston. These are all places that had 9/11. Let me give

you Dulles for a second. In a calculated fashion, they didn't start at National, they started at Dulles and hit the Pentagon? Why did they do that? Probably because you could work up speed, if you wanted to do damage, from starting a little further off than from starting right here where you would probably do less damage.

So the irrationality of strict requirements, here while leaving every large city open to 9/11 consequences, some with high buildings, some with gorgeous targets, gives the Department a huge credibility problem. What is the difference between Chicago, Boston, between Dulles and D.C.? Why are planes flying in and out of there every day, and in New York they were flying right after 9/11? Make us understand what the difference is in terms of risk and danger.

Admiral STONE. Washington is unique in that as you well know, you can decapitate the political leadership of the United States here, and you can't do that in Boston or Chicago.

Ms. NORTON. And more easily, it seems to me, from Dulles, as the terrorists understood, which is why they started from Dulles and took out the Pentagon.

Admiral STONE. And these layers for approaching these critical targets to come from Dulles and other areas in here requires you now to go through these layers of defense, the ADIZ, the FRZ, in other words, we have a layered defense leading up to our political leadership and other high value targets here that, because of the proximity of Ronald Reagan National Airport to those targets, there's no time distance, there's no layers. You either get it right or there's no reaction time. That's why this plan needs to address those issues.

Ms. NORTON. It does need to address those issues. Mr. Stone, if I may say so, the reason we are secure today is largely because of what we've done on the ground. And we ask you to keep in mind that you are not going to secure this or any other airport unless you do it on the ground. If you did this on the ground just like you're doing it on the ground everywhere else, it seems to me that some of the layers you've been talking about would be taken care of.

Ms. Haskins, and perhaps Ms. Longmuir, particularly Ms. Haskins, let me ask you. I understand that this hangar, this airport was kept open, although nobody could fly in and out but elected officials or whoever TSA gave a waiver to. Is that true?

Ms. HASKINS. That's correct.

Ms. NORTON. This airport is open?

Ms. HASKINS. The airport is open. Our business is open. We're open under restricted hours. We are not 24 hours a day any more. And we handle just the aircraft that are Government or dignitaries.

Ms. NORTON. Who pays for the personnel? Does it pay for your operations, and does it pay for the cost of doing business here?

Ms. HASKINS. We got a new contract within the last six months with the Immigration and Customs Enforcement Agency. It took us to break even for the first time since 2001.

Ms. NORTON. Congratulations.

Ms. HASKINS. Thank you.

Ms. NORTON. Let me ask you this, Mr. Stone. I'm going to go down a list of restrictions and ask what you think of that list with respect to this airport. Suppose this airport had flights only from a limited number of airports, had hardened cockpits. Suppose they had ground security control at the airport from which the plane was coming. Suppose the FBI criminal history checks were in force.

Suppose there was passenger verification, including the watch list and all the things I asked you about before. Suppose there was baggage and cargo match of a kind we now do in transferring from one plane to the other. Suppose there was independent verification and validation at point of departure and point of landing.

Do you think those restrictions are of a kind and a type that would make general aviation at this airport secure enough to return?

Admiral STONE. Yes, ma'am, I think that's an excellent list of risk mitigation actions that reduce that risk, and then need to be scaleable to whatever the threat is, if we're orange or elevated yellow, then can be integrated into that. But I think that's a great representative list.

Ms. NORTON. Thank you. I can see we're getting somewhere, everyone.

Let me ask you this. Mr. Stone, we know about the regulations, we didn't get to see them, but there was testimony that there were regulations, they were withdrawn in May, I believe May 2002. Why were they withdrawn?

Admiral STONE. I don't know the reason for that, ma'am. I can try to find that out, but I do not know.

Ms. NORTON. I wish you would find out and let us know why. And let the Chairman know why.

Do you believe, you say we've got to get it right here. Let me tell you, as the representative for the District of Columbia, we went through this with the White House, first they closed down entirely, then we kept working with them and then they opened it to veterans and children, and now we've opened it, go right into the White House now, tourists can go right into the White House. So you see, I have hope that we can do this even for general aviation here.

But you sounded like you believed there should be zero risk here. You talked about the terrorists that could get hold of an aircraft. Well, of course, that's not true if you agree with the checklist I just went through. Terrorists couldn't get control of it within ADIZ, on the one hand, and certainly with the checklist I went through.

Do you believe there should be zero risk here?

Admiral STONE. No, ma'am.

Ms. NORTON. Or are we, like the rest of America, entitled to go on with our commerce even at some small risk?

Admiral STONE. No, ma'am, I don't believe it needs to be zero risk. And as others have stated here, this is a very unique location, we just need to make sure we match up the risk mitigation actions with the threat.

Ms. NORTON. I must say, I just want to say, and I want to ask you, Mr. Stone, some of the business people here, I know Ms. Longmuir and Ms. Haskins, I think Mr. Coyne, have indicated to our staff some of the brain work they have themselves done. I know that in being on committees that regulate businesses, includ-

ing the Homeland Security Committee, I have never seen business propose plans which one, were so thorough, and two, place such harsh restrictions on themselves. Would you agree with both those statements?

Admiral STONE. I agree, and my comments about the unique partnership and the spirit of outreach that we have, that's going to be the key to success, is exactly that sort of effort, in partnering security with the actions that this group here has proposed.

Ms. NORTON. If I may, Mr. Chairman, just one more question. Mr. Boyer's testimony was very troubling to me. That chart about the controllers, do we have that chart again? I don't have any opinion, the first I'd heard about this ADIZ is really from your testimony. That's something I'd have to look at very closely, because it may be one of the tradeoffs. So I don't have any opinion on whether that should stay or go until I've looked much more closely at it.

What did bother me about your testimony was the increased burden on controllers. And that's really my question. We are very nervous in this area about controllers, because long before 9/11, we operated under very special conditions here because of the river, because of the airways themselves, where airplanes land.

So I need to know whether, Mr. Stone, given this new requirements, the ADIZ, whether the Department has done anything to accommodate the pressure that are already supposed to be very severe on controllers in this region, or are we adding to the pressures that controllers in this region, probably more than any other region in the United States already have, what are we doing to accommodate that and to keep from increasing or having an unintended consequence of an increasing risk because of the burden on controllers?

Admiral STONE. Yes, ma'am. I'll take that for an action item, that we need to find out what that pressure is and what's being done to alleviate those concerns.

Ms. NORTON. I thank you.

Mr. Chairman, if I may say so, the notion of what controllers would need to do if we opened up general aviation, for example, we know that we probably wouldn't have as many planes coming in here and the rest. But certainly, in light of the ADIZ, I would like to ask the Chairman to consider having a hearing on what controllers are expected to do in this region at this time, given heightened security.

I thank you, Mr. Chairman.

Mr. MICA. I thank the gentlelady. Mr. Boswell.

Mr. BOSWELL. Thank you, Mr. Chairman. I'll be short.

Again, I apologize for being late to everybody. I noticed walking in that Mr. Jim Coon was back there, the lead staffer on the Aviation Subcommittee. And many of us recall working with him, at least when I first joined the Committee, and he then was associated with Congressman Duncan. I found him to be knowledgeable and helpful to all of us, exemplifying the spirit of what surrounds our Committee. I just want to say, Mr. Chairman, well done. I welcome him back.

Mr. MICA. We all welcome him. Now that he's had the welcome, he needs to continue working.

[Laughter.]

Mr. BOSWELL. Well, keep him on the job. Knowing his history, he will.

Mr. Chairman, you didn't ask me to summarize, so I won't. So you can be relieved, but if you would, I think I can say this. Even arriving late, it's clear from what you've said, Mr. Chairman, what Mr. DeFazio said and every one of us, we're waiting for some action. And this hasn't been dealt with very quickly. We know it's serious, but we know how to do serious things.

So I would just hope that you listened also the last statement of Mr. Ehlers. Let's don't compound it with confusion. Let's be reasonable and let's have something that will work, and let's get to it. I personally would want to help any way I can.

Admiral STONE. Thank you, sir.

Mr. MICA. I thank the gentleman.

I thank all of the members who have come today. This is actually one of the best turnouts we've had for any of our hearings. I know it inconvenienced people to come back early, some folks had trouble even making connections to be here. And obviously there's a lot of public and industry interest in this.

I do want to say in closing a couple of things. First of all, if I don't get the ADIZ report that's required by Congress in a reasonable period of time, we will be having another hearing very soon. And if we don't get action on what's been requested and promised today, we'll have another hearing very soon. And we will have hearings until we get this resolved.

Some of you folks don't know much about me, I'm not the most powerful person in Congress, and I am not the smartest person, but I am a persistent bastard. And I was slightly sidetracked on this issue by the FAA reauthorization, then I had a little end run done on the pilots, and a couple of other issues that we only had to take on everybody from across the Potomac to across the Atlantic on. But we will find a way.

Incidentally, this is the law of the land. We put that in the bill. Now, some of us, there are Republicans and Democrats here, we argue on a lot of issues. But you heard Mr. Ehlers say that this is not one we're arguing on. And we may be a target, we may be a, how did you put it, Mr. Stone, that this is the seat of Government—

Admiral STONE. The symbol of freedom and democracy.

Mr. MICA. Yes, but I'm talking about the repository of our Government.

Admiral STONE. Yes.

Mr. MICA. And this is our Government, the people of the House of Representatives and sometimes it is difficult to get the Senate to agree on anything. But they agreed on this, and we put it into the law, and we want to find a way to get it done. It's sort of defiance against terrorists or anyone else who threatens us. And they may blow us up. I came back this week and I felt a little bit less secure, after I've seen what terrorists have done.

But we have made this determination, we have put it in law, and we expect the will of the people to be exercised. So somehow we're going to defy what has happened to us at the Pentagon, the World Trade Center and the fields of Pennsylvania, and we're going to get this facility open to general aviation one way or the other.

So with that, I appreciate everyone, I appreciate your patience, I appreciate your coming out on a lousy day, and we also will make part of the record, the request by Mr. Coyne and also Ms. Longmuir and any others who have information or data they would like to part of the official record of this hearing.

Mr. MORAN. Will the Chairman yield for just a moment?

Mr. MICA. Yes.

Mr. MORAN. Do you think it would be fair to say that if there isn't a response that the Chairman might consider bringing up the Secret Service to hear from them, either in closed—

Mr. MICA. We'll discuss that. But again, we will find a way, and we will prevail here, one way or the other. I appreciate your participation, Mr. Moran, and others.

There being no further business before the Subcommittee, this hearing is adjourned.

[Whereupon, at 4:15 p.m., the Subcommittee was adjourned, to reconvene at the call of the Chair.]

**Testimony of James E. Bennett  
President and Chief Executive Officer  
Metropolitan Washington Airports Authority**

**Before the Aviation Subcommittee  
of the  
House Transportation and Infrastructure Committee**

**March 16, 2004**

Chairman Mica, Delegate Norton, Congressman Moran, and members of the Aviation Subcommittee, on behalf of the Metropolitan Washington Airports Authority (Authority), I want to welcome you to Ronald Reagan Washington National Airport (Reagan National) and thank you for holding this hearing today. I am Jim Bennett, President and Chief Executive Officer of the Metropolitan Washington Airports Authority.

It seems appropriate that we have gathered here today in a facility that just three short years ago was a hub of business activity and commerce for the Washington region. Today, this facility remains fallow and the activity that once symbolized the importance of general aviation in our Nation's economy is no longer.

General Aviation has always been a part of the operational landscape and the fabric of this airport since President Roosevelt dedicated it in 1941. Up until the terrible events of 2001, general aviation was a very important component of air transportation to the Nation's capital. The Authority and the business and tourism industry of our region would very much welcome its return.

The impact on the Authority of this 917-day closure to general aviation has been significant. In the area of financial impacts, the Authority has realized a substantial loss of revenue from the restriction on general aviation. Prior to 9-11, general aviation activity at Reagan National generated the Authority approximately \$4 million per year in rent. Since this closure, our aggregate loss of revenue is approximately \$9.7 million. This does not include any lost landing fees or fuel charges. The air carriers operating at Reagan National have now assumed the full cost of operating the airfield, adding further to the increased cost air carriers have had to bare since 9-11. We calculate that the air carriers serving Reagan National have paid an additional \$2.5 million in fees to cover costs which would have been borne by general aviation users were they allowed to operate at the airport. While a substantial portion of general aviation activity has migrated to Washington Dulles International Airport (Dulles), we believe we have lost some of it to airports even further out from the metropolitan core to facilities in Baltimore, Leesburg, and Manassas.

The relocation of some of this general aviation activity to Dulles has impacted operations there, as well. As you recall from 2001, one of the arguments against permanently closing the entire airport was that the region's two other commercial airports – Dulles and Baltimore-Washington International – simply did not have the capacity to assume the commercial activity of a closed Reagan National. Well, that “capacity dynamic” is occurring at Dulles in general aviation. Today, both fixed base operators at Dulles -- Signature Flight Support and Hawthorne -- have extensive waiting lists for hangar space. In addition, we had to issue two separate Notices to Airmen (NOTAMs) over a year ago designating formerly active run-up blocks for two of our three runways as general aviation aircraft parking areas. That we are using up valuable taxiways and run-up blocks for general aviation parking is sufficient proof that we are running out of general aviation space at Dulles. We have delayed making permanent additions to our

general aviation infrastructure at Dulles due to the belief that general aviation belongs at Reagan National and upon its return, our overcrowding at Dulles will cease.

Finally, the return of general aviation to Reagan National should be considered an extremely important step to maintaining a link from the entire country to the Nation's capital. For 51 years, general aviation has brought the passengers and crews of Cessnas, Pipers, Learjets, Gulfstreams and countless other private aircraft right to the center of our democracy. They come to meet with Congress, our government, and industry. They come for pleasure, they come for work, and they really come every four years for the President's Inauguration. We should not let this very important and very special connection to commerce and government in our region cease to exist.

The Authority has always been aware of the security concerns associated with operating a major airport so close to the Nation's capital. As many people in this hangar can attest, being completely shut down for 22 long days in 2001 was extremely traumatic to the Authority and to our region. But just as we made a commitment to the Congress and to our entire Federal Government that we would do everything within our power to securely return commercial air service to Reagan National back in 2001, we make the same commitment today with respect to general aviation. The many groups here today representing general aviation have developed sophisticated programs that, if implemented, would allow the industry to securely return to flying at Reagan National. The Authority will work with these groups, Signature Flight Support, the Department of Homeland Security, the Transportation Security Administration, the Department of Transportation, the Federal Aviation Administration, the Secret Service, and others to ensure that this important component of our national and regional economy is restored.

For almost as long as we have had aviation in our country, the government has insisted that all public airports be open to all users. We think it is time that all users once again be allowed to operate at Reagan National and welcome your support for the return of general aviation. Chairman Mica, Delegate Norton, Congressman Moran, and members of the committee, I thank you again for holding this hearing today. I welcome any questions you may have.

**Statement of Edward M. Bolen  
President  
General Aviation Manufacturers Association**

**Before the Subcommittee on Aviation  
Committee on Transportation & Infrastructure  
U.S. House of Representatives**

**Hearing on Opening Reagan National Airport to General Aviation  
March 16, 2004**

Mr. Chairman, Ranking Member DeFazio, and members of the Subcommittee, my name is Edward M. Bolen and I am President of the General Aviation Manufacturers Association (GAMA). GAMA represents over 50 of the world's leading manufacturers of general aviation airplanes, engines, avionics and component parts.

**Two Responses to September 11<sup>th</sup>**

The government's response to the September 11, 2001 attacks on America was to immediately ground all non-military airplanes. It was not a sophisticated approach to securing our nation's airways but it was effective. And given the circumstances, it was appropriate.

However, even before the last airplane landed it was clear that simply keeping the airplanes on the ground was not a reasonable security solution. Air transportation was simply too fundamental to our way of life, our values, and our economy for terrorists to be allowed to destroy it. As a country, we understood intuitively the need for a more sophisticated approach to security than grounding airplanes and closing airports.

Within two days of the 9-11 attacks commercial airline service was being restored everywhere except Reagan National Airport. But even Reagan, with its unique location and security sensitivity, would open for airline service less than three weeks later.

The federal government's determination to find workable security solutions was the key to the prompt restoration of commercial service. Some of the first security solutions implemented, such as the elimination of curbside

baggage check-in, were rudimentary. But everyone understood that it was important to get the planes flying and that more appropriate security solutions would evolve over time.

Airline security has indeed evolved from the early days following the terrorist attacks. That evolution is evident today with development of the CAPPS II project and the Registered Traveler Program. All of the evidence to date shows the federal government is truly committed to finding ever more effective ways of meeting the dual goals of enhancing commercial airline security AND facilitating commercial air travel.

Unfortunately, that same level of federal commitment cannot be found when it comes to general aviation operations near our nation's capital. For this part of our nation's transportation system, the federal government still views closed airports and grounded airplanes as an acceptable security measure.

How else could one explain the fact that it took the federal government less than three weeks to develop security procedures for reopening Reagan to commercial airlines but has gone nearly three years without developing equivalent procedures for general aviation?

Mr. Chairman, the fact is that our nation's security organizations have not failed to find a workable solution that will bring general aviation back to Reagan -- it is that they have failed to even try.

Surely, if the federal government can find a way to allow thousands of airline passengers to securely fly into and out of Reagan, it can find a way to let a Congressional Medal of Honor winner fly his own airplane into Reagan. Surely it can find a way for a company working with the Department of Defense on our nation's most classified programs to fly its own plane into Reagan to visit the Pentagon.

#### **Spring 2002 Failed Takeoff**

Two years ago, we thought we had a solution for general aviation at Reagan. We were working with the Department of Transportation in the spring of 2002 to develop appropriate procedures and were told that the airport would reopen by June 1.

These procedures were based on sound operating and security principles. They included:

- The vetting and certification of flight deck crewmembers;
- Advance clearance of passenger manifests by the Transportation Security Administration (TSA);
- Screening of passengers and accessible property;
- Securing and physical inspection of aircraft, and;
- Compliance with Reagan National Airport Air Traffic Control special flight procedures.

After a public commitment to open the airport by June 1, we were told the date had slipped to July 1. Then we were told Labor Day. Obviously, the airport still has not reopened.

#### **General Aviation Security Today**

In the meantime, general aviation has been doing all it can to promote the security of our industry. As you know, both industry and the federal government have taken numerous actions related to aviation security. Some of these actions include:

**Advanced Screening of Pilot Databases.** Regulations adopted by the FAA and the TSA on January 24, 2003, permit the immediate suspension, revocation or refusal to issue an airmen certificate to anyone that the TSA has determined poses a threat to transportation security. This is based on TSA information as well as that provided by other security agencies.

**Requirement to Carry Photo ID.** An FAA requirement, adopted in October 2002 at the request of industry, requires a pilot to carry government-issued photo identification along with their pilot certificate when operating an aircraft.

**Background Checks for Flight Training.** A federal requirement mandates that the U.S. Department of Justice conduct a comprehensive background check for all non-U.S. citizens seeking flight training in aircraft weighing more than 12,500 pounds. Legislation moving these background checks to the TSA and expanding this requirement to include notification to the federal government of all foreign nationals seeking pilot training regardless of

aircraft weight was adopted in the final version of *Vision 100 – the Century of Aviation Reauthorization Act*.

**The “Twelve-Five” and Private Charter Security Rules.** These security programs were established on April 1, 2003 as new requirements for non-scheduled commercial operators. They require stringent security procedures for our nation’s largest GA aircraft being used in charter operations.

**Nationwide Airport Watch Program.** In December 2002, the TSA, in conjunction with the Airport Owners and Pilots Association (AOPA), implemented an Airport Watch program, including a hotline (1-866-GA-SECURE), which is operated 24/7 by the National Response Center. The program, which is managed by the U.S. Department of Homeland Security, allows anyone to report suspicious aviation activity to a trained and capable central command structure.

**Foreign Registered Aircraft Entering the US.** Before they are allowed to enter the United States, foreign registered general aviation aircraft must provide a complete passenger manifest and be approved by the TSA.

**Suspicious Aircraft Sales and Financial Transactions.** GAMA, in conjunction with the U.S. Department of the Treasury, developed guidelines and procedures that manufacturers and other aircraft sellers can use today to help detect attempted money laundering, confirm the identity of aircraft purchasers, and report suspicious financial transactions.

**The TSA Access Certificate Program.** In cooperation with the National Business Aviation Association (NBAA), TSA has developed and tested a security protocol for general aviation operators based at three airports: Teterboro and Morristown airports in New Jersey and White Plains airport in New York. Once an aircraft operator and crewmembers have completed appropriate training, adopted new security procedures, and met the other requirements of the program, they can apply for a TSA Access Certificate (TSAAC). Once issued, the TSAAC allows operators to operate internationally without each flight getting individual security approval, as is currently needed when entering US airspace from most foreign countries. The TSA is considering expanding the TSAAC nationwide and allowing TSAAC holders to fly through areas with temporary flight restrictions (TFRs), just as airlines do.

**Why is it Important for Reagan to Reopen to General Aviation?**

First, it is important for symbolic reasons. Terrorists should not be allowed to succeed in closing the airport. When President Bush spoke about reopening Reagan to commercial aviation, he said “by opening this airport, we’re making yet another statement to the terrorists: You can’t win.” I believe that as long as general aviation is denied access to Reagan, the terrorists have won.

Second, the ban on general aviation creates in the public’s mind the erroneous impression that general aviation is somehow inherently dangerous. Some cities and even private companies have requested bans on general aviation overflights even though the TSA indicated it had no specific threat that justified a ban. The continued closure of Reagan to general aviation simply feeds the public campaign some groups have made against the entire general aviation industry.

Third, general aviation is the foundation of our nation’s air transportation system, not some separate and disconnected segment whose long-term health has no bearing on the rest of the industry. Today, nearly 70 percent of the nation’s commercial airline pilots start their career and training in general aviation. General aviation airports help ease congestion at hub airports, provide the only means of access to the nation’s air transportation system for many small communities, bringing them one of the keys to economic development. We should nurture general aviation and recognize it as an important nation resource, not abandon and neglect it.

In asking for the reopening of Reagan to general aviation, we certainly agree that it is a unique airport. Commercial airlines are required to do things at Reagan they are not required to do anywhere else. That is the way it should be. Reagan is not like Teterboro, NJ, Midway in downtown Chicago, or any other airport in the United States. The security requirements necessary to open Reagan to general aviation do not need to be replicated anywhere else in the nation. But they must be implemented at Reagan.

**The Proliferation of TFRs**

Mr. Chairman, as concerned as we are about restoring access to Reagan, we are equally as concerned about the proliferation of TFRs. TFRs are often developed at the last minute with dubious justification. If they continue to

proliferate, TFRs could be the single largest long-term constraint to air commerce ever imposed on our air transportation system.

All commercial airlines fly through TFRs—not just those meeting the additional requirements for access to Reagan. Surely we can find a way for properly qualified general aviation pilots, such as those holding a TSAAC, to also fly through TFRs. Our nation's security apparatus must tell us what needs to be done to allow general aviation access to TFRs. We are prepared to institute security procedures to mitigate any of their concerns.

But like the issue of access to Reagan, some parts of the security apparatus refuse to tell us their concerns. We are often unsure what part of the security apparatus is concerned. Until they do so, we are stuck with the status quo and no future resolution of the TFR issue. The general aviation community and some parts of the security apparatus continue to develop, implement and refine appropriate security procedures. But we can only go so far while an unidentified part of the security apparatus, which seems to have the final veto, is not at the table and refuses to even talk.

#### **What We Need Today**

Mr. Chairman, it is time for the federal government to advance in its treatment of general aviation security. Continuing to ban general aviation from certain airports and airspace nearly three years after the attacks is unacceptable.

General aviation, including business aviation, is ready to institute specific and unique security procedures needed to again fly into Reagan. Currently, federal security and intelligence agencies simply will not tell us what is needed. This is unacceptable. Security organizations must tell us what is needed to access Reagan, and then work with industry to develop procedures that meet their security requirements.

We need your help in securing the political will to make this a reality. We need the federal government to commit to the dual goals of enhancing general aviation security AND facilitating general aviation operations. There is no reason this can't be accomplished.

**Conclusion**

Mr. Chairman, thank you again for not only holding this hearing, but also for holding this hearing at the very location most devastated by the failure to find a workable solution to general aviation security and access. We need the leadership of this subcommittee to ensure that the federal government fulfills its security responsibilities thoughtfully, objectively and in a manner that values the freedoms that have made the United States the country it is today.



**AIRCRAFT OWNERS AND PILOTS ASSOCIATION**

421 Aviation Way • Frederick, MD 21701-4798  
Telephone (301) 695-2000 • FAX (301) 695-2375  
www.aopa.org

---

Statement of Phil Boyer

President

Aircraft Owners and Pilots Association

*before the*

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
AVIATION SUBCOMMITTEE  
U.S. HOUSE OF REPRESENTATIVES

The Honorable John L. Mica, Chairman  
The Honorable Peter A. DeFazio, Ranking Member

*concerning*

**Opening Reagan National Airport To  
General Aviation**

March 16, 2004

Good afternoon, my name is Phil Boyer, and I am President of the Aircraft Owners and Pilots Association. AOPA represents over 400,000 pilots and airplane owners from across the country. Our objective as an association is to promote the interests of those who contribute to our economy by utilizing general aviation aircraft to fulfill their business and personal transportation needs. More than half of all pilots in the United States are members of AOPA, making it the world's largest pilot organization.

I would first like to thank the Chairman for holding this hearing today. This hearing provides an excellent opportunity to review the security enhancements that have been made and to work towards fully restoring general aviation access to all airports.

Any discussion involving the opening of the Washington, DC's National Airport to general aviation should also include fully reopening the three other local general aviation airports in the DC area. An important step for many AOPA members is rescinding the Air Defense Identification Zone.

The tragic events of September 11, 2001, scarred the nation in many ways. However, we are a nation filled with the resolve to heal our wounds, move forward, and continue to be a beacon of freedom and democracy. Unfortunately one of the scars that has yet to heal is the health of general aviation around the nation's Capitol.

Immediately following the September 11 attacks, all airspace was restricted and planes were grounded from coast to coast. Slowly but surely, those restrictions were lifted, new security measures were developed, and aviation operations began to return to what has been called the "new normal" way of operating.

These new security measures include extensive background checks on pilots by the Department of Homeland Security. In addition, new restrictions were put in place on foreign pilots and non-U.S. citizens seeking flight training. With these new security requirements in place, general aviation across the country began to recover (see attachment for complete list of federal aviation industry actions on general aviation security).

However, for those general aviation pilots in the Washington, DC, metro area, things have not returned to normal and even with greatly improved security procedures, several facilities, including Ronald Reagan National Airport and the airspace in the National Capitol Area, have essentially been closed or access limited.

#### **NATIONAL CAPITOL AREA AIRSPACE SECURITY RESTRICTIONS ON GENERAL AVIATION**

Shortly after the 9/11 attacks, the FAA established a 15-mile radius, no-fly zone that extends from ground level to 18,000 feet around Washington, DC, drastically limiting operations at College Park and Potomac Airports, as well as Hyde Field in Maryland. No general aviation aircraft may operate to or from these airports, referred to as the "DC-3", unless the aircraft was based at the airport prior to 9/11 AND the pilot has undergone FBI fingerprinting and criminal history record check. This means that all three general aviation airports have been closed to all but the original 300 based aircraft since 9/11.

This was deemed to be sufficient from September 11, 2001 until February 2003. This was due in part to the large Washington, DC, Class B airspace area over the Capitol region that requires all aircraft contact air traffic and obtain a clearance to enter the airspace. Additionally, all aircraft operating in the Class B airspace must remain under positive ATC control.

AOPA contends that this Class B airspace provides a positive identification area that, when combined with the SFAR no-fly zone, gives Washington, DC, a significant amount of airspace protection.

However, in early February 2003, the general aviation community was told by the Transportation Security Administration (TSA) that a Washington, DC, Air Defense Identification Zone (ADIZ) would be established as a temporary security measure in response to an increase to the National Threat Level Alert Status and the pending hostilities in Iraq.

The ADIZ restricts general aviation access to airspace under 18,000 feet in roughly a 15 to 38-mile radius around Washington, DC, and extends security measures outside of the pre-existing 15-mile no-fly zone around Washington. The ADIZ and pre-existing no-fly zone covers 19 public-use airports, over 10,000 pilots, 2,655 aircraft, accounting for over 1 million operations per year.

To fly in the ADIZ, all general aviation aircraft must comply with operational procedures similar to those designed for instrument flying. Specifically, pilots must file either an ADIZ flight plan or an instrument flight plan, maintain two-way radio communication, use a transponder with an assigned discrete beacon code, and follow standard air traffic procedures before entering the ADIZ. These requirements have overloaded the Washington area ATC system and pilots continue to experience extreme difficulties in gaining access to the 19 public-use airports in the ADIZ.

The Air Traffic system was not designed to support the increased workload caused by imposing these operational requirements and the FAA does not have the resources in place to effectively manage, for extended periods of time, the volume of general aviation traffic requiring access.

In the months following the ADIZ implementation, the federal government subsequently decreased the National Threat Level Alert Status to Yellow, and the President declared an end to the major fighting in Iraq. The federal government has taken steps to eliminate all the heightened security measures related to the Code Orange, except for the ADIZ in Washington, DC.

An ADIZ over New York City, NY, was eliminated, as was a temporary flight restriction (TFR) over downtown Chicago, IL, when the threat level was lowered. AOPA believes it necessarily follows that the Washington, DC, ADIZ should also be rescinded.

The Washington, DC, ADIZ is not operationally viable and has placed significant financial and operational hardships on general aviation businesses and operators who are based within the airspace and creates a potential air safety problem for aircraft forced to loiter and circle outside of the ADIZ while attempting to gain ATC permission to enter.

### **AOPA's EFFORTS TO EDUCATE PILOTS ON THE ADIZ OPERATIONS**

As the ADIZ was implemented, AOPA began working immediately to educate pilots on the procedures in this new airspace. Within 24 hours of publication of the Notice to Airmen (NOTAM) establishing the ADIZ, AOPA created multiple online resources such as the ADIZ Graphical depiction, a list of Frequently Asked Questions, and a plain language version of the NOTAM to aid pilots in navigating in and around this complex airspace area. AOPA also began immediately working with the FAA and the TSA to clarify NOTAM discrepancies, which resulted in a revised NOTAM.

As it became apparent that the ADIZ was not being eliminated after the threat level was reduced, AOPA developed and implemented ADIZ educational tools for that purpose. The Association developed an online ADIZ course that walks pilots through the requirements for operating in or transitioning through the ADIZ. In addition, the AOPA Air Safety Foundation completely redesigned its airspace education program, "Know Before You Go" to include both ADIZ and other security TFR operations. Additionally, AOPA reminds pilots at every opportunity that it is their obligation to know and understand the airspace through which they're flying.

These efforts were recognized last week by the FAA's Baltimore Flight Standards District Office that awarded AOPA's efforts with the Flight Standards "Good Friend Award". This award recognizes the outstanding job AOPA has done by taking a proactive leadership role in disseminating information on the ADIZ and other flight restrictions to the nation's pilot population.

AOPA has also initiated an Airport Watch program. This is a nationwide aviation watch system using the nation's 650,000 pilots that is supported by the TSA centralized toll-free hotline and system for reporting and acting on information provided by general aviation pilots and other individuals at airports. The Airport Watch program includes warning signs for airports, informational literature, and training videotape to educate pilots and airport employees as to how security of their airports and aircraft can be enhanced.

### **AIRSPACE RESTRICTIONS NEGATIVELY AFFECT SAFETY AND DAMAGE SMALL BUSINESSES**

Operationally, the ADIZ has been a disaster affecting pilots and the businesses that employ people in the Washington, DC, area. With the ADIZ in place, the limited resources of the government and limited airspace have created unnecessary safety risks for both general aviation and commercial flights.

There are safety implications of forcing aircraft to circle and loiter over common points while they try and get permission to enter the ADIZ. Last summer, one pilot faced an unexpected delay to enter the ADIZ and made a forced landing. Thankfully no one was seriously injured, but the aircraft sustained extensive damage. With the summer looming and the expected increase in air traffic, this problem will persist.

Not only are we hearing from pilots on the safety concerns, air traffic controllers have also relayed significant safety concerns. In the past month, the first Near Mid-Air Collision occurred within the ADIZ. This only exacerbates the controller's frustration and concern with providing any services to general aviation traffic because of the ADIZ.

In flight, pilots attempting to enter the ADIZ face lengthy hold times and in many cases are denied service. Contacting ATC via landlines has led to delays that ranged from 10 minutes to over 2 hours because of the ADIZ. Likewise, pilots attempting to obtain discrete codes via clearance delivery on the ground also experienced delays of up to 45 minutes while holding at the runway threshold with the engine running.

The complexities of the system and difficulties in obtaining clearances and filing flight plans has led to a decrease in flight activity directly affecting aviation businesses. At Tipton Airport between 30 to 60 minutes is added to the length of each flight because of the ADIZ procedures.

Fuel sales, an economic mainstay, are reported down at most airports. Loss of based aircraft and transient traffic as well as a decline in flying by remaining pilots has led to the closing of businesses adding to the decrease in revenues for impacted airports and the loss of jobs. This is important because these general aviation operations generate almost \$123 million in economic activity annually. However, across the board, airport businesses report a drop in business between 30 and 50 percent.

Several examples tell a clear story of the lingering impacts of the current restrictions. Freeway Airport reports fuel sales have decreased by 35 percent and Maryland Airport reports fuel sales down by at least 60 percent. Washington Exec/Hyde Field sells as much fuel in a month as they once did in a weekend. Montgomery County Airpark reports having 30 vacant hard surface aircraft tie downs currently available. Prior to 9/11 and the ADIZ, they had a waiting list for all tie downs including ones located on the grass. Perhaps the most vivid examples come from pilots fearing an ADIZ violation. Even experienced pilots with excellent histories have stopped flying, fearing legal actions or worse for an inadvertent ADIZ violation.

#### **AOPA CALLS FOR ADIZ CHANGES**

Based on information provided by pilots and FAA air traffic controllers shortly after the ADIZ went into effect, AOPA developed a comprehensive set of recommendations for improvements to the ADIZ. While continuing to press for elimination of the ADIZ, the Association sent the recommendations to the FAA and the TSA in mid-March of 2003.

These recommendations were developed after discussions with security officials responsible for the National Capitol Area. AOPA's recommendations ensure the concept of knowing the "intent" of aircraft that are operating within the ADIZ, provide surveillance operations with tracking information, reduce the workload on pilots and controllers, and address technical problems with running out of discrete transponder codes.

AOPA has also strongly encouraged the FAA and the TSA to allow the use of the Direct User Access Terminal (DUAT) system for filing ADIZ flight plans. This is an automated system that would provide an equivalent level of security for filing a flight plan and ease the overload on the flight service system.

As a result of AOPA's continued advocacy, several small operational improvements have been implemented in the ADIZ. Following a 60-day test of several of AOPA's recommended operational improvements, the FAA and the TSA implemented them permanently in January 2004. These small improvements include special ingress and egress procedures for Bay Bridge and Kentmorr airports on the eastern fringe of the ADIZ in conjunction with discrete, airport specific transponder codes to allow airspace users to access both airports.

In addition, egress procedures were developed at 12 other fringe airports around the ADIZ to allow for ease when exiting the ADIZ from those airports. The FAA and the TSA also eliminated the flight plan requirement for closed pattern operations at two airports in the ADIZ (Manassas and Martin State). Aircraft at these airports must be in contact with the aircraft traffic control tower, squawk a discrete transponder code, and may not depart the traffic pattern.

While these changes are helpful, they offer little improvements in day-to-day operational problems facing pilots in the area. Members of this subcommittee acted by approving Section 823 of Public Law 108-176 Vision 100 – Century of Aviation Reauthorization Act. This requires that the FAA provide Congress with justification for the ADIZ within 30 days of enactment.

Unfortunately, the FAA has not provided this required report to Congress. Additionally, the law requires that the FAA provide a description of improvements to the current operational procedures that hamper general aviation access to the ADIZ. This requirement has also not been addressed.

#### **GENERAL AVIATION ACCESS TO AIRPORTS IN THE NATIONAL CAPITOL AREA**

Airports restricted in the DC area include DCA, which is closed to general aviation, College Park Airport (CGS) – in College Park, Maryland, Potomac Airfield (VKX) – near Fort Washington, Maryland, and Hyde Field (W32) – just south of Andrews Air Force Base. The three smaller general aviation airports have been reopened to locally based aircraft, but remain closed to aircraft originating from another airport.

Especially for College Park, the loss of traffic from general aviation aircraft using the airport as a transient facility has been devastating.

For many general aviation pilots flying lighter aircraft, College park was historically the general aviation airport for the nation's Capitol. Its location allowed pilots to fly in, access the Metro and the entire city. College Park has seen a 92 percent decrease in operations, a 60 percent decrease in based aircraft, and a 100 percent decrease in transient traffic (60 percent of pre-9/11 traffic was transient). The airport reports that two airport businesses have closed leading to the loss of an additional seven jobs. A multi-decade flying club based on the airport with upwards of 20 members has ceased operations. Gross revenue for the current year is down 54 percent from 2000.

The other two airports have also been hit hard as well. At Hyde Field, only 35 percent of the aircraft remain from pre 9/11 days. Potomac Airfield is down to 80-based aircraft, with job losses experienced by nearly every tenant at the Airfield.

While every airplane operator remaining at the DC-3 has gone through an extensive background check to remain at these locations, it is important to note that no new plane owners have even been allowed to go through the same process to locate their aircraft at one of these facilities.

#### **THE FUTURE OF GENERAL AVIATION IN THE NATIONAL CAPITOL AREA**

1. Rescind the Washington, DC, ADIZ.

The federal government has decreased the National Threat Level Alert Status to Yellow, President Bush has declared that the major fighting in Iraq has ended, and Operation Liberty Shield is winding down. It necessarily follows that the ADIZ should also be rescinded. Likewise, there are numerous security regulations and industry actions that have been put into place since 9/11 to address pilots and general aviation facilities.

Rescinding the ADIZ doesn't mean that the National Capitol Region is unprotected. In fact, there would remain in place, a Special Flight Rules Area that prohibits general aviation operations within a 15-mile radius of airspace around the nation's Capitol. This 15-mile "no-fly" zone has been in place since 9/11 and has proven to provide an appropriate level of airspace protection, without unnecessarily restricting general aviation commerce.

2. Restore access to all DC metro area airports.

National Airport remains a symbol of how we react to terrorists. Some access by general aviation should be allowed at this important airport. AOPA stands ready to work with all relevant security agencies and the Federal Aviation Administration, as well as elected officials to complete a plan to restore access to DCA.

It is also critically important to restore full access to the DC-3. College Park is the nation's oldest airport, built by the Wright's in 1909 to demonstrate their airplane to the U.S. Army. This airport, along with Hyde Field and Potomac Airpark, has been needlessly damaged long enough.

AOPA appreciates the opportunity to testify today before the committee and stands ready to work with all members to continue to improve security while promoting the public's access to all general aviation facilities.



### **General Aviation and Homeland Security**

**Government Actions.** Since September 11, 2001, the federal government has taken numerous actions related to aviation security. While the terrorist attacks of September 11<sup>th</sup> were not orchestrated using general aviation aircraft, the federal government nevertheless has taken actions directed at or that encompass general aviation operators. These federal actions include the following:



#### **Pilots**

- **Advanced Screening of Pilot Databases.** Regulations adopted by the FAA and the TSA on January 24, 2003, permit the immediate suspension, revocation, or refusal to issue an airman certificate to anyone that the TSA has determined poses a threat to transportation security. This is based on TSA information as well as that provided by other security agencies.
- **New Airman Certificate.** In July 2003, the Department of Transportation announced it would begin issuing a new, security-enhanced airman certificate. The new, difficult-to-counterfeit certificates will include a hologram and graphics printed on a plastic card and replace a paper-based document.
- **Requirement to Carry Photo ID.** An FAA requirement, adopted in October 2002, requires a pilot to carry government-issued photo identification along with the pilot certificate when operating an aircraft.
- **Restrictions for Foreign Pilots.** There are current federal restrictions on flight training of foreign nationals, including a requirement for background checks for individuals seeking to receive a U.S. pilot certificate on the basis of a foreign pilot certificate. This requirement was put in place in July 2002.
- **Background Checks for Certain Flight Training.** A federal requirement mandates that the Transportation Security Administration conduct a comprehensive background check for all non-U.S. citizens seeking flight training.

#### **Commercial Operators/Businesses**

- **Charter Flight Security Program.** The 'Twelve-Five' and 'Private Charter' rules, which establish new security requirements for non-scheduled commercial operators (charters) that are equivalent to those imposed upon scheduled airlines, became effective April 1, 2003. The 'Twelve-Five' rule requires that certain aircraft operators using aircraft with a maximum certificated take-off weight (MTOW) of 12,500 pounds or more implement a specific security program. The 'Private Charter' rule adds additional requirements for aircraft operators using aircraft with a MTOW of greater than 45,500 kg (100,309.3 pounds) or that carry 61 or more passengers. Charter flight operations are commonly considered to be part of GA, although much more stringent operational and certification requirements are imposed on them than is the case for non-commercial flights.

- **Flight School Security.** In January 2002, the FAA issued a number of recommended actions addressing security for flight schools and those renting aircraft. These recommendations are designed to provide security against the unauthorized use of a flight school or rental aircraft.
- **Flight School Security Awareness Training.** Also included in the Conference Report accompanying the FAA reauthorization legislation (H.R. 2115) is a requirement that employees be trained in “suspicious circumstances and activities of individuals enrolling or attending” a flight school.

#### Airports/Airspace

- **Aviation Security Advisory Committee (ASAC).** Formed in 1989 to examine civil aviation security and to ensure a high degree of safety for the traveling public, ASAC encompasses members from the airlines, air cargo industries, aviation organizations, Secret Service, FBI, law enforcement and federal aviation officials. In November of 2003, the Committee approved a report of the General Aviation Airport Working Group that outlined a number of recommended general aviation airport security measures. That report has been delivered to TSA for dissemination as recommended procedures.
- **Washington DC ADIZ, FRZ and Department of Defense Airspace Restrictions.** Since September 11, the FAA and government officials have imposed airspace restrictions at various locations throughout the U.S. to restrict aircraft operations in certain areas when intelligence officials report heightened security sensitivity. This includes the Air Defense Identification Zone (ADIZ) around Washington, D.C., the associated Flight Restricted Zone (FRZ) and restrictions that are put into effect when the President travels outside of Washington D.C. These airspace restrictions are patrolled and enforced by U.S. Customs and U.S. military aircraft.
- **Hotline to Report Suspicious Activity.** In December 2002, TSA implemented a Hotline (1-866-GA-SECURE), which is operated 24/7 by the National Response Center and managed by the U.S. Coast Guard that allows anyone to report suspicious activity to a central command structure.
- **Ronald Reagan National Airport.** Ronald Reagan National Airport (DCA) remains closed to all general aviation operations except those few specifically permitted by waiver.
- **Special Flight Rules Area within 15 miles of Washington DC.** Special Federal Aviation Regulation 94 (“SFAR 94”), implemented on February 19, 2002, prohibits general aviation operations within this 15-mile area unless authorized by TSA. This limits access at Potomac Airpark, Hyde Field and College Park Airport (referred to as the “DC-3”) to only cleared and vetted pilots operating in compliance with specific flight planning and ATC procedures.

- **Limits on Flights Over Stadiums.** A pre-existing Notice to Airman (“NOTAM”) was updated on March 6, 2003, due to enactment of P.L. 108-7 that limits aircraft operations in the airspace over major sporting events. Commercial operators with a need to fly within 3 nautical miles and below 3,000 feet of an event stadium must apply for a waiver through TSA and must complete a pilot vetting process to obtain that waiver. Banner towing operations are prevented from flying over major sporting events (college football, professional baseball, football, NASCAR and other specifically identified events). Other restrictions may be applied on a case-by-case basis when appropriate, i.e., the ‘02 Winter Olympics.
- **No Flights Over Nuclear Facilities.** On February 26, 2003, a pre-existing NOTAM advising pilots not to circle or loiter over nuclear facilities was strengthened to reinforce the need for pilots to avoid these facilities altogether.

**Industry Actions.** Individual general aviation organizations have taken pro-active steps to increase security and security awareness. Aviation, while big in economic impact and number of operations, is relatively small when compared to other forms of transportation such as surface transportation. As such, general aviation operators are keenly aware and willing to individually enhance the security of their operation without the need of government regulation. Given the ease and frequency of intrastate movement, combined with the wide variety of operations, measures taken by individual operators are more comprehensive than regulation at the state or federal level.

- **Aircraft Owners and Pilots Association.** The Aircraft Owners and Pilots Association (AOPA) developed a nationwide aviation watch system (Airport Watch) using the nation’s 650,000 pilots that is supported by the TSA centralized toll-free hotline and system for reporting and acting on information provided by general aviation pilots and other individuals at airports. *The Airport Watch Program* includes warning signs for airports, informational literature, and training videotape to educate pilots and airport employees as to how security of their airports and aircraft can be enhanced.
- **Airports & Airport Tenants.** Many airports and individual airport tenants have already implemented security enhancements in addition to the aforementioned *Airport Watch Program*. Such initiatives have included but are not limited to installing alarm systems, controlling access, monitoring and improving gates, fencing and lighting. Some airports are also experimenting with new technologies in security monitoring, surveillance and access control technologies, including WiFi and sophisticated target acquisition software programs.
- **American Association of Airport Executives.** The American Association of Airport Executives (AAAE) "General Aviation Airport Security Task Force" delivered a set of recommendations to the TSA in June 2002. The eight recommendations made by AAAE were developed by establishing categories of airports based on runway length and number of based aircraft. Recommendations also included securing aircraft, establishing a threat communication system, developing a new pilot license, securing aircraft, and expanding the FAA contract tower program.

- **Experimental Aircraft Association.** The Experimental Aircraft Association (EAA) mobilized its network of nearly 1000 chapters nationwide to improve security at many of the nation's airports through increased knowledge and vigilance. To support this effort, *Airport Watch* videotapes and other educational materials concerning security practices and airspace restrictions were distributed nationwide.
- **General Aviation Coalition.** In December 2001, the GAC issued a series of 12 recommendations for general aviation security. The government and the general aviation community have implemented many of these. In addition, the TSA conducts regular meetings with the GAC to address general aviation security issues.
- **General Aviation Manufacturers Association.** The General Aviation Manufacturers Association (GAMA), in conjunction with the US Department of the Treasury, is working to help aircraft sellers identify unusual financial transactions that could indicate attempts to launder money via the purchase of aircraft, or otherwise suspicious customer behavior. The publication, entitled "Guidelines for Establishing Anti-Money Laundering Procedures and Practices Related to the Purchase of General Aviation Aircraft" was developed in consultation with manufacturers, aviation-finance companies, used aircraft brokers and fractional ownership companies.
- **National Agricultural Aircraft Association:** The National Agricultural Aircraft Association (NAAA) has produced an educational program called the Professional Aerial Applicators Support System (PAASS) that includes a new educational portion every year, specifically addressing security at aerial application operations. The PAASS program reaches roughly 2,000 people involved in aerial application every year. It is presented at state and regional agricultural aviation association meetings throughout the country. In addition, NAAA members have undergone several industry-wide FBI background investigations since 9/11/01.
- **National Air Transportation Association.** On September 24, 2001, the National Air Transportation Association (NATA) issued a series of recommended security procedures for all aviation businesses through its Business Aviation Security Task Force. The recommendations focused on immediate steps that should be taken, plus longer-term actions. Examples included signage, appointing a single manager responsible for security at all locations, developing a "security mission statement," methods to verify identification, seeking local law enforcement assistance to develop a security plan and a host of others, including an advisory poster that was created and distributed free to all NATA members.
- **National Association of Flight Instructors.** The National Association of Flight Instructors (NAFI), an affiliate of EAA, has developed a series of security recommendations and best practices for flight schools and flight instructors that have been distributed widely throughout the flight training community. Currently, NAFI is working in cooperation with the TSA to develop training materials and distribution methods in support of the proposed flight school security awareness training requirements contained in the pending Conference Report accompanying the FAA reauthorization legislation (H.R. 2115).

- **National Association of State Aviation Officials.** In December 2002, the National Association of State Aviation Officials (NASAO) submitted to federal and state authorities a document outlining general aviation security recommendations. This included securing unattended aircraft, developing a security plan, and establishing a means to report suspicious activity. In addition, airports should establish a public awareness campaign; perform regular inspection of airport property and control movement of persons and vehicles in the aircraft operating area. The state aviation officials suggested federal authorities implement a new pilot ID, establish a means to verify the identity of persons requesting flight lessons with a government watch list, implement a process for categorizing airports, and ensure adequate federal funding for airport security needs.
- **National Business Aviation Association.** TSA launched a pilot project in cooperation with the National Business Aviation Association (NBAA) at Teterboro Airport (KTEB) in New Jersey. This has been expanded by the TSA to include Part 91 operators based at Morristown, New Jersey (KMMU) and White Plains, New York (KHPN). This initiative is proceeding as a “proof-of-concept” validating an NBAA-proposed security protocol for Part 91 operators who can apply for a TSA Access Certificate (TSAAC). Once issued, the TSAAC allows operators to operate internationally without the need for a waiver. TSA is also considering granting access for TSAAC holders to designated TFRs.
- **United States Parachute Association.** USPA disseminated detailed security recommendations to its 219 skydiving clubs and centers across the U.S., most of them based on general aviation airports. Skydive operators and their customers are often on airports during days and hours when others are not, and can enhance any airport watch program. Other recommendations were aimed at ensuring security of jump aircraft during operations as well as periods when aircraft are idle.

*January, 2004*

**Aircraft Owners and Pilots Association  
421 Aviation Way  
Frederick, MD 21701  
301-695-2162  
[www.aopa.org](http://www.aopa.org)**

The Voice of Aviation Business

4226 King Street  
Alexandria, VA  
22302  
P 703-845-9000  
F 703-845-8176  
www.nata-online.org



**Statement  
of the  
National Air Transportation Association**

**before the  
Subcommittee on Aviation,  
Committee on Transportation and Infrastructure,  
U.S. House of Representatives:**

**Field Hearing on Opening  
Ronald Reagan Washington National Airport  
To General Aviation**

**March 16, 2004**

**Signature Flight Support Hangar  
General Aviation Terminal, Hangar 7  
Ronald Reagan Washington National Airport  
Washington, DC**

**Appearing for NATA:  
James K. Coyne, President**

Mr. Chairman and Members of the Subcommittee:

Thank you for this opportunity to appear before you to discuss non-scheduled operations at Ronald Reagan Washington National Airport (DCA). My name is James K. Coyne and I am president of the National Air Transportation Association (NATA). NATA, the voice of aviation business, is the public policy group representing the interests of aviation businesses before the Congress, federal agencies and state governments. NATA's over 2,000 member companies own, operate and service aircraft and provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air charter, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry providing services to the general public, airlines, general aviation and the military.

NATA member companies continue to be proactive in their commitment to doing all they can to maintain the safety and security of their employees, their customers, passengers, aircraft, baggage and cargo.

In September of 2001, the NATA Business Aviation Security Task Force was formed to develop "best practice" guidelines for fixed base operators, air charter companies, aviation maintenance providers and flight training schools. The Task Force issued a series of security recommendations that it encouraged aviation businesses, their customers and tenants to adopt. These recommendations included background checks for all employees with access to aircraft; implementation of security procedures including designation of a corporate security coordinator, posting of emergency numbers and a security mission statement; vehicle verification and escort; and identification and escorting of all flight crew and passengers.

In addition to the Task Force's recommendations, the association has released its *General Aviation Security Guide*. This comprehensive guide and CD-ROM provide recommended security measures to be incorporated by fixed based operations, line service, aircraft charter companies, maintenance and avionics service providers, flight schools, cargo handlers and other general aviation service entities operating at an airport.

NATA has also been an active partner with government, working with the TSA at every opportunity to address security concerns. NATA has served as a member of the Aviation Security Advisory Committee for many years and was an active participant as the TSA struggled to address general aviation airport security.

#### **The Challenge**

The 2001 terrorist attacks have resulted in the greatest challenges ever posed in the 100-year history of powered aviation. Many of these challenges have been answered and resulted in a more secure industry. However, the greatest unresolved challenge is the continuing travesty taking place at this nation's capital airport. By this I am referring to the continued exclusion of non-scheduled, commercial air carrier (air charter) and general aviation operations at Ronald Reagan Washington National Airport. Today, DCA remains closed to charter and general aviation operations not because of the events of 9-11, but because of the federal government's inability to work with industry to ensure that a process is put in place to allow these classes of operations to return to activity. Put simply, the bureaucratic process has taken away the freedom to fly to our nation's capital.

**Fair & Equitable Access by a More Secure Mode**

The closure of Ronald Reagan Washington National Airport to all but airline operations unreasonably and unlawfully discriminates against an important sector of the aviation industry: non-scheduled, commercial air carriers. DCA is a publicly funded airport – bought and paid for with federal tax dollars – and the FAA’s own rules recognize an equal level of access for all operators at publicly funded airports. Those rules are being violated.

DCA is the only airport with direct and immediate access to the nation’s capital. It is disingenuous to say that Dulles and other area airports can provide the same level of convenience as DCA. DCA is the airport of choice for civic and industry leaders to gain access to their elected federal representatives.

The closure of our nation’s capital airport to non-scheduled, commercial air carriers is even more incredulous because this class of operation is arguably a more secure mode of air transportation than the airlines when considering the new security requirements imposed upon them by our federal government.

**Twelve-Five Standard Security Program**

As I sit before you today, there is still not one restriction that has been implemented since the September 11<sup>th</sup> attacks that considers the ability or willingness of operators to comply with specified, reasonable requirements to ensure the security of that operation. This is ironic as the Aviation and Transportation Security Act (ATSA) included a provision directing the Transportation Security Administration to develop regulations implementing security programs for non-scheduled, commercial air carriers. These regulations, popularly known as the “Twelve-Five” and the “Private Charter” rules, became effective on April 1, 2003, and establish state-of-the-art protocols for non-scheduled, commercial air carriers to enhance what is arguably the most

secure mode of air transportation today. NATA is proud to have played an integral part in the implementation and rollout of the Twelve-Five Standard Security Program and commends the TSA for its efforts in making the program an authentic aviation security success.

However, even with the program's success, operators have yet to realize any benefit from their extensive – and expensive – compliance efforts. Put simply, even though these operators have in place a government-approved security program equivalent to, if not more secure than, those employed by scheduled commercial air carriers, the federal government still treats all non-scheduled operators alike. This parity includes banning non-scheduled commercial air carriers from certain airspace or grounds them altogether on the slimmest of suspicions that someone, somewhere could possibly use an aircraft to commit a terrorist act. These Twelve-Five operators have invested hundreds, if not thousands, of man-hours to comply with security mandates and yet are treated *exactly* the same as operators without security programs. This “one-size-fits-all” treatment of non-scheduled commercial air carriers as threats to national security must end.

#### **Continued Restrictions With No Financial Relief**

Immediately after the attacks on New York and the Pentagon, the Federal Aviation Administration grounded all aircraft within our nation's air transportation system. Two days after September 11, 2001, the airlines were permitted to resume operations at many of this country's commercial airports. Within weeks, Congress awarded the airlines \$15 billion to recover losses incurred due to this grounding.

However, the return of charter and general aviation was phased in at a slow pace, with very little concern for the financial well-being of the industry. And while thanks to the leadership of this

Subcommittee, \$100 million has been authorized to assist suffering general aviation businesses, to date no tangible financial assistance has been given to those entities.

In the current environment – war in Iraq and an elevated terrorist threat level – restrictions still remain, especially in the Washington metropolitan area. For the majority of the charter and general aviation industry, these restrictions pose a relatively simple operational consideration. For others – banner towing operations, electronic newsgathering, aeromedical flights and private and commercial operators of simpler aircraft – the restrictions threaten their very existence. The problem, simply stated, is that the federal government insists on imposing blanket restrictions on all types of non-scheduled (i.e., non-airline) flight operations, often with little advance warning. What is truly disconcerting about these restrictions is that they come based upon a threat that is regularly referenced by this federal government but never identified.

#### **Broken Promises on Re-Opening DCA**

Approximately one month after the September 11<sup>th</sup> attacks, a phased-in plan to reinstate scheduled commercial service to DCA was implemented. By the time the third phase began in December 2001, the airline operations at DCA had returned to 77% of their pre-September 11, 2001 levels. Throughout this period, the charter and general aviation industry were continually promised by officials at the Department of Transportation and the FAA that after the airlines returned to service non-scheduled operations would be next. However, ATSA was then approved by Congress and signed into law creating the TSA. FAA deferred to the TSA to complete the process that it had begun allowing all classes of operations to resume at DCA. After the TSA was created, several months passed before a plan was initiated to allow non-scheduled operations to return to DCA by late Spring/early summer of 2002. After months of meetings and dialogue between industry and the DOT, FAA and TSA, it appeared that non-scheduled operations would finally resume. However, just days before regulations permitting

operations at DCA were expected to be released, industry was informed that this nation's capital airport would remain closed to non-scheduled operations indefinitely.

Following is a more complete chart displaying a timeline of events at DCA since September 11, 2001:

**Summary of Activity Surrounding DCA**

Date	Action
September 11, 2001	In response to the terrorist attacks, the FAA issued a Notice to Airmen (NOTAM) closing the United States Airspace to all aircraft.
September 12, 2001	Beginning on this day, a "staggered" release of diverted passenger flights and repositioning of "stranded" crews and aircraft was allowed. Most scheduled carriers remained on the ground, however, and no new scheduled flights were allowed.
September 13, 2001	<ol style="list-style-type: none"> <li>1. The FAA issued a NOTAM allowing certificated air carriers (e.g., FAR 121 and 135 operators) to conduct IFR (Instrument Flight Rules) flight operations except within three temporary flight restrictions (TFR) zones surrounding Washington DC, Boston and New York City. Nearly all other general aviation operations (e.g. Part 91) were still prohibited in U.S. airspace.</li> <li>2. DCA remained closed to all air traffic.</li> </ol>
September 16, 2001	Mail, parcels and other cargo were again allowed onto scheduled passenger flights.
October 4, 2001	On this date, scheduled airline flights from eight hub airports were allowed to begin service to DCA under a phased-in plan announced by the President.
October 26, 2001	Phase II of the DCA reopening plan begins. Operations to DCA from 26 scheduled airline hub airports are permitted.
December 21, 2001	<ol style="list-style-type: none"> <li>1. The FAA issued a NOTAM eliminating remaining airspace restrictions for all non-airline operations at 30 locations (most major cities) throughout the U.S. With the exception of continuing restrictions at Washington DC, New York City and Boston and other, temporary limitations on non-scheduled flight operations, this action eliminated all of the airspace restrictions throughout much of the U.S. that were imposed in the aftermath of September 11<sup>th</sup>.</li> <li>2. Phase III of the DCA reopening plan begins. By the time</li> </ol>

	<p>this phase is complete, airline operations at DCA will be at 77% of their pre-September 11<sup>th</sup> levels. No formal announcement regarding a phased-in approach for non-scheduled operations is made; although, the DOT announcement of Phase III concludes with this statement: "<i>Further expansions of flights at DCA will be announced next year.</i>"</p>
February 13, 2002	<p>Since September 11<sup>th</sup>, three small DC-area general aviation airports had been closed to all but emergency traffic due to their proximity to the capital area. The so-called DC-3 airports were able to partially reopen under a new FAA regulation, SFAR-94. Pilots must undergo not only a fingerprint background check, but also must have an exemplary compliance record with the FAA and receive special training on area security procedures. SFAR-94 will remain in effect through at least February 2005.</p>
March 13, 2002	<p>The DOT announces completion of the DCA phased-in program, proclaiming that "full restoration of the nation's commercial aviation system" had been accomplished. However, non-scheduled commercial operations (like charter operations) were still barred from conducting any activity at DCA. A more accurate statement would have been that the nation's <i>airline operations</i> had been completely restored.</p>
April/May 2002	<p>The general aviation industry works with the DOT to develop a plan to resume non-scheduled operations at DCA. This process included detailed recommendations for new regulatory requirements necessary for any operation at DCA. NATA and others are briefed on a six-part plan to reopen DCA to general aviation operations. This plan includes advance clearance of passenger manifests by the TSA, screening of passengers and accessible property, securing and physical inspection of aircraft, compliance with DCA Air Traffic Control special flight procedures and security checks on flight-crew members. TSA officials indicated that the plan should be in place by the end of May.</p>
June 2002	<p>The DOT halts development of the regulations discussed in May that would have reopened DCA to operators other than</p>

	the airlines. The DOT publicly stated, "The U.S. Government will delay any implementation of the draft plans while continuing to assess security requirements for general aviation at DCA."
March 13, 2003	NATA files a petition for rulemaking with the FAA. The petition called on the FAA, as the federal agency prohibiting access to the airport, to initiate rulemaking that would establish the security procedures necessary to operate to and from DCA.
June 2003	<ol style="list-style-type: none"> <li>1. The FAA denies NATA's petition for rulemaking to permit DCA access and refers the petition to the TSA.</li> <li>2. NATA submits security protocol concept to the TSA including specific proposals to permit access to DCA for non-scheduled operations, beginning with those operators with TSA-mandated security programs in place.</li> </ol>

### **The Impact**

The fixed base operator serving DCA is Signature Flight Support. Signature Flight Support provides fuel, hangaring, catering and other services to aircraft operators. Aside from brief opportunities where aircraft stranded at the airport following closure of DCA were allowed to depart, as well as a few government aircraft, Signature Flight Support has been closed since September 11, 2001. The Signature Flight Support ramp at DCA was normally at maximum occupancy with aircraft delivering passengers to meetings in the Washington, D.C. metropolitan area. And as you can see by the before and after September 11<sup>th</sup> backdrops behind you, and the empty hangar that I speak to you in today, we are a far cry from this bustling activity. To demonstrate Signature's inactivity, below is a comparison of what operations would normally take place as opposed to the current status.

September, 2000 – 2538 arrivals

October, 2000 – 2542 arrivals

January 1, 2000 to September 27, 2000 – 20,079 arrivals

January 1, 2001 to closure on September 27, 2001 – 18,476 arrivals

September 21, 2000 to September 27, 2000 – 663 arrivals

September 21, 2001 to September 27, 2001 – 8 arrivals (*FBI, Customs, US Marshals Service*)

The impact of the restrictions on Signature Flight Support at DCA, as well as on aviation business in general, is profound. For most airport businesses, the bulk of revenue is generated by these private, visual-flight rules flights. Fuel sales have dipped dramatically, along with aircraft rental and maintenance. The economic viability of the airports in the Washington DC area is critical as they also alleviate the burden of traffic to larger commercial airline hubs.

Since the September 11<sup>th</sup> attacks, Signature Flight Support estimates that its losses total approximately \$18 million annually. Signature also estimates that the restrictions on non-scheduled, commercial air carriers have cost the community surrounding DCA approximately \$30 million including losses by car rental companies, hotels and entertainment venues.

#### **NATA Action to Re-Open DCA**

After hearing the continuous promises that more time would lead to the resumption of non-scheduled operations, NATA placed the re-opening of DCA at the top of its agenda.

First, the association filed a petition with the FAA. The petition simply seeks a rulemaking effort at the FAA – based on the TSA’s existing security rules – resulting in a set of regulations allowing non-scheduled commercial air carriers to access Ronald Reagan Washington National Airport using restrictions, procedures and practices equivalent to those employed for scheduled air carriers.

The association then launched an aggressive campaign on Capitol Hill to secure support for its initiative to re-open DCA. To date, almost 60 House and Senate members have sent President Bush, Secretary Ridge and other key federal officials letters encouraging the re-opening of DCA to non-scheduled, commercial air carrier operations. In these letters, Members of Congress specifically acknowledge the secure attributes of non-scheduled, commercial air carriers as well as the injustice in prohibiting them from DCA when their direct competition, the airlines, are granted access. Specifically, the letters state the following:

“Despite industry’s many efforts to convince the nation’s national security apparatus of the security of charter operations and the severe economic impact this continued shutdown is having, DCA remains closed to this segment of the aviation industry. This means that DCA is the *only* airport serving a national capital in the free world at which all such commercial flight operations are banned. It also means that efficient, direct access to Washington is precluded for the huge number of communities throughout the U.S. that lack any other form of commercial air service.

Non-scheduled air carrier operations at DCA generate an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. Additionally, with no charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

Beginning April 1, 2003, per the Aviation Transportation Security Act that Congress signed into law in November 2001, all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition was recently filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The petition, docket FAA-2003-14700, was filed by the National Air Transportation Association and seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

We believe it is imperative that you formally recognize the level of security that these non-scheduled air carriers have attained by immediately allowing them access back into our nation's capital airport under fair and reasonable terms."

Attached to our testimony are these letters of support. Many of you on this panel are part of this large group expressing their strong support of our initiative and we thank you for that backing.

NATA was also pivotal in securing language, thanks in large part to this Subcommittee's support of it, that requires the Department of Homeland Security (DHS) to develop and implement a security plan to permit general aviation aircraft to land and take off at DCA. The FAA is required to allow general aviation aircraft meeting the requirements of this security plan to operate in and out of DCA.

In June 2003, NATA submitted a suggested protocol leading to the reopening of DCA to general aviation to the TSA. DCA Protocol (DCAP) responds to the TSA's specific request for additional material on the topic of re-opening DCA to charter and general aviation traffic. Under all aspects of the plan proposed by NATA, all aircraft must be U.S.-registered, have two-pilot crews and all crews must successfully pass a fingerprint-based CHRC. The four-phased approach is summarized below:

#### **Phase I**

The initial phase is limited to approximately six certificated non-scheduled commercial (charter) operators. All candidates must meet or exceed (e.g. the Private Charter Rule) the TSA's Twelve-Five Rule. All flights into DCA must depart from "portal" airports at which TSA-approved personnel will conduct pre-boarding screening of all crew and passengers. During Phase I, aircraft types would be limited to those with a flight deck isolated from the passenger cabin.

**Phase II**

Similar to Phase I, this phase expands the program to include all operators complying with at least the TSA's Twelve-Five Rule. Expansion to Phase II would occur after sufficient experience is gained with Phase I.

**Phase III**

In Phase III, non-commercial (Part 91) operators complying with the TSAAC or similar programs would be allowed access to DCA under the same procedures (pre-boarding screening, etc.) as employed for Phases I and II.

**Phase IV**

In the final phase, all non-scheduled, non-commercial operators would be allowed access to DCA under regulations and procedures similar to those presently imposed under SFAR 94. SFAR 94 establishes the requirements necessary to operate to and from three airports in the immediate vicinity of the capital area, known as the "DC-3" airports. Additionally, single-pilot (and single-occupant) operations would be allowed.

**The Bureaucratic Process**

One of the most frustrating aspects of this situation is the federal government's inability to consider and approve our continued efforts to address its security concerns about charter operations. This includes certain federal agencies' reluctance to even sit down at the table to initiate discussions.

It is important to note that throughout this process, the TSA and the FAA have been extremely cooperative and willing to work with NATA and its efforts to re-open DCA. However, it appears that one of the major hindrances towards re-opening our nation's capital airport are those agencies within our federal government that exist at higher levels than the TSA and the FAA.

The DCAP proposal outlined above has been residing at the DHS for several months now with no action. Members of Congress who have placed calls and conversed directly to Secretary Ridge encouraging action on our initiatives have remained unanswered.

It remains unclear why industry and this Congress continue to be stonewalled by the upper levels of this government that have decision-making authority over DCA. However, one can allude to the age-old bureaucratic adage that when a high profile issue arises no one is willing to accept responsibility or accountability for making a decision. The decision to re-open DCA to non-scheduled operations appears to be one such issue.

Whatever the case may be, it is critical that this Subcommittee, and Congress overall, continue to weigh in with as much political pressure as possible to ensure that this critical airport is re-opened.

#### **Conclusion**

With your help, we are optimistic that our simple request for a rulemaking leading to at least the restoration of non-scheduled commercial air carrier access to this very important airport will be implemented in the near future. This action would also ease the heavy financial burdens that the businesses at DCA and the tourism industry in and around the Washington, D.C. metropolitan area have borne for the last 30 months.

NATA members are fully prepared to meet whatever reasonable security requirements are necessary to operate at DCA, including pre-screening, isolated cockpits and cabins on aircraft where that is feasible, and having a law enforcement officer on board. Just as with the scheduled airlines, the federal government must find a way to restore non-scheduled commercial charter operations at DCA and not let terrorists disrupt normal trade, transportation and everyday activities.

This restriction on flights with no identified threat as the result of actions of the federal government – with a local government doing their best to make things even more challenging – argues for Congress to step in to recognize and minimize the impact. As always, the National Air Transportation Association stands ready to assist you in this task. Thank you again for the opportunity to come before you today. I am happy to respond to any questions or comments.

**Congress of the United States**  
Washington, DC 20515

November 5, 2003

The Honorable George W. Bush  
President  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Last spring, you signed into law the Fiscal Year 2003 Emergency Wartime Supplemental Appropriations Act (P.L. 108-11) that provided critical support to the airline segment of our nation's air transportation system. While we applaud your efforts to assist the airlines, we believe that it is time to also assist another vital element of the aviation industry.

As you are well aware, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – has been effectively banned from DCA.

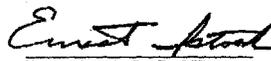
Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

As directed by the Aviation and Transportation Security Act (P.L. No: 107-71), all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have had in place since April 1, 2003, a comprehensive security program equivalent to those for the scheduled airlines. Non-scheduled commercial air carriers have complied with this directive with the assistance of the Transportation Security Administration (TSA). Recognizing this, a formal petition was recently filed with the Federal Aviation Administration (FAA) by the National Air Transportation Association. The petition requests that the FAA develop rules under which non-scheduled commercial air carriers may once again serve DCA. The FAA has since forwarded this petition to the TSA for its consideration, stating that the TSA, not the FAA, is ultimately the federal agency which will determine whether or not to lift the ban on non-scheduled flights to DCA.

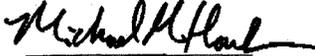
We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

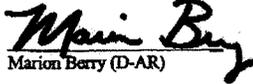
Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,

  
Ernest Istook, Jr. (R-OK)

  
Sherwood Boehlert (R-NY)

  
Michael M. Honda (D-CA)

  
Marion Berry (D-AR)

cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff  
The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department of Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration



## Congress of the United States

House of Representatives

Washington, DC 20515

June 19, 2003

The Honorable George W. Bush  
President  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Your recent signing of the Fiscal Year 2003 Emergency Wartime Supplemental Appropriations Act (P.L. 108-011), provided critical support to the airline segment of our nation's air transportation system. While we applaud your efforts to assist the airlines, we believe that it is time to also assist another vital element of the aviation industry.

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – has been effectively banned from DCA.

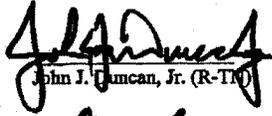
Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

As directed by the Aviation and Transportation Security Act (P.L. No: 107-071), all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines by a deadline of April 1, 2003. To date, nearly all non-scheduled commercial air carriers have fully complied with this directive with the assistance of the Transportation Security Administration (TSA). Recognizing this, a formal petition, docket FAA-2003-14700, was recently filed by the National Air Transportation Association with the Federal Aviation Administration (FAA). The petition requests FAA develop rules under which non-scheduled commercial air carriers may once again serve DCA.

We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

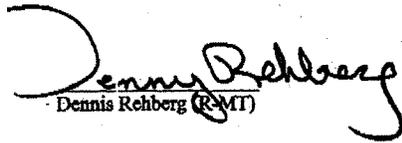
Sincerely,

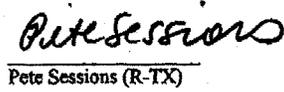
  
John J. Duncan, Jr. (R-TX)

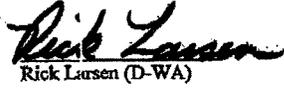
  
Sam Graves (R-MO)

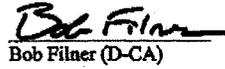
  
William O. Lipinski (D-IL)

  
Peter DeFazio (D-OR)

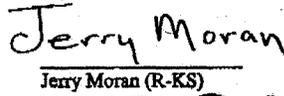
  
Dennis Rehberg (R-MT)

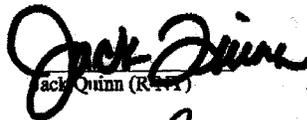
  
Pete Sessions (R-TX)

  
Rick Larsen (D-WA)

  
Bob Filner (D-CA)

  
Corrine Brown (D-FL)

  
Jerry Moran (R-KS)

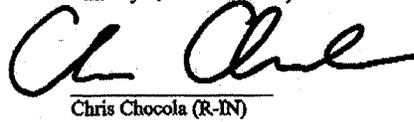
  
Jack Quinn (R-TX)

  
Mario Diaz-Balart (R-FL)

  
James A. Gibbons (R-NV)

  
Timothy V. Johnson (R-IL)

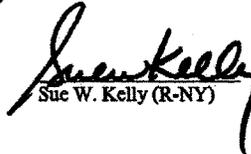
  
Alcee Hastings (D-FL)

  
Chris Chocola (R-IN)

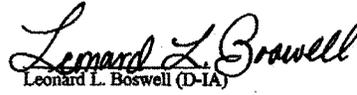
  
Jon C. Porter (R-NV)

  
Julia M. Carson (D-IN)

  
Lincoln Diaz-Balart (R-FL)

  
Sue W. Kelly (R-NY)

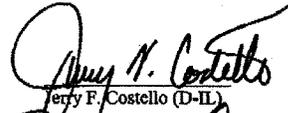
  
Shelley Berkley (D-NV)

  
Leonard L. Boswell (D-IA)

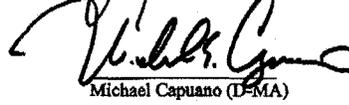
  
Bill Shuster (R-PA)

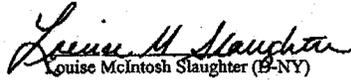
  
James R. Langevin (D-RI)

  
John Boozman (R-AR)

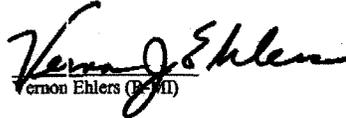
  
Jerry F. Costello (D-IL)

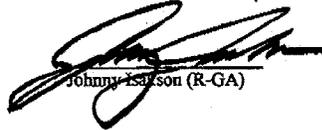
  
Dave Camp (R-MI)

  
Michael Capuano (D-MA)

  
Louise McIntosh Slaughter (D-NY)

  
Bob Etheridge (D-NC)

  
Vernon Ehlers (R-MI)

  
Johnny Isakson (R-GA)

- cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff
- The Honorable Tom Ridge, Secretary, Department of Homeland Security
- The Honorable Asa Hutchinson, Undersecretary of Border Transportation & Security, Department Homeland Security
- The Honorable Norman Mineta, Secretary, Department of Transportation
- The Honorable Marion Blakey, Administrator, Federal Aviation Administration



**U.S. House of Representatives**  
**Committee on Transportation and Infrastructure**  
 Washington, DC 20515

**Don Young**  
 Chairman

**James L. Oberstar**  
 Ranking Democratic Member

Lloyd A. Jones, Chief of Staff  
 Elizabeth Matthews, Chief Counsel

April 10, 2003

David W. Crosswell, Democratic Chief of Staff

The Honorable George W. Bush  
 President  
 1600 Pennsylvania Avenue, NW  
 Washington, D.C. 20500

Dear Mr. President:

Since September 11, 2001 the aviation industry has suffered through the most turbulent period in its 100-year history. The dire economic climate and new security requirements have had far reaching economic impacts.

Unfortunately, fair and free access to our national aviation system has not been returned to all sectors of this industry. Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – is effectively banned from DCA.

Despite the charter industry's many efforts to convince U.S. national security officials that charter flights can operate securely from DCA and that the continued shutdown of DCA is having a severe economic impact, DCA remains closed to this segment of the aviation industry. This means that DCA is the *only* airport serving a national capital in the free world at which all such commercial flight operations are banned. It also means that efficient, direct access to Washington is precluded for the huge number of communities throughout the U.S. that lack any other form of commercial air service.

Non-scheduled air carrier operations at DCA generate an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. Additionally, with no charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

Beginning April 1, 2003, per the Aviation Transportation Security Act that Congress signed into law in November 2001, all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition was recently filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The

petition, docket FAA-2003-14700, was filed by the National Air Transportation Association and seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

We believe it is imperative that you formally recognize the level of security that these non-scheduled air carriers have attained by immediately allowing them access back into our nation's capital airport under fair and reasonable terms.

Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,



Don Young  
Chairman, House Committee  
on Transportation & Infrastructure



Jim Oberstar  
Ranking Democratic Member,  
House Committee on Transportation  
& Infrastructure



John L. Mica  
Chairman, House Subcommittee  
on Aviation



Eleanor Holmes Norton  
Member, House Subcommittee  
on Aviation

- cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff  
The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

June 10, 2003

The Honorable George W. Bush  
 President  
 1600 Pennsylvania Avenue, NW  
 Washington, D.C. 20500

Dear Mr. President:

Your recent signing of the Fiscal Year 2003 Emergency Wartime Supplemental Appropriations Act (P.L. 108-011) provided critical support to the airline segment of our nation's air transportation system. While we applaud your efforts to assist the airlines, we believe that it is time to also assist another vital element of the aviation industry.

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – has been effectively banned from DCA.

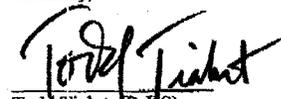
Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

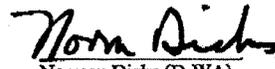
As directed by the Aviation and Transportation Security Act (P.L. No: 107-071), all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines by a deadline of April 1, 2003. To date, nearly all non-scheduled commercial air carriers have fully complied with this directive with the assistance of the Transportation Security Administration (TSA). Recognizing this, a formal petition, docket FAA-2003-14700, was recently filed by the National Air Transportation Association with the Federal Aviation Administration (FAA). The petition requests that the FAA develop rules under which non-scheduled commercial air carriers may once again serve DCA.

We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

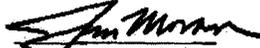
Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,

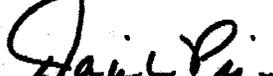
  
 Todd Tiahrt (R-KS)

  
 Norman Dicks (D-WA)

  
John Culberson (R-TX)

  
James Moran (D-VA)

  
Ed Pastor (D-AZ)

  
David Price (D-NC)

cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff  
The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

May, 2003

The Honorable Tom Ridge  
 Secretary  
 U.S. Department of Homeland Security  
 Washington, D.C.

Dear Secretary Ridge:

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – has been effectively banned from DCA.

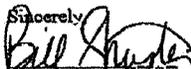
Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

On April 1, 2003, per the Aviation Transportation Security Act that Congress approved and you signed into law in November 2001, all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition was recently filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The petition, docket FAA-2003-14700, was filed by the National Air Transportation Association and seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

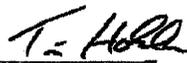
We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

Also, we strongly encourage you to meet with NATA president James K. Coyne, who is a former colleague of ours in the House of Representatives, to discuss this critical matter.

Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,  
  
 Rep. Bill Shuster  
 Member of Congress

  
 Rep. Jim Gerlach  
 Member of Congress

  
 Rep. Tim Holden  
 Member of Congress

cc: The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration

**United States Senate**

WASHINGTON, DC 20510

**RETURN GENERAL AVIATION TO THE NATION'S CAPITAL AIRPORT**

June 4, 2003

Dear Colleague:

As you know, over the past two years our aviation transportation system has undergone a radical adjustment in its everyday operations. During that time we have improved security procedures at our airports and in our skies. While the industry and traveling public have been able to adjust to new policies and procedures, our Nation's Capital airport, Ronald Reagan Washington National Airport, is still closed to General Aviation.

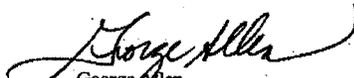
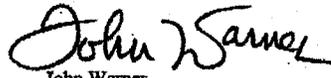
As you know, this is not only a matter of great importance to Virginia and the metropolitan Washington region but also to many of you and your constituents. The Administration was poised to present a security plan that would return general aviation to Reagan National last summer but unfortunately the facility is still closed.

In April the TSA and FAA rolled out new security procedures for non-scheduled commercial carriers nationwide. Reagan National Airport was unfortunately left out on this as well. This new policy established a comprehensive set of standardized security protocols equivalent to that of our commercial carriers, which we believe should include operators at Reagan National.

We would like to send the attached letter to President Bush requesting his assistance in taking steps to resolve this issue by returning non-scheduled commercial service at Reagan National Airport to its pre-September 11<sup>th</sup> operating capacity. If you would like to join us in this effort please contact Conrad Schatte in Senator Warner's office at 224-8130.

Thank you for your help in restoring full service to our nation's Capital.

Sincerely,

  
George Allen  
John Warner

## United States Senate

WASHINGTON, DC 20510

June 3, 2003

The Honorable George W. Bush  
President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Your recent signing of the fiscal year 2003 supplemental appropriations bill into law provided critical support to the airline segment of our nation's air transportation system. While we applaud your efforts to assist the airlines, we believe that it is time to also assist another vital element of the aviation industry.

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all operations but scheduled airlines. This means an entire class of operators – non-scheduled commercial air carriers (charters) – has been effectively banned from DCA.

Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

On April 1, 2003, per the Aviation Transportation Security Act that Congress approved and you signed into law in November 2001, all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition was recently filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The petition seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,

cc: The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration

COMMITTEE ON  
FINANCIAL SERVICES  
Subcommittee on Capital Markets,  
Insurance, and Government  
Sponsored Enterprises  
Subcommittee on Financial  
Institutions and Consumer Credit

COMMITTEE ON  
AGRICULTURE  
Subcommittee on Specialty Crops  
and Foreign Agriculture Programs  
Subcommittee on General Farm  
Commodities and Risk Management



Congress of the United States  
House of Representatives  
**KEN LUCAS**

FOURTH DISTRICT, KENTUCKY

April 22, 2003

WASHINGTON OFFICE:  
1205 Longworth H.O.B.  
Washington, D.C. 20515  
(202) 225-3485

DISTRICT OFFICES:  
277 Buttermilk Pike  
Fort Mitchell, KY 41017  
(606) 426-0080

Fed. Bldg., Suite 236  
1405 Greenup Ave.  
Ashland, KY 41101  
(606) 324-8888

President George W. Bush  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

I am writing to express my support for the reopening of non-scheduled air carrier operations to provide service to and from Ronald Reagan National Airport (DCA).

As you know, since September 11, 2001, our nation's air transportation system has not returned to normal. This is especially true at Ronald Reagan Washington National Airport. DCA still remains closed to all but a few scheduled airlines and non-scheduled commercial air carriers (charters) have been banned.

Charter air carriers generate an estimated \$50 million a year in direct economic activity. It also means that a number of communities through the United States that lack any other form of commercial air service are denied direct access to Washington, D.C.

I believe it is time to recognize the level of security that non-scheduled air carriers have attained and the economic advantages that they provide by allowing this class of operators back into DCA.

Thank you for your attention to this matter and for your support of the aviation industry.

Sincerely,

*Ken Lucas*  
Ken Lucas  
Member of Congress

-KL:cm-

PETE SESSIONS  
22nd DISTRICT, TEXAS

COMMITTEE ON RULES  
SELECT COMMITTEE ON  
HOMELAND SECURITY

COMMITTEE ON  
FINANCIAL SERVICES  
(ON LEAVE)

RESULTS CAUCUS  
CHAIRMAN



Congress of the United States  
House of Representatives

1318 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-4322  
TELEPHONE: 202.225.2231  
FAX: 202.225.5878

DISTRICT OFFICE:  
PARK CENTRAL VII  
12750 HEART DRIVE  
SUITE 1434  
DALLAS, TEXAS 75251  
TELEPHONE: 972.282.9555  
FAX: 972.282.9515

e-mail: [petes@hse.house.gov](mailto:petes@hse.house.gov)  
web page: [www.house.gov/petession/](http://www.house.gov/petession/)

June 3, 2003

The Honorable George W. Bush  
President  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Since September 11, 2001, non-scheduled commercial air carriers (charters) have been effectively banned from DCA. As a result, our country is not benefiting from the estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services that these charters provide. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

As a member of the Select Committee on Homeland Security, I am supporting formal petition # FAA-2003-14700 recently filed with the FAA, pending any concrete homeland security related reason to moderate this support. So far, I have encountered none. I am simply asking that the FAA begin a rulemaking process that fully balances homeland security concerns with regulations providing service to DCA by non-scheduled commercial air carriers.

I believe that right now is an ideal time for the FAA to take a second look at the level of security that non-scheduled air carriers have attained recently. I believe once it has, regulations providing for expanded access to DCA for non-scheduled air carriers can safely be promulgated without jeopardizing homeland security to those who live in and around our Capital.

Sincerely,

Pete Sessions  
Member of Congress

1925 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 226-4923

DISTRICT OFFICE:  
104 WEST MADISON, SUITE 303  
BELLINGHAM, WA 98215  
(360) 733-4500

2200 WETMORE AVENUE, 5 JAY 9E  
EVERETT, WA 98201  
(425) 352-0158

E-Mail: Rick.Larsen@mail.house.gov  
<http://www.house.gov/r Larsen>

**RICK LARSEN**  
2ND DISTRICT, WASHINGTON

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-4702

COMMITTEES:  
TRANSPORTATION  
AND INFRASTRUCTURE

AGRICULTURE

ARMED SERVICES

June 9, 2003

The Honorable George W. Bush  
President  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Your recent signing of the Fiscal Year 2003 supplemental appropriations bill into law provided critical support to the airline segment of our nation's air transportation system. While we applaud your efforts to assist the airlines, we believe that it is time to also assist another vital element of the aviation industry.

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators - non-scheduled commercial air carriers (charters) - has been effectively banned from DCA.

Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant economic impact.

On April 1, 2003, per the Aviation Transportation Security Act that Congress approved and you signed into law in November 2001, all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition was recently filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The petition, docket FAA-2003-14700, was filed by the National Air Transportation Association and seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

We believe that now is an ideal time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that would ensue by allowing this class of operators back into our nation's capital airport.

Thank you for your attention to this critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,



Rick Larsen  
U.S. Representative  
Washington state - 2<sup>nd</sup> District

cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff  
The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration



Congress of the United States of America  
 House of Representatives  
 Washington, D. C. 20515  
 June 10, 2003

Vernon J. Ehlers

Michigan

President George W. Bush  
 The White House  
 Washington, D.C. 20500

Dear Mr. President,

I am writing to express my strong support for reopening Ronald Reagan Washington National Airport (DCA) to non-scheduled commercial air carrier flights.

Non-scheduled air carrier operations have been banned from DCA since the September 11, 2001, terrorist attacks. These flights once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. The lack of charter passengers coming into the city has caused a severely detrimental economic impact on hotels, restaurants and other service businesses near DCA. This ban on charter flights also prevents many of our citizens from conveniently flying into the nation's capitol to meet with their elected leaders and conduct important business.

While I understand the security concerns surrounding this issue, the threat is no longer sufficient to warrant the ban. The Aviation Transportation Security Act that Congress approved and you signed into law in November 2001, mandates that all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. These security measures, in place on April 1, 2003, put charter flight security on par with commercial airlines and significantly reduce the threat that these flights pose.

I firmly believe that now is the time for you to recognize the level of security that these non-scheduled air carriers have attained as well as the clear economic advantages that they provide by allowing this class of operators back into DCA.

Thank you for your attention to this matter and for your support for the aviation industry as a whole.

Sincerely,

Vernon J. Ehlers  
 Member of Congress

MARK E. SOUDER  
3rd District, Indiana

GOVERNMENT REFORMS COMMITTEE  
SUBCOMMITTEE ON CRIMINAL JUSTICE,  
DRUG POLICY AND HUMAN RESOURCES  
CHAIRMAN

RESOURCES COMMITTEE

SELECT COMMITTEE ON  
HOMELAND SECURITY

SPEAKER'S DRUG TASK FORCE  
CO-CHAIRMAN

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

June 11, 2003

The Honorable George W. Bush  
President  
1600 Pennsylvania Ave, NW  
Washington DC 20500

Dear Mr. President:

Since September 11, 2001, non-scheduled commercial air carriers (charters) have been effectively banned from Ronald Reagan National Airport (DCA). As a result, our country is not benefiting from the estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling, and refueling services that these charters provide. The ban inconveniences or stops people from Indiana and the rest of the country who desire to take charter flights to Washington. Resuming charter flights to DCA does not threaten homeland security, if proper precautions are taken.

As a member of the Select Committee on Homeland Security, I am supporting formal petition #FAA-2003-14700 recently filed with the Federal Aviation Administration (FAA), pending any concrete homeland security-related reason to moderate this support. So far, I have encountered none. I am simply asking that the FAA begin a rulemaking process that fully balances homeland security concerns with regulations providing service to DCA by non-scheduled commercial air carriers.

I believe that right now is an ideal time for the FAA to take a second look at the level of security that non-scheduled air carriers have attained recently. I believe that once it has, regulations providing for expanded access to DCA for non-scheduled air carriers can safely be promulgated without jeopardizing homeland security to those who live in and around our capital.

Sincerely,

Mark E. Souder  
Member of Congress

WASHINGTON OFFICE  
1827 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-4438

DISTRICT OFFICE  
E. ROSS ADAMS FEDERAL BUILDING  
1300 SOUTH HANCOCK STREET, ROOM 3105  
FORT WAYNE, IN 46802  
(317) 855-3041  
(302) 588-2041  
FAC (202) 624-6042

PAUL SQUIRE BANK BUILDING  
102 WEST LINCOLN AVENUE, SUITE 250  
COLUMBI, IN 46502  
(317) 858-8882  
(302) 588-3041

THE BOWTOWER  
700 PARK AVENUE, SUITE D  
MICHIGAN LAKE, IN 46550  
(317) 238-1840  
(302) 933-3041  
[www.house.gov/souder](http://www.house.gov/souder)

LEONARD L. BOSWELL  
2nd District, Iowa

OFFICE:  
1427 LOWMOUTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3000

301 EAST LAMAR ST 5TH FLY  
SUITE 301  
DES MOINES, IA 50319  
(515) 281-1388  
TEL: FIVE ZERO NUMBER  
1-888-432-1384

<http://www.llb.org>

Congress of the United States  
House of Representatives  
Washington, DC 20515-1503  
May 7, 2003

COMMITTEES  
AGRICULTURE  
SUBCOMMITTEE ON GENERAL FARM  
CONSERVATION AND RISK MANAGEMENT  
SUBCOMMITTEE ON LIVESTOCK  
AND HORTEICULTURE

TRANSPORTATION AND  
INFRASTRUCTURE  
SUBCOMMITTEE ON AVIATION  
SUBCOMMITTEE ON HIGHWAYS AND TRANSPORT

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE  
SUBCOMMITTEE ON HUMAN INTELLIGENCE,  
ANALYSIS AND COLLECTION INTELLIGENCE  
SUBCOMMITTEE ON TECHNICAL AND  
TACTICAL INTELLIGENCE

The Honorable George W. Bush  
President  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Your recent signing of the Fiscal Year 2003 supplemental appropriations bill into law provided important and timely support to the airline segment of our nation's air transportation system. While I strongly support your efforts to assist the airlines, I believe it is time to also assist another vital element of the aviation industry.

As you are well aware, since the September 11, 2001, terrorist attacks, Ronald Reagan Washington National Airport (DCA) remains closed to all but a handful of scheduled airlines. This means an entire class of operators -- non-scheduled commercial air carriers (charters) -- has been effectively banned from DCA.

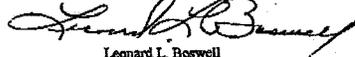
Non-scheduled air carrier operations at DCA once generated an estimated \$50 million a year in direct economic activity from charter revenue, aircraft handling and refueling services. With the lack of charter passengers coming into the city, hotels, restaurants and other service businesses near DCA have suffered a significant negative economic impact.

On April 1, 2003, per the Aviation Transportation Security Act that Congress approved and you signed into law in November 2001, all non-scheduled air carriers operating aircraft weighing 12,500 pounds or more have in place a comprehensive security program equivalent to those for the scheduled airlines. Recognizing this, a formal petition has recently been filed with the FAA asking the agency to develop rules under which non-scheduled commercial air carriers may once again serve DCA. The petition, docket FAA-2003-14700, was filed by the National Air Transportation Association and seeks a rulemaking process to identify and put into place the regulatory means by which these operators may once again provide service to and from this critical airport.

I believe now is an ideal time for you to recognize the level of security these non-scheduled air carriers have attained, as well as the clear economic advantages which would ensue by allowing this class of operators back into our nation's capital airport.

Thank you for your attention to my request. This is a critical matter of great importance both to the local economy of Washington, DC, and to the aviation industry as a whole.

Sincerely,



Leonard L. Boswell  
Member of Congress

LLB:mm

cc: The Honorable Andrew H. Card, Jr., White House Chief of Staff  
The Honorable Tom Ridge, Secretary, Department of Homeland Security  
The Honorable Asa Hutchinson, Undersecretary of Border Transportation &  
Security, Department Homeland Security  
The Honorable Norman Mineta, Secretary, Department of Transportation  
The Honorable Marion Blakey, Administrator, Federal Aviation Administration

PRINTED ON RECYCLED PAPER

JOHN BOOZMAN  
3RD DISTRICT, ARKANSAS  
www.boozman.house.gov

COMMITTEES:  
TRANSPORTATION AND  
INFRASTRUCTURE  
SUBCOMMITTEES:  
AVIATION  
HIGHWAYS, TRAILERS, AND PIPELINES  
WATER RESOURCES AND  
ENVIRONMENT  
VETERANS' AFFAIRS  
SUBCOMMITTEES:  
HEALTH  
OVERSIGHT AND INVESTIGATIONS

The Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

June 25, 2003

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

WASHINGTON OFFICE:  
1700 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20516  
(202) 225-6901  
FAC: (202) 225-6713

DISTRICT OFFICES:  
227 WEST CENTER STREET  
FAYETTEVILLE, AR 72701  
(479) 442-6288  
FAC: (479) 442-0527

30 SOUTH S. ROOMS 240  
FORT SMITH, AR 72901  
(479) 782-7787  
FAC: (479) 782-7652

402 NORTH WALSH, SUITE 210  
HARRISON, AR 72601  
(870) 741-8500  
FAC: (870) 741-7741

Dear Mr. President:

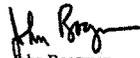
I am writing to express my support for the reopening Ronald Reagan National Airport (DCA) to non-scheduled commercial air carrier operations.

Non-scheduled commercial air carriers have been banned from DCA since the September 11<sup>th</sup> terrorist attacks. These flight operations once generated an estimated \$50 million a year in direct economic activity. The lack of charter passengers coming into the city has caused severely detrimental economic impact on hotels, restaurants and other service businesses near DCA. It also prevents citizens from across the United States that lack any other form of commercial air service from conveniently flying into Washington D.C.

Congress has approved and you have signed into law the Aviation Transportation Security Act that mandates all non-scheduled air carriers that operate aircraft weighing 12,500 pounds or more to have in place a comprehensive security program equal to those for scheduled airlines. These security measures, in place on April 1, 2003, put charter flight security on par with commercial airlines and significantly reduced the threat that these flights pose. I believe it is time to recognize the level of security that non-scheduled air carriers have attained and the economic advantages that they provide by allowing this class of operators back into DCA.

Thank you for your attention to this matter and for your support of the aviation industry as a whole.

Sincerely,



John Boozman  
Member of Congress

JB:vc

**STATEMENT OF ELIZABETH A. HASKINS,  
PRESIDENT AND CHIEF EXECUTIVE OFFICER OF  
SIGNATURE FLIGHT SUPPORT**

**TESTIMONY BEFORE**

**THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
SUBCOMMITTEE ON AVIATION**

**MARCH 16, 2004**

---

Mr. Chairman and distinguished Members, it is a privilege to appear before you today on behalf of the men and women of Signature Flight Support, and to be afforded the opportunity to testify on the important issue of reopening Ronald Reagan Washington National Airport to business aviation. Reagan National was, until September 11, 2001, one of the most important business aviation portals in the country. I appreciate the continuing interest of Members of Congress, including this Committee and those who represent the Washington Metropolitan area, in restoring business aviation to Reagan National and in compensating those who have suffered substantial losses as a result of its closure more than 2 years ago.

**SIGNATURE'S ROLE AT REAGAN NATIONAL**

Signature Flight Support is the world's largest network of fixed based operations ("FBO") for business aviation services. Signature products and services include fueling, ground handling, passenger services, and maintenance. Signature operates at 60 airports worldwide including 42 United States airports and is the sole provider of business aviation services at Reagan National. Signature employs more than 1,700 employees who safely and efficiently support more than 1.7 million aircraft

movements a year. As Reagan National's sole business aviation FBO, Signature handled an average of 175 flights per day, and employed 55 aviation service professionals -- before September 11, 2001. Signature was the gateway to the Washington, D.C. metropolitan area for thousands of business aviation travelers, including Members of Congress, Fortune 500 executives, and public sector leaders.

Two employees now handle approximately 20 flights per month. During the last six months, virtually all of these flights have been government officials. The flights have included aircraft belonging to the Bureau of Immigration and Customs Enforcement, the Drug Enforcement Agency, the FBI, NASA, miscellaneous dignitaries, and an increasing number of state governments.

#### **THE BAN ON BUSINESS AVIATION AT REAGAN NATIONAL SHOULD BE LIFTED**

Signature supports the re-opening of Reagan National to business aviation. We believe the Administration can, and should, adopt a plan to lift the ban on business aviation at Reagan National for two key reasons. First, the closure to business aviation continues to cause economic and political harm, which could be corrected by restoring business aviation to Reagan National. Second, business aviation can operate safely and securely in a post 9/11 environment at Reagan National and Signature is fully prepared to make necessary, reasonable modifications to assure the highest level of security. Additionally, it is appropriate for the Federal government to compensate Signature and other affected businesses for the losses suffered as a result of the ban on business aviation at Reagan National.

#### **CONTINUING ECONOMIC AND POLITICAL DAMAGE FROM BAN ON BUSINESS AVIATION**

Signature believes that the restoration of business aviation at Reagan National is necessary to end the continued loss of jobs and revenue affecting businesses

operating at Reagan National and the economy of the Washington, D.C. metropolitan area. The elimination of 60,000 business aviation flights a year and the massive curtailment of operations associated with those flights means not only the loss of business aviation industry jobs, but also translates into the loss of a major source of income to the D.C. hospitality and transportation industries. Many millions of dollars in revenue have already been lost by the D.C. hospitality industry. The disappearance of business aviation travelers through Reagan National continues to prolong the already significant losses suffered by hotels, catering services and restaurants, taxicab and car services, and other related businesses in and around Reagan National and throughout the Washington Metropolitan area.

Although Signature's rent has been abated by the Metropolitan Washington Airports Authority, we have suffered substantial losses to revenues and workforce. In the twenty-nine months of closure (to February 2004), Signature Flight Support alone has lost after tax profits, offset by gains at our Washington Dulles and Baltimore facilities, exceeding \$10 million. Additionally, with our facility closed, we have been forced to lay off almost all of our employees at Reagan National.

The harm, however, is not just economic. By depriving general aviation of access to Reagan National we restrict citizen access to the government. It seems particularly unfair that only the government is currently allowed to use this public facility, a right that is denied to all other Americans. In a letter to President Bush urging the renewal of general aviation access to Reagan National, Virginia Senators John Warner and George Allen aptly noted, "Unless we reopen Reagan National fully, we have accepted a significant modification in the way we conduct business in the Washington capital area that reduces our access and freedom. A permanent

reduction in our access to the nation's capital . . . can only be seen as a victory for our enemies and a blow to working people in our economy."<sup>1</sup> While some may see Reagan National's proximity to the capital as its greatest liability, we see it as its greatest strength, a strength that is undercut by denying general aviation traffic.

Since the restoration of commercial operations less than a month after the 9/11 attacks, Reagan National has stood as a symbol of the Nation's refusal to be intimidated by terrorists, and of our determination to carry on the Nation's business as normally as possible. President Bush expressed this resolve on October 2, 2001, when he announced the restoration of commercial operations: "This is the airport that brings our Nation's leaders to Washington to do the people's business . . . By opening this airport, we're making yet another statement to the terrorists – You can't win." Signature and the rest of the business aviation community share this determination; however, the reality is otherwise until we achieve a *truly* full restoration of service at Reagan National.

#### **BUSINESS AVIATION CAN USE REAGAN NATIONAL SAFELY AND SECURELY**

For eight months, the Department of Transportation worked actively, with other federal security agencies and aviation industry groups on a new set of security procedures to reopen Reagan National to business aviation in accord with President Bush's desire to return the airport to business as usual. However, on July 19, 2002; the aviation community was informed that Reagan National would be closed to general aviation indefinitely because of security precautions.

---

<sup>1</sup> April 18, 2002, Letter to President Bush.

Signature believes that business aviation can be safely restored at Reagan National and all local area airports. Business aviation, in particular, is inherently more secure and less threatening than commercial operations. We believe that business aviation can be as, if not more, secure than commercial aviation now operating at Reagan National. The pilots and passengers relying on business aviation at Reagan National are typically a small group -- airfield operators know the pilots and the pilots know their passengers. It is unfortunate and frustrating that the Administration cannot recognize the compelling argument that the business aviation pilots and passengers are more secure than the majority of users of commercial aviation, and that effective procedures can be implemented to guarantee security to the Washington area.

Signature, as well as others in the industry, can be a key player in assuring that business aviation at Reagan National is safe and secure. We stand ready to work on any necessary modifications with all applicable agencies to assure the highest level of security for business aviation at Reagan National.

Finally, the standards for federal funding of business aviation security should be the same as those for commercial aviation. Both are equally important matters of national security and key elements of our national air transportation system and economy. There should be no reason to distinguish the two by expending Federal money on one while requiring private funding for the other.

**COMPENSATION FOR THE CLOSURE IS NEEDED AND APPROPRIATE**

The Fifth Amendment to the Constitution provides that no "private property shall be taken for public use without just compensation." The closure to business aviation and its affect on Signature is legally known as a regulatory taking. The

business aviation shutdown has left Signature with a facility and a business that cannot possibly be used for any other purpose. Given this situation, it is appropriate for the Federal government to compensate Signature and other affected business for the losses that have resulted. Compensation should be paid for the actual losses incurred during the closure of Reagan National.

Congress recognized the immediate need for compensation in the wake of 9/11, when it passed the 2001 Emergency Supplemental, which appropriated \$40 million to the Metropolitan Washington Airports Authority to compensate its concessionaires for the temporary closure and reduced commercial flight scheduled at Reagan National immediately after 9/11. However, no funds were made available to businesses that continued to suffer substantial losses at Washington area airports. This failure can and should be addressed this year.

Congress recognized the importance of compensating businesses for the significant losses suffered as a result of the closure of business aviation. This Committee, in particular, was instrumental in adopting a provision for the reimbursement of losses incurred by general aviation entities in the FAA reauthorization bill, The Vision 100--Century of Aviation Reauthorization, which was passed by the House and the Senate last fall and signed by the President in December.

Specifically, the provision states, "the Secretary of Transportation may make grants to reimburse the following general aviation entities for the security costs incurred and revenue foregone as a result of the restrictions imposed by the Federal Government following the terrorist attacks on the United States that occurred on September 11, 2001 ... to general aviation entities that operate at Ronald Reagan

Washington National Airport."<sup>2</sup> The statute also provides that \$100,000,000 is authorized to be appropriated for reimbursements to carry out the section.<sup>3</sup> Additionally, the bill addressed the re-opening of Reagan National once the Secretary of Homeland Security has developed and implemented a security plan to permit general aviation aircraft to land and take off at Ronald Reagan Washington National Airport.

Signature appreciates the Committee's focus on the important issue of restoring business aviation to Reagan National, and in compensating those who have suffered substantial losses as a result of its closure more than 2 years ago. We hope your attention will help to *truly* restore full service, including business aviation, to Reagan National as quickly as possible.

Thank you for the opportunity to testify today. I will be pleased to respond to your questions.

\* \* \*

---

<sup>2</sup> Public Law No 108-176 (H.R. 2115) (December 12, 2003).

<sup>3</sup> Public Law No 108-176 (H.R. 2115) (December 12, 2003).



1200 EIGHTEENTH STREET NW, SUITE 400  
WASHINGTON, DC 20036-2527  
TEL: (202) 783-9000 • FAX: (202) 331-8364  
E-MAIL: [info@nbaa.org](mailto:info@nbaa.org) • WEB: [www.nbaa.org](http://www.nbaa.org)

STATEMENT OF

SHELLEY A. LONGMUIR  
PRESIDENT & CEO

NATIONAL BUSINESS AVIATION ASSOCIATION, INC.

BEFORE THE  
HOUSE TRANSPORTATION & INFRASTRUCTURE  
AVIATION SUBCOMMITTEE

MARCH 16, 2004

Chairman Mica, Congressman DeFazio, Members of the Subcommittee, good afternoon. On behalf of NBAA's 7,500 Member companies, it is an honor to be here today.

More than two and a half years have passed since the terrorist attacks of 9/11. Today, in the general aviation community, we live in a new world of restrictions, but also one that is more secure than it was before the attacks.

This new world has come at great cost, both financially and in human terms, and it is important to acknowledge and honor the sacrifice made by so many Americans to protect our way of life. Their work continues, and we are so very thankful to them all.

Americans today appreciate the overarching importance of national security, as do the operators of business aircraft. For every reason, they, too, want to prevent the use of any aircraft by terrorists.

However, with the clarity afforded by two-and-a-half-years of hindsight, national security concerns manifested by crude blanket airspace restrictions at Reagan Airport (DCA) and Temporary Flight Restrictions (TFRs) continue to challenge business aircraft operators. Clearly, these restrictions are not truly in the national interest. They hurt the economy, hurt businesses and cause job losses at DCA and throughout the business aviation community.

These restrictions have been imposed universally, without genuine consideration for the existing security of any aircraft operator, or even for their willingness to operate to extremely high security standards. Both attitudes deny common sense. These restrictions are unnecessarily constraining the business community at a time when our economy needs every possible advantage to create jobs and strengthen America.

Secretary Ridge identified the government's challenge when he said, "In protecting our systems of commerce and transportation, we face a two-pronged challenge; safeguard our homeland, and at the same time, ensure that the free flow of people, goods, and commerce is not disrupted."

Appropriately defining that delicate balance between freedom and restriction admittedly is an immense challenge.

Today, we believe that it is time to strike a more sophisticated balance between general aviation security, the pressing need to further economic activity, and the freedom to travel. We call this initiative *Secure Access*.

Locally, our concern obviously is with the continued closure of DCA to general aviation aircraft. Nationally, our concern is with the proliferation of TFRs and their impact on the general aviation community.

We believe that the regulatory foundation already has been established to facilitate secure access both to DCA and TFRs for those general aviation operators who are willing to qualify under a reasonable and effective security protocol.

We believe that security-qualified general aviation operators should have access to DCA and TFRs equivalent to that of the scheduled commercial carriers.

We believe that the security protocol we are proposing today is equal to or more secure than that employed by the scheduled commercial carriers. We welcome Congressional and Administration discussion and review and support of its merits.

We further believe that the circumstances of DCA are unique and that Congress should make absolutely certain that the security protocol proposed and applied here, as in the commercial airline case, not be used as a basis for access to any other airport.

Finally, and thankfully spurred by this Committee through *Vision 100 – Century of Aviation Reauthorization Act*, we believe that now is the time for the government to act. Implementing the provisions of this law related to DCA well and soon is critical to fulfilling Secretary Ridge's vision, and to restoring the appropriate balance between security and the free flow of people, goods, and commerce.

We have taken this proactive approach because we believe it is in the national interest and may further public safety. In thinking about this challenge, we feel that it is vitally important that Congress, the Administration and the public clearly and fully understand the distinct differences between commercial and general aviation.

Their security risks are different, requiring different countermeasures to achieve the same security goal.

Let me give you one example: The goal of the multimillion dollar "CAPPS II" program is to identify the general public who fly as airline passengers, understand their backgrounds, and determine if their purpose for flying is more than getting from point A to point B. Business aviation passengers are on board only by invitation of the owners, who know not only who their passengers are, but why they are there – their intent – and where they are going, all on an unpublished timetable.

Because of these and other differences, a one-size-fits-all approach to aviation security is not only unworkable, but unwise. What is wise is an approach which is genuinely risk-based, which methodically and dispassionately assesses threats and vulnerabilities, and addresses them directly.

In the general aviation community, through the adoption of what the experts call rings of security, a general aviation-specific series of security measures should yield security which matches or exceeds that of the scheduled commercial carriers.

*Secure Access* creates these rings of security by establishing an equivalent level of security as that of scheduled airlines, using appropriately different strategies and tactics. *Secure Access* creates this equivalency through the imposition of eight additional requirements to the TSA Access Certificate program currently in effect in the New York City area. The elements of *Secure Access* would be invoked on flights seeking access to TFR's or flying to or from DCA, as appropriate.

First, the program proposes real time classified threat intelligence sharing between the intelligence community and the aircraft operator. From the perspective of general aviation, most if not all information sharing today is one way, between the industry and the government. An effective solution must allow for bidirectional communication of important security information.

Second, *Secure Access* requires the aircraft operator to develop and maintain a ground security program. This program would involve, to the degree necessary, other airports used by the operator.

Third, the program requires a fingerprint based criminal history record check for the entire flight department, not just the flight crew. Anyone who could have access to that aircraft – a mechanic, a scheduler, a dispatcher, and of course, pilots and flight attendants – would be checked.

Fourth, the program would require a check of all passengers against a watch list used by other elements of the aviation community. No passenger would be allowed to board the aircraft until a successful screening of the passenger's name has been completed.

Fifth, and perhaps most critical, an independent verification and validation (IVV) of the crew, passengers and aircraft would occur prior to allowing the aircraft to depart. The entity performing the IVV could be a TSA employee, a TSA-trained person, a TSA-designated representative such as local law enforcement, or other appropriate independent authority with the ability to deny the aircraft to depart if any aspect of the program is not met.

Sixth, for access to DCA, the use of real time access procedures like those used by the scheduled airlines that indicate secure command and control of the aircraft.

Seventh, the ability for the aircraft operator to track the real-time status of a flight into a TFR or into or out of DCA.

And finally, the use of the General Aviation Desk at the FAA Command Center in Herndon to coordinate *Secure Access* with the FAA, the National Capital Region Command Center and the security community at large.

Going forward, we welcome study and review of these ideas by officials in Congress, the Department of Homeland Security and others working toward the same goal.

Since DCA opened just after World War II, more than two million general aviation aircraft have visited Washington most efficiently through this airport without a security incident. In the year prior to 9/11, there were approximately 60,000 general aviation takeoffs and landings at DCA. Among them were those flown by Steelcase, the Kalamazoo, Michigan, office furniture company which has used DCA to pick-up and return qualified customers for a day of sales briefings. Purdue University regularly flew to DCA so that school officials could pursue grant requests and progress with Federal officials. AT&T's leadership routinely came to town to meet with Federal regulators. In total, more than 2,000 companies used DCA in the year prior to 9/11.

Nationally, since 9/11, the number of TFRs – no-fly zones for general aviation aircraft – has increased dramatically, totaling more than 3,000 in just the past two-and-a-half years. They typically are announced on very short notice, are troublesome for pilots to navigate, and difficult for Federal authorities to enforce. During that time, of the hundreds of interdictions and investigations launched by Federal officials against aircraft inadvertently entering TFRs, none have been found to have been of malicious intent.

The closure of National Airport and the increase of TFRs since 9/11 have resulted in significant economic losses for the general aviation community. Combined, these restrictions have cost the nation approximately \$1.3 billion since 9/11 in lost jobs, lost productivity, and lost revenue. That converts to between \$43 million per month. At DCA alone, these losses have exceeded \$177 million. These losses will continue to climb until a solution like *Secure Access* is adopted and implemented to grant access for those that need it and can meet the security standard.

Today, we ask that the Department of Homeland Security review *Secure Access*, augment it if necessary, and implement it. We ask further that the Committee take the next necessary step of asking that DHS complete implementation of a reasonable and effective plan by August 1, 2004.

Restoring security qualified general aviation access to DCA and TFRs can benefit our country in many ways – it will restore jobs lost; it will boost the economy and significantly increase productivity; it will improve the prospects of the general aviation industry which was damaged by 9/11 and remains uncompensated for its loss; and maybe most importantly, it will be an important step in proving that terrorists will not succeed in reducing the freedom of Americans.

No terrorist act or hijacking has ever involved business aircraft. With your help, we will continue our community's extraordinary track record.

This hangar has been filled with aircraft since it opened in 1948 and for all of the nearly six decades since – but has stood largely empty for the last two-and-a-half-years. This consequence of 9/11 is symbolic of what still is yet to be corrected. We cannot turn back the clock but we can make right that which is still wrong today.

STATEMENT OF CONGRESSMAN JON PORTER  
BEFORE THE  
HOUSE AVIATION SUBCOMMITTEE  
FIELD HEARING  
ON  
OPENING RONALD REAGAN NATIONAL AIRPORT TO GENERAL AVIATION  
3/16/04

Chairman Mica, thank you for holding this important hearing. Since September 11, 2001 our nation's flagship airport has been closed to general aviation. Despite tremendous advances in the air defenses of our capital, and the security of general aviation airfields, the flying public is not able to fly to their nation's capital, into the airport they own and that receives federal funds for its upkeep and maintenance.

General Aviation is a living community, and its airports are a network of patriotic, hard working men and women of every background. Losing Ronald Reagan airport for this community impacts every airport in the country, every day. It is an unfair accusation of disloyalty against our pilots, an unfair loss of jobs to airport workers, and an unfair loss of freedom and pride to one of the most freedom loving communities anywhere in our nation.

One hundred years ago the Wright Brothers first flew in North Carolina, while Washington witnessed the failure of Professor Langley's flying machine. Today the rest of our country is flying again, while Washington is still grounded for the men and women who are the future of the next century of aviation.

I hope that this hearing will lead to the reopening of Ronald Reagan National Airport to general aviation in the immediate future.

Statement of David M. Stone  
Acting Administrator  
Transportation Security Administration  
Department of Homeland Security

Committee on Transportation and Infrastructure  
Subcommittee on Aviation  
U.S. House of Representatives

March 16, 2004

Chairman Mica, Ranking Member DeFazio, Congresswoman Norton and other distinguished members of the Subcommittee, thank you for inviting me to testify regarding the continued closure of Ronald Reagan Washington National Airport (DCA) to general aviation and charter flights. I am pleased to appear before you, along with witnesses from the Metropolitan Washington Airports Authority, Signature Flight Support, the General Aviation Manufacturers Association, the National Business Aviation Association, the National Air Transportation Association, and the Aircraft Owners and Pilots Association, to testify on this important matter.

DCA is a premier gateway to the Nation's capital and also serves as a vital engine for growth of the regional economy. TSA remains committed to working with our law enforcement and military partners, as well as stakeholders, to find a way to open the airport to general aviation and charter service. In working toward achieving that goal, however, we must remain cognizant that the threat of terrorists launching an attack using aircraft remains high, and this includes scenarios involving terrorists' use of general aviation access at DCA to perpetrate an attack against targets in the Nation's capital and its environs. Therefore, any reopening will require implementation of adequate security procedures.

Pursuant to Section 823 of the Vision 100—Century of Flight Aviation Reauthorization Act (P.L. 108-176), Congress has directed the Secretary of Homeland Security to develop and implement a security plan to permit general aviation aircraft to land and take off at DCA, while ensuring the security of the National Capital Region's airspace. TSA, which is the lead component agency within the Department of Homeland Security (DHS) on this matter, is devising a security plan that will allow general aviation and charter operations to resume at DCA.

Following the terrorist attacks of September 11, 2001, DCA was closed to all air traffic. In early October 2001, the Department of Transportation began the phased reopening of DCA to certain commercial flight operations. In April 2002, most scheduled commercial flight operations into and out of DCA were restored, except for certain commuter and on-demand operations. The restoration of commercial operations at DCA was accomplished only after instituting specific enhanced aircraft and operational security measures in

addition to those imposed nationally in the aftermath of the September 11 attacks. One measure that is widely known to the public is the so-called "30-minute rule", whereby passengers are prohibited from getting out of their seats within 30 minutes of takeoff or landing at DCA. That measure, together with others that are less conspicuous to the public, provides several additional layers of security that address adequately the threat environment in the National Capital Region.

In addition to commercial service, flight operations involving federal agencies, including the Department of Defense, Department of Homeland Security, and the Federal Aviation Administration; emergency medical services; and law enforcement are permitted to operate into and out of DCA. Some aircraft are also permitted access into DCA on a case-by-case basis, after undergoing vetting through TSA's Special Events Unit and the granting of a waiver. These waivers are issued on a very limited basis for very specific purposes and only when very stringent security procedures have been implemented.

Please allow me to speak holistically for a moment about the National Capital Region, before returning to the specific topic of DCA. As you know, the Federal government has put in place a carefully crafted, layered system of airspace defense to monitor and protect the National Capital Region. The outer ring, roughly a 30-mile radius around Washington known as the Airspace Defense Identification Zone (ADIZ), has been in place for about a year. We are continuing to work with stakeholders to refine procedures for entering and operating within the ADIZ, but in general terms all operators must file a flight plan, transmit a discreet beacon code, and maintain 2-way radio communication with air traffic control in order to operate within the ADIZ. The inner ring of airspace, known as the Flight Restricted Zone (FRZ), has a radius of 15 nautical miles centered at the DCA navigational beacon.

Other than very limited circumstances, general aviation, commuter, and on-demand operations are prohibited from operating within the FRZ. The restriction affects operations not only at DCA but also at three general aviation airports located in Maryland. Like the prohibition against many kinds of flights into DCA, these measures were instituted because of grave concerns over the protection of the critical assets, facilities, and infrastructure in the Washington metropolitan region and the absolute necessity to prevent the use of an aircraft as a weapon of mass destruction. We have maintained the restrictions because the vast majority of general aviation, commuter, and on-demand operations are unable to meet the same security measures being applied to air carriers operating large aircraft. While we would not require general aviation to implement the exact same measures, we would require measures that provide an equivalent level of security before reopening DCA to general aviation operations. We are currently investigating a number of possible programs and solutions that could provide this assurance.

We are currently not aware of any specific information regarding terrorist plans to use general aviation or charter aircraft to strike targets in the Washington metropolitan region. However, we have already witnessed two incidents involving the crash of small, general aviation aircraft into buildings (Milan, Italy and Tampa, FL). Although neither of

these incidents involved terrorism and the damage caused by these incidents was relatively minor, these incidents surely piqued the interest of terrorists as they consider new methods and weaponry for future operations. Indeed, in April 2003, the arrest of Waleed bin Attash uncovered a plot to crash a small aircraft loaded with explosives into the U.S. Consulate in Karachi, Pakistan.

Certain factors make general aviation aircraft an attractive potential avenue for terrorist attack. For example, general aviation aircraft are readily available and relatively inexpensive. Further, piloting these aircraft generally requires less skill and training than larger aircraft. Such factors, coupled with terrorist organizations' demonstrated ability to adopt new and creative methods of attack, make general aviation aircraft an attractive avenue for terrorists intent on evading security measures.

These concerns are heightened with respect to the Washington metropolitan region because the area is demonstrably an obvious target for would-be terrorists. As the home to all three branches of the Federal government, as well as numerous Federal buildings, foreign embassies, multinational institutions, and national monuments, the region offers a plethora of high value, symbolic targets for those who would do us harm. The protection of these assets, as well as the lives of travelers and those who live in this region, is not only our priority, but also our duty.

In fulfilling our obligation, we are acutely aware of the burdens now being borne by the general aviation community in the Washington metropolitan region. Moreover, undeniably, the measures restrict the freedom of movement that we so cherish. We will certainly bear in mind the hardships that have been imposed on stakeholders as we consider the measures that would need to be implemented in order to afford an equivalent level of security as those provided by measures that have been instituted with regard to commercial aviation operations at DCA. We must continue to strive to find a solution that meets the twin goals of ensuring security while maintaining mobility, for assuredly, terrorists will have won if we achieve the former goal at the expense of the latter.

TSA is working on devising a security plan, consistent with Section 823, which will then be coordinated within DHS and other federal agencies that are charged with responsibility for securing the National Capital Region. Other components within DHS that will consider the issue include the Bureau of Immigration and Customs Enforcement and the U.S. Secret Service. Outside of DHS, the Federal Bureau of Investigation, the Department of Defense, and the Federal Aviation Administration will also be involved. In working toward a solution, the issue has been and will continue to be discussed at length within the Airspace Protection Workgroup, which was chartered by the Homeland Security Council to discuss various aviation issues involving the National Capital Region. We will also consult with interested Committees in Congress as our work progresses. When the specific details of the proposed security measures are fully developed and coordinated within the Executive Branch, the plan will be finalized and its non-security sensitive elements will be published in the Federal Register.

A number of user organizations and aviation associations that represent the interests of the general aviation and charter airline communities, including those represented at this hearing, have requested that DHS consider various proposals to reopen DCA to their operations. We very much appreciate the legitimate concerns of these entities and recognize that they have incurred economic hardships as a result of their continued lack of access to DCA. We also are very much aware of the adverse impact to the regional economy as a result of the continued closure of DCA to general aviation and charter airlines. We have met with representatives of general aviation and charter airlines, received their proposals, and discussed how they address the need for increased security measures. We will continue to seek their input as we devise a plan for reopening general aviation at DCA. We regard stakeholders as partners in this endeavor and are confident that we will have their support as we move forward.

This concludes my prepared statement. I would be pleased to answer any questions at this time.