

be virtually impossible on a fair and impartial basis. For example, if we attempt to rule out so-called pleasure flying or transportation for personal reasons in a private aircraft, then it also appears that we should rule out the airline trip that is carrying a cargo of vacationers or people otherwise traveling for pleasure. After all, the airline is a commercial venture for profit and has no greater entitlement to the use of public facilities than a businessman in his company airplane.

Crop dusters usually do not operate from the major hub airports, although they do operate from many airports that also accommodate the scheduled airlines. This usually is done through a mutual arrangement with the control tower and all operations are carefully controlled so as to avoid hazard to other traffic.

Reference is made to aircraft operated by cattle ranchers with the inference that such aircraft are usually poorly equipped, or as Mr. Kuykendall phrased it, with no radio, no flight plan, no weather report and representing the extreme bottom of the people in our Association. Our experience is that some ranchers do own such aircraft for use on the home acres, but the aircraft that they use for travel away from the home ranch is exceptionally well equipped by anyone's standards. They certainly do not represent the bottom of AOPA's membership.

AOPA's testimony before the subcommittee with respect to airports, and I refer specifically to recommendation No. 12 on page 18 of my prepared testimony, makes several recommendations with respect to provision for general aviation on major airports and the establishment of other airports designed to draw general aviation traffic away from the major airports insofar as practicable. We recognize the desirability of this, but we also recognize that some general aviation operations must continue to be accommodated at the major airports used by the airlines. It would be impossible to establish different categories of such traffic, because the need varies with the requirements of the aircraft operator in light of a variety of local circumstances. Further, it has not been established that general aviation use of major airports is a hazard to safety. There has been some discussion of inconvenience to the airlines, but no one has yet suggested that we ban private and business automobiles from our public superhighways in order to give preferential treatment to the buses and other commercial motor carriers.

Mr. KUYKENDALL. Let me close with this: You pointed out that there have been two disastrous collisions in recent months. Now, unless we do something as a Congress and as a people and we suddenly start out here with a rash of collisions at National and Dulles and John F. Kennedy, the hue and cry from the general public is going to be such that we are going to wish we had acted.

I would like to see from your organization some categorization of your type of flying and some suggestions as to what can be done to regulate it for safety purposes. This is for the future. As a member of this committee I would like to have this from you.

Thank you, Mr. Chairman.

Mr. FRIEDEL. Mr. Pickle, do you have any questions?

Mr. PICKLE. I do not have any questions at this point.

Mr. FRIEDEL. Mr. Dingell.

Mr. DINGELL. You discuss in your comments, sir, the question of positive control. You indicate an opposition on the part of your organization to reducing the level of positive control of aircraft to 18,000 feet. I would like to know the rationale, why you oppose that reduction of positive control height.

Mr. KAYNE. Our reasons for opposing it are severalfold. Incidentally, this is a matter of proposed rulemaking before the FAA and this is not the first time they have proposed it and it is not the first time we have objected to it. They tried this several years ago and the response that they got back from their public rulemaking under the Administrative Procedure Act was so strong as to cause the agency to abandon the requirement at that time.

Now we have a number of general aviation aircraft and the number