

burden in the most heavily traveled area in the world by requiring all aircraft at 18,000 feet MSL and above to be controlled could have catastrophic results.

(2) There is no evidence on the record anywhere that positive control provides additional safety. On the other hand, there are abundant records that some of the most serious collisions in the history of aviation have occurred when all of the significant elements of positive control have been present. Both TWA and UAL were on instruments under air traffic control on December 16, 1960 over Staten Island when they collided with a resultant loss of 134 souls. Both TWA and EAL were under air traffic control north of New York recently when they collided. Both the Dove and Cherokee were under the control of the LaGuardia Tower recently when they collided.

So-called "Positive" control would have added nothing that would have prevented these accidents. Further, the FAA is unable to provide any instances whatever where positive control has actually shown where a near mid-air collision could and would have been averted. In fact, the FAA has not been able to show where actual near mid-air collisions in the airspace under discussion have occurred.

In conclusion AOPA feels that there is no conclusive evidence that a valid requirement exists for lowering positive control airspace to 18,000 feet MSL. Neither is there any evidence that the FAA ATC system is prepared or capable of handling the influx of mandatory IFR or CVF operations without imposing undue hardship, delays and expense to the users of the airspace. AOPA strongly urges that the proposal be withdrawn.

Sincerely,

ROYS C. JONES,

Director, Air Traffic Control Department.

Mr. KAYNE. I just want to add one thing. It is very short. The number of passengers we are talking about and Mr. Kuykendall referred to that, too, all available information we have now indicates that general aviation carries as many people in the air as the scheduled airlines do every year. This is a myth that the airlines are carrying the largest number of public and general aviation is carrying one or two people. We are carrying more than one or two people, we are carrying them more times, more frequently in more airplanes.

Mr. DEVINE. Mr. Chairman, before you release the witness are you expecting to call a witness representing the air traffic controllers? If not, Mr. Kayne and his colleagues here are the best qualified in that area.

Mr. FRIEDEL. They are on the list.

Thank you, Mr. Kayne.

Mr. KAYNE. Thank you, sir.

Mr. FRIEDEL. Our next witness will be Mr. Stuart G. Tipton, president of the Air Transport Association.

You have quite a lengthy statement. Do you wish to summarize it?

STATEMENT OF STUART G. TIPTON, PRESIDENT, AIR TRANSPORT ASSOCIATION; ACCOMPANIED BY CLIFTON F. VON KANN, VICE PRESIDENT, OPERATIONS AND ENGINEERING; WALTER A. JENSEN, ASSISTANT VICE PRESIDENT, OPERATIONS AND ENGINEERING; AND STANLEY L. SELTZER, DIRECTOR, AIR NAVIGATION AND TRAFFIC CONTROL

Mr. TIPTON. Normally I would very quickly agree to summarize this statement, Mr. Chairman, but I have been thinking about it all during its preparation. What the statement consists of is quite a detailed action program for improvement, and I can't really do it without taking more time than would be taken if I read it.