

to encourage progress in noise abatement and to issue aircraft type certificates under the act only where an aircraft meets those noise and sonic boom standards.

Thank you.

(Mr. Stephen's prepared statement follows:)

STATEMENT OF JOHN E. STEPHEN, GENERAL COUNSEL, AIR TRANSPORT ASSOCIATION OF AMERICA

My name is John E. Stephen. I am General Counsel of the Air Transport Association of America, which is made up of the scheduled airlines of the United States. We appreciate the opportunity to state our views on H.R. 3400, which would amend the Federal Aviation Act to authorize "aircraft noise abatement regulation."

AIRLINES POSITION

The Air Transport Association, speaking for the U.S. scheduled airlines, supports the proposal to promote noise reduction through *type* certification of aircraft. However, we do not support the bill's proposed authority for the noise-certification of airmen, airports, air carriers and air agencies. Nor do we support the vague grant of "regulatory" authority over noise and sonic boom under Title VI of the Federal Aviation Act, which is the certification part of the Act. We believe that the authority to issue *flight* rules and regulations for noise purposes under existing Title III of the Act is sufficient.

On the other hand, we believe that H.R. 3400 is deficient in not *compelling* the type-certification of aircraft where appropriate and necessary for noise reduction. For these reasons, we have forwarded to the Committee a draft bill which we respectfully commend as a substitute for H.R. 3400. We shall compare the essential provisions of each of the two bills. First, let us look at the purpose of the legislation.

BACKGROUND OF THE BILL

In the 89th Congress, H.R. 16171 was the predecessor of the current bill, H.R. 3400. Under H.R. 16171, the Administrator of the Federal Aviation Agency would have been empowered to prescribe and amend: (1) standards for the measurement of and (2) necessary rules and regulations for the control and abatement of, aircraft noise. The Administrator would have been authorized to apply such standards, rules and regulations in any action on any certificate presently authorized in Title VI of the Federal Aviation Act (which is now limited to safety).

The certificates now provided for by Title VI of the Act are: aircraft (and engine and propeller) type and production certificates; aircraft airworthiness certificates; airmen's certificates; air carrier operating certificates; air navigation facility certificates; and "air agency" certificates (e.g., civilian flying schools, and aircraft and engine repair stations). A limited hearing on the 1966 bill was held last October. Only Congressmen and FAA witnesses were heard.

The current bill, H.R. 3400, was introduced by Mr. Staggers in January of 1967. It is substantially the same as the 1966 bill, except that it has been expanded to include *sonic boom* as well as aircraft noise, and (in light of the intervening establishment of the Department of Transportation) the Secretary of Transportation has been substituted for the Administrator, FAA in the bill.

The bill was described in a forwarding letter of January 11, 1967 by General William F. McKee, Administrator of the (then) Federal Aviation Agency, as "part of the Federal Aviation Agency's legislation program." It was also stated that the bill's early enactment had been recommended by the President's inter-agency task group on aircraft noise, as being necessary for the alleviation of such noise.

OBJECTIVES OF THE LEGISLATION

The Administrator has stated that, "the proposed bill is a part of the Federal Government's overall program to alleviate the problems of aircraft noise by (1) reducing aircraft noise at the source, (2) developing noise abatement flight techniques, and (3) fostering the compatible use of land adjacent to airports." H.R. 3400 is essentially concerned with only the first of these objectives: viz., reduction of aircraft noise *at the source*: i.e., the aircraft.

All three of the goals of the Federal aircraft noise alleviation program have received the fullest support of the scheduled airlines industry. Alleviation of air-