

Mr. KUYKENDALL. Look at page 6 where it says:

Aviation history has shown that with each new technological advance in aircraft, the manufacturers and their customers wring every ounce of economic productivity out of them.

The principal forces which move private enterprise are profits and regulations. (But) there are no profits in reducing noise.

Now, by every implication you could leave here you say that these people are not interested in reducing noise. All I want to do is have everybody come in here and be fair with each other and say we have a terrific problem in the future without implying that the money-hungry, money-grabbing, free enterprise system that keeps you in business and keeps me up here is not interested in solving this problem just as much as you are.

One last point I would like to make. You are worried about a bankrupt local government. I wish somebody would start worrying about a bankrupt National Government. Thank you, Mr. Chairman.

Mr. BURNARD. Mr. Chairman, may I just say in that connection that I want to make the record very clear and I want to make it clear to you, Congressman, that there is no question in our minds that everybody in the business has done a great deal to try to solve this problem, but we simply haven't got it solved yet.

Mr. KUYKENDALL. Let's not leave a question here in this committee.

Mr. BURNARD. We need help.

Mr. FRIEDEL. Mr. Burnard, we understand you. We all need to help, and this is a very, very great problem and we are trying to solve it the best way we know how as of today. Maybe one of these days we can avoid all this noise we are worried about. We might be able to even cure the SST boom. We don't know, but we want to try to find out.

Mr. BURNARD. We do, Mr. Chairman.

Mr. WATSON. Mr. Chairman, may I ask the gentleman a question? I can see your concern. As representing the airport operators especially you felt the wrath of the judicial arm of government of this *Griggs v. Allegheny County* case.

Mr. BURNARD. Yes, sir.

Mr. WATSON. So, naturally, you are concerned and you want somebody else to assume responsibility or get into the act to try to help things out a bit. I am trying to understand.

Does Allegheny County have an enabling statute which permits an individual to sue them for damages in this regard? Usually governmental entities do not have such permissive legislation and I was wondering how anyone ever was able to recover against Allegheny County.

Mr. BURNARD. Well, the case went up to the Pennsylvania Supreme Court at least twice and maybe three times before it got to the U.S. Supreme Court. I can't answer your specific question categorically, but it must have been resolved somewhere along that litigation line and it was found that Allegheny County could be sued because the final decision was adverse to them.

Mr. WATSON. Was it a private operator of this airport, or was it the government?

Mr. BURNARD. It is a government operator—Allegheny County.

Mr. WATSON. Thank you, sir.

Mr. FRIEDEL. Mr. Burnard, I have a couple of questions here. Do