

## **Senate Commerce Committee Nominee Questionnaire, 118th Congress**

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation (the “Committee”) asks you to provide typed answers to each of the following questions. It is requested that the nominee type the question in full before each response. Do not leave any questions blank. Type “None” or “Not Applicable” if a question does not apply to the nominee. Begin each section (i.e., “A”, “B”, etc.) on a new sheet of paper. Electronically submit your completed questionnaire to the Committee in PDF format and ensure that sections A through E of the completed questionnaire are in a text searchable and that any hyperlinks can be clicked. Section F may be scanned for electronic submission and need not be searchable.

### **A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS**

1. Name (Include any former names or nicknames used):

**Thomas B. Chapman**

2. Position to which nominated:

**Board Member, National Transportation Safety Board**

3. Date of Nomination:

**July 31, 2024**

4. Address (List current place of residence and office addresses):

[REDACTED]

**Office: National Transportation Safety Board  
490 L’Enfant Plaza  
Washington, DC 20594**

5. Date and Place of Birth:

**Born December 18, 1954, Denver, Colorado**

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

- **Married January 25, 1986, to Mary Scott O’Connell (“Scotty”). My wife retired in 2015 from the National Air & Space Museum. She was with the Smithsonian Institution for 25 years, nearly all of it at the Air & Space Museum.**
- **Proud parents of Patrick Thomas O’Connell Chapman, born May 31, 2002. Currently pursuing a Master’s degree at the London School of Economics. (Age 22)**

7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

**American University Washington College of Law, Washington, D.C.  
Attended September 1979 through May 1982.  
Juris Doctor, May 1982.  
Admitted to the practice of law in Washington, D.C. and Maryland.**

**C.W. Post College, Greenvale, N.Y.  
Attended September 1973 through May 1978.  
Bachelor of Fine Arts in Music, May 1978.  
Full participant in Honors Program.  
Areas of concentration: political science, literature, and education.**

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

***Board Member***

*National Transportation Safety Board  
January 2020 to Present.*

Serve as the 46th Member of the National Transportation Safety Board.

***Counsel***

*Senate Subcommittee on Aviation Operations, Safety, & Security  
Committee on Commerce, Science, & Transportation  
Senator Bill Nelson, Ranking Member  
July 2014 to January 2020.*

Joined Aviation Subcommittee staff in anticipation of legislative effort to reauthorize the Federal Aviation Administration. Worked collaboratively with bipartisan Senate team throughout the 114<sup>th</sup> Congress to develop comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in the *FAA Extension, Safety, and Security Act of 2016*, passed by Congress in July of 2016. Efforts to agree on long-term, comprehensive legislation continued in the 115<sup>th</sup> Congress, resulting in passage of the *FAA Reauthorization Act of 2018*, signed into law October 5, 2018. The five-year package negotiated on a bipartisan basis ensured long-term stability and various important reforms of the FAA. It also reauthorized and reformed the Transportation Security Administration and the National Transportation Safety Board.

***Vice President for Government Affairs***

*US Airways, Washington, D.C.*

*October 2006 to January 2014.*

Recruited to manage Washington, D.C. office for the “new” US Airways. Newly established company resulted from 2005 merger of former US Airways and America West Airlines. Served as primary Washington representative on legislative matters and contributed significantly to federal regulatory work and dealing with news media on government affairs matters. During tenure, launched enhanced internal fundraising campaign for *US Airways Political Action Committee*, doubling the rate of employee participation and tripling PAC financial resources. Heavily involved in developing and implementing government affairs strategies promoting industry consolidation—a company priority. Efforts to promote consolidation helped build foundation for successful agreement merging US Airways and American Airlines, creating the world’s largest airline.

***Legislative Counsel***

*Southwest Airlines Co., Washington, D.C.*

*January 1998 to October 2006.*

Recruited to establish and manage new Washington, D.C. office to represent Southwest Airlines. Establishment of full-time Washington office significantly enhanced the effectiveness of the Company’s government affairs efforts. Served as primary Washington representative on legislative and regulatory matters. Frequently called upon to represent the Company in state and local government affairs arena, particularly in the airline’s newer east coast destination cities. Helped organize and launch the Company’s first ever PAC, the *Southwest Airlines Freedom Fund*. Dealt with news media on government affairs matters.

***Senior Vice President for Government & Technical Affairs***

*Aircraft Owners & Pilots Association, Washington, D.C.*

*December 1996 to January 1998.*

Promoted to direct all federal, state, and local government affairs activities for AOPA – a major national association representing interests of over 340,000 members. Managed full-time professional staff of

eighteen in AOPA's Washington, D.C. and Frederick, Maryland offices. Also managed state and local activities of twelve Regional Representatives. AOPA's government affairs program often cited as among the most active of all national membership associations.

***Vice President & Legislative Counsel***

*Aircraft Owners & Pilots Association, Washington, D.C.  
November 1988 to December 1996.*

Promoted to direct federal and state legislative programs and PAC for AOPA. Managed staff of six in AOPA's Office of Legislative Affairs. During tenure, substantially increased effectiveness and organization of AOPA's legislative programs. Increased PAC fund-raising capability to secure it solidly among 50 largest PACs in the United States.

***State Legislative Counsel***

*Aircraft Owners & Pilots Association, Washington, D.C.  
June 1985 to November 1988.*

Promoted to expand and direct AOPA's state legislative program. Coordinated state legislative activities of twelve Regional Representatives.

***Associate Counsel, Office of the General Counsel***

*Aircraft Owners & Pilots Association, Washington, D.C.  
May 1982 to June 1985.*

Established and coordinated successful state legislative program for AOPA. Drafted or reviewed all Association contracts and participated heavily in contract negotiations. Responsible for all trademark and copyright issues. Gained experience in broad spectrum of corporate legal matters.

9. Attach a copy of your resume.

**Attached.**

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.

**None to report.**

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.

**None to report other than those listed in response to Question No. 8, above.**

12. Please list each membership you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

**Member of the 116 Club, a private lunch club located at 234 3rd Street, NE, in Washington, DC. Member since 2012.**

**I have never been a member of nor have I associated with any club or organization which discriminates on the basis of sex, race, color, religion, national origin, age, or disability.**

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

**No.**

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

**None to report.**

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

**None to report.**

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

**Recognized by the ARC of Frederick County, Maryland for voluntary fundraising efforts in support of the organization's programs to help people with developmental disabilities.**

**Recognized by both the National Parks Service and the Federal Aviation Administration for efforts as one of nine members appointed by the Clinton Administration to serve on the National Park Overflights Working Group. Over a two-year period, the Working Group successfully forged a compromise that formed a solid foundation for the FAA to develop reasonable regulations applying to scenic air tours over National Parks.**

17. List each book, article, column, letter to the editor, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

**I am providing a link to the page on the NTSB website which lists each of the blogs and podcasts I have generated during my time as a member of the National Transportation Safety Board—**

**Blogs & Podcasts:**

**<https://safetycompass.wordpress.com/thomas-chapman/>**

***Prior to my term at NTSB.* Through internet research and a review of my personal files, I was able to identify several articles published in my name. In a separate file, I am providing a digital copy of each article listed below.**

**Additional articles were likely published in my name, especially during my tenure on the staff of the Aircraft Owners & Pilots Association. However, I no longer have access to that material, nor was I able to identify other publications in the course of my research.**

- “Daschle is right about duplicate checks,” Sioux Falls Argus-Leader, June 3, 1995.**
- “Election ‘94 - Aviation’s Political Spectrum,” AOPA Pilot Magazine, February 1, 1994.**
- “Capitol Dispatch,” AOPA Pilot Magazine, February 1992.**
- “Taxing Struggles: Legislative Update - 1991,” AOPA Pilot Magazine, February 1991.**
- “State Affairs: 1987 in Review,” AOPA Pilot Magazine, January 1988.**

18. List all speeches, panel discussions, and presentations (e.g., PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.



**I am providing a link to the page on the NTSB website which lists each of the speeches I have delivered during my time as a member of the National Transportation Safety Board—**

**Speeches:**

**<https://www.nts.gov/Advocacy/Activities/Pages/activities.aspx?BoardMemberName=Thomas%20B.%20Chapman>**

**I delivered few formal speeches during my career prior to becoming an NTSB Board Member. I no longer have copies of those speeches, nor was I able to find them via online searches. During those years, I participated in significant numbers of panel discussions, conferences, and question-and-answer sessions. The instances during which I participated in such events are too numerous to recall.**

19. List all public statements you have made during the past ten years, including statements in news articles and radio and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

**As an NTSB Board member, it is my responsibility to participate in formal Board meetings at which final accident investigation reports are discussed and adopted or at which key evidence is sought relevant to a pending investigation. Likewise, I regularly participate in and often serve as the host for safety advocacy events sponsored by NTSB. I have also recorded several public service announcements advocating NTSB's position on key safety priorities. Finally, when I "launch" with our investigators to the scene of a major transportation accident, an important part of my role is to serve as the agency spokesperson in media briefings conducted during the first few days of the investigation.**

**These appearances are typically captured on video, and NTSB maintains a YouTube channel on which most or all have been posted for later viewing.**

**I am providing a link to the NTSB YouTube channel:**

**<https://www.youtube.com/user/NTSBgov>**

**In the wake of these video appearances, Board members are often quoted in print media reporting on the topics discussed. This is especially the case when I or a fellow Board member conduct a media briefing in the early stages of an NTSB investigation of a major transportation accident. Such instances are generally numerous and difficult to track. For that reason, I am unable to provide a list of news articles in which I have been quoted or radio or TV reports which have included my recorded remarks.**

**Prior to my term at NTSB. For the period prior to my term at NTSB, through internet research and a review of my personal files, I was unable to identify any other relevant public statements I made during the past ten years.**

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

***@tbchapman01***

**<https://www.instagram.com/tbchapman01/>**

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

**I am providing a link to the page on the NTSB website which lists all of the congressional and state legislative testimony I have delivered during my time as a member of the National Transportation Safety Board—**

**Testimony:**

**<https://www.nts.gov/news/Testimony/Pages/testimony.aspx?BoardMemberName=Thomas%20B.%20Chapman>**

**Prior to my term at NTSB. I testified before the Senate Commerce Committee at my first confirmation hearing on December 11, 2019.**

**To the best of my recollection, I testified before Congress on two previous occasions - both prior to 1998, while I was still employed by the Aircraft Owners & Pilots Association.**

**I represented AOPA at a hearing before the Aviation Subcommittee of the House Committee on Public Works & Transportation. I testified regarding the impact of the so-called Wright Amendment, which limited flights out of Dallas Love Field in the State of Texas. I also represented AOPA at a hearing of the Senate Transportation Appropriations Subcommittee and testified regarding funding priorities for the coming fiscal year.**

**Despite efforts to identify the details, I am unable to reference the precise dates on which these hearings took place.**

22. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

**I am honored to be nominated to serve a second term as a Member of the National Transportation Safety Board. My work as a Board Member has been a rewarding opportunity to apply my experience and skills in a role allowing me to give back through public service.**

**My more than four decades of experience, most of it in the aviation industry, have prepared me well for the task. Throughout my career, I have been deeply involved in an extensive range of issues, often playing a key role in identifying and negotiating resolutions. In varying degrees, virtually every aspect of aviation involves considerations of safety. Consequently, an awareness and sensitivity to a pervasive culture of safety is imbedded in my professional approach. I have sought to bring that perspective to my work as a Board Member, in pursuit of the critical safety mission of the NTSB.**

**In addition to my experience, I bring at least two qualities to the position which I believe are valuable. First, I benefit from an established reputation for collegiality and consensus building. Second, I am committed to public service and believe that much is expected from those who are most fortunate.**

**Immediately prior to joining NTSB, I was privileged to serve for six years on the staff of the Senate Committee on Commerce, Science, & Transportation. Throughout my years with the Committee, I worked collaboratively with the bipartisan Senate team. Our efforts contributed to passage of various significant legislative measures, including the FAA Extension, Safety, and Security Act of 2016 and the FAA Reauthorization Act of 2018.**

**As an NTSB Board Member, I devote much of my attention to traffic safety, because that is where our greatest safety challenges lie. I am especially active on key initiatives to address two stubbornly persistent challenges – alcohol impaired driving and excessive speed.**

**I am proud of the important accomplishments to which I have contributed as a member of the Commerce Committee staff and since joining the National Transportation Safety Board. I welcome the prospect of building on those efforts through additional public service as a second-term member of the National Transportation Safety Board.**

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

**If confirmed, I will continue to work collaboratively with the Chairman, my fellow Board Members, and the staff of NTSB to ensure the limited resources available to the agency are targeted efficiently and appropriately to fulfill the NTSB's legislative mandate and to achieve its priority objectives. As I understand those objectives, they include serving as a global leader in conducting independent accident investigations, promoting transportation safety through creation of relevant materials and products, stakeholder engagement in the advancement of transportation safety, and promoting NTSB staff involvement and innovation to ensure effectiveness of the agency.**

**My experience as an executive for three large entities has prepared me well for a leadership role at NTSB. I am familiar and experienced with budgeting and cost control practices, having been responsible for developing and managing budgets for the various departments I have led throughout my career. Likewise, I have managed teams involving significant numbers of employees, focusing on establishment and fulfillment of team objectives, response and adaptation to changing circumstances, and growth and development of individual team members.**

**I look forward to applying my management experience and skills to help ensure the continuing success and effectiveness of the world's premier transportation safety agency.**

24. What do you believe to be the top three challenges facing the department/agency, and why?

**My views regarding the top challenges facing NTSB have remained consistent since I was first nominated to serve as a Board member in 2019. With the benefit of my several years of tenured service, I believe the agency is responding appropriately to meeting these challenges:**

**Autonomous vehicles & new technology. Advances in automation and the development of autonomous vehicles hold great promise for enhancing transportation safety. However, these advances present new questions and challenges – some of which will be difficult to anticipate. NTSB must keep pace with the rapid changes. It must ensure that appropriate staff expertise is maintained and that appropriate tools and technical skills are available or developed to meet the challenge.**

**Keeping pace with demand. NTSB's reputation as the world's premier transportation safety agency is well deserved. With such a reputation comes high expectations, and meeting those expectations in a timely fashion is ever more important. The resources available to the agency are limited and may become more so. The agency has performed admirably in ensuring that resources are targeted effectively. Maintaining that discipline will remain essential.**

**Maintaining & developing staff. NTSB staff are renowned for their skill and expertise. The work of the agency is highly dependent on the dedication and unique abilities of its employees. Recruiting and retaining skilled team members is a challenge for any government agency, and particularly for one such as NTSB which requires such unique skillsets. Key to success in this area is ensuring the well-regarded culture and work environment of the agency is maintained.**

## **B. POTENTIAL CONFLICTS OF INTEREST**

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

**Pursuant to an Executive Change in Control & Severance Benefits Agreement with US Airways Group, Inc. & US Airways, Inc., my family and I receive lifetime flight privileges on American Airlines.**

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain.

**None to report.**

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

**In connection with the nomination process, I have consulted with the Office of Government Ethics and the NTSB's DAEO to identify potential conflicts of interest. I agreed to take those actions that are outlined in the letter to the DAEO. A copy is enclosed. These commitments constitute my ethics agreement as identified in the ethics regulations.**

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

**In connection with the nomination process, I have consulted with the Office of Government Ethics and the National Transportation Safety Board's DAEO to identify potential conflicts of interest. I agreed to take those actions that are outlined in a letter to the DAEO. A copy is enclosed.**

**These commitments constitute my ethics agreement as identified in the ethics regulations. I am not aware of any other potential conflicts of interest.**

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

**In connection with the nomination process, I have consulted with the Office of Government Ethics and the NTSB's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the NTSB's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.**

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.
  - **From July 2014 to January 2020, served continuously as Counsel to the Senate Subcommittee on Aviation Operations, Safety, & Security.**
  - **From January 2020 to the present, have served continuously as a Member of the National Transportation Safety Board.**



## C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:
  - a. Provide the name of court, agency, association, committee, or group;
  - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
  - c. Describe the citation, disciplinary action, complaint, or personnel action;
  - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

**No.**

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

**No.**

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

**I have not personally been a party to or otherwise involved in any administrative agency proceeding, criminal proceeding, or civil litigation. Each of the private sector organizations which has employed me during my professional career was involved in business related litigation typical of any large and sophisticated corporate entity. While I was often aware of such proceedings, I was never a party in interest nor did I actively participate in the litigation.**

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

**No.**

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

**No.**

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

**None to report.**

## **D. RELATIONSHIP WITH COMMITTEE**

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

**Yes.**

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures?

**Yes.**

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

**Yes.**

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

**Yes.**

(Nominee is to include this signed affidavit along with answers to the above questions.)

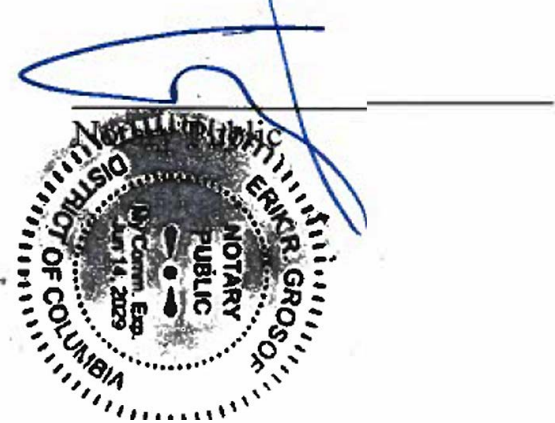
**F. AFFIDAVIT**

**Thomas B. Chapman**, being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.



Signature of Nominee

Subscribed and sworn before me this 29 day of AUG, 2024



District of Columbia  
Signed and Sworn to (or affirmed) before me on 8/29/24 (Date)  
by THOMAS B. CHAPMAN  
(Name(s) of Individual Making Statement)  
Signature of Notarial Officer \_\_\_\_\_  
Title of Office NOTARY  
My Commission Expires 6/14/2029

**THOMAS B. CHAPMAN**



**PROFESSIONAL HISTORY**

***Board Member***

*National Transportation Safety Board  
January 2020 to Present.*

Serves as the 46th Member of the National Transportation Safety Board. Speaks extensively on the Safe System Approach to traffic safety, pedestrian safety, alcohol and drug impairment, and rail worker and highway-rail grade crossing hazards. Active on key initiatives to address two stubbornly persistent safety challenges – alcohol impaired driving and excessive speed. Leading advocate for requiring all new vehicles be equipped with passive vehicle-integrated alcohol impairment detection systems or advanced driver monitoring systems capable of detecting driver impairment by alcohol. Regularly promotes NTSB’s recommendation that states establish a per se Blood Alcohol Concentration limit of .05 or lower. Also advocates requiring all new vehicles be equipped with Intelligent Speed Assistance systems that, at a minimum, warn the driver when the vehicle exceeds the speed limit.

***Counsel***

*Senate Subcommittee on Aviation Operations, Safety, & Security  
Committee on Commerce, Science, & Transportation  
Senator Bill Nelson, Ranking Member  
July 2014 to January 2020.*

Joined Aviation Subcommittee staff in anticipation of legislative effort to reauthorize the Federal Aviation Administration. Worked collaboratively with bipartisan Senate team throughout the 114<sup>th</sup> Congress to develop comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in the *FAA Extension, Safety, and Security Act of 2016*, passed by Congress in July of 2016. Efforts to agree on long-term, comprehensive legislation continued in the 115<sup>th</sup> Congress, resulting in passage of the *FAA Reauthorization Act of 2018*, signed into law October 5, 2018. The five-year package negotiated on a bipartisan basis ensured long-term stability and various important reforms of the FAA. It also reauthorized and reformed the Transportation Security Administration and the National Transportation Safety Board.

## **PROFESSIONAL HISTORY (Cont.)**

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May 1982 to June 1985.*

Established and coordinated successful state legislative program for AOPA. Drafted or reviewed all Association contracts and participated heavily in contract negotiations. Responsible for all trademark and copyright issues. Gained experience in broad spectrum of corporate legal matters.

## **EDUCATION**

***American University Washington College of Law***, Washington, D.C.  
Juris Doctor, May 1982.  
Admitted to the practice of law in Washington, D.C., and Maryland.

***C.W. Post College***, Greenvale, N.Y.  
Bachelor of Fine Arts in Music, May 1978.  
Full participant in Honors Program.  
Areas of concentration: political science, literature, and education.

## **PERSONAL INFORMATION**

- Born December 18, 1954, Denver, Colorado.
- Married January 25, 1986, to Mary Scott O'Connell ("Scotty").
- Proud parents of Patrick Thomas O'Connell Chapman, born May 31, 2002.

# Daschle is right about duplicate checks

7283  
By THOMAS B. CHAPMAN

People unfamiliar with the complexities of aviation may be confused by what they hear or read about a proposal offered by Senate Minority Leader Tom Daschle, D-S.D.

We at the AOPA (Aircraft Owners and Pilots Association) legislative action group support Sen. Daschle's proposal to eliminate duplicate inspections of charter aircraft companies, which perform work for government agencies such as the Forest Service.

As the world's largest civil aviation organization, we want you to know why.

The Federal Aviation Administration is the government agency tasked by Congress to regulate and promote aviation safety. The FAA is well-equipped to perform this vital function, and the agency does an outstanding job.

For example, the most recent safety statistics released in January by the National Transportation Safety Board show that the total number of accidents involving general aviation aircraft during 1994 was the lowest since before World War II. According to NTSB statistics, there were fewer than two fatal general aviation accidents



## DIFFERENT VOICES

Thomas B. Chapman, 40, is vice president and executive director for AOPA Legislative Action, affiliated with the 335,000 member Aircraft Owners and Pilots Association. There are 654,000 licensed pilots nationwide, with approximately 2,300 living in South Dakota.

Articles that reflect a different voice may be submitted by individuals or organizations. All contributions will be considered, but the newspaper cannot guarantee that all will be published. Please include your mailing address and telephone number. Mail to: Different Voices, Argus Leader, P.O. Box 5034, Sioux Falls, S.D. 57117-5034.

per each 100,000 hours of flying last year—the lowest fatal-accident rate since 1956.

Among the chief reasons for this outstanding safety record is the FAA's expertise and diligence in regulating the aviation industry. In light of the FAA's demonstrated technological competence, we find no logic in permitting other government agencies to spend scarce taxpayer dollars by duplicating the safety inspections already performed by the FAA.

This is particularly true in cases where a government agency has contracted with a charter operator to provide routine transportation services for government employees

traveling from point to point. Those providing such charter services must meet FAA's already high regulatory standards. Duplicate inspections by other agencies, which have no specific expertise in aviation, contribute little or nothing in the way of increased safety.

Some charter services of a more unique nature probably do involve special considerations, such as aircraft engaged in firefighting. However, there is no significant reason why any special inspection requirements of a government agency in such cases cannot be incorporated into the normal inspection process already conducted by the FAA. We have complete

confidence in the ability of FAA's inspection personnel to easily integrate these special requirements into their existing inspection protocol.

No matter how much the safety record for our industry improves, we all share the sense of tragedy when individuals are harmed in an accident. The accident that occurred in February 1994 in Minot, N.D., killing three Indian Health Services doctors, was indeed a sorrowful tragedy. They died when a plane owned by B & L Aviation of Rapid City crashed. B & L's owner had complained to Daschle about overly critical inspections by the U.S. Forest Service.

But as the official NTSB investigation of that accident revealed, it had nothing whatsoever to do with inspections. The aircraft and the pilot involved in the accident had been fully inspected and passed by both the FAA and the Forest Service.

We offer these comments to help maintain the proper focus on how best to ensure the continued safety record for general aviation—and better yet, how to improve upon it. As pilots ourselves, we hope the day will come when tragedies such as the accident in Minot can be eliminated altogether.





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[Home](#) > [News & Videos](#) > [Election '94](#)

# ELECTION '94

## AVIATION'S POLITICAL SPECTRUM

February 1, 1994

**AOPA allies from coast to coast. During the months leading up to the November election, AOPA Legislative Action has profiled prominent congressional candidates up for election who are especially strong allies of general aviation.**

AOPA allies from coast to coast.

During the months leading up to the November election, AOPA Legislative Action has profiled prominent congressional candidates up for election who are especially strong allies of general aviation.

With the election just weeks away, however, it is appropriate to make pilots aware of all the candidates who have received the support of the AOPA Political Action Committee. AOPA-PAC is one of the largest and most effective candidate support organizations in the country, and the PAC is a valuable tool in our lobbying efforts on behalf of general aviation.

As you review the list of candidates on the next few pages, you may be surprised to find the names of men and woman representing nearly every point on the political spectrum — conservatives and liberals, Republicans and Democrats. The list contains approximately 130 names, divided nearly evenly between the two political parties. Many are welcome newcomers. Others are well-known leaders who have dedicated productive and distinguished careers to public service.

You may agree or disagree with some of these individuals when it comes to other important issues of the day. But if the subject is general aviation, you'll find that everyone on the list has demonstrated support in one way or another. Some more than others, to be sure. The list tends to change somewhat from election to election, reflecting the inevitable shifts in our network of congressional contacts. But, in total, these are the people who have consistently shown that they understand the important contributions of general aviation.

As you review the list, keep in mind the factors which influence whether AOPA-PAC will support a specific candidate. First, those who are general aviation pilots obviously receive serious consideration because of their demonstrated interest and familiarity with aviation issues.

Second, you'll notice that members of several specific congressional committees tend to be among those who have earned PAC support. These are the so-called "committees of jurisdiction" — the committees which have responsibility for matters affecting general aviation. In the House, these important committees are the full Committee on Public Works and Transportation and its subcommittee on aviation, and also the Committee on Science, Space, and Technology and its subcommittee on technology, environment, and aviation. The Public Works Committee has broad responsibility over most aviation issues, while the Science Committee has more limited jurisdiction over the FAA's research programs.

In the Senate, most aviation matters come within the jurisdiction of the Committee on Commerce, Science, and Transportation and its subcommittee on aviation. And in both the House and Senate, the appropriations committees play a key role by determining the spending priorities for federal dollars allocated to aviation programs. The FAA's annual budget is crafted by the transportation appropriations

subcommittees of both the House and Senate, and several of the members of these two powerful subcommittees are among those with whom we work most closely.

Finally, a host of other factors may influence whether a candidate receives support — such as assistance provided as a member of the congressional leadership or as a member of other important committees, including the Ways and Means Committee or the House Rules Committee (which controls the flow of legislation to the House floor). But all of these candidates have one thing in common: each has demonstrated an understanding of the importance of general aviation.

With these factors in mind, here are the candidates who have earned AOPA-PAC support in 1994. — *Thomas B. Chapman, Vice President, Executive Director, AOPA Legislative Action*

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#### ALABAMA

- Representative Sonny Callahan (R) — Energy and Commerce Committee member, helpful with environmental issues.
- Representative Bud Cramer (D) — Member of both Public Works and Science committees.

#### ALASKA

- Representative Don Young (R) — Established AOPA supporter.

#### ARIZONA

- Representative Jon Kyl (R) — Established AOPA supporter, running for Senate.

#### ARKANSAS

- Representative Tim Hutchinson (R) — Public Works Committee member.

#### CALIFORNIA

- Representative Bill Baker (R) — Member of both Public Works and Science committees.
- Representative George E. Brown (D) — Chairman of Science Committee.
- Representative Randy Cunningham (R) — AOPA member and pilot, established AOPA supporter.
- Representative Bob Filner (D) — Public Works Committee member.
- Representative Dan Hamburg (D) — Public Works Committee member.
- Representative Steve Horn (R) — Aviation subcommittee member.
- Representative Jay C. Kim (R) — Aviation subcommittee member.
- Representative Howard McKeon (R) — Aviation subcommittee member.
- Representative Norman Y. Mineta (D) — Chairman of Public Works Committee, former chairman of aviation subcommittee, established AOPA supporter.
- Representative Ron Packard (R) — Appropriations Committee member, former aviation subcommittee member, established AOPA supporter.

#### COLORADO

- Representative David E. Skaggs (D) — Appropriations Committee member, former aviation subcommittee member, established AOPA supporter.

#### CONNECTICUT

- No candidates in 1994.

#### DELAWARE

- No candidates in 1994.

#### FLORIDA

- Representative Corrine Brown (D) — Aviation subcommittee member.
- Representative John L. Mica (R) — Aviation subcommittee member.

- Representative Douglas Peterson (D) — Pilot, established AOPA supporter.

## GEORGIA

- Representative Mac Collins (R) — Aviation subcommittee member.
- Representative Nathan Deal (D) — Member of both Public Works and Science committees.
- Representative Newt Gingrich (R) — Former ranking Republican on aviation subcommittee, member of House Republican leadership (minority whip), established AOPA supporter.
- Representative John Lewis (D) — Ways and Means Committee member, former aviation subcommittee member, member of House Democratic leadership (chief deputy whip).

## HAWAII

- No candidates in 1994.

## IDAHO

- No candidates in 1994.

## ILLINOIS

- Representative Jerry F. Costello (D) — Aviation subcommittee member.
- Representative Richard J. Durbin (D) — Pilot, transportation appropriations subcommittee member.
- Representative Thomas W. Ewing (R) — Aviation subcommittee member.
- Representative William O. Lipinski (D) — Aviation subcommittee member.

## INDIANA

- Representative Dan Burton (R) — Established AOPA supporter.

## IOWA

- Representative Jim Lightfoot (R) — AOPA member and pilot, Appropriations Committee member, former aviation subcommittee member, established AOPA supporter.

## KANSAS

- Representative Dan Glickman (D) — Cochairman of Congressional Aviation Forum, member of technology, environment, and aviation subcommittee, leading proponent of product liability reform, established AOPA supporter.

## KENTUCKY

- Representative Jim Bunning (R) — Ways and Means Committee member.

## LOUISIANA

- Representative Jimmy Hayes (D) — Aviation subcommittee member.

## MAINE

- No candidates in 1994.

## MARYLAND

- Senator Paul S. Sarbanes (D) — Established AOPA supporter.
- Representative Benjamin L. Cardin (D) — Ways and Means Committee member.
- Representative Wayne T. Gilchrest (R) — Aviation subcommittee member.
- Representative Steny H. Hoyer (D) — Appropriations Committee member, member of House Democratic leadership (caucus chairman).
- Representative Constance Morella (R) — Member of technology, environment, and aviation subcommittee.

## MASSACHUSETTS

- Representative Peter I. Blute (R) — Member of both Public Works and Science committees.
- Representative Joseph Moakley (D) — Chairman of Rules Committee.
- Representative John W. Olver (D) — Appropriations Committee member.

## MICHIGAN

- Representative Bob Carr (D) — AOPA member and pilot, chairman of transportation appropriations subcommittee, established AOPA supporter, running for Senate.
- Representative James A. Barcia (D) — Public Works Committee member.
- Representative David E. Bonior (D) — Member of House Democratic leadership (majority whip).
- Representative John D. Dingell (D) — Chairman of Energy and Commerce Committee, helpful with product liability and environmental issues.
- Representative Vern Ehlers (R) — Aviation subcommittee member.
- Representative Peter Hoekstra (R) — Public Works Committee member.
- Representative Dale E. Kildee (D) — Established AOPA supporter.
- Representative Fred Upton (R) — Former aviation subcommittee member, member of Energy and Commerce Committee.

## MINNESOTA

- Representative James L. Oberstar (D) — Chairman of aviation subcommittee, established AOPA supporter.
- Representative Collin C. Peterson (D) — AOPA member and pilot, chairman of government operations subcommittee on employment, housing, and aviation, established AOPA supporter.
- Representative Martin O. Sabo (D) — Transportation appropriations subcommittee member, chairman of Budget Committee.

## MISSISSIPPI

- Senator Trent Lott (R) — Member of Commerce, Science, and Transportation Committee, established AOPA supporter.
- Representative Mike Parker (D) — AOPA member and pilot, aviation subcommittee member, established AOPA supporter.

## MISSOURI

- Representative Patricia Danner (D) — Aviation subcommittee member.
- Representative Bill Emerson (R) — Aviation subcommittee member.
- Representative Richard A. Gephardt (D) — House majority leader.
- Representative Mel Hancock (R) — AOPA member and pilot, Ways and Means Committee member, former aviation subcommittee member, established AOPA supporter.
- Representative Alan Wheat (D) — Rules Committee member, established AOPA supporter, running for Senate.

## MONTANA

- Senator Conrad Burns (R) — Member of both Appropriations and Commerce, Science, and Transportation committees, established AOPA supporter.

## NEBRASKA

- Senator Robert Kerrey (D) — Appropriations Committee member, established AOPA supporter.
- Representative Bill Barrett (R) — Pilot, established AOPA supporter.

## NEVADA

- Senator Richard Bryan (D) — Aviation subcommittee member, established AOPA supporter.



- Representative Barbara F. Vucanovich (R) — Pilot, established AOPA supporter.

#### NEW HAMPSHIRE

- Representative Dick Swett (D) — Aviation subcommittee member.
- Representative Bill Zeff (R) — Public Works Committee member.

#### NEW JERSEY

- Senator Frank Lautenberg (D) — Chairman of transportation appropriations subcommittee, helpful with DUATS funding issue, established AOPA supporter.
- Representative Robert Franks (R) — Public Works Committee member.
- Representative Robert Menendez (D) — Public Works Committee member.

#### NEW MEXICO

- Senator Jeff Bingaman (D) — Established AOPA supporter.
- Representative Joe Skeen (R) — AOPA member and pilot, Appropriations Committee member.

#### NEW YORK

- Senator Daniel Patrick Moynihan (D) — Chairman of Finance Committee.
- Representative Sherwood L. Boehlert (R) — Aviation subcommittee member.
- Representative David A. Levy (R) — Aviation subcommittee member.
- Representative Susan Molinari (R) — Public Works Committee member.
- Representative Jack Quinn (R) — Public Works Committee member.
- Representative Gerald B. Solomon (R) — Ranking Republican on Rules Committee.

#### NORTH CAROLINA

- Representative Cass Ballenger (R) — Former aviation subcommittee member, established AOPA supporter.
- Representative David Price (D) — Transportation appropriations subcommittee member.

#### NORTH DAKOTA

- Senator Kent Conrad (D) — Finance Committee member, established AOPA supporter.

#### OHIO

- Lt. Governor Mike DeWine (R) — Established AOPA supporter, running for Senate.
- Representative Ralph Regula (R) — Transportation appropriations subcommittee member.

#### OKLAHOMA

- Representative Bill Brewster (D) — Ways and Means Committee member, former Public Works Committee member, established AOPA supporter.
- Representative James M. Inhofe (R) — AOPA member and pilot, cochairman of Congressional Aviation Forum, aviation subcommittee member, responsible for modifying secretive Petition for Discharge rules, established AOPA supporter, running for Senate.
- Representative Frank D. Lucas (R) — Established AOPA supporter.

#### OREGON

- No candidates in 1994.

#### PENNSYLVANIA

- Representative Robert A. Borski (D) — Aviation subcommittee member.

- Representative William F. Clinger (R) — Ranking Republican on aviation subcommittee, established AOPA supporter.
- Representative Thomas M. Foglietta (D) — Transportation appropriations subcommittee member.
- Representative Rick Santorum (R) — Established AOPA supporter, running for Senate.
- Representative Bud Shuster (R) — Ranking Republican on Public Works Committee, established AOPA supporter.

#### RHODE ISLAND

- No candidates in 1994.

#### SOUTH CAROLINA

- Representative James E. Clyburn (D) — Public Works Committee member.

#### SOUTH DAKOTA

- Representative Tim Johnson (D) — Established AOPA supporter.

#### TENNESSEE

- Senator Jim Sasser (D) — Chairman of Budget Committee, Appropriations Committee member.
- Representative Bob Clement (D) — Aviation subcommittee member, established AOPA supporter.
- Representative John J. Duncan (R) — Aviation subcommittee member.
- Representative Bart Gordon (D) — Rules Committee member.
- Representative James H. Quillen (R) — Former ranking Republican on Rules Committee, helpful with flight service station issues, established AOPA supporter.

#### TEXAS

- Senator Kay Bailey Hutchison (R) — Member of Commerce, Science, and Transportation Committee, established AOPA supporter.
- Representative Richard K. Armev (R) — Member of House Republican leadership (conference chairman), established AOPA supporter.
- Representative Henry Bonilla (R) — Appropriations Committee member.
- Representative Jim Chapman (D) — AOPA member and pilot, Appropriations Committee member, established AOPA supporter.
- Representative Ronald D. Coleman (D) — Transportation appropriations subcommittee member.
- Representative Thomas D. DeLay (R) — Transportation appropriations subcommittee member, member of House Republican leadership (deputy whip and conference secretary), established AOPA supporter.
- Representative Chet Edwards (D) — AOPA member and pilot, established AOPA supporter.
- Representative Pete Geren (D) — Aviation subcommittee member, established AOPA supporter.
- Representative Eddie Bernice Johnson (D) — Public Works Committee member.
- Representative Sam Johnson (R) — AOPA member and pilot, established AOPA supporter.
- Representative Greg Laughlin (D) — Aviation subcommittee member, established AOPA supporter.
- Representative Charles W. Stenholm (D) — Established AOPA supporter.

## UTAH

- Representative James V. Hansen (R) — AOPA member and pilot, leading proponent of product liability reform, established AOPA supporter.
- Representative Bill Orton (D) — Pilot, established AOPA supporter.

## VERMONT

- Senator James M. Jeffords (R) — Established AOPA supporter.

## VIRGINIA

- Senator Charles S. Robb (D) — Member of Commerce, Science, and Transportation Committee, established AOPA supporter.
- Representative Herbert H. Bateman (R) — Established AOPA supporter.
- Representative Thomas J. Bliley (R) — Energy and Commerce Committee member, helpful with environmental issues.
- Representative Leslie L. Byrne (D) — Public Works Committee member.
- Representative Bob W. Goodlatte (R) — Established AOPA supporter.
- Representative Lewis F. Payne (D) — Ways and Means Committee member, former aviation subcommittee member, established AOPA supporter.
- Representative Frank R. Wolf (R) — Ranking Republican on transportation appropriations subcommittee, established AOPA supporter.

## WASHINGTON

- Senator Slade Gorton (R) — Aviation subcommittee member, Appropriations Committee member, established AOPA supporter.
- Representative Maria Cantwell (D) — Aviation subcommittee member.
- Representative Jennifer Dunn (R) — Aviation subcommittee member.
- Representative Thomas S. Foley (D) — Speaker of the House.

## WEST VIRGINIA

- Senator Robert C. Byrd (D) — Chairman of Appropriations Committee.
- Representative Nick J. Rahall (D) — Aviation subcommittee member.
- Representative Robert E. Wise (D) — Public Works Committee member.

## WISCONSIN

- Representative David R. Obey (D) — Chairman of Appropriations Committee.
- Representative Thomas E. Petri (R) — Aviation subcommittee member.

## WYOMING

- Representative Craig Thomas (R) — Pilot, established AOPA supporter, running for Senate.

# CAPITOL DISPATCH



MINE FIZER

## Report from the Hill

BY THOMAS B. CHAPMAN

**THE** second session of the 102nd Congress has convened, and AOPA has greeted legislators with a full agenda of issues important to general aviation. Among the most critical this year will be legislation renewing authorization of the Airport and Airway Trust Fund. As always, this is sure to generate lively debate and will serve as a primary vehicle for promoting causes advocated by AOPA and the rest of the aviation community.

For 1992, AOPA's chief objective is legislation to address the product liability woes plaguing GA. Because of longstanding obstacles to tort reform, AOPA is taking a fresh approach—advancing a package of initiatives that will help stimulate the production of affordable aircraft.

Congress will also take up legislation to renew the FAA's controversial Civil Penalty Assessment Demonstration Program. To ensure fairness and an objective appeals process for pilots subject to FAA enforcement action, AOPA will advocate that appeals in civil penalty cases should be transferred from the FAA to the National Transportation Safety Board. No issue in recent memory has stirred such strong opinions within the aviation legal community (see "Pilot Counsel: An Outline Of FAA Enforcement Procedures," December 1990 *Pilot*).

Other major initiatives include ongoing technical or regulatory issues—including auxiliary flight service stations (XFSSs), research into alternative aviation fuels, tax issues, and proposals to shoot down aircraft suspected of

drug-smuggling activity. AOPA's success during the past year suggests that 1992 will be challenging and productive. Here is a roundup of the most important congressional issues AOPA members faced during 1991.

### Clean Air Act—Ban on New Aircraft Engines

While fuel prices increased dramatically as a result of hostilities in the Persian Gulf, several long-term fuel availability problems emerged during 1991 that seriously threatened the future of general aviation. Chief among these was the possibility that production of new aircraft engines would be banned by recent amendments to the Clean Air Act. Consequently, AOPA launched a major initiative to ensure that the Environmental Protection Agency would correctly interpret Sec-

Members of AOPA's office of congressional and legislative affairs in Washington: Ann C. Hodges, Christopher T. Peace, Douglas P. Miskew, Thomas B. Chapman, David B. Kennedy, Danyate R. Ury.

tion 226 of the Clean Air Act Amendments of 1990.

Section 226 prohibits the manufacture, sale, or introduction into commerce of any "nonroad" engine produced after model year 1992 that requires leaded gasoline. A superficial reading of this new legislation suggests that it could ban the production of aircraft engines. In fact, that is how some EPA officials initially interpreted it. But AOPA maintained that the ban does not apply to GA aircraft engines because nonroad emissions and aircraft emissions are addressed separately under other provisions of the Clean Air Act. We argued, therefore, that Congress intended the same distinction under Section 226.

Our efforts focused on the powerful House Committee on Energy and Commerce, chaired by Representative John D. Dingell (D-MI), who is among the most influential members of the House of Representatives. He emphasized that there was no compelling evidence that anyone in Congress had intended for the engine ban to apply to aircraft. Through AOPA's efforts, Dingell's voice was joined by other key players—including the Democratic and Republican leadership of the House Committee on Public Works and Transportation, which has jurisdiction over most aviation matters in the House. Senator Barbara Mikulski (D-MD), chairman of the Senate subcommittee that controls the EPA's budget, also provided valuable assistance, writing to EPA Administrator William Reilly and urging that the ban should not be applied to GA.

AOPA's intensive lobbying efforts with Congress as well as the FAA and the Department of Transportation paid off. In September, the EPA issued a formal legal interpretation of Section 226 that agreed in every respect with AOPA's argument. The EPA concluded that Congress did not intend to apply the ban to GA aircraft.

While we won this battle, the GA industry has learned an important lesson. The legitimate environmental and economic reasons to "get the lead out" of aviation gasoline will continue to grow. With political and technical leadership from AOPA, the industry has moved aggressively during the past year to develop alternative aviation fuels that do not require lead. The outlook is optimistic—and success is vital to the long-term viability of GA.

### Clean Air Act—Ban on New Aircraft Engines



AOPA relied on the assistance of two powerful members of Congress, Rep. John D. Dingell (D-MI) and Sen. Barbara Mikulski (D-MD), to protect GA's avgas supply.

### Auxiliary Flight Service Stations



Sen. Ted Stevens (R-AK) teamed with Sen. Mikulski to sponsor FSS legislation.

### Auxiliary Flight Service Stations

The FAA's network of FSSs is the vital link on which general aviation pilots rely to obtain critical preflight and en-route weather information. Under the FAA's FSS modernization program, the 317 FSSs existing in 1981 were to be closed and consolidated into 61 new automated FSSs (AFSSs). Roughly 120 of the 317 original stations are still operating, but all the remaining sites were scheduled to be closed during the next two years.

One of AOPA's most significant successes in many years is the new XFSS program. Congress passed legislation during 1990 mandating that the FAA develop a system of manned XFSSs to supplement the services of the 61 AFSSs. The new XFSSs are located in areas of unique weather or operational conditions. In November 1991

### Drug Interdiction—Shoot Down or Force Down



Rep. James M. Inhofe (R-OK) and House aviation subcommittee Chairman James L. Oberstar (D-MN) cooperated to amend the onerous force-down proposal.



the FAA finally responded to pressure from Congress and announced that supplemental services would continue to be provided to pilots at 46 sites in the continental United States and Alaska. AOPA's technical staff is working closely with the FAA on implementation of the plan.

In the meantime, legislation was passed in 1991 to ensure that Congress and the pilot community are allowed ample time to review the list of proposed auxiliary sites and the level of service to be provided at the new XFSSs. The legislation was sponsored by senators Ted Stevens (R-AK) and Mikulski. Supported by AOPA, the Stevens/Mikulski legislation prohibits the FAA from closing any existing FSS until nine months after the date in November when the FAA officially an-

land. AOPA viewed this "force-down" proposal as less onerous than shoot-down, but the force-down legislation was flawed because it did not require any suspicion of criminal activity, raising the possibility that innocent pilots could be ordered to land and might be subject to severe criminal and civil penalties for failing to obey an order to land.

AOPA sought for more than a year to amend the force-down legislation to specifically require suspicion of criminal activity before an aircraft could be ordered to land. We encountered strong opposition from the U.S. Customs Service and the Coast Guard—suggesting the possibility that what law enforcement agencies actually sought was authority to randomly order GA aircraft to land.

Even if the larger crime bill should fail to gain final approval, our position on the force-down issue is very strong now that there is general agreement on an acceptable measure. Passage of carefully limited force-down legislation will greatly reduce the possibility that our old nemesis, the shoot-down, will ever be enacted.

### Appropriations

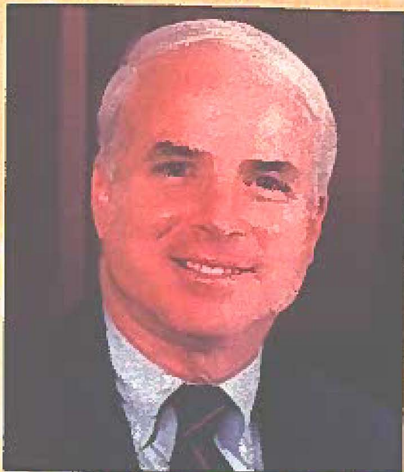
AOPA has continued to improve its working relationship with the powerful House and Senate Appropriations committees, which determine each year how much money will be made available for the FAA to spend on capital improvement projects, other FAA programs, and operation of the air traffic control system. The appropriations process offers AOPA an annual opportunity to influence the amounts that will be allocated for various FAA programs and how that money will be spent.

Despite severe federal budget constraints, the transportation appropriations bill for fiscal year 1992 calls for a record FAA budget of \$9.34 billion. Congress places a high priority on spending to support the national air transportation system, and the aviation community has fared reasonably well as a result. AOPA lobbied for two special funding initiatives that were included in the FY92 appropriations legislation.

First, \$635,000 was set aside to enable the FAA to resume its research into alternative fuels for GA aircraft. Prior to 1988, the FAA's Technical Center in New Jersey had conducted promising alternative fuels research. Because of political and market pressures to develop a fuel to replace the 100LL avgas burned by most GA aircraft, AOPA urged Congress to revive the FAA research program this year.

AOPA also lobbied for \$2.2 million in earmarked funds to improve charting for terminal control areas and other controlled airspace. Pilots are already beginning to see the concrete results of AOPA's past initiatives to earmark dollars for charting improvements. For example, AOPA focused its efforts during 1990 on a program to enhance the ability of pilots to use loran for navigation. Three-letter identifiers now appear on VFR sectional charts next to each airport name. This helpful improvement is a direct result of AOPA's work in the appropriations process to implement

### Airman and Aircraft Identification



Senators John McCain (R-AZ) and Wendell H. Ford (D-KY) have urged the FAA to consider less burdensome procedures for airman and aircraft identification.

nounced its proposed list of XFSSs.

### Drug Interdiction—Shoot Down or Force Down

AOPA has defeated several attempts during the past three years to enact legislation authorizing law enforcement officials to shoot down aircraft suspected of drug-smuggling activity. The latest attempt came in July 1991, when AOPA turned back plans by Representative Lawrence Coughlin (R-PA) to attach his version of "shoot-down" legislation to major U.S. Coast Guard legislation. AOPA has opposed shoot-down legislation because of the potential for tragedy resulting from mistaken identity.

A new twist was added in 1990 when Bush Administration officials proposed legislation that would authorize federal law enforcement officials to order suspected aircraft to

AOPA finally secured a favorable modification of the proposal. In the final week of the congressional session, a House and Senate Conference Committee reached agreement that reasonable suspicion of drug-smuggling activity must be established before a federal law enforcement officer will be permitted to order aircraft to land. Leading the effort to amend the force-down measure were House aviation subcommittee Chairman James L. Oberstar (D-MN) and Representative James M. Inhofe (R-OK), AOPA 238902. Before Congress adjourned, the House approved the compromise crime legislation crafted by the Conference Committee, but the legislation stalled in the Senate, where conservative Republicans objected to several provisions of the bill that were unrelated to the force-down.

useful near-term technical benefits for the membership.

### Dodging a Bullet—The Gas Tax Increase

Through an odd combination of circumstances, general aviation faced the possibility of an unintended tax increase during 1991.

As congressional leaders sought to hammer out new highway funding legislation over the summer, an attempt was made to increase the highway gasoline tax by 5 cents per gallon. The federal avgas tax is calculated

based on the weight of fuel consumed, and the possibility of unintended or unnecessary tax increases for aviation.

### Airman and Aircraft Identification

The FAA has proposed substantial modifications to existing airman and aircraft identification procedures in response to the 1988 omnibus drug bill, wherein Congress sought to enhance ID procedures in order to assist law enforcement officers in controlling airborne drug smugglers.

The FAA's proposed regulations promise to place substantial administrative burdens on individual pilots—

subcommittee wrote to then-FAA Administrator James B. Busey in June. Subcommittee Chairman Wendell H. Ford (D-KY) and ranking Republican John McCain (R-AZ) urged Busey to consider less burdensome alternatives—including AOPA's proposals. Meanwhile, AOPA is continuing efforts to persuade House leaders that there are more effective ways of improving identification procedures for both airmen and aircraft.

### Product Liability

AOPA has continued to support efforts by Representative Dan Glickman (D-KS) and Senator Nancy L. Kassebaum (R-KS) to relieve product liability costs for general aviation manufacturers. The legislation has consistently faced major obstacles in Congress, and 1991 was no exception. The outlook for passage of the Glickman and Kassebaum legislation is increasingly poor.

The longstanding obstacles to product liability reform have caused AOPA to begin rethinking the problem. Frankly, passage of product liability legislation alone will not achieve the objective of ensuring the future availability of affordable aircraft. It will help, but it is not a complete answer to the problems of the industry. AOPA is seeking to identify other ways in which to stimulate the production of affordable GA aircraft.

For 1992, we are exploring a package of possible legislative initiatives that, individually or in combination, will help foster our fundamental objective. For example, AOPA has consistently advocated the concept of new aircraft certification rules creating a Primary category aircraft as one way of reducing manufacturing costs for the producers of basic models of GA aircraft. In addition, working with Congress, perhaps a package of small-business incentives could be developed that would help attract entrepreneurs to the industry. Also, there might be key components of the product liability bill itself that, if proposed separately, would stand a better chance of passing than the existing legislation in its entirety.

These are some of the possibilities AOPA is considering. The downward spiral of our industry continues, and we must develop creative approaches to reverse the trend.

**Veterans' Flight Training**  
Legislation sponsored by Senator Thomas A. Daschle (D-SD), AOPA

### Product Liability



AOPA continues to lobby for passage of the product liability reform legislation sponsored by Rep. Dan Glickman (D-KS) and Sen. Nancy L. Kassebaum (R-KS).

using a complex formula linked to the rate of tax imposed on highway fuel. Consequently, the tax increase would have applied to avgas, even though that was clearly not the intent of those who proposed it.

The House Ways and Means Committee drafted legislation that would have required pilots to pay the tax increase at the pump and then apply for a rebate. A rebate system would place a huge administrative burden on the government, with absolutely no revenue benefit. In fact, it would cost the government money.

Opposition from AOPA contributed to growing efforts to stop the increase—efforts that were already under way by groups with a direct interest in the highway tax. But the lesson was learned, and AOPA is now lobbying the tax-writing committees in Congress to overhaul the formula for calculating the avgas tax. By eliminating the existing link with the tax on highway fuel, we can avoid the possi-

as well as the agency itself. The FAA's Airman and Aircraft Registry in Oklahoma City is years behind in record-keeping capability and computer technology, and the Oklahoma City budget is one of the first to suffer when the FAA is forced to implement spending cuts.

AOPA has argued that there is a better and less burdensome way to improve airman and aircraft ID procedures. For example, we do not believe it is necessary to require a new photo ID of every pilot, as the FAA has proposed. AOPA recommends that the FAA merely require pilots flying internationally to carry a driver's license, passport, or other existing form of standard photo ID. After all, it is those flying internationally whom law enforcement officials seek to identify. These existing forms of photo ID are already recognized universally as appropriate ID.

In response to AOPA's concerns, the leadership of the Senate aviation

830658, was passed in 1989, authorizing vocational flight training benefits for veterans eligible under the Montgomery GI Bill. AOPA has been the major proponent of reinstating vocational flight training benefits, which were terminated by Congress in 1981.

During 1990, AOPA supported an additional effort by Daschle to expand the program to include veterans eligible under the Veterans Educational Assistance Program (VEAP). When 1991 opened with Operation Desert Storm and heightened concern regarding veterans' programs, Daschle took advantage of the opportunity and attached his flight training legislation to a comprehensive veterans' benefits package, which sailed through Congress during the early months of the year.

Daschle is not finished. AOPA sup-

Veterans' Flight Training



Legislation by Sen. Thomas A. Daschle (D-SD) has made flight training available to a larger number of veterans.

ports his proposal to make solo flight training expenses eligible for reimbursement. Currently, only dual instruction expenses are reimbursable. AOPA will continue to work with the senator to ensure the success of this worthwhile vocational program for veterans.

These were the most significant congressional issues for general aviation during 1991. AOPA members can take pride in the credibility of their association on Capitol Hill, as we who represent AOPA members before Congress take pride in the grass-roots influence of 300,000 active and well-informed members.

Thomas B. Chapman is AOPA's vice president of the office of congressional and legislative affairs.

# STATES' RITES

## Report from the statehouse

BY DAVID B. KENNEDY

**THE** past year was surprisingly successful for AOPA on the state level, considering the poor economy and the continuing ripple effect on state governments of the massive federal budget deficit. The states are struggling with major fiscal concerns, reflected by the large number of tax and budget issues with which AOPA was involved during 1991. Yet general aviation weathered the storm—faring well in most states where pilots and aircraft owners were targeted for tax increases or other potentially adverse budgetary actions.

For 1992, AOPA expects state fiscal problems to worsen, and that spells trouble. But AOPA members can also expect continued successes on positive issues such as airport zoning and efforts to restructure existing tax schemes and improve funding for GA airports. A review of AOPA's state activities in 1991 can shed light on what we might expect in 1992.

During 1991, AOPA participated in efforts to restructure the aviation fuel tax in Alabama. Legislation was introduced that would have changed the method used to calculate the avgas tax.

Currently, pilots in Alabama pay a fuel tax based on the need to collect \$600,000 annually—an artificial cap placed by law on aviation funding. The

rate is adjusted at specific intervals in order to achieve this amount. The current tax on avgas is 3 cents per gallon. This is a cumbersome system to administer and results in an unstable tax rate for AOPA members.

The proposed legislation would have set the tax at a fixed rate of 5 cents per gallon. It would also have removed the \$600,000 cap on the department of aeronautics' funding, allowing all the aviation tax money collected to be used for aviation improvements in Alabama.

The legislation did not pass, mostly due to strong opposition from the air carriers. AOPA will continue to work for passage of this important proposal.

As in many states facing major revenue shortfalls, the California legislature looked to numerous tax increases and budget cuts in an effort to achieve a balanced budget.

Funding for aviation programs would have been cut drastically under some of the bills considered. One proposal would have repealed the exemption from the state sales tax on jet fuel purchased by the airlines. AOPA has favored this idea for some time, but under this proposal, the money generated by repealing the exemption would have been diverted to other state uses rather than to the state aeronautics account. Worse still, the legislation would have also di-

verted the money generated by the sales tax on noncommercial jet fuel to the general fund. Under present law, these dollars are dedicated to the state aeronautics account. Working with other aviation interests in the state, AOPA was able to prevent this diversion. We will continue to work to have the revenue generated by the sales tax on commercial jet fuel used for aviation purposes.

California was one of several states to consider a luxury tax similar to the federal luxury tax imposed by Congress in 1990. Legislation was introduced that would have taxed the sale of new GA aircraft at the rate of 5 percent of the value in excess of \$100,000. The legislative vehicle for the luxury tax was a wide-ranging revenue bill, and AOPA was able to have the sections that contained the luxury tax dropped.

Airport land use is always a controversial issue in California. As one legislative aide put it, airports are "LULUs"—that is, "Locally Unpopular Land Uses." This past year, AOPA worked to defeat or modify several bills that would have adversely affected GA airports in the state. One proposal would have prevented any airport development within 2 miles of a school. AOPA Regional Representative Joe Crotti worked with the California Division of Aeronautics to have this legislation modified to require consideration

## LEGISLATIVE UPDATE-1991

# TAXING



# STRUGGLES

*Looking back—and forward—at the issues  
facing general aviation nationwide.*

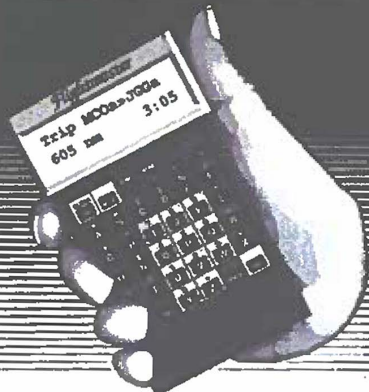
BY THOMAS B. CHAPMAN AND DAVID B. KENNEDY

**THE** 101st Congress, which convened in January 1989 and adjourned on October 27, 1990, was perhaps the busiest and most productive ever for AOPA. We achieved an especially high degree of visibility on major policy issues affecting general aviation and the air transportation system as a whole. It was also a period of extraordinary challenge: The pressures exerted by the fed-

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eral budget deficit affect nearly every facet of American life, including GA.

Reauthorization of the Airport and Airway Trust Fund was among the highest priorities for 1990. Legislation governing the trust fund was to expire at the end of 1990, and Congress had to pass new legislation reestablishing the trust fund and the programs it supports. This process, repeated every few years, represents an important opportunity for the aviation community to influence the direction of the nation's aviation policy.

A trust fund reauthorization bill spearheaded by House aviation subcommittee Chairman James L. Oberstar (D-MN) and ranking Republican William F. Clinger, Jr., (PA) received the approval of the full House, but Senator Wendell H. Ford (D-KY), chairman of the Senate aviation subcommittee, would not take up Oberstar's bill in the Senate. Instead, Ford introduced his own reauthorization bill—which would require the Department of Transportation to develop a national aviation noise policy to preempt the patchwork of locally implemented noise policies and procedures. AOPA found this aspect of Ford's bill appealing because noise regulation is among the arguments proponents use to justify many of the more onerous restrictions they seek to impose on GA access to airports.

The compromise reauthorization legislation passed in the final hours of the 101st Congress combined elements of both the House and Senate packages. AOPA's priorities fared well in the process. Two special AOPA efforts were our auxiliary flight service station proposal and our satellite technology initiative.

In 1981, the Federal Aviation Administration unveiled a major airspace and air traffic control modernization program called the National Airspace System Plan. One of the significant components of the NAS Plan is the FSS modernization and consolidation program under which the 317 FSSs existing in 1981 were to be consolidated into 61 new automated FSSs. The House trust fund reauthorization bill contained a provision advocated by AOPA that would require the FAA to develop and maintain a network of auxiliary FSSs to be located in areas of unique weather or operational conditions. We also succeeded in persuading Senator Ford to attach the proposal to the fiscal year 1991 transportation appropriations bill, and he included our FSS language in his own reauthorization package as well.

Ultimately, the measure passed as part of both the trust fund reauthorization and the FY1991 transportation appropriations bill.

AOPA will aggressively pursue implementation of its auxiliary FSS program, seek additional ILSs to enhance the utility of general aviation aircraft, recommend and advocate adequate funding for much-needed charting improvements, pursue more rapid implementation of loran instrument approaches nationwide, and vigorously maintain our opposition to MLS and other aspects of the NAS Plan that offer little or no benefit to the users of the



*AOPA achieved an especially high degree of visibility on major policy issues affecting general aviation.*

system or the air-traveling public.

Last year, in advocating expedited transition to a space/earth system for navigation, communications, and surveillance, AOPA uncovered more than \$11 billion that could be saved with reductions in spending for the NAS Plan. We will continue in our quest to assure more rapid implementation of emerging satellite technology and reduce the cost of flying for our members.

A provision advocated by AOPA, included in the final trust fund reauthorization bill, requires the FAA to develop a plan to transition to the next generation of satellite technology. The FAA is to report the plan to Congress by October 1. In addition, the transportation appropriations bill allocates \$3.6 million specifically to pay for development of the satellite transition plan. Monitoring the FAA's development of the transition

plan as mandated by Congress last year and following up as necessary on the Hill head the association's congressional agenda for 1991.

The trust fund reauthorization mandates continued federal spending under the trust fund but also permits individual airports to collect PFCs, locally imposed passenger facility charges. Large airports sought authority to collect PFCs from airline passengers to help pay for capital development projects. Ford's concept of a national aviation noise policy was also retained in the final reauthorization package. DOT will be developing the policy's specifics during the coming months. AOPA will take an active role in the development of a national noise policy. We further will participate in the development of the criteria for implementation of PFCs to ensure that needy reliever and general aviation airports receive their fair share of the entitlement dollars relinquished by major airports.

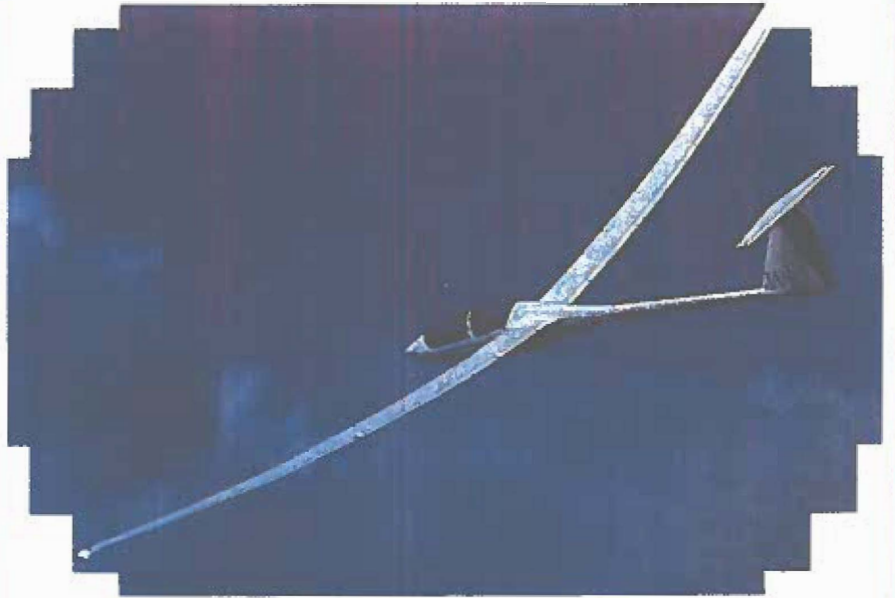
Several drug-related issues remain a concern for GA pilots. AOPA experts will be involved in these issues as they emerge. These include FAA proposals mandated by Congress to modify airman and aircraft identification procedures, drug testing requirements for those involved in commercial aviation activities, and proposals sure to surface once again to shoot down aircraft suspected of carrying illegal narcotics.

Also on our congressional agenda for 1991 are issues relating to airport access for general aviation, the gathering and dissemination of weather information, flight training benefits for veterans, the conversion of closing military air bases to civil use, the FAA's enforcement/compliance/civil penalty programs, and product liability.

Despite his "no new taxes" pledge, the budget submitted by President George Bush in January 1990 proposed to increase federal excise taxes on aviation by 25 percent. AOPA opposed the increases from the day they were announced. AOPA was confident the President's proposal would be rejected by Congress, considering the \$14-billion balance and the nearly \$8-billion surplus in the aviation trust fund. These facts simply did not justify an increase in aviation taxes.

But it soon became clear that the budget summit negotiators were likely to include an aviation user tax increase among the wide-ranging list of tax increases encompassed in a budget deficit

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package. As AOPA members undoubtedly realized after watching the political spectacle night after night on the evening news, merit had little to do with the individual components of such a large and all-encompassing package. And the congressional leadership deliberately made it very difficult procedurally to influence individual pieces of the package.

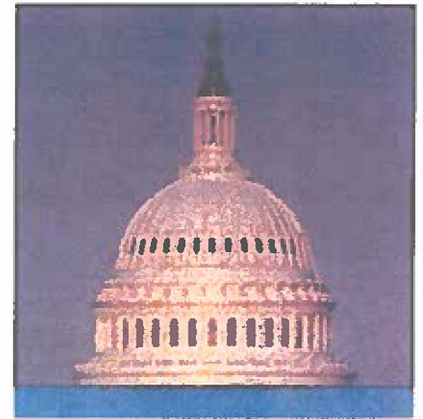
Under the final budget deficit reduction deal, the tax paid by aircraft operators on avgas was increased from 12 cents to 15 cents per gallon. The federal tax on jet fuel used in GA aircraft was increased from 14 cents to 17.5 cents per gallon. The federal tax on airline tickets was increased from 8 to 10 percent.

In addition to opposing the tax increase, AOPA vigorously opposed the diversion of new revenues away from the trust fund for deficit reduction purposes. We won a partial victory in the final budget deal. Budget negotiators agreed that revenues from the aviation tax increase would be used for deficit reduction during only the first two years of the five-year deficit reduction plan. In theory, all aviation tax revenues will once again be deposited in the trust fund beginning the third year of the deal. AOPA and others in the aviation com-

munity will be keeping a wary eye on this shaky "deal with the devil," as it was called by one prominent insider.

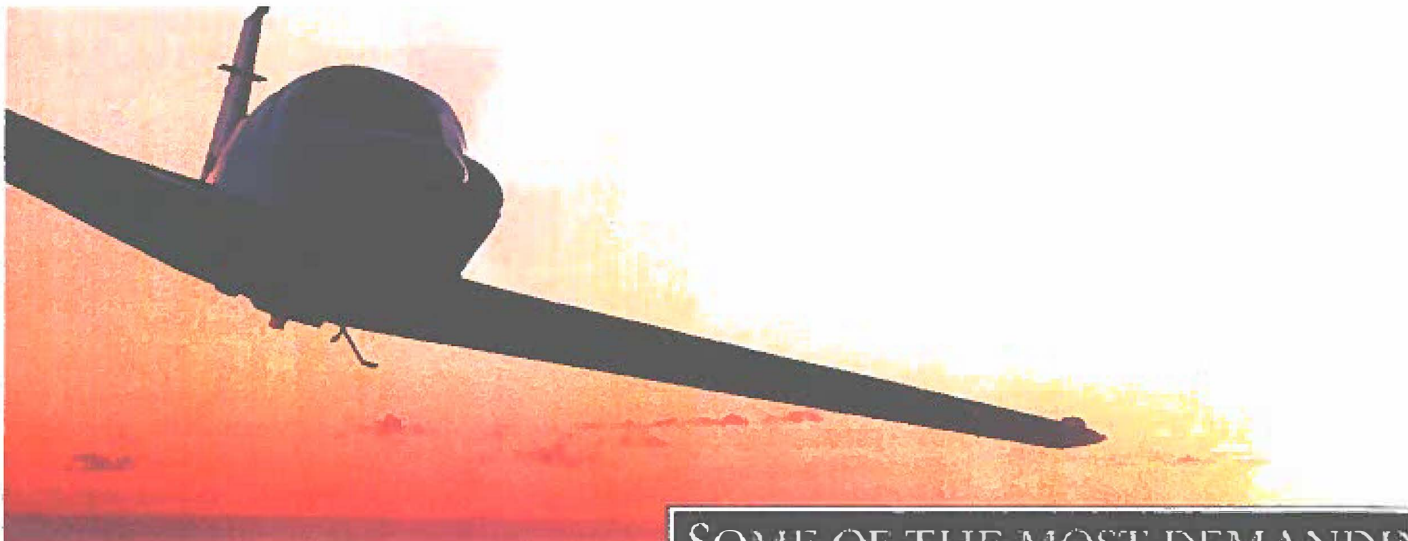
AOPA succeeded in efforts to head off a potentially devastating new luxury tax on smaller, newly manufactured aircraft. The budget deficit agreement includes a 10-percent tax on so-called "luxury" items such as expensive automobiles, yachts, furs, and jewelry. All GA aircraft were to be included as well. That was bad enough, but when the proposal was subsequently narrowed to include only aircraft weighing less than 5,000 pounds, AOPA turned to friends of GA in Congress—especially Senator E. J. (Jake) Garn (R-UT), Senator Robert Dole (R-KS), and Representative Dan Glickman (D-KS). AOPA also employed intense lobbying, media attention, and efforts to mobilize smaller airframe manufacturers to get the message through that such a tax would devastate the light aircraft industry and raise a meager sum of \$8 million or less.

Under the final budget agreement, only aircraft valued at \$250,000 or more are taxable, and the 10-percent luxury tax is limited to the amount in excess of \$250,000. In addition, aircraft used at least 80 percent of the time for business



*AOPA succeeded in efforts to head off a potentially devastating new luxury tax on smaller new aircraft.*

are exempt, as are flight training aircraft, crop-dusters, and emergency and law enforcement aircraft. The combination of these exemptions and the \$250,000 floor should ensure that the impact of the luxury tax is minimal. Nevertheless, AOPA remains extremely concerned by



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the precedent of imposing a luxury tax on GA aircraft.

As disturbing as the budget result was, it may have been merely a preview of trouble to come. Few experts believe that the deficit problem has been resolved. Congress will be forced to face the issue again. AOPA has long advocated a more responsible approach to federal spending. As the 102nd Congress convenes, there will be increased pressure to focus limited federal dollars on those areas of greatest national need. Prioritization will be of paramount importance, and competition among disparate interests will be keen. It will be up to the Administration and Congress to strike an adequate balance between aviation and other transportation interests and our national defense, the environment, health care, agriculture, and other aspects of our nation's foreign and domestic policy.

Yet as demanding as this session of the new Congress will be for AOPA and its members, the federal budget crisis ensures an equally difficult year in the states. The financial predicament has been passed down to the next level of government. States will increasingly feel the pinch as a result of more limited fed-

eral spending. Many will be compelled to pick up some of the slack.

Overall, 1990 was a positive year in the states, as AOPA continued to enjoy successes on such issues as airport zoning and efforts to restructure existing tax schemes and improve funding for GA.

Like many states, California faced major revenue shortfalls. One proposal was to "borrow" \$4.5 million from the California Aeronautics Fund to help offset the state's projected \$4-billion budget deficit. AOPA opposed this measure, particularly in light of the recent increase in all transportation taxes following voter approval of Proposition 111. In the final budget passed in early August, no funds were taken from the aeronautics fund to be used for nonaviation purposes. AOPA also successfully opposed legislation sought by Los Angeles County to gain an exemption from California's innovative airport land-use planning laws. At our urging, Governor George Deukmejian vetoed the measure, agreeing that the legislation would have set a terrible precedent. The governor's action was a big victory for AOPA.

A major legislative issue ongoing in Colorado is the disposition of funds raised by the state jet fuel sales tax.

While the state constitution provides that "any taxes imposed upon aviation fuel shall be used exclusively for aviation purposes," the tax, which nets about \$8 million a year, has been allocated to the general fund. AOPA joined the Colorado aviation community in asserting that aviation is not receiving money to which it is constitutionally entitled. Governor Roy Romer, an AOPA member, directed his attorney general to investigate and provide an opinion concerning the proper disposition of the funds. In August, the attorney general opined that these funds do in fact have to be used for aviation. AOPA is working with state aviation groups and lawmakers to draft legislation that will assure these funds are used appropriately to benefit GA in Colorado.

In Florida, a substantial increase in aviation funding will result from a 1.2-cents-per-gallon fuel tax increase approved by the legislature. Along the way, however, AOPA helped defeat two tax increase proposals that would have resulted in a tax of nearly 9 cents per gallon by 1994. The compromise bill that was finally passed provides for major increases in aviation funding for Florida airports and reinforcement of the



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state's airport zoning statutes.

Fuel taxes also topped AOPA's legislative agenda in Idaho, where the existing tax on aviation fuel is 3.5 cents per gallon. The state bureau of aeronautics proposed increasing this by 1 cent to help fund airport improvements. When legislation was introduced to implement the increase, however, airlines and other major jet fuel users lobbied strongly against it. The legislature responded with a substitute bill that increased only the tax on avgas to 7 cents per gallon, a completely unacceptable proposal. The 7-cent tax passed the House, but AOPA kept this bill from reaching the Senate floor. The legislature adjourned before addressing the overall funding of aviation in Idaho, an issue that will surely return this year.

Legislation introduced in Kentucky would have dedicated all sales taxes collected on jet fuel to the development and maintenance of airport facilities in the state. While this proposal is supported by AOPA and the Kentucky aviation community, it was blocked in the House Appropriations and Revenue Committee. As we have seen in other states, any proposal that directs money away from a state's general fund is vigorously opposed by state lawmakers. Our efforts will continue to secure these funds for aviation purposes. A dangerous piece of legislation was introduced late in the session that would have made the owner of an aircraft absolutely liable for injury to persons or property on the ground resulting from operation of an aircraft. AOPA and the Kentucky Aviation Association, working with the chairman of the Senate Transportation Committee, Senator Woody May, were able to convince the bill's sponsor to withdraw it.

In Louisiana, a bill was introduced that would have set the tax on jet fuel at 16 cents per gallon. Working with Louisiana Aeronautics Director Joe Levera, AOPA was able to help ensure that this measure did not even receive committee attention. We may continue to see such proposals in this cash-strapped state.

Many of the problems facing GA on a national level were manifested in Massachusetts, a state in serious financial difficulty. Early in 1990, responding to a projected budget deficit of \$1 billion, legislators forced through a tax package that included an increase in the state income tax, large increases in fees for state services, and extension of sales tax to many previously untaxed services. A

new 7.5-percent tax on avgas yields a tax of 15 cents or more per gallon at current prices. Aircraft registration fees were tripled. While some new funding was provided for the Massachusetts Aeronautics Commission, most of the new revenue will go toward balancing the budget. AOPA will continue attempts to repair the damage.

Several years of effort finally paid off for AOPA's Missouri members. We were successful in eliminating the 11 cents per gallon motor fuel tax on avgas, which was replaced by an avgas tax of 9 cents per gallon, dedicated entirely to aviation. (While we advocated a tax of



## *Monitoring the FAA's development of the satellite transition plan heads AOPA's 1991 congressional agenda.*

about 4 cents, we agreed to not oppose an 8-cent tax. When the bill reached the state Senate, however, the tax was changed to 9 cents.) We also continued to support legislation under which up to 30 percent of the revenue on jet fuel sales taxes, approximately \$4.2 million a year, would be dedicated to aviation improvement programs. The bill failed to receive sufficient support for passage, the primary objection being the loss of general revenue. AOPA will continue its efforts to ensure that these funds are used for aviation improvements.

The most pervasive legislative issue in New Jersey is airport zoning. AOPA has worked closely with the Mid-Atlantic Aviation Coalition and the New Jersey Association of Airport Owners and Operators to ensure enforcement of the innovative Air Safety and Hazardous Zoning Act of 1983. A consistent attack on

this positive legislation has been maintained in recent years by the New Jersey League of Municipalities. AOPA worked to head off several legislative proposals that would have substantially weakened this act. In addition, we have sought support from the New Jersey Department of Transportation in enforcing New Jersey's airport zoning act. The new administration has taken steps already that suggest it is serious about enforcing the act. Only time will tell.

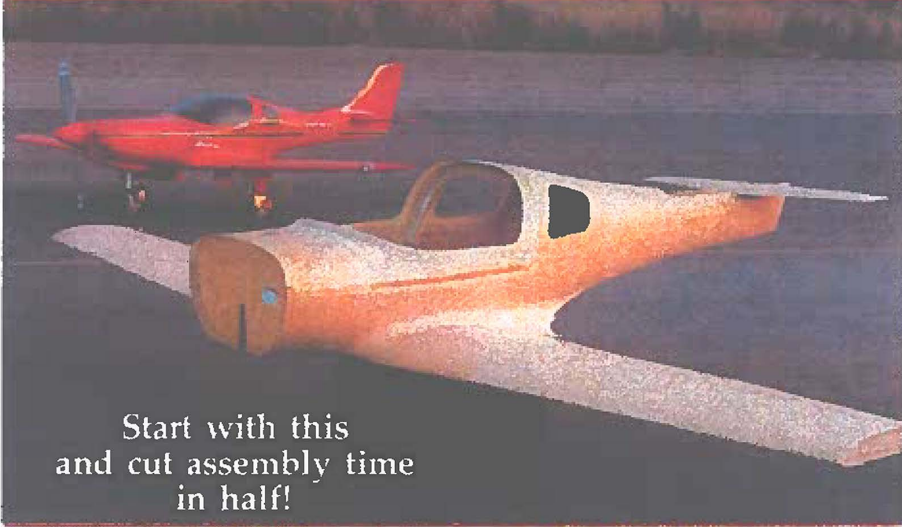
Near the end of New Mexico's short legislative session, a bill was introduced that would have doubled the registration fees on GA aircraft. The fee increase was proposed by the New Mexico Aviation Division to cover the cost of administering the registration system. AOPA believed such a substantial increase was not necessary, and we opposed the legislation. It failed to pass.

AOPA continued its fight for equal personal property tax treatment of aircraft owners in Texas. In 1989, following a 10-year effort, we helped gain passage of state legislation that exempts non-income-producing personal property from the personal property tax. But contained in the law is a provision that allows local jurisdictions to continue the tax. The city of Dallas decided to exercise the local option but targeted only aircraft and automobiles. AOPA does not interpret the exemption as permitting localities to pick and choose the property that will be taxed. AOPA filed suit against the city last spring to force it to rescind the discriminatory tax. If our "all or nothing" interpretation prevails, political considerations should keep most localities from exercising the local option.

AOPA and other representation groups are bracing for what may be one of the most difficult years in a decade on the state legislative front. Considering that 1990 was an election year, we faced a surprising number of state tax increase proposals. That bodes ill for this year because the year immediately following an election is generally the most politically desirable period to seek a tax increase. AOPA anticipates tax increase proposals in an unusually high number of states during 1991, and the kind of state budget crisis exemplified by Massachusetts during 1990 could be commonplace among the states in 1991. Storm clouds are gathering. □

*Thomas B. Chapman is AOPA's vice president of congressional and state legislative affairs. David B. Kennedy is AOPA's associate director of state legislative affairs.*

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# STATE AFFAIRS: 1987 IN REVIEW

*Victories and challenges at the state level*

BY THOMAS B. CHAPMAN

The level of AOPA's state legislative activity continues to grow each year and so does its success. AOPA and its members were involved with legislative issues in 25 states last year. Compare that to 1986, when AOPA dealt with issues in 17 states. For 1988, AOPA's office of state affairs is already anticipating activity in as many as 40 states.

As for 1987, state legislatures and governors, fresh from an election year, were anxious to put the unpleasant business of raising taxes behind them, leaving a good deal of time for voters' memories to fade before the next election.

General aviation faced proposed tax increases in seven states during 1987: Idaho, Iowa, Louisiana, Maryland, Oklahoma, Texas and Wisconsin. AOPA worked to keep flying more affordable by helping to defeat the increases in every one of those seven states except Maryland, where a modest penny-per-gallon fuel tax increase was approved as part of a comprehensive

transportation funding plan. Even in Maryland, the fuel tax issue was used to bring attention to a more far-reaching concern—the need to significantly improve funding for general aviation airports in the state.

As a result of AOPA's nationwide legislative campaign, seven states now have laws that require that pilots renting aircraft be advised of the extent to which they are or are not covered under the insurance carried by the FBO from which an aircraft is rented. Those states are California, Minnesota, Nebraska, Ohio, Oklahoma, Oregon and Pennsylvania. As many as three more states may be added to the list during 1988: Delaware, Michigan and Wisconsin.

In the nearly three years since AOPA's office of state affairs was established in 1985, a growing grass-roots network of involved AOPA members has developed all across the country. Whether they participate through state and local pilot groups or simply as inter-

ested individuals, AOPA members are the reason that your association's state legislative program is so successful.

Much of the credit belongs to AOPA's hard-working and dedicated corps of regional representatives. Operating under the guidance of AOPA's office of state affairs, these 10 individuals enable AOPA to work effectively through a local presence. AOPA regional representatives serve as the interface between AOPA headquarters in Frederick, Maryland, and the association's 260,000 individual members nationwide.

Along with occasional previews of some of the important issues for 1988, here is a state-by-state summary of AOPA's state legislative activities during the past year.



**Alabama:** Alabama is one of several states that is seeking or plans to seek tall towers legislation. AOPA headquarters reviewed and commented on a draft bill proposed by the Alabama Aeronautics Commission last year. AOPA supported the bill after it was submitted to the legislature.

The proposal passed the Alabama House and received serious consideration in the state Senate. While the clock ran out before the measure could be passed by the Senate, the bill obviously made enough progress to establish a credible foundation for another attempt.

AOPA is especially encouraged by the Alabama effort because it represents the first significant legislative opportunity that the association and its members have had in that state.



AOPA's State Affairs team: (Top row, left to right) Robert E. Minter, Southeastern states regional representative; Stephen R. Bassett, vice president of AOPA's office of state affairs; Peter H. Burgher, Great Lakes area; Grover C. Jones, Florida; Joseph R. Crotti, Western states; Robert Acker, Midwest. (Bottom row, left to right) Thomas B. Chapman, legislative counsel; Robert H. Wilkie, New England; William Hamilton, Central states; Ray Costello, Pacific Northwest; Kenneth W. Medley, Mid-Atlantic. Not shown, Henry L. Newman, Southwestern states.



**Arizona:** State Senator Doug P. Todd, AOPA 487137, introduced legislation last year in Arizona to abolish the avgas fuel tax refund system. His legislation replaces the refund with a simple flat tax on aviation fuel at the present net rate of five cents per gallon. Passage of the measure was the next step in the aviation tax reform effort that began in Arizona during 1986.

Prior to the tax reform effort, aircraft owners in Arizona paid an avgas tax of 16 cents per gallon. While all but one cent of the tax was refundable, only a few pilots bothered to comply with the cumbersome procedures necessary to obtain a fuel tax refund.

Aircraft owners also paid a substantial one percent of fair market value "lieu tax" on their aircraft each year. One aspect of the lieu tax particularly concerned part-time residents: An aircraft owner whose aircraft was based in Arizona for more than 90 days cumulatively during the year was liable for the full amount of the annual lieu tax, regardless of how long the aircraft was actually based in the state.

As a result of the tax reform effort, pilots now pay a flat tax of five cents per gallon on avgas, and the annual aircraft lieu tax has been cut in half. Furthermore, part-time residents pay the lieu tax according to a prorated formula. They are no longer liable for the full amount of the tax if their aircraft are not in the state full-time. All revenues generated by the avgas tax and the aircraft lieu tax are dedicated to the state aviation fund.

As an extra benefit of the tax reform effort, the significant revenues generated by the taxes paid by the airlines have been transferred from the general fund to the state aviation fund. AOPA supported this proposal, as well. Todd expects that the aviation fund will realize an additional \$3 million per year in funding as a result of the transfer.

In 1986, Todd's hard work earned him the AOPA Hartranft Award for the public official who did the most to benefit general aviation.

The efforts of two other AOPA mem-

bers within the Arizona legislature were also vital to the success in that state: Representatives Bob Denny, AOPA 778872, and Gus Arzberger, AOPA 269102.



**California:** Two particularly important bills were passed toward the end of the California legislative session and were sent on to Governor George Deukmejian for his signature.

The first was a measure introduced by state Assemblyman Gerald Eaves, which would have significantly improved aviation funding for the state. The bill would have guaranteed that all revenues derived from the collection of taxes on both jet fuel and avgas used in general aviation aircraft be deposited in the Aeronautics Account.

The second bill was introduced by state Senator Don Rogers. It refines the existing law which requires establishment of an airport land use commission in each county in California served by an airport.

Rogers' land use commission bill was approved by the governor and will fine-tune a law that AOPA already views as innovative. Since enactment of the original law several years ago requiring that airport land use commissions be established, these commissions have served as useful vehicles in California for heading off disruptive controversies regarding land use around airports. They also provide an appropriate forum for resolving those conflicts that are unavoidable.

Rogers' new legislation requires that at least two members of an airport land use commission have expertise in aviation. The bill also establishes a procedure for private parties to initiate legal action in cases where no airport land use commission has been established or where an airport land use plan has not been adopted. The legal action could be brought to ensure that any newly proposed land use within one mile of an airport boundary is compatible with air safety and with the promotion of air

commerce at the airport. Finally, the bill repeals a sunset provision included in the original law.

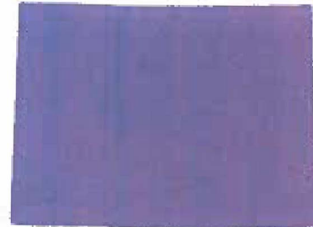
While Rogers' bill was signed into law, Eaves' funding bill did not fare as well. It was vetoed by the governor. The governor's financial advisors objected to the bill because it would have taken what is effectively general fund money and dedicated it to aviation.

One provision of the bill would have transferred the 4.75-percent state portion of the sales tax on general aviation jet fuel from the Retail Sales Tax Fund to the Aeronautics Account. This is where the major impact of the legislation would have been realized. Reallocating the jet fuel sales tax would have added \$3 million to the Aeronautics Account each year.

The funding bill would also have repealed a statutory provision that *technically* permits avgas purchasers to apply for fuel tax refunds. This would have been an important change from the perspective of those in California who have experienced the frustrating "Catch 22" of the present law—a law that merely transforms the refunded amount into sales tax and moves it from the Aeronautics Account over to the Retail Sales Tax Fund. Currently, the pilot who applies for a refund of the avgas tax receives nothing.

At a time when public concern about aviation safety in California is at a high point, AOPA is disturbed that the governor would veto a bill intended to improve aviation facilities. Nevertheless, efforts to improve funding will continue.

For the past two years, AOPA has also supported another major bill that would dedicate *all* jet fuel sales tax revenues to aviation—including the roughly \$100 million paid by the air carriers. That bill remains alive and will be carried into the next session. A major push to obtain its passage is likely in 1988.



**Colorado:** Another effort was made in 1987 to establish an office of aviation in Colorado. The bill, which would have created the state aviation agency, was introduced by Representative Lewis Entz, AOPA 307296. Under the bill, the

proposed office of aviation would have been funded by the proceeds of a new tax on fuel sold for use in general aviation aircraft. In exchange for adoption of a reasonable fuel tax, the existing state aircraft registration fee would have been abolished.

AOPA supported the effort to create an office of aviation in 1987, as it did during 1986. The one point of continuing discussion among AOPA, its members and Entz has been the amount of the proposed new fuel tax—that, again, will replace the existing state aircraft registration fee. For 1987, however, the question was academic.

The chairman of the House Transportation and Energy Committee sent the proposal to a previously established interim study committee, along with another bill intended to replace the powerful Colorado Department of Highways with a new state department of transportation. The study committee is scheduled to report its findings to the governor and the state legislature during the 1988 legislative session.

This suggests that if a state agency responsible for aviation matters is to be created in Colorado, it might come as part of a package to establish a new state department of transportation. That is an arrangement that will require careful consideration by AOPA and its members in the state. There are clear risks in entrusting aviation to a DOT heavily dominated by the potentially unsympathetic remnants of the existing department of highways.

Newly elected Governor Roy R. Romer is an AOPA member (AOPA 514757) and an accomplished pilot. AOPA President John L. Baker had an opportunity to meet with both the governor and Representative Entz during a trip to the West early in 1987. AOPA is hoping that Romer's understanding and appreciation of general aviation will be helpful in Colorado.



**Connecticut:** For several years, the issue of personal property taxes has concerned the aviation community in Connecticut. A fee in lieu of taxes is the approach that has been suggested as a means of obtaining tax relief.

Two years ago, state Senator James McLaughlin invited AOPA to partici-

pate in a group to study the issue. Since then, other state legislators have taken an interest, including state Senator James Maloney. In addition, AOPA is working with two relatively new pilot organizations in Connecticut that have become involved in the personal property tax issue, along with several individual AOPA members in the state.

This is the kind of difficult issue that will take time to resolve. AOPA has supported the general concept of an aircraft registration fee in lieu of taxes. However, the association is seeking to ensure that any fee that is adopted will be reasonable and will in fact result in tax relief for the majority of AOPA members. The tax rates and the extent to which personal property taxes are actually collected varies widely in the state. This aspect of the issue must be carefully considered.

AOPA is working with all those interested in the issue to reach a consensus and formulate a satisfactory and concrete fee proposal that can be carried to the legislature. If all goes well, legislation will be introduced during the 1988 session of the Connecticut legislature.



**Delaware:** For 1988, the Delaware Transportation Authority is proposing a substantial revision of the state Aeronautics Code.

The package includes positive changes such as a provision that would require those renting aircraft to inform pilots of the extent to which they are insured, as well as a repeal of the outdated state law imposing absolute liability on aircraft owners for personal injury or property damage. These are both standing legislative priorities for AOPA that the association and its members should be able to support.

The package also includes a proposal to significantly improve funding for general aviation airports—a proposal that is likely to be controversial. Funding would be improved by collecting a new state aircraft registration fee and by revising the existing fuel tax structure in Delaware.

The new aircraft registration fee would range from \$30 for a single-engine aircraft to \$150 for a turboprop aircraft. The fuel tax proposal will probably take the form of a flat tax of five cents

per gallon on avgas and three cents per gallon on jet fuel. Presently, those who purchase jet fuel pay no fuel tax. In contrast, the existing tax on avgas is 16 cents per gallon, all of which is refundable—but only to the minority of pilots who bother to apply. In Delaware, the unrefunded avgas tax goes to highways rather than to aviation, as it does in some other states.

The Delaware proposal calls for some tough decisions. AOPA is carefully studying the issue and encourages its members in Delaware to express their opinions to the staff of AOPA's office of state affairs.



**Idaho:** In 1987, AOPA opposed a substantial increase in the state aircraft registration fee—a proposal that has been considered by the Idaho state legislature for the last several years. An increase in the state aviation fuel tax has also been proposed in past years, although not in 1987.

The proposed increase in the registration fee was defeated again last year. AOPA is now waiting to see whether it will resurface during 1988.



**Illinois:** One of the major issues in Illinois is an ongoing effort to develop an effective tall towers bill. AOPA is represented on the Illinois Hazard Zoning Task Force, which is preparing legislation to be introduced in 1988. AOPA has provided both legal and technical guidance to the task force. The outlook is good.

During 1987, AOPA also joined a broad spectrum of business and aviation groups in Illinois that opposed legislation to impose a curfew at Chicago-

*A grass-roots network of involved AOPA members has sprouted across the country.*

O'Hare International Airport. While the curfew would have applied only to scheduled aircraft operations, AOPA was concerned by the possible precedent that would have been established. The curfew measure was defeated, but we may see it again in 1988.



**Indiana:** Legislation was passed in Indiana last year that for the first time authorizes the state to contribute funds to match federal airport improvement grants made to *privately owned* airports. Of course, only privately owned airports designated as reliever airports by the Federal Aviation Administration are eligible to receive federal funds. Because there is only one such airport in Indiana, the immediate impact of the new law obviously will not be great.

The issue helped the association make some important legislative contacts in Indiana. In addition, it appears that the foundation has been laid for a broader program of state support for privately owned, public-use airports in Indiana. Certainly, that is what AOPA plans to pursue when the legislature meets again.



**Iowa:** In Iowa, legislation was introduced that would have increased the tax on avgas from 16 cents to 20 cents per

gallon, all as part of Governor Terry Branstad's proposed "Transportation 2000" program. In addition to increasing the tax, the proposal would have eliminated the existing avgas tax refund. The tax is presently refundable, although an amount equal to the four-percent sales tax on fuel purchases is required to be deducted from each refund. Avgas is exempt from sales tax at the pump.

United opposition from AOPA and other groups paid off in Iowa when the governor's tax package was finally defeated. However, the issue went down to the wire, and AOPA is expecting the governor to reintroduce his transportation funding package again in 1988. We may be in for another tough fight.



**Louisiana:** The 1987 tax battle for general aviation began during a very short special session held in Louisiana—a session that actually convened late in 1986.

A proposal surfaced during the special session that would have imposed a new six cents per gallon tax on all aviation fuel sold in Louisiana. AOPA learned that the measure would be heard in the House Ways and Means Committee on short notice.

Working quickly, AOPA's opposition to the proposal was made absolutely clear to the chairman of the committee, and all of the association's contacts in the state were made aware of the tax issue. When the committee met to consider the fuel tax proposal, it did so in a room packed with angry aviation folks. The sponsor of the measure had anticipated little opposition. She quickly withdrew her bill from consideration.

The effort in Louisiana demonstrated just how effective AOPA's state and local networks can be on very short notice.



**Maryland:** Last year, Governor Donald Schaefer included a one-cent per gallon

aviation fuel tax increase in his comprehensive transportation funding plan. The increase took the tax from four cents to five cents per gallon. AOPA opposed the increase and used the issue to bring attention to the extremely low level of commitment to Maryland's general aviation airports. It was an excellent opportunity.

The Maryland effort recently culminated in a newly proposed program of financial support for privately owned, public-use airports—a program prepared and proposed by the state aviation administration. AOPA has reviewed the proposal and is encouraged. The program would be a significant step if it is implemented.

It appears that progress is being made in Maryland. AOPA plans to continue working with its members and the state to help ensure that a quality system of general aviation airports is maintained in Maryland.



**Massachusetts:** The Massachusetts Aeronautics Commission hopes to have tall towers legislation ready to be introduced during the 1988 legislative session. AOPA is prepared to support the proposal.

On other fronts in Massachusetts, AOPA is representing its members in the controversies surrounding general aviation at Boston's General Edward Lawrence Logan International Airport and the curfew at Norwood Airport. AOPA's office of state affairs will be working on these issues during 1988, as well.

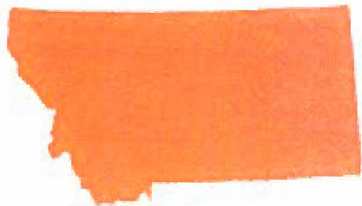


**Michigan:** Just as 1987 was dawning, Michigan's governor signed a bill that

AOPA supported to substantially revise and improve the Michigan Tall Structures Act. A new tall towers bill was the first priority on the legislative agenda established jointly by AOPA and the Michigan Aeronautics Commission in December 1985. The new Michigan tall towers bill is one of the existing state laws that AOPA is suggesting as models for other states seeking to address the tall towers issue.

AOPA is continuing to work on other priorities on the joint legislative agenda—including a proposal to repeal the harsh rule of vicarious liability applicable to aircraft owners in Michigan. Aircraft rental insurance disclosure legislation may also be passed sometime during the next year.

The working relationship between AOPA, the Michigan Aeronautics Commission and members of the Michigan state legislature is strong and growing.



**Montana:** After several previous attempts, legislation was finally passed last year in Montana that substitutes a reasonable aircraft registration fee for the substantial personal property taxes that aircraft owners have been forced to pay in the past. The new fee will save aircraft owners a very significant amount—from 60 to 80 percent in some cases.

AOPA strongly supported the Montana effort, but the real credit belongs to the members of the Montana Pilots Association, who mounted an organized and aggressive campaign last year to achieve their goal.

A less positive issue in Montana concerns a threat to West Yellowstone Airport. The problem arose last spring when the Montana Division of Aeronautics asked the state legislature to appropriate \$65,000 for repair of the roof at the West Yellowstone terminal. The money was to have come out of the proceeds paid to the state under the so-called "Stripper Well Settlement Agreement," an arrangement that is being administered by the U.S. Department of Energy.

The legislature passed a bill that pur-

*Despite public concern about aviation safety, California's governor vetoed a bill intended to improve aeronautics.*

ported to appropriate the \$65,000, but an amendment was added that directs the division of aeronautics to transfer the state-owned airport to the city of West Yellowstone. If the airport cannot be transferred, the division must prepare a plan to close the airport and present the plan to the legislature when its next biennial session convenes in 1989.

The city of West Yellowstone is probably not in a position to assume responsibility for the airport, nor does the division of aeronautics have any real desire to transfer the airport. AOPA is working closely with local AOPA members and the West Yellowstone Chamber of Commerce to turn this issue around. Community leaders in West Yellowstone seem to have a clear understanding of the enormous importance of the airport to their local economy—a refreshing change of pace.

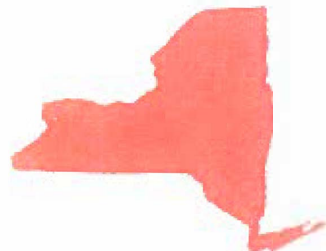


**New Jersey:** The 1987 session of the New Jersey state legislature does not actually end until January 12, 1988. Several bills have generated concern among AOPA members in New Jersey during the 1987 session.

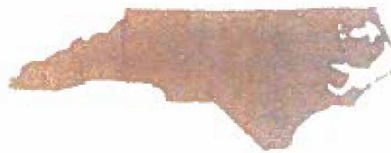
Of most concern was a bill that would have weakened the existing Air Safety and Hazardous Zoning Act by permitting more residential development in the vicinity of airports than is currently permitted. The bill made limited progress in the Assembly, but it is unlikely the measure will receive any additional attention before the session ends.

Balloonists in New Jersey were troubled by a bill that would have imposed unreasonable fines on them for landing in agricultural fields without permission. The bill passed the state Senate, but efforts to stop the measure in the Assembly appear to have paid off.

Two additional bills also attracted attention last year in New Jersey. One would have severely restricted helicopter operations, while the other would have limited parachuting activities. Both of these bills appear to be dead—although AOPA is watching.



**New York:** For some time, AOPA has been working with local members on a tax-relief bill for privately owned, public-use airports in New York. A bill was introduced by Assembly Minority Leader Clarence Rappleyea in 1987. As expected, the bill made little progress before the legislature adjourned. However, a foundation was established for what AOPA hopes will be a stronger effort in 1988.



**North Carolina:** For the second straight year, AOPA supported a proposal developed by the North Carolina Division of Aviation to authorize a "continuing annual appropriation" for aviation. The proposal passed in 1987. It will generate at least an additional \$5 million annually for aviation and perhaps much more. In effect, the new law will dedicate sales tax revenues collected from the aviation community.

AOPA is also assisting in an effort to obtain passage of tall structures legislation for the state. Legislation introduced by state Representative Joe Mavretic made limited progress last year, and the measure is now being studied by a special legislative commission. Prospects for passage in 1988 look good.

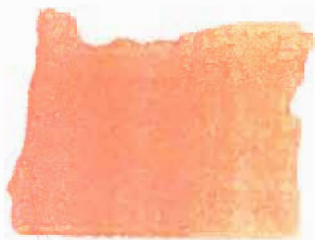


**Oklahoma:** Oklahoma was one of two states that passed AOPA's model air-

craft rental insurance disclosure legislation during 1987. The issue helped strengthen the strong legislative contacts that were initially developed by AOPA during 1985 and 1986 in a successful effort to exempt individual flight instructors from regulation by the Oklahoma Board of Private Schools.

The insurance disclosure legislation was sponsored by state Representative Steve Lewis, who is chairman of the House Appropriations Committee and was also one of the sponsors of the 1986 flight instructors bill. The insurance disclosure legislation was co-sponsored last year by Representative Glen Johnson and Senator Roy Sadler.

AOPA's success in Oklahoma would not have been possible without the outstanding efforts of several local AOPA members, as well as the assistance of the Oklahoma Pilots Association.



**Oregon:** Oregon is the other of the two states last year that adopted AOPA's model aircraft rental insurance disclosure legislation. The Oregon measure was carried as an administration bill, with Oregon Aeronautics Administrator Paul Burket advocating the legislation on behalf of pilots in the state.



**Tennessee:** The issue in Tennessee during 1987 was what to do with existing aviation fuel tax revenues—not whether to increase taxes, as it was in so many other states. To help reduce a sizeable budget deficit, Tennessee Governor Ned Ray McWherter suggested a one-year postponement of the new Transportation Equity Fund, which AOPA and other aviation groups worked so hard to create during 1986. AOPA was concerned that the political translation of "postponement" might turn out to be "elimination."

The new Transportation Equity Fund is intended to operate as a dedicated ac-

count for aviation, railroad and waterway transportation projects. The tax revenues derived from the sale of fuel to the aviation, railroad and boating communities are to be deposited in the fund, which was originally scheduled to begin operating on July 1, 1987. The new fund is expected to increase state funding for aviation and airports from the previous level of approximately \$2 million to more than \$10 million annually.

AOPA helped organize the state aviation community and pushed for an acceptable compromise that includes postponing implementation of the fund for only six months. As a result, millions of dollars in state fuel taxes will be dedicated to Tennessee airport projects beginning in January 1988—a date that ensures there will be no further opportunities for the legislature to consider additional "postponements."



**Texas:** In 1987, AOPA members in Texas won a major victory in the long effort to obtain relief from personal property taxes on aircraft.

In the closing hours of the legislative session, a proposed amendment to the Texas state constitution was approved that will permit the legislature to exempt *all* non-income producing personal property from taxation, which includes aircraft. The amendment appeared on the November 3 ballot for consideration by Texas voters and it passed by a significant margin. The amendment was sponsored in the state legislature by Representative Mark Stiles and Representative Charles Evans, both of whom worked very hard on the issue.

One of the greatest concerns of AOPA members in Texas for many years has been the inequitable taxation of aircraft. Resolution of the problem has been a major legislative priority for AOPA. Cooperation and a persistent effort finally paid off in 1987. Key to the success was the overwhelming response of thou-

sands of individual AOPA members who contacted their state legislators after receiving an "Action Alert" from AOPA last March.

Adoption of the proposed constitutional amendment was the most difficult step in the complicated political journey towards tax relief. However, the effort is not finished yet. The next step will be to obtain passage of the legislation necessary to actually establish the tax exemption for non-income producing personal property. The new constitutional amendment merely authorizes such an exemption. The legislature *must* act on that authority. The next opportunity to pass the implementing legislation will not come until 1989, when the Texas legislature will convene again in its next regular biennial session.

Texas was also one of the seven states in which fuel taxes were an issue during 1987. In fact, there were two proposals in Texas. One would have imposed a new two cents per gallon tax on all aviation fuel sold in the state. The other would have imposed a tax at the same rate, but only on fuel used in general aviation aircraft. AOPA helped turn back both proposals.



**Wisconsin:** Fuel taxes were the issue in Wisconsin last year, as well. A proposal put forth by the Wisconsin Bureau of Aeronautics would have increased the general aviation fuel tax by 80 percent, taking it from six cents to 11 cents per gallon. The substantial increase was intended to help improve airport funding and to pay for an automated weather observation system. Obviously, the proposal was well-intended. It was also expensive.

In response to the concerns of AOPA members and most of the general aviation community within the state, Governor Tommy G. Thompson eventually withdrew the proposed five-cents per gallon increase. He was able to find additional money elsewhere in the budget to pay for the worthwhile programs the increase was to have funded. □

*Thomas B. Chapman is legislative counsel in AOPA's office of state affairs.*