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Nixon Concorde Pledge Bared

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Former President Nixon assured both the British and French heads of state in 1973 that their Concorde supersonic jet would be exempt from a proposed U.S. aircraft noise rule.

Those assurances were contained in Nixon letters handed to the House Government Operations Transportation Subcommittee yesterday by Transportation Secretary William T. Coleman Jr.

Coleman also gave the subcommittee a letter that Secretary of State Henry Kissinger sent him in October stating that any "decision that would amount to an outright rejection" of Concorde "would be viewed as a serious blow by two of our closest allies."

No sooner had Coleman released those letters than Rep. Bella Abzug (D-N.Y.) charged that they resulted in "undue influence" on the Federal Aviation Administration, one of Coleman's departments, and made the FAA's recommended approval of Concorde inevitable.

Last March the FAA recommended that Air France and British Airways be allowed to bring six planes a day to the U.S.—two to Dulles International Airport here and four to New York City.

Further, the FAA said in its draft environmental impact statement, the noise levels of the Concorde are not substantially higher than those of transoceanic subsonic aircraft such as the older Boeing 707

and McDonnell Douglas DC-8 types.

But that recommendation, and the noise comparison were changed in November when Coleman released a new environmental impact statement and his own summary of it. Coleman said the Concorde would be perceived on takeoff as "twice as loud" as the 707 and DC-8 and four times as loud as the newer, quieter jumbo jets, such as the 747 and DC-10.

Coleman said he would hold a hearing on the Concorde Jan. 5 and would announce a decision on it within 30 days.

Abzug cited a 1973 DOT report that said "subjectively, supersonic transports will be judged several times as loud" as other jets. She noted the varying evaluations of noise

levels in the draft impact statement of March in comparison with Coleman's own summary in November. She concluded that Nixon's letters, at least one of which was sent to the FAA, exerted "undue influence" on the agency.

Coleman responded sharply: "With all due respect, that may be partly ignorance on your part." He gave a technical explanation of methods of airplane noise measurement; he explained how technicians could record Concorde takeoffs at certain points and honestly arrive at the conclusion the noise levels were "not substantially higher."

"It's a matter of where you do the measuring," he said.

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He invited Abzug to the DOT for a technical briefing. "If your questions are not answered in such a way that you can say, 'Bill, I understand,' I'll buy you your dinner," he said.

Coleman took much of the drama out of the Subcommittee hearing at its outset yesterday by presenting the Nixon correspondence and the letter from Kissinger to himself. He did so at the conclusion of his prepared testimony, but before Subcommittee chairman William J. Randall (D-Mo.) could ask for it.

Instead of demanding the letters and threatening subpoenas, as Randall has done in past hearings on the Concorde, the congressman read them into the record.

Both letters, to former British Prime Minister Edward Heath, and to former French President Georges Pompidou, contained assurances that their joint Concorde project would be treated fairly in the U.S. regulatory process, but also pointed out that state and local governments had considerable sway in such matters. Both letters contain the sentence:

"The Federal Aviation Administration will issue its proposed fleet noise rule in a form which will make it inapplicable to the Concorde . . ."

The fleet noise rule, a complicated regulation that would, in effect, penalize U.S. airline companies for keeping older, noisier jets, has never been promulgated.

There are noise rules for subsonic jetliners, but the 16 Concorde presently built or under construction are exempt. The Environmental Protection Agency has recommended that future supersonic transports—including a 17th Concorde—be required to meet the subsonic noise limits. That rule is under consideration.

Environmental Protection Agency Administrator Russell Train, in an appearance before the Subcommittee earlier this week, and Coleman yesterday testified that it is normal procedure not to require existing equipment to meet new regulations.

Coleman was questioned many times and in many ways about the discrepancies in the noise estimates from one FAA environmental impact statement to the next.

He defended the FAA. "The one thing in government that has scared me more than anything else is a bureaucracy that makes a decision, but does not have the guts to change it" when new information is presented, he said in praise of the final environmental impact statement.

On another occasion, in the midst of an entertaining debate with Abzug, he explained that a draft was a draft, that comments on it were encouraged and that changes should be made.

"If you're going to lay down the rule that there should be no difference" between a draft and a final, he said, "You'll have public employees who will never change their mind . . . My people are good public servants, loyal to the people."

He denied that any pressure had been brought on him to decide the Concorde question in any way.

Coleman said he requested Kissinger's views on the Concorde, and regarded them as informative, and not directive in nature. Kissinger wrote, "We could expect strong public and official resentment against the United States if we were to reach a decision that the British and French would view as not in harmony with the generally excellent relations we now enjoy with both countries . . ."

"I hope . . . you will find it possible to weigh carefully the concerns of these two close allies, together with the environmental and other criteria that you must consider."

Kissinger also referred to the "very large sums" the British and French have invested and said the Concorde "represents a unique achievement . . . in a high technology aircraft that commands close attention . . . in view of the financial stake and national prestige involved in placing the Concorde into commercial service, and especially into transatlantic service."

Rep. Glenn English (D-Okla.) questioned whether it was Coleman's duty to consider international implications. "We're making a decision based on what's good for the American people" English said.

"Sir, you're wrong," Coleman responded. "It is important to know what the rest of the world feels . . . We have to consider foreign implications." He reiterated, as he has many times, that he wants to write his decision so that "if I deny the plane, the British and French will know why; if I approve it, the environmentalists will know why."

Coleman answered questions without hesitation, dropping in quotes from Justice Felix Frankfurter, Oliver Wendell Holmes, Shakespeare and the pilots' locker room.

At the conclusion of the hearing, Abzug rushed down from the podium and said, "Bill, that was great." He kissed her on the cheek and they walked jovially into the hall and the waiting TV cameras.