

In a 1994 review of major airline accidents, the NTSB called check-rides "subjective" and noted differences among airlines in how they graded pass/fail.

And most airlines do not keep closer tabs on pilots who barely pass.

United is an exception. If pilots struggle through check-rides but pass, they are retested within two months instead of the usual six or 12 months, Traub says.

If Express II had a policy of following struggling pilots more closely, pilot Marvin Falitz, who crashed near Hibbing, Minn., might have been weeded out. He failed three check-rides—in 1988, 1992 and 1993. In 1987, he failed an oral exam. Each time, Falitz was retrained and retested the same day. Not surprisingly, he passed, and continued flying.

On two tests, he failed working with other pilots—what investigators faulted him for in the crash.

Since the crash, Express has intensified pilot training. "Hibbing was an isolated incident and an unfortunate incident," says Phil Reed, vice president of marketing. "We run a safe airline."

After the crash, Northwest Airlines insisted that all of its commuter partners, including Express, train to the highest FAA standards.

FIRING: PILOTS ARE ALLOWED TO QUIT RATHER THAN BE FIRED

Even when an airline decides a pilot is unfit to fly, the pilot isn't always fired. Comair, a Delta Connection carrier, didn't fire Michael Hillis. It let him resign. Hillis did and started at American Eagle four days later.

Many U.S. airlines will let marginal pilots resign rather than fire them. The reasons: Airlines fear being sued, and problem pilots go away quicker if given an easy way out.

"They're gone with fewer repercussions," says Southwest's Sterbenz.

Letting pilots resign often puts them back in the cockpit—of another airline. Still, airlines defend the practice. "The airlines are pretty diligent in looking out for those people" who have resigned, says Tom Bagley, vice president of flight operations for Scenic Airlines.

Not always. American Eagle knew Hillis had resigned from Comair. Hillis told Eagle he wanted to live in a different city. But Eagle didn't know Hillis had been forced to resign. Comair didn't provide that information, Eagle says, and the FAA doesn't require airlines to pass on that information.

The reluctance to fire pilots goes beyond fear of lawsuits, however. It is tied to the status and deference that pilots enjoy and to the high cost of training new pilots.

"Airlines carry weak pilots for long periods," says Diane Damos, a University of Southern California aviation psychologist. "It's just part of the culture."

Says aviation lawyer Arthur Wolk: "It's the aviation's good old boy network. Nobody wants to trash a pilot."

Co-pilot Kathleen Digan, 28, was given the benefit of the doubt and later crashed a plane, killing herself and 11 others. Digan was hired in 1987 by AVAir Inc., doing business as American Eagle. She was flying a plane that crashed on Feb. 19, 1988, in Raleigh-Durham, N.C.

During a check-ride her first year, the examiner said Digan needed more work on landings. Another called her job "unsatisfactory" and recommended she be fired. A captain who flew with her said she "overcontrolled" the plane.

But Digan wasn't let go. AVAir's director of operations defended the decision to keep her, telling investigators: "She had invested a lot in our company and our company had invested a lot in her."

Even the FAA has protected poor pilots. On Oct. 26, 1993, three FAA employees died in a crash near Front Royal, Va. Safety officials blamed Capt. Donald Robbins, 55.

That was no surprise. During his 10-year career, Robbins flunked three FAA tests. He had two drunken-driving convictions. Eight co-pilots avoided flying with him, and several complained to supervisors. Nothing was done. In fact, in Robbins' last evaluation, his supervisor gave him a positive review and complimented him on his ability to "get along well with his fellow workers."

The path pilots take to the cockpit: 1. Enter military or civilian flight school. 2. Pass test to get private license; can't work for hire. 3. Pass test to get commercial license; can work for hire. 4. Many military pilots get jobs at airlines after leaving military. Flight school pilots fly cargo or work as instructors to build experience. 5. Get job as co-pilot at regional airline. 6. Pass airline's training program. 7. Pass test to fly certain type of plane. Testing required each time a pilot switches to new type of plane. 8. Spend first year on probation; get reviews; pass first-year test. 9. Pass test to get air transport license; required to become captain. 10. As captain, must pass medical and two flight tests every year.

Regional airlines scramble for pilots. Growth in commuter or "regional" air travel, coupled with a decrease in the number of military-trained pilots, has forced airlines to hire more pilots trained in civilian flight schools.

Military training fewer pilots 1992 3,742 1996 2,678(1).

Regional airline business soaring Passengers (in millions) 1984 26 1995 60(1).

Ranking salaries Average second-year pay for a regional airline co-pilot, compared with the median pay for other jobs: Secretary, \$19,100; Phone operator, \$19,100; Data entry clerk, \$17,150; Co-pilot, \$15,600; Receptionist, \$15,400; and Bank teller, \$14,600.

Comparing accident rates Accident rates for regional airlines that fly planes with 30 or fewer seats are higher than rates for regionals with bigger planes and major airlines. Rates per 100,000 flights:

	1984	1994
Small regionals82	.32
Major airlines, large regionals23	.24

For this three-day series, USA TODAY reporters John Ritter, and Julie Schmit set out to learn how a marginal pilot slipped through the safety net of a U.S. airline and crashed near Raleigh-Durham last December. They discovered more than one poor pilot had kept flying and that, if nothing changes, more are likely to.

Ritter and Schmit analyzed accident reports since 1985 and obtained FAA documents on current aviation practices through the Freedom of Information Act.

Other sources included the National Transportation Safety Board, which investigates accidents, the General Accounting Office, the Federal Aviation Administration, airline executives, union officials, pilots and safety experts.●

ADDITIONAL COSPONSORS

S. 309

At the request of Mr. BUMPERS, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 309, a bill to reform the concession policies of the National Park Service, and for other purposes.

S. 334

At the request of Mr. HELMS, his name was added as a cosponsor of S.

334, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage States to enact a Law Enforcement Officers' Bill of Rights, to provide standards and protection for the conduct of internal police investigations, and for other purposes.

S. 607

At the request of Mr. WARNER, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 607, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify the liability of certain recycling transactions, and for other purposes.

S. 881

At the request of Mr. GRASSLEY, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes.

S. 1136

At the request of Mr. HATCH, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1136, a bill to control and prevent commercial counterfeiting, and for other purposes.

S. 1228

At the request of Mr. D'AMATO, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 1228, a bill to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

ADDITIONAL STATEMENTS

THE COMMERCE, STATE, JUSTICE APPROPRIATIONS BILL

● Mr. ABRAHAM. Mr. President, I reluctantly voted for the conference report for the Commerce, State, Justice appropriations bill, knowing that it will be vetoed, because it does contain many provisions that will do significant good for the country and because much of the funding it provides is very important to our efforts to fight violent crime. I look forward to working with the managers of the bill to resolve the problem areas of this bill when it comes up for consideration again.

Let me begin by outlining what is good in this bill. First, the prison litigation reform title of the bill makes important and needed changes to the Federal laws governing lawsuits brought against prison administrators across the country. Right now, in many jurisdictions, judicial orders entered under Federal law are having an enormously destructive effect on public