

# Committee on Resources

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## **Testimony of Wesley David Wardall Associated Airtanker Pilots**

September 29, 2004  
Subcommittee on Forests and Forest Health

Mr. Chairperson and members of the Subcommittee:

I am Wesley David Wardall and a rated S-2T airtanker pilot. Thank you for the opportunity to comment on HR 977.

There have been 162 contract tanker pilots lost in line-of-duty accidents since 1958. All of these pilots were responding to wildland fires on local, state or federal responsibility fires. Since the inception of the Public Safety Officer Benefit legislation in 1976, 87 airtanker pilots have been lost in accidents. HR 977 will correct a flaw in the current law by providing the death benefits to contract airtanker and helicopter pilots killed in line-of-duty accidents back to 1976.

Currently, local, state and federal agencies dispatch airtankers, many currently owned or acquired through federal agencies to wildland fires throughout the United States. All of the responding airtankers are operating under a local, state or federal dispatch order. All of the airtankers are under the direction and control of state or federal "Air Attack Officers" or "Lead Planes" dispatched to the fire. All airtanker and helicopter pilots are trained screened and carded as an authorized tanker or helicopter pilot under strict US Government Interagency Standards. Historically, public agencies have contracted for aerial fire fighting aircraft since the agencies lacked the resources and expertise to maintain and operate complex aircraft. Typically, the airtankers and helicopters are under an exclusive use contract for the entire summer fire season. The aircraft are on an exclusive use contract for the entire fire season and are totally controlled by the public agency. Even during the winter maintenance period, Federal and State aviation maintenance inspectors inspect work in progress and re-certify the aircraft and crew for the next fire season. Under FAA regulations, all airtankers are designated as "public aircraft" while under contract to state or federal agencies. The operations and maintenance responsibilities are now vested with the contracting agency, usually USFS or DOI. It has long been recognized the public safety agencies control, dispatch and are responsible for fire fighting aircraft operations and safety.

Contract airtanker and helicopter pilots conform to the original intent of the 1976 PSOB legislation. These pilots are at a tremendous risk in responding to public agency emergencies to protect the public and taxpayers from large property loss and loss of life. Aerial fire fighting is usually in the heat of the day, hot, in the mountains at higher altitudes with low visibility and often, extreme turbulence. The original intent of the PSOB legislation was to protect our heroes in the case of line-of-duty accidental deaths and provide benefits to the families. Airtanker and helicopter pilots are on the front line of protecting our vast natural resources. Due to the high risk and loss history, life insurance is not affordable. Because of current "low bid" contracts from public agencies, airtanker operators provide little, if any pension or death benefit.

The original PSOB legislation recognized that many smaller communities did not have the resources to provide adequate life insurance or pensions for local police or fire personnel. In fact, specific provisions of the legislation provide for "Peace of Mind" for public sector safety personnel. This was needed for recruitment and retention of police and fire personnel who put their lives on the line to protect the public.

It is only appropriate and fair to amend the PSOB legislation to include airtanker and helicopter pilots killed in line-of-duty accidents.

Accordingly, we the Associated Airtanker Pilots request your favorable consideration in adopting HR 977.

Thank you for the opportunity to comment.

Sincerely,

Wesley David "Dave" Wardall,  
Tanker Pilot and member, Associated Airtanker Pilots