

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Counsel Office

Series/Staff Member: Meredith Cabe

Subseries:

OA/ID Number: 24951

FolderID:

Folder Title:

Norman Prouse [2]

Stack:

S

Row:

113

Section:

5

Shelf:

9

Position:

1

MAIL-IT REQUESTED: JANUARY 12, 2001

1036TB

CLIENT:
LIBRARY: NEWS
FILE: ALLNWS

YOUR SEARCH REQUEST AT THE TIME THIS MAIL-IT WAS REQUESTED:
(NORMAN OR NORM OR NORMAN LYLE OR NORM LYLE OR NORMAN LISLE OR NORM LISLE OR N
LYLE OR N LISLE OR LISLE OR LYLE) PRE/1 (PROUSE OR PROUS) AND (PROUSE OR
PROUS)

NUMBER OF STORIES FOUND WITH YOUR REQUEST THROUGH:
LEVEL 1... 291

LEVEL 1 PRINTED

THE SELECTED STORY NUMBERS:
4,6-8,10,18,22,26,42,47,53,64-66,71,82,86,92,112,116,128,130-131,133,145-146,166
-167,183-184,194,242,277,291

DISPLAY FORMAT: FULL

SEND TO: FORGUE, TOM
GENERAL COUNSEL STAFF
ROOM 308
OLD EXECUTIVE OFFICE BUILDING
WASHINGTON DISTRICT OF COLUMBIA 20502

*****00772*****

July 30, 2000 Sunday, CHICAGOLAND FINAL EDITION

SECTION: Commentary; Pg. 15; ZONE: C

LENGTH: 812 words

HEADLINE: THE OTHER SIDE OF THE DISABLED-RIGHTS LAW

BYLINE: Steve Chapman.

BODY:

It's been 10 years, but few people have forgotten the time that a Northwest Airlines pilot made news by flying a Boeing 727 with 58 passengers while legally drunk. **Norman Prouse** was arrested when the plane landed in Minneapolis and he served more than a year in prison. But from his point of view, at least, the story had a happy ending: In 1995, Northwest put him back to work flying jets.

How did that happen? Well, **Prouse** went through an alcohol rehabilitation program for his problem, thus gaining the protection of the Americans with Disabilities Act--which bars discrimination against people with handicaps, including mental disorders like alcoholism. So when he and the pilots' union demanded that he be rehired, Northwest apparently decided it had little choice but to go along.

Last week marked the 10th anniversary of the enactment of the ADA, and everyone agreed it was a wonderful occasion. Atty. Gen. Janet Reno issued a Justice Department report exclaiming, "There is so much to celebrate!" The Smithsonian had an exhibit honoring the disabled-rights movement. George W. Bush proudly reminded everyone that "my father's signature made it the law of the land."

For some reason, none of the celebrants saw fit to mention **Norman Prouse**. In fact, no one questioned the law's effectiveness or acknowledged that it might be anything less than an unalloyed blessing to all.

The ADA has had lots of unexpected consequences, some of them almost too absurd to believe. A federal court said a baseball league violated the law when it declined to include an 11-year-old with cerebral palsy who used crutches--prompting a lawsuit by the parents of a disabled 9-year-old demanding that he be allowed to play soccer using a metal walker.

The Equal Employment Opportunity Commission sued Conrail after it barred an employee from a railroad dispatcher's job because his heart condition can cause him to black out, arguing that he presented no "direct threat" to other people.

When New York City tried to introduce public toilets on sidewalks, it ran into stout resistance from disabled-rights groups demanding that all of them be usable by people in wheelchairs--which many community groups opposed for fear that the large size of accessible restrooms would attract criminals. So disabled people who don't use wheelchairs--the blind, the deaf, the mentally retarded--were deprived along with everyone else.

Walter Olson, author of the 1997 book "The Excuse Factory," notes that the ADA has prevented medical licensing boards from asking physicians if they have a history of drug abuse, alcoholism or mental illness. The Federation of State Medical Boards says that as a result, these boards "cannot adequately protect the public" from dangerous doctors.

All these unwanted side effects went unmentioned on the anniversary of the ADA. Everyone focused instead on its many benefits, such as making it easier for the disabled to work, shop, travel and generally function in society. But even the upside of the ADA may be less than meets the eye.

One major purpose of the law was to eliminate employment discrimination and thus make it possible for more people with disabilities to get jobs. In fact, supporters insisted that the cost of making adjustments for the handicapped would be more than offset, because more of them would be paying taxes and fewer would be collecting disability checks.

But as University of Chicago scholar Thomas DeLeire pointed out in a recent issue of Regulation magazine, the employment rate of men with disabilities has dropped sharply since 1990. Meanwhile, Social Security disability payments have soared. DeLeire argues that, far from helping the disabled, the ADA has discouraged companies from hiring them because of the cost of accommodation and the fear of being sued if things don't go well.

The ADA is not terribly popular among business owners, who say it imposes two major burdens. First, it forces employers to provide handicapped workers with the accommodations they need to do a job--and it sets no dollar limit on the obligation. "Is \$1,000 enough?" asked Mary Leon of the National Federation of Independent Business. "Is \$5,000 enough? There are no answers." Just installing a ramp for a wheelchair, she says, can run as high as \$10,000.

The law also exposes companies to litigation that can be expensive, win or lose. A lawsuit against Clint Eastwood over alleged violations at his hotel and restaurant in Carmel, Calif., demands \$577,000 in attorneys' fees. But even if he wins, he'll have his own lawyers to pay.

Are all the costs and consequences of the ADA worth the undisputed improvements it has made in the lives of the disabled? Maybe so. It would be interesting to know the answer. But on the 10th anniversary of the law, no one was even asking the question.

E-mail: schapman@tribune.com

GRAPHIC: GRAPHICGRAPHIC: Illustration by Jonathan Plotkin.

LOAD-DATE: July 30, 2000

December 28, 1999, Tuesday FIRST EDITION

SECTION: NEWS;

Pg. A-16

LENGTH: 522 words

HEADLINE: Liquor addicts fearful as parties approach;
Recovering alcoholics mostly stay away from drinking bashes

BYLINE: Judy Holland

SOURCE: EXAMINER WASHINGTON BUREAU

BODY:

WASHINGTON - As partygoers make plans for the New Year's Eve bash of the century, recovering alcoholics are bracing to keep sober amid the hoopla celebrating the new millennium.

New York Yankees outfielder Darryl Strawberry, known for his public struggles with drug and alcohol abuse, said Monday he intends to ring in the New Year with his family in a Baptist church in Tampa, Fla., near his home.

"I don't even entertain the thought of going to a party," said Strawberry. "I used to think that's the greatest feeling in life. You wear the hats, you blow the horns and you drink until you can't feel anymore. But, it turns out, that's an escape from what life really is."

Strawberry says he has been sober for nine months after twice falling off the wagon. Avoiding the millennium revelry is the best way to avoid a relapse, he says.

"There's nothing there for me," said Strawberry, spokesman for the National Council on Alcoholism and Drug Dependence, a nonprofit private educational group. "To me it's a false thing anyway - a big charade. I should have been dead from all the drinking I have done. I am better off sober."

For an estimated 1.5 million re

covering alcoholics nationwide, this New Year's Eve will be especially tough because there has been so much hoopla surrounding the rollover into the new century and the new millennium, said Stacia Murphy, president of the New York-based group.

"It's the anticipation of Y2K that has heightened anxiety and made people more prone to drink," Murphy said. "It's the uncertainty of it all. There probably will be more celebration than we've ever seen. People just get caught up in the hype of it all. If you have a drinking problem or are in recovery, it's really important to stay away."

Murphy said the holidays are always tough for people trying to avoid drinking because Americans have a habit of popping corks to mark special occasions. "We use alcohol in this country for celebration," she said.

However, some experts say staying home isn't always the key to staying sober, because some people may feel left out and depressed and may take a nip in private.

Jim Dukes, 43-year-old owner of an advertising business in Knoxville, Tenn., says he plans to go out and celebrate by attending a liquor-free New Year's Eve scavenger hunt where the only refreshments will be coffee and dessert.

"New Year's Eve is the mother

of cocktail parties," said Dukes, who has been sober since 1996. "I don't choose to be around that atmosphere."

Lyle Prouse, a retired airline pilot from Conyers, Ga., who is celebrating his 10th year of sobriety, says he has learned to avoid parties during the holidays and has no New Year's Eve plans.

"It's not the champagne that makes the occasion, it's the event that makes the occasion," **Prouse** said. "For me the booze is toxic. I might just as well pick up a glass of Drano and drink it."

Nicholas Paparella, 52, a Yuba City, Sutter County, electrician, said the partying mania that always accompanies New Year's Eve is overrated.

"Been there, done that and there's nothing special about the year 2000," Paparella said.

GRAPHIC: PHOTO, Strawberry

LOAD-DATE: December 29, 1999

September 27, 1999, Monday, Broward Metro EDITION

SECTION: NATIONAL,

Pg. 11A

LENGTH: 1425 words

HEADLINE: SUBSTANCE ABUSE RARE, FAA SAYS

BYLINE: KEN KAYE ; Staff Writer

BODY:

The three pilots got profoundly drunk in a Fargo, N.D., bar the night before their flight.

Capt. **Norman Lyle Prouse** consumed more than 15 rum-and-colas, then fell and gashed his head as he left the lounge at 11:30 p.m. The first officer, Robert Kirchner, and the flight engineer, Joseph Balzer, shared at least six pitchers of beer.

At 6:30 a.m. the next day, they climbed into the cockpit of a Northwest Airlines Boeing 727 carrying 58 passengers. An FAA inspector in Fargo, who had been tipped off that the pilots had been drinking, confronted them. Yet, despite the pilots' bloodshot eyes and alcohol on their breath, the inspector did not think he had the authority to stop the flight from taking off.

Forty minutes later, the jet landed uneventfully in Minneapolis. Upon arrival, federal authorities arrested the pilots, then tested their blood-alcohol levels. **Prouse**, 51 at the time, was found to have .13 percent alcohol in his blood, well above the legal limit of .10 for driving a car in North Dakota. Kirchner had .06 and Balzer .08.

It was one of the most embarrassing and horrifying episodes of professional pilots being drunk on the job -- for Northwest and the industry.

After that March 1990 flight, the pilots were convicted of violating federal drug and alcohol laws, sentenced to short jail terms and fired.

The Federal Aviation Administration insists that was an isolated incident. From random tests, the FAA has found less than 1 percent of airline pilots have tested positive for drugs or alcohol.

FAA tests of about 34,500 pilots who worked for scheduled airlines in 1997, the most recent year available, found 15 positive tests for drugs, including marijuana, cocaine, opiates, amphetamines or phencyclidine (PCP). Three pilots out of 20,000 exceeded the FAA limit of .04 blood alcohol level.

When a pilot tests positive for drugs or alcohol, he or she faces punishments, starting with possible federal criminal charges for jeopardizing passengers. An airline is sure to suspend or possibly terminate a pilot. Then, the FAA requires a pilot be evaluated to see whether he or she is an alcoholic or dependent on drugs. If so, the pilot's medical certificate, a prerequisite to a license, is suspended.

But, the pilot isn't necessarily finished.

Under a program started in the early 1970s by the Air Line Pilots Association, in partnership with the FAA and the airlines, a pilot can enter rehab, a process of one to two years. If the program is completed, the pilot can get his or her medical certificate and license restored.

Then, the pilot may be rehired.

"Our long-term success rate with that program is 93 percent," said John Mazor, spokesman for the Air Line Pilots Association, the union representing most major U.S. air carrier pilots. "The other 7 percent never make it back to the cockpit."

Prouse, the Northwest pilot, is an example of how the program can turn a life around, Mazor said.

Until his arrest, **Prouse** had been tempting fate, rarely flying drunk but frequently flying hung over. As is the nature of the disease, he said he was in a state of denial and didn't think he was endangering the lives of passengers.

"If you came to me with the accusation that I was an alcoholic, I could have battered you with a thousand reasons why I wasn't," said **Prouse**, now 60, of Conyers, Ga.

The day after **Prouse** flew drunk, a doctor told him he was an alcoholic. He checked into a treatment center for 28 days. After a federal trial, he served 14 months in a low-security prison in Atlanta. Along the way, he lost almost everything he owned.

"When this happened to me, I was so totally destroyed. I was emasculated and shredded," said **Prouse**, who started flying for Northwest in 1968. "The destruction for me was total."

But he never lost the love of his family or the support of his peers. During his ordeal, nine pilots stepped forward and made house payments for him for four years. Under the rehab program, he made a determined effort to stay sober.

More than three years after the incident, in 1993, Northwest rehired him as a training pilot. Seventeen months later, he was flying passengers again as a co-pilot. He ended his airline career in September 1998 as a Boeing 747 captain. Testing guidelines

The U.S. Department of Transportation requires the operators of most modes of transportation to police themselves when it comes to drugs and alcohol, including aviation, mass transit lines, inter-city buses, cruise and freight ships, trucks and trains.

Under FAA regulations, pilots are prohibited from drinking eight hours before a flight, or what pilots refer to as the "bottle-to-throttle" rule. Some airlines have even stricter policies. United forbids its pilots from drinking 12 hours before they enter the cockpit.

Further, under FAA rules, each year, each airline must randomly test at least 10 percent of its pilots for alcohol and 25 percent for drugs. Some airlines perform the testing themselves; others hire private companies. The results must be shared with the FAA, which also requires flight attendants, aircraft dispatchers, maintenance workers and security personnel be tested.

Overall, more than 5,000 aviation companies are affected.

"I think it's an unwarranted intrusion," said R. Michael Baiada, a captain for a major airline. "Drugs and alcohol are not a problem for the airline industry. You're dealing with a high degree of professionalism with pilots. We have a lot to lose."

Further, Baiada and other pilots say, under normal FAA procedure, drug and alcohol tests are usually done after a pilot has flown a flight, rather than before. That is the FAA's method of ensuring a pilot is tested while he or she is on duty.

"There's no protection for the passengers," Baiada said.

Diane Wood, manager of the FAA's Drug Abatement Division, said an increasing number of pilots are refusing to take the tests. In that case, they are subject to having their licenses revoked if an FAA investigation shows they, in fact,

consumed drugs or alcohol. The FAA's security division investigates these cases -- usually with no objection from the airlines or pilot unions.

"The FAA never automatically revokes a license," Wood said. "The cases are all investigated."

Pilots generally are notified while they are in the air if they must undergo a drug or alcohol test. They receive a message from company officials, saying someone will meet them when they get off the plane. "You have to go with them, or else you're guilty until proven innocent," Baiada said.

What scares him, Baiada said, is that Breathalyzers and the companies hired to analyze urine samples could be wrong.

"You're sending this sample to a \$6-, \$8- or \$10-an-hour person, who might say, 'Oh gee, which bottle was this again?'" It makes me nervous because my career is on the line."

Despite the industry's tight scrutiny, flying and drinking afterward is a common lifestyle for airline pilots, who say that after a long day, particularly on layovers, they like to relax.

"It's common for pilots to have a couple of beers. Their social habits are about the same on the road as home," said one airline pilot, who spoke on condition of anonymity. "Excessive drinking might have been a problem in the old days. But there's no tolerance for it now."

A captain for a major carrier, who also asked that his name not be used, said a pilot's lifestyle is conducive to alcoholism. He said many pilots head to a bar to avoid being alone on a layover. After they arrive at their hotels, they need to decompress. Sometimes crew members socialize, but more commonly, pilots and flight attendants go their own ways, he said.

If the hotel doesn't have a bar, some pilots will "walk across the street to the package store and pick up a bottle," the captain said. "There's nobody there to say, you've had enough. Maybe there's nothing else to do."

Random tests aside, the FAA performs a cross-reference check through the National Driver Registry to see whether pilots have been involved in alcohol-related driving offenses. If so, the FAA likely will ground them.

The vast majority of pilots take the FAA rules on alcohol or drug abuse seriously, said Mike Sacery, FAA Southeast Region flight standards manager.

"You still hear the old stories about the captain and co-pilot carrying the flight engineer on board. A lot of that is folklore," he said. "When you're making \$100,000 to \$200,000, most of us wouldn't want to blow that kind of income."

GRAPHIC: PHOTO, (color) Pilots are prohibited from drinking eight hours before a flight, or what pilots refer to as the "bottle-to-throttle" rule. Some airlines have even stricter policies. United, for instance, forbids its pilots from drinking 12 hours before they enter the cockpit.

LOAD-DATE: September 28, 1999

June 14, 1999

SECTION: Column; Pg. 0

LENGTH: 735 words

HEADLINE: PUBLISHER'S LETTER

BYLINE: Charles S. Lauer

BODY:

June 14, 1999

How many times have you heard the saying, "tigers don't change their stripes" or "people never change"? The cynics who utter these words don't really understand the power of the human spirit. They forget that we all change at one time or another in our lives. People change for a variety of reasons, and that's what makes life so interesting. Everyone makes mistakes or bad judgments, which is why we're blessed to live in a land where the prevailing attitude is that everyone deserves a second chance. It reminds me about the story of someone who made the most of his second chance—an individual who got socked in the jaw by his own stupidity, fell flat on his face but then managed to pick himself up and turn his life around. You'll probably remember the story.

It took place nearly 10 years ago, and it could have ended there as a tragic tale of personal failure. Instead it's a classic story of triumph. It involves some pilots for a major airline. They had too much to drink the night before they flew a scheduled early flight from Fargo, N.D., to Minneapolis. Later the three pilots were convicted by a Minneapolis jury on charges related to their negligence. The incident was treated as a joke in many quarters, especially by late-night talk-show hosts. One night on the "Tonight Show," Jay Leno announced to his audience, "You're not going to believe this, but Northwest Airlines has rehired the pilot who was convicted of flying the plane drunk . . . so if you're flying Northwest sometime and you can't find the beverage cart, check the cockpit." Of course, everybody laughed. It was a big joke. The butt of the joke was **Lyle Prouse**, the pilot who had been rehired by the airline. But it's certainly not a funny story. In fact, after **Prouse** wrote a letter to Leno relating the story behind the joke, Leno was moved to call **Prouse** and apologize.

Here's the story: After being arrested in Minneapolis, **Prouse** flew home to Atlanta. Almost immediately he entered a treatment center for alcoholism. The date of his arrest was March 9, 1990, his 27th wedding anniversary. He must have thought his life was over. A few months later a federal judge would sentence **Prouse** and the two other crew members for flying while intoxicated. **Prouse** got 14 months in jail. He had been earning \$129,000 annually as a pilot, but as a prisoner he would make 12 cents an hour sorting mailbags and working in a kitchen. After prison, there was three years' probation. And he was forbidden to fly passengers. It didn't seem to be an unfair punishment for actions that endangered passengers' lives.

However, right after his release from prison, **Prouse** wrote the federal judge an 11-page letter explaining how he had changed. He asked for the restriction to be lifted so he could fly again. His letter included these thoughts: "Even if you choose to help me, I still have a struggle ahead because I have to go back and re-earn the four licenses I need. Most of my fellow pilots say I can't do it. But I know somehow, some way, I can. I'm now 54 and must quit flying commercially at 60, so time is running out." Even though the judge never expected **Prouse** to make his way back into the cockpit, he lifted the restriction. Then late in 1993, Northwest took **Prouse** back to train pilots on the ground in flight simulators. Seventeen months later, he became a co-pilot. Then last year the unthinkable happened: The chief executive officer of Northwest decided to let **Prouse** fly again as a captain.

Prouse caught a break because the CEO of Northwest knew firsthand what alcoholism could do to anyone. His father had been an alcoholic and had spent most of his life fighting the disease. The CEO believed **Prouse's** determination and

hard work represented something of great value: "He stands for dealing with an almost insurmountable challenge accomplishing these objectives. He stands for courage."

Prouse turned 60 last September and retired as a commercial airline pilot after 17,000 hours of flying. But he realizes he still has a long way to go in dealing with life's realities. He spends countless hours speaking to recovering alcoholics, telling his inspirational story and giving them hope. He understands the debt of gratitude he owes to so many for the support and caring he received when things looked so bleak.

It's never too late to change,

Charles S. Lauer

Publisher

LOAD-DATE: June 13, 1999

Copyright 1998 Star Tribune
Star Tribune (Minneapolis, MN)

November 7, 1998, Metro Edition

SECTION: Pg. 1A

LENGTH: 1565 words

HEADLINE: Pilot ruined by alcohol rises to challenge, finishes career

BYLINE: Tony Kennedy; Staff Writer

BODY:

Eight years ago, **Norman Lyle Prouse** was nearing a prison term for piloting a Northwest Airlines Boeing 727 the morning after he binged on 19 rum and Cokes at a Fargo, N.D., bar.

He had hit rock bottom March 8, 1990, when his Northwest flight from Fargo delivered him into the hands of law enforcement officials at Minneapolis-St. Paul International Airport. **Prouse** and his two crew members were arrested on a tip from a patron of the Fargo bar and later were convicted as the first violators of a 1986 federal law criminalizing drunken flying of a common carrier.

The decorated Vietnam veteran not only was fired from his 22-year job at Northwest, but he effectively was barred from ever returning to the controls of a passenger airliner.

"He was broke, his career was gone - absolutely hopeless," said Peter Wold, the pilot's lawyer. "It was a national embarrassment."

From those dark days, when **Prouse** contemplated suicide, he ascended again to blue skies. His improbable comeback was capped this fall when he started collecting a Northwest pension.

The nation's fourth-largest airline rehired him as a flight instructor in 1993, later activated him as a line pilot and a year ago gave him command of Boeing 747 passenger flights over the Pacific. The job ended Sept. 29 when **Prouse** hit the mandatory retirement age of 60.

"No one is more in awe of my own story than I am," said **Prouse**, who goes by his middle name, Lyle, in a telephone interview from his home in Conyers, Ga. "I think it's a miracle beyond description. I have this constant, huge feeling of gratitude."

Once the butt of jokes by Jay Leno on national television, **Prouse** has become a world-class motivational speaker who shares his story to help others. Much of his work has been in aviation, where he has addressed pilot groups and spoken at national conventions. His speaking engagements likely will continue as long as there are opportunities for him to promote the promise of recovery. This weekend he is speaking to an American Indian group in North Carolina; **Prouse** is part Comanche.

"If Lyle can help a person realize sobriety, it's a great reward for him," Wold said.

Today about 2,200 pilots in recovery in the United States have gotten their jobs back.

Paul Omodt, a spokesman for the pilots' union at Northwest, said alcoholism among pilots occurs at the same rate as in the general population. The industry's dominant recovery program - the Human Intervention Motivational Study - claims a success rate of 92 percent to 95 percent and closely monitors its participants over several years, Omodt said.

Prouse began treatment less than 24 hours after his arrest. He became so immersed in his program at Anchor Hospital in Atlanta that he later worked at the hospital as an addiction counselor - even though that delayed his return to aviation.

"I felt very strongly about that place," he said. "They had saved my life and given me tools to deal with the rest of it."

Learning to let go

Prouse, who flew A-4 Skyhawks as a Marine, said one of the most difficult reversals for him was letting go of his take-charge, task-oriented ways.

"I spent a lifetime of forging results," **Prouse** said. "Treatment taught me that the end result will take care of itself. All I have to do is do the next right thing."

True to that philosophy, **Prouse** won't make any promises of lifetime sobriety.

"Any alcoholic who promises never to drink again already is on the way to a relapse," **Prouse** said. "But I do say that the most horrible, anguished, painful, shameful things to ever happen to me happened after my last drink [in Fargo]. And I've never considered going back."

He describes his back-to-work agreement at Northwest as "an extraordinary act of corporate courage." The original agreement would not allow **Prouse** to hold the rank of captain, but Northwest CEO John Dasburg later lifted that restriction in another act of confidence. Flying his last year as captain on a Northwest 747-200 - a job that pays upward of \$180,000 a year - was a lifetime windfall for **Prouse** because pilot pensions are based on final average earnings.

Regaining the captain's rank "was my hope, but I never pushed it and I never pursued it," **Prouse** said.

He said his younger cohorts from the Fargo flight - co-pilot Robert Kirchner and flight engineer Joseph Balzer - also have returned to flying, though not at Northwest.

In his retirement, **Prouse** is hunting and fishing a lot and flying his 1975 single-engine Piper Warrior.

The linchpin to **Prouse's** career revival was an 11-page letter he wrote in 1993 to U.S. District Judge James Rosenbaum. The judge had ordered three years of probation, which included sanctions blocking **Prouse** from relicensing himself as a pilot before his retirement deadline.

Prouse pleaded for a change in those terms so he could fly again.

"I had never read anything like that," the judge said. "He had come to grips with himself in ways that were hard to imagine."

Rosenbaum said he grew tearful at the "uncommon sincerity" of the letter.

"I said, 'OK, let him go back,' " Rosenbaum recalled.

Recovery in prison

Among other things, the letter described how **Prouse** had put himself in the disfavor of some prison officials by starting a recovery-oriented self-help group for inmates. He said a sham recovery group already existed, and some guards resented having to deal with a second organization. With credit for good behavior, **Prouse** served a 14-month sentence. He spent about half of that time in a half-way house.

Prouse's letter to the judge told how he re-established his relationship with his daughter, whom **Prouse** had disowned when she ran away from home as a teen. The two were so estranged that **Prouse** had refused to see the grandchild that she bore. Now he and his wife are fighting in court for grandparent visitation rights because their daughter "signed her kids away" in a divorce.

"We've watched her make some sad, grim decisions," **Prouse** said. "Because of my recovery, I can continue loving her instead of reacting with anger, disgust and hatred."

Prouse also reconciled with his son, Jay, an alcoholic who had been living with a drug dealer in an abandoned hotel in the Atlanta area. Through a carefully planned family intervention, Jay submitted to treatment at Anchor Hospital. When **Prouse** went to arrange payment of his son's \$30,000 bill, the founder and chief executive waived the charges because of **Prouse's** earlier service at the hospital.

"He said, 'You came back and you gave back and this is our gift to you,' " **Prouse** said. "I'll tell you, I was in tears."

Prouse and his wife, Barbara, married young and survived Lyle's 13-month tour in Vietnam, episodes of heavy drinking that began when he joined the Marines at age 18, and the stress of at least three labor strikes at Northwest.

At **Prouse's** sentencing, Rosenbaum said he and his co-pilots had victimized all air travelers in the United States, not just the 58 passengers on the Fargo flight. The Northwest flight crew had violated the public's "sense of security in a very complex world," Rosenbaum said in court.

Pilots' reactions

Prouse also had offended many of his fellow Northwest pilots. But he won them over with brutally honest talk about his personal tragedy.

"I was really upset," said Northwest pilot Terry Marsh, who had known **Prouse** for 25 years. "I didn't care if I ever saw him again."

But when Marsh listened to **Prouse**, his outlook changed. Marsh said he no longer thinks of alcoholism as a weakness and he remembers a **Prouse** speech that brought him to tears.

In the end, Marsh presented **Prouse** with one of the many "miracles" that enabled him to fly again - free requalification training at Marsh's flight school in Buffalo, Minn. **Prouse**, who was financially devastated after prison, lived with the Marsh family while he completed the rigorous flight training in 44 days.

"I had to go back and start all over again," **Prouse** said. "That's like telling a doctor they have to go back to their first year of med school and take primary exams."

Prouse said he was humbled by an outpouring from friends, colleagues and industry professionals during his ordeal. More than 70 people, including a Marine brigadier general, wrote letters of support to Judge Rosenbaum. Later, a top-ranking FAA official took a special interest in **Prouse's** case, helping him get back his FAA medical certificate.

Prouse's attorney worked for three years with no pay. "He wouldn't take a cent," **Prouse** said. Nine pilots split responsibility for **Prouse's** house payments the day he walked into prison; they refused to quit after he was released. Another Northwest pilot sent **Prouse** a cashier's check for \$10,000 - no strings attached - the day he got out of treatment.

When the same pilot sent a second check for \$10,000 six months later, **Prouse** insisted on returning it. In response, the pilot enrolled the **Prouse** family in a service that delivered fine foods to their home.

"The support we've had has been phenomenal," **Prouse** said.

Despite the torment that **Prouse** experienced in his fall from grace, he says he is grateful for what happened that night in Fargo.

"If I had dodged all the bullets and completed my career, I would have died drunk," **Prouse** said. "It would not have been a victory. It would not have been a success."

GRAPHIC: Photograph; Photograph; Photograph; Cartoon; Cartoon

LOAD-DATE: November 10, 1998

Content and programming copyright (c) 1998 American Broadcasting Companies, Inc. All rights reserved. No quotes from the materials contained herein may be used in any media without attribution to American Broadcasting Companies, Inc.

This transcript may not be reproduced in whole or in part without prior permission. For further information please contact ABC's Office of the General Counsel. Transcribed by Federal Document Clearing House, Inc. under license from American Broadcasting Companies, Inc. All rights reserved.
ABC NEWS

SHOW: ABC NIGHTLINE (11:35 pm ET)

SEPTEMBER 18, 1998

Transcript # 98091801-j07

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 2942 words

HEADLINE: TO FLY AGAIN

BYLINE: TED KOPPEL

HIGHLIGHT: NORTHWEST AIRLINE PILOT

BODY:

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

ANNOUNCER: This is a Nightline Friday night special.

TED KOPPEL, ABC News: (voice-over) It began as a news story.

PETER JENNINGS, ABC News: A jury in Minneapolis today convicted three former pilots for Northwest Airlines of flying a passenger jet after heavy drinking the night before.

TED KOPPEL: (voice-over) It evolved into a late night comedy punch line.

JAY LENO: You are not going to believe this. Northwest Airlines has rehired that pilot who got convicted of flying the plane drunk. Do you know about this? He's been rehired and he may be allowed to fly again. So if you're flying Northwest some time and you can't find the beverage cart, check the cockpit.

TED KOPPEL: (voice-over) It was, throughout, one man's personal hell.

LYLE PROUSE (ph) : I mean it was like every time I heard it it was like somebody sticking a red hot poker right through my intestines.

TED KOPPEL: (voice-over) But it ultimately became a story of courage, redemption and joy. To fly again, tonight.

ANNOUNCER: From ABC News, this is Nightline. Reporting from Washington, Ted Koppel.

TED KOPPEL: Jay Leno is a decent man, just funnier than most of us. And there is something bizarre about the notion of a confirmed alcoholic who was sent to prison for flying under the influence being returned to the cockpit of a commercial airline. But some considerable time after his Tonight Show monologue, Jay found out a little more about the man. The information came in a letter from the pilot, whose name is **Lyle Prouse**. After he read the letter, Jay called to apologize, which **Lyle Prouse** would be the first to acknowledge he didn't need to do.

Still, the more you learn about Lyle, the more you find yourself rooting for him. It's nice to know, for example, that nine other Northwest pilots gave the money to make the **Prouse** family's home payments for nearly four years. Two of them, Lyle says, he didn't even know. One pilot whom he did know sent him two cashier's checks for \$10,000 each. I asked Lyle whether this was someone he'd been particularly close to. No, he said. In fact, when they'd flown together he didn't even like the man. So, in part, this is a story about the kindness and generosity of others. But mostly it's a story of recovery, the story of a man who made no excuses but who set out methodically to redeem himself.

(voice-over) On March 7th, 1990, in the Speak Easy bar near Fargo, North Dakota, **Lyle Prouse** divided his life into a before and after. During an afternoon and evening of drinking, eating and watching football on TV with two crew members, the 51-year-old Northwest Airlines pilot had more than a few too many rum and Cokes.

LYLE PROUSE: I don't know how much I drank. The first officer had run up a tab, which I never did. See, I always pay as I go, pay as I go cause I don't want a record. I was, you know, I had to plan all my drinking, which is certainly alcoholic. Normal drinkers don't think like that. But I didn't think I was abnormal. I thought I was careful. But he had run a tab and on the tab were 14 rum and Cokes and depending on other testimony or whatever you happen to listen to, the number goes from 14 to 18 to 19, you know, somewhere around there. I have no idea how much I drank. I have no idea.

TED KOPPEL: (voice-over) **Lyle Prouse** had about six hours sleep before heading to the airport in Fargo where 58 passengers boarded Northwest Airlines Flight 627.

LYLE PROUSE: Then the next morning I had an early morning flight and there was an FAA guy out there. I was tipped off the night I walked in. One of the agents told me. I thought he was just going with us on a routine observation flight. I had no problem with that. But he began to talk about a crew that had been in the Speak Easy bar and had been drunk. And I said well, we were in the Speak Easy bar but I don't think we were drunk.

TED KOPPEL: (voice-over) And confused about what authority he had, the FAA agent did not detain the flight.

LYLE PROUSE: When everybody showed up and we had accomplished all the check lists and done all of the things, we took off. And when we landed in Minneapolis, we were arrested.

TED KOPPEL: (voice-over) The flight from Fargo to Minneapolis was uneventful, but blood tests taken after he landed showed that **Lyle Prouse** had the equivalent of at least six mixed drinks in his system when he piloted the 727. He was immediately fired by Northwest and spent the day with investigators.

LYLE PROUSE: The thought kept coming to me over and over that my life is destroyed and the only link is me, a bar and alcohol.

TED KOPPEL: (voice-over) The next morning, he flew home the Atlanta as a passenger, convinced he would never be in the cockpit again. His wife Barbara was waiting.

LYLE PROUSE: And I felt like I had to climb up to get over the curb just to get in the car. And I couldn't look at her and all I could say was honey, I'm so sorry. And she said who better than I can possibly understand what you're feeling right now?

TED KOPPEL: (voice-over) Two days before they eloped, Barbara **Prouse** had pinned her husband's wings on him when he was commissioned as a marine pilot in 1963. For a kid who grew up poor in Kansas City, Kansas, it was a moment of enormous pride. Instead of going to college, **Lyle Prouse** joined the marine corps. He was a combat pilot in

Vietnam from 1965 to 66 and he was awarded seven air medals for valor. His mother was part Comanche and both of his parents were alcoholics who divorced and remarried several times.

Determined to build the stable family life he never had led **Lyle Prouse** to quit the military in 1968 and become a pilot for Northwest Airlines. For 22 years he had a flawless flying record and an impeccable reputation. The night he returned home to Atlanta he entered a treatment center for alcoholism.

LYLE PROUSE: And I tried to get a couple bites of a hamburger down. I hadn't eaten for two days and I couldn't get anything down. And I just said let's go. And as we drove to the treatment center, it was not only Friday night, but it was March the 9th and it was my 27th wedding anniversary. And I said hell of a way to spend our anniversary, huh? And Barbara said well, it might be the best we ever had. And I couldn't, I really couldn't process that.

And as I turned the corner to enter the hospital grounds it just hit me and I thought how did I end up, I'm going to end up in a treatment center as an alcoholic and I just couldn't understand, you know, how I had come to that, that the sum total of my entire life is zero. I thought I had come from, really from nowhere and had gotten so high and now it was all gone. It was just all gone. And I just, you know, it was a real shock to believe that I was an alcoholic and going into a treatment center.

(Commercial Break)

TED KOPPEL: (voice-over) At the treatment center for alcoholism, **Lyle Prouse** described how his close family life had begun to unravel when his middle son, Jay, turned to drinking and drugs at 15. Barbara **Prouse** remembers her fear and helplessness.

BARBARA PROUSE: The lowest point in my life was before the Speak Easy incident. It was when I felt like the family was just deteriorating, that little pieces of us were falling away and my hands weren't big enough or capable enough to farm 'em back together again and I needed help.

TED KOPPEL: (voice-over) Tensions that had been building for years finally unleashed a fury two years before the Speak Easy incident when Dawn, the adopted daughter **Lyle Prouse** adored, ran away from home at 17.

LYLE PROUSE: In the first two days that she was gone I moved all of her furniture out. I went through the house and anything in here that bore her imprint I destroyed. I destroyed things that she had made for me as she came through school, grade school, things I treasured and cherished. I threw 'em all out. I went down to the bank where we had the adoption papers and I ripped those up. I called a lawyer and I spent \$500 disowning her. And then I tried to annul the adoption and could not do that. I drank hard over it for two years and I drank solitarily, always alone. I drank here and when I would drink I would, even though I had said I never wanted her name mentioned, I would mention it and I would say these filthy, vile things about her that were not true but I just would explode with this stuff. And Barbara would hear it and it was like sticking knives in her heart. And finally she said she didn't want me drinking at home anymore and I said fine. I won't drink at home anymore. So I decided to drink on layovers when I was alone and that's what I did. And I would drink in my room alone and I would just sit there for hours and drink.

Dawn had run away and six months later I had severed myself from Jay. I'd lost two of my three kids and the only one left was Scott.

TED KOPPEL: (voice-over) The day he was able to cry about his daughter at the treatment center was a turning point for **Lyle Prouse**.

LYLE PROUSE: I didn't see it coming and I didn't feel it coming. It just happened. And I look back at that and I proclaim that as the first time that I honestly dealt with pain.

TED KOPPEL: (voice-over) A short while later, the family was reunited.

LYLE PROUSE: And I saw my daughter for the first time in two years in the day room of the treatment center for alcoholics. I met my five month old granddaughter in there for the first time. I had forgotten how little my daughter was, how small she was and it felt good to put my arms around her and say I love you instead of talking about how

much I hated her. And I saw Barbara off to the side and I turned and she had her hands out and she said very softly, I mean this was her greatest moment, her family was coming back together. No matter what else had happened, the family was coming back together in one place, one room with love. And she had her hands kind of open and she said, you know, I feel like the sky is just falling in all around us but I'm catching the stars.

BARBARA PROUSE: It was like catching the stars. It was just probably one of the very happiest days of my life and happy is too weak a word. It was just an incredible feeling. I thought oh, thank you god, I've got my family back again.

TED KOPPEL: (voice-over) Several months later in federal court, a jury convicted **Lyle Prouse** and two crew members of flying while intoxicated. It was up to federal Judge James Rosenbaum in Minneapolis to decide how many years **Lyle Prouse** should spend in prison. He initial settled on four.

JAMES ROSENBAUM: I had really planned on sentencing him to a couple of years and even perhaps longer but when he was in front of me, as I thought about him more as a person, I thought about his combat record and during the course of the sentencing, I came down from the sentence which I had expected and decided that 14 months was sufficient and that was the sentence that was imposed.

LYLE PROUSE: One of the things he said, though, that, I mean I was already aware of this but hearing him verbalize it hit me right in the heart and at one point he looked at us and he said you three gentlemen had the American Dream and now you've forfeited it.

(Commercial Break)

TED KOPPEL: (voice-over) As a pilot, **Lyle Prouse** had earned \$129,000 a year. As a prisoner, he made 12 cents an hour sorting mail bags and working in the kitchen.

LYLE PROUSE: What you don't see and what you don't hear is the chaos that goes on in there. And what you don't see and what you don't hear is the 24 hour insanity that goes on in there. When I came in there, it was December and I looked over here and all these leaves were bare and the thought came to me god, they're going to leaf out and green up, then they're going to turn color again and fall off and leaf out again before I ever get out of here. And that made prison seem, that made my 14 months seem like 14 years.

TED KOPPEL: (voice-over) After prison, there was still more time, three years of probation during which **Lyle Prouse** was forbidden to fly with passengers. Shortly after his release, he wrote Judge Rosenbaum an emotional 11-page letter explaining how he'd changed and asking for that restriction to be lifted so he could try to become a pilot again, adding, "Even if you choose to help me, I still have a monumental struggle ahead because I must go back and re-earn each of the four licenses I need. Most of my fellow pilots say they could not possibly do it. I know that somehow, some way, I can. I'm now 54 and must quit flying commercially at 60, so time is running out."

Judge Rosenbaum reduced the terms of his probation but never expected **Lyle Prouse** to make it all the way back.

JAMES ROSENBAUM: The possibility of flying a commercial airline for **Lyle Prouse** was beyond inconceivable. There was no possibility that that was going to happen again. Who would have allowed him to do it?

TED KOPPEL: (voice-over) But in late 1993, Northwest Airlines took **Prouse** back to train pilots on the ground in flight simulators.

LYLE PROUSE: When I heard those words, that I had become a Northwest pilot again, I had to ask him to stop and allow me to regroup. I mean it was like a train, trying to put the brakes on a train and make it back up and I did that and the enormity of that hit me and we concluded the phone call. And I was not able to retain any composure. The tears just flooded. They absolutely flooded.

TED KOPPEL: (voice-over) Seventeen months later, **Lyle Prouse** became a copilot and was convinced he'd retire from the right seat. Then last year, the unthinkable happened. When the CEO of Northwest Airlines, John Dasberg, (ph) decided to let **Lyle Prouse** fly again as captain.

JOHN DASBERG: I was convinced without any doubt that Lyle had recognized the problem and that Lyle sincerely wanted his life back and that he was sincere in dealing with what had troubled him and I was convinced of that.

TED KOPPEL: (voice-over) John Dasberg understands the ravages of alcoholism all too well.

JOHN DASBERG: My father's an alcoholic and has been for my entire life and so I'm very familiar with it. I'm very familiar with exactly how difficult it is to deal with. My father, for most of his life, did not deal with it very successfully. He is still alive and I'm happy to report that he has dealt with it successfully in his '70s. Lyle stands for something. He stands for dealing with almost an insurmountable challenge and accomplishing these objectives. He stands for courage.

LYLE PROUSE: The first time that I walked into the 747 and put my flight bag over on the left hand side, it was almost a homecoming type feeling. I don't really know how to describe it. It felt different to get in and see everything from the left seat again and to know that I was going to, you know, actually be the captain of a crew that was getting ready to head overseas. There's, I have so much gratitude.

TED KOPPEL: (voice-over) On this day, **Lyle Prouse** is about to fly 140 passengers from Minneapolis to Tokyo on a 747 worth around \$150 million. If any other convicted felon has ever done that, the record doesn't reflect it.

LYLE PROUSE: Here I am, the guy who flew an airplane full of people, 58 passengers, while I was impaired, disgraced my company, my profession, myself, my family, went to prison, lost it all. I've been given all of this back.

JAMES ROSENBAUM: It's what you sort of hope for. Anybody can put somebody away, but there's only one person in the world who can deal with their own personal problems and that's the person who's involved. Lyle did a nice job.

TED KOPPEL: (voice-over) When he is not flying, **Lyle Prouse** is often out speaking, hoping others will draw inspiration from his story. Now in recovery and working towards an MBA, Jay **Prouse** says his dad is both a role model and a friend. And Dawn, the daughter **Lyle Prouse** once disowned, has seen him become an adoring grandfather.

On September 29th, **Lyle Prouse** turns 60, but retiring as a commercial pilot on his birthday after 17,000 hours of flying will hardly keep him on the ground.

LYLE PROUSE: It's not like I'm going to sit on the porch and watch cars go by. And I look forward to it with a great deal of relish and with a lot of gratitude for being able to do this. I'm incredibly grateful to have gotten to the end of the road, to leave in the left seat, to have been able to take this 360 degrees. I said the other day to one of my friends, I said, you know, when I die I will still will never have flown as much as I wanted to fly. I'll still want one more hour of flight time. I'll still want to go one more time.

TED KOPPEL: I'll be back with a program note in a moment.

(Commercial Break)

TED KOPPEL: The White House is bracing for more bad news. On Monday they'll get it. The House Judiciary Committee will release additional evidence against the President in the Lewinsky affair, including his videotaped testimony before the grand jury. And we'll have a special edition of Nightline Monday night.

That's our report for tonight. I'm Ted Koppel in Washington. For all of us here at ABC News, good night.

LOAD-DATE: September 21, 1998

August 20, 1997, Wednesday, Final Edition

SECTION: Part A; COMMENTARY; OP-ED; Pg. A17

LENGTH: 971 words

HEADLINE: Defining sobriety down

BYLINE: Deroy Murdock

BODY:

HIGH ABOVE THE PACIFIC - Nearly six miles over the ocean's icy waves, I'm still amazed that a pressurized steel tube can whisk me safely from Newark, New Jersey to Narita, Japan. Reading Walter Olson's "The Excuse Factory" on a 747 makes me fear, however, that my plane suddenly will become a boat, then dive like a submarine.

Mr. Olson tells the story of Northwest Airlines pilot **Norman Prouse** who flew from Fargo, North Dakota to Minneapolis on March 8, 1990 with 91 passengers aboard. Minneapolis FAA officials discovered Captain **Prouse** had flown a 727 through sleet and rain after a long night of drinking. He had guzzled between 15 and 19 rum and Diet Cokes at Fargo's Speak Easy lounge, then tumbled off his chair, cutting his forehead. His two-man crew, Joseph Balzer and Robert Kirchner, left earlier after splitting six pitchers of beer. In most states, it's illegal to drive with a blood-alcohol levels above .10 percent. The FAA forbids pilots to fly with levels above .04 percent. Captain **Prouse** tested at .13 percent, while his crew hit .06 and .08 percent. They were tested three hours after leaving Fargo, so they were even more hammered in the air.

After the pilots were arrested for flying while intoxicated, comedians swung into action. One quipped that a Northwest pilot refused to land until the ground stopped circling. Sassy passengers asked to drink "whatever the captain's having."

Then something really funny happened: After he and his crew did time for their misdeeds, Northwest re-hired Captain **Prouse**. When the Air Line Pilots Association argued that the Americans with Disabilities Act protects alcoholics who undergo rehabilitation, Northwest agreed to return Captain **Prouse** to the cockpit. He resumed flying international passengers over the Pacific and Atlantic in June 1995.

As Mr. Olson - a senior fellow at the Manhattan Institute - explains in his detailed, chilling, and often darkly comic new book, America's eccentric legal system often puts safety last. From airplanes to factories to hospitals, defending those with "disabilities" (including alcoholism), advancing demographic diversity and limiting corporate liability all have placed the public in harm's way.

Mr. **Prouse's** experience is not unique. In 1988, Robert Ralph Johnson, yet another Northwest pilot, was caught driving a car with his blood-alcohol at .33 percent. Minnesota judge David Duffy said he was amazed Captain Johnson could walk. Nonetheless, since Captain Johnson was off duty while plastered, his attorney argued, "this was completely unrelated to his job." Judge Duffy, who seemed to feel sorry for Captain Johnson, agreed and sealed his court records to keep Northwest and the FAA in the dark.

In another example of defining sobriety down, a Northrop Aviation employee came to work with .14 percent blood-alcohol. Though he was dismissed, arbitrators restored him with full back pay because Northrop never declared how much blood-alcohol was too much.

Safety is the key concern here. But another is how this lackadaisical attitude towards gin-soaked aviation employees affects those who come to work clean and sober. Even if looped employees straighten up and fly right, the minimal consequences for their recklessness erode the morale of workers who wait until weekends to hit the sauce. Indeed, a company spokesman conceded that "some Northwest employees might be bitter" about Captain **Prouse's** reinstatement.

The equal-opportunity police also have influenced airline safety. According to the FAA's internal personnel guidelines, for instance, "the merit promotion process . . . need not be utilized if it will not promote your diversity goals." An FAA that "looks like America" surely would be heartwarming. But nothing other than unswerving excellence should be expected of those whom taxpayers employ to prevent plane crashes. Where else could colorblindness be more crucial?

In one age-discrimination case, a three-judge federal panel forced United Airlines to spend money to hire and train pilots in their late fifties even though the FAA requires that they retire at age 60. Rather than squander scarce resources, wouldn't it make sense for United to invest in safety training for its younger pilots? United even might choose to reward its shareholders' confidence in its safety record by increasing its stock dividend.

Airlines also have feared defamation lawsuits by workers who claim that negative evaluations harm their job prospects. In fact, one pilot's former employer refused to furnish his unflattering performance data to American Eagle. He subsequently crashed a plane near Raleigh, North Carolina in December 1994, killing 13 passengers.

USA Today identified seven separate crashes between 1987 and 1996 caused by pilots whose airlines were unaware of their previous incompetence elsewhere. These disasters killed 111 people. Such outrages prompted Congress to pass a law last year that requires airlines to share pilot job records and shields them from lawsuits when they do so.

Before more passengers roast on runways, Congress should reign in the excesses of America's loony legal system. Clipping the ADA's wings and inoculating companies from frivolous litigation are good starting points. Such reforms would help employers apply stringent safety standards to bus drivers, train engineers, crane operators and thousands of workers who potentially could endanger others. The 105th Congress should address this matter right after its August hiatus. Meanwhile, Walter Olson should take a bow for demonstrating, once again, that America's lawyers are unsafe at any speed.

Deroy Murdock is an adjunct fellow with the Atlas Economic Research Foundation in Fairfax, Virginia and a regular contributor to MSNBC Interactive.

LOAD-DATE: August 20, 1997

August 10, 1997, Sunday, ALL EDITIONS

SECTION: EDITORIAL,

Pg. D03

LENGTH: 657 words

HEADLINE: Lawyers are guilty of lunacy

BYLINE: WALTER WILLIAMS

BODY:

I just read *Excuse Factory*, written by Walter K. Olsen, a senior fellow at the New York City-based Manhattan Institute. The book details hundreds of cases of near madness created by the Americans with Disabilities Act (ADA), and sex-harassment and labor laws. In our "enlightened" age, I could be out of touch with modernity, so let me run a few of the cases by you.

When Martin K. joined the Boston police force, he swore that he had never been admitted to a hospital. When it was discovered he'd been admitted five times for psychiatric treatment, he was fired. The Massachusetts State Court found that the city had no business taking past hospitalization into account; therefore the applicant needn't answer the question truthfully. He had a "right" to lie.

Norman Prouse, a pilot for Northwest Airlines, flew a Boeing 727 from Fargo, N.D., to Minneapolis with a blood-alcohol level of .13 (that's about eight drinks). The two other cockpit members had alcohol levels of .06 and .08. Minnesota law defines drunk driving at .10. After Mr. **Prouse** spent a year in prison, his lawyer felt it would be good therapy if his client flew passengers again. In 1995, Northwest returned him to passenger service. The ADA gives alcoholism legal protection nowadays.

In 1994, near Raleigh, N. C., an American Eagle flight crashed due to pilot error, killing 13 people. The National Transportation Safety Board discovered that the pilot had been dismissed from his previous job because of poor performance. American Eagle didn't know this because it didn't ask. Few airlines provide information about a former employee's performance for fear of being sued if the employee doesn't get the job.

A UCLA heart surgeon infected 18 patients with hepatitis B through microscopic holes in his gloves. Hospital officials knew about his condition. They explained that they kept him on the job because it was "in compliance with federal regulations." Protecting patient interests would have made the hospital liable to charges of discrimination against people with disabilities.

The Seventh Circuit Court ordered the Environmental Protection Agency to accommodate a worker with numerous psychiatric disorders, including narcolepsy - the tendency to fall asleep at inappropriate times. The court told the EPA to tolerate an "occasional nap." That decision may have started a trend. A Michigan court found that a Detroit hospital discriminated against a surgeon with narcolepsy and awarded him \$610,000 in damages.

The law recognizes other "disabilities" such as "compulsive gambling." Placing of obscene phone calls is "uncontrollable impulse disorder." Failing to file income taxes is "failure-to-file syndrome"; try that next April.

Refusing to hire people with criminal backgrounds can get employers in trouble. As a result, several years ago, 10 percent of Miami's police force stood accused of major felonies. In 1993, a hundred Washington, D.C., police officers faced charges ranging from kidnapping to murder. The FBI set up a task force to watch the cops in the nation's capital.

Then there's sex harassment. According to the General Accounting Office, most sex-harassment charges at military academies are filed against cadets who simply express the opinion that standards have been lowered for women's benefit. You'd expect that. In 1990, an official "Committee on Women's Issues" issued an edict calling for the "immediate dismissal of senior officers who question the role of women in the military."

I see no evidence of a return to sanity. But what the heck? One of the benefits of being 61 means that I'll be watching from above when lawyer- manufactured lunacy has taken over the country.

Walter E. Williams is a professor of economics at George Mason University, Fairfax, Va., and a syndicated columnist. Readers may write to him c - o Creators Syndicate, 5777 W. Century Blvd., Suite 700, Los Angeles, Calif. 90045.

TYPE: Column

LOAD-DATE: August 14, 1997

Copyright 1995 Star Tribune
Star Tribune (Minneapolis, MN)

July 19, 1995, Metro Edition

SECTION: News; Pg. 1B

LENGTH: 426 words

HEADLINE: NWA pilot returns to the cockpit;
Prouse makes comeback after being fired for flying drunk

BYLINE: Jill Hodges; David Phelps; Staff Writers

BODY:

The Northwest Airlines pilot convicted five years ago of flying a planeload of passengers while legally drunk is back in the cockpit again.

Norman Lyle Prouse, who had been working as a trainer since his return to Northwest in 1993, began flying as a first officer about two months ago.

"That's always been his goal, to be able to fly again," said **Prouse's** attorney, Peter Wold. "It was a long and dedicated road back."

Northwest issued a statement Tuesday confirming that **Prouse** has been returned to flight duty. "**Lyle Prouse's** return to flight status as a first officer is the result of a process that began when he returned to Northwest in October 1993," the statement said. "Since that time, Lyle has fully complied with the stringent testing and rehabilitation requirements imposed on him by the company. While we will continue to closely monitor his performance and his adherence to the terms of his employment, Northwest has every reason to believe that Lyle will continue to be successful and a valued contributor."

Prouse and two crew members were convicted of flying a Northwest Boeing 727 from Fargo to the Twin Cities while intoxicated.

According to court testimony, the three men flew a morning flight in March 1990 after a night of heavy drinking. A Federal Aviation Administration official who had concerns about their conditions alerted officials in Minneapolis, who tested the men for alcohol after they landed safely at Minneapolis-St. Paul International Airport.

All three were fired and their licenses were revoked. **Prouse** was sentenced to 16 months in prison and flight engineer Joseph Balzer and copilot Robert Kirchner each were sentenced to 12 months.

Prouse was reinstated at Northwest in 1993 after undergoing treatment for alcoholism. Wold said at the time that **Prouse** had not had a drink for 3 1/2 years. As a condition of his reemployment, **Prouse** agreed to be subject to periodic alcohol testing. FAA rules also required **Prouse** to pass written and flight tests to get his licenses back, and he was required to pass a medical examination and prove he has had two years of sobriety.

When he first returned to Northwest, **Prouse** was to teach ground safety and flight simulator classes. His return received support from the public and the Air Line Pilots Association.

Prouse, formerly a captain, now is flying as a first officer on 747s.

"He is very happy to have this opportunity," Wold said. "If he gets to fly as a captain, fabulous."

GRAPHIC: Photograph

LOAD-DATE: July 20, 1995

Copyright 1993 American Broadcasting Companies, Inc.

All rights reserved
ABC NEWS

SHOW: Primetime Live (ABC 10:00 pm ET)

October 21, 1993

Transcript # 320-3

TYPE: Package

SECTION: News

LENGTH: 405 words

HEADLINE: Since Our Story

GUESTS: **LYLE PROUSE**, former Northwest Airlines Pilot

HIGHLIGHT: Diane Sawyer updates stories on Kenneth Lakeburg, father of Siamese twins who spent donated funds on drugs; Congress's quashing of the supercollider; and Northwest pilot Lyle Rouse, a recovering alcoholic.

BODY:

DIANE SAWYER: Now for the latest on some Primetime reports, beginning with a story we brought you last summer on the Siamese twins, one of whom died during the difficult separation operation.

[voice-over] As of today, Angela, the surviving twin is still in the hospital on a ventilator. Doctors say they hope she'll learn to breathe on her own, but for now list her condition as serious but stable. As for the father, we told you how Kenneth Lakeburg [sp?] admitted he went on a concern binge using some of the money donated to the family. Well, this week in Indiana, with his wife their for support, Kenneth Lakeburg had to explain to a judge why he failed to show up for a recent probation hearing on a previous assault charge. He said he failed to show because he was, quote, 'drunk and stoned.' Lakeburg was sentenced to a year in prison for violating his probation.

And from our Washington Waste file - remember the supercollider, the giant device designed to send protons crashing against each other? Back in February, we told you how the cost was skyrocketing just on conventional construction.

MAN: [?] They are already \$630 million over.

SAM DONALDSON: That's a 50-percent overrun.

MAN: You ain't seen nothin' yet.

SAWYER: [voice-over] Well, after much wrangling, today in Washington a House-Senate conference committee effectively killed the project, which was expected to cost a total of \$11 billion. By the way, Congress set aside as much as \$640 million to close down the supercollider.

Also, remember our investigation into pilots and alcohol and the man who flew a Northwest plane after drinking 19 run-and-cokes?

LYLE PROUSE, former Northwest Airlines Pilot: [sp?] I was totally, absolutely morally guilty of betraying a public trust.

SAWYER: [voice-over] Well, **Lyle Prouse**, after serving a 16-month prison sentence and being treated for alcoholism, returned to Northwest Airlines as an instructor this month. **Prouse**, who had a stellar record in the cockpit, says he hasn't had a drink in three and a half years and hopes to return to flying. Primetime continues in a moment.

[Commercial break]

The preceding text has been professionally transcribed. However, although the text has been checked against an audio track, in order to meet rigid distribution and transmission deadlines, it has not yet been proofread against videotape.

LOAD-DATE: October 22, 1993

Copyright 1993 Star Tribune
Star Tribune (Minneapolis, MN)

October 15, 1993, Metro Edition

SECTION: News; OUR PERSPECTIVE; Pg. 22A

LENGTH: 362 words

HEADLINE: Second chance;
NWA right to rehire recovering alcoholic

BODY:

Northwest Airlines became the target of comedians' jokes after a pilot and two crew members flew a 727 jet in 1990 while drunk, endangering the safety of passengers. Now, given the ensuing behavior of the errant pilot, the company deserves applause for the way it has dealt with the matter. It has given him a second chance.

Pilot **Norman Lyle Prouse** has done remarkably well in his efforts to recover from alcoholism, Northwest says. He hasn't had a drink since a night of heavy drinking before flying his jet from Fargo to Minneapolis. He completed treatment, served time in prison, became active in programs to help other alcoholics and has given more than 400 lectures to students in elementary and secondary schools.

Prouse hopes to fly again someday. He returns to Northwest for a ground job - training other pilots. By winning a second chance, **Prouse** takes on a heavy responsibility for people other than himself - people he's never met who also may deserve a second chance from employers perhaps less compassionate than Northwest. As the chairman of the Air Line Pilots Association said, **Prouse** "stands as a role model for all those who are working to overcome the disease of alcoholism."

Still, the decision to rehire **Prouse** could not have been an easy one for Northwest. Beyond its central judgment about whether **Prouse** still posed a safety threat, beyond the potential for a second round of gibes by comedians, the company also had to weigh how such a decision might affect its efforts to create and maintain a safety image. Earlier this year a federal inspection gave the airline a high safety rating. There also was concern about the reaction of employees embarrassed by the initial incident.

In the end, Northwest's decision to rehire **Prouse** reflected his recovery efforts, company management's desire to show that it cares for its employees, and a mutually agreed upon regimen of monitoring and random testing. The decision has been called courageous and an act that shows "great corporate leadership." In a state known for its leadership on chemical dependency matters, the decision also was simply the right one.

LOAD-DATE: October 17, 1993

May 23, 1993

SECTION: LOCAL NEWS; Section D; Page 2

LENGTH: 628 words

HEADLINE: Grounded pilot may regain wings

BYLINE: By Paul Kaplan STAFF WRITER

BODY:

Northwest Airlines Capt. **Lyle Prouse** made headlines worldwide in 1990 when he was arrested for flying drunk after bingeing at a Minnesota bar. The Conyers resident was stripped of his pilot's license and served 16 months at the Atlanta Federal Penitentiary.

Prouse also underwent treatment for alcoholism, became an addiction counselor at a hospital and took a leadership role in helping the airline industry deal with chemically dependent pilots.

Throughout his ordeal, **Prouse** hoped someday to return to flying, but that seemed unlikely. When he completes his probation in 1995, **Prouse** will be 57 years old, and commercial pilots can fly only until they're 60.

But the federal judge who sentenced **Prouse** recently lifted the flying restrictions during his probation, citing "an extraordinary degree of recovery." And today **Prouse** leaves for about a month of flight school, after which he should qualify for his pilot's license.

"Flying, that's my first love," he says. "It's almost a spiritual experience for me. I'm just addicted to the flying."

Prouse has been working in dispatch for a contract charter airline based in Atlanta, but he hopes to return to Northwest, which has been non-committal.

"Pride and ego has nothing to do with it," he says. "What I want to show is that you can go as far down as I have been and then get back up."

'Grapevine' to keep track of Westminster hiring

Bowing to community pressure, trustees of the Westminster Schools voted Feb. 26 to change its 42-year policy and allow non-Christians on the faculty. There were several openings at the time, but a spokesman for the prestigious Atlanta school says there's no official breakdown of hires by religion.

"We don't know if they're Christian or non-Christian because it's not part of the hiring policy anymore," said Dick Lindeman.

Mary Ann Siegel, one of several Westminster parents who had fought for change, said that although the school is not releasing a breakdown on faculty, interested parents will develop their own "grapevine" to keep track.

"There are several parents who are unwilling to give an annual gift to the school until they see the policy implemented," she said. "We will be watching during the next year to see how the policy is implemented and really hope that several non-Christian teachers will be hired."

Cat who survived storm now 'king of the office'

While workers and volunteers continue to rebuild a North Georgia mountain resort devastated by a tornado last November, life couldn't be much better for the little guy who lived through it all.

Fuzz Face, a fluffy brown-and-white tomcat, was asleep on a chair while two women worked in the office the day the tornado ripped through R- Ranch in the Mountains north of Dahlonega. The office and lodge were leveled. One woman in the office was killed, the other was seriously injured, and Fuzz Face was literally blown away and presumed dead. When he showed up unhurt four days later, he received a hero's welcome.

"He's the king of the office," says staffer Bonita Daine. "If anything, he's more spoiled than ever."

The injured woman, receptionist Linda Mills of Dahlonega, is recovering from injuries to her face and leg, but is not yet back at work.

And to this day, Fuzz Face still gets jumpy when the wind kicks up.

The tornado produced one bit of good fortune for R-Ranch, says its executive director, Jim Davis. It knocked down a patch of trees, leaving a panoramic view of the Blue Ridge. The rebuilt lodge, due to open this summer, faces the vista.

Additional reporting by John Harmon and Laura Wisniewski. News Update appears on Sundays. If you have an idea for an item, call 526-5342 or write News Update, Box 4689, The Atlanta Journal-Constitution, Atlanta, Ga. 30302.

GRAPHIC: Photo: Fuzz Face, a brown-and-white cat literally blown away by a tornado that hit North Georgia last winter, now has the run of the office at a resort near Dahlonega. Photo: Parents will be watching Westminster Schools in light of new policy. Photo: Mug of **Lyle Prouse**

LOAD-DATE: June 11, 1993

March 31, 1993, Wednesday , FINAL

SECTION: EDITORIAL

LENGTH: MEDIUM:

Pg. A11

LENGTH: 785 words

HEADLINE: FAA DOESN'T REALIZE SOBER PILOTS ARE CLEARED FOR TAKEOFF

BYLINE: Rod Chandler

BODY:

In the early morning hours of March 8, 1990, Captain **Lyle Prouse** and two other Northwest Airlines pilots flew a Boeing 727 with 58 passengers aboard from Fargo, N.D., to Minneapolis. They were met by a Federal Aviation Administration official, there on a tip that the crew had been drinking prior to the flight.

Indeed they had. **Prouse**, as well as the first officer and flight engineer, were legally drunk.

Within hours the story became a national sensation. Northwest Airlines was embarrassed. The FAA immediately suspended the pilots and legal action was started. Five months later, **Lyle Prouse** began serving a 14-month sentence for the federal crime of flying a commercial jet while intoxicated.

Prouse has completed his prison term and has two years left of his three-year probation. He has not touched a drop of alcohol for three years and he works at an Atlanta hospital counseling alcoholics. **Prouse** participates in an alcoholism recovery fellowship and volunteers to work with drug and alcohol addicted airline pilots.

After seeing his career destroyed by the symptoms of alcoholism, **Lyle Prouse** has taken determined steps to set his life on a new course. He is a productive and responsible citizen who desperately wants to return to Northwest and fly.

Lyle Prouse deserves the chance to fly again.

The FAA, however, is not willing to restore his flying privileges, saying **Prouse** is just too much of a risk.

Deputy Administrator Barry Harris applauds **Prouse** and his "constructive efforts." In a ruling issued late last year, Harris argued that the revocation of **Prouse's** pilot's license "... is a matter wholly separate from alcoholism." Harris contends, "Mr. **Prouse** demonstrated that he lacks the degree of care, judgment and responsibility required of the holder of an ATP (airline pilot) certificate."

Harris either knows absolutely nothing about alcoholism or he is unwilling to take any risk on behalf of a man who deserves a break - perhaps both.

Prouse was a Marine Corps pilot who flew combat missions in A-4's. He was awarded the Air Medal on seven occasions for valor. At Northwest Airlines his flying safety record was unblemished. Statistical evidence shows that, as a native American, **Prouse** is prone to alcoholism. Still, the FAA wants to call him "irresponsible."

Lyle Prouse flew while intoxicated on March 8, 1990, because he is an alcoholic, not because he lacked "care, judgment and responsibility." The issue of flying privileges and recovery from alcoholism are not separate at all, but totally relevant.

For the past three years, **Prouse** has done absolutely nothing under the influence of alcohol. He is recovering and does not drink. **Prouse** has not suddenly become "responsible," he has gotten sober.

Charles Kester, president of Lakeside Recovery Center in Kirkland, says alcoholics behave in ways that seem irresponsible until they face up to their disease. Once acceptance of the problem occurs, Kester says, recovery can begin.

"No one magically restores judgment to the alcoholic," Kester adds. "Rather, the alcoholic abstains from the use of alcohol and continues recovery through the help of various support methods including treatment, follow-up care and, usually, Alcoholics Anonymous."

That is precisely what **Prouse** has done. Does it make him a good risk to return to the skies? Kester thinks so.

"Once an alcoholic gains two years of sobriety, there is a very high probability he or she will remain sober for the long term," he says. Kester adds that regimented organizations such as police and fire departments have a higher success rate with recovering alcoholics than other businesses and agencies. Airlines do even better.

Statistics show that between 10 and 15 percent of the pilots and other crew members who fly are alcoholics. Only a small percentage are, like **Prouse**, in recovery. Statistical evidence would suggest that commercial airliners are commonly flown by pilots who are under the influence of alcohol or hung over.

The airlines and the FAA are doing everything possible to stop drug- and alcohol-affected crews from taking the controls of airliners. The efforts are succeeding and should continue.

It would be a great help to this cause, however, if pilots such as **Lyle Prouse** were returned to duty. He is sober and very likely to remain so. **Prouse** should serve as a positive example for others.

Prouse was punished for flying under the influence of alcohol. He has paid a huge price. The FAA ought to restore his pilot's license. Northwest Airlines should proudly return him to the flight deck. And all airlines should work hard to use **Lyle Prouse** as an example of what happens when alcoholic pilots do the right thing.

NOTES: Rod Chandler is a former Republican member of Congress from Washington's 8th District.

TYPE: ANALYSIS

LOAD-DATE: February 18, 1999

Copyright 1992 The Atlanta Constitution
The Atlanta Journal and Constitution

December 6, 1992

SECTION: NATIONAL NEWS; Section A; Page 1

LENGTH: 1874 words

HEADLINE: Pilot convicted of flying drunk helps industry fight alcohol abuse

BYLINE: By Paul Kaplan STAFF WRITER

BODY:

The radio call came during freezing rain at 26,000 feet as Capt. **Lyle Prouse** was preparing his descent into Minneapolis: Flight crew, report to the vice president of flight operations when you reach the terminal.

Six and a half hours before taking the throttle of Northwest Flight 650, Captain **Prouse** had been so drunk he'd rolled out of a bar seat and cracked his head on the floor of the Speak Easy lounge in Moorhead, Minn. The other two crewmen had gotten drunk with him. And now the feds knew, because a lumberman who was at the bar had told them. You never know when you're having a drink with a whistleblower.

So there was Captain **Prouse**, a 51-year-old father of three, a decorated Vietnam attack pilot, a churchgoing Reagan Republican from Conyers and an alcoholic in deep denial. There he was, running a 727 in lousy weather after draining 17 rum and diet Cokes.

Captain **Prouse** landed it cleanly, as usual. When he walked into the terminal, the badges were waiting. More than nine hours after his last drink, he registered .128 on a blood alcohol test - more than triple the legal limit for flight personnel.

Seventeen rum and diet Cokes.

There were 58 passengers in the belly of his Boeing, and the only thing Captain **Prouse** had been watching was his weight.

"The day I was arrested they asked me if I'd ever abused alcohol," he says. "I didn't know what that meant."

But he learned soon enough, and it changed his life, just as Flight 650 changed the airlines forever by bringing public awareness to the inherently frightening subject of pilots who are dependent on drugs or alcohol.

In a landmark trial that made headlines worldwide, **Prouse** was found guilty of a felony - the first pilot convicted under a 1986 law aimed at cracking down on substance abuse in the transportation industry.

He lost his pilot's license and the only livelihood he'd ever known. He served 16 months in the Atlanta federal pen and watched himself become a pathetic punch line on Carson and Letterman.

Now **Prouse** wants a second chance. He is, after all and above all, a pilot, and he wants to fly again.

That makes some people very squeamish.

Seventeen rum and diet Cokes.

'We're just like everyone else'

In the airline industry, it came to be known simply as "The 650 incident." It was like a code name for the episode that exposed an agonizingly simple truth: Pilots have the same problems as the rest of us.

There are 47,000 pilots in the United States, and about 1,500 of them currently are being rehabilitated for drug or alcohol abuse. That's about 3 percent. But experts estimate that about 10 percent of the general population is subject to chemical dependency, and some airline industry experts put the figure somewhat higher for pilots because the job is so stressful.

For all the famous people who have been lining up to discuss their addiction problems in recent years, it was **Lyle Prouse**, a guy no one ever heard of, who sent chills down people's spines. After all, he'd been flying over their homes - and others just like him still are.

"It sent huge waves through the industry," said Reggie Butler, a pilot and recovering alcoholic who runs the Northwest Airlines pilot assistance program.

"A lot of the [pilots], especially the young ones, were ashamed at what Lyle did. Some were the macho types who see us as the highest type in mankind, with scarves around our necks. But we're not superhumans. We're just like everyone else."

Just last year, Congress passed legislation mandating random drug and alcohol testing for people in the transportation industry, including pilots, over the objection of the Airline Pilots Association, which noted that there has never been an accident on a U.S. scheduled airline where drug or alcohol abuse by the pilots was cited as the probable cause.

An alcoholic for many years

Why did he do it?

Here was a man who overcame childhood poverty to become a top-wage earner; who overcame the death of both parents to alcohol-related disease; who overcame the lack of a college education to excel in Navy flight school.

Why would this man, of all people, go to a bar near the airport and drink himself into a stupor before a flight?

Only one person knew why **Prouse** did what he did on March 8, 1990, and it was not **Prouse**.

His own explanation is this simple: He did it because he's an alcoholic. "It's the answer to a lot of questions," he says. "It might not tell you a lot, but to me it explains everything."

But **Prouse** had been an alcoholic for years, and he knew the Federal Aviation Administration forbids any alcohol within eight hours of a flight; Northwest Airlines is even stricter, mandating a 12-hour gap. That's why **Prouse** always drank in his hotel room on the road, with a watch at his side. Then one night he violated his own rule, and it ruined him.

Dr. David Yarbrough, the **Prouse** family therapist, knows why.

"Eventually, people self-sabotage because they don't want to carry the load [of addiction]," he said. "It's a benevolent self-sabotage. Sometimes the unconscious stuff brings people to a precipice. They say, 'I've been on this trip too long; I'm going to hop off.' "

In other words, **Prouse** got caught because he needed to. He got caught in order to save what was most important to him: his life, his wife and his family.

Both parents were alcoholics

Prouse was such a classic case that it seems remarkable in retrospect that nobody saw what was coming.

He was born dirt poor in Wichita, Kan., in 1938. His mother was part Comanche; his father was an Irishman. Both parents were caring, hard-working alcoholics. They raised two kids in near squalor, struggling to scratch out a living in Kansas and Arkansas.

Prouse started drinking at 16, and he got good at it in flight school.

"In the military it was a tradition: You flew hard and you drank hard," **Prouse** recalls. "It didn't stop for me in civilian life."

He first saw his future wife in 1962 at the drive-in in Beeville, Texas, where he was in flight training. **Prouse** was stone drunk, and Barbara refused to talk to him. He was sober the next day when they bumped into each other, and they chatted. They were married seven months later - a brown-eyed beauty with blond hair, and a barrel-chested, round-shouldered soldier with piercing green eyes.

They had two boys back to back - Scott, now 29, then Jay 355 days later. They were still in diapers when **Prouse** was shipped to Vietnam for a 13-month hitch, flying A-4 Skyhawks on close-in bombing missions.

He mustered out in '68 and began a 22-year career at Northwest. "Everybody we knew and hung around with drank a lot," Mrs. **Prouse** recalls.

Family troubles begin

It's been 11 years now, but Barbara **Prouse** still vividly recalls the day she and her husband came home early from a trip to surprise their son Jay with a cake on his 17th birthday.

Jay was the free spirit of the family. He drove his straight-laced father up a wall every now and then, but he was a good kid and they loved him. Before they left, the **Prouses** took Jay aside and warned him: no wild parties. When they got home early, the remnants of the bash were everywhere.

"Jay made the mistake of lying to Lyle - 'Nothing happened, Dad, just some of the guys came over,' " Mrs. **Prouse** recalls.

Prouse went blind with rage and punched his son in the jaw - every loving father's nightmare. Then **Prouse** walked into his yard, slumped against a Georgia pine and cried like a baby.

The break with his daughter, Dawn, was even more traumatic for him.

"My daughter was the center of my universe," **Prouse** says. "God, I loved her so much."

So much that he had her life all mapped out. But Dawn didn't like the plan.

When she was 17, Dawn announced that she wasn't going to college, and the next time **Prouse** left town on a flight, Dawn ran away. "I went ballistic," **Prouse** recalls. He wouldn't go to her wedding and refused to see her baby. "I tore up her adoption papers. I was obsessed." That was four years ago. The next time he saw Dawn was when the entire family visited him at Anchor Hospital in Atlanta. He checked into the substance-abuse program there the day after he was arrested.

A changed man helps others

Both **Prouse** and the airline industry have confronted head-on the issue of drug and alcohol abuse by commercial pilots, and both are trying to do something about it. No airline has changed more than Northwest, which now has one of the most progressive programs in the industry for chemically dependent pilots.

Prouse, meanwhile, returned to Anchor Hospital as a substance-abuse counselor after serving his sentence. He's spoken to church congregations. He's addressed Birds of a Feather, a group of recovering chemically dependent pilots.

He testified before Congress. And he recently finished filming a video about his experience for Delta Air Lines, an industry leader in the fight against substance abuse among pilots.

Prouse has gotten a lot of support in return, including a monthly check from 10 pilots who have been paying the mortgage on his home since the day he went to prison.

Dr. Yarbrough and Mr. Butler both think **Prouse** would do fine back behind the throttle. "He has the strongest recovery I've ever seen," Dr. Yarbrough says. Mr. Butler feels **Prouse** is less likely to fly drunk in the future than the average pilot.

"I know there's an element out there that opposes my return, that thinks I'm a real scuzzball for all I've brought raining down on pilots," **Prouse** says. "It's OK. I'd expect those feelings."

Prouse also thinks he'd be a good pilot again, but he makes no promises regarding his addiction.

"To say you'll never drink again is a setup to relapse," he says. "I say I won't drink today; I'll deal with tomorrow tomorrow."

So will Northwest Airlines. The 650 incident was a public-relations nightmare for the carrier, and it is not about to make any commitment about putting **Prouse** back in the cockpit, even if he finishes his probation in 1995 and gets his pilot's license back.

For his part, **Prouse** is taking a plodding approach, knocking off one requirement after another on the long list of barriers he faces to regaining his pilot's license.

"I would like to go back to Northwest," he says. "They've seen me at my worst point. I'd like to go back and be the example I could be."

In the meantime, he has tried to be an example as a drug-abuse counselor with a no-nonsense approach. "I'm not a born-again, non-drinking zealot," he says. "If you want help, I'll give you help. That's all."

His approach reaches people. The last time he spoke about alcoholism at a church, two parishioners, as they shook hands with him afterward, slipped a card into **Prouse's** hand and asked him to call them. He did.

After all, they're in this together.

"I feel that every single person I know in recovery is a hero," **Prouse** says. "I am no more and no less."

He also is a changed man. Everyone has seen it. In two years, **Prouse** has gone from a swaggering, controlling, know-it-all to a humble type who prioritizes others.

It has been a profound transformation, and it saved a family that was being torn apart. "If we could go back to the way it was before the arrest," Barbara **Prouse** says, "I wouldn't do it."

LOAD-DATE: December 10, 1992

May 12, 1992, Tuesday, NORTH SPORTS FINAL EDITION

SECTION: TEMPO; Pg. 3; ZONE: C

LENGTH: 576 words

HEADLINE: Recovery program helps prison inmates

BYLINE: Ann Landers.

BODY:

Dear Ann Landers: I'm writing to add my voice to that of the inmate who wrote to you from a Florida prison and complained about the absence of prison programs for drug and alcohol abusers.

Like your correspondent, I have been in prison. My case made international headlines because I was a captain for a major airline and was convicted, along with the two other crew members, of flying while impaired.

At that point, I realized I had to get serious about a recovery program and set out to learn everything I could about the disease that had brought me to the brink of disaster.

The day after my arrest, I entered Anchor Hospital in Atlanta for treatment of alcoholism. My flight crew and I were informed that there was only a vague possibility that any charges would be filed.

None of us knew of the federal statute under which all three of us would eventually be convicted. We knew only that our careers were ruined.

Upon entering prison, I came across a memo that said 77 percent of the prison population of 500 had been incarcerated for drug-related crimes.

Even more shocking was that there was no program in place to address that problem except a one-hour-a-week video session.

I fought for two months to get a recovery program started. The prison administrators were extremely uncooperative. They dragged their feet and did absolutely nothing to help.

I consistently encountered difficulty getting them to simply unlock the door so we could meet. In spite of the system, I led the group every week. It was the first time the inmates were offered an opportunity to come together and address their drug and alcohol problems.

Our program was appreciated by the inmates and effective for those who participated.

I am a hard-liner who believes that all alcoholics and addicts are responsible for their actions. I also know that recovery comes from discovery, and there is a time-tested method whereby the individual, with the support of others who share the same problem, can recover.

This approach costs the prison absolutely nothing but cooperation and it can reap tremendous rewards. The fact that prison officials are reluctant to cooperate should be a source of public outrage.

Today, I am free and looking toward the future. I work as an assistant counselor in the same fine hospital that was responsible for my recovery.

I don't know if I'll be able to fly again, but my goal for the moment is to try to give back all that was given to me. Please feel free to use my name if you wish.

Lyle Prouse, Conyers, Ga.

Dear Mr. **Prouse**: You and your crew members risked the lives of God knows how many people by drinking on the job.

Mothers, fathers, sisters, brothers and children were on that flight and they had the right to expect that you would bring them safely to their destination.

However, I applaud you for turning your life around and wish you luck for continued sobriety. I admire what you have achieved and congratulate you for your efforts to help others.

You deserve a great deal of credit for having the courage to buck "the Establishment." Thank you for sharing your story.

----- Forget to save some of your favorite Ann Landers columns? "Nuggets and Doozies" is the answer. Send a self-addressed, long, business-size envelope and a check or money order for \$5 (this includes postage and handling) to: Nuggets, c/o Ann Landers, P.O. Box 11562, Chicago, Ill. 60611-0562. (In Canada, send \$6.)

LOAD-DATE: 05-13-92

Copyright 1991 UMI

Copyright MCP Inc. 1991;

Business Dateline;
Corporate Report Minnesota

February, 1991

SECTION: Vol 22; No 2; Sec 1; pg 28

LENGTH: 6284 words

HEADLINE: Drinking and Flying: Former Northwest Captain **Norman Lyle Prouse** Tells His Story in an Exclusive Interview

BYLINE: David Carr

DATELINE: St Paul; MN; US; Midwest

BODY:

LES STENERSON socialized with three hard-drinking out-of-towners through much of an evening last March. The men, he learned in conversation at the Speak Easy bar in Moorhead, were Northwest Airlines pilots. Stenerson, a lumberyard worker, suspected that the pilots would be flying out of Fargo the following morning, and at 1:30 a.m. he placed an anonymous phone call to the Federal Aviation Administration to report the activities of his new acquaintances.

One of those pilots recalls that he felt pretty good on the morning of March 8. When his alarm went off at about 4:30 a.m., Captain **Norman Lyle Prouse** did 30 push-ups, a routine he suggests wouldn't have been followed if he were feeling the effects of the previous night's drinking.

Prouse and co-pilot Bob Kirchner met in the lobby of the Moorhead Days Inn motel, and proceeded to the airport. Flight engineer Joe Balzer told them he wasn't feeling well and took the next van to Fargo's Hector International Airport.

At the airport, Kirchner went out to inspect the plane, and **Prouse** went inside to fill out paperwork for the 6 a.m. flight. That's where **Prouse** met Verl Addison of the FAA.

"When he came up to me, and said that he had received a call at 1:30 in the morning about pilots drinking, I'm thinking Okay, he must be assessing me right now," **Prouse** says. "He's checked my ID, we're standing very close, and he's looking at me, observing me . . . and I'm wondering, What did he think? I'm not feeling clumsy at all, but I am extremely uncomfortable . . . and let's just say I'm scared, because I am.

"He knows about the Speak Easy."

A combination of denial, lack of information, and fear left **Prouse** wondering how to proceed. He decided to let Addison control the situation.

"He's talking about intoxicated pilots, and I'm thinking he's either gonna okay us or not okay us," **Prouse** says. "I thought for sure he was going to say something somewhere along the line that would indicate what we should do, but he never did."

Prouse walked with Addison out to the plane, where they met Kirchner in the cockpit. The three chatted for a while about the report that had been received. Addison has said that he told both of them that he could detect the odor of

alcohol. **Prouse** is adamant in his contention that Addison never said he could smell alcohol on their breath. "If he would have told us that, we would have had no choice. We would not have started the engine," **Prouse** says.

The FAA requires an eight-hour gap between any drinking and flying, and Northwest has an even stricter 12-hour bottle-to-throttle regulation. **Prouse's** recollection of the previous night is spotty, but he is fairly sure of two things: "I thought we were okay on the eight-hour rule, and I was sure we had broken the 12-hour rule."

Without a clear directive from the FAA's on-site observer, **Prouse** says, he wasn't prepared to make a move that would threaten his career. "My feeling was that if (Addison) wasn't saying anything, he was giving us tacit approval (to fly)."

Addison has said that he made a point of telling both the pilots that there would be no violation if the plane didn't move. On his way out of the plane, Addison met Balzer and talked with him about the report. Balzer immediately asked to take a blood or urine test. Addison, who says he told Balzer he didn't have the authority to order such a test, then went to call his superiors at the FAA Great Lakes office in Chicago.

Addison also has said that while he was on the phone, he noticed the plane was pulling away from the gate. That statement more or less implies that the pilots spirited away a 727 despite unresolved questions concerning their compliance with the 8 and 12-hour rules. **Prouse** counters, "That is the most asinine thing I have ever heard." He has since listened to the tapes of the ground conversation and contends that there were at least 14 minutes from the time they called for clearance until the time they took off.

Prouse is asked whether he might have been playing a game of high-stakes chicken with Addison. "No," he says. "I just thought (pulling away) would be the final test."

And why didn't he directly ask Addison's opinion of their airworthiness?

"I just honestly didn't think to do that," **Prouse** says.

He admits, however, that the question might have been one he didn't want answered. He and the other two pilots were well aware that their careers were at stake, but **Prouse** says he never felt for even a moment that his 58 passengers were at risk.

"I knew that if we didn't go, if we didn't push back, that we were going to be fired. That was a given," **Prouse** says. "Losing our jobs was the extreme max, capital punishment, but if the thought had occurred to me that maybe these people are at risk, I couldn't have and wouldn't have gone."

He adds: "We didn't have time for a group discussion. I just turned to the co-pilot and said, 'What do you think?' and he said, 'I don't know.' I know I'm dead if we don't move -- so we pull back."

ALCOHOLICS FREQUENTLY talk about something called a "bottom" an event or series of events that serve as a period, putting an end to one's drinking life. It is a time of reckoning, an end that marks the beginning of recovery.

Norman Lyle Prouse's bottom was trumpeted in big, headline type. On March 8, **Prouse**, a former Marine flyer in Vietnam and a standout pilot at Northwest Airlines, fell about 30,000 feet. The 22-year veteran of Northwest Airlines and his crew were placed under citizen's arrest at Minneapolis-St. Paul International Airport for flying passengers from Fargo to Minneapolis when their abilities might have been impaired by the residual effects of a night of heavy drinking.

Prouse and his crew were convicted on federal charges last summer in what was the first use of a common carrier statute that became law in 1986. **Prouse's** captain's bars and vocation are gone. He began his 16-month sentence in the Atlanta Federal Prison Camp just after Thanksgiving.

The man who sentenced **Prouse**, U.S. District Judge James Rosenbaum, deployed a tidy bit of understatement when he called it "a most unusual case." As Rosenbaum went on to say, "Who can comprehend an entire crew alcohol-impaired?"

Certainly not the Federal Aviation Administration. The FAA regularly deals with reports that a particular pilot may have a problem with alcohol, but the system was dysfunctional when three allegedly impaired pilots showed up together to pilot an aircraft. The FAA's on-site official in Fargo -- Addison -- was completely unaware that there was a relevant federal statute addressing intoxication. His primary concern seemed to be whether the FAA's eight-hour bottle-to-throttle rule had been broken.

Prouse and his crew ended up in federal court in part because Addison failed to stop the plane from leaving, even though Addison testified that he smelled alcohol. Addison told the court he didn't think he had the authority to prevent the plane's departure. The U.S. Department of Transportation gave Addison its "Way to Go" award for his actions.

By all reports, **Prouse** and his crew executed a flawless flight and landing, despite difficult conditions caused by sleet and rain. The men were met in Minneapolis by Northwest security personnel and were given blood alcohol content tests. At 9:15 a.m., more than nine hours after he had left the Speak Easy bar in Moorhead, Captain **Prouse** registered a blood alcohol concentration of 0.128, above the legal limit for driving a car. His hangover will likely last into early 1992, when he is scheduled to leave prison.

In his first extensive interview since the incident, **Prouse** spent four hours recalling one of the most notorious aviation stories since jets began taking wing. His lawyer, Minneapolis criminal defense attorney Peter Wold, says **Prouse** turned aside interview requests from most of the nation's major news organizations, as well as the calls that came in from the producers of "Oprah" and "Geraldo" as often as three and four times a day.

But on October 25, a day before his sentencing, **Prouse**, 52, and his wife, 48-year-old Barbara, met with a reporter at attorney Wold's house on Medicine Lake in Plymouth. **Prouse** had decided it was time he offered some personal perspective to an incident that positioned him as a punch-line on "Johnny Carson" for several months.

Many others involved in the incident still aren't much interested in talking. Citing pending litigation, the FAA declined comment. Northwest Airlines spokesman Douglas Miller was less than expansive: "We have never experienced anything like this . . . one of the last ways we have of ensuring that some impaired pilot isn't flying is having the other pilots there to monitor the behavior of their peers. That system didn't work in Fargo."

Since his arrest, **Prouse** has been dealing with his alcoholism, spending 60 days as an in-patient and uncounted hours subsequently in various support groups. The former captain explains that, by giving an interview, he hopes to help get out the message that people can and do recover from the disease of alcoholism. He is noticeably eager to share the message of recovery, but chuckles bitterly at the suggestion that he might be on the type of "treatment high" experienced by newly recovered people who seek to let the rest of the world in on their secret.

"I certainly don't have anything to be high about," **Prouse** says. "For 52 years, I set very high standards for myself and the people around me, and I was lucky enough to hit most of them. Then this happened."

He adds: "I betrayed the public trust. I betrayed my employer. I betrayed my fellow employees terribly . . . they have suffered terribly because of this. But the person that I betrayed the most was myself. I had set all of these Great Santini standards. Everything was either black or white, and I didn't equivocate on anything. I don't do that anymore. I had all of these standards. I was an honorable man, with good character and good principles. I fell so far, so fast, that my mind has had difficulty catching up.

PROUSE SPENT his adult life avoiding gray areas. He entered the Marines in part because there would be no confusion about who the enemy is. He was, according to his family, a reliable provider who insisted the trains run on time around the **Prouse** household.

"The way I always looked at it, everybody's got a pair of bootstraps and they better damn well yank on them," he says.

Prouse gave his own bootstraps enough of a tug to catapult himself out of a chaotic childhood and adolescence and into a winged version of the American dream . . . great job, beautiful wife, good kids, and a comfortable place to land. The **Prouse** family survived the strikes that ripped at Northwest during the 60s and 70s and eventually bought a respectable house in Conyers, Georgia, a suburb of Atlanta. As a captain, **Prouse** made more than \$100,000 a year. But

his autocratic demeanor eventually left him isolated in his own castle. Ironically enough, both of his sons entered the Marines, but all three of his children eventually left **Prouse** and his impossibly high expectations.

When **Prouse's** adopted daughter left in 1988, **Prouse** became obsessed with what he perceived as her disloyalty. He spent many angry nights in hotel rooms all over the country, drinking alone and a lot. Even so, **Prouse** was very protective of his career -- he had made captain that same year -- and carefully planned any drinking so it wouldn't take away his opportunity to fly.

Reggie Butler, a Northwest pilot who chairs an Airline Pilots Association committee on substance abuse, says it's a familiar pattern: "It's a curiosity of the airline pilot profession. They let their home and social life deteriorate, but they will do anything to hang on to that job."

Prouse brought the same kind of discipline and penchant for organization -- this is a man who changes the oil on his car every 2,000 miles -- to his drinking.

"I would look at the layovers and I would know when and where I was going to drink. I was very good at observing the clock, but I would do all of the things that alcoholics do," **Prouse** says. "I would look and say, 'It's 1 in the afternoon,' and I would need to be to bed by 8, so I would need to be done drinking by 6, which means I could buy a pint. If the takeoff was later, depending on the time, I might buy a fifth.

"And then what I would do is sit there and drink by myself. I would sit there and reflect most of the time, thinking about what was happening with my family."

THE EVENING of March 7, 1990, was unusual for a couple of reasons. Perhaps most importantly, **Prouse's** drinking that night was of an uncharacteristically social nature. The captain generally preferred to drink alone and was wary of having someone identify an entire crew together in a bar. For reasons he still can't explain, he walked to the Speak Easy bar that afternoon with Kirchner and Balzer.

Once there, the drunk in him found expression. "I had one drink, I had two drinks . . . I'm talking and having fun. I don't remember seeing a clock," **Prouse** says. "And I simply sat there and had more and more and more. I didn't go out that night and say, 'I'm going to have 19 drinks and then fall out of a chair.' The clock just stopped for me as long as the waitress was coming by. I just continued to have drinks. That's the nature of alcoholism."

At least two years of binge drinking came in for a landing the day he got busted. But **Prouse** has come to grips with reality at a time in his life when the picture isn't too pretty. "I'll be fine for a little while and then I'll start thinking about going to prison, about leaving Barbara alone, and how I'm going to make a living after I get out. And my mind will start cartwheeling again."

On this day, there is a respite created by the need to remember. As the **Prouses** sit on the couch in Wold's den, their hands frequently intertwine as Lyle talks; Barbara's gaze rarely drifts from his face. Both traffic in the rhetoric of recovery with ease.

Prouse agreed to talk in part because he was given assurances that he would be able to address some of the mythology that has been built up around his case.

"I'm not interested in some story that says I'm a neat guy, so I'm entitled to drink 19 rum and Cokes. What has hurt me a lot is that people have a very different perception of me than what I really am," he says. "Today, I'm willing to just be me, and people can make their own judgments. I'll take my chances with that.

"Part of the reason that I agreed to talk is that I would like to give back a little to Northwest, I would like to pay back a little bit for all of the terrible shit that rained down on them. I'm not talking with the idea of getting my job back. I just think it is the honorable thing to do."

The day before the interview, Wold had received a letter from Judge Rosenbaum, who wrote that he was contemplating an upward departure from the 12- to 18-month sentence recommended by federal guidelines.

"This time of my life has been marked by a series of crises and (the sentence) is just one more of them. Each one of them has been an escalation, and each one in its own has been a tremendously crushing, hammering blow," **Prouse** says, his right hand tracing his expansive jaw line. "But I'm thankful that never during any of these events, some of which were literally driving me to my knees and taking my breath away, never did the idea of drinking appeal to me."

For reasons he declined to explain, Judge Rosenbaum eventually backed off from his threat and, on Friday, October 26, sentenced **Prouse** to 16 months in prison. **Prouse** asked to be allowed to serve his time in the federal prison facility on Maxwell Air Force base so that he could attend college full-time in order to find a new career, but federal prison authorities said they were concerned **Prouse** might hop a fence and steal an aircraft.

Instead, he has to make his way at an extension of the Atlanta Federal Prison. Unlike Maxwell, the facility has no Alcoholics Anonymous program and a limited number of educational offerings. "I have been through some fairly tough situations in my life, and this is just one more of them," **Prouse** says. "It wasn't pleasant going to Vietnam, but at least there was a sense of honor and purpose to what I was doing. This doesn't feel like that."

The case was the first Wold had tried in federal court. He took the conviction hard, but has come to understand that, in this instance, the justice system had to demand retribution.

"I think that his treatment was within the realm of fairness," Wold says. "We don't have to agree with the result to agree that he was given a fair trial."

Wold is pursuing an appeal on constitutional issues, as are the lawyers for the other two pilots, who both received 12-month sentences. **Prouse**, however, has elected to enter prison while his case takes its course.

"Can't get out till I get in," **Prouse** explains, then he says: "If you ask me whether I think it's productive for me to go to jail for a long time, the answer is No.' I don't think that I'm being incarcerated to prevent me from getting drunk and going and stealing an airplane. But if the dictates of society say that I need to go and do some prison time, I'm not going to go kicking and screaming."

That kind-of rationale is what Ken Watts has come to expect from his former colleague. Watts is the chairman of the local Airline Pilots Association and a Northwest pilot.

"As a pilot, Lyle was a very competent flyer across the board and adhered very closely to Northwest standards and procedures. I really don't have any insights about how this ended up coming about," Watts says. "But now that it's happened, he is just going about the business of dealing with the reality of the situation. I think that Lyle has a lot of inner strength, and he focuses on what happened instead of what would have been, what might have been, or what he might have wanted to happen."

Indeed, **Prouse** sees little sense in focusing on the past. "It is so easy to get into the victim role and the self-pity, but when it comes right down to it, I did something that needs to be accounted for. I am responsible for it, and I accept the responsibility. Period." He leans back and meets the gaze of his wife. There is a sigh that seems to come from somewhere in between them.

PBOUSE GOES out of his way to defend the airline that fired him and the co-workers he left behind. In an age riddled with convicted felons who blame everyone but themselves, **Prouse** is an exception. He harbors no small amount of bitterness, however, about the public aspect of his abasement.

"In a way, I feel like the media took the opportunity away to accept responsibility for what I had done," he says. "I have seen the power of the press. I was seeing stories that were sent down to me in treatment and by the time I was finished, I felt that nothing short of a public execution on Nicollet Mall was going to satisfy people.

"It got to the point where it was very difficult to convey what actually happened. People had this mental picture of some pilots stumbling out of the bar and flying an airplane.

"Now, I was in treatment with several anesthesiologists, and they said that there were entire days where they could not remember what happened. Now that's a scary thought to me, but it doesn't play the same way as 58 people 31,000 feet

in the air with three pilots who may or may not be all screwed up. There is certainly a much greater sense of terror and drama in that situation."

IT BEGAN INNOCENTLY enough. Three pilots on a layover in Fargo were staying in neighboring Moorhead and walked a block-and-a-half from the Days Inn to the Speak Easy bar at about 3:30 in the afternoon. Kirchner and Balzer shared a pitcher of beer, while **Prouse** opted for a rum and diet Coke.

"The first mistake was going to the bar to begin with. We were crowding the clock," says **Prouse**. Northwest's 12-hour bottle-to-throttle rule would have required that the pilots be out of the bar by 6 p.m.

Initially, **Prouse** told investigators that he had left the bar by 8 p.m., 8:30 at the latest. Witnesses testified during the trial last June that **Prouse** didn't leave the Speak Easy until 11:30. To a comment that he must have been fairly intoxicated by then, **Prouse** responds: "Yeah, I might have been. Yeah. I'm sure I was . . . I'm sure I was screwed up. Plus, I had taken a hell of a crack on the head when I fell out of the chair. I really hit my head big-time."

Witnesses testified at the trial that near the end of the evening, **Prouse** fell off of his chair and hit his head, sustaining a cut above his eyebrow. **Prouse** suggested during the trial that the chairs in the bar were unsteady to begin with, but now he admits that the alcohol may have made him unsteady as well.

"I can remember starting to get up and then losing my balance . . . now I'm sure 19 rum and Cokes sure as hell helped me lose my balance.

"I can remember getting up, but I don't remember walking out."

Just a little more than six hours before he was scheduled to captain a 727, **Prouse** was-wandering around on the street in front of the bar.

"I didn't have my glasses on, and it was dark. I don't know where I ended up wandering around," he says. "I just don't know." Yet **Prouse** refuses to characterize what happened to him as an alcoholic blackout.

According to published reports, the other two pilots made moves to leave the bar midway through the evening, but **Prouse** encouraged them to stay. **Prouse** was asked whether his failure to leave the bar in a timely matter was in some sense a failure of leadership.

"There is a real misconception about that," he says with a chop of the hand. "I'm the captain on the airplane. I'm not the captain on layovers. I'm not the social director, and I'm not in charge of who goes where."

While **Prouse** and his crew were knocking them back at the Speak Easy, a local slid alongside them and began talking about Vietnam.

"That is not one of my favorite topics," **Prouse** says quickly. "Now that they have quit spitting on the people who served and have decided that we did a pretty good job, like our country asked us to do, there are people who want to get into the act, and I just didn't think that this guy had been there. He was pretty flip about people getting their heads blown off, and I guess this guy didn't seem real to me."

Witnesses testified that **Prouse** swore at the guy and told him to leave.

"He came and sat down at the table totally uninvited and started talking about this stuff," recalls **Prouse**, "and I eventually asked him to leave. I was very courteous the first three or four times and then, yeah, I finally stood up and told him he ought to go. I thought he was the one that phoned in the tip." Not so.

SINCE THE MORNING of March 8 **Prouse** has not had any significant interaction with either Kirchner or Balzer. **Prouse** says he felt initially that it was important the three keep their distance to avoid the appearance that they were cooking up some explanation; they have never reconnected. **Prouse** was asked whether that seemed odd to him.

"I have no problem with either of them, but I think we are each dealing with what happened in our own way," **Prouse** says. "It's true we all went off a cliff together, but I think we landed a lot differently."

During sentencing, Judge Rosenbaum said he received what he described as an unprecedented number of letters -- about 70 -- on behalf of **Prouse**. The letters detailed **Prouse's** leadership during combat in the early years in Vietnam and his solid reputation at Northwest.

Much of the correspondence displayed an almost tribal loyalty to **Prouse**, consistent with his background as a Marine and his ancestral roots as a Comanche Indian. He had -- and still has -- the kind of friendships that are formed when men are under attack. Although Judge Rosenbaum felt it was his duty to ignore the pleas for lenience, the letters and some 400 calls of support have given **Prouse** sustenance throughout his ordeal. His fellow pilots have supported him financially, emotionally, and unconditionally. At **Prouse's** sentencing, other pilots showed their support by taking up an entire row in the courtroom.

"I didn't expect . . . I couldn't have expected, the good things that have happened to me since this incident," **Prouse** says. "I don't know why I have gotten this tremendous outpouring of phone calls and letters. So many good people have jumped in on my behalf."

There is a bittersweet pause. All of the letters in the world couldn't change the fact that there was going to be hell to pay the day following the interview and for a long time afterward.

Prouse sinks back into the couch, nestling closer to Barbara. Theirs was a union shot whole out of every flyboy movie ever produced. She was a small-town girl from Beeville, Texas, who finally said yes to the attentive pilot in training. He was a stand-up Marine who got a shot at flight school after a life of unrelenting upheaval. They married and he went off to Vietnam, flying A-4 Skyhawks low enough "for the rabbits to jump over the cockpit."

"I enjoyed the single-seat jets. It was just me and my buddies, and we each had an airplane."

Prouse, an enlisted man without a college degree, never thought he would get the opportunity to fly. "I can remember winning some contest and getting to ride in a jet with some Marine captain when I was an enlisted man. I remember fantasizing about what it would be like to fly that plane."

He certainly never envisioned being assigned to the first Marine attack squadron and flying into a postage stamp-size landing strip in the middle of hostile territory. **Prouse** got started flying in 1961, got his wings in 1963, and went off to the war in 1965. His tour lasted 13 months.

"It was close-in work. Mostly naping (laying down napalm) and strafing," he says. "Initially, we hit a lot of what were called suspected targets, and I thought that a lot of it was just sound and fury, but as the war heated up, we became part of the first Marine ground offensive. We would get called in when they got pinned down."

The momentum hisses out of **Prouse's** voice, and his gaze drifts to the rug. "We lost five of our 20 airplanes while we were there. We lost two of our friends." He stops, starts, and then says simply, "I didn't feel so good about that."

"Later on, when everything got played out over there, I thought they were wasted."

He makes a strategic shift in topics to regain his emotional equilibrium. "The Marine Corps was my kind of thing. It was tough and it was organized, and I got enmeshed with it immediately. I kind of escaped into the Marine Corps when I was 17 and out of 68 of us in boot camp, three got private first class stripes. I was one of them."

For **Prouse**, the Marines offered the kind of structure and consistency that had never been a feature of his home life. Born poor in 1938, Lyle came of age struggling to survive the Depression. He and his sister followed their parents around Arkansas and Kansas as they attempted to scratch out a living.

"I remember as a child, a young child, we had a diaper service business in Fayetteville, Arkansas. It was rough. All of the work had to be done by the old wringer-type washers. We lived in a house in front of the diaper service building that

was condemned by the city. There was no paint on it and all of the boards were rotted. We moved out of there and into a converted chicken coop outside of town. We didn't expect things because we never had things."

When the family moved back to Wichita, **Prouse** remembers that both of his parents were drinking heavily. His father later took **Prouse** into the bathroom -- the only place in the tiny house where there was any privacy -- to tell him that they were divorcing and that the children could not stay with their mother. Lyle and his sister moved with their father into the slums of Wichita. Three years later, when Lyle's mother had a nervous breakdown, he was the one who picked her up and drove her to the state mental institution. "I just kind of deposited her there," **Prouse** says. He was 17. His father eventually died of alcoholism.

Among the things that sustained **Prouse** during his teens was a growing awareness of his Native American Indian heritage. He is part Comanche -- from his mother's side of the family -- and he found himself drawn to the dances and rituals of his people. One family nurtured his burgeoning interest, taking him along on trips to Oklahoma to, as he says, "do Indian things."

It is apparent that **Prouse** feels his heritage as a Native American Indian imparts a sense of responsibility as well as a sense of belonging. Fear of failure was brought into sharp relief by the value placed on his accomplishments.

"When I was accepted into flight school, the Indian people had a big go-away dance," he says. "All I could think about when I was in flight school was that I could not wash out and go back to the Indian people. It was something like the Oriental loss of face."

He excelled at his classwork and as a pilot. He returned to the Indian community with a shiny set of wings that had been pinned on by his new wife, It was a little harder to go back after his arrest in March.

"I felt that in a way, they went down with me. It was very difficult to go back and talk with them.

"I got a phone call from a Comanche brother a while back -- I tensed when I found out who it was. I told him how ashamed I was and that I couldn't bring myself to call anyone," he says. "This was a guy who spent six years over in Vietnam and had been terribly shot up."

Prouse's voice wavers as his wife rubs the back of his neck. "He told me that I was forgetting what our people respect the most . . . honesty and humility. He told me I still have that."

The man shared with **Prouse** a membership in two tribes: the Marines and the Comanche. "He sent me a very sacred item that is called a Comanche prayer stick. He put some items on it that had a high, high value to him personally."

"IT'S BEEN DIFFICULT to come to terms with what I did, but the fact that so many people have been willing to forgive and support me has made a big difference," **Prouse** says. "To begin with, I was so crippled with shame and humiliation that I couldn't do anything. I spent a week in the hospital looking at my shoe tops."

Prouse watched the televised reports from a bed in the chemical dependency section of Anchor Hospital in Atlanta. "The initial stories were just like a red hot poker to my gut," he says.

Originally, **Prouse** felt that "none of the people that I was (in treatment) with had the kind of trouble I had . . . nothing could be as severe as what happened to me." But "I didn't have to sit in those groups very long to figure out that the trauma these other people were going through was every bit as severe as mine."

The turmoil created by the charges and concurrent media attention came at a time when **Prouse** was confronting his addiction to alcohol. At one time his doctors sat him down to tell him that federal marshals might be coming to take him away in handcuffs.

Offered the benefit of hindsight in treatment, **Prouse** realized his drinking career had escalated just about the time he received his captain's bars. While he was off taking his exam to become a captain, his teenage daughter gathered up her things and left. **Prouse** turned inward, and his drinking was often as hard and bitter as the feelings he had about his daughter's decision to leave home.

She married without her father's blessing, which was hardly forthcoming. "I didn't go to her wedding, and I didn't go see her baby. I didn't even want to know its name."

Barbara **Prouse** has noticed a change in her husband since the events of last year. "Lyle is," she stops, catching herself, "Lyle Was a very controlling person. He was like a little sheep dog running around behind us, trying to keep us all in line so that we would be perfect. He was never abusive, but he had strong ideas about how we all should live our lives.

"Both of his parents were alcoholics, so he was very aware of it. There were a bunch of times when he said, Okay, I'm not going to drink,' and he would go a week or a month when he would not drink, but once he had that first drink, it was like, Well, why not kill the bottle?"

Prouse says the segue from being a hard drinker to a drunk is difficult to pinpoint in time. "It's pretty tricky trying to figure out where you went beyond abuse and became an alcoholic. That is a journey and not an event. I was a binge drinker and I drank periodically . . . it wasn't like I drank all the time, but if I apply the criteria that I learned in treatment, I was probably an alcoholic some time ago."

In between his trial and his entrance into the Atlanta Federal Prison Camp, **Prouse** filled large parts of his days with the nuts and bolts of recovery: after-care, meetings with "Birds of a Feather" (a pilot support group), and lots of interaction with folks who have quit drinking.

"I was in a pilot support group and someone in the group had slipped for the second time, and he was being given the chance to keep his job if he was willing to go through treatment a second time -- he was all haughty about it. The group asked me what I thought about it, and I told them if I were given a chance to get into the cockpit, I would consider it a miracle of the highest order."

Perhaps, it was posited, he had lost the right to fly. "Maybe I have, but if I have, it's because of the publicity," **Prouse** says. "There are over 1,450 pilots who are in recovery and have been reinstated."

Says Wold: "This whole thing will come full circle when Lyle is back flying again and the people on the airplane know exactly who is flying the plane. His recovery will be validated at that point."

Butler, chairman of Northwest's abuse prevention committee, gives **Prouse** credit for initiating his own treatment the day after his arrest, before anyone suspected that he could end up in federal prison for his decision to fly on the morning of March 8. "I'm very pleased with the kind of program Lyle is running," Butler says. "He's serious, and he knows what is at stake."

Douglas Miller, a Northwest spokesman, was noncommittal when he was asked whether **Prouse** might ever again be at the helm of a Northwest aircraft. "It's very difficult to say. There have been other cases where we have brought people back as employees. It's hard to say what is going to happen in this instance."

Miller admits that **Prouse** and his crew mates created "a significant public relations challenge. We realized early on that it was a black eye that was going to play out over a long period of time. It didn't surprise us that it was food for comics, but it was carried long beyond the point where it was humorous. That certainly didn't help at all . . . but I think that the traveling public understood that this was a very unique, unfortunate event and that Northwest is a very safe and reliable airline. We haven't experienced any drop-off in the number of passengers as the result of this incident."

Prouse has no trouble understanding why Northwest distanced itself from the three pilots.

"I have had people ask me, Has Northwest contacted you?" and I have told them that I never expected Northwest to. They have distanced themselves from me as quickly as possible, and there is nothing else they could have done. The company couldn't defend what I had done. That would have been ludicrous. I think I was treated fairly by Northwest."

Prouse has willingly surrendered his medical license to fly, and his love of flying will be confined for a time by prison fences and the magnitude of his mistake. But his punishment will not rub out his newfound ability to put his

mistakes in a manageable perspective or his well-grounded belief that there are no real limits to what he can accomplish.

"I would take my kids out in the yard and say that if I got on the roof of the house and wanted to fly to that pine tree in the yard, I could," **Prouse** says. "If I don't make it, it's because I don't want to do it badly enough."

The former captain was asked whether he ever tried to prove his claim to his children. "I suppose maybe after 19 rum and cokes I could have done it." The visitor waits until a smile breaks **Prouse's** face before he laughs out loud.

Prouse mentions in passing that he has corresponded with Northwest Chairman Al Checchi about programming for chemically dependent pilots and that the response was fairly positive. Other pilots have disputed an account **Prouse** has heard from a friend that Checchi took time at a company meeting to crack a few jokes about him.

"That hurt a little bit, but you get used to it after a while," he says. "It's not personal. It never is. Sooner or later, it's going to die out."

No matter how bad the situation has been for **Prouse**, he has a new perspective on his career and family responsibilities now. A few years ago, he says, "I had a burning desire to fly captain. You're in charge, and you're responsible. It's the epitome. It's not like a my bat, my ball' kind of thing . . . It's just the whole reason that you are in the airlines. It's the aiming point. The captain's seat represented success.

"But, given the things that have happened since, with the renewal of my relationship with my daughter and the rest of my family, I can honestly say that I would not trade everything that's happened for my captain's hat. It hurts badly, but basically what I have done is swap the material things for the intangibles that have to do with reuniting my family, and that's an acceptable trade."

GRAPHIC: Personal portrait; Photo

UMI-ACC-NO: 9117628

LOAD-DATE: June 15, 1994

Copyright 1990 Seattle Post-Intelligencer
SEATTLE POST-INTELLIGENCER

November 5, 1990, Monday , FINAL

SECTION: EDITORIAL

LENGTH: SHORT : 31 LINES,

Pg. A16

LENGTH: 190 words

HEADLINE: THEY FLEW TOO HIGH

BODY:

Three former Northwest Airlines pilots are facing jail time instead of air time, thanks to a federal judge's sentencing in the case of the "FWI" convictions against them.

On the morning of March 8 the three, Capt. **Norman Lyle Prouse**, 1st Officer Robert Kirchner and flight engineer Joseph Balzer, flew a commercial flight from Fargo, N.D., to Minneapolis after drinking heavily the night before.

Prouse admitted to drinking more than 15 rum-and-colas and Balzer and Kirchner shared at least six pitchers of beer.

Among the pitiful elements of their defense was the allegation that because he is an alcoholic **Prouse** was used to consuming large amounts of alcohol and could therefore "handle" drinking so much before flying, and the pitch that by the very fact that the plane didn't crash the pilots were not rendered incapable of flying by the alcohol they'd consumed.

All three were convicted and **Prouse** was sentenced to 16 months in prison and Balzer and Kirchner each to one year. The imposition of jail time in the case should be, in more ways than one, sobering to all who are engaged in transportation of the public.

NOTES: Editorials

TYPE: EDITORIAL

LOAD-DATE: March 8, 1999

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

October 27, 1990, Saturday, PM cycle

SECTION: Domestic News

LENGTH: 541 words

HEADLINE: Pilots Relieved at Length of Sentences

BYLINE: By TONY KENNEDY, Associated Press Writer

DATELINE: MINNEAPOLIS

BODY:

Three former Northwest Airlines pilots, the first to be convicted of flying a commercial jetliner while intoxicated, said they're relieved they didn't get longer prison sentences.

"It's less than what I expected," Capt. **Norman Lyle Prouse**, 51, of Conyers, Ga., said after being sentenced Friday to 16 months in prison.

First Officer Robert Kirchner, 36, of Highland Ranch, Colo., and flight engineer Joseph Balzer, 35, of Antioch, Tenn., each were sentenced to 12 months in prison.

U.S. District Judge James Rosenbaum also ordered three years of probation for each man after release from prison, but levied no fines. While on probation, the pilots can't fly planes with passengers.

Kirchner and Balzer were freed pending appeals of their convictions. **Prouse** didn't ask to be freed pending an appeal, but the judge gave him five days to file a request.

"Gentlemen, you are good men who have done a bad thing," the judge told the three.

"Who can comprehend an entire crew alcohol impaired?" Rosenbaum said. "It is a crime against our sense of security. In that sense, all of us are a victim of this crime."

Bruce Hanley, attorney for Balzer, said the judge may have been influenced by a tide of letters urging leniency. The letters, which the judge talked about in court, came from friends and families of the pilots. There were no letters from passengers of the flight or others who might have been outraged, the judge said.

"People were not writing, 'Crucify these people,'" Hanley said after sentencing.

Rosenbaum said the risks of "piloting innocent civilians to their untimely deaths must be weighed against pain of (the pilots') families."

Peter Wold, attorney for **Prouse**, said he feared Rosenbaum would sentence his client to six years or more in prison. William Mauzy, attorney for Kirchner, said he was "relieved" the sentence was at the low end of the federal guidelines recommending 12 months to 18 months in prison.

The maximum penalty is 15 years in prison and a \$250,000 fine.

"I'm very willing to do what the judge has said," Balzer told reporters. "It's been a pressure cooker for a long time. I go from here."

"I'm grateful," Kirchner said.

Each of the defense attorneys argued for prison terms of less than 12 months. They said a pre-sentence investigation report erroneously found that each of the defendants had not taken responsibility for his actions.

The prosecutor, Elizabeth de la Vega, said, "I think overall it was an appropriate sentence. . . . I think it sends a message to pilots."

It was the first federal prosecution under a 1986 law making it a felony to operate a commercial airplane under the influence of drugs or alcohol.

The three on March 8 flew a Boeing 727 from Fargo, N.D., after a night of heavy drinking at a bar. The plane, carrying 91 people, flew smoothly and landed safely at Minneapolis-St. Paul International Airport, where the pilots were arrested.

"What difference does it make that you landed the flight safely?" Rosenbaum said. "The danger was there."

Prouse admitted to drinking more than 15 rum-and-cola drinks at the bar. Balzer and Kirchner shared at least six pitchers of beer.

Northwest fired the pilots. The Federal Aviation Administration stripped their licenses.

GRAPHIC: LaserPhoto MP6

JAMES ROSENBAUM (92%); ROBERT KIRCHNER (85%); JOSEPH BALZER (85%); **NORMAN LYLE PROUSE** (71%); BRUCE HANLEY (57%);

August 27, 1990, U.S. Edition

SECTION: BUSINESS; Pg. 48

LENGTH: 705 words

HEADLINE: Flying Too High in the Sky?;
The drinking trial of three Northwest pilots raises safety fears

BYLINE: By John Greenwald. Reported by Ricardo Chavira/Washington and Marc Hequet/Minneapolis

BODY:

For travelers already concerned about airline safety, the scene in a Moorhead, Minn., bar last March was hardly reassuring. Captain **Norman Prouse**, a 22-year veteran of Northwest Airlines, drank at least 15 and perhaps as many as 20 rum-and-Diet Cokes in an eight-hour stretch. First Officer Robert Kirchner and flight engineer Joseph Balzer shared at least six pitchers of beer. Less than 10 hours later, the crew flew a Boeing 727 with 91 passengers on a 50-minute hop from the adjacent community of Fargo, N. Dak., to Minneapolis. While the flight arrived without incident, Northwest fired the pilots for drinking within 12 hours of flying, and the Federal Aviation Administration revoked their licenses.

The former flyers faced further punishment last week as a jury in Minneapolis deliberated federal criminal charges against them. Safety groups have been carefully watching the case, which is the first against commercial pilots under a 1988 law that prohibits persons from operating a common carrier while under the influence of alcohol. If convicted, the defendants could each be sentenced to up to 15 years in prison and ordered to pay \$250,000 in fines.

As attorneys completed their arguments, an article in the New England Journal of Medicine indicated that even modest amounts of alcohol could seriously impair a pilot's performance in the cockpit. The study, by Drs. Jack Modell and James Mountz of the University of Michigan, urged that pilots be kept from flying if their blood-alcohol level measures more than 0.01%. The current FAA limit is 0.04%. In the Northwest case, the blood-alcohol level of **Prouse**, 51, was found to be 0.12% shortly after the flight. Balzer, 35, and Kirchner, 36, had levels of 0.07% and 0.06%. (The limit for driving a car in many states is 0.10%.) **Prouse's** lawyer offered a novel defense: he argued that his client was a long-standing alcoholic and could therefore tolerate high concentrations of alcohol in the blood without becoming drunk.

Bar patrons said the three pilots seemed shaky when they finished drinking at the Speak Easy bar on March 7 before their 6:30 a.m. flight. According to witnesses, Kirchner and Balzer had trouble walking when they left at 10:30 p.m. **Prouse** fell over backward in his chair when he tried to stand an hour later. **Prouse** returned to the bar about 20 minutes after leaving to ask for directions to his nearby hotel.

Alarmed by the pilots' drinking, a bar customer alerted the Fargo office of the FAA. The patron, a Moorhead lumber salesman, later testified that "my parents were flying back to Florida the next day, and I was concerned they would get on a plane with a bunch of drunken pilots."

When an FAA inspector confronted **Prouse** and Kirchner at the airport at 5:45 a.m., he reported smelling alcohol. Balzer arrived half an hour later and offered to take "any type of test." But as the inspector telephoned an FAA safety office, the pilots completed their preflight preparations and took off. Disconcerted FAA officials met the crew in Minneapolis and quickly administered blood tests.

Despite the potentially dangerous episode, cockpit drunkenness is relatively rare. According to the Federal Aviation Administration, the rate of alcoholism is roughly the same for commercial pilots as for the U.S. population as a whole, affecting about 1 individual in 7. "We are not in a general sense concerned about alcohol use," says a spokesman for the

Flight Safety Foundation, a Virginia-based research group. "We are always on the lookout, but there's no evidence that we have a significant problem."

Yet a program launched by the Airline Pilots Association has encouraged 1,200 problem drinkers, or about 3% of the pilot work force, to come forward for treatment since 1973. The flyers keep their jobs and can return to the air after they have been rehabilitated, which may take six months to a year. Special monitors, who are usually other pilots, supervise the recovering alcoholics for an additional two years. Northwest joined the program only last year. The carrier had previously grounded problem drinkers for at least two years, a policy that the airline now acknowledges may have discouraged heavy drinkers from seeking help.

GRAPHIC: Picture 1, The three flyers seemed shaky after eight hours in the bar. descColor: Sign, SPEAK EASY Restaurant Lounge., PER BREIEHAGEN; Picture 2, **Prouse** See above. descColor: **Norman Prouse.**, PER BREIEHAGEN; Picture 3, Kirchner See above. descColor: Robert Kirchner., LARRY SALZMAN -- AP; Picture 4, Balzer See above. descColor: Joseph Balzer., LARRY SALZMAN -- AP

Copyright 1990 The New York Times Company
The New York Times

August 25, 1990, Saturday, Late Edition - Final

SECTION: Section 1; Page 9, Column 4; National Desk

LENGTH: 126 words

HEADLINE: Convicted Northwest Pilots Plead Guilty to a 2d Charge

BYLINE: Reuters

DATELINE: FARGO, N.D., Aug. 24

BODY:

Two of the three members of a Northwest Airlines crew who were convicted in a Federal court this week of flying their plane and its 73 passengers while drunk have pleaded guilty to a second charge growing out of the incident.

The two men, **Lyle Prouse**, 51 years old, of Conyers, Ga., captain of the flight, and his second officer, Robert Kirchner, 35, of Highland Ranch, Colo., pleaded guilty on Thursday to charges of operating an aircraft while intoxicated.

The charges were filed under North Dakota law.

The men were given a suspended sentence of six months' imprisonment and fined \$1,000 each.

The third member of the crew, the flight engineer, Joseph Balzar, 35, of Antioch, Tenn., is due in Cass County court next week to answer the same charge.

Copyright 1990 The Times Mirror Company
Los Angeles Times

August 22, 1990, Wednesday, Home Edition

SECTION: Metro; Part B; Page 6; Column 3; Editorial Writers Desk

LENGTH: 358 words

HEADLINE: THE HIGH AND THE MIGHTY

BODY:

A mere hangover can be enough to cloud a pilot's judgment. Flying drunk is far worse -- not only stupid but also illegal and against the rules at every airline.

Yet the case of three Northwest Airlines pilots convicted of flying on too much alcohol and too little sleep suggests that there are holes in the system designed to keep drunks out of the cockpit. Congress owes it to the flying public to plug up those holes.

You don't have to look much beyond the case of Capt. **Norman Prouse** to know that the system isn't working. His defense was that he is an alcoholic and tolerates larger amounts of booze than the average man. Oh, sure. And, having admitted to a drinking problem, he should know that people might well wonder how many other times he might have strolled aboard after inhaling a bunch of rum and Cokes into the wee hours, as he did last March. And wonder if anyone in authority cared to notice.

Most large corporations, airlines included, operate safety-net programs for employees who find themselves addicted to alcohol or drugs, and Congress should do nothing to interfere with them.

The more science probes, the more evidence emerges that addiction is a disease, not a character flaw. But things can be done. An obvious change is in the FAA rule that requires pilots to submit to tests for drugs but not for alcohol.

The Northwest pilots argued that they were alert enough to get their 91 passengers where they wanted to go. Well, maybe, but why run that kind of risk? And would not any passenger who even suspected that the captain had downed 15 drinks the night before -- while the rest of the crew was sharing pitchers of beer -- have bolted for the door?

The very fact that the captain knew he had been drinking and nevertheless climbed behind the controls of the plane is itself evidence of severely impaired judgment.

There are signs that pilots drink and fly often enough to indicate that it is not a remote problem. An average of 10 commercial pilots a year lost their licenses in the late 1980s for flying under the influence. Congress must put an end to this practice with tougher screening and testing.

LANGUAGE: ENGLISH

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

August 21, 1990, Tuesday, PM cycle

SECTION: Business News

LENGTH: 632 words

HEADLINE: Jury: Pilots Showed Impaired Judgment By Ignoring Warning

BYLINE: By TONY KENNEDY, Associated Press Writer

DATELINE: MINNEAPOLIS

BODY:

The jury that convicted three former pilots of flying a jetliner while under the influence of alcohol reasoned they were drunk because they didn't have the sense to heed a federal inspector's warning not to fly.

"If they weren't concerned about the passengers' lives, they should have at least been thinking about their own careers," said jury forewoman Ruth Boylan.

The jury deliberated three days before finding the former Northwest Airlines pilots guilty Monday in the first test of a 1986 federal law aimed at cracking down on alcohol and drug use on commercial transportation.

The pilots flew a Boeing 727 with 91 passengers from Fargo, N.D., to Minneapolis after Federal Aviation Administration inspector Verle Addison, tipped off to their heavy drinking the night before, met them at the Fargo departure gate and warned them not to fly.

"If they had heeded Mr. Addison's warning and just said, 'Hey, if there's questions we'll call Northwest and get another cockpit crew,' " Boylan said. "None of them showed that judgment."

Convicted of operating a jetliner while intoxicated were Capt. **Norman Lyle Prouse**, 51, of Conyers, Ga.; 1st Officer Robert Kirchner, 36, of Highland Ranch, Colo., and flight engineer Joseph Balzer, 35, of Antioch, Tenn.

The offense carries up to 15 years in prison and a \$250,000 fine. No sentencing date was set. The defendants were freed without bail.

According to testimony, the pilots went to a lounge the night before the early morning flight March 8, where Balzer and Kirchner shared six pitchers of beer. **Prouse** had 15 to 20 rum and Diet Cokes and fell on his way out of the bar, according to testimony.

Two hours after their arrest, tests showed **Prouse** with a blood-alcohol level of 0.13 percent; Balzer 0.08 percent, and Kirchner 0.06 percent. The legal limit for driving in most states is .10 percent.

The 1986 law suggests that a person with a blood-alcohol content of 0.10 percent would be impaired. But the law does not define drunkenness with a specific blood-alcohol level.

U.S. District Judge James Rosenbaum told the jury it had to decide whether the pilots were so impaired that they lacked "clearness of intellect" and their usual control.

Defense lawyers argued that the smoothness of the 40-minute flight proved the pilots were not impaired and that **Prouse** was an alcoholic with a high tolerance for alcohol. But Assistant U.S. Attorney Elizabeth de la Vega questioned whether they could have handled an emergency.

De la Vega said she won despite the lack of trouble with the flight because "as a matter of common sense people know that someone can be under the influence and not show it at all."

After the verdict, many people, including the prosecutor, called for toughening the law. De la Vega suggested a limit of 0.04 percent.

Addison had testified he smelled alcohol on the pilots' breath at the gate. He said he wondered aloud if they had violated the FAA rule against drinking within eight hours of a flight.

Addison, who had no authority to stop the flight, warned **Prouse** there would be no violation if the plane stayed where it was. Instead, the pilots flew to the Minneapolis-St. Paul Airport, where they were arrested.

William Mauzy, Kirchner's lawyer, said he would appeal. Peter Wold, attorney for **Prouse**, said he was considering an appeal. Bruce Hanley, attorney for Balzer, did not comment.

Northwest fired the pilots for violating company policy by drinking within 12 hours of a flight, and the FAA revoked their licenses.

Balzer said he will fight to regain his license. "It's kind of hard to keep a good pilot on the ground," he said. "That's kind of like asking Picasso if he were going to paint again."

Prouse said he is not hopeful of flying again. "I came in expecting the worst," he said.

GRAPHIC: LaserPhoto MP1

NORMAN LYLE PROUSE (92%); **ROBERT KIRCHNER** (75%); **JOSEPH BALZER** (75%); **VERLE ADDISON** (71%); **ELIZABETH DE LA VEGA** (65%);

Copyright 1990 Burrelle's Information Services
CBS News Transcripts

SHOW: CBS MORNING NEWS (6:30 AM ET)

August 21, 1990, Tuesday

TYPE: Newscast

LENGTH: 131 words

HEADLINE: JURY CONVICTS PILOTS OF FLYING WHILE INTOXICATED

ANCHORS: Victoria Corderi

BODY:

Victoria Corderi, co-anchor:

Three former airline pilots face up to 18 months in jail, convicted by a Minneapolis jury of flying while intoxicated. The pilots were accused of flying a Northwest Airlines jet from Fargo, New Dakota, to Minneapolis after a long night of drinking at a local tavern.

The flight went smoothly even though the captain admitted drinking up to 20 rum and Cokes less than eight hours before take-off.

Norman Prouse (Former Northwest Airlines Pilot): The jury had a tough job to do and they did it to the best of their ability. It--I believe in this system. I always have and I continue to feel that way.

Unidentified Reporter: Did it treat you fairly?

Prouse: I think, overall, it did, yes.

Corderi: Northwest fired the pilots after the incident.

LOAD-DATE: August 21, 1990

August 21, 1990, Tuesday, Home Edition

SECTION: Part A; Page 1; Column 2; National Desk

LENGTH: 804 words

HEADLINE: AIRLINE CREW FOUND GUILTY OF FLYING DRUNK

BYLINE: By ERIC HARRISON, TIMES STAFF WRITER

DATELINE: CHICAGO

BODY:

Three former Northwest Airlines pilots were found guilty in federal court in Minneapolis on Monday of flying while intoxicated.

In the first convictions under a federal law that cracks down on drinking and drug use by pilots, the jury found flight captain **Norman Prouse**, 51, of Conyers, Ga., co-pilot Robert Kirchner, 36, of Highlands Ranch, Colo., and flight engineer Joseph Balzer, 35., of Antioch, Tenn., guilty of flying a Boeing 727 with 91 passengers aboard from Fargo, N.D., to Minneapolis while drunk.

The pilots, who were released on bail, could face a maximum sentence of 15 years in prison and a \$250,000 fine under the felony convictions. The punishments will be decided after authorities complete a pre-sentencing investigation.

"I came into this expecting the worst," **Prouse** said after the verdicts were announced. "In that sense, I had no surprise." His lawyer said he would appeal the conviction.

In his defense during the trial, **Prouse** did not contest evidence that he drank heavily the night before the flight. But he argued that, as an alcoholic who had been drinking for 35 years, he had built up a tolerance to alcohol and did not get drunk easily.

The three were arrested on March 8 after landing at Minneapolis-St. Paul International Airport after a bar customer in Moorhead, Minn., near Fargo, reported the heavy drinking to the Federal Aviation Administration.

A test taken after the plane landed showed **Prouse** had a blood-alcohol concentration of 0.13%, far exceeding the FAA's .04% limit for flying. Kirchner showed a blood-alcohol concentration of 0.06%, and Balzer showed 0.08%.

Assistant U.S. Atty. Elizabeth de la Vega argued during the trial that, even though the pilots successfully completed their flight without incident, the tests showed that their skills had been seriously impaired.

According to bills from the Moorhead, Minn., lounge introduced as evidence, **Prouse** ordered 15 rum and Diet Cokes and Balzer and Kirchner shared seven pitchers of beer over a period of about six hours. In addition, there was testimony that other customers bought more drinks for the pilots.

The trial opened July 25. The jury began deliberations last Thursday.

Northwest Airlines, after conducting an eight-day investigation, fired the three men for violating the company's 12-hour prohibition on drinking before flying. **Prouse** and Kirchner are appealing their dismissals. Balzer had no right to appeal because he was a probationary employee, Northwest spokesman Douglas Miller said.

A spokesman for the Air Line Pilots Assn. said Monday that Northwest, until last year, had an anti-drinking policy that was among the most punitive of any major airline. The tough policy may have driven pilots with drug and alcohol problems underground instead of encouraging them to seek help, he said.

"We think that it might not be coincidental that Northwest up until last year . . . was not cooperating with our (drug and alcohol rehabilitation) program," said John Mazor, the union spokesman. "They more or less held on to the old-line attitude" toward drug and alcohol abuse.

Miller said the airline realized the inadequacy of its old policy and changed it to make it more "humane" in June, 1989.

"We've made some refinements in the program that . . . make it easier for pilots to come forward if they have a problem," he said. The airline now pays for rehabilitation and does not force pilots to use vacation and sick time while enrolled in a rehabilitation program. In addition, pilots who go through rehabilitation are now grounded for six months instead of two years, he said.

After going through rehabilitation and regaining their licenses, pilots are subjected to regular testing, he said.

All of the major airlines "in varying degrees" encourage rehabilitation, Mazor said. Addiction is now viewed as a disease instead of a sign of weakness of character or moral degeneracy, he said.

Northwest Airlines became the butt of jokes by television comedians after the arrests, but Miller said Northwest did not suffer a loss of passengers. "We think the general traveling public realized that this is a very rare circumstance, and they realized we are a safe airline and an airline of integrity," he said.

He said Northwest made no special attempt to counteract the negative publicity. "We suffered a black eye," he said, "and we just tried to get through it the best we could."

The law providing criminal penalties for operating a commercial plane, boat, train or bus while under the influence of alcohol or drugs was enacted in 1986 and amended in 1988.

A long-stalled bill introduced in the Senate would require random testing of pilots for alcohol abuse. The bill is opposed by the pilots' union on constitutional grounds and because it is considered punitive, Mazor said.

GRAPHIC: Photo, Flying Under the Influence: A federal jury in Minneapolis convicted three former Northwest Airlines pilots of flying while intoxicated. Captain **Norman Prouse**, co-pilot Robert Kirchner, and flight engineer Joseph Balzer were the first to be found guilty under a federal law that cracks down on drinking and drug use by pilots. Outside the court, **Prouse**, above right, said: "I came into this expecting the worst. In that sense, I had no surprise." Associated Press

LANGUAGE: ENGLISH

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

August 20, 1990, Monday, AM cycle

SECTION: Business News

LENGTH: 659 words

HEADLINE: Jury Convicts Pilots of Flying While Under Influence of Alcohol

BYLINE: By TONY KENNEDY, Associated Press Writer

DATELINE: MINNEAPOLIS

BODY:

A jury Monday convicted three former Northwest Airlines pilots of flying while intoxicated, rejecting defense claims that the smoothness of the 91-passenger flight proved they were not impaired.

The convictions were the first under a 1986 federal law cracking down on drinking and drug use in commercial transportation, said Assistant U.S. Attorney Elizabeth de la Vega.

"The impact of the trial was more than the verdict," she said. "With the attention it's been given for months, it's had an impact on pilots."

The felony conviction carries a maximum 15 years in prison and a \$250,000 fine. However, de la Vega said sentencing guidelines called for prison terms of 12 to 18 months.

"I came into this expecting the worst, so in that sense I had no surprise," said former Capt. **Norman Lyle Prouse**, who testified he drank up to 20 rum and Diet Cokes at a lounge the night before Flight 650 left Fargo, N.D., on March 8.

The Boeing 727 landed safely at the Minneapolis-St. Paul International Airport, where the pilots were arrested. A customer who argued with one of the pilots at the lounge had reported them to the Federal Aviation Administration.

Prouse, 51, of Conyers, Ga.; 1st Officer Robert Kirchner, 36, of Highland Ranch, Colo.; and flight engineer Joseph Balzer, 35, of Antioch, Tenn., each were convicted of one count of operating a common carrier while under the influence of alcohol or drugs.

U.S. District Judge James Rosenbaum ordered a presentence investigation and released the defendants on their own recognizance.

William Mauzy, attorney for Kirchner, said he would appeal. Balzer's attorney, Bruce Hanley, declined to comment, and Peter Wold, **Prouse's** lawyer, said he was considering an appeal.

A waitress at the Speak Easy lounge in Moorhead, Minn., adjacent to Fargo, testified that **Prouse** fell as he left the bar at about 11:30 p.m. and returned to get directions to his hotel, which was about three blocks away.

Balzer and Kirchner shared at least six pitchers of beer and left the bar about an hour before **Prouse**, according to testimony.

The plane left at 6:30 the next morning.

Prouse, an acknowledged alcoholic who entered a treatment program after his arrest, said he had little hope of flying again. Balzer was more optimistic.

"It's kind of hard to keep a good pilot on the ground," Balzer said. "That's kind of like asking Picasso if he were going to paint again."

The federal law against flying under the influence of alcohol doesn't define drunkenness as a specific blood-alcohol level, as do many state drunken-driving laws. However, it suggests that a pilot with a blood-alcohol content of 0.1 percent would be impaired. The law, adopted in 1986 and amended in 1988, also applies to those controlling commercial boats, trains and passenger-carrying buses.

In tests about two hours after the plane landed, **Prouse** had a blood-alcohol concentration of 0.13 percent, Kirchner's was 0.06 percent and Balzer's was 0.08 percent.

Defense lawyers argued that the smoothness of the 40-minute flight proved the pilots were not impaired.

But de la Vega questioned whether they could have handled an emergency.

Herbert Moskowitz, a behavioral scientist, testified for the prosecution that as little as half a can of beer can cause delayed reactions.

A blood-alcohol concentration of just 0.03 percent cause significant impairment, he testified.

"I think it came down to the expert testimony of Dr. Moskowitz," the prosecutor said. "That was the key part of the trial."

Jurors deliberated about nine hours on the case.

Before the law was enacted, pilots were covered only by FAA regulations.

Northwest fired all three pilots for drinking within 12 hours of a scheduled flight and the FAA revoked their licenses. The agency forbids pilots from flying within eight hours of drinking or from flying with a blood-alcohol content of 0.04 percent or more.

The three also face misdemeanor charges in North Dakota.

GRAPHIC: LaserPhoto MP2

NORMAN LYLE PROUSE (93%); **JOSEPH BALZER** (90%); **ROBERT KIRCHNER** (65%);

Copyright 1990 Burrelle's Information Services
CBS News Transcripts

SHOW: CBS EVENING NEWS (6:30 PM ET)

August 20, 1990, Monday

TYPE: Newscast

LENGTH: 257 words

HEADLINE: NORTHWEST PILOTS FOUND GUILTY OF FLYING WHILE INTOXICATED

ANCHORS: Bob Schieffer

REPORTERS: Eric Engberg

BODY:

Bob Schieffer, co-anchor:

And Bob Schieffer here with some of the other news of the day now. A federal jury in Minneapolis today returned a verdict in a case involving a commercial airline flight that lasted only about an hour, but people who fly will be talking about it for a long time.

Eric Engberg narrates our report from New York.

Eric Engberg reporting:

In an episode that sent shivers up the backs of America's flying public, the three members of the Northwest Airlines flight crew had been arrested last March after flying a 727 from Fargo, North Dakota, to Minneapolis. A jury deliberated three days before finding them guilty of flying while impaired by alcohol, the first convictions under a new federal law. Evidence showed the two junior crewmen shared seven pitchers of beer the night before the flight. The pilot drank 15 or more rum and colas, and claimed that as an alcoholic, his tolerance for liquor was higher. Turned in by a fellow bar customer, the crew members tested for higher blood alcohol levels than the FAA permits.

Elizabeth de la Vega (Prosecutor): And there's really not much question that at these levels, people would be seriously impaired, even if you can't see it.

Unidentified Reporter: If you was to do it over again, what would you do?

Norman Prouse (Convicted Pilot): You can't be serious. You can't be serious.

Engberg: Sentencing will come later. Federal guidelines call for a 12-to 18-month sentence. All three men have already been fired by their airline. Eric Engberg, CBS News, New York.

LOAD-DATE: August 20, 1990

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

August 13, 1990, Monday, PM cycle

SECTION: Business News

LENGTH: 616 words

HEADLINE: Jury in Pilots' Trial Weighing Smooth Flight Against Blood-Alcohol Evidence

BYLINE: By TONY KENNEDY, Associated Press Writer

DATELINE: MINNEAPOLIS

BODY:

If three former Northwest Airlines flight officers are to be found guilty of flying while intoxicated, jurors must conclude they were impaired by alcohol despite their apparently solid performance.

With the third week of testimony in the federal trial to start Monday, defense attorneys have demonstrated that Flight 650 on March 8 from Fargo, N.D., to Minneapolis-St. Paul was smooth despite freezing drizzle.

"Overall, I don't see any area that I can point to and say they fell short," said Robert Collette, an expert defense witness who reconstructed the flight based on tape-recorded communications between the crew and air traffic controllers.

Assistant U.S. Attorney Elizabeth de la Vega has not uncovered any problems with the flight. But she has hard evidence that alcohol was lingering in the pilots' bodies from a night of heavy drinking which ended for the captain within about seven hours of the flight.

Capt. **Norman Lyle Prouse** has admitted drinking more than 15 rum and colas and a waitress at the Speak Easy restaurant and lounge in Moorhead has testified that First Officer Robert Kirchner and Flight Engineer Joseph Balzer shared seven pitchers of beer. Kirchner and Balzer left the bar about 10:30 p.m., about an hour before **Prouse**, she testified.

In blood-alcohol tests performed two hours after the Boeing 727 safely landed 91 passengers at the Minneapolis-St. Paul International Airport, **Prouse** showed a blood-alcohol content of 0.13 percent - more than legal limit for driving cars in Minnesota and other states.

Each pilot is charged with operating an aircraft while under the influence of alcohol. The case marks the first time that commercial pilots have been tried under the 1988 federal law provision prohibiting operation of a common carrier while under the influence of alcohol.

However, unlike state drunken driving laws, the federal law does not specify an illegal blood-alcohol content.

"The issue is not what his condition was the night before or what his alcohol content was the next day," **Prouse's** lawyer, Peter Wold, told jurors. "The government must show their abilities were impaired. Based on all the evidence, we will show you their abilities were very good."

De la Vega's final witness, behavioral scientist Herbert Moskowitz, said tests have proven that all humans are impaired by alcohol when their blood-alcohol content hits a mere 0.01 percent - the equivalent of half a beer. He said "significant impairment" of vision, information processing and short-term memory occur in all people beginning at blood-alcohol levels of 0.02 percent and 0.03 percent.

"Any amount of alcohol reduces or decreases your ability to perform," Moskowitz testified. "There's no way you can look at somebody and tell that their brain is operating more slowly, but it is when you have alcohol in your system."

Prouse agreed under cross-examination Thursday that it's dangerous to fly within eight hours of drinking.

But he said he did not believe he was endangering any lives when he ignored a caution from an FAA inspector in Fargo not to fly.

"I'd think it was dangerous if I was impaired," **Prouse** said.

Prouse, 51, said he was accustomed to heavy drinking because he is an alcoholic. Part of his defense is that he has a high tolerance for alcohol that makes it harder for him to get drunk.

A bar patron reported the three crew members to the Federal Aviation Administration.

They were arrested when the plane landed in the Twin Cities. Northwest fired them for breaking the company rule of drinking within 12 hours of flying, and the FAA has revoked their licenses.

If convicted, the pilots face a maximum 15 years in prison and a \$250,000 fine.

NORMAN LYLE PROUSE (95%); JOSEPH BALZER (55%); ROBERT KIRCHNER (55%);

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

August 13, 1990, Monday, AM cycle

SECTION: Domestic News

LENGTH: 490 words

HEADLINE: Scientist Says Blood-Alcohol Not Enough to Judge Impairment

BYLINE: By TONY KENNEDY, Associated Press Writer

DATELINE: MINNEAPOLIS

BODY:

Evidence of alcohol in the blood doesn't always mean a person is impaired, a behavioral scientist testified Monday at the trial of three former Northwest Airlines pilots charged with flying while intoxicated.

James Wilson, a psychology professor at the University of Colorado at Boulder, testified for the defense that impairment by alcohol varies from person to person. Some test subjects, he said, have been unimpaired with a blood-alcohol content as high as .10 percent, he said.

"Everybody is different," he said. "A lot of people dosed (with alcohol) are steadier than a lot of people sober."

Wilson's testimony in the trial of Capt. **Norman Lyle Prouse**, 1st Officer Robert Kirchner and flight engineer Joseph Balzer conflicted with the testimony of a prosecution witness. Herbert Moskowitz, also a behavioral scientist, told the federal jury last week that all people are impaired beginning with alcohol concentrations as low as .01 percent.

The three pilots are accused of flying a Boeing 727 on March 8 from Fargo, N.D., to the Twin Cities while under the influence of alcohol they drank the night before at a lounge in Moorhead. Blood-alcohol tests taken two hours after Flight 650 landed showed blood-alcohol concentrations of .13 percent for **Prouse**, .08 percent for Balzer and .06 percent for Kirchner.

The pilots are being tried in U.S. District Court on charges of operating an aircraft while under the influence of alcohol. The case marks the first time that commercial pilots have been tried under the 1988 federal law provision prohibiting operation of a common carrier while under the influence of alcohol.

Unlike state drunken-driving laws, the federal law doesn't specify an illegal blood-alcohol content. To find the pilots guilty, jurors must conclude they were impaired by alcohol despite their apparently solid performance.

Prouse has said he is an alcoholic with a built-up tolerance.

Wilson testified that there are three types of tolerance to alcohol: chronic, acute and innate. People who drink heavily can develop chronic tolerances and the children of alcoholics are sometimes innately tolerant of the drug, he said.

In addition, people can become more tolerant to alcohol during a single drinking session, he said. He said all three types of tolerance can be at work in the same person, making it possible for a drinker to be unimpaired after significant doses of alcohol.

Assistant U.S. Attorney Elizabeth de la Vega asked Wilson if he thought it would be safe for a pilot with a blood-alcohol content of .15 percent to fly a passenger jet.

"Very possibly," Wilson said.

She asked if it would be more safe if that pilot was an alcoholic.

"Quite likely," he said.

Thomas Burr, an expert on alcohol testing who also testified Monday for the defense, said alcohol impaired only about half of the people he has seen tested to have blood-alcohol concentrations between .05 percent and .08 percent.

JAMES WILSON (92%); **NORMAN LYLE PROUSE** (74%); JOSEPH BALZER (59%); ROBERT KIRCHNER (59%); HERBERT MOSKOWITZ (54%);

Copyright 1990 U.P.I.

August 8, 1990, Wednesday, BC cycle

SECTION: Domestic News

LENGTH: 903 words

HEADLINE: Expert says 3 pilots responded well to in-flight commands

DATELINE: MINNEAPOLIS

BODY:

A retired air traffic consultant testified Wednesday that three former Northwest Airlines pilots accused of flying under the influence of alcohol reacted quickly to controllers' commands during a March 8 flight.

"There were no instances of non-compliance nor were there any lapses in their responses," said Robert Collette, a retired Federal Aviation Administration safety consultant. "They were able to react to several unplanned events (during the flight) in a timely manner."

But under cross-examination, the witness acknowledged that the maneuvers were routine, and that he could not fairly call himself an expert on piloting a jetliner.

Collette led the U.S. District Court jurors through an introductory course in air traffic control procedures and offered a detailed explanation as they listened to a 20-minute excerpt of the flight audio tape conversation between the pilots and airport personnel.

Using about a dozen transparencies of radar tapes, flight maps and runway diagrams, Collette reconstructed the pilots' flight from its 6:30 a.m. takeoff in Fargo, N.D., to its instrument landing at Minneapolis-St. Paul International Airport about 40 minutes later.

The voice and radar tapes were entered into evidence as lawyers for the three crew members began the defense phase of the trial. Testimony from two air safety specialists working at control centers along the flight path that morning also indicated that the pilots guided the Boeing 727 with 91 passengers aboard in an appropriate and professional manner.

The defense contends that by guiding the aircraft safely through adverse weather, the pilots -- flight captain **Norman Prouse**, 51, of Conyers, Ga., co-pilot Robert Kirchner, 36, of Highland Ranch, Colo., and flight engineer Joseph Balzer, 34, of Antioch, Tenn. -- were not impaired by alcohol during the flight.

The prosecution, however, produced several witnesses who testified that the pilots consumed at least six pitchers of beer and 15 mixed drinks at a Moorhead, Minn., bar the night before they flew Flight 650. An unidentified witness at the bar notified the airline.

Blood tests conducted about two hours after they landed showed the pilots had alcohol levels of between 0.12 percent to 0.06 percent and prosecution experts said that their blood-alcohol levels may have been 0.02 to 0.03 percent higher when they actually piloted the jet. In most states, motorists with a blood-alcohol level of 0.10 are considered legally drunk.

The defendants are the first people charged under a 1986 federal law that prohibits pilots from having a blood-alcohol concentration higher than 0.10 when flying. Pilots, however, can also be found guilty of flying under the influence with lower levels.

Collette testified that **Prouse** and the other two pilots responded quickly and properly to a variety of changing conditions as they approached the Twin Cities airport. He said the airport was unusually busy that morning and that a freezing drizzle and a heavy cloud cover required the pilots to use instruments to land.

"I would consider it a moderately hard day to fly. It was not a normal day," he said.

Collette explained the many changes in airspeed, altitude, headings and radio communications and other steps the pilots had to make during their approach into Minneapolis. Controllers at the airport asked **Prouse** to change runways, a maneuver Collette described as relatively difficult for the pilots to perform at such a late point in the jet's approach.

"There were no problems indicated" by the flight tapes that the crew had any problems with any of the maneuvers, Collette said.

At one point, Collette asked to have the tape rewound so jurors could listen to **Prouse's** speed in responding to controllers' commands. The request, however, was overruled by Judge James Rosenbaum.

Under cross-examination by Assistant District Attorney Elizabeth de la Vega, Collette conceded that the flight may not have been as difficult as he described in earlier testimony.

He concurred with several pointed questions by de la Vega that many of the pilot maneuvers he described, such as switching radio frequencies, altitude changes, sharp banks by the airplane or dealing with inclement weather, were actually routine aspects of early-spring flying in Minnesota.

Further trying to discredit Collette's testimony, de la Vega noted that he was neither a pilot nor an expert on the effect of alcohol on a person's ability to fly. When Collette agreed he was not, de la Vega said, "So you're not really an expert at all on what pilots do."

"No," Collette replied, "But I am an expert on the nation's airspaces."

"But you're not even qualified to talk as an expert on that," de la Vega said, concluding her cross-examination.

De la Vega also objected several times through Collette's testimony that he was "editorializing" his observations of the flight's events.

Barry Ziegler, an FFA quality assurance specialist at the Minneapolis airport, described the March 8 flight as routine and said, "If an incident had occurred, a report would have been made."

There are no non-compliance reports concerning the flight on record with the FAA, he said.

But during cross-examination, de la Vega asked Ziegler whether the tapes indicated if the pilots would have been able to handle a possible emergency had one occurred. Ziegler replied, "No."

Copyright 1990 U.P.I.

August 7, 1990, Tuesday, BC cycle

SECTION: Domestic News

LENGTH: 703 words

HEADLINE: Expert: Northwest pilots were 'significantly' impaired

DATELINE: MINNEAPOLIS

BODY:

The government rested its case Tuesday against three fired Northwest Airlines pilots accused of flying under the influence of alcohol, with experts testifying the crew was "significantly" impaired.

Herbert Moskowitz, a retired psychology professor at the University of California, Los Angeles, testified that he "absolutely" thought all three pilots were adversely affected by alcohol during the flight.

Moskowitz, an expert witness called by the prosecution, said tiny amounts of alcohol, even as low as .015 percent, "significantly" impaired the pilots' ability to fly.

He said that the defendants -- flight captain **Norman Prouse**, co-pilot Robert Kirchner and flight engineer Joseph Balzer -- were adversely affected by the alcohol, even at the lower levels they indicated when they tested several hours after they landed.

The flight crew was arrested by police acting on a tip that they were flying under the influence of alcohol during a March 8 flight from Fargo, N.D., to Minnesota.

Richard Prouty, chief of forensic toxicology for the state of Oklahoma, also testified Tuesday and defended the so-called "back calculations," which the government used to estimate the pilots' blood alcohol level during the actual flight.

The pilots' were twice tested for alcohol levels about 2 hours and again about four hours after the flight landed. The Federal Aviation Administration lifted the pilots' licences the next day and Northwest fired them a week later.

The tests showed **Prouse** had a blood-alcohol level of about .12 percent while Kirchner had a level of .06 percent and Balzer .04 percent. In most states, a blood-alcohol level of .10 is considered legally drunk for motorists.

Prouty testified Monday that each of the defendants blood-alcohol levels were likely .02 to .03 percent higher when they were at the controls of Flight 650 with 91 passengers aboard.

Moskowitz said that a pilot needs a complicated range of abilities -- such as reading a large number of instruments, processing information and reacting to changing conditions in addition to physically controlling the aircraft -- and all would be impaired by alcohol.

"There is no way to look at a person and know that his visual abilities are impaired, that his perceptions are slowed or that his reaction time is slowed," he said under questioning by U.S. Assistant District Attorney Elizabeth de la Vega. "These are all internal events and often the person is unaware that these things are happening."

Moskowitz said a person's ability to divide attention between several tasks begins to be impaired at a level of .01 percent, with reaction time slowed at between .02 percent to .03 percent, and short-term memory affected at about .04 percent.

He also discounted arguments by Peter Wold, **Prouse's** attorney, who has said the captain was not impaired due to a higher tolerance for alcohol. Moskowitz said although a more experienced or heavier drinker may show less overt signs of intoxication, he is nevertheless affected by drinking.

"The threshold of impairment is the same, although the degree (between social drinkers and heavier drinkers) is not," he said.

Moskowitz also said some drinkers learn to mask their impairments, particularly those of motor skills. "He kind of gets sea-legs," he said. "It's easier to develop muscular compensation for action often observed" such as walking or talking.

Several witnesses earlier testified that the pilot did not show any obvious signs of drunkenness, such as slurred speech or bodily swaying, when they observed them at the Fargo and Minneapolis airports.

Moskowitz did concede, however, that a person is more impaired when he or she is still absorbing alcohol into the body rather than when the individual has stopped drinking.

After de la Vega concluded her case against the pilots, Judge James Rosenbaum again denied defense motions to have the pilots tried separately. He also denied defense motions to have entered into evidence testimony from another trial by a doctor who opposes the use of back-calculating blood alcohol levels.

The pilots' attorneys have said that the pilots will testify during the defense phase of the trial.

GEOGRAPHIC: MINNESOTA, USA (53%); OKLAHOMA, USA (52%); LOS ANGELES, CA, USA (57%);

August 1, 1990, Wednesday, NORTH SPORTS FINAL EDITION

SECTION: NEWS; Pg. 3; ZONE: C

LENGTH: 530 words

HEADLINE: Pilot's defense: Had 'tolerance to alcohol'

BYLINE: From Chicago Tribune wires

DATELINE: MINNEAPOLIS

BODY:

One of three former Northwest Airlines pilots accused of flying while intoxicated doesn't get drunk easily because he is an alcoholic, his lawyer said Tuesday at his trial.

"A person who consumes alcohol builds up a tolerance to alcohol. Your body resists the effects of alcohol," said attorney Peter Wold, referring to his client, Capt. **Norman "Lyle" Prouse**.

Prouse is not "a Skid Row drunk" and had no trouble flying a Boeing 727 from Fargo, N.D. to Minneapolis March 8, despite evidence that he consumed at least 17 rum and Diet Cokes the night before, Wold said in his opening argument.

Prouse, of Conyers, Ga.; 1st Officer Robert Kirchner, of Highland Ranch, Colo., and flight engineer Joseph Balzer, of Antioch, Tenn., are charged with operating the aircraft while under the influence of alcohol. The federal felony theoretically carries a maximum penalty of 15 years in prison and a \$250,000 fine.

Prouse had been drinking for 35 years and entered a treatment program after his arrest, Wold said.

Assistant U.S. Attorney Elizabeth de la Vega said in her opening statement Tuesday that while the pilots "may not have been staggering drunk," results of blood-alcohol tests will show that their skills were impaired seriously.

In testimony Tuesday, bar patron Leslie Stenerson, a Moorhead, Minn., lumber salesman, said he notified authorities about the three pilots because he didn't want his parents flying off "with a bunch of drunk pilots." Outside the courtroom, he refused to elaborate.

All three pilots had blood-alcohol contents exceeding .04 percent, the Federal Aviation Administration's limit for flying, according to test results admitted Tuesday as evidence.

Defense lawyers said Tuesday that the flight, carrying 91 passengers, went flawlessly.

"The issue is not what his condition was the night before or what his alcohol content was the next day," Wold said. "The government must show their abilities were impaired."

Wold said he would introduce as evidence radar tapes and tapes of conversations between the pilots and air traffic controllers so the jury could judge their responses.

The blood tests showed **Prouse** still had the equivalent of eight drinks in his digestive system after the plane departed at about 6:25 a.m., and that Kirchner and Balzer had the equivalent of three beers each in their systems, said de la Vega.

An FAA investigator has testified the crew smelled of alcohol when they arrived late at the departure gate. While the investigator phoned for instructions on how to handle the situation, the plane departed. An FAA official made citizen's arrests when the plane landed.

Northwest fired the three for violating a rule prohibiting drinking within 12 hours of a scheduled flight. The FAA revoked their pilots' licenses.

According to bills from the Speak Easy bar introduced as evidence, **Prouse** ordered 15 rum and Diet Cokes while Kirchner and Balzer shared seven pitchers of beer over about six hours.

Bar waitress Kathryn Litch said patrons bought Kirchner and Balzer another pitcher of beer and that **Prouse** drank at least 2 1/2 more drinks after Kirchner and Balzer left about 10:40 p.m.

March 30, 1990

SECTION: Vol. 299, No. 63; Pg. 627

LENGTH: 222 words

HEADLINE: Northwest Captain Will Not Appeal License Revocation

BODY:

The captain of a Northwest flight whose license was revoked after he was arrested and charged with operating the aircraft under the influence of alcohol will not appeal that decision next week before the National Transportation Safety Board (NTSB). The first and second officers of the flight crew, also charged, are scheduled to contest the March 12 emergency revocation of their licenses by FAA Administrator James Busey on April 1.

Busey acted after the three were arrested on March 8 by local authorities at Minneapolis/St. Paul Airport after landing their early-morning flight from Fargo, N.D. In addition to facing local charges, the three have been charged by federal authorities.

Authorities said that blood-alcohol tests were conducted after the flight landed and that Captain **Norman Prouse** had a blood-alcohol level of 0.12%, first officer Robert Kirchner had one of 0.06% and second officer Joseph Balzer one of 0.07%. FAA regulations prohibit pilots from flying if their blood-alcohol level is higher than 0.04%. A spokeswoman for the NTSB said that FAA would present 15 to 22 witnesses at the proceeding, which is scheduled to be held in St. Paul on April 1. She said the hearing on the revocation of the captain's license had not been scheduled before the NTSB but would be heard within the year.

URL: <http://www.aviationnow.com>

COMPANY: NATIONAL TRANSPORTATION SAFETY BOARD (92%);

Copyright 1990 Globe Newspaper Company
The Boston Globe

March 18, 1990, Sunday, City Edition

SECTION: NATIONAL/FOREIGN; Pg. 1 p.

LENGTH: 1726 words

HEADLINE: How pilots got from bar to cockpit

BYLINE: By Larry Tye, Globe Staff

DATELINE: FARGO, N.D.

BODY:

Three Northwest Airlines pilots arriving at the Speak Easy bar for an evening of drinking were greeted by a sign advertising happy hour as "Bang Bang Hour," and that night's program as "Whoopie Wednesday."

For the crew of Flight 650, "Bang Bang Hour" on March 7 lasted five hours, during which the pilot ordered more than 15 rum and cokes. The first and second officers split six pitchers of beer.

After a few hours of sleep, the pilot and his officers climbed into the cockpit of a Boeing 727 and, in the predawn darkness, flew 91 passengers from here to Minneapolis, landing in a treacherous ice storm.

When they got off the plane, the three were arrested. The captain's blood-alcohol test registered .12, three times the federal government's legal limit for pilots and higher than most states allow motorists.

"Whoopie Wednesday" ended up costing the Northwest trio their jobs; they were dismissed Friday for alcohol violations.

The event itself is unsettling for air travelers. Even more unsettling is that a Federal Aviation Administration inspector was tipped off about the crew's late-night drinking before they boarded the plane, but he did not stop it from taking off.

Shock waves from the incident are being felt across a country already angry about the possible role of alcohol in last year's worst-ever oil spill in Alaska. Congressmen, consumer groups and citizens are demanding closer scrutiny of pilots, ship captains, reactor workers and anyone else whose job could compromise public safety.

"The federal government has to step up its vigilance," said Democratic Rep. James Oberstar of Minnesota, whose aviation subcommittee last week reviewed FAA safety rules.

In the Midwest, investigators have been working for two weeks piecing together how the Northwest pilots ended up drinking so much and why the FAA inspector let them take off. Here is what happened, according to interviews with local and state police and prosecutors, airport and airline officials, bar and hotel workers, congressional aides and others familiar with the incident:

Capt. **Norman Prouse**, First Officer Robert Kirchner and Second Officer Joseph Balzer flew into Fargo on Wednesday morning, March 7, and checked into the Days Inn just across the Red River in Moorhead, Minn.

About 5:30 p.m., the three headed across a busy highway, past Hardee's hamburgers and Safari cinema, to the Speak Easy bar and restaurant. The lounge was filled with its normal happy hour crowd as waiters and waitresses wearing black shirts and ties and gray Al Capone fedoras served 90-cent drafts to go with free appetizers.

The Northwest crew chatted with other customers as they drank away the evening. Bar tabs collected by investigators show that **Prouse** ordered 15 or more rum and cokes while his companions bought six pitchers of beer.

At some point that night **Prouse** got into a shouting match with another patron - an episode that informed everyone within hearing distance that the heavy drinkers were Northwest pilots.

The crew left at about 10:30 p.m. Their captain stayed for another hour, leaving shortly before the bar closed.

The pilots made their way back to the hotel that night, although it is unclear when they arrived or how long they slept. The motel van drove the captain and first officer to the airport at 5:15 Thursday morning the way it did before any flight. They had no clue that across town events were unfolding that would be their undoing.

Someone from the Speak Easy, probably a bartender or waitress, worried that the three had consumed too much alcohol the night before a flight. Thirty minutes after the bar closed, someone called a Northwest reservations agent, but the airlines says the information it received did not check out. But the tipster also called the FAA, providing enough details that the agency could determine the crew's flight number and dispatch an inspector to the airport to interview the pilots.

The inspector, Verl Addison, talked to the captain at 5:45 a.m. and the first officer a few minutes later. The second officer arrived at the airport at 6:10 a.m., 10 minutes after the flight was due to depart, and said he felt sick.

This is where versions diverge.

Anthony Broderick, the FAA's associate director, said Addison properly assessed the pilots' condition and concluded they "were not obviously intoxicated, they were not incapacitated." The inspector then consulted with FAA officials in Minneapolis and might have grounded the flight, but while he was on the phone the plane took off, Broderick said.

But officials in North Dakota and Minnesota insist that Addison imperiled passengers by failing to stop the Boeing 727. The plane did not "sneak out," said Nicholas Spaeth, the North Dakota attorney general. "Obviously the inspector should have stopped the flight."

Bruce Hanlon, a lawyer representing Balzer, the second officer, agreed that Broderick's version is "absolutely inaccurate. There was no slipping out of town."

When Flight 650 landed in Minneapolis at 7:30 a.m., another FAA inspector was waiting. Feeling sure the pilots were impaired and that FAA rules required him to act, he summoned airport police.

The police, however, worried that any arrests they made might not stand up in court because they had not witnessed the plane landing and the crew disembarking. They suggested that the FAA inspector make citizen's arrests, which he did, and then the police took over.

Officers drove the three pilots to a hospital in downtown Minneapolis, where tubes of blood were taken from their arms and analyzed for alcohol. The captain and crew were then turned over to Northwest officials, who ordered a second set of blood samples.

The tests showed that the two crew members had blood alcohol levels of about .06, which is higher than the FAA's .04 limit. **Prouse's** reading was .12 - which federal safety specialists said means it probably was .24 when he left the Speak Easy, a state of drunkenness that would make it impossible for most people to walk.

At .12, most people show slowed motor reflexes and reaction times, and their judgment is "seriously affected," said Arthur Flores, who runs the US Department of Transportation's alcohol testing lab in Cambridge. **Prouse** "successfully flew the airplane, but he was lucky," Flores said. "The probability is much higher of having an accident that could kill someone."

Alertness was especially important that Thursday morning, when Minneapolis was experiencing an ice storm that closed schools and forced the airport to sand runways.

The FAA was concerned enough about the pilots' behavior that it revoked their licenses. In addition to the blood alcohol test results, FAA officials say the fliers may have violated federal rules prohibiting pilots from consuming alcohol within eight hours of a flight. "They can't reapply for certification before one year," Broderick said, "and reapplication doesn't mean they will get" a new license.

The pilots are expected to appeal the FAA action at a hearing before an administrative law judge next month in Minneapolis.

The Flight 650 crew also almost certainly violated Northwest's prohibition against drinking 12 hours before flying. The airline grounded the pilots 10 days ago and fired them Friday, saying in a statement, "We apologize to our passengers for this serious incident."

Even more serious consequences may be forthcoming if, as expected, North Dakota and Minnesota officials file criminal charges. A conviction in North Dakota could send the pilots to jail for up to a year, while Minnesota law provides sentences of up to 90 days.

Another troublesome aspect of the case, say state and local prosecutors who have reviewed the case, is how someone with **Prouse's** history of drinking could still be flying. Officials have confirmed that in 1977 **Prouse** was accused by other Northwest workers of being intoxicated and creating problems on a flight where he was a passenger; two years later Minnesota suspended his driver's license for 90 days because he refused to take a blood alcohol test after being pulled over on suspicion of drunken driving.

Prouse, who lives in Georgia, has an unlisted phone number and could not be reached for comment. Repeated attempts to contact the other officers also were unsuccessful, although Balzer's attorney said the pilot is petrified he will never be allowed to fly again and wanted people to know that he volunteered to take a breath, urine or blood test before boarding the plane in Fargo.

Broderick sought to put the Flight 650 incident in perspective. Over the last six years, only 14 of the nation's 102,000 airline pilots had their licenses suspended or revoked for alcohol problems - an "exceedingly small number," he said. And, he added, no airline accident has even been linked to a drunken pilot.

That is little comfort to Dr. Michael Webster, who flew with his wife and three children on Flight 650 last Thursday, a week after the drinking incident. "That was an incredible amount of alcohol they consumed," said the family physician, who, like most North Dakotans, has followed the intense media coverage of the case.

"It kind of blows my mind. It's just unbelievable anyone could be that careless."

FAA REVISES ITS POLICIES ON DRINKING

MINNEAPOLIS The Federal Aviation Administration last week announced a six-point plan in response to public concern over the recent incident involving three Northwest Airlines pilots. Under the plan, the FAA is:

- Instructing FAA inspectors to fully investigate anonymous tips regarding drug or alcohol use by pilots.
- Ordering inspectors to notify airline management of such tips so they can launch their own investigations.
- Drafting procedures for FAA inspectors on how to conduct drug and alcohol probes and is including investigative tips in FAA training programs.

Those steps could produce impressive results, judging from the Nuclear Regulatory Commission's experience since it beefed up its drug and alcohol detection guidelines four years ago.

In 1985, before the new policy was in place, nuclear plants reported just 29 cases of serious drug and alcohol problems. In 1986, the year the policy was published, there were 42 reports, in 1987 there were 150 and by 1988, the latest year for which information is available, the number of reports had soared to 505.

GRAPHIC: PHOTO, GLOBE PHOTO/ANNE LENNOX / The Speak Easy bar and restaurant in Moorhead, Minn., where the Northwest Airlines pilots reportedly drank before flying.

LOAD-DATE: March 22, 1990

Copyright 1990 U.P.I.

March 10, 1990, Saturday, BC cycle

SECTION: Domestic News

LENGTH: 465 words

HEADLINE: Pilot once had driver's license revoked

DATELINE: MINNEAPOLIS

BODY:

One of the three Northwest Airlines flight crew members whose pilot licenses were revoked for allegedly flying under the influence of alcohol once had his driver's license revoked for refusing an alcohol test, it was reported Saturday.

The Star Tribune in Minneapolis reported that Capt. **Norman Prouse**, 51, Conyers, Ga., had his Minnesota driver's license revoked for 90 days in 1979 after he refused an alcohol test when police stopped him.

According to records from the state Department of Public Safety, the newspaper said **Prouse's** driver's license was lifted for refusing the blood or breath test. Details of the charges against him were no longer on file because by law such information is erased after seven years, the newspaper said.

Prouse lived in Cottage Grove at the time. Records show that while he was eligible for reinstatement on Aug. 10, 1979, he applied for a driver's license and was reinstated on Nov. 22, 1982.

The newspaper said records indicate that on Nov. 17, 1982, an alcohol assessment was done on **Prouse** to determine whether he had an alcohol dependency problem. Results of the assessment are confidential, it said.

Prouse, First Officer Robert Kirchner, 35, Highland Ranch, Colo., and Second Officer Joseph Balzer, 34, Antioch, Tenn., were the cockpit crew for a Boeing 727 that flew from Fargo, N.D., to the Minneapolis-St. Paul International Airport early Thursday. The 146-passenger jet carried 91 passengers and landed without incident.

They were arrested by airport police after a Federal Aviation Administration inspector made a citizen's arrest. The inspector had been alerted by an anonymous call that the three allegedly had been drinking the night before the flight.

On Friday, the FAA ordered an emergency revocation of their pilot licenses.

"Safety and alcohol do not mix," FAA Administrator James Busey said. "We have taken quick and effective action in this case and we will take equally forceful action against any other airman who violates the agency's regulations against alcohol."

The FAA said the flight crew has a right to appeal the revocation of their licenses within 10 days to an administrative law judge of the National Transportation Safety Board.

Results of blood-alcohol tests taken of the three have not been revealed.

Federal regulations prohibit crews from flying under the influence of alcohol and having a blood-alcohol level of more than .04 percent by weight. They also forbid flight crews from flying within eight hours of drinking alcohol.

Northwest had grounded the pilots following their arrest pending the outcome of the investigation.

"They have not been found guilty of anything and that's why we are doing an investigation," he said. "They are innocent until proven otherwise."

GEOGRAPHIC: MINNESOTA, USA (57%); MINNEAPOLIS, MN, USA (57%);

```

****-----****
*          92 PAGES          3232 LINES          JOB  47245  1036TB          *
* 12:12 A.M. STARTED    12:15 A.M. ENDED          01/12/01          *
****-----****
****-----****
*          EEEEE          N  N          DDDD          *
*          E          N  N          D  D          *
*          E          NN  N          D  D          *
*          EEE          N  N  N          D  D          *
*          E          N  NN          D  D          *
*          E          N  N          D  D          *
*          EEEEE          N  N          DDDD          *
****-----****
****-----****

```

SEND TO: FORGUE, TOM
GENERAL COUNSEL STAFF
ROOM 308
OLD EXECUTIVE OFFICE BUILDING
WASHINGTON, DISTRICT OF COLUMBIA 20502