

STATEMENT OF THE HONORABLE RANDOLPH BABBITT, ADMINISTRATOR,
FEDERAL AVIATION ADMINISTRATION, BEFORE THE HOUSE COMMITTEE
ON TRANSPORTATION AND INFRASTRUCTURE, SUBCOMMITTEE ON
AVIATION ON AN UPDATE: THE AGENCY'S CALL TO ACTION ON AIRLINE
SAFETY AND PILOT TRAINING. FEBRUARY 4, 2010.

Chairman Costello, Ranking Member Petri, Members of the Subcommittee:

Thank you for inviting me here today to provide you with an update on the Federal Aviation Administration's (FAA's) Call to Action on airline safety and pilot training. There is no question that the FAA's job is to ensure that we have the safest aviation system in the world. The aviation safety record in the United States reflects the dedication of safety-minded aviation professionals in all parts of our industry, including the FAA's inspector workforce. In an agency dedicated to aviation safety, any failure in the system, especially one that causes loss of life, is keenly felt. When accidents do happen, they reveal risks, including the tragic Colgan Air accident. Consequently, it is incumbent on all parties in the system to identify the risks in order to eliminate or mitigate them. As I noted when I appeared before you in September, history has shown that we are able to implement safety improvements far more quickly and effectively when the FAA, industry, and labor work together on agreed upon solutions. The fastest way to implement a solution is for it to be done voluntarily, and that is what the Call to Action was intended to facilitate. On January 27, the FAA issued a report that describes the progress made toward fulfilling commitments made in the Call to Action, and offers recommendations for additional steps to enhance aviation safety. So, I would like to run down the issues I identified in September and let you know where we stand on them.

Pilot Flight Time, Rest and Fatigue: When I was last here I told you that the aviation rulemaking committee (ARC) I convened for the purpose of making recommendations on flight time, rest and fatigue, consisting of representatives from the FAA, industry and labor organizations, provided me with recommendations for a science-based approach to fatigue management in early September. While I was extremely pleased with the product provided to me, the ARC did not reach a consensus agreement on all areas and was not charged with doing any type of economic analysis. Consequently, in spite of my direction for a very aggressive timeline in which to develop a Notice of Proposed Rulemaking (NPRM), my hope that a rulemaking proposal could have been issued by the end of last year did not happen. The complexities involved with these issues are part of the reason why the FAA has struggled to finalize proposed regulations on fatigue and duty time that were issued in the mid-1990s. However, with my continued emphasis on this topic, we hope to issue an NPRM this spring. Although this is slightly later than I originally hoped, it is still an extremely expedited schedule and I can assure you the FAA team working on this is committed to meeting the target.

One of the issues contributing to fatigue that I know is of interest to many Members of Congress is that of pilots who commute by air to their job. I would like to acknowledge some of the emails and letters I have been receiving on the issue of commuting from pilots who choose to commute by air to their job. As you can imagine, those pilots who commute responsibly are understandably concerned that they could be forced to relocate because of the irresponsible actions of a few. Should some sort of hard and fast commuting rule be imposed, it could result in families being separated, people being

forced to sell homes at a loss, or even people being forced to violate child custody agreements. I understand that, to people not familiar with the airline industry, the issue of living in one city and working hundreds of miles away in another does not make sense. But in the airline industry, this is not only a common practice, it is one airline employees have come to rely on. So I want to emphasize these issues are complex and, depending on how they are addressed, could have significant impacts on people's lives.

Focused Inspection Initiative: From June 24, 2009 to September 30, 2009, FAA inspectors conducted a two-part, focused review of air carrier flight crewmember training, qualification, and management practices. The FAA inspected 85 air carriers to determine if they had systems to provide remedial training for pilots. The FAA did not inspect the 14 carriers that have FAA-approved Advanced Qualification Programs (AQP) because AQP includes such a system. Seventy-six air carriers, including AQP carriers, have systems to comply with remedial training requirements. An additional 15 air carriers had some part of a remedial training system. There were eight air carriers that lacked any component of a remedial training program that received additional scrutiny and have since instituted some component of a remedial training system. Consequently, currently all carriers have some component of a remedial training program. The FAA inspectors observed 2,419 training and checking events during its evaluation.

Training Program Review Guidance: The FAA issued a rulemaking proposal in January 2009 to enhance training programs by requiring the use of simulation devices for pilots. More than 3,000 pages of comments were received. The FAA is now developing

a supplemental proposal that will be issued in the coming months to allow the public to comment on the revisions that were made based on the comments that were submitted.

Based on the information from last summer's inspections, the FAA is drafting a Safety Alert for Operators (SAFO) with guidance material on how to conduct a comprehensive training program review in the context of a safety management system (SMS). A complementary Notice to FAA inspectors will provide guidance on how to conduct surveillance. SMS aims to integrate modern safety risk management and safety assurance concepts into repeatable, proactive systems. SMS programs emphasize safety management as a fundamental business process in the same manner as other aspects of business management. Now that we have completed our data evaluation, we are on track to meet our goal of having both guidance documents ready for internal coordination by the end of February.

Obtain Air Carriers' Commitment to Most Effective Practices: To solidify oral commitments made at the Call to Action, I sent a letter to all part 121 operators and their unions and requested written commitments to adhere to the highest professional standards. Many airlines are now taking steps to ensure that their smaller partner airlines adopt the larger airline's most effective safety practices. The Air Transport Association's Safety Council is now including safety directors from the National Air Carrier Association and the Regional Airline Association in their quarterly meetings. The agency is encouraging periodic meetings of the larger airlines and those with whom they have contract agreements with to review flight operations quality assurance (FOQA) and Aviation Safety Action Program (ASAP) data and to emphasize a shared safety

philosophy. I am pleased to report that all 33 carriers we asked to make this commitment have either held or plan to hold meetings with their contract partner airlines.

In addition I am pleased to say that since July 2009, after the Call to Action, the FAA approved 11 new FOQA programs, with another application pending. Also, as of last July, there were only three air carriers that had no ASAP program for any employee group. Those three carriers have now established ASAP programs. Four more air carriers have established new ASAP programs for additional employee groups. All of this supports the contention that the Call to Action did make a difference.

Professionalism and Mentoring: In February, the FAA will host a forum for labor organizations to further develop and improve professionalism and transfer of pilot experience. In the interim, these organizations have answered the Call to Action and support the establishment of professional standards and ethics committees, a code of ethics, and safety risk management meetings between the FAA and major and regional air carriers. I very much believe that the transfer of pilot experience is an important way to raise professional standards and improve cockpit discipline. We plan to ask pilot employee organizations to further explore some of the ideas raised in initial discussions, such as establishing joint strategic councils within a “family of carriers.” This approach could lead to individual, as well as corporate mentoring relationships. The use of professional standards committee safety conferences could provide opportunities for two-way mentoring – an important reminder that good ideas are not unique to larger, mainline carriers. Another concept to explore is mentoring possibilities between air carriers and university aviation programs.

Crew Training Requirements: One of the things that the Call Action has shone a light on is the issue of varying pilot experience. I am attempting to address this issue with an Advanced Notice of Proposed Rulemaking (ANPRM) in which we can consider possible alternative requirements, such as an endorsement on a commercial license to indicate specific qualifications. I know some people are suggesting that simply increasing the minimum number of hours required for a pilot to fly in commercial aviation is appropriate. As I have stated repeatedly, I do not believe that simply raising quantity – the total number of hours of flying time or experience – without regard to the quality and nature of that time and experience – is an appropriate method by which to improve a pilot’s proficiency in commercial operations. The ANPRM will request public comment on other options. For example, a newly-certificated commercial pilot might be limited to certain activities until he or she could accumulate the type of experience deemed potentially necessary to serve as a first officer for an air carrier. We are looking at ways to enhance the existing process for pilot certification to identify discrete areas where an individual pilot receives and successfully completes training, thus establishing operational experience in areas such as the multi-pilot environment, exposure to icing, high altitude operations and other areas common to commercial air carrier operations. We view this option as being more targeted than merely increasing the number of total flight hours required, because it will be obvious to the carrier what skills an individual pilot has. There is a difference between knowing a pilot has been exposed to all critical situations during training versus assuming that simply flying more hours automatically provides that exposure. I expect the ANPRM to be posted on the Federal Register’s website today.

On a related note, a former military pilot wrote a letter to the Washington Post in December on this issue. In his letter, this pilot describes his military training and how, after only 162 flight hours, he was landing his plane on an aircraft carrier. While this is certainly an extreme example, his point is valid. Based on his training and experience, his qualifications at 1,500 hours were significantly different than a pilot who received a non-military, more traditional training experience. This type of difference should be factored in to any regulatory training modification.

Pilot Records: While Congress is working to amend the Pilot Records Improvement Act of 1996 and the FAA amends its guidance to airlines, I have asked that air carriers immediately implement a policy of asking pilot applicants to voluntarily disclose FAA records, including notices of disapproval for evaluation events. The airlines agreed to use this best practice for pilot record checks to allow for a more expansive review of records created over the course a pilot's career. The expanded review would include all the records the FAA maintains on pilots in addition to the records airlines already receive from past employers. Of the 80 air carriers that responded to the FAA on this issue, 53 air carriers, or 66%, reported that they already require full disclosure of a pilot applicant's FAA records. Another 15% reported that they plan to implement the same policy.

As I stated when I appeared before you in September, and as I have stated repeatedly in my conversations, both public and private, the core of many of the issues facing the air carrier industry today is professionalism. It is the duty of the flight crew to arrive for work rested and ready to perform their jobs, regardless of whether they live down the street from the airport or a thousand miles away. Professionalism is not something we

can regulate, but it is something we can encourage and urge pilots and flight crews to aspire to. I think the conversations we have been having, in part because of the Call to Action, are helpful in emphasizing the importance of professionalism in aviation safety.

In conclusion, I want to say that while the Call to Action initiatives have been a major focus for me since joining the safety professionals at the FAA, their impressive work has been ongoing for years. Their work has resulted in eliminating fuel tank flammability, virtually eliminating commercial icing accidents, and drastically reducing the number of general aviation accidents in the state of Alaska, among many other things. Safety is at the core of the FAA's mission and we will always strive to make a safe system safer. Mr. Chairman, Congressman Petri, Members of the Subcommittee, this concludes my prepared remarks. I would be happy to answer any questions that you might have.