

STATEMENT OF BARRY L. VALENTINE, ACTING ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION, BEFORE THE SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION, SUBCOMMITTEE ON AVIATION, CONCERNING THE FINAL REPORT OF THE WHITE HOUSE COMMISSION ON AVIATION SAFETY AND SECURITY. MARCH 5, 1997.

Mr. Chairman and Members of the Subcommittee:

I welcome the chance to appear before the Subcommittee today to discuss the final report of the White House Commission on Aviation Safety and Security, which expands on the work that was earlier completed by the Commission last September.

We are deeply appreciative of this Committee's interest in bringing an early focus on the work of the Commission. We are also deeply appreciative that the Vice President and those who served on the Commission were willing to dedicate the large amounts of time and personal effort that were so critical to developing a report containing such quality and substance. The Commission has drawn on a breadth of experience and backgrounds, and has reached out to all segments of the aviation community to develop the recommendations that are before us. Throughout the process, the FAA has been afforded opportunities to interact with the Commission and its staff to provide background information as well as our perspective on the issues being framed by the Commission.

The Commission's recommendations cover a wide-range of safety, air traffic control, airspace modernization, security, and financial issues. In some cases, they confirm and build on work we have had underway. In others, they point us in new or different

directions. They will pose many challenges for us to implement, but we are enthusiastic about the course they set, and intend to respond to them in a timely but prudent way. In some cases, resources will have to be made available to us by the Congress to achieve the intended result--advancing the implementation timeframe of the National Airspace System modernization effort being a prime example where additional resources will be dictated. Clearly, our ability to accomplish recommendations of that nature will hinge on others making those resources, once adequately defined, available to us. For those recommendations that will require the FAA to enter into rulemaking, we will, of course, take steps to initiate the appropriate rulemaking to give effect to such recommendations. In doing so, though, it's important that I make clear at this time that we are not prejudging the final outcome of any such rulemakings.

As indicated by the General Counsel, we are working now within the FAA to put together a comprehensive plan to implement the recommendations with an emphasis on immediate action for those with the shortest deadlines. Given the recency of the report and its scope, we still have much to do. Let me say, also, that this is not a simple undertaking. But I can assure you, we are working aggressively to develop pertinent cost and resource information, timelines and milestones, determining how to prioritize not only among recommendations but with our existing regulatory agenda, as well as to determine how best to restructure existing programs or to formulate new ones to achieve the needed results. Necessarily, then, there are a number of issues today for which specific details are lacking because they are still being developed.



I would like to take a few moments to address the safety portion of the Commission's report, which I understand is today's primary focus. Clearly, advancing the timeline for modernizing the National Airspace System will bring with it important safety improvements, and, just as clearly, civil aviation security is a vital element of the overall safety of our air transportation system. Nevertheless, for my discussion today, I will focus essentially on the first chapter of the Commission's report.

Broadly speaking, the bottom-line safety recommendation of the report is to establish a national goal of reducing the fatal accident rate by a factor of five within ten years. Insofar as the FAA is concerned, that is the number one recommendation in the report, both chronologically and in importance. This recommendation, as does the report overall, recognizes the important principle that safety is a shared responsibility. The government, in general, and FAA in particular, has a vital role from which we will not shrink, but, ultimately, operating safely is the responsibility of industry. Therefore, to truly achieve safety success requires an improved partnership between us. The recommendation also recognizes the fundamental role that safety research must play in supporting that goal. NASA research capabilities, in particular, are singled out as a means of leveraging the FAA's safety efforts.

Virtually all of the recommendations in the report will contribute to the overall goal of dramatically driving down the fatal accident rate over the next decade. A principal means

of achieving that goal will be better information and better means of sharing that information. As the report notes: "Today, information technology can help aviation make the next leap forward in safety." This is at the heart of current efforts involving the FAA and industry to develop systems to capture the types of safety and operational performance data that can be predictive of safety problems, so that we and industry can act to institute appropriate corrective measures--whether in terms of equipment, procedure, or training changes--well in advance of an accident. This partnership must extend beyond our borders to reap the kinds of safety results that are necessary and possible. U.S. manufactured aircraft, for example, operate in foreign fleets around the world. Safety information we develop domestically, therefore, provides but one dimension of the total operational performance of these aircraft. The more information we can develop, on as close to a real-time basis as possible, about anomalies either in system or human performance, the sooner we can define the problem and the solution. Improved analytical tools are also required to make sure we, indeed, identify developing problems in a timely way.

The report also provides important support for the types of changes in FAA's safety oversight and regulatory programs that were surfaced in the Challenge 2000 report commissioned by the FAA and in the 90 Day Safety Study conducted by FAA and DOT last year. Significant growth and continuing changes in the industry call for new ways of doing business. The time-tested ways of targeting resources for certification and surveillance purposes, and the ways we regulate need to reflect today's realities. Hands-



on inspections by FAA have been and will continue to be important. But they must be more effectively supported by improved partnership with industry and with other agencies that can supplement and complement the work we do. Continuing to target resources at air carriers primarily by size means that inspections of smaller new entrants, which, by definition, are less mature in operational experience, will be disproportionately low. We are now making changes in our programs to focus on air carrier maturity and compliance disposition.

The Commission also recognized the important role that the Safety Performance Analysis System, or SPAS, will play in helping us to analyze a wide-range of data from diverse operators to improve risk assessment by our inspection personnel and to aid in better tailoring our inspection efforts to where they are most needed. I should add that this Committee was instrumental in the last Congress in enacting legislation, as part of the FAA reauthorization act, to assure the continued work on and timely implementation of SPAS by the FAA.

Reengineering of our regulatory processes, as called for by the Commission, is a top priority that will improve our ability to more timely and effectively regulate where needed to achieve safety enhancements. The initiative by Boeing, which Vice President Gore and they jointly announced, to make changes in the B-737 rudder system highlights the fact that effective government-industry partnerships can often bring about change more readily than and well in advance of government regulatory efforts.

Pursuant to the Commission's recommendations, we will be effecting change in our regulatory approaches to place greater reliance on performance-based regulations that can often be developed more quickly than detailed standards and which can prompt innovative approaches by industry. Unleashing industry's creativity often drives the development of new safety technology, approaches, and solutions. We also are committed to doing a better job of using "plain English" in our regulations. I should also mention that this Committee's FAA reform legislation of last Congress set new timelines for completion of FAA regulatory actions, which, in combination with the improvements recommended by the Commission, provide a constructive framework for the regulatory reengineering effort in which we are actively engaged.

Another essential element of the Commission's regulatory recommendations is that cost-benefit analysis not be the sole determinant of whether the FAA should proceed with a regulation. In my view, the Commission has recognized that there are sometimes difficult safety judgment calls that must be made in which statistical analysis may not present the complete picture. I don't read that recommendation as suggesting that cost-benefit is not an important ingredient of the rulemaking process, but, instead, as suggesting that numbers alone should not dictate the Administrator's final safety call in behalf of the traveling public. This recommendation is one of the areas where we need to flesh out the details of how best we can apply it in real life situations. I am confident that the FAA's Management Advisory Council, which pursuant to statute will be examining

how FAA goes about performing cost-benefit analysis, will provide an important perspective on this issue.

There are a variety of additional safety-related recommendations in the report-- strengthening initial certification requirements for airlines, requiring child safety restraint devices, broadening our aging aircraft program to include non-structural components, requiring additional safety equipment on aircraft, improving the quantitative models and analytic techniques we use in agency decisionmaking, and providing protection to industry employees who report safety and security problems. All of these recommendations will contribute towards achieving the overall improvement in the safety record called for by the report.

I want to assure this Subcommittee that the FAA places a high priority on implementing the recommendations contained in this report. The majority of the safety recommendations are within the agency's power and authority to achieve, providing needed resources--once we have more clearly defined what they are--are made available to us. We know we have the full support within the Administration to press forward with these recommendations, and I am confident as well that this Committee will continue to offer its strong leadership to help us achieve what may be difficult, but nevertheless attainable, goals.

Before closing, Mr. Chairman, let me just note that an essential ingredient for the FAA's long-term vitality is touched on in the Commission's report, and that is the pressing need to achieve financial reform for the agency. This Committee led the effort last Congress to establish a statutory framework within which financial reform can be developed for the FAA. You have already given us many of the tools--foremost among them acquisitions and personnel reform--that help us define our own future successes. In the end, though, during an era of highly constrained Federal resources, the extent to which we are successful in obtaining meaningful financial reform will dictate just how successful we can be.

We will be pleased to keep you apprised of our further efforts to develop the framework and necessary information and data to effectively implement the recommendations of the White House Commission. The Commission has correctly acknowledged the importance of the FAA achieving greater partnership with industry and other agencies. We have been working to do more in that area and will continue to do so. Let me assure you that we also consider this Committee to be an equally important partner in helping us achieve on behalf of the American traveling public the improvements in aviation safety and security that they rightfully expect from us.

That completes my prepared statement, Mr. Chairman. We would be pleased to respond to questions you may have at this time.