

Opening Statement
Javier de Luis
Committee on Commerce, Science, and Transportation
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Chair Cantwell, Ranking Member Cruz, members of the Committee. On behalf of myself and my fellow FAA Expert Review Panel members, I want to thank you for the opportunity to come here today and discuss the findings and recommendations from our final report.

My name is Javier de Luis. I am an aerospace engineer. I earned a doctorate in aeronautics and astronautics from MIT. I spent my entire career in private industry, mostly in small businesses that I helped start, where we built hardware for NASA, DoD, and other organizations. Though I'm trying to retire, I currently hold a lecturer appointment at MIT, where I help teach system engineering to seniors and graduate students and have lectured at several universities across the US.

That is, however, not why I am here. I am here because I am also the brother of Graziella de Luis, who was killed when the airplane she was on, a 737Max flown by Ethiopian Airlines, crashed a few minutes after takeoff killing all 157 people on board. For me, serving on this panel is an opportunity to do something that might keep anyone else from going through what I and my family have experienced these past five years.

Our panel met for almost a year, reviewed 4000 pages of documents provided to us by Boeing, interviewed 250 Boeing employees at all levels of the organization, across six Boeing's locations, and reviewed thousands of survey responses. It should be noted that we were required to sign Non-Disclosure Agreements (NDA), however no NDA-protected data is in our report, which contains 27 findings and 53 recommendations.

It is a consensus report, with no dissenting opinions. I would be remiss if I did not give full credit for this to our co-chairs, Mr. Michael Bartron from the FAA and Mr. Keith Morgan from Pratt & Whitney, for herding this diverse and at-times unruly group to a productive end.

Our panel was charged by the Aircraft Certification, Safety, and Accountability Act (ACSAA) to focus its review on the three topics: safety culture, safety management systems (SMS), and the Organization Designation Authorization (ODA) program, while also evaluating other topics of concern for the safety of the flying public. The Act also defined the required composition of the Panel.

However, we were **not** charged with investigating specific airplane incidents which occurred prior to or during the Expert Panel's work. Nevertheless, on several occasions during the Panel's activities, serious safety issues with Boeing products which became public were considered.

My fellow witnesses and I felt that it would be useful to expand on a few of the recommendations in our report, as they may serve to set the stage for today's hearing. First among these is our finding that there exists a "disconnect" between the words that are being said by Boeing management, and what is being seen and experienced by the technicians and engineers. They hear "safety is our number one priority", but they see that that is only true as long as you meet your production milestones. They hear "speak up if you see anything unsafe", but they see that when they do, there's little feedback, and if they insist, they may find themselves on the short end of the stick next time raises are distributed, or worse.

We identified this disconnect based on our interviews and survey responses. It was present at almost all levels and almost all worksites that we visited. We heard it from technicians and engineers, as well as from members of the ODA that are delegated by the FAA to conduct mandated inspection and tests on behalf of the government.

To me and I think to our Panel, it is clear that the commitment to change, the level of change, and the pace of change at Boeing is not commensurate with the events that created the need for all this in the first place: the two fatal crashes brand new airplanes, killing all aboard. I believe it is safe to say, given our findings, that the events of Jan 5 and the subsequent NTSB investigation identifying the missing bolts in the Alaska Air door did not really come as a surprise. What was distressing, though, was the recent statement by Mr. Brian West, Boeing's finance chief at a investor conference where he said:

“For years, we prioritized the movement of the airplane through the factory over getting it done right. That's got to change. The leadership team got it in the immediate aftermath of January 5.”

I would have thought that they would have “gotten it” five years ago.

In closing, I would like to say that for the last 20 years, every FAA authorization act has pushed more and more responsibility over the fence to the manufacturer side, usually with the understandable objective of increasing efficiency and productivity. The two 737 Max crashes showed that the pendulum had swung too far. ACSAA was your response to trying to correct this imbalance. But recent events show us that we're not there yet, and ACSAA cannot be seen as a high-water mark in this effort. It is just a first step, and I urge you as you debate additional steps that can be taken either as separate legislation or through the reauthorization, to increase FAA oversight at all levels and keep pushing for structural change at Boeing, as well and to ensure that all of our Panel's 53 recommendations are fully implemented. This is the only way that we can return this company to what we all remember it being: a company known for engineering excellence, where headlines were written about it because of their accomplishments, not because of their failures. The flying public expects and deserves no less.