

AIR TRANSPORT ASSOCIATION OF AMERICA, INC.  
STATEMENT OF BASIL J. BARIMO  
VICE PRESIDENT, OPERATIONS AND SAFETY  
BEFORE THE  
COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION  
UNITED STATES SENATE

HEARING ON AVIATION SAFETY  
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The Air Transport Association of America, Inc. (ATA), the trade association of the principal U.S. passenger and cargo airlines,<sup>1</sup> welcomes and appreciates the opportunity to submit these comments for the record on the state of aviation safety in the U.S. airline industry. ATA's 23 member airlines have a combined fleet of more than 4400 aircraft and account for more than 90 percent of domestic passenger and cargo traffic carried annually by U.S. airlines. ATA and its members have a vested interest in the safety of commercial air transportation.

***The Industry's Safety Record is Unparalleled***

ATA was founded in 1936 by then-fledgling U.S. airlines for two fundamental reasons: to improve and promote safety within the airline industry, and to advocate for a legal and regulatory environment that would allow the U.S. commercial airline industry to grow and prosper. What was true then is true today, safety is the foundation of this industry. U.S. airlines will succeed and thrive only if the industry *in fact* is safe, and only if the public recognizes and *believes* it is safe. For these reasons, our members take their safety

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<sup>1</sup> ABX Air, Inc.; Alaska Airlines; Aloha Airlines; American Airlines; ASTAR Air Cargo; ATA Airlines; Atlas Air; Continental Airlines; Delta Air Lines; Evergreen International Airlines; FedEx Corp.; Hawaiian Airlines; JetBlue Airways; Midwest Airlines; Northwest Airlines; Southwest Airlines; United Airlines; UPS Airlines and US Airways. Associate members are: Aeromexico; Air Canada; Air Jamaica and Mexicana.

responsibilities very seriously. “Safety first” is more than just a catch-phrase – it is the core principle of this industry.

Notwithstanding the financial challenges of the past four years,<sup>2</sup> U.S. airline safety has remained rock solid. In 2004, the National Transportation Safety Board (NTSB) reported only one fatal accident in over 10 million scheduled departures. In the three full years spanning 2002 to 2004, there were three fatal accidents in 31 million scheduled departures. During that time, U.S. airlines providing Part 121 scheduled operations carried nearly 1.9 billion passengers and recorded just 34 fatalities. The overall number of accidents also has decreased. The rate at which any accidents occur is now less than one accident per five million departures. Moreover, this trend continues in 2005. Without question, scheduled air service is incredibly safe, and our goal is to build on that safety record.

### ***The Right Regulatory Philosophy and Programs***

While there are many reasons for the industry’s excellent safety record, in our opinion two key developments stand out as having a significant positive impact. First, we have progressed from a prescriptive, conduct-based regulatory philosophy that focuses on what to do and how to do it, to one that looks to set performance standards first and the manner of achieving the desired performance second. This has shifted the focus to where it

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<sup>2</sup> The economic plight of the U.S. airline industry since 9/11 is well known. The industry lost over \$32 billion through 2004, and experts forecast it will lose another \$9 billion in 2005. Seven carriers currently are reorganizing in Chapter 11, including three network carriers, and US Airways recently emerged from Chapter 11 (for the 2<sup>nd</sup> time) after merging with America West Airlines. Without question, the past four years have been the worst economic period in the history of the airline industry.

should be – the safety objective, allowing carriers and the Federal Aviation Administration (FAA) to better define and implement appropriate procedures and requirements. Second, instead of being reactive and establishing safety goals based on the most recent accident or incident, the industry has learned to use the wealth of hard data accumulated by all stakeholders – FAA, NTSB and air carriers – to drive the safety agenda so that the most serious risks are identified and solutions developed in an orderly, efficient and effective manner. This data-driven, risk-assessment approach to safety has paid tremendous dividends already. It is the key to future safety improvements and continued accident prevention. ATA airlines consider accident prevention the top safety priority.

FAA and airline safety programs reflect and implement the regulatory philosophy and data-driven approach to safety previously described. In particular, the development of *voluntary* programs that encourage the reporting of operational data that would otherwise be lost has expanded the data set and enhanced the value of the analytical products. Working with the FAA and other stakeholders, U.S. airlines have developed flight operational quality-assurance programs – known as FOQA programs,<sup>3</sup> aviation safety action programs<sup>4</sup> and line operations safety audit programs.<sup>5</sup> These programs have provided valuable data that have yielded insights into the precursors of accidents. FAA and the airlines have used this information to identify and effectively mitigate risks that

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<sup>3</sup> FOQA programs involve the collection and analysis of data recorded in flight to improve the safety of flight operations, air traffic control procedures, and airport and aircraft design and maintenance.

<sup>4</sup> ASAP involves collection and analysis of safety concerns reported by employees.

<sup>5</sup> LOSA involves the collection of safety data through in-flight observations of flight crews by specialists.

might otherwise have resulted in accidents. We believe these and other similar programs will produce further improvements in aviation safety.

One of the most important programs affecting safety has been the joint industry-government Commercial Aviation Safety Team (CAST). CAST was established in 1997 to develop a comprehensive strategy to identify and prioritize risks and then develop solutions to reduce commercial aviation fatalities in the United States. Using a data-driven process, the CAST initiative identifies accident precursors and contributing factors to ensure that resources are applied to improve safety where needed most and where most effective. Over time, CAST has successfully addressed several types of accidents, such as controlled flight into terrain, approach and landing accidents, runway incursions, maintenance management, icing, and uncontained engine failures. As of April 2005, thirty different safety enhancements had been accomplished, and 17 were underway. Through these 47 enhancements, the goal is to reduce the fatality risk 80 percent by 2007.

As noted, the CAST strategy is first and foremost data-driven. It relies on comprehensive analysis of past accidents/incidents to identify accident precursors and then develop specific safety enhancements to address those precursors and related contributing factors. But the CAST process does not stop there. It is a fully integrated process that includes airlines, manufacturers, maintenance providers, commercial pilots, National Aeronautics and Space Administration (NASA) and other stakeholders, so that once the solutions have been identified, the affected parties implement the safety enhancements and track their implementation for effectiveness. Ultimately, the knowledge gained is used to

continually improve not only the U.S. aviation system, but aviation safety worldwide. Canadian and European authorities also participate in CAST.

### *Achieving Safety on All Levels*

In addition to data-driven programs, aviation safety can be viewed as the cumulative outcome of numerous other activities by the FAA, NTSB, airlines and their employees, and airframe and engine manufacturers. The most obvious of these is the approval and surveillance by the FAA of air carrier training, operations and maintenance programs, complimented by FAA's enforcement program. Training programs for flight and cabin crews are critical to safe operations. Because of the large number of qualified pilots and flight attendants available, airlines continue to be highly selective in their hiring of crew members. Airlines employ a rigorous selection and training process that includes comprehensive initial and recurrent training. Most major airlines today utilize the Advanced Qualification Program, which enables each airline to tailor its curriculum to its unique operating environment and thereby maximize crew-member proficiency.

Effective and efficient maintenance programs also play a key role in our outstanding safety record. Maintenance is a 24-7 function that requires careful organization, tight control, diligent oversight and robust quality assurance. Airlines have developed comprehensive oversight systems to ensure that aircraft are maintained properly in accordance with FAA regulations and manufacturers' standards. These systems ensure that aircraft perform safely and reliably, regardless of where the maintenance is performed. Repair stations (third-party maintenance providers certificated under Part

145) have and will continue to play a vital role in air carrier operations. FAA oversight of repair stations is another important layer in a comprehensive safety net. In addition to FAA oversight, air carriers generally maintain their own on-site staff at their major maintenance-provider locations to continually monitor performance and quality.

### *Current Issues*

Current safety issues being addressed by FAA include runway incursions, strengthened seats in transport aircraft and fuel tank flammability. We are pleased that FAA is deploying new ground surveillance systems to reduce the risk of runway incursions at our busiest airports. We look forward to working with the FAA and airports to implementing this new safety improvement. Likewise, we support the FAA's recently issued final rule on strengthened passenger and crewmember seats ("16-G seats"). Many of our members began installing 16-G seats long before the FAA proposed a new rule in 2002, and we are pleased that this voluntary effort was recognized in the final rule. The final rule is supported by a data-driven safety analysis and will result in improved safety without imposing an undue economic burden on the industry.

Earlier this week, the FAA issued a notice of proposed rulemaking ("NPRM") on eliminating the risk of catastrophic fuel tank explosions. We are in the process of reviewing that NPRM. The NPRM, however, is merely the final step in an overall initiative to address this issue. Over the past 10 years, we have worked closely with the FAA and airframe manufacturers to make numerous equipment and operational changes to reduce the potential for such an event. Those changes have been efficient and

effective. Likewise, we think it makes great sense to incorporate fuel tank inerting technology in new aircraft, which the recent NPRM proposes. We hope that, like the 16-G seat rule, the FAA has made the safety case for retrofitting more than 3200 commercial aircraft with this new technology, which would be an extremely challenging and costly undertaking. We want to be sure that the risk assessment is sound and that this is the best and most effective use of scarce resources. As previously stated, the reactive, regulate-by-incident approach of the past does not always ensure that the most serious safety issues are addressed or that effective measures are put into place. Data-driven risk analysis and related benefit-cost analysis will achieve that goal.

### *Emerging Issues*

Looking ahead, we see the possibility of new risks emerging. We urge the FAA to be mindful of these emerging issues and their potential impact on commercial aviation safety. We discuss two such issues here. The first is the imminent introduction of high-performance light weight jets for personal use and air taxi operations. These jets, commonly referred to as Very Light Jets (VLJs) or microjets, will operate in the same airspace as large commercial jets, but at a slower speed. Today, 2500 VLJs reportedly are on order, and the FAA estimates that 4500 VLJs will be operating by 2016. Others estimate even greater numbers of these aircraft. Honeywell, for example, forecasts 8000 units by 2018. The emergence of these aircraft raises a number of questions that must be addressed:

- How will the FAA ensure that VLJ pilots, particularly private pilots operating their own (or jointly owned) microjets, obtain and maintain the skills needed to operate safely in commercial airspace?

- Are current pilot certification standards appropriate for this new generation of aircraft?
- Are current maintenance standards for privately owned aircraft appropriate for this new generation of aircraft?
- Will FAA maintenance surveillance programs ensure the safety of these aircraft if owned and operated privately as well as by air taxi operators?
- Are the second- and third-tier airports where these aircraft are expected to operate fully prepared to respond to a safety incident?

These are just a few of the questions that must be resolved to ensure VLJs do not have an adverse impact on safety.<sup>6</sup> In addition to these basic safety issues, there is the question of funding safety oversight of this sector. The scheduled airline industry contributes 95 percent of the Airport and Airway Trust Fund (AATF), and in FY 2006 will pay 82 percent of the total FAA budget. Congress must ensure the VLJ sector pays its fair share into the AATF not only in relation to its use of the air traffic control system, but also to cover related safety oversight. The airlines should not subsidize safety oversight of the VLJ sector, including both private use and air taxi operations.<sup>7</sup>

The second emerging issue, somewhat related to the first, concerns modernizing and expanding the capacity of the air traffic control system to handle the anticipated growth in demand. Much of the growth in demand for air traffic services anticipated by FAA (FAA forecasts a 300 percent increase in demand by 2025) is from VLJs and other small

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<sup>6</sup> Closely related is the question of security. What systems and programs will be put in place to ensure that these aircraft operate with the same level of security as large transport category aircraft? Air taxi operations, in particular, should be subject to the same level of security as all other commercial operations.

<sup>7</sup> The same concern exists as to the VLJ sector's contribution to federal sources used to fund airport improvements. It would be ironic for these aircraft owners/operators to benefit from federal programs at the airports where they operate but not contribute their fair share to funding these programs.

aircraft operators. FAA's air traffic services must expand to accommodate this growth safely.

For this to happen, it is critical that the FAA migrate from its 1950s-era ground radar system to a state-of-the-art satellite-based navigation and surveillance system that utilizes the technological capabilities of aircraft to communicate with one another and a central control facility. An adequate and stable funding mechanism is crucial if the FAA is to ensure flight safety in this new environment and, as part of this effort, the FAA must capitalize on operating cost reductions it can achieve by eliminating and consolidating costly, out-of-date facilities. Enhancing capacity will enhance aviation safety as all sectors of aviation expand in the foreseeable future.

### ***Conclusion***

Notwithstanding extreme economic pressure, the U.S. airline industry has experienced one of the safest, if not the safest, four-year period in its history. While hearings like this allow us to proudly reflect on this accomplishment, we understand that we cannot become complacent and rest on our accomplishments. Aviation safety demands constant vigilance, review and improvement. For this reason, we will continue to work with the FAA, the NTSB, and the many parties with a stake in the continued safety of our industry. "Safety first" will continue to be our core principle.