



**U.S. SENATE COMMITTEE ON  
COMMERCE, SCIENCE & TRANSPORTATION**  
*Senator Maria Cantwell, Chair*

---

**U.S. Senator Maria Cantwell**

**Senate Commerce Committee, Aviation Subcommittee**

**Subcommittee Hearing: U.S. Air Traffic Control Systems, Personnel and Safety**

**December 12, 2024**

**Opening Remarks**

**VIDEO**

**Senator Cantwell:** Thank you, Senator Duckworth, for having this important hearing this morning on aviation safety.

Like you, I'm saddened and surprised to hear of Administrator Whitaker's decision to step down in January of 2025.

I know this: If you want to be the leader in aviation, you have to be the leader in aviation safety. I think Administrator Whitaker was living by that motto. I hope that the next administrator will live by it as well.

The next administrator needs to be ready on day one to continue the job of restoring the FAA's safety culture and providing real oversight of the aviation sector.

This Committee has done good work looking at not just what manufacturers must do but making sure that the FAA does its oversight role and responsibility.

We look forward to this opportunity to continue the work with Chairman soon to be Cruz in January, and with you, Senator Duckworth, on the very, very important technology challenges that we face in the FAA. And I'll have more to say about Administrator Whitaker later today.

Last year's outage of the FAA's NOTAM system underscored that the FAA, like airlines, must have a backup system and redundancy. We need to have the FAA meet the same standards.

I want again to thank you for your leadership during the 118<sup>th</sup> Congress, Senator Duckworth, because serving as an aviator yourself, and certainly the intelligence that you bring to these technology issues, have helped us solve many issues.

Getting aviation infrastructure right—whether it is the air traffic controller system, sustainable aviation fuel, next gen or important issues like thermal plastics and composites—all of these are about winning the next 100 years of aviation.

Our country has been blessed to be leaders in aviation, but we can see the competition coming, and we can see the challenges of implementing safety.

According to the Airports Council-North America, every dollar invested in aviation infrastructure yields \$2.5 dollars in [economic] growth. And importantly, it helps us stay on top of those aviation safety priorities.

We have been spurred to action by the horrible crashes that we witnessed with both Ethiopian Airlines flight 302 and the Lion Air flight 610, which pushed us to pass ACSAA in the aftermath of that.

The Alaska Airlines 1282 flight [door plug] blow out renewed the focus even more on production quality.

On January 12<sup>th</sup>, several days after the incident, the FAA Administrator chose to strengthen its oversight of manufacturing and initiated an audit. Four days [after], Senator Duckworth and I ... [opposed Boeing's petition for a waiver] ... on the 737 MAX-7's deicing system, Boeing withdrew that and pledged to work on fixing that, and we are still seeing this play out.

Today's hearing marks the 12<sup>th</sup> hearing that our Committee has had, building on seven hearings in the 117<sup>th</sup> Congress. So it's safe to say, with Senator Cruz's remarks, that we will continue to be laser focused on aviation safety and technology.

NTSB Chair Homendy and others testified on the spike of near-misses and close-calls that we were seeing. Chair Homendy has been before the Committee several times to discuss the continued investigation of the Alaska Airlines door plug blowout.

We brought in airline CEOs, labor leaders and talked about the success that we've seen, and what we need to do to keep going past our COVID-19 pandemic considerations.

We put our money where our mouth is and set the table for a FAA Reauthorization Law, and all of the Committee worked very diligently to get that over the goal line. Again, want to thank Senator Cruz for his work on that.

The FAA law reauthorized both the FAA and NTSB for an additional five years to help keep safe 3 million daily passengers in the United States. It gives the FAA the resources it needs and makes sure that the nation's aviation safety regulator does set that gold standard.

The law provides NTSB, the nation's safety watchdog, with the highest funding authorization it has received to make sure that we hire the investigators needed to complete their mission.

And the reauthorization invests in the wellbeing of our aviation workforce, giving them new tools, training, and platforms to thrive.

Senator Duckworth, again, thank you for holding this hearing this morning. I look forward to your continued leadership in the very important role of aviation technology advancement and meeting our safety standards. Thank you.

## Questions and Answer Segment

### VIDEO

#### **Witnesses:**

- **Kevin Walsh, Director, Information Technology and Cybersecurity, Government Accountability Office (GAO)**
- **Dean Iacopelli, Chief of Staff, National Air Traffic Controller Association (NATCA)**
- **Capt. Jason Ambrosi, President, Air Line Pilots Association (ALPA)**
- **Dave Spero, National President, Professional Aviation Safety Specialists, AFL-CIO (PASS)**
- **Marc Scribner, Senior Transportation Policy Analyst, Reason Foundation**

**Senator Cantwell:** Thank you, Madam Chair, and following on Senator Cruz's line of questioning because I think the issue here is we want to know what modernization takes. We obviously have seen a lot of events, and the workforce training and [pilot training] hours also matter to us, and the experience of those air traffic controllers. If you listen to the Alaska flight audio, it's really critical that the communication between the pilot and the air traffic control system had the best you could possibly have in that situation.

Capt. Ambrosi let's just say, you're the most active user of the air traffic control system. You said something in your statement at the very end. I don't see it in your written statement, but you were referring to the FAA tendency to do what's required within their budgeting, but not come to the table with the right amount of technology investment. Am I making sense there? You're talking about your resources. I don't know if you have that line, and you could reread it again? Because I thought it was a very telling statement about this dilemma.

**Capt. Ambrosi:** While Congress has provided the funding requested each year by the FAA during the annual appropriations process, there remains a significant shortfall in the numerous maintenance and modernization efforts. Resources have not kept up with inflation and effectively require the agency to prioritize sustainment, to the detriment of modernization and infrastructure needs. The FAA must ask Congress for its true needs in order to sustain legacy systems and make greater headway on NextGen and improve the NAS for all users.

**Senator Cantwell:** Sustainment to the detriment of modernization. Okay, that is what I wanted you to focus on. So how do we deal with this dilemma? Because sustainment...you know, there was much debate between NATCA and others about what they thought the FAA should do. But if the FAA is sitting over here looking at sustainment instead of modernization, and modernization is absolutely capable as the NTSB Chairwoman has said on near-miss technology at the airports or these systems—

how can we be better informed that that is no trade off when safety is concerned?  
Trading off sustainment for modernization is no trade off when safety is concerned. How do we better understand this?

**Capt. Ambrosi:** Well, I will use this second to do a shoutout for Administrator Whitaker and thank him for his leadership, as we'll be sad to see him go. We obviously need an FAA administrator who's going to be a leader, and we need long term, stable leadership at the top of the FAA to tackle this exact challenge. It was under his leadership that the FAA did request a significant increase in budget last year to address the facilities and equipment improvement. But yes, they need to ask for what they need. Absolutely.

**Senator Cantwell:** Okay. I'm not sure I quite got the "here's how we're dealing with it."

We, in ACSAA, said we want a top 10 trend list. We want to know what the top safety trend concerns are, so that you're elevating that to us. We also obviously had the Chair testify here, and then the Administrator heard her, and a few days later, ended up finally putting out an order on near-miss technology deployment for most large airports in the United States.

But you're asking us to do our oversight role, but it's a lot of times, way deep down that there is this disagreement. Now you've captured it, sustainability versus modernization. But what else can we do to crystallize that modernization equals safety, and that Congress needs to understand where dollars go when they are prioritizing safety.

**Capt. Ambrosi:** All I can answer is, by working together and highlighting the problems that may be there. And I believe the people at the FAA want to modernize. They believe they have a path forward. It's just a case of saying, alright we got to really ask for what we need and go out and do it. They have the data. There's been miraculous things over the last two decades...

**Senator Cantwell:** I have to interrupt. No, not if people are sitting there arguing over formula models for staffing. That's what we argued over.

Formula models for staffing, that's what we argued over.

Nobody argued over you need this technology modernization now so that you can prevent X, Y and Z from happening, or risk whatever that risk was—30% chance, I don't know—in some percent chance of that happening.

Instead, it came down to, this is a disagreement over staffing models, and I don't really think that's what it was about. I think it was about sustainability of an organization versus modernization, just as you crystallize it. Anyway, I will stop there, Madam Chair.

I'm really proud of what our Committee has done on oversight, and by that I mean the whole Committee has really taken a more aggressive role, and position, and input, and really understanding these issues. But you guys all have to help us. You have to help us crystallize these opportunities in ways that Congress can fully see the tradeoffs without

having to spend hours and hours and hours digesting the nuance here of staffing models.

And I don't know, Mr. Iacopelli, do you have anything? If anybody else has any thoughts of that. But the way we've dealt with it so far is to use the NTSB and to say you be the watchdog whistle here and tell us and be louder about it.

Look, these technology shifts are major in innovation and they're also critical to our competitiveness. So we want to get it right, and we want to understand it. So I don't know, if I could have one more minute, if anybody else has a comment on that.

**Mr. Iacopelli:** If I may, thank you, Senator. It is an interesting perspective that the staffing question was sustainment versus modernization.

On one side was, we have a model that barely keeps the system alive and runs it as inexpensively as we can. On the other side, you had the air traffic experts who looked at it and said, if we're building the air traffic control system for the future, and we want it to be safe, we need to do these things.

And when we talk about sustainment and modernization, I think Mr. Walsh said it, it's there's not an easy fix. There's not an easy solution. And I would liken it to when we talk about the buildings, when I talk about anything that we're trying to improve. If we're installing high definition TVs in a building that's run on an electric generator powered by gasoline, it's not sustainable. So we have to have the equipment that's out there work while we modernize. And modernization, in a lot of instances, is improving efficiency.

And I know your focus and I think it's an excellent question, what are the modernization tools that we need that focus on safety? We have to deal with efficiency and capacity, but we need to focus first and foremost on safety.

And I think that in our conversations with the FAA, and also a follow up with Capt. Ambrosi said, I thank Mike Whitaker for his leadership because he has been focused on safety. It has been an important part of his charge, and we have worked together to try to identify those systems we need to make the system safe. But we have to figure out a way to do both because we can't let go of the things we have until we have the replacement, and those things take time. But the safety issues in the modernization do need to be separated out from the capacity and efficiency.

**Senator Cantwell:** Well, I see many of my colleagues here who probably want to jump in on these things, but I would say this Committee has the capacity. I think it's demonstrated it has the capacity. So I think we just have to get this debate elevated. It wasn't a staffing model discussion. It was about what do you need to do. And again, Capt. Ambrosi being the end user of all of this. You know, I'm sure they were the loudest in saying, this is what we need because they're the ones every day who have to get up there and have to rely on this.

**Capt. Ambrosi:** And with your leadership and the leadership of this Committee, saying to them, is this really what you need? Does this budget have what you need to modernize? And put them on the spot. So, I thank this Committee.

**Senator Cantwell:** Well, I think your traffic controls were saying yes, but a larger FAA discussion was saying no. And then we're in the middle of trying to digest and help. But anyway, we got what we needed, which was important. But more to do because technology and modernization are going to continue. Again, thank you, Chair Duckworth, for this very important hearing and thank you for your leadership on aviation in general.