

QUESTIONS FOR THE RECORD

Phillip Washington Nomination

**SENATE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

Full Committee

Nomination – Mr. Phillip Washington - FAA

Wednesday, March 1, 2023, at 10:00 A.M.

REPUBLICAN QUESTIONS FOR THE RECORD

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RANKING MEMBER TED CRUZ (R-TX)

1. You are entangled in an ongoing public corruption investigation involving the Los Angeles Metropolitan Transportation Authority (LA Metro) and have been accused of retaliating against a LA Metro whistleblower. In December 2022, you told the *New York Times*: “When I pursued the job in Denver for the airport, much to the credit of the Denver City Council, they looked into all of this and debunked it all, and so I would ask Congress to do the same.”¹ During your nomination hearing on March 1, 2023, you said “I have nothing to hide” with respect to the California Attorney General’s ongoing investigation into this matter. At your nomination hearing, Senator Michael Bennet stated that before the Mayor of Denver asked you to lead the Denver airport “he conducted a thorough background review” and that you “cleared that review.”
 - a. Will you ask the Denver City Council, the Mayor of Denver, and the City of Denver to provide the Senate Commerce Committee with all of the materials that they acquired or prepared when looking into your involvement in public corruption investigation of LA Metro and the whistleblower allegations against you, including any emails between and among the Mayor of Denver, the Denver City Council, and/or their staffs?

I have no objection to your seeking the information from the entities listed through appropriate channels.

- b. Will you ask the Denver City Council, the Mayor of Denver, and the City of Denver to provide the Senate Commerce Committee with all of the materials that they acquired or prepared when they conducted a background review of you, including any emails between and among the Mayor of Denver, the Denver City Council, and/or their staffs?

I have no objection to your seeking the information from the entities listed through appropriate channels.

2. As you are aware, the California Attorney General’s Office is investigating the series of no-bid contracts that LA Metro entered into with a nonprofit entity, Peace Over Violence, to operate a sexual harassment hotline. In your questionnaire, you noted that there is “an investigation into a procurement between LA Metro and a nonprofit called Peace Over Violence.” You further stated that “[t]his procurement was in process prior to my employment with LA Metro in March 2015, with the contract awarded in September 2015.”

¹ Mark Walker, *Biden’s Pick to Lead F.A.A. Faces Murky Road to Confirmation*, New York Times (Dec. 26, 2022), <https://www.nytimes.com/2022/12/26/us/politics/phil-washington-faa-senate-confirmation.html>.

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And during your March 1, 2023 nomination hearing, when I asked you about the ongoing investigation, you stated “[t]hat particular contract was initiated before I arrived at Metro.” These statements give the misleading impression that the LA Metro’s contract with Peace Over Violence for a sexual harassment hotline predated your time at LA Metro. Public records reveal, however, that the first contract between LA Metro and Peace Over Violence for the Sexual Harassment Off Limits Hotline, the sexual harassment hotline, was initiated after you became CEO of LA Metro in March 2015. A November 21, 2019, LA Metro Board Report, which you signed, states that “[i]n December 2016,” while you were the CEO of LA Metro, “Metro approached Peace Over Violence (POV) to help address the response of safety and sexual harassment. Together both entities decided to create the Sexual Harassment Off Limits Hotline, which is 1-844-OFF-LIMITS or 1-844-633-5464.”²

- a. Do you wish to modify or retract your statement that LA Metro’s Peace Over Violence contract for a sexual harassment hotline was initiated before you arrived at LA Metro in March 2015?

No - the engagement and ultimate selection of Peace over Violence was initiated prior to my arrival at LA Metro. The contract itself was signed after I arrived.

3. As CEO of LA Metro, you repeatedly pushed LA Metro to pursue a fareless system, that is, a free transit system that does not charge fares to riders. In 2020, you went so far as to assert that “LA Metro has a moral obligation to pursue a fareless system...”³ You further asserted that fareless transit should be considered “no different than other public programs funded by the public purse such as firefighting, policing and other public infrastructure that serves as a public right and common good.”⁴ In other words, you think that tax dollars should be used to provide free transit for riders.
 - a. Given your view that LA Metro “has a moral obligation” to pursue a fareless transit system, do you think it is it immoral for LA Metro or any other transit agency to charge fares to riders? Please explain.

I do not believe it is immoral for LA Metro or any other transit agency to charge fares to its riders. My comments in 2020 were based on exploring how a fareless system could aid those hit hardest by the pandemic.

² LA Metro, Monthly Update on Transit Safety and Security Performance (Nov. 21, 2019), <https://boardagendas.metro.net/board-report/2019-0786/>.

³ Adam Hill, *LA considers free public transit*, *ITS International*, (Oct. 13, 2020), <https://www.itsinternational.com/its17/news/la-considers-free-public-transit>.

⁴ Adam Hill, *LA considers free public transit*, *ITS International*, (Oct. 13, 2020), <https://www.itsinternational.com/its17/news/la-considers-free-public-transit>.

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- b. Why should taxpayers who do not use mass transit be forced to pay taxes to provide free transit for people who do use mass transit?

The LA Metro Board of Directors ultimately approved a fareless pilot program for students and low-income riders. The purpose of this test program was to provide the data to inform whether a fully fareless system could be possible, including insight on the question you raise. However, I no longer lead LA Metro as of May 2021 and have focused my efforts since July 2021 on safely leading the third largest airport in the world – Denver International Airport.

4. The FAA faces leadership challenges at the highest levels of the agency – with 13 acting leaders (not including the administrator position) out of 63.
 - a. Given your lack of technical aviation expertise, how do you plan to hire the technical experts upon whom you will rely for technical advice?

As the CEO of the third largest airport in the world, I do possess technical expertise related to part 139 Safety Management Systems and other aviation safety issues on the grounds of and in the vicinity of an airport. Because no FAA Administrator in recent memory has had technical aviation expertise in every regulatory aspect of the FAA, there is always a reliance by the Administrator on technical experts at every level of the agency, including in leadership and in the Administrator's front office. If confirmed, I would ensure frequent, direct, collaborative communication with the heads of each FAA line of business and staff office.

5. The FAA is responsible for ensuring a safe and efficient National Airspace System. To do so, the FAA certifies certain aircraft types and derivatives, but also relies on a variety of delegation authorities to manage the vast workload.
 - a. A common critique of the FAA's Unmanned Aerial Systems (UAS) Integration Office (AUS) is that the FAA's lack of technical expertise in UAS is causing the agency to slow down certifying new entrants, which in turn causes business disruptions and hinders innovation. What specific steps would you take to improve the speed at which regulations are issued and certainty introduced for business?

I am aware of the frustration with the regulatory process. As I stated in the nomination hearing, if confirmed, I would review current laws, regulations, policies, and guidance in place and try to determine inefficiencies that are within the FAA's control but would not violate the Administrative Procedures Act or other government transparency laws.

- b. The Aircraft Certification Safety and Accountability Act included multiple technical reforms to the Organization Designation Authorization (ODA) and certification processes and directed the FAA, through the FAA administrator, to conduct very

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technical rulemakings with aviation safety at the core of the reforms. What specific aviation safety background would you apply when evaluating changes to the certification process?

If confirmed, I would use the aviation safety expertise that I have developed and put into practice daily as an airport CEO. Among that experience has been through close collaboration with the FAA, telecom companies, airlines, and aircraft manufacturers in addressing 5G. Airport CEOs, like myself, are following the airworthiness directive and certification of radio altimeter retrofits extremely closely so that we can predict effects on service and technology at airports. And, critically, I have extensive experience with safety management systems that precede any requirements placed on aircraft manufacturers.

- c. Manufacturers, as original equipment manufacturers (OEMs), often received ODA from the FAA to certify the airworthiness and safety of a component or system. A critical component of the aviation manufacturing sector is robust competition. Do you support continuing the Part Manufacturing Authority process?

If confirmed, I will work closely with the Aviation Safety Organization to review processes like this one but as a broader matter the way I will consider certification is through the lens of safety. Safety will always be the first priority to ensure the agency's processes keep safety for passengers, pilots and crew first.

6. Many FAA programs and systems have been undergoing expensive modernization projects for many years, like the NOTAM infrastructure or NextGen, or are due for new procurement, such as the FAA Enterprise Network Services Program.
 - a. How will you ensure accountability on the behalf of contractors and services performed?

I have successfully managed multibillion-dollar transportation infrastructure projects to improve the safety and efficiency of the traveling public for over 20 years, and I have overseen numerous contracts in each of my positions. I will lean on my decades-long record of leadership, management, and oversight of billion-dollar budgets, thousands of employees, and massive project and program oversight. If confirmed, I would look specifically at programs that are delayed and/or have cost overruns to determine innovative ways to address these inefficiencies.

- b. How will you change the environment of delays and cost overruns at the FAA?

To address delays and cost overruns for programs at the FAA, I would empower FAA employees to think innovatively and critically on ways to move projects forward. This is what I did at Denver International Airport. When I started as CEO, Phase One of the Great Hall project had a projected overrun of \$288 million and a potential two-year delay. I was able to

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lead DIA to swiftly develop a new partnership, which managed to complete that phase of the project a month ahead of schedule and under budget.

7. The Airline Deregulation Act of 1978 reduced fares and unleashed market forces that drove down the price of airfare, allowing many Americans previously unable to afford to fly to travel by plane.

- a. Do you support the continued deregulation of air travel?

If confirmed, I would follow laws related to the Airline Deregulation Act of 1978.

- b. What are your thoughts on market-distorting policies at airports such as slots and perimeter rules?

I am aware that Congress has set slot and perimeter rules. If confirmed, I would follow the laws as they relate to slots and perimeter rules. If confirmed, I would also work with the FAA's Air Traffic Organization to evaluate whether slots and perimeter rules affect air traffic beyond ground congestion.

8. As the CEO of the Denver International Airport you should have familiarity with two major federal revenue programs for commercial-service airports – the Passenger Facility Charge (PFC) and the Airport Improvement Program (AIP) grant.

- a. Is the PFC funding regime adequate?

With an airport capital projects backlog of \$115 billion in planned infrastructure projects, there are many in the aviation community who believe the totality of airport infrastructure funding, of which PFC is one piece, is inadequate.

- b. Is the PFC fair?

The policies that govern PFC are established by Congress and I will administer the law consistent with the program as enacted.

- c. Is AIP fair?

The policies that govern AIP are established by Congress and I will administer the law consistent with the program as enacted.

- d. What needs to be done to modernize the AIP program?

I have seen a number of proposals to modernize the AIP program. If confirmed, I would be committed to working with airports and other aviation stakeholders to gather more information and evaluate ideas for how to modernize.

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- e. Do you foresee an opportunity to reform both programs to make the overall funding regime more efficient?

If confirmed, I would be committed to working with airports and other aviation stakeholders to gather more information and evaluate ideas for how to modernize PFCs and AIP.

9. Senator Markey has introduced the Good Jobs for Good Airports Act, legislation that would introduce a minimum wage for concessionaires at airports.

- a. Do you apply a prevailing wage at Denver airport?

The city and county of Denver, of which Denver International Airport is a department of, require that contractors or their subcontractors pay workers a prevailing wage.

- b. What would be the impact of this legislation at Denver International Airport where you are currently the CEO?

Airport workers are critical to the operation and reliability of our aviation system. The city and county of Denver already require that contractors or their subcontractors pay workers a prevailing wage.

10. During your nomination hearing, in response to a question from Senator Peters about aqueous film-forming foam (AFFF), you stated you would work with the Department of Defense to develop a transition plan around PFAS.

- a. Do you think all airports should use PFAS-free fire suppressors like fluorine-free firefighting foam (FFFF) or dry chemical agents?
- b. If yes, would you support mandating all airports transition to PFAS-free solutions?
- c. Are you aware that PFAS-free foam, as currently designed is less effective in extinguishing a fire involving jet fuel that traditional foam?⁵
 - i. If not, would you still suggest airports transition to PFAS-free foam?
 - ii. If yes, how is this consistent with your insistence that you prioritize safety above all else?

The 2018 FAA Reauthorization explicitly mandated that FAA may not require the use of fluorinated foams 3 years after enactment. Subsequent National Defense Authorization Acts

⁵ According to the National Fire Protection Association, it can take twice as long and require twice as much liquid to extinguish a liquid fuel fire using FFFF than AFFF.

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directed the Department of Defense (DOD) create a new performance standard for the firefighting foam which would not require the use of fluorinated chemicals. Further, Congress required DOD to identify a foam that meets that standard by this fall. It is my understanding that new performance requirements for firefighting foam were issued last month by DOD, and the FAA will need to work with DOD and airport stakeholders to develop a transition plan that will assist airports in transitioning to the fluorine free foam. Research has shown that PFAS pose health risks, in particular for firefighters, and if there is a safe alternative to firefighting foam with PFAS, then it is important for airports to adopt it. If confirmed I would certainly work with you and your colleagues as well as airports around the country during this important transition.

11. In December 2021, you introduced a change in procurement policy at Denver airport requiring the consideration of equity, diversity, and inclusion as criteria for competitive bidding. Would you introduce a similar change at the FAA?

If confirmed, I would follow all laws and regulations related to competitive bidding and contracting.

12. At your nomination hearing, you cited your experience helping to bring rail and transit to airports as one of your qualifications for serving as FAA Administrator.

- a. Does the FAA Administrator have a responsibility to consider whether and to what extent airports have connections to rail and mass transit lines?

It is my understanding that airports expect FAA Administrators to be responsive to issues they may have in seeking approval from the FAA for airport projects that may connect to rail and mass transit lines. In addition, the Bipartisan Infrastructure Law makes these types of connection projects eligible for Mega Grants.

- b. If so, how much time would you spend as FAA Administrator on the issue of rail and mass transit connections to airports?

Due to the nature of the FAA's safety mission, I cannot predict how much time I would spend on specific issues if confirmed.

13. During your nomination hearing, Senator Baldwin asked you how you planned to continue your past work of "advancing women in transportation." In response you stated, among other things, that during your time at LA Metro: "We stood up a Women and Girls Governing Council to understand how women travel, and ways to improve the system as it relates to the traveling of women."

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- a. What was the purpose of this Women and Girls Governing Council and what did the Council do?

WGGC was established in September 2017 to examine Metro policies, programs and services, as well as to make recommendations to the CEO. With consideration of the unique obstacles faced by women and girls, the council looks to find opportunities to remove barriers to success and expand opportunities at, within and on LA Metro.

In the context that I was speaking of, the particular study, “Understanding How Women Travel” was and is an effort to understand the unique and diverse mobility needs of women in LA County. In an initiative led by LA Metro’s Women and Girls Governing Council and endorsed by me, for the first time in the organization’s history, the study explored the experiences of women traveling on our system by collecting and analyzing many different datasets to inform a variety of system planning and operational decisions.

- b. Who were the members of this Council?

The council is comprised of a diverse group of LA Metro employees representing every department – union and non-union, entry-level to executive – that met monthly to develop recommendations to the CEO to help advance and empower women and girls.

- c. How did this Council study “how women travel” and the “traveling of women”?

Conventional methods that provide statistics about women’s travel behavior including 1) Analysis of nine existing data sources from LA Metro and the National Household Travel Survey; 2) Survey of 2,600 respondents oversampling women and transit ridership; 3) Focus groups that allowed for open conversation around sensitive topics and added nuance to our understanding of gender differences in travel.

Innovative methods including: 1) Over 100 hours conducting participant observations on 19 LA Metro routes; 2) Three participatory workshops creatively that engaged the most loyal – and most vulnerable riders; 3) Three pop-up engagements that expanded our data collection to catch everyday riders, in the process of using LA Metro services, to hear what makes their ride easy or difficult.

- d. Do women travel differently than men? If so, how?

Together, these research methods reveal rich and significant findings about how women travel. I have provided a link to this report that organizes findings according to five themes.*

I have also provided a link to the overall WGGC effort.

1. *Travel Behavior Trends*
2. *Safety*

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3. *Access*
4. *Reliability*
5. *Convenience & Comfort*

*



[UnderstandingHowWomenTravel FullReport FINAL.pdf](#)

<https://www.metro.net/about/wggc/>

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SENATOR DAN SULLIVAN (R-AK)

Runway Length and Safety:

For the most remote Alaskan communities with no ferry or road service, air travel is the only mode of transportation and the only way to move people and goods in and out of those communities. 82% of the communities in Alaska are not accessible by road. 251 communities are exclusively accessed by air.

FAA has policy that is resulting in shorter runways throughout my state. In order to be eligible to reconstruct a runway using federal funds (Airport Improvement Program), the FAA requires that the airport must have received 500 operations per year from an aircraft that needs that size of runway. This is forcing the State, who manages over 240 airports, to fold to the federal policy and rebuild airports to the shorter lengths.

This is not tenable in a state where in many locations fuel oil for heat is flown in twice per year, requiring greater runway length and safety areas. Reducing runway length will at minimum restrict the ability to deliver heating fuel and gasoline where other options for transport are lacking (no highway connections, no alternative means of transportation).

This also limits the ability to get freight, mail, and basic goods into the community – and surrounding communities. When runways are shortened the community is limited from acting as a hub for other surrounding communities. 121 operators are unable to get into hubs as the shortened runways limit the amount of lift length.

This has dramatic safety implications, as not only is the runway itself shrinking, but the runway lighting shrinks along with it, and the airport is limited from receiving 121 service - operations that are recognized as the safest.

This limitation is also crippling the ability of the State to develop new Airports for Economic Development, including runways for the Wasilla Airport, the Gulkana Airport, and the proposed new airport near the Denali National Park, as the rules do not allow you to expand or build airports to meet new demands unless it has already been served by larger aircraft.

1. Do you think it is good policy to incentivize the shortening of runways in areas that have complete dependency on air travel, and are in locations with challenging weather, and often lack communications and navigational aids?

As the CEO of an airport, I understand how important runways are for safe aviation travel. If confirmed, I would closely review the FAA's policy on runway resurfacing and reconstruction and consider where there are any exceptions that need to apply to the policy based on any unique circumstances of the airport and the community.

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Instrument Flight Approaches

Section 322 of the FAA Reauthorization Act of 2018 allows air carriers operating under Part 135 to carry out operations and instrument approaches in Alaska at destination airports without approved meteorological (METAR) observation data if area forecasts supplemented by noncertified local weather observations (including cameras and human observers) are available and an alternate airport with weather reporting is specified. As recognized and promoted by FAA, flying under IFR offers a higher level of safety and predictability to air service.

The value of this language was echoed by the NTSB in the February 2020 report on the safety of Part 135 operations in Alaska.

“The longstanding effort to increase instrument flight rules (IFR) operations in Alaska is another area that continues to meet with obstacles. The director of operations for an Alaska carrier stated that despite the increased availability of instrument approaches, the inability to comply with current FAA flight standards that are required throughout the United States, such as weather reporting requirements and terminal instrument procedures, render the approaches unusable for many operators. A possible remedy would be to adjust the FAA’s flight standards for Alaska to accommodate its unique aviation environment, which is a risk management decision requiring extensive knowledge of the environment; yet such an adjustment has yet to even be evaluated.”

The Advisory Circular (135-45) to provide guidance on Section 322 undermined congressional intent by requiring unrealistic weather sources for locations in Alaska, including the requirement that carriers hire staff in the remote destination airports to launch balloons to determine a ceiling. This is unworkable in Alaska, and defeats the point of the law.

2. Please consult with FAA to provide the number of Part 135 operators that have received approved procedures under Section 322.

I will be happy to work with you on this, if confirmed, to better understand the agency’s policy with respect to required weather data. Speaking more broadly, I agree that the agency’s goal should be implementation of legislation consistent with Congressional intent and that would certainly be my goal throughout the duration of my term.

3. Are any of the air carriers in operation today?

See above

4. If confirmed, will you revisit the guidance associated with Section 322 to ensure operators are able to benefit from the greater flexibility and safety benefits provided by congress for conducting flight operations using alternative weather data sources?

If confirmed, I will work with you to address these concerns.

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Equity in Aviation Safety:

There has been attention paid to this Administration's efforts to address transportation equity, as adverse effects—air pollution; mass transit disinvestment—have disproportionately impacted Black and Brown communities and long been overlooked in transportation.

Our remote communities are primarily Alaska Native residents, and there are adverse impacts due to transportation policy that creates a racial disparity from the lack of federal investment in these communities. From your work as Chair and Co-Founder of the Equity in Infrastructure Project, I am sure you will appreciate the situation.

The most pointed example is the dependence of our residents on aviation, the lack of federal investment in infrastructure and technology to support rural isolated communities as compared to the rest of the nation, and how this has translated to safety.

A February 2020 NTSB report pointed to a recent 10-year period where the total accident rate in Alaska was 2.35 times higher than the rest of the United States. During the same period, the fatal accident rate in Alaska was 1.34 times higher.

The FAA Alaska Aviation Safety Initiative (FAASI) is an FAA effort to respond to the February 2020 NTSB Report and the FAA Alaska Aviation Safety Summit from October 2020. This effort has identified safety improvements and investments for the Alaska Region.

5. If confirmed, will you commit to an annual update to the FAASI, and to include any progress made to the previously identified safety improvements?

If confirmed, I will commit to an annual update to the FAASI and include any progress made to previously identified safety improvements.

6. Will you commit that the items in the FAASI not only be explicitly prioritized in the budget, but incorporated into long term the planning by the FAA?

If confirmed, I will commit to finding ways to prioritize items in the FAASI as appropriate.

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Safety Briefing Commitment:

As discussed above, a 2020 report issued by the National Transportation Safety Board (NTSB) calling for the FAA to take a more comprehensive approach to improving aviation safety in Alaska.

The NTSB report points to a recent 10-year period where the total accident rate in Alaska was 2.35 times higher than the rest of the United States. During the same period, the fatal accident rate in Alaska was 1.34 times higher. I'm sure you agree that this is unacceptable.

7. Your predecessor required staff to report to him personally every time there was an aviation accident in my state. Will you commit to do the same?

If confirmed, I will commit to requiring staff to report to me personally every time there is an aviation accident in your state. In an effort to increase transparency and elevate safety issues, I will err on the side of requiring that staff personally keep me apprised of more aviation accidents than might otherwise be reported to the Administrator.

ADS-B/Mid-Air Collisions:

Alaska has historically been a testbed for avionics that have provided efficiency and safety benefits to the entire National Airspace System.

The Capstone Project was a joint industry and FAA research and development effort to improve aviation safety and efficiency in Alaska. Under Capstone, the FAA provided avionics equipment for aircraft and the supporting ground infrastructure. The Capstone Project operated from 1998 to 2006, and it demonstrated a 47% reduction in the aviation accident rate of Capstone avionics equipped aircraft compared to non-equipped aircraft in parts of the state that did not receive ground based equipment and equipped aircraft.

Our high accident rate is made up of a lot of Controlled Flight Into Terrain accidents and mid-air collisions – the type of accidents that this technology can prevent.

Alaska laid the groundwork for the nationwide deployment of ADS-B, known as NextGen, now providing our national airspace system with efficiency through satellite-based navigation and aircraft tracking. The NextGen system is now a multibillion-dollar program, primarily through FAA's Facilities & Equipment account. Meanwhile, the majority of my state is without coverage and the airspace is not classed to require coverage – even in some congested airspace, such as Bethel.

Section 321 of the FAA Reauthorization Act of 2018 (P.L. 115-254) directed FAA to conduct an evaluation of providing additional ADS-B ground-based transmitters along major flight routes in Alaska. In October 2019, aviation industry groups wrote to the FAA Surveillance and Broadcast Services program office supporting this initiative and urging additional investment in ADS-B ground stations to establish a Minimum Operational Network for ADS-B coverage in Alaska. They shared analysis supporting the Section 321 mandate that identified an additional 23 locations. I was pleased to see in the FAASI that the FAA will accelerate the deployment of ground based

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equipment for some of our high trafficked areas, and was pleased to hear of the FAA plans to add five sites in fiscal year 2023.

8. If confirmed, would you support the deployment of a minimum of an additional 23 ADS-B ground-based transmitters, as identified by the users of our NAS?

If confirmed, I would work through the FAA's Air Traffic Office and Office of NextGen to engage with stakeholders to further accelerate deployment of ground-based equipment.

Given that the majority of Alaska's airspace is not classified, the true safety benefits of additional ground based equipment remains to be dependent on the rate of private equipage of aircraft. While it is of obvious value for aircraft to improve situational awareness through ADS-B equipage, I caution that any large scale airspace reclassification would cripple mobility in my state, not be embraced by some pilots, and would be an unfunded mandate. However, the need for equipage remains.

9. Would you support the inclusion of funding in the FAA budget to equip private aircraft with avionics equipment and the supporting ground infrastructure, similar to the Capstone project that was in operation from 1999 to 2006?

If confirmed, I would commit to reviewing any proposals for FAA to fund equipping aircraft with avionics and supporting ground infrastructure.

Comms/Nav Aid Maintenance:

The remote, mountainous terrain of Alaska presents technical challenges for the FAA with installing and maintaining a robust Communications, Navigation, Surveillance system. In the FAA's own words from the 2021 FAA Alaska Aviation Safety Initiative (FAASI), "Maintaining the extensive Alaska National Airspace System (NAS) infrastructure, which consists of a mixture of old and new components, is a daunting task for FAA engineers and technicians."

10. Please consult with the FAA to respond to this question and share what FAA is doing to address the challenges of maintain navigational aids and communications equipment in Alaska.

I understand the priority this has for you and for your constituents in Alaska. If confirmed I will work closely with our team in the Alaska region and across the agency's lines of business to survey what we're doing to facilitate safe flight in Alaska and what we can do to improve in terms of equipment, processes and communication with stakeholders. And, as I mentioned in my Hearing, if confirmed, I commit to visiting the State of Alaska, as soon as possible and early in my term, to see for myself the aviation challenges in your state.

11. If confirmed, will commit to implementing mitigation methods, including the storage of more spare parts for repairs in the State and provide more technicians?

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If confirmed, I will commit to implementing mitigation methods to address the challenges posed by Alaska's terrain to maintaining navigational aids and communications equipment.

Oklahoma City Registry Modernization System and Office of Aerospace Medicine:

My office is constantly fielding complaints with the processing of aircraft registration and clearance of air medicals for pilots, and evidence points to bottlenecks in the FAA offices at Oklahoma City.

In regards to the FAA's Civil Aircraft Registry in Oklahoma City, the FAA Reauthorization of 2018 directed many improvements, including the modernization and partial digitization of the registry and extending the duration of aircraft registration certificates from three to seven years. Notwithstanding these improvements, bottlenecks remain with reports of registration taking two to three years, during which time the registration of an aircraft can expire. All signs point to manpower as the issue, with employees working from home is frustrating streamlining efforts.

12. What more can be done to streamline the Registry Modernization System?

If confirmed, I would look at new ways to reduce the backlog of aircraft registrations and timelines to process them. I understand the frustration, and I have extensive background in optimizing systems, like IT systems, to optimize performance and decrease bottlenecks.

Similarly, we have seen a noticeable upticks in number of complaints that the Office of Aerospace Medicine in Oklahoma City is unable to process airman medical certifications. These delays have significant impacts that interfere with an individual's livelihood and ability to provide for their family. Our Alaska Region Flight Surgeon is reportedly doing a great job, but the bottleneck occurs in Oklahoma City, where employees are working from home.

13. What more can be done to streamline the Office of Aerospace Medicine without sacrificing the safety of the flying public?

If confirmed, I would look into what type of streamlining within the Office of Aerospace Medicine would be appropriate to ensure the safety of the flying public. My understanding is that people can see the status of their medical certification application in real time, but more can be done to make the expected timeline for certification more predictable.

14. Are the medical standards periodically reviewed to ensure they are appropriate to the safe operation of aircraft?

My understanding is that the FAA's Aerospace Medicine Office monitors the latest data and science to determine if adjustments to medical standards are necessary. If confirmed, I would ensure that the FAA continues to periodically review its medical standards.

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Unauthorized Drone Flights Over Critical Industry:

You stated in your confirmation that you wanted to examine ways to expedite the FAA's rulemaking process, which is incredibly slow and is frustrating the integration of Unmanned Aerial Systems into the national airspace system. It is also affecting the security of the NAS. Recently, the FAA announced that it was delaying yet again the Notice of Proposed Rulemaking to implement Section 2209 of the FAA Extension, Safety and Security Act of 2016, which will set up a process to prevent unauthorized drone flights over critical industry. It has been nearly seven years since this provision was signed into law - an extraordinary delay even by FAA standards. The increasing sophistication of commercial off-the-shelf UAS is far greater now creating a far larger threat to critical infrastructure than when Congress first worked to address this issue.

15. If confirmed, will you commit to making sure that the agency prioritizes the issuance of this NRPM?

As an airport operator I understand the concern that critical infrastructure owners have about hazards associated with errant or hostile UAS. As I stated in my confirmation hearing, if confirmed, I would examine ways to streamline the areas of the rulemaking process that the FAA controls, and in accordance with the Administrative Procedures Act. The issuance of this NPRM would be among the rulemakings that I would review.

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SENATOR TODD YOUNG (R-IN)

1. The FAA is responsible for the safety and efficiency of our National Airspace System. In that role, FAA coordinates with NORAD, DOD, and other national security agencies of the United States. As we have seen during recent incidents such as foreign air vehicles penetrating U.S. airspace, the U.S. response to the global pandemic, and the implementation of the Civil Reserve Fleet, the FAA is an active partner in our response to various national and international crises. Last month, Acting Associate Administrator for Aviation Safety, David Boulter, said in his testimony before the House T&I Committee, “As Congress has directed in section 243 of the FAA Reauthorization Act of 2018, we continue our efforts as a global leader in aviation, and much of the globe is watching...” The world is watching, but it no longer follows the FAA.
 - a. If you are confirmed as Administrator of the FAA, how will you maintain and improve FAA's leadership abroad?

I believe that the world wants and needs our global leadership on aviation safety. As part of my plan, if confirmed, I would ensure the FAA holds itself and the entities it regulates accountable. I will also ensure that every FAA employee understands my expectations of them as well as what they can expect from me. I also will further expand the FAA's partnership with workers, communities of color, airlines, airports, aircraft manufacturers, the military, labor, and aviation regulatory bodies around the world, and all communities impacted by FAA operations.

2. In January, the outage of FAA's Notice to Air Missions (NOTAM) system led to the first nationwide shutdown of our national airspace since 9/11. Outdated aviation infrastructure threatens to severely disrupt air travel in the United States and place the traveling public in danger. The FAA currently depends on a vast network of radars to monitor weather and air traffic, but many of these legacy systems have been in service for over 40 years and have become increasingly difficult and expensive to maintain.
 - a. Following completion of the feasibility assessment in 2020, what is the FAA's current plan for modernizing our Nation's legacy radar systems through the Spectrum Efficient National Surveillance Radar (SENSR) program?

As the NOTAM system failure showed, the FAA needs to be focused on safety and modernization. Based on my airport's work with FAA air traffic control, I am aware that the FAA is still supporting some legacy systems even as it seeks to modernize the system. If confirmed, I would engage with the Air Traffic Office to determine in what stage of modernization the FAA is in and develop ways to move modernization forward.