

## **Response to Written Questions Submitted by Hon. Maria Cantwell to Michael Graham**

**NTSB “Most Wanted List” for Safety Improvements.** The NTSB describes its “Most Wanted List” for safety improvements as the agency’s premier advocacy tool. This list identifies the top safety improvements that can be made across all transportation modes to prevent accidents, minimize injuries, and save lives. Yet, some NTSB safety recommendations remain open and unresolved for years and years.

**Question 1.** What more can be done to help raise awareness of NTSB’s safety recommendations and to encourage their swift adoption by transportation agencies and private entities?

**Answer.** Senator, I am committed to NTSB’s safety mission and seeing its recommendations favorably acted upon. Should I be confirmed I will be actively engaged in collaboration and awareness efforts targeting operators and industry to be proactive about implementing safety recommendations. They should not wait for regulations or an accident to move them to action. I have found in my experience that voluntary adoption of safety best practices and recommendations to be the most effective means of closing gaps in safety. I also commit to working with Congress should additional measures be necessary to address any safety issue.

**Positive Train Control (“PTC”).** Since the NTSB first recommended positive train control (“PTC”) technology nearly 50 years ago, there have been more than 150 accidents that this lifesaving technology could have prevented.

One of these was the Amtrak 501 derailment in my home state in 2017.

**Question 2.** Do you agree with me that there should be no more extensions of the PTC implementation deadline?

**Answer.** Senator, I agree there should be no more extensions of the PTC implementation deadline. As you stated, the first recommendation came nearly 50 years ago. PTC is a proven safety technology that provides a system capable of reliably and functionally preventing train-to-train collisions, overspeed derailments, incursions into established work zone limits and the movement of a train through main line switch in the wrong position. Without PTC, we are at risk for another tragic accident.

I share your interest and, if confirmed, look forward to working with you on this and other safety issues.

## **Response to Written Questions Submitted by Hon. Tom Udall to Michael Graham**

**Question.** Drunk driving accounts for 1/3rd of all traffic fatalities every year. What are some ways that NTSB can use its expertise to reduce these tragic accidents?

**Answer.** The NTSB has made several recommendations to address driving under the influence (DUI) and other drug impairment. First, states should establish a per se blood alcohol content (BAC) limit of 0.05 percent or lower for all drivers who are not already required to adhere to lower BAC limits. This alone is estimated to reduce DUI related deaths by over 10 percent. Second, states should require alcohol ignition interlock devices for all individuals convicted of DUI offenses. Third, federal regulators should develop and disseminate to states a common standard of practice for drug toxicology testing. And, at the national level implement an aggressive education campaign on the effects of drug and alcohol on driving. If confirmed, I would make it a priority to advocate the adoption of these recommendations at all levels and commit to working with you and Congress on eliminating alcohol and drug impairment in all modes of transportation.

## **Response to Written Questions Submitted by Hon. Tammy Duckworth to Michael Graham**

**Question.** National Transportation Safety Board investigations of school bus crashes has led to a number of recommendations for consideration by Congress, the Administration and States to improve safety. NTSB has recommended installing 3-point safety belts, automatic emergency braking, event data recorders, electronic stability controls, fire-resistant materials and fire suppression systems on school buses.

Please describe the safety benefits of implementing these regulations. Do you concur with these recommendations? Do you agree that passing a federal law to implement these recommendations would improve safety for school bus occupants and roadway users?

**Answer.** Senator, I understand and share your concern for school bus safety. While school buses are safe, preventable death and injury still occur. The recommendations you have cited would most definitely improve school bus safety and save lives.

In my experience, I have found voluntary implementation can be more effective and move more quickly than the legislative and rulemaking process. If confirmed, I am committed to working with federal, state and local agencies as well as private entities on implementing these safety recommendations. I would also be happy to work with you on school bus safety and other safety issues, if confirmed.

## **Response to Written Questions Submitted by Hon. Jon Tester to Michael Graham**

**Aircraft Certification Process.** The way I see it, the two Boeing crashes were avoidable. Perhaps it was a perfect storm of flawed decisions, but 346 people died because of those decisions.

**Question 1.** Do you think that these crashes confirm that our current system of aircraft design and certification has failed us? What changes in the certification process are needed? What changes are needed for FAA?

**Answer.** Senator, I share your concern with the crashes and possible issues with the aircraft design and certification process. I understand that the Indonesian and Ethiopian investigations are ongoing, in accordance with international agreements, and no conclusions have been drawn at this time. I know the NTSB has appointed an accredited representative to each investigation and is also investigating the certification process of this aircraft. I maintain the same urgency as you to identify and close any gaps in the U.S. processes which may have contributed to these tragedies. While I am not privy to the investigative information, should I be confirmed, I am committed to completing these investigations and issuing all necessary safety recommendations. Further, I will work with Congress, the FAA and industry to implement them.

**Boeing 737 MAX Re-certification.** I know that NTSB and others are still gathering facts about the crashes and you do want to be deliberate in your findings.

**Question 2.** That said, given that the first Boeing 737 entered service 52 years ago and there have been multiple changes in the plane's size, distance and capabilities since then, should the 737 MAX 8 undergo its own recertification process?

**Answer.** Senator, since the investigations are ongoing, no conclusions have been drawn. Recommendations will be issued if/when issues are identified.

If confirmed, I am committed to working with Congress on any safety recommendations that come out of these accidents or any other safety issues.

### ***Culture of Safety.***

**Question 3.** What advice would you give to the next FAA Administrator on best practices for ensuring a robust a culture of safety within the FAA organization and across the aviation industry?

**Answer.** Senator, I would recommend the FAA Administrator continue to support the "compliance philosophy" that was implemented a couple years ago. This is a culture the FAA needs to cultivate, to encourage the sharing of any single error, allowing for system wide corrections, without fear of reprisal. It has opened meaningful dialogue and collaboration on safety issues between operators and the FAA. Also, I recommend the Administrator continue to advance any other voluntary reporting programs which provide a consequence free environment for operators and controllers to report unintentional errors and safety problems without fear of retribution by the FAA or their company.

Both of these best practices provide significant safety data for the FAA and the operator's Aviation Safety Action Program (ASAP). The de-identified data can then be shared with the Aviation Safety Information Analysis and Sharing (ASIAS) program, which analyzes and trends the data to be shared with the FAA and all operators for awareness and safety improvement. While there remains room for improvement, these two programs alone have built a positive safety relationship between the FAA and industry, and built a more positive safety culture. Ultimately, safety is team effort that requires sufficient oversight as well as buy-in from operators.