IMPLEMENTATION OF BOEING'S COMPREHENSIVE ACTION PLAN

(118–70)

HEARING

BEFORE THE

SUBCOMMITTEE ON
AVIATION

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

SEPTEMBER 24, 2024

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SEPTEMBER 20, 2024

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Aviation
FROM: Staff, Subcommittee on Aviation
RE: Subcommittee Hearing on "*Implementation of Boeing's Comprehensive Action Plan*"

I. PURPOSE

The Subcommittee on Aviation of the Committee on Transportation and Infrastructure will meet on Tuesday, September 24, 2024, at 10:00 am ET in 2167 Rayburn House Office Building to receive testimony at a hearing entitled, "*Implementation of Boeing's Comprehensive Action Plan*." Members will receive testimony from Michael Whitaker, Administrator of the Federal Aviation Administration (FAA), on the FAA's oversight of The Boeing Company (Boeing), including the agency's assessment of and actions in response to Boeing's comprehensive Product Safety and Quality Plan (the Plan), submitted by Boeing in the wake of a door-plug incident that occurred during Alaska Airlines flight 1282 on January 5, 2024.

II. BACKGROUND

ALASKA AIRLINES FLIGHT 1282

On January 5, 2024, a relatively new Alaska Airlines Boeing 737 MAX 9 aircraft flying at an altitude of 16,000 feet had one of its two mid-cabin door-plugs separate from the aircraft during flight, causing a rapid depressurization of the cabin. No passengers or flight crew were seriously injured; fortunately, the two seats immediately next to the door-plug were not occupied. The following day, the FAA issued an emergency airworthiness directive temporarily grounding all 737 MAX 9 aircraft with the plug door configuration pending the results of a limited number of exploratory inspections of part of the fleet.[1] On January 24, 2024, based partially on the results of the exploratory inspections, the FAA approved a comprehensive inspection regimen that, upon its completion, would allow 737 MAX 9 aircraft to return to service shortly thereafter.[2]

NTSB INVESTIGATION

The National Transportation Safety Board's (NTSB's) preliminary report on the incident, released on February 7, 2024, revealed that when the aircraft was deliv-

[1] Christine Boynton, et al., *FAA Grounds, Orders Immediate Inspections of Most Boeing 737–9s*, AVIATION WEEK, (Jan. 8, 2024), *available at* https://aviationweek.com/air-transport/safety-ops-regulation/faa-grounds-orders-immediate-inspections-most-boeing-737-9s.

[2] Amanda Maile and Lea Sarnoff, *FAA releases instructions for airlines to begin inspecting Boeing 737 Max 9 planes*, ABC NEWS, (Jan. 24, 2024), *available at* https://abcnews.go.com/Politics/faa-releases-instructions-airlines-begin-inspecting-boeing-737/story?id=106654582.

ered from Boeing to Alaska Airlines, "the four bolts that prevent upward movement of the [door-plug] were missing."[3] The report also found that the four bolts in question had arrived intact when the fuselage was delivered to Boeing's facility in Reston, Washington from Spirit AeroSystems, indicating that such bolts had been removed at the Boeing facility.[4]

On August 6 and 7, 2024, the NTSB held a public hearing on the accident. Chair Jennifer Homendy said on the record that the accident was avoidable because Boeing has documented and been aware of its unauthorized production work issues prior to the accident occurring.[5] The hearing also confirmed that the door plug was removed at the Boeing factory in Renton, Washington, but that the necessary paperwork for its removal was not created.[6] Elizabeth Lund, senior vice president of quality for Boeing Commercial Airplanes, explained that when workers replaced the door plug temporarily, other workers were unaware that bolts needed to be reinstalled due to the lack of documentation.[7]

This investigation has raised concerns about quality control and production issues at Boeing facilities and the facilities of its 737 fuselage supplier, Spirit AeroSystems.[8]

FAA OVERSIGHT ACTIONS

Following the Alaska Airlines flight 1282 accident, and the subsequent grounding of all Boeing 737 MAX 9 aircraft with similar door-plug configurations, Administrator Whitaker announced on January 17, 2024, that the FAA had opened an investigation into Boeing's manufacturing and production lines. The investigation extended to subcontractors of Boeing, particularly Spirit AeroSystems. In the same announcement, the FAA noted it would conduct a concurrent six-week audit of Boeing's manufacturing processes.[9] The FAA also sent an additional 20 inspectors to Boeing's Washington production facilities and an additional six inspectors to Spirit AeroSystems's fuselage production facility in Wichita, Kansas. Furthermore, the FAA has indicated that some of those additional inspectors may remain at those factories permanently.[10]

On February 12, 2024, Administrator Whitaker visited Boeing's factory floor in Renton, Washington, to hear directly from Boeing engineers, mechanics, and others about Boeing's quality control processes. Following the Administrator's site visit, the FAA announced it would not allow Boeing to increase its 737 Max production beyond its current rate of 38 jets per month until the agency was satisfied that Boeing's quality control issues had improved.[11] On February 27, 2024, Administrator Whitaker met with Boeing's then-Chief Executive Officer (CEO), Dave Calhoun, and other Boeing senior leaders and imposed a requirement on Boeing to address its production lapses and "systemic quality-control issues."[12] The Administrator gave Boeing a 90-day deadline to provide the FAA with a comprehensive plan to address the following:

- Identified production and quality-control problems;
- Findings of the FAA's audit of Boeing's manufacturing processes;
- Findings of the FAA's expert panel report on Organization Designation Authorizations (ODA) for Transport Airplanes, written and compiled in response to a requirement from Section 103 of the Aircraft Certification, Safety, and Accountability Act (ACSAA);[13] and

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[3] NTSB, AVIATION INVESTIGATION PRELIMINARY REPORT (2024), *available at* https://www.ntsb.gov/investigations/Pages/DCA24MA063.aspx.

[4] *Id.*

[5] *See* NTSB, *Investigations: In-Flight Mid Exit Door Plug Separation, NTSB Investigative Hearing* (Aug. 6–7, 2024), *available at* https://www.ntsb.gov/investigations/Pages/DCA24MA063.aspx.

[6] *Id.*

[7] *Id.*

[8] Will Guisbond, *NTSB confirms missing bolts, defective rivets preceded 737 Max 9 door plug incident*, THE AIR CURRENT, (Feb. 6, 2024), *available at* https://theaircurrent.com/feed/dispatches/ntsb-confirms-missing-bolts-defective-rivets-preceded-737-max-9-door-plug-incident/.

[9] FEDERAL AVIATION ADMINISTRATION, UPDATES ON BOEING 737–9 MAX AIRCRAFT (2024), *available at* https://www.faa.gov/newsroom/updates-boeing-737-9-max-aircraft [hereinafter UPDATES ON BOEING 737–9 MAX AIRCRAFT].

[10] *Id.*

[11] Joel Rose & Russell Lewis, *NTSB says key bolts were missing from the door plug that blew off a Boeing 737 MAX 9*, NPR, (Feb. 6, 2024), *available at* https://www.npr.org/2024/02/06/1229528737/ntsb-boeing-737-max-9-alaska-airlines-door-plug-missing-bolts.

[12] UPDATES ON BOEING 737–9 MAX AIRCRAFT, *supra* note 12.

[13] FEDERAL AVIATION ADMINISTRATION, SECTION 103 ORGANIZATION DESIGNATION AUTHORIZATIONS (ODA) FOR TRANSPORT AIRPLANES EXPERT PANEL REVIEW REPORT (2024), *available at*

- Actions Boeing will take to mature its safety management system (SMS) program.[14]

On March 4, 2024, the FAA announced that the agency had identified "multiple instances in which [both Boeing and Spirit AeroSystems] failed to comply with manufacturing quality control requirements," [15] findings which resulted from the Agency's six-week audit of the companies. Non-compliance issues were found in Boeing's manufacturing process control, parts handling and storage, and product control.[16] The FAA reiterated that these non-compliance issues must be addressed in Boeing's 90-day comprehensive plan. Boeing presented the company's comprehensive action plan to the FAA on May 30, 2024. In response, the FAA stated that "it will hold Boeing accountable every step of the way to make sure these changes happen." [17]

FINDINGS OF FAA'S QUALITY-CONTROL AUDIT

The FAA's audit of Boeing and its suppliers revealed instances of mechanics using liquid soap as a lubricant for fitting a door seal, despite it not being an approved lubricant. The FAA observed instances of mechanics at Spirit AeroSystems cleaning workstations with a wet cheesecloth, despite this practice not being an approved method of cleaning. During its six-week audit (January 17, 2024–March 4, 2024), the FAA found that Boeing had failed 33 of 89 aspects of the product audit, with a total of 97 instances of alleged noncompliance, and that Spirit AeroSystems had failed seven of 13 audits.[18] In general, the audit identified nine areas of focus which Boeing needed to address: parts and material control; tool control; foreign object debris (FOD); work instructions; stamping; training; documentation/command media; engineering; and quality escapes.[19]

FINDINGS OF THE ACSAA ODA EXPERT PANEL REVIEW REPORT:

On February 26, 2024, the FAA issued the report required by Section 103 of the ACSAA, which established the convening of an Organization Designation Authorization (ODA) Expert Review Panel to review and issue recommendations regarding Boeing's safety culture, ODA, and capability to perform FAA-delegated functions.[20] The Expert Review Panel identified 27 findings and made 53 recommendations across five broad areas.[21]

Specifically, the Expert Panel found that many Boeing employees did not demonstrate knowledge of Boeing's safety culture efforts. The Expert Panel further identified instances, including within Boeing's voluntary SMS framework, in which managers could lead an investigation within their own respective reporting chains, potentially leading to a hesitation in an employee's willingness to report safety concerns. Finally, the Expert Panel also found that the complexity and amount of SMS documentation, compounded by the frequency of changing documentation requirements, created employee confusion, contributing to the delay and improper development of SMS at Boeing.[22]

In response to the Expert Review Panel's findings, Boeing submitted a detailed plan of action, separate and independent from the comprehensive Product Safety and Quality Plan, which enumerated corresponding deliverables for each of the Expert Review Panel's findings and recommendations to the FAA.[23] The company's responsive actions fall into four primary areas: (1) safety culture and reporting systems; (2) the structure and implementation of Boeing's SMS; (3) the structure and independence of Boeing's ODA unit; and (4) human factors and pilot input. Of note is the implementation of an Aviation Safety Action Program, in coordination with the International Association of Machinists and Aerospace Workers (IAM), restructuring the engineering unit members under its ODA and expanding the unit mem-

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https://www.faa.gov/newsroom/Sec103__ExpertPanelReview__Report__Final.pdf [hereinafter SECTION 103 ODA REVIEW REPORT].

[14] UPDATES ON BOEING 737–9 MAX AIRCRAFT, *supra* note 12.

[15] *Id.*

[16] *Id.*

[17] Press Release, FAA, *FAA Continues to Hold Boeing Accountable for Implementing Safety and Production Quality Fixes*, (May 30, 2024), *available at* https://www.faa.gov/newsroom/faa-continues-hold-boeing-accountable-implementing-safety-and-production-quality-fixes.

[18] Briefing, FEDERAL AVIATION ADMINISTRATION, Special Audit Item Out-brief (Feb. 28, 2024) (on file with Comm.).

[19] *Id.*

[20] SECTION 103 ODA REVIEW REPORT, *supra* note 13.

[21] *Id.*

[22] *Id.*

[23] BOEING, EXECUTIVE SUMMARY OF PRODUCT SAFETY AND QUALITY PLAN (2024), *available at* https://preview-www.boeing.com/content/dam/boeing/boeingdotcom/safety/Safety-and-Quality-Plan__Executive%20Summary-5-30-2024.pdf [hereinafter BOEING EXECUTIVE SUMMARY].

ber pipeline, and fully implementing the Flight Deck Design, Operations and Training working group to formalize and strengthen the role of pilots and flight test personnel.[24]

BOEING'S INDEPENDENT MITIGATION ACTIONS

Leadership Changes

On February 21, 2024, Boeing announced Ed Clark, the head of Boeing's 737 MAX program at the time, would depart the company. Simultaneously, Boeing announced that it had created a new role, Senior Vice President of Quality, and named Elizabeth Lund to the position. Ms. Lund previously served as Boeing's Senior Vice President and General Manager of airplane programs for commercial airplanes.[25]

On March 25, 2024, Boeing announced that the company's CEO, Dave Calhoun, would also step down at the end of 2024. Additionally, Boeing announced that Stan Deal, CEO and President of Boeing Commercial Airplanes, would retire effective immediately, replaced by Chief Operating Officer Stephanie Pope.[26] On August 8, 2024, Kelly Ortberg replaced Mr. Calhoun as the President and CEO of Boeing. Mr. Ortberg was previously the CEO of Rockwell Collins, an avionics manufacturer.[27]

Institutional Changes

Meanwhile, in March 2024, Boeing began discussions with its 737 MAX fuselage supplier, Spirit AeroSystems, to reacquire the company. Boeing had previously spun off a large part of its manufacturing supply chain and created Spirit AeroSystems in 2009.[28] On July 1, 2024, Boeing announced that it had entered into an agreement to reacquire the company for $4.7 billion.[29]

Boeing has also announced that it has instituted additional quality controls to inspections at its Renton, Washington facility, as well as at the Spirit AeroSystems facility that produces the 737 MAX fuselage in Wichita, Kansas.

Finally, Boeing has taken the following measures to address quality control concerns:

- Deploying a team of mechanics, inspectors, and engineers to work alongside the employees at Spirit AeroSystems;
- Offering expanded training programs for employees to refocus on the fundamentals of their Quality Management System (QMS);
- Opening up its factories to air carriers and operators of the 737 fleet for additional oversight inspections; and
- Hiring a third-party to review the company's QMS for commercial aircraft and suggest further improvements.[30]

HIGHLIGHTS FROM BOEING'S COMPREHENSIVE ACTION PLAN[31]

The Executive Summary of the Plan outlines the company's actions since the January 5, 2024, 737 MAX 9 accident to contain and mitigate risk in its production operations and supply chain.[32] It identifies key performance indicators (KPIs) the company is using to measure the health of Boeing's production line and quality control reforms. It then enumerates the actions Boeing will take to improve quality control, as well as the company's plan to address the issues identified in both the FAA audit and the Expert Review Panel Boeing Safety Culture Report.

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[24] *Id.*

[25] Bill Chappell, *How bad is Boeing's 2024 so far? Here's a timeline*, OPB, (Mar. 20, 2024), *available at* https://www.opb.org/article/2024/03/20/how-bad-is-boeing-s-2024-so-far-here-s-a-timeline/.

[26] Patrick Smith & Rob Wire, *Boeing CEO, other executives stepping down amid safety crisis*, NBC NEWS, (Mar. 25, 2024), *available at* https://www.nbcnews.com/business/business-news/boeing-ceo-dave-calhoun-slew-executives-step-safety-crisis-rcna144882.

[27] Press Release, THE BOEING COMPANY, *Boeing Board Names Kelly Ortberg President and CEO* (July 31, 2024), *available at* https://boeing.mediaroom.com/2024-07-31-Boeing-Board-Names-Kelly-Ortberg-President-and-CEO.

[28] Dominic Gates, *Boeing seeks to buy Spirit Aero, unit it sold in push for outsourcing*, THE SEATTLE TIMES, (Mar. 1, 2024), *available at* https://www.seattletimes.com/business/boeing-aerospace/boeing-seeks-to-buy-spirit-aero-19-years-after-selling-off-troubled-wichita-plant/.

[29] Press Release, THE BOEING COMPANY, *Boeing to Acquire Spirit AeroSystems* (July 1, 2024), *available at* https://investors.boeing.com/investors/news/press-release-details/2024/Boeing-to-Acquire-Spirit-AeroSystems/default.aspx.

[30] BOEING, UPDATES ON ALASKA AIRLINES FLIGHT 1282 AND THE 737–9 (2024), *available at* https://www.boeing.com/737-9-updates/jan-15-2024-boeing-announces-immediate-actions-to-strengthen-quality.

[31] BOEING EXECUTIVE SUMMARY *supra* note 23.

[32] *Id.*

The Action Plan also includes items specifically to address the door-plug incident, including:

- Revising build plans, training, aircraft manual documentation, and removal and inspection criteria for the Mid-Exit Door (MED) plug;
- Adding conformance inspections to nine critical build points;
- Adding new inspections and pre-shipment approval requirements on fuselages at Spirit AeroSystems;
- Providing supplier bulletins to strengthen focus on product conformance and reduce the risk of defects being shipped; and
- Processing fleet and production inspection findings through Boeing's SMS and QMS.[33]

Key Performance Indicators [34]

The Action Plan identifies six critical, safety-focused Key Performance Indicators (KPI) that Boeing will use to monitor production system health, document improvements, and better identify quality and safety hazards across Boeing's programs. Those KPIs are:

- Employee Proficiency, which measures proficient employees currently staffed to commercial programs as a share of all employees required for the production at a given rate.
- Notice of Escape Rework Hours, which measures the number of rework due to (a) internal Boeing fabrication and (b) supplier-provided escapes to final assembly per month.
- Supplier Shortages, which measures fabrication and supplier shortages per manufacturing day—not including weekends—averaged over the month.
- Rework Hours per Airplane, which measures the average final assembly charged rework normalized on a per airplane basis, based on the date the aircraft was handed off to the field; this may include 'notice of escape rework hours' caused by a supplier and any other Boeing-based rework.
- Travelers at Factory Rollout, which measures jobs traveling per airplane from final assembly and rollout; "traveler" is defined as incomplete or open work that was scheduled but not yet completed in final assembly.
- Ticketing Performance, which measures average escapes per airplane at time of FAA ticket; total escapes are inclusive of all nonconformances and FOD per airplane.[35]

The KPIs will be measured with reference to 'control limits.' These limits are based on safety trends, historical analysis, and capacity planning. Any future adjustments to the limits will only be made after consultation with the FAA. The Plan also details the elevation processes associated with managing each set of thresholds and how those processes are tied to Boeing's SMS.[36]

Quality Control Improvements [37]

The Action Plan identifies product safety and quality attention areas, and attempts to address each with specific actions like the development of new tools, process changes, communication improvements, additional control mechanisms, and other solutions. These attention areas include:

- Safety Management System Improvements—Boeing will improve its SMS by:
  - (1) enhancing and streamlining its "Speak Up" system (the employee reporting channel);
  - (2) reducing 'traveled work' (tasks that are "delayed and/or completed in a factory location other than what was originally planned); and
  - (3) further integrating SMS with Boeing's Quality Management System (QMS).
  - These three areas of focus were selected based on feedback from the quality standdowns, input from regulators, and insights from Admiral Kirkland Donald's independent assessment team established in the wake of the January 5, 2024, accident.
- Simplification of Processes and Procedures—Based off feedback from the FAA, the Expert Review Panel, and employees, Boeing believes that the complexity of its processes and paperwork pertaining to quality control efforts contributed to a decrease in quality control.

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[33] *Id.*
[34] *Id.*
[35] *Id.*
[36] *Id.*
[37] *Id.*

- Supply Chain Defect Reduction—To address quality control issues within Boeing's supply chain, it has identified four areas for improvement:
  - (1) enhancing data and analytics to provide proactive notifications of issues,
  - (2) standardizing supplier oversight and prioritizing product safety,
  - (3) simplifying supplier processes and expectations, and
  - (4) driving industry change to improve. Boeing is also increasing its oversight resources at Spirit AeroSystems and Daher facilities, and strengthening its oversight procedures over suppliers.
- Increased Employee Training—New manufacturing and quality employees will receive two additional weeks of foundational training, followed by enhanced structured on-the-job training (SOJT), among other actions.
- Production System Compliance—Based on the FAA's audit findings, Boeing will target improvement in four areas of production:
  - (1) FOD control,
  - (2) tool control,
  - (3) parts and materials control, and
  - (4) employees' adherence to work instructions.
- Internal Engagement and Communication—Boeing is assessing its internal communications to elevate its safety culture and roll out new initiatives. These include full-day safety/quality standdowns, Employee Involvement Teams (EIT) to review employee feedback and host problem-solving sessions, a leadership program for managers, and improving the company's messaging.
- Installation Plan Improvements—Boeing is simplifying the work instructions for mechanics and inspectors, so it is easier to perform consistently.[38]

III. WITNESS

- The Honorable Michael Whitaker, Administrator, Federal Aviation Administration

[38] *Id.*

IMPLEMENTATION OF BOEING'S COMPREHENSIVE ACTION PLAN

TUESDAY, SEPTEMBER 24, 2024

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AVIATION,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:03 a.m., in room 2167 Rayburn House Office Building, Hon. Garret Graves (Chairman of the subcommittee) presiding.

Mr. GRAVES OF LOUISIANA. The Subcommittee on Aviation will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during today's hearing.

Without objection, so ordered.

Mr. COHEN. I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Mr. GRAVES OF LOUISIANA. Without objection, so ordered.

Mr. COHEN. As a reminder, if a Member wishes to insert a document into the record, please also email it to DocumentsTI@mail.house.gov.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Cohen.

I now recognize myself for the purposes of an opening statement for 5 minutes.

OPENING STATEMENT OF HON. GARRET GRAVES OF LOUISIANA, CHAIRMAN, SUBCOMMITTEE ON AVIATION

Mr. GRAVES OF LOUISIANA. I want to begin by thanking Administrator Whitaker for being here, and I want to thank you and your team for all of your efforts to keep the subcommittee, to keep the committee apprised of everything going on regarding Boeing's corrective action plan in the wake of Alaska Airlines flight 1282.

I also want to take a minute to thank NTSB and the Chair for all their efforts to keep us apprised as well. But the FAA and the staff have been very communicative on the status of efforts on the action plan, and we are very appreciative of that.

Look, it is no secret—and we talk about it in almost every aviation hearing—that the United States has the gold standard of aviation. Some of the incidents that have happened in recent months and years have certainly called that into question and caused us to ensure that we are not—excuse me—to ensure that we are staying on top of that, ensure that we are continuing to work to maintain that standard, to improve that standard.

Boeing's continuing challenges that were exemplified by the Alaska Airlines flight 1282 door plug accident represents one of the most visible elements of an aviation system that has been strained and sometimes past the breaking point. In the wake of the door plug accident, you took immediate action to enhance oversight of Boeing's production facilities while also demanding the company develop, present, and, most importantly, implement a comprehensive action plan to address production deficiencies.

Today we are here to learn more about how this plan is being implemented, as well as what we can expect from Boeing and FAA's oversight of Boeing in the weeks, months, and years to come.

I do, however, want to issue a word of warning. This latest challenge comes as your agency is tasked with not only implementing a historic 1,000-page FAA reauthorization bill that governs aviation over the next 5 years, a mandate with explicit timelines in many cases, with urgent actions to improve aviation efficiency and safety that is going to be incredibly time-consuming. But I also want to remind you that the FAA is also tasked with continuing to implement and conduct oversight over the 2020 Aircraft Certification, Safety, and Accountability Act, a law that made—a bipartisan law, it came out of this committee—that made targeted reforms to improve aircraft certification processes following the two 737 MAX 8 crashes in 2018 and 2019.

We have discussed in the past some of the delays that implementing provisions from 2016 and 2018 FAA bills, and as I have said to you, and to be fair, you have inherited much of this. But I do want to make crystal clear from this committee's perspective—and I think I speak on behalf of my friend, Ranking Member Cohen as well—we cannot continue this trajectory of slow implementation or not implementing.

We did a tremendous amount of work, as did the aviation teams, in getting to a bipartisan agreement in an environment where people can't agree upon motherhood and apple pie in this Congress, and we expect that that is going to be implemented with urgency at the same time the FAA moves forward with the Boeing oversight plan. You can walk and chew gum. We are confident your agency can as well.

Implementation of the 2018 FAA reauthorization bill and many other necessary initiatives were partially derailed by FAA's response to the last Boeing oversight challenge. But that can't happen again. Regardless of the challenges facing FAA and Boeing, the FAA must be able to move forward and do its full mission.

So, today, Administrator, I want to hear about the steps being taken with your agency and Boeing to ensure that we are minimizing risk and making certain that safety comes first and foremost in all levels, from the C-suite to the factory floor, when it comes to building airplanes in Boeing facilities.

We also want to hear about what the FAA is doing beyond the immediate response to these issues and learn about how the safety implementation bill is progressing and how FAA is going to ensure that day-to-day crises don't derail the year-to-year strategies.

I look forward to hearing your testimony and thank you for being here today.

[Mr. Graves of Louisiana's prepared statement follows:]

Prepared Statement of Hon. Garret Graves of Louisiana, Chairman, Subcommittee on Aviation

I want to begin by thanking you, Administrator Whitaker, for joining us today to update the Subcommittee on Boeing's corrective action plan in the wake of the Alaska Airlines Flight 1282 incident.

I also want to note that we appreciate you and your staff's continued updates on this important matter, including the briefing earlier this summer in which you personally briefed members of the Full Committee on the FAA's oversight of Boeing.

We are here today because it is no secret that America's gold standard in aviation safety is under the microscope, and the FAA's role in conducting safety oversight is paramount.

Boeing's continuing challenges, exemplified by the Alaska Airlines flight 1282 door plug accident, represent the most visible element of an aviation system that has been strained to, and sometimes past, the breaking point.

In the wake of the door plug accident, you took immediate action to enhance oversight of Boeing's production facilities while also demanding the company develop, present, and most importantly implement a comprehensive action plan to address production deficiencies.

Today we are here to learn more about how this plan is being implemented, as well as what we can expect from Boeing, and the FAA's oversight of Boeing, in the weeks, months, and years to come.

I do, however, want to issue a word of warning.

This latest Boeing challenge comes as your agency is tasked with not only implementing a historic, thousand-page FAA Reauthorization bill—a mandate that is without a doubt time-consuming and staff intensive—*but also* the 2020 Aircraft Certification, Safety, and Accountability Act (ACSAA), a law that made targeted reforms to improve aircraft certification processes following the two 737 MAX 8 crashes in 2018 and 2019.

Your plate is full to say the least, and you've only been at the helm of the agency since the beginning of this year. Undoubtedly, you have a unique view of the agency's implementation efforts, and this hearing is an opportunity to talk about the progress that has been made on both of those bills.

Implementation of the 2018 FAA Reauthorization bill, and many other necessary initiatives, were partially derailed by FAA's understandable response to the last Boeing oversight challenge.

But that can't happen again. Regardless of the challenges facing FAA and Boeing, the FAA must be able to walk and chew gum at the same time.

So today, Administrator Whitaker, we want to hear about the steps being taken at your agency and at Boeing to ensure that we're minimizing risks and making certain that safety comes first and foremost at all levels, from the C-suite to the factory floor, when it comes to building airplanes in Boeing facilities.

But we also want to hear about what the FAA is doing beyond the immediate response to Boeing's issues and learn about how ACSAA implementation is progressing and how FAA is going to ensure that day-to-day crises do not derail year-to-year strategy.

I look forward to hearing your testimony, and I thank you for being here today.

Mr. GRAVES OF LOUISIANA. I now recognize Ranking Member Cohen for 5 minutes.

OPENING STATEMENT OF HON. STEVE COHEN OF TENNESSEE, RANKING MEMBER, SUBCOMMITTEE ON AVIATION

Mr. COHEN. Thank you, Mr. Chair.

And thank you, Administrator Whitaker, for being with us today.

We are here to discuss Boeing, not Boeing's problem with getting capsules up to and carrying back astronauts from the space station, and not concerning their pension plan where they took from the employees a decade ago, and the employees would like to get that fixed pension plan back. But we are here to discuss Boeing's ongoing challenges, as Mr. Graves has well pointed out, with safety, production quality, and company culture, which we were reminded

of, unfortunately, in dramatic fashion with the door failure, the plug failure.

Before I get to that, though, I do want to reemphasize what Mr. Graves mentioned about all of the things that are in the reauthorization bill.

I get a lot of calls from people, have for years, about the EVAC Act, and having a process we know we are getting people off the airplanes in the required time that is set out there. We are not doing it. And the studies that they do in Oklahoma City are ridiculous. They don't have sample passengers of a typical airplane: people who wear braces, who have wheelchairs, who have crutches, who have babies, who have help dogs, or who are just old and a bit infirm, or real young and in their mother's arms.

We have got to have another test soon that has real plane-like, life-like features. I hope you will look into that and the other issues we had with safety. A lot of people were really happy about the issues that we put in there that draw attention to people with disabilities, to make sure those are implemented. I know you will, but I want to emphasize that.

The FAA and the NTSB immediately began independent concurrent investigations on Boeing's plug failure. And we went over and we saw the items and all, and Ms. Homendy did a great job.

The FAA also told Boeing to create a plan to address known issues at the time, and the plan was submitted to the FAA at the end of May.

Now that Boeing has begun implementing its Safety and Quality Plan and the FAA has begun conducting its additional oversight, it is time to examine whether the promised changes are being made and whether promised improvements are being attained.

I was real critical of Boeing, and properly so, when the two plane accidents, the crashes, that Boeing's top dog resigned finally. First he said he was whatever, but he wasn't taking a pay cut or anything else. Well, he is gone.

It is amazing this has continued. You thought that would be a wakeup call. And I have tried since to kind of understand and think about Boeing as one of America's premier companies, one that we have been proud of, iconic, and we don't want Airbus to get all the planes.

But Boeing keeps messing up. For America's interest, Boeing needs to get its act together. They want to be a good citizen, be safe. And I know you will oversee them and see that they are.

Congress must continue to hold Boeing accountable for the safety of its aircraft, to continue to hold the FAA accountable also for its oversight of manufacturers' design and production processes.

Moreover, while we are here today, I would like to go on record and thank NTSB Chair Jennifer Homendy and all the NTSB investigators, again, for their vigorous efforts as they work alongside FAA to expose critical issues and increase the safety of air transportation.

Our subcommittee will work with all the relevant parties to enact any legislative changes necessary to resolve quality control problems, strengthen oversight of aircraft manufacturers and suppliers, and prevent further safety issues from arising.

I was pleased Boeing chose an engineer and not a businessperson driven by a bottom line, bottom line that they were all considering, but their stock keeps going down even quicker than some of their airplanes have. So, they need to worry about that.

Thank you, Administrator Whitaker, for being here today, and I look forward to our discussion and our work over the next years.

[Mr. Cohen's prepared statement follows:]

Prepared Statement of Hon. Steve Cohen of Tennessee, Ranking Member, Subcommittee on Aviation

Thank you, Chairman Graves, and thank you, Administrator Whitaker, for testifying today.

We are here today to discuss Boeing's ongoing challenges with safety, production quality and company culture, which we were reminded of in dramatic fashion by Boeing's door plug accident earlier this year.

In response, the FAA and NTSB immediately began independent, concurrent investigations. The FAA also told Boeing to create a plan to address known issues at the time. That plan was submitted to the FAA at the end of May.

Now that Boeing has begun implementing its Safety and Quality Plan and the FAA has begun conducting its additional oversight, it is time to examine whether promised changes are being made and whether promised improvements are being attained.

Congress must continue to hold Boeing accountable for the safety of its aircraft and continue to hold the FAA accountable for its oversight of manufacturers' design and production processes.

Moreover, while they are not here today, I'd like to go on the record and thank NTSB Chair Jennifer Homendy and all of the NTSB investigators again for their vigorous efforts as they work alongside the FAA to expose critical issues and to increase the safety of air transportation.

Our Subcommittee will work with all relevant parties to enact any legislative changes necessary to resolve quality control problems, strengthen oversight of aircraft manufacturers and suppliers, and prevent further safety issues from arising.

Thank you again, Administrator Whitaker, for being here today, and I look forward to our discussion.

Mr. GRAVES OF LOUISIANA. Thank you. The gentleman yields back.

I recognize Ranking Member Larsen for 5 minutes.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you. Thank you, Chair Graves, for calling this hearing today.

Today we are really having two hearings in one:

The first, motivated by the aftermath of the January 5th Boeing 737 MAX door plug accident, which will examine Boeing's safety culture problems, the FAA's subsequent investigation, and Boeing's comprehensive action plan to address these issues.

The second, we will evaluate the FAA's general oversight of U.S. aviation manufacturing and the implications of any necessary reforms.

Towards this end, we have to ensure the FAA has resources and tools that it needs to effectively conduct its investigation and help prevent accidents like this from happening again.

Just as we did nearly 5 years ago, this committee must remain vigilant in our oversight and authorization roles and hold those re-

sponsible accountable, wherever the FAA and the NTSB investigations lead.

Now, on January 5, 2024, a door plug was torn from a 737 MAX 9 aircraft shortly after it departed Portland International Airport, forcing that flight and the flightcrew to make an emergency landing and return to Portland. This event was terrifying to all of those on board, but thanks to the calm and professional actions of Alaska's flightcrew, everyone returned to the ground safely.

Shortly thereafter, the FAA cautiously and rightfully grounded the U.S. 737 MAX 9 fleet for nearly 20 days, and the NTSB initiated an accident investigation. The FAA also initiated a concurrent but separate investigation and further announced an audit of the 737 MAX production lines and its suppliers.

The FAA has also placed a further safety limitation on Boeing, prohibiting any increase in the production rate of the 737 MAX aircraft. This limit is still in place and will remain until the FAA is satisfied that certain, quote, "quality control issues uncovered during this process are resolved," end quote.

Unfortunately, it is not the first time we have seen quality control and production issues at Boeing's facilities. In May of 2021, then-Chair DeFazio and I wrote to the Department of Transportation, the FAA, and Boeing with concerns about no less than nine reports of quality control issues at Boeing production facilities. Since then, there have been dozens more reports, leading to emergency fixes in the fleet and halts in production.

Given the pervasiveness of these issues across multiple locations, experts have pointed to an overarching cultural problem within the company, and it goes without saying: the safety culture of any institution flows from the top. However, a shakeup in leadership is not the final answer—it is only the beginning. The company must work to revamp its safety culture, particularly as it relates to its relationship with its greatest asset: its workers.

The flying public deserves answers, and I am committed to using all the tools at my disposal to get them.

I do want to highlight what I am hearing back home in Washington State. In the Pacific Northwest, aviation and aerospace are part of our DNA. More than 30,000 dedicated women and men go to work each day at the Boeing plant in Everett and throughout the State. These are hard-working individuals who punch the clock day in, day out and make significant contributions to our local communities.

The consequences of Boeing leadership's repeated safety and quality missteps are felt hardest by the workforce, who strive each and every day to ensure Boeing's aircraft remain the safest in the world but are not always given the resources or direction to fulfill those duties. They deserve answers as well.

I am grateful to all the Boeing workers that have come forward with information for the various Federal investigations and have made their own recommendations. However, these issues and the FAA's response extend well beyond Boeing and beyond Washington State. Boeing is the largest exporter in the country, so, these issues impact the entire U.S. economy. They impact workers across the country. They impact passengers' travel and the confidence of the flying public. They impact the supply chains that circle the globe.

It is not enough to build airplanes in the U.S. U.S. aviation must build safe airplanes in the U.S., and how the Congress and the FAA respond to this event will have lasting repercussions. We have to get these changes right, and not just for Boeing's sake, but for the sake of aviation manufacturing throughout the country and throughout the world.

As more is uncovered, it falls on Congress to support the FAA and NTSB in their ongoing investigations and to take the necessary actions to ensure the safety of our skies.

The Boeing 737 MAX 9 door plug accident is yet another reminder of the importance of this committee's work, of the FAA's efforts, and what is at stake it if we don't remain vigilant in addressing systemic safety issues in the U.S. aviation ecosystem.

Now, with a plan in place to begin Boeing's cultural course correction, I look forward to hearing from Administrator Whitaker about how the action plan was developed, what role the FAA played in its creation, any progress or lack thereof with its implementation, and how the FAA plans to keep Boeing accountable to its execution.

The U.S. is the leader in global aviation, and this committee's efforts, along with the FAA's, will have profound implications for air travel around the world.

With that, I yield back.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen of Washington, Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chairman Graves, for calling this hearing on the "Implementation of Boeing's Comprehensive Action Plan."

Today, we are really having two hearings in one:

The first, motivated by the aftermath of the January 5th Boeing 737 MAX door-plug accident, will examine Boeing's safety culture problems, the FAA's subsequent investigation and Boeing's Comprehensive Action Plan to address these issues.

The second will evaluate the FAA's general oversight of U.S. aviation manufacturing and the implications of any necessary reforms.

Towards this end, we have to make sure the FAA has the resources and tools it needs to effectively conduct its investigation and help prevent accidents like this from happening again.

Just as we did nearly five years ago, this Committee must remain vigilant in our oversight and authorization roles and hold those responsible accountable, wherever the FAA and NTSB investigations lead.

On January 5, 2024, a door plug was torn from a 737 MAX 9 aircraft shortly after it departed Portland International Airport (PDX), forcing that flight to make an emergency landing and return to Portland.

This event was terrifying to all those on board, but thanks to the calm and professional action of Alaska's flight crew, everyone returned to the ground safely.

Shortly thereafter, the FAA cautiously and rightfully grounded the U.S. 737 MAX 9 fleet for nearly 20 days, and the NTSB initiated an accident investigation.

The FAA also initiated a concurrent but separate investigation and further announced an audit of the 737 MAX production lines and its suppliers.

The FAA also placed a further safety limitation on Boeing, prohibiting any increase in the production rate of the 737 MAX aircraft.

This limit is still in place and will remain until the FAA is satisfied that certain "quality control issues uncovered during this process are resolved."

Unfortunately, this isn't the first time we've seen quality control and production issues at Boeing's facilities.

In May 2021, then Chair DeFazio and I wrote to the Department of Transportation, FAA and Boeing with concerns about no less than nine reports of quality control issues at Boeing production facilities.

Since then, there have been dozens more reports, leading to emergency fixes in the fleet and halts in production.

Given the pervasiveness of these issues across multiple locations, experts have pointed to an overarching cultural problem within the company.

It goes without saying that the safety culture of any institution flows from the top. However, a shakeup in leadership is not the final answer—it is only the beginning.

The company must work to revamp its safety culture, particularly as it relates to its relationship with its greatest asset: its workers.

The flying public deserve answers, and I am committed to using all the tools at my disposal to get them.

I want to highlight what I'm hearing back home in Washington state.

In the Pacific Northwest, aviation and aerospace are part of our DNA. More than 30,000 dedicated women and men go to work each day at the Boeing plant in Everett and throughout the state.

These are hardworking individuals who punch the clock day in and day out and make significant contributions to our local communities.

The consequences of Boeing leadership's repeated safety and quality missteps are felt hardest by the workforce—who strive each and every day to ensure Boeing's aircraft remains the safest in the world but are not always given the resources or direction to fulfill their duties.

They deserve answers, as well.

And I'm grateful to all the Boeing workers that have come forward with information for the various federal investigations and have made recommendations.

However, these issues, and the FAA's response, extend well beyond Boeing and Washington state.

Boeing is the largest exporter in the country, so these issues impact the entire U.S. economy.

They impact workers across the country; they impact passengers' travel and the confidence of the flying public; and they impact supply chains that circle the globe.

It is not enough to build airplanes in the U.S.—U.S. aviation must build safe airplanes in the U.S.

How the FAA and we as Congress respond to this event will have lasting repercussions for decades to come; we have to get this right and not just for Boeing's sake—for the sake of aviation manufacturing across the country and the world.

As more is uncovered, it falls on Congress to support the FAA and NTSB in their ongoing investigations and take the necessary actions to ensure the safety of our skies.

The Boeing 737 MAX 9 door plug accident is yet another reminder of the importance of this Committee's work, the FAA's efforts and what is at stake if we do not remain vigilant in addressing systemic safety issues in the U.S. aviation ecosystem.

Now, with a plan in place to begin Boeing's cultural course-correction, I look forward to hearing from Administrator Whitaker about how the Action Plan was developed, what role the FAA played in its creation, any progress or lack thereof with its implementation and how the FAA plans to keep Boeing accountable to its execution.

The U.S. is the leader in global aviation, and this Committee's efforts, along with the FAA's, will have profound implications for air travel around the world.

Thank you.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Larsen.

I would again like to thank our witness, Administrator Whitaker, for being here today.

Mr. COHEN. Briefly I would like to explain our system, which I imagine you understand already: the red, the green, and the yellow. To start, you have got 5 minutes. When you get down to 4 minutes, the yellow light goes on instead of the green light. And then when you get to no time left, red, stop.

I ask unanimous consent the witness' full statement be included in the record.

Mr. GRAVES OF LOUISIANA. Without objection, so ordered.

Mr. COHEN. And I ask unanimous consent that the record of today's hearing remain open until such time as our witness has pro-

vided answers to any questions that may be submitted to him in writing.

Mr. GRAVES OF LOUISIANA. Without objection, so ordered.

Mr. COHEN. I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or the witness to be included in the record of today's hearing.

Mr. GRAVES OF LOUISIANA. Without objection, so ordered.

Mr. COHEN. And I also ask that the Administrator be held in contempt if he doesn't get all that done.

Just a joke. Just a joke.

[Laughter.]

Mr. GRAVES OF LOUISIANA. Reserving the right to object.

As your written testimony has been included in the hearing record, the subcommittee asks that you limit your oral remarks to 5 minutes. And with that, Administrator Whitaker, thanks again for being here, and you are recognized for 5 minutes for your oral testimony.

TESTIMONY OF HON. MICHAEL WHITAKER, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Mr. WHITAKER. Thank you, Chairman Graves, Ranking Members Larsen and Cohen, members of the committee. Thank you for the opportunity to be here today.

In early June, I had the opportunity to brief this committee on the agency's oversight of Boeing's production and manufacturing processes, and today I want to provide an update on our progress since then.

This past February, I directed Boeing to develop a comprehensive plan to fix its systematic quality control and production issues. This plan was required to incorporate the results of FAA's special audit, as well as the findings and recommendations of the section 103 panel. Boeing provided that plan to the FAA on May 30th.

Let me be clear. This plan does not mark the end of the FAA's increased oversight of Boeing and its suppliers. There must be a profound shift in the company's safety culture to holistically address its quality assurance and production challenges. Our goal is to make sure Boeing implements the necessary changes and has the right tools in place to sustain those changes in the long term.

Since January 5th, we have added more safety inspectors at Boeing and Spirit facilities, and we will maintain our increased onsite presence. Our oversight activities include more direct engagement with company employees, additional inspections at critical points of the production process, and increased auditing of quality systems and build processes.

Our safety inspectors are embedded in each of the Boeing teams implementing the key components of the plan, allowing us to provide direct feedback on any proposed changes to the plan. We are closely reviewing Boeing's performance metrics to evaluate the overall health of their production system and will independently assess any early indicators of risk within the system.

In addition to the work the safety inspectors are doing on the production oversight, we also have hundreds of FAA personnel who

are focused on other aspects of our Boeing oversight. These employees are monitoring the in-service fleet through our continued operational safety program, overseeing Boeing's ODA, and conducting certification activities.

Addressing these issues also requires the FAA to continually examine the effectiveness of our own oversight model. We must be proactive and establish more dynamic oversight protocols that address changing technologies and changing business models and allow us to identify and mitigate risks before they manifest themselves as events.

As a first step, we are reevaluating our current safety oversight models and establishing a strategy to revamp our agencywide safety management program. As part of this strategy, we will reconstitute our executive committee that oversees regulatory oversight and safety management programs, and this group, which I will chair, will continually monitor the safety, performance, and health of the system as a whole, and drive a process to continuously improve and update our oversight models.

We are also examining opportunities to better leverage our vast data resources to become more predictive in identifying risks across the aviation system. To this end, the agency is undertaking a fresh look at our current capabilities to provide more real-time insight into emerging safety trends and to share relevant data across various components of our safety ecosystem.

To conclude, I want to stress that the safety and integrity of our air transportation system relies heavily on the operators in that system—all operators—having a strong safety culture, a culture where safety is first, not in name only but in how the operation is run. Safety must come before financial incentives, production targets, or operational goals, and employees must have the ability and, in fact, be encouraged to speak up and come forward with safety concerns without fear of reprisal. They must have confidence in the process to know that their report will be investigated thoroughly. And just as Boeing must develop a strong safety culture, so must all operators in our national airspace.

Congress has expanded SMS requirements to most major operators in the system, including the major airlines, part 135 operators, airports, and aircraft manufacturers. Having a robust SMS is key to operating safely within our system. It provides a structured, repeatable, systematic approach to managing risk. Ultimately, we must ensure that all operators participate in these programs, including new entrants.

As we integrate these nontraditional operators into our airspace, whether advanced air mobility or commercial space operators, they must embrace SMS and the tenets of a healthy safety culture in order to ensure we continue to have the safest aerospace system in the world.

Thank you again for the opportunity to be here, and I look forward to your questions.

[Mr. Whitaker's prepared statement follows:]

Prepared Statement of Hon. Michael Whitaker, Administrator, Federal Aviation Administration, U.S. Department of Transportation

Chairman Graves, Ranking Member Larsen, Subcommittee Chairman Graves, Subcommittee Ranking Member Cohen, and members of the subcommittee, thank you for the opportunity to be here with you today to provide an update on the FAA's oversight of Boeing's production and manufacturing system. I want to thank the committee for your hard work in passing the FAA Reauthorization Act of 2024. The FAA started implementation immediately, and we are committed to keeping you and your staff updated on our progress on a quarterly basis.

I would like to begin by reiterating that the number one priority for the FAA is the safety of the flying public. As we carry out our regulatory responsibilities and oversight activities, safety will always inform our decision-making, and I am prepared to use the full range of my authority to ensure accountability whether from a manufacturer, an air carrier, or the FAA's own operations.

ALASKA AIRLINES FLIGHT 1282

On January 5, shortly after departure, Alaska Airlines Flight 1282 experienced rapid depressurization after the left mid exit door plug blew out of a Boeing 737–9 MAX. Immediately following the accident, on January 6, the FAA issued an emergency airworthiness directive grounding all 737–9 MAX airplanes with that particular door plug configuration.

We mandated and oversaw a thorough inspection and maintenance process on each of the grounded airplanes before allowing them to return to service. Our findings during those inspections revealed that the quality system issues at Boeing were unacceptable and required further scrutiny. We increased oversight activities including:

- Capping production of new Boeing 737 MAX airplanes to achieve system stability and compliance with required quality control procedures.
- Launching an investigation scrutinizing Boeing's compliance with manufacturing requirements.
- Increasing oversight of the production of new airplanes with more FAA safety inspectors on-site at all Boeing manufacturing facilities.
- Increasing data monitoring to identify significant safety issues.
- Commissioning an independent analysis of potential safety-focused reforms around quality control and delegation.

BOEING COMPREHENSIVE PLAN

This past February, I directed Boeing to develop a comprehensive action plan within 90 days to address its systemic quality control and production issues. During the subsequent months, the FAA worked closely with Boeing as it developed its roadmap and plan for the path forward. I required this plan to address the findings from the FAA's special audit as well as the recommendations from the expert review panel report required by Section 103 of the Aircraft Certification, Safety, and Accountability Act of 2020 (ACSAA). Boeing provided its plan to the FAA on May 30, 2024, marking the beginning of the next chapter of ensuring implementation and a renewed focus on safety at Boeing.

However, this plan does not mark the end of the FAA's increased oversight of Boeing and its suppliers. There must be a shift in the company's safety culture to holistically address its systemic quality assurance and production issues. Our goal is to make sure Boeing implements the necessary changes and has the right tools in place to sustain those changes in the long term.

In April of this year, we issued regulations that require Boeing to have a Safety Management System, which will ensure a structured, repeatable, systematic approach to identifying hazards and managing risk.

As part of its comprehensive plan, Boeing has committed to the following:

- Increasing and enhancing employee training, engagement, and communication;
- Encouraging its employees to speak up without fear of reprisal;
- Boosting supplier oversight;
- Increasing quality oversight at every step of the production process, and ensuring things happen in the right sequence and are approved before moving forward;
- Getting more input from users of the system;
- Simplifying production processes and procedures; and
- Bringing state-of-the-art technology to Boeing tool and parts management.

To monitor the health of Boeing's production and quality system, including the impacts of those changes, we also directed Boeing to identify key performance indicators (KPIs). These KPIs directly correspond to the targets outlined in its comprehensive action plan to improve its safety and quality systems and will help assess the effectiveness of its proposed initiatives. The KPIs provide real-time visibility into the production system with specific control limits that will trigger corrective action if needed.

FAA'S OVERSIGHT ACTIVITIES

Boeing's manufacturing and production system is complex and multi-faceted, spanning multiple facilities and thousands of suppliers. Because of the complexity of its operations, Boeing must have a robust safety system comprised of multiple layers that can detect and mitigate identified risks. The FAA will hold Boeing accountable for having an effective system in place with procedures that ensure the production and delivery of safe airplanes.

As a result of systemic production quality issues, Boeing must make significant changes to transform its quality system and ensure the right layers of safety are in place. As FAA Administrator, I am directly engaged with Boeing's senior leadership to ensure they execute the necessary changes to transform Boeing's safety culture and address its production quality issues. I met with their new CEO, Kelly Ortberg, last month and reemphasized to him our expectations that these changes must be sustained in the long term.

The safety and integrity of our air transportation system rely heavily on having a culture where people come forward with their safety concerns without fear of reprisal, and they have confidence in the process to know that their report will be investigated thoroughly. Boeing must maintain its own robust safety reporting programs and promote a safe and proactive reporting culture within its organizations.

We have added more safety inspectors in the Boeing and Spirit AeroSystems facilities, and we will maintain our increased on-site presence for the foreseeable future. Our surveillance activities include:

- More engagement with company employees to hear directly from them and gauge the effectiveness of changes outlined in Boeing's plan;
- Added inspections at critical points of the production process; and
- Increased auditing of quality systems, build processes, and changes outlined in Boeing's plan.

Our safety inspectors are also monitoring each of Boeing's sub-teams tasked with implementing the key areas of the plan. Our safety inspectors are providing direct feedback on Boeing's proposed changes and monitoring the KPIs to identify potential system risks. The FAA is closely reviewing the KPIs to monitor Boeing's production system health and will independently assess any early indicators of risks within the system.

In addition to the work the safety inspectors are doing on production oversight, we also have hundreds of other FAA personnel who are focused on other aspects of our oversight of Boeing. These employees are monitoring the in-service fleet through our continued operational safety processes, overseeing Boeing's Organization Designation Authorization, and conducting certification activities.

Addressing these safety issues also requires that the FAA continually examine the effectiveness of its own oversight processes and make the necessary improvements. We must continue to be increasingly proactive and establish more dynamic oversight protocols that allow us to anticipate and identify risks before they manifest themselves as events.

As our first step, we are reevaluating our current safety management initiatives and establishing a strategy to revamp our agency-wide safety management program. As part of this long-term strategy, we are in the process of elevating the role of our Executive Committee which oversees our regulatory oversight and safety management programs. To drive the necessary improvements to our oversight model across the agency, both the Deputy Administrator and I will serve on the Executive Committee. By doing so, this commitment underscores the importance of promoting an effective safety culture at every level of the agency.

As the FAA enhances our oversight models agency-wide, we are also examining opportunities to leverage the vast internal and external data resources to become more predictive in identifying risks across the aviation system. To this end, the agency is undertaking a fresh look at our current capabilities to provide more real-time insight into any emerging safety trends and to share relevant data across the various components of our safety ecosystem.

Thank you again for the opportunity to be here today. I look forward to your questions.

Mr. GRAVES OF LOUISIANA. Thank you, Administrator. I appreciate your testimony.

The gentleman from Georgia, would you like to go first?

If not, the gentleman from New York?

Mr. MOLINARO. Well, thank you, Mr. Chairman.

Mr. GRAVES OF LOUISIANA. From New York, Mr. Molinaro is recognized for 5 minutes.

Mr. MOLINARO. Thank you, Mr. Chairman.

First, if I might, I seek unanimous consent to enter a statement regarding Mammoth Freighters to the committee.

Mr. GRAVES OF LOUISIANA. Without objection.

[The information follows:]

Fact Sheet—Mammoth Freighters, Submitted for the Record by Hon. Marcus J. Molinaro

MAMMOTH FREIGHTERS

"Designed and built in the United States with nearly all U.S.-made parts to enhance and repurpose U.S.-built passenger aircraft and to connect the world with a modern, low-carbon footprint cargo aircraft."

BACKGROUND

Mammoth Freighters LLC (Mammoth) was founded in December 2020 by cargo conversion program executives and backed by Fortress Investment Group LLC to develop and perform United States (U.S.)-based and manufactured Boeing aircraft passenger to freighter (P2F) conversions. The launch aircraft type is the Boeing 777. The Mammoth-converted 777 is one of the world's most productive and economical 777 long haul freighters. Pending Federal Aviation Administration (FAA) certification results, the freighter will enter service with global airlines in 2025.

- Mammoth's Boeing 777MF converted freighter bolsters U.S. market leadership over European rivals such as Airbus.
- Mammoth freighters are designed and converted in the U.S. with over 99.5% parts Made in America from suppliers across 22 states.
- Mammoth has created over 500 new jobs in Dallas-Fort Worth and expects to create more than 1,000 direct jobs, not including job growth at our suppliers.
- Mammoth operates out of a large, Fort Worth City-owned ex-American Airlines maintenance facility at Alliance Airport, where sister company Aspire MRO performs 777MF conversions.
- Mammoth has secured 35 firm orders and more orders are expected.
- Mammoth expects to convert over a dozen airplanes per year for both the U.S. and global cargo markets.
- The Mammoth 777MF prototype is entering the critical test and final phases of FAA certification with the goal of obtaining Supplemental Type Certificate (STC) approval by February 2025.
- Adherence to timelines is key to ensuring project success.

STATUS

Understanding FAA resource constraints, Mammoth and the FAA continue to collaborate with the shared goal of meeting certification project milestones. The Mammoth team and FAA designated engineering representatives (DERs) are highly experienced, well-known and respected. The FAA can leverage Mammoth's expertise and reduce its own workload through delegation, which will ensure on-time project delivery and enable U.S. global freight delivery competitiveness.

IMMEDIATE FAA ACTIONS NEEDED:

- Ensure adequate resources for the Mammoth project (ST17720LA–T) despite competing Boeing, Israel Aerospace Industries (IAI), and other certification projects.
- Utilize FAA designees to the fullest extent possible to alleviate FAA resource challenges.
- Review project documents per the current FAA-published timelines (30–45 days depending on document type).

CONCLUSION

FAA certification for the Mammoth project by February 2025 is paramount to extend the useful life of U.S.-produced Boeing 777s to support U.S. competitiveness and business growth in the global supply chain, grow U.S. manufacturing jobs across the Mammoth supplier footprint, and service key existing and prospective Mammoth partners such as Jetran, Kalitta, DHL International, FedEx, UPS, Air Canada, and STS Aviation Services.

Mr. MOLINARO. Thank you, Mr. Chairman.

Administrator Whitaker, thanks very much for being here. I heard you talk about the changes at FAA to obviously address the needed oversight: "process to continuously improve and update our oversight models." Give me a practical application of what that might look like. And additionally, how might that change at FAA—how might that change have called into question, or at least alerted us, of the potential risk of the Alaska Airlines incident?

Mr. WHITAKER. Thank you, sir. So, I think one feature is, we need to not set an oversight model in place and just let it run forever. So, I think we need to constantly see, are we looking at the right data, as business models change, as technology changes.

I think a good example of a more dynamic approach is how we oversee airlines. We have an index that accounts for about a dozen different data points, and that index gives us a real-time picture of how the airlines are doing, how they are trending. And if we start to see a trend that we don't like, we implement an audit that is tied to those features.

Mr. MOLINARO. So, we know from your report and, of course, Boeing's response to the incident, what was the trend that might have been identified in this particular case to have helped us avert such a tragic situation?

Mr. WHITAKER. So, I think if you look at what we have implemented since January 5th, we put in these key performance indicators—there are six of them—and they give us a reading month by month on how Boeing is doing in those six areas.

That includes how much traveled work—how much work is done out of order in the manufacturing process, for example. That indicator would have shown that there was a lot of work being done out of process, which creates a safety risk, because work is done not on the factory floor but when the airplane has already been pushed out onto the tarmac and it is not part of the system.

So, we would have that real-time sort of monthly indicator to show us if things are moving in the wrong direction.

Mr. MOLINARO. So, do you feel confident at this point that Boeing has—switching to Boeing and attention to Boeing—has made adequate adjustments to at least the culture to address these safety issues?

Mr. WHITAKER. So, I think there are really two parts to the plan with Boeing. One is the short term and one is long term, and I would put culture in the long-term category. It is not a 6-month program. It is a 3-year to 5-year program.

There has been significant progress made, for example, on traveled work. Boeing moved about 100 inspectors down to Wichita to Spirit to make sure that the product coming out of Spirit was properly completed.

So, there has been some short-term progress, but on culture, I think it is a long-term project, and I have talked to the board and the CEO about the need to be in it for the long term and making sure they arrive in that place.

Mr. MOLINARO. But it is fair to say that you feel that, at the very least, both short term and long term, Boeing is making adequate adjustments to provide for safety in the immediate situation and address the cultural deficiencies?

Mr. WHITAKER. We are currently writing the airworthiness certificate on each aircraft. Normally that would be delegated to Boeing, but we have taken that over so that we are making sure that every airplane that comes out there is safe.

So, we are not to the point where we are turning that over. We are working with them to develop their safety management system, and we are in it pretty intensively with them. So, we are monitoring that progress, there is progress, but they are not where they need to be yet.

Mr. MOLINARO. So, my constituents will ask a very simple question: Is it safe to fly in a Boeing 737 MAX 9?

Mr. WHITAKER. It is safe. We certify each one of them. We do a final inspection in addition to the Boeing inspection. So, we are keeping a close eye on them.

Mr. MOLINARO. So, I will see you on one.

I do want to just express our appreciation for your leadership at FAA. I know obviously implementing the reauthorization package, 1,000-some-odd pages. And for the airports that I represent or at least the people in the communities with those airports—regional airports—Binghamton, Ithaca, and now to a degree the Capital District in Albany, New York—a greater investment in those smaller regional airports, critically important not only to moving people but to building up economies. Look forward to your partnership and grateful that you are at the helm——

Mr. WHITAKER [interposing]. Thank you, sir.

Mr. MOLINARO [continuing]. At this moment. Thanks very much.

I yield the balance of my time.

Mr. GRAVES OF LOUISIANA. The gentleman from New York yields back.

The gentleman from Tennessee, Ranking Member Cohen, is recognized.

Mr. COHEN. Thank you, Mr. Graves.

Mr. Whitaker, as you well know, plans often must be reviewed, revised during the execution to reflect unforeseen challenges and factors. Over the past few months, has Boeing taken any additional steps, outside its Safety and Quality Plan, in response to new discoveries or new information?

Mr. WHITAKER. I am sorry, sir, I am having a little bit of trouble hearing. Can you just repeat the question, please?

Mr. COHEN. As we all know, plans often must be revised during execution to reflect unforeseen factors and challenges. Over the past few months, has Boeing taken any additional steps, outside its Safety and Quality Plan, in response to any new information or new discoveries?

Mr. WHITAKER. I can't give you specific examples. What I can say is that we have teams on the ground with Boeing, and they do give real-time feedback. So, for example, as they are simplifying business processes or rolling out a tool management program, they are getting real-time feedback from the FAA, and the approach and the plan is designed to be flexible to account for that feedback.

So, I would anticipate that the answer is yes, but I don't have specific examples to give you.

Mr. COHEN. Do you know if at Boeing, if an employee sees what he thinks is a problem in manufacturing safety, can he report that, if he chooses or she chooses, to the union, so that the union can look into it and take it up to Boeing, or does he have—are there requirements that it go straight to Boeing and to the——

Mr. WHITAKER [interrupting]. So, the employee has multiple avenues. They can certainly go to their union. Making sure that there is a system that encourages them to speak up directly to Boeing is in place. We are monitoring very closely. That is a key factor of a good safety culture.

And they can also report directly to FAA through our website. They can log in to AIR21 Whistleblower and file a complaint right on our website.

Mr. COHEN. Changing Boeing's culture, systems, and processes will take time. What changes has the FAA seen so far in these areas, and which parts of the company have been the most resistant to any needed cultural changes?

Mr. WHITAKER. I think the safety culture change is going to be a long-term project. They have put together a safety training program to roll out. That has been put on hold as union negotiations continue. That is ready to roll out, but I think it is going to take years of delivering that safety message and the employees actually seeing that safety is more important than production for that culture to change. So, it is going to take a very long-term sustained commitment.

The changes we have seen in the short term have been around deploying new technologies, assessing employee culture, and things of that nature.

Mr. COHEN. Did they ever ascertain who the individual was who didn't put the plugs back on the Alaska airplane?

Mr. WHITAKER. That incident is still under investigation from the NTSB, so, I don't have any additional information to provide at this time.

Mr. COHEN. Thank you.

And you have met with Mr. Ortberg, I know. Do you think he will lead the company differently from Mr. Calhoun and his predecessors, and if so, how?

Mr. WHITAKER. Well, I think we have been very careful not to have opinions on personnel changes. There have been a lot of per-

sonnel challenges, and I have spoken to the board fairly extensively about what we think management should be focused on.

I have had those conversations with Mr. Ortberg, too. I think because he is an engineer, because he comes from aerospace, I think he has a pretty good understanding of the need for safety culture, and we will make sure that he pursues that.

Mr. COHEN. As I understand it, Boeing has purchased or taken back Spirit. And Boeing at one time had Spirit, separated it, brought it back. Do you think that is going to help, and do you think that the costs that are spinning off Spirit and some of the labor issues they might have had then might have contributed to less than a perfect situation for the employees' diligence?

Mr. WHITAKER. I do think that the amount of outsourcing that Boeing undertook strategically created a lot of supply chain challenges that other companies may not have experienced if they had more control over their supply chain. And Boeing seems to be taking a different direction in that approach. We have been agnostic about whether it is a good idea or a bad idea for them to execute that specific transaction, but if Spirit is part of Boeing, it gives us direct authority over Spirit.

Currently, Boeing has a responsibility to oversee Spirit as a supplier. So, it gives us a better line of sight into what they are doing.

Mr. COHEN. Airbus is Boeing's major competitor. Embraer also produces a lot of airplanes. Do either one of them have different systems that Boeing could incorporate or needs to look at and incorporate? Because they haven't, to the best of my knowledge, have not have these similar problems.

Mr. WHITAKER. I think—I don't have intimate knowledge of the Embraer and Airbus manufacturing challenges. I know that as we benchmark airworthiness directives and faults and production faults, we find that there is not a big difference between the two.

I think when you look at the key indicators we are monitoring, those would be the same for most manufacturing facilities.

Mr. COHEN. Thank you, sir. In the spirit of George Miller and Sheila Jackson Lee, who always gave up their time when they didn't have any time, I give up the rest of my time.

Mr. GRAVES OF LOUISIANA. I appreciate the generosity, Ranking Member Cohen.

The gentleman from Georgia, Mr. Collins, is recognized for 5 minutes.

Mr. COLLINS. Thank you, Mr. Chairman.

Sorry about that earlier. I was listening and changing up some in my questioning and thought pattern, and I want you to kind of go with me, because I want to kind of set the stage, first of all.

As it was stated earlier, culture starts at the top, and that is what shapes and forms the rest of the organization and where they are going. And I want you to think back through the entire Department of Transportation—the derailment of the railroad, the train, over and above—way above average on near-misses at our airports, even parts falling off of planes.

And I say that because the Department of Transportation under Pete Buttigieg has had a focus of not hiring qualified people and looking at qualified people but pushing a social agenda, or a DEI initiative, to the point where people that are under this industry,

this umbrella of the Department of Transportation, actually focus more on DEI initiatives instead of hiring qualified people to build planes or to operate railroads, waterways, whatever it is, under the purview of the Department of Transportation.

So, I guess what I want to know on the Boeing side of this thing is, I know they have opened up to operators so that they can look at the 737. Have you seen any other thing that you are concerned with on that airplane?

Mr. WHITAKER. Have I seen anything other than what we are——

Mr. COLLINS [interposing]. Yes.

Mr. WHITAKER [continuing]. Addressing in the comprehensive plan? As I mentioned, this is a pretty intensive monitoring process, so, we meet with their safety team weekly. The management team meets monthly, and I meet with the CEO quarterly. Anything that arises gets incorporated into the plan. So, if anything new comes up, we look at those types of issues.

Mr. COLLINS. You know, safety, safety, safety—I have heard that numerous times, and we haven't even been in the meeting here 30 minutes or so. So, that is the focus. And I want to kind of look at one other quick thing before I am finished.

I know that the GAO—the nonpartisan GAO, put out a report that they assessed 138 systems that you all have. According to them, 51, or 37 percent, are unsustainable. Fifty-four, or another thirty-nine percent of them, are potentially unsustainable. And that the FAA has been extremely slow to modernize the most critical and at-risk systems.

Now, we are sitting here talking about Boeing, but you have also got a lot of things at risk in the FAA. And I am just curious, where is our initiative and where is our push on that to get this fixed?

Mr. WHITAKER. I think the FAA facilities have been somewhat famously underinvested in over the years. The centers—we have 21 centers that control high-altitude aircraft. Those were designed to be a maximum life of 50 years. They are now, on average, between 60 and 70 years old. All these facilities need to be replaced and upgraded.

It is a fairly heavy lift financially. We have requested $8 billion in next year's budget to begin working on some of that replacement. There is a huge backlog of sustainment and modernization and, right now, 90 percent of our budget for facilities goes on sustainment rather than new systems. So, we have a lot of work to bring the system up to speed.

Mr. COLLINS. I would agree.

And, Mr. Chairman, I brought that up, and I want you to understand where I look at this thing. I go back to the focus of the Department of Transportation overall, and the focus is in the wrong area.

Instead of us focusing on making sure that we have the safest planes and the safest waterways and railroads and airports and hiring qualified people to do that, this administration and that agency are focused on social agendas, and they don't have their focus on making sure that we keep people safe. And that to me is the bigger issue that we have underlying right here, right now.

And with that, Mr. Chairman, I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Collins. Mr. Collins, I do want to apologize to you. You had two or three people that were in front of you, and they all jetted, and so, I put you on the spot, and I apologize for that. But thank you for staying.

I recognize the ranking member of the full committee, Mr. Larsen from Washington, for 5 minutes.

Mr. LARSEN OF WASHINGTON. Thank you, Mr. Chair.

So, I think it is generally agreed that late 1990s, early 2000s, Boeing began to shift from being an engineering company to a financial services company, focused on revenue for shareholder value as primary instead of safety as primary. I think our investigation showed that when we wrote the reform bill. It has been the consensus conclusion from a lot of folks.

And what we need to—somebody earlier said we need to move from thinking just about building the best airplanes in the world here in the United States. We need to build the safest airplanes here in the United States. And safety itself is a shareholder value, and that needs to be communicated to shareholders at Boeing as well, and they need to expect that from their leadership because that is what the workers expect as well. So, that is, I think, very critical.

And on these points, as you move forward in thinking about safety, the first question I wanted to ask you is about these key performance indicators, KPIs, the six of them you have outlined and how you would assess Boeing's progress generally on each of them. You don't need to go through all six, but how you assess progress on these KPIs, because they seem to be the linchpins that you are using to kind of turn Boeing on or off in terms of progress or moving backwards.

Mr. WHITAKER. I think the KPIs cover the key elements of the plan, so they let us know how they are doing on what they need to do in the plan. So, for example, we talked about traveled work. So, if a fuselage leaves Spirit AeroSystems in Kansas and goes to Seattle, and it has a series of faults in it, those have to be reworked in an out-of-order sort of fashion. And I think that—I think that was implicated in the January 5th event.

So, for example, we measure how much work is done out of work as one of those metrics. We are measuring how they are doing with their supply chain, whether they have other shortages, because supply chain shortages lead to out-of-order work in the process; how the employee proficiency is doing and how much rework is done. So, the things that you would expect.

They have been trending in positive directions mostly for the 737 line, and they have now been rolled out to other lines at Boeing. So, these will be metrics in place for all the aircraft that they are building. And what we want to see is those metrics all be green and stable before there is growth in production.

Mr. LARSEN OF WASHINGTON. And have you concluded that those apply directly to building a safer airplane, and is this process getting incorporated into the safety management system and the quality management system?

Mr. WHITAKER. They are all interrelated, and, in fact, they are raising the types of issues you would be looking for in a robust safety management system. So, if you saw a lot of out-of-sequence

work, you would identify that as a risk and you would say, okay, what do we need to do to mitigate this risk. So, we are sort of doing that process for them—or overseeing that process.

But as the safety management system develops, if they are finding some other problem, they would identify that and mitigate the risk. We are now there with them to look at those potential problems.

Mr. LARSEN OF WASHINGTON. So, when we wrote the reform bill a couple years back, one of the things I had emphasized is that people say, well, this is a Boeing bill. It is like, it is not a Boeing bill. This is an FAA bill. It is an aviation manufacturing bill. This applies to everybody that it applies to, not just—it applies to certainly Boeing as the source of the problem, but this gets to the bigger issue of, I said, we have two hearings really today. One is what is happening at Boeing. The other one is, what is happening with you at FAA overseeing the aviation manufacturing process to ensure that we have a safe aviation manufacturing process.

So, can you talk, can you help us understand your comment about moving towards a proactive approach versus a reactive approach as you apply these principles to overseeing the manufacturing of parts, components, and airframes that go into flying?

Mr. WHITAKER. So, as we look at oversight, we oversee half a dozen or so major actors in the safety system, if you will: the airlines, the manufacturers, repair stations and the like, including the Air Traffic Organization.

For each of those, we want to have metrics that we can look to, in real time, to see how they are doing and how they are trending in the way that we do with airlines, with this index I referred to.

So, this KPI model likely will be a model that we use in OEMs to oversee how they are doing and give us a real-time idea of how things are trending that goes all the way up to the front office of the organization so we have a better view into the health of the safety ecosystem.

Mr. LARSEN OF WASHINGTON. Yes. Thank you.

I yield back, but I will hang around if we get a second round here. Thank you, Mr. Chair.

Mr. GRAVES OF LOUISIANA. Thank you, Ranking Member Larsen.

We now go to Senator Hawley—oh, I am sorry—Congressman Kiley from California. You are recognized for 5 minutes.

Mr. KILEY. Good morning, Administrator Whitaker. Thank you for being with us today. I appreciate your testimony and the thoroughness of your testimony regarding oversight of Boeing and the comprehensive plan.

Obviously, there has been a great deal of public concern following the flight 1282 incident, among others, and so, I was hoping you could take a moment just to sort of speak directly to my constituents, folks across the country.

What is the best assurance that you can provide people to give them confidence that these issues are being addressed and that the use of Boeing aircraft is safe?

Mr. WHITAKER. So, I think we are doing—we are engaged in a very intensive oversight of Boeing. So, we have people on the floor talking to the employees, watching the inspections take place. We

have put a cap on production, so they can't increase production beyond what we feel like they can safely accomplish.

When Boeing is ready to deliver an aircraft that they say is fully in compliance, we then do our own comprehensive review of that aircraft, and we write the airworthiness certificate ourselves. So, we are giving a stamp of approval of every aircraft that is coming off the line. That is not the normal process that would be in place, so, it is a much heightened level of scrutiny.

Mr. KILEY. I appreciate that.

Now, of course, Boeing's issues have also been in other areas, including most recently with regard to their space operations and the Starliner mission that wasn't able to return the astronauts from the International Space Station, and now NASA is relying on SpaceX to bring them home.

And so, that sort of has put in sharp relief an issue that many have raised regarding perhaps the undue scrutiny that your agency is giving to SpaceX with a $633,000 fine for launches last year recently. And then recently as well, delaying the launch, the fifth mission for Starship, 2 months past what the license previously said.

So, I was hoping you could speak to that issue and, in particular, whether you think the delay of the Starship launch is in the public interest.

Mr. WHITAKER. So, I think safety is in the public interest, and that is our primary focus. With the proposed civil penalty, it involved a failure to comply with disclosing—well, comply with the launch requirements before launching. They launched without a permit. The allegations are that they moved a fuel farm closer to the population and did not do a risk analysis before launching. It is the only tool we have to get compliance on safety matters. I think——

Mr. KILEY [interrupting]. So, how about this delay, are you saying that the delay of Starship is for safety reasons?

Mr. WHITAKER. That—well, the civil penalty matter wasn't delayed. They launched without a permit. The delay of the Starship had to do with SpaceX filing an application and not disclosing that they were in violation of Texas and Federal law on some matters, and that is a requirement to get a permit.

Mr. KILEY. So, my question, though, is, is it a safety issue? Is that why it is being delayed?

Mr. WHITAKER. I think it is—I think launching these rockets is a safety issue into the NAS, and I think it is a situation that requires the same level of safety management and safety culture that we are working to implement at Boeing, needs to also exist with commercial space.

Mr. KILEY. Yes, I totally agree with you on that. I am saying, are the reasons for this delay, which is moving the launch back from what was previously communicated, are the reasons for the delay safety related?

Mr. WHITAKER. Well, the first reason to delay was that SpaceX failed to provide an updated sonic boom analysis, so, there was a 30-day delay due to that. And then the latest delay was their failure to comply with Texas law, which is a prerequisite to getting a launch permit.

Mr. KILEY. Okay. So, assuming for the sake of argument that is true, but these are not safety-related reasons?

Mr. WHITAKER. I think the sonic boom analysis is a safety-related incident, so——

Mr. KILEY [interrupting]. You think the 2-month delay is necessary to assure a safe launch?

Mr. WHITAKER. I think the 2-month delay is necessary to comply with the launch requirements, and I think that is an important part of safety culture.

Mr. KILEY. I guess that my concern is—and you have heard this from former FAA officials, you have heard it from both sides of the aisle—that our leadership in the commercial space industry is absolutely vital to U.S. national security, our global leadership, and yet the FAA does not seem like it is operating in a way that is conducive with continued innovation and that this is an issue where we could have resolved that—whatever the issues you bring up are without delaying this entire launch by 2 months.

Do you agree that the FAA needs to be reformed in a way that is better suited towards the type of innovation that we should be moving towards in the commercial space industry?

Mr. WHITAKER. Well, I agree that this is a vital mission. And I think SpaceX has been a very innovative company, but I think they are also a mature company. They have been around 20 years, and I think they need to operate at the highest level of safety, and that includes adopting an SMS program, and it includes having a whistleblower program.

Mr. KILEY. So, is there any path to moving up that launch?

Mr. WHITAKER. Complying with the regulations would be the best path.

Mr. KILEY. I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Kiley.

We have the gentleman from Arizona, Mr. Stanton, recognized for 5 minutes.

Mr. STANTON. Thank you very much, Mr. Chair.

Thank you for being here, Administrator Whitaker, to discuss the FAA oversight on Boeing's action plan after the concerning events we all witnessed this past January.

I would first like to ask about Boeing's safety management system, the enterprisewide plan across their production system that includes streamlining employee reporting channels, addressing traveled work risks, and deepening the integration between safety and quality measures.

Mr. Whitaker, Boeing committed to mature its SMS as part of its comprehensive action plan. However, Boeing originally committed to developing its SMS in 2015, again in 2019, and today, and it is still not fully developed. In fact, its current SMS has allowed multiple safety incidents, including the January 5th 737 MAX door plug accident, to continue to occur.

What is the FAA doing to ensure Boeing fully develops its SMS as soon as possible, and how will the FAA ensure Boeing's SMS can avoid future production safety issues, including the circumstances leading up to the January 5th door plug accident?

Mr. WHITAKER. Well, thank you for that. I think that is the key question in all of this, because I think a healthy SMS system is

really the key to operating safely, and Boeing has failed to successfully implement in the past. I think the difference this time—there are a couple differences. One is the requirement to have SMS is now mandatory by law, so, they have to comply with it in order to operate.

And secondly, it is a key element of the comprehensive plan, and we are monitoring that very intensively going forward, and they will not be able to grow and increase production unless they are successful in meeting these safety challenges.

Mr. STANTON. Has the FAA found any indication Boeing suppliers contributed to any of the safety lapses the FAA identified in its initial audit of the door plug accident?

Mr. WHITAKER. So, the actual investigation into the door plug incident is still ongoing, so, I can't comment on that. But I think it has been well understood that the quality of products that was coming out of Spirit AeroSystems was not sufficient, and Boeing has shifted their inspectors down to Wichita to make sure that that traveled work problem gets resolved.

Mr. STANTON. What is the agency doing to ensure the integrity of the U.S. aerospace supply chain?

Mr. WHITAKER. So, the supply chain is really a corporate decision that the OEMs are making. So, some do a lot more in-house and some delegate. I think Boeing learned that there may have been too much delegation that led to some of those supply chain issues. But we are making sure that OEMs are holding their suppliers to the highest levels of safety, and they are responsible for the quality of those products.

Mr. STANTON. I want to switch gears here and ask you about an issue that is very important to the people of my constituency in Mesa, in the East Valley part of Phoenix. I want to ask you about the Phoenix-Mesa Gateway's air traffic control tower. Despite the fact that this is one of the fastest growing commercial airports in the country, staffing shortages have forced the airport to reduce operations in the tower.

The FAA reauthorization included my provision directing the FAA to establish a pilot program to convert high-activity air traffic control towers operating under the contract tower program to FAA-staffed visual flight rule towers to alleviate issues like the one Mesa Gateway is facing. My office heard from the city of Mesa just last week that FAA officials had a great meeting with them to discuss next steps forward.

Do you see any challenges with implementing this staffing solution by the 18-month deadline outlined in the reauthorization bill?

Mr. WHITAKER. I also heard that there was a very productive meeting, so, hopefully that means that we are on track and we will work to make sure that we meet that deadline.

Mr. STANTON. Do you, the agency, need anything else from us and Congress to keep this as an important priority?

Mr. WHITAKER. Well, I would just say that our system is full of very old infrastructure, so, we are constantly in need of upgrading the infrastructure. The BIL funding for infrastructure, while extensive, only allowed us to upgrade about 10 percent of our infrastructure. So, we still have a significant backlog in that space.

Mr. STANTON. Okay. I just want you to know that that is a very important issue to the entire airspace issue in the Phoenix metropolitan region. It is obviously a former Air Force facility that can grow, and as the number of flights are growing in and out of the region, it is a real opportunity. And one of the major limiting factors is having a contract tower, not it being an FAA tower. So, we got it in the bill. Your support to make that happen is very much appreciated.

Mr. WHITAKER. Great.

Mr. STANTON. Thank you so much.

I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Stanton.

The gentleman from Tennessee, Mr. Burchett, is recognized for 5 minutes.

Mr. BURCHETT. Thank you, Mr. Chairman.

Mr. Whitaker—Administrator Whitaker, excuse me—one of the big issues at Boeing is the breakdown in communication, the way I see it. I appreciate the Speak Up program, but how is Boeing improving communication between different teams to ensure quality control issues do not slip through the cracks?

Mr. WHITAKER. Well, making sure that there is a robust program in place where the employees can speak up is a key component of the safety management system, and it is required for success. That is where you get your best information, is from the floor. So, we are watching very diligently to make sure that that program is available and is being used. So, we are doing surveys of employees and talking with folks on the ground.

But the employees have multiple pathways, including coming directly to FAA if they don't feel like they can speak up at Boeing. They can come to our website and file information there as well.

Mr. BURCHETT. How will folks be reviewed or responded to that do those kind of things?

Mr. WHITAKER. So, there is—at FAA, we have a very regimented program to protect identity, and each claim gets investigated very thoroughly. And we are working to make sure that that same approach is taken at Boeing so there is no retaliation. In fact, people should be recognized for speaking up, and we are seeing an uptick in reports over the course of this year.

Mr. BURCHETT. Do we have any metrics that show that it has improved the operations through this new line of communications—or old line, I guess I should say?

Mr. WHITAKER. I think the best metric is going to be employee surveys, and I can respond back to your office to see if we have any additional specific information about that.

Mr. BURCHETT. Okay. Most of the folks up here, me included, our space exploration or rocketry skills basically are 4th of July shooting some bottle rockets or maybe have an Estes rocket that their dad helped make, a very cool D–2 that the first launch went into a huge oak tree in my neighbor's yard and still never been able to recover that.

But I am curious about those poor folks that seem to be trapped in outer space. Are they—I had a constituent lady, Denise Lambert I believe was her name, had asked about those folks. And do we think they are going to get home safely and soon?

Mr. WHITAKER. So, it is a little bit outside my portfolio. My oversight——

Mr. BURCHETT [interrupting]. I realize that, but that is——

Mr. WHITAKER [interposing]. Yes.

Mr. BURCHETT [continuing]. That is kind of what everybody is talking about.

Mr. WHITAKER. Yes. Well, all I can say is I hope so.

Mr. BURCHETT. Well, that is a very graded answer, I will say. Thank you.

Another area of concern, of course, is the employee training, specifically, employees' adherence to work instructions. In the comprehensive action plan, they committed to simplifying work instructions for mechanics and inspectors so that they be able to perform checks in a consistent manner.

Now, to your knowledge, has Boeing revised any of their preexisting instructions manuals yet?

Mr. WHITAKER. So, my understanding is they have completed an assessment of the work instructions to identify the areas where they need to simplify the instructions. So, that process has been underway. How many have actually been simplified at this point, I don't know, but I do know that there has been progress in that space.

Mr. BURCHETT. Do you think that simplifying the processes and procedures helps increase consistency during that process?

Mr. WHITAKER. It helps increase consistency, it reduces confusion and conflict, and it needs to correspond with more training as well.

Mr. BURCHETT. Did you all consider the stakeholder and the FAA's feedback when you developed those simplified processes and procedures?

Mr. WHITAKER. Can you say that again?

Mr. BURCHETT. Did you consider—sorry, I am from east Tennessee. It is the only place in America where people don't speak with an accent, so, I guess I can understand you not getting that.

Did Boeing consider stakeholder and Federal Aviation Administration feedback when developing simplified processes and procedures?

Mr. WHITAKER. They did. They had the results of our own audit, they had the results of the section 103 panel that was put together, and also employee feedback directly.

Mr. BURCHETT. What about the FAA, have they changed their approach to oversight of industry compliance?

Mr. WHITAKER. We have changed our oversight to Boeing extensively by having inspectors on the floor, by putting this cap on production, by having these metrics that we are monitoring. And then we are looking more broadly at the oversight models for all segments of aviation, including OEMs.

Mr. BURCHETT. Thank you.

Mr. Chairman, since I am a generous soul, I am going to yield back the remainder, 20 seconds, of my time.

Mr. GRAVES OF LOUISIANA. Thank you.

The gentleman from Tennessee, were you trying to draw a connection between the rocket that got stuck in the oak tree and—otherwise it would have reached the International Space Station? Is that what you were——

Mr. BURCHETT [interrupting]. I was. I was actually making the point that that is about my knowledge, and I realize that is about everybody up here's knowledge. And they have all googled some really cool stuff on this, I am sure, but the reality is that is about as far as it goes, Mr. Chairman.

Sorry to deflate everybody's ego on both sides of the aisle. But if you know how to get that thing out of that oak tree, I will be with you. My brother climbed up there years ago, and he never could quite make it to the top.

So, thank you, Mr. Chairman, for pointing out something very important to me.

Mr. GRAVES OF LOUISIANA. Yes. Yes, we will get the full resources of the Transportation Committee on that. Thank you.

The gentlelady from Nevada, Ms. Titus, is recognized for 5 minutes.

Ms. TITUS. Thank you, Mr. Chairman.

Mr. Administrator, before I ask you about Boeing, I want to switch topics for just a minute. Section 502 of the FAA reauthorization bill authorized 10 new slot exemptions at DCA for service to domestic airports either within or beyond the 1,250-mile perimeter.

That decision was supposed to have been made last month. There was a 60-day deadline. I know it is not right on you, but I am asking you if you would talk to the Secretary and see if you can get us some idea of what is happening with that or if it is coming soon or if there is a problem.

Mr. WHITAKER. Thank you. Thank you, ma'am. As you say, it is a DOT process that has been running, and I know they have received a lot of comments in that process. And they are certainly adjudicating those comments, but I will certainly take that up.

Ms. TITUS. Thank you. Thank you.

Reid International Airport is in my district and the air traffic is just increasing by leaps and bounds. I think we welcomed 57.6 million passengers last year, and that shattered the previous record by 5 million.

So, what is happening in the airspace is really important to our economy, and I am concerned about the safety and efficiency and all that. So, I appreciate what you are doing.

I would like to ask you, though, about section 430 of the FAA reauthorization bill, and that requires you all to update the aviation safety inspector model within 2 years so you can have a better idea of the workforce.

During a recent Senate hearing, you testified the FAA had deployed 24 inspectors to Boeing, and your target was 55 inspectors. And then in your testimony today, you mentioned that you have added some more safety inspectors at Boeing and at Spirit.

I wondered just how many you have added and what you have been doing to recruit, hire, and train these new inspectors.

Mr. WHITAKER. So, the goal is to have 55 inspectors deployed at the Boeing and Spirit facilities by the end of the year. We are on track to do that. I don't know our exact number today, I think it is in the 40s.

We have been able to hire fairly experienced inspectors on average with 20 years of experience, and we have also brought some inspectors in from other areas of FAA. We have a training program

at Oklahoma City that we put new inspectors through and then on-the-job training. So, we have been able to find good inspectors and experienced inspectors to deploy onto this project.

Ms. TITUS. So, you are optimistic that you are going to meet that goal?

Mr. WHITAKER. Yes, ma'am.

Ms. TITUS. Well, that is good to hear.

Another question. Since the Alaska Airlines incident in January, it has become real apparent, we have heard about it here today, that there was a need for cultural change at Boeing when it came to safety. It should have been the priority, but it kind of slid a bit.

The new CEO, Mr. Ortberg, is an engineer. Are you confident that this change at the executive level will foster a change in that culture and help to kind of move Boeing back in the direction where it should be?

Mr. WHITAKER. Well, as you indicated, Mr. Ortberg is an engineer with an aerospace background. But I am not necessarily placing my confidence in that solving all problems. So, we are going to continue our intensive oversight.

I have had a couple of conversations with Mr. Ortberg, and he understands our focus on that long-term project to change the safety. And we will stay very engaged to make sure that happens.

Ms. TITUS. The Boeing comprehensive action plan seems to be a step in the right direction, I have heard you say, but I want to know how the FAA is going to enforce oversight if they should fall short of their key performance indicators.

Mr. WHITAKER. Well, I think the key difference now between previous challenges with Boeing is that we have put a production cap in place. In order for Boeing to meet any of its other financial objectives, it is going to have to get past those production levels, which means it has to operate safely. It has to have a robust safety risk assessment system. And we are going stay very intensely engaged with them as they go on that journey.

Ms. TITUS. And what are the consequences if they don't meet those requirements?

Mr. WHITAKER. Well, the consequences are they can't increase production, from our perspective.

Ms. TITUS. All right.

Mr. WHITAKER. We are not really focused on what the financial outcomes are. But we are really just focused on making sure that those indicators are green, they are stable, and if they are going to grow, they have a plan for how to keep those indicators green.

Ms. TITUS. Okay. Thank you. And I yield back.

Mr. WHITAKER. Thank you.

Mr. GRAVES OF LOUISIANA. Thank you, Ms. Titus.

The gentleman from California, Mr. Carbajal.

Mr. CARBAJAL. Thank you, Mr. Chair.

Mr. Whitaker, Boeing has made multiple commitments to the FAA to strengthen certain safety practices in exchange for deferring civil penalties or other enforcement actions. This includes settlement agreements made in 2015, 2021, 2024 with the FAA and the Department of Justice to, among other things, enhance its safety compliance programs. Despite these agreements, Boeing has continued to experience multiple safety issues.

Has the FAA seen any progress in FAA safety compliance programs as a result of these settlements?

Mr. WHITAKER. So, I have been quite focused on—since I joined 11 months ago, I have been very focused on the events of January 5th which happened 10 weeks into my tenure. I have done a little research into some previous efforts, so, I am aware that there have been challenges before.

That is really one reason why we have taken a different approach in a couple of key ways. One is that production cap, which really gives us the leverage we need to make sure these changes happen, but also getting these key performance indicators so we have a real-time view on how things are going on the floor, on the production line, and then also having direct contact with employees to understand what is happening on the safety culture.

So, those, I think, make a different situation than there was before.

Mr. CARBAJAL. Thank you.

Mr. Whitaker, whistleblowers have been an important part of the investigation process. Since the January 5th accident, we have been tracking a significant increase in employee concerns.

What is the FAA doing to ensure that any whistleblower complaints are properly vetted in a timely manner, and has this increase in quantity resulted in any processing delays?

Mr. WHITAKER. So, we have had an increase in quantity. We have a very regimented program at the FAA. So, these complaints are immediately examined for safety-of-flight concerns and analyzed to see if there is immediate action taken, and then they are assigned to the relevant group that oversees that particular subject matter area.

We also work to protect the identity of the whistleblower, and then ultimately respond to that whistleblower with an outcome after the investigation.

Mr. CARBAJAL. How have you, what steps have you taken to safeguard the employees from retaliation, which is a natural thing that happens in many of these environments?

Mr. WHITAKER. So, any allegations of retaliation that we receive we refer to the Department of Labor which has jurisdiction over that aspect of employment in the country. So, they follow those matters through their own processes.

Mr. CARBAJAL. Thank you.

Mr. Chair, I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Carbajal.

Mr.—actually, you are not here.

I recognize Mr. Johnson from Georgia for 5 minutes.

Mr. JOHNSON OF GEORGIA. Thank you, Mr. Chairman.

And thank you, Administrator Whitaker, for sharing your insights with us today.

The aviation industry is not just dealing with isolated technical failures; we are confronting a troubling pattern. Incident after incident has revealed the culture of compromised safety, diminished trust, and inefficiency.

When passengers board a plane, they place their trust in us to ensure their safety from takeoff to landing. Likewise, over 1 million

aviation workers rely on a safe environment to do their jobs. Yet tragically, that trust is eroding.

Last month's Boeing tire explosion in Georgia is a stark reminder of our shared responsibility and the urgent need for reform. The message is clear: Safety cannot be rushed.

As the FAA has made clear, restoring public confidence in our air travel must be our top priority. We need a firm commitment to empower regulatory bodies like the FAA with the resources and authority to hold companies accountable. Safety protocols must never be optional or negotiable.

Administrator Whitaker, in your testimony, you mentioned the FAA has increased the number of safety inspectors at Boeing and Spirit AeroSystems facilities in response to systemic production quality issues. Does the FAA have the capacity to sustain this increased oversight, and are there any plans to expand it further?

Mr. WHITAKER. Thank you, sir.

We do have the capacity to maintain this level of oversight, and we intend to maintain this level of oversight indefinitely, certainly till we see the culture change and SMS deployment that is expected, and that is probably measured in years. So, we are in it for the long term.

We will continue to assess, as we go along, if we have additional need for additional inspectors. And then we will either reallocate resources or come back to you and ask for more.

Mr. JOHNSON OF GEORGIA. All right. In your testimony, you emphasized the FAA's commitment to safety and the need for increased oversight and accountability following safety incidents like the Alaska Airlines flight 1282 incident.

Do you foresee a need for increased resources and authorities at this time in order to effectively implement the comprehensive action plan for Boeing to ensure continuous oversight of its manufacturing processes?

Mr. WHITAKER. I believe we have the resources that we need to carry out this oversight with Boeing. And as we continue to review our other oversight models in the system, we will keep this committee informed on whether there are additional needs for resources or whether we need to reallocate resources between groups.

Mr. JOHNSON OF GEORGIA. Thank you.

In your testimony, you mentioned how the FAA has capped the production of Boeing 737 MAX airplanes to achieve system stability and compliance with quality control procedures.

Can you explain what FAA means by system stability and how it would measure system stability and at what point production can be safely ramped up again?

Mr. WHITAKER. So, one example of system stability is measuring whether the work is done in the proper sequence. As an aircraft moves through the production line, there are specific tasks at specific stations. If those are done out of order, it creates a risk that there will be some mistake in that work or that you will have to disassemble some other part to do an assembly that should have happened earlier in the process.

So, that is an example of a metric that we look at very closely to make sure the proper order of assembly is completed, and that gives us a sense of whether there is stability in the system.

Mr. JOHNSON OF GEORGIA. Thank you.

Boeing's new CEO, Kelly Ortberg, has emphasized the importance of safety culture reforms. How will the FAA monitor and verify these cultural shifts within Boeing over the long term, and what measures will be implemented to ensure that employees feel safe coming forward with their concerns?

Mr. WHITAKER. I think the key metric in that is going to be employee surveys, and we will be looking at the employee surveys that Boeing completes and then complete our own level of assessment of employee surveys. I think that is the best way of understanding whether the safety culture is taking. We will also be looking at the number of whistleblower complaints and how people are—whether they are feeling free to speak up.

Mr. JOHNSON OF GEORGIA. Thank you. I yield back.

Mr. WHITAKER. Thank you.

Mr. GRAVES OF LOUISIANA. The gentleman yields back.

The gentleman from Illinois, Mr. García, is recognized for 5 minutes.

Mr. GARCÍA OF ILLINOIS. Thank you, Chair, Ranking Member, and Administrator Whitaker for being here today.

This past July, Boeing announced that it intends to reacquire Spirit AeroSystems, one of its major suppliers and manufacturing partners. And they previously had sold Spirit in 2009 as part of a decision to cut costs.

Although reacquiring Spirit would simplify manufacturing processes and could help reduce errors, the missing bolts that caused the door plug incident were removed at a Boeing facility, not Spirit AeroSystems.

Given that the FAA's quality control audit of Boeing discovered 97 instances of noncompliance, why should we be confident that Boeing has the capacity to manage the extra manufacturing responsibilities?

Mr. WHITAKER. So, the manufacturer, of course, makes decisions about supply chain policy and strategy. And Boeing is making the decision that it can exercise more control over Spirit if it acquires it. We don't have an opinion on whether that is a good idea or a bad idea. We just need to make sure that they are exercising that control.

They have made quite a few changes in the process already to make sure fewer defects are coming out of Spirit AeroSystems by moving inspectors down to that facility. But our main focus is whether they are getting products that are complying with the type design. So, whether that is through direct ownership or other means of oversight is really a corporate decision.

Mr. GARCÍA OF ILLINOIS. Thank you, Administrator.

And as a followup to that, what is the FAA doing to ensure that, if this acquisition goes through, that Boeing has the protocols in place to implement the strong safety standards?

Mr. WHITAKER. Well, we will continue to look at the oversight that they are exercising directly, if they acquire Spirit. We currently have five inspectors at Spirit. But once—if this acquisition goes through, then we will also have direct regulatory authority over Spirit. So, we will be able to have direct inspections and oversight of their operations.

Mr. GARCÍA OF ILLINOIS. Thank you.

Next, I would like to focus on worker experience and the factors that play into Boeing's culture of safety. One of the items that Boeing outlined in its action plan is to improve the employee reporting channel called Speak Up. It is crucial that employees feel empowered to report safety concerns at any point in the production process, something that has been lacking up until now.

Boeing has a documented history of prioritizing a high-production volume and profits over safety. It also has a history of ignoring and retailing—retaliating—pardon me—against employees who report concerns. Former engineers of the company have testified before Congress describing how reporting safety concerns has been met with hostility.

Boeing's action plan says it aims to improve reporting by creating, quote, "a more user-friendly reporting interface and increasing promotion of the benefits of reporting." This doesn't sound that convincing of an attempt to change a deeply dysfunctional culture.

Can you elaborate on Boeing's plans to address employee reporting, and does the FAA plan to conduct oversight on this action?

Mr. WHITAKER. We do plan to conduct oversight. In fact, the willingness of employees to speak up and identify safety concerns is really one of the key sources of safety information for a safety management system. Safety management systems are designed to find risk, and then the company needs to mitigate those risks. And employees are a great source of information.

Boeing knows that this is priority. We are monitoring their deployment of the system, and we will continue to engage with employees and watch to see the level of reporting that results.

Mr. GARCÍA OF ILLINOIS. And are you optimistic that there will be culture change as it relates to safety practices?

Mr. WHITAKER. There has to be culture change. They won't be able to go back to producing aircraft at the level they want without that culture change.

Mr. GARCÍA OF ILLINOIS. Thank you, Administrator, for your time.

And I yield back, Mr. Chair.

Mr. WHITAKER. Thank you.

Mr. GRAVES OF LOUISIANA. The gentlelady from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Thank you, Mr. Chairman.

And thank you, Administrator Whitaker, for joining us again here today. We really appreciate your time.

I really want to echo the sentiments that our ranking member said as well. We really do feel there are two hearings going on today, one about Boeing but one about the overall job that the FAA is doing, particularly on the air maintenance and technician staffing that we currently have, obviously a critical shortage that impacts many aspects of overall aviation safety.

Can you speak to the progress that Boeing is making as they implement its action plan for increased mechanic and technician training goals as well as overall boosting public trust on this particular issue?

There is only so much that good internal policies can do if we are not externally communicating them and making sure the public is

aware of it. That provides a critical oversight layer as well. And then a subpart of that is, what, more broadly, is the FAA doing to ensure a broad and ready workforce here?

Mr. WHITAKER. So, three questions there.

And I will start by, I think the maintenance and training has been a challenge for Boeing. It has been a challenge throughout the industry after COVID because of all the retirements and the loss of, I think, a natural transfer of knowledge from generation to generation. The best companies recognize that as a safety risk with their safety management program, and they mitigate those risks by putting in extra training, bringing back retired employees to do mentoring, those types of things.

Boeing recognizes that was a problem. The level of experience they are getting in their hiring is much lower than it used to be. So, they are now increasing that training. And part of the comprehensive plan was assessing those training levels and deploying more training, and that is underway.

I think as far as the public trust is concerned, I think the most important thing is that we hold Boeing to all of the elements of this comprehensive plan and see progress on that safety culture change and continue to deliver over the years. It is probably a little bit of a long-term project to rebuild that trust, but I think it will flow naturally out of having that safety culture and continuing to improve their operations.

From our perspective, we are also recruiting from the same pool of potential aviation employers. And we work very hard to increase the size of that pool and including programs where we work in elementary schools and in high schools to get younger students interested in the career field. It is very competitive, and we have quite a few initiatives underway to generate interest among younger generations to join this field.

Ms. SCHOLTEN. Well, I would encourage you as well to continue to seek ways that you can get that information out into the public. I actually disagree that it flows naturally. While making the internal changes is the most important thing, the safety concerns that have been raised by high-profile incidents in the last several years permeate into the public conscience and really hurt the industry.

It is important for the public to know and for the FAA to proactively communicate about those things so that the public can know what they can count on, the measures that are being taken, and so that they can play an important role in that critical oversight as well.

Mr. WHITAKER. Yes.

Ms. SCHOLTEN. I want to move on to one other quick question. The Alaska Airlines flight 1282 incident was, of course, unacceptable and tragic. Fortunately, thanks to coordination between the pilot and air traffic control, no one was harmed during the emergency. Air traffic control towers are paramount to everyday flight operations, protecting safety and efficiency of our National Airspace System.

You know that I have been a huge champion of replacing our air traffic control tower, one of the oldest FAA-owned air traffic control towers in the entire country. At 60 years old, it is the oldest among the top 75 busiest airports in the entire country.

This tower is out of compliance with safety and ADA regulations, raising serious safety concerns for west Michiganders. I am thankful that we have had several productive conversations, but we are ready to move into the action phase.

So, on behalf of all Michiganders, does the FAA have any updates that it can give to us today on how it can address these critical concerns with GRR's air traffic control tower so that the airport can best be equipped to respond to emergencies in the, God forbid, event that they might occur?

Mr. WHITAKER. So, we can certainly respond directly to your office on any updates that we may have, but I think it raises a very important point that our infrastructure is in need of significant investment across the board. And the 2025 budget that was presented includes $8 billion to continue the infrastructure upgrading that happened under BIL, and there is a lot more to do.

Ms. SCHOLTEN. Thank you.

Mr. WHITAKER. Thanks.

Ms. SCHOLTEN. Thank you for the additional time. I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Ms. Scholten.

The gentleman from Massachusetts, Mr. Auchincloss, is recognized for 5 minutes.

Mr. AUCHINCLOSS. Thank you, Chairman.

Welcome back, Administrator.

Mr. WHITAKER. Thank you.

Mr. AUCHINCLOSS. When you last came here, it was a more informal roundtable discussion. I asked you about FAA investigations into the two runway near-misses that had occurred, both of those flights. One was at Logan, I believe, and was en route from DCA to Logan. So, they affect my constituents in Massachusetts. You assured me of a swift, certain, and comprehensive investigation.

What is the status of those investigations?

Mr. WHITAKER. I am happy to respond to your office with any specifics around those particular investigations. I don't have that information with me right here.

Mr. AUCHINCLOSS. Do you know, have they concluded at this point?

Mr. WHITAKER. They would normally have been concluded by this point, yes.

Mr. AUCHINCLOSS. Okay. So, we would like to see the results of that investigation——

Mr. WHITAKER [interposing]. Sure.

Mr. AUCHINCLOSS [continuing]. And any remedial actions that are being taken.

Similar note, can you talk about the implementation of increased hiring for new air traffic controllers now that we have passed the FAA reauthorization and the new statute behind that? How is that going, and how is the relationship with the air traffic controllers evolving? I know there was some friction with the New York issue. Give us an update on the ATCs.

Mr. WHITAKER. I think we have a strong relationship. I was at the air traffic controller safety conference last week, speaking. So, I think it is a good relationship.

The hiring process has been fairly intensive. We have really looked at every possible knob that we can turn to increase the field

of qualified hires. Last year's objective was 1,650 hires. This year it was 1,800. We announced yesterday that we have exceeded that slightly for this year. Next year, the goal will be 2,000, and that will be a heavy lift.

We are continuing to expand capacity at the academy. We are also working with the CTI schools to develop an enhanced CTI program that allows the CTI schools, if they have the proper equipment and the proper curriculum, to train air traffic controllers so all they have to do is take the aptitude test and then be hired right into the facilities.

Now, there is a long lead time on that. This would be the first academic year that we hope to have some students. It will probably be another year before we start to see more output.

We have also made it easier for military controllers to be hired in upon retirement. So, it used to be a twice-a-year event. Now it is a rolling event. So, your retirement date doesn't matter.

So, we have really kind of looked under every rock to try to make the system better. I think this year the focus is going to be making the actual processing part more efficient. It involves medical, background check, all these other steps that folks have to go through, so, try to make that process easier.

Mr. AUCHINCLOSS. Understood. And, of course, recruitment is important but also, so is retention, particularly if you are experienced ATCs. And that requires engagement and solicitation from the air traffic controllers about their quality-of-life concerns, their scheduling concerns, their safety concerns. So, I just encourage you to really——

Mr. WHITAKER [interrupting]. In that regard, we have implemented new fatigue rules that just were rolled out this year that will make sure that we are having adequate rests between shifts. So, I think that is going to be not only a safety enhancement but a quality-of-life improvement as well.

Mr. AUCHINCLOSS. Logan is one of the more challenging airports for the air traffic controllers. We have got an old tower——

Mr. WHITAKER [interposing]. Yes.

Mr. AUCHINCLOSS [continuing]. As well.

Mr. WHITAKER. I have visited that. Yes.

Mr. AUCHINCLOSS. Those women and men work hard and they work in pretty tough conditions, and we need to ensure that they are set up for success in their safety mission.

Mr. WHITAKER. I would—I actually identify Logan tower as of an example of our underinvestment——

Mr. AUCHINCLOSS [interposing]. Yes.

Mr. WHITAKER [continuing]. In the sense——

Mr. AUCHINCLOSS [interposing]. We would agree.

Mr. WHITAKER [continuing]. We haven't been able to deploy DataComm in Boston because there is no physical space in that tower for the computer rooms with adequate air-conditioning and cooling. So, it is an example of how that old infrastructure is really hampering modernization.

Mr. AUCHINCLOSS. Final question for you. Does the FAA have any scope or opinion on the decision by some American airlines to cease flights into Israel? I believe Delta and United have stopped

flying. Is that an area that they check in with the FAA on, or is that a unilateral decision that they make?

Mr. WHITAKER. That would be an airline decision. The role of FAA really is around NOTAMs and safety of flight, that type of issue. So, we do communicate with, particularly in this instance which is constantly changing in real time, and we provide guidance on NOTAMs and safety.

Mr. AUCHINCLOSS. Do you have guidance from the FAA on the safety of flying into Tel Aviv or Jerusalem?

Mr. WHITAKER. I think at this point we are mirroring the NOTAMs that are put in place by Israel for where you can fly and don't fly. So, we don't provide anything beyond that. But we do have—for the carriers that fly to that region, usually they have a classified status, so we can give them intel briefings when they make their decisions.

Mr. AUCHINCLOSS. Okay. I yield back.

Mr. GRAVES OF LOUISIANA. Thank you.

The gentlelady from the District of Columbia, Ms. Norton, is recognized for 5 minutes.

Ms. NORTON. Thank you, Mr. Chairman.

As cochair of the Quiet Skies Caucus and the Member who represents the District of Columbia, which is plagued by airplane and helicopter noise, I urge the FAA to do more to combat aviation noise and to engage more with affected communities on this matter. If the FAA needs additional authority or resources to combat aviation noise, I urge the FAA to inform this committee of what it needs.

Mr. Whitaker, safety must be the FAA's top priority. Should the American public have confidence that it is safe to fly on Boeing airplanes?

Mr. WHITAKER. They should. We write the air worthiness certificate for each aircraft that comes off the line. We have inspectors that are on the floor every day overseeing the process, talking with employees. We are monitoring the health of the production facility, and we do our own inspection of the aircraft before they get their air worthiness certificate. So, they can be confident that the aircraft are safe.

Ms. NORTON. Well, I appreciate that.

In its comprehensive action plan, Boeing committed to encouraging its employees to report safety concerns.

What assurances can the FAA offer that Boeing will not retaliate against employees for reporting safety concerns?

Mr. WHITAKER. Well, this is something that we monitor closely because the ability of employees to speak up is a key component of a healthy safety management system and a healthy safety culture. So, we will watch that closely.

We talk to employees directly. We look at employee surveys and culture surveys. And if there are any claims of retaliation, we refer those to the Department of Labor for investigation.

Ms. NORTON. In its comprehensive action plan, Boeing—I guess I asked that question. I am sorry. Thank you very much.

And I yield back.

Mr. WHITAKER. Thank you, ma'am.

Mr. GRAVES OF LOUISIANA. Thank you.

The gentleman from California, Mr. DeSaulnier, is recognized for 5 minutes.

Mr. DESAULNIER. Thank you, Mr. Graves.

Administrator—sorry. Allergies. That is another problem.

First of all, thank you for the work you have done so far. Very challenging times. The last time we spoke at the roundtable, we talked a little bit about the challenges changing a culture. We have found out a lot since you have been there, including a story today in the New York Times about the GAO's report just confirming a lot of things we already knew.

But my question was consistent with our previous conversation, if you remember it, when you brought up General Electric. In that conversation, my memory is there had just been a story about Boeing that it used to be an engineering company, and it had changed, which is an example of a culture change in multiple things.

We have done a lot of research on the pharmaceutical industry. Used to be that people were researchers and they were chemists and biologists, and then the chief financial officer became the CEO. Nothing wrong with that.

But then the challenge for you in this culture where safety is such a premium for long-term investment, whether it is Boeing or the airlines or any other subcontractor, there is so much pressure to get return on investment, under the Supreme Court's decision, that for a publicly traded company, your number one liability is the better business plan, which means return on investment.

So, here is an industry that is sort of a utility in an old-fashioned way where it is a public-private partnership, and the EU looks at it that way and Japan looks at it this way. But because of the investment community, starting with Carl Icahn, I mean, it is sort of a canary in the coal mine when you look back at this period.

Balancing that responsibility, given these other moving parts and regulatory and judicial decisions and congressional decisions, getting Boeing to becoming an engineering company where the investors value that for long-term and short-term investments, how do you view that when you—you have got the inspectors on the ground. You have got risk assessments. They are worried about liability. Certainly, the air carriers are worried about that one big incident that will crater return on investment, which is where I started in the near-miss at SFO.

So, talk to me a little bit about that challenge. You have very specific regulatory administrative authority in a world where there is lots of different pressures.

Mr. WHITAKER. Well, it is an interesting observation. And I think I would say that even if profits were your number one goal, safety really needs to be your number one goal because it is hard to be profitable if you are not safe. And I think Boeing certainly has learned that. Whatever money might have been saved has certainly been lost in the fallout.

So, regardless of what your other objectives are, if you don't start with safety, your chances of succeeding are very poor, whether you are an airline or a manufacturer.

So, that is what we are looking at is just to see that there is a real safety culture, not just "safety is first" as a slogan, but a real safety culture that permeates everything that is done and comes

first before production goals or operational goals or mission goals or financial goals. So, that is really our focus.

Mr. DESAULNIER. So, just to follow up on that on the risk assessment. And I am not complaining about return on investment. It is just a reasonable rate of return for long term. So, companies constantly do risk assessment. Boeing has done it, to the ranking member's earlier questions about risk assessment, but risk assessment when these competing interests.

So, right now, my sense is that Boeing in the industry has generally realized, okay, the spotlight is on us. We have got to let our investment community—but in a world where investors are instantaneously mobile and could go to a higher rate of return with—they are looking for lower risks, therein lies, I think, one of the real challenges to get this as a sustainable safety culture for as long as possible for all of the stakeholders, the flying public in particular.

I get it. I understand right now the spotlight is on them. But if we start moving back to quarterly returns and pressures—and they are legitimate concerns. I am not—these are the challenges that we are partners to.

Mr. WHITAKER. Yes. And I think our oversight model of Boeing has certainly changed dramatically this year. So, we have moved from an audit approach to much more of a boots-on-the-ground inspection approach. We have got these key performance indicators that we monitor on a weekly basis so we can see exactly what is happening in the system. And, of course, we have a cap in place on production. So, we feel like we have the tools to monitor this carefully and closely, and I think this is a model for how we should be monitoring the safety of the NAS.

Mr. DESAULNIER. Thank you. You got my mind started on when you made the Jack Welch observation.

Mr. WHITAKER. Thanks.

Mr. GRAVES OF LOUISIANA. Thank you.

The gentleman from South Dakota, Mr. Johnson, is recognized for 5 minutes.

Mr. JOHNSON OF SOUTH DAKOTA. Thanks, Mr. Chairman.

Mr. Administrator, obviously there has been a lot of public attention paid to the challenges Boeing has faced, as well as the FAA's role in all of that.

What do you think is the most commonly misunderstood aspect of what is going on between the FAA and Boeing?

Mr. WHITAKER. Well, I think the comprehensive plan, as we have talked about with Boeing, includes some very short-term changes. But the ultimate mission is very long term. So, we are sort of balancing these two: the short term and the long term.

Short term is employee training. It is cutting down on traveled work. It is deploying tool tracking technology, part tracking technology. These things are happening, and they are making progress.

Long term is a years-long process to really change that safety culture, let the employees feel like it has really changed, and start to see that evidence.

Mr. JOHNSON OF SOUTH DAKOTA. So, yes, let's continue to talk about culture. I thought my colleague immediately prior did a good job of trying to tease out some of the culture issues.

Clearly, there are some short-term issues that I think are complicating your long-term push. I mean, we have got machinists striking at Boeing. I assume that is an impediment to some of the culture change?

Mr. WHITAKER. Well, the strike stops some of the work that is going on. So, some of the pilot programs to deploy new technologies, some of the training certainly is stopping, and we are monitoring that situation closely. So, when and if workers go back to work, we will assess how much additional training might be needed. So, it does interrupt this process, but the plan itself will still need to be deployed.

Mr. JOHNSON OF SOUTH DAKOTA. And then we talked a little bit about new CEO Ortberg being on the job for less than a month or I guess about a month. I am not really asking about the top spot. A CEO is incredibly important as a culture officer, but we also know that culture is a lot—is way more than just one person.

What is your assessment about the next two or three rungs of top management? I mean, has the wakeup call been sufficient enough for them to understand the magnitude of the change that is needed?

Mr. WHITAKER. Well, I have had several conversations with various board members around the need for a long-term plan on safety and what needs to happen, what the primary focus ought to be. They have made some changes at the board level. Obviously, the CEO changes have been made. And there have been changes in that next layer of management as well.

So, I can't sort of grade each official in that realm. We are really just focused on performance and making sure that they are actually executing the plan and monitoring that very closely.

So, we have weekly meetings on the floor. We have monthly meetings of the safety leaders and then quarterly meetings with the CEO and that senior team. And these are day-long, roll up your sleeves, go through 8 hours of PowerPoints and tours kind of meetings to get a sense of how this is going. So, we are evaluating that at every level.

Mr. JOHNSON OF SOUTH DAKOTA. You talk about the need to pursue both some short-term objectives as well as the longer term mission. What is the most concerning threat in your mind toward actually accomplishing the long-term goal?

Mr. WHITAKER. Sustaining the momentum, and I think this can't be viewed as a 9- or 12-month project. Year by year, the message has to be safety, communications have to be safety, and then the employees have to see it in action. If something is wrong, an employee says something, the reaction has to be, okay, let's assess this safety risk and do what we need to, not hurry up and get back to work.

So, I think on the floor, they are going to be able to detect whether it is happening.

Mr. JOHNSON OF SOUTH DAKOTA. You want a heightened urgency, a focused attention day in and day out.

You talked about these extended meetings, working through PowerPoints. How do you gauge in these conversations whether or not real progress is being made?

Mr. WHITAKER. Well, those conversations don't necessarily tell us the real progress. We do surveys of employees. We have our folks on the ground talking to employees so we can gauge how they are feeling about speaking up, whether they are seeing something change. And the inspectors on the floor are able to understand what the communications are that are coming out. Is it about production, is it about hurry up, or is it about safety and training and that type of thing? So, we are assessing it at all levels.

Mr. JOHNSON OF SOUTH DAKOTA. Very good. Thank you much.

Sir, I yield back.

Mr. WHITAKER. Thank you.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Johnson.

The gentleman from New Jersey, Mr. Van Drew, is recognized for 5 minutes.

Dr. VAN DREW. Thank you, Chairman.

Mr. Whitaker, thank you for being here.

I have a very brief statement first before I have some questions.

For two decades, as we know, Boeing has promoted unqualified managers who have made disastrous decisions like outsourcing America's supply chains. And this has happened, quite frankly, in Government. It has happened in corporate America. It has happened at just about every level of our society.

The best way to create opportunity for those who don't have it is not by lowering standards. It is by increasing education for them. It is by increasing focus. It is by increasing energy and meritocracy. I hope as we go forward—because Boeing is a very physical sign of what has happened, and it is a bigger issue than just even Boeing. It is something that is running through our country right now, and it is serious.

And if we want to be number one in the world, which is my goal always for the United States of America, we need to change the way we are going about business. We need to help people, to give them opportunity. But they need to be able to rise to the occasion, and we need to help them to do that, not to lower the standards, not to put people in jobs in which they are not qualified.

So, that is my statement.

In July, I sent you a letter on the FAA reauthorization, as you know. We heard from your office actually this morning, which I now submit for the record.

This letter includes an invitation for you to come——

Mr. GRAVES OF LOUISIANA [interrupting]. Without objection.

[The information follows:]

Letter of July 26, 2024, to Hon. Michael Whitaker, Administrator, Federal Aviation Administration, from Hon. Jefferson Van Drew, Submitted for the Record by Hon. Jefferson Van Drew

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
WASHINGTON, DC 20515,
JULY 26, 2024.

The Honorable MICHAEL WHITAKER,
Administrator,
Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591.

RE: The Federal Aviation Administration's Organizational Structure, and Programs to Unleash American Aviation

DEAR MR. WHITAKER,

On May 16th of this year the FAA Reauthorization of 2024 became law. This landmark aviation legislation includes policies of great consequence to the Federal Aviation Administration (FAA) and to my community of South Jersey. South Jersey has been the proud home of the FAA's William J. Hughes Technical Center for 65 years. Recently, the Technical Center served a critical role in the FAA's NextGen airspace modernization program and is correspondingly located within the "Office of NextGen." The FAA Reauthorization mandates major changes to these programs and directs the establishment of new organizational structures.

This policy letter contains views of legislative intent and recommendations to aid the FAA in executing the FAA Reauthorization and your broader mission. Major themes include:

- That the Airspace Modernization Office (AMO) should adopt an all-of-agency approach that coordinates business lines to facilitate the integration of new systems and capabilities into the national air transportation system.
- That the NextGen Office (ANG) should be combined with certain Program Management Office (PMO) functions to form an AMO with a direct report line to the Administrator.
- That the FAA Technical Center for Advanced Aerospace should function semi-autonomously under the unitary management of the Technical Center Director and be organizationally located within AMO.
- That the Technical Center is positioned to administer new programs and capabilities, including the Center for Advanced Aviation Technologies.

This letter also serves as a personal invitation for you to visit South Jersey and meet with our robust aviation research community.

FORMING THE AIRSPACE MODERNIZATION OFFICE

"Section 206. Future of NextGen" gives the FAA until December 31, 2025, to operationalize and sunset the NextGen Office. "Section 207. Airspace Modernization Office" gives a deadline of January 1, 2026, to establish the eponymous organization. This new AMO has responsibilities that include research and development, systems engineering, enterprise architecture, portfolio management, National Airspace System (NAS) digitization, system interoperability, and a major emphasis on long-term integration planning.

The FAA's greatest airspace modernization challenge is coordinating the integration of new entrants and technologies that improve safety. The AMO presents an opportunity to reorient the FAA organization and finally solve the integration puzzle. AMO must be broader in scope than the NextGen project and must be empowered to mobilize dissonant business lines in common purpose. It must be a distinct office; siloing it within an existing organization precludes the necessary horizontal orientation to facilitate coordination. AMO must not be made subsidiary to an existing business line and so must be a direct report to the Administrator.

The AMO must adopt an all-of-agency approach that coordinates the activities of the FAA's many business lines towards the objective of efficiently integrating new capabilities into our air transportation system through the development and execution of a cohesive business plan. Forming this type of organization requires functions from both ANG and PMO.

ANG should be the foundation for AMO. ANG's current activities comprise most of the anticipated activities of AMO. However, ANG lacks the implementation functions necessary for AMO's expanded role. These functions are presently within PMO.

Although PMO is currently located within the Air Traffic Organization (ATO), AMO cannot be located within ATO. ATO is an operational organization and should be exclusively an operational organization. AMO explicitly will be involved in research and development. Anything not safety related is a distraction from the paramount safety mission of ATO. And again, siloing AMO within ATO will diminish its ability for cross-cutting coordination. Because of these conflicts, AMO cannot be within ATO. Because PMO is currently within ATO, and AMO needs PMO capabilities, this means that PMO must be reorganized.

PMO functions should be distributed appropriately throughout ATO and AMO. PMO functions can be put into two buckets; maintenance and acquisition. Components of the PMO related to the maintenance of systems and support operations going on already today should be distributed through ATO, most probably to the Technical Operations Office. Components of the PMO related to the acquisition and deployment of new capabilities and implementing new systems and services should be transitioned into AMO to support the integration mission.

Thus, AMO should be a distinct organization with a direct reporting line to an FAA Administrator who empowers it to coordinate. It should be formed through the fusion of ANG and the functions of PMO related to new systems implementation. It should be oriented as a cross-cutting, all-of-agency organization that coordinates the many FAA business lines towards the long-term integration of novel systems and capabilities into our air transportation system.

FAA William J. Hughes Technical Center for Advanced Aerospace

"Sec. 206—Future of NextGen", in addition to sunsetting NextGen also establishes the "William J. Hughes FAA Technical Center for Advanced Aerospace," in Section 106 of Title 49 of the United States Code. This prestigious section of statutory law now clarifies the Center's role as a "technology center" within the FAA.

Through the codification of the Technical Center, Congress has defined it as the FAA's permanent and semi-autonomous agent for the research, development, testing, evaluation, validation and sustainment of products for use in the NAS.

The Technical Center creates value through coordinating programs, partnerships, and assets that are interconnected by the physical space of the New Jersey campus. Previous reorganization proposals confused this relationship by suggesting a separation between the programmatic responsibilities of the Technical Center Director and the management of the physical campus. The law now emphasizes the importance of unitary management of the programs that flow through the Center, the partnerships that advance those programs, and the physical assets that facilitate all activities.

Congress acted on this question by establishing that activities managed by the Director include "developing and stimulating technology partnerships," "managing technology demonstration grants," "managing the facilities", and "supporting the work of collocated facilities and tenants," all of which occurs through the Director "providing access to the properties, facilities, and systems of the Technical Center through appropriate agreements." By establishing this breadth of interconnected responsibilities under the Director, Congress has decided that unitary management under the Director is best for the Center and the Nation. While the Director does ultimately report to the Administrator, this arrangement allows the Center to operate in the semi-autonomous manner most appropriate for its role as an independent validator.

The Center's critical role as an independent validator requires it to lead many activities including the research, development, testing, evaluation, validation and sustainment of products for use in the National Airspace System. These activities are broadly captured in subparagraph (C), which states that the activities of the Technical Center shall include:

> *Identifying software, systems, services and technologies that could improve aviation safety and the operations and management of the air traffic control system and working with relevant offices of the Administration to consider the use and integration of such software, systems, services, and technologies, as appropriate.*

This catch-all language is intended to provide the FAA the flexibility to route all appropriate research, development, testing, evaluation, validation and sustainment activities through the Center. This language importantly emphasizes "integration," which positions the Center to absorb future programs related to emerging technologies including UAS, AAM, sustainable aviation fuel, hypersonics, electric and hydrogen propulsion, commercial space, and the truly limitless future evolutions of aerospace operations. This integration-specific language also indicates that the

Technical Center must play a central role in the coordination activities that will soon be managed by the Airspace Modernization Office.

Consistent with the FAA Reauthorization and the strong arguments for transitioning ANG assets into AMO, the Technical Center should be located under AMO. Within AMO, the Technical Center should perform research, serve as project manager for development, lead independent validation for Testing and Evaluation program activities, and maintain laboratories in support of these missions. Importantly, Testing and Evaluation direction should be kept separate from the program management locus as the validation function must remain independent. These activities should flow into systems engineering to facilitate integration through the broader organization. We also should provide outside stakeholders greater opportunities to proactively put their technological solutions in front of the FAA for evaluation, a program for which is described below.

EMERGING TECHNOLOGIES ACCELERATOR PROGRAM

The FAA's Fiscal Year 2025 budget generously reflects the importance of the Technical Center to the FAA and the Nation by including historic levels of infrastructure investments in the Technical Center laboratories and electric utility. I am working with the House Appropriations Committee to fund the Technical Center at your requested amount, which investments will provide a strong foundation for the Technical Center's future activities.

An important capability that the Nation must develop is the Emerging Technologies Accelerator Program. This program will provide an effective pathway for development, demonstration, and transfer of technology applications that lead to a tangible operational improvement to the air transportation system. It will be conducted through the issuance of solicitations for technological solutions to pressing aviation problems. It will serve as a bridge between outside stakeholders and the integration activities being led by the Airspace Modernization Office.

This program is necessary for the Technical Center to meet its new statutory objectives of stimulating technology partnerships and managing technology demonstration grants. The accelerator program offers a proactive model that provides non-public stakeholders an opportunity to get novel, beneficially applicable technologies expeditiously evaluated by the federal government and integrated across the NAS. This is an essential capability for AMO's new integration model to achieve maximum effect.

This program was listed in previous budgets and should be relisted to advance the Technical Center and AMO's new mission. This program will only receive funding from Congress if it is included in the FAA's R&D budget request, and so I strongly urge you to develop an FY26 budget request that includes this program at the previously requested level of $10 million.

CENTER FOR ADVANCED AVIATION TECHNOLOGIES

"Sec. 961—Center for Advanced Aviation Technologies," of the FAA Reauthorization directs the agency to establish a Center for Advanced Aviation Technologies that will support the testing and advancement of new and emerging aviation technologies. I urge you to prioritize implementation of this section by developing a national network of test corridors and summarily establishing the William J. Hughes Technical Center for Advanced Aerospace as the administrative program lead for the Center for Advanced Aviation Technologies under the Airspace Modernization Office.

The Technical Center's newfound statutory jurisdiction largely encompasses the roles and responsibilities of the Center for Advanced Aviation Technologies. The slate of tasks includes developing AAM airspace laboratories, validating air traffic requirements, developing technology partnerships, and identifying new and emerging aviation technologies. All these tasks fall squarely within the statutory jurisdiction of the Technical Center for Advanced Aerospace. These legal facts dictate that the administration of the Center for Advanced Aviation Technologies should be led by the Technical Center for Advanced Aerospace.

Much of the Center for Advanced Aviation Technologies activities will be conducted through the establishment of multiple national testing corridors for the evaluation and validation of technologies such as remote identification, BVLOS and detect-and-avoid. The Technical Center will need to be the central administrative component of this program because of its leadership in the validation of systems. The entire point of testing corridors is validation—it is the Technical Center's statutory mission to lead that validation process in pursuit of integration.

While the Technical Center should be the administrative lead in any case, New Jersey is well-positioned across its geography, infrastructure and partnerships to host its own testing corridor within the program.

The geography of New Jersey offers a unique ecosystem of airspaces with variety and flexibility for AAM testing. The region is proximal to numerous large commercial airports including JFK, LGA, EWR, PHL, ILM, and ACY where the Technical Center is located. These include the densest, most complex airspaces in the country, and will provide a robust environment for the testing of all sorts of advanced types and systems. South Jersey has multiple smaller general aviation airports including MIV, WWD, and OBI. These are in rural areas that offer substantial low-density airspace for different types of testing activities.

Joint Base McGuire-Dix-Lakehurst, which houses the United States Air Force's 305th Air Mobility Wing, is working with South Jersey's National Aviation Research and Technology Park to establish a civilian/military dual use UAS/AAM test corridor that can be used as one of several premier national testing corridors.

The Center for Advanced Aviation Technologies is an exciting project whose idiosyncrasies fall squarely within the statutory jurisdiction of the Technical Center. We hope to serve as the administrative lead for this program and coordinate the validation of activities of testing ranges that will be established across the country, including in New Jersey.

INVITATION

I formally invite you to come to South Jersey and meet with our aviation community. I would like for you to meet the many researchers, businesses, and public officials who are working hard to make this vision a reality. I hope to work closely together over the coming years to realize the full potential of the Technical Center, the Federal Aviation Administration, and the United States of America.

Sincerely,

JEFF VAN DREW,
Member of Congress.

Dr. VAN DREW. Thank you. Thank you, Chairman.

This letter includes an invitation for you to come to South Jersey and meet with many of our aviation stakeholders.

Can you confirm, and I know that you did this morning, that you have received the letter and the invitation?

Mr. WHITAKER. I look forward to it. Thank you.

Dr. VAN DREW. Thank you. Me too. Me too. It will be good to have you in South Jersey.

I have received several questions about the FAA reauth and the technical center, and I provided this to your team. We tried to provide you in advance not to blindside you, out of respect for you and out of respect for the issues.

Under the new FAA law, the NextGen Office will become the Airspace Modernization Office. The Airspace Modernization Office cannot succeed without control of program management functions related to technology integration.

Does the FAA plan on reorganizing the Program Management Office as a component of the Airspace Modernization Act?

Mr. WHITAKER. Thank you, sir.

First off, I will mention, when I was deputy, I had the opportunity to visit the tech center several times. And I actually visited it very early in this tenure, but I look forward to coming there to visit. And I think it is not only a national treasure, but it is international standards for airspace research in this space. So, looking forward to that.

The reauth, I will say that we are—and this was mentioned several times in opening comments. We are treating the provisions of reauth as a program that we have program management protocols around. So, we are tracking all of the various items.

With respect to the reorganization of NextGen, there is a working group that is looking at best practices, talking to all the teams within FAA. And we will come up with a plan on how to reorganize that, and I will keep you informed on that.

Dr. VAN DREW. Thank you, Mr. Whitaker.

And I know the answers are short, and we will have a lot more time to speak when you come down to South Jersey. But I just have a few more, and I appreciate your——

Mr. WHITAKER [interposing]. Sure.

Dr. VAN DREW [continuing]. Brief answers.

The FAA codified the FAA Technical Center in statute. Statute means that the technical center, as you know, is now legally protected from predatory organizations or reorganizations, that it is locally controlled, and that it is the FAA's undisputed leader in technology, research, testing, and validation.

And, again, quick answer. Can you assure me that attempts to dismantle the tech center are finally over and that, going forward, the center will be provided the necessary programs, resources, and authority to execute this new and important mission?

Mr. WHITAKER. I can assure you I agree with those provisions, and we will uphold that. Yes, sir.

Dr. VAN DREW. Thank you, sir.

Congress is preparing historic infrastructure investments for the tech center, but we must invest more into programs such as the Emerging Technology Accelerator, which you are familiar with. This program would empower the tech center to solicit partnerships and develop innovative improvements for our aviation system.

Can we work together, can we work together and get the Emerging Technology Accelerator in the fiscal 2026 FAA budget request? Can we do that?

Mr. WHITAKER. Yes, sir.

Dr. VAN DREW. Thank you.

Section 961 of the FAA law established a Center for Advanced Aviation Technologies. I want to be unequivocal that under the technical center statute, overall management of this program legally falls under the center's jurisdiction.

Is the FAA considering the technical center's new statutory authority in designing this very program?

Mr. WHITAKER. We will certainly consider that authority, and there is a team working on what that advanced center would look like. So, we will keep you informed of that as well.

Dr. VAN DREW. You will. We would love to have that communication.

South Jersey is prepared to absorb the responsibility. They are. They are ready to go. I am already working with the United States Air Force on a drone testing corridor in New Jersey, as you know. However, I don't think this program should be limited to a single test range in a single region.

Is the FAA amenable to a program with multiple national test ranges that are programmatically managed out of the FAA Tech Center? My last question.

Mr. GRAVES OF LOUISIANA. Administrator, if you could be brief and if you would like to follow up in writing.

Mr. WHITAKER. I am sorry.

Dr. VAN DREW. Brief answer and then we are done.

Mr. WHITAKER. That is still being looked at, but we will certainly keep you informed on how that plan gets put together.

Dr. VAN DREW. Please work with our office on that.

Mr. Chairman, thank you for your discretion. I yield back.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Van Drew.

Administrator, I want to say thanks again for being here, and I appreciate your endurance.

I do have a few questions, and we also want to go to a quick round 2. Ranking Member Larsen has a few followups.

First of all, soon we are going to have 2,000 aircraft parts manufacturers and part 135 operators that are going to be required to have an SMS. But it is also important to keep in mind that from 2015 to the current, you have had the requirement that part 121 operators already have an SMS.

Mr. WHITAKER. Yes.

Mr. GRAVES OF LOUISIANA. But that still resulted in us having safety issues and some of the incidents that we are here talking about today.

In my opinion—and I have heard lots of questions on the SMS that have occurred here today—the SMS is only as valuable as, number one, the SMS plan is, meaning, is it truly applicable and sensitive to the safety threats that may occur in the manufacturing process?

And number two, the actual execution and oversight of that SMS—and so, you probably see where I am going. If an SMS system has been required for part 121 operators and we have had problems, are we supposed to feel confident that all of these new operators, hundreds of new operators coming online operating under part 135, that that is actually going to solve problems in regard to safety?

Can you explain to me how this is going to be different and give me some comfort that, moving forward, that the development of SMS plans and the actual execution and oversight is going to result in the types of outcomes that I know you and I share in regard to safety?

Mr. WHITAKER. So, I think the rollout of SMS with part 121 carriers has been quite successful, and we see that in action as they identify risks. We hear about risks from them directly. They are mitigating those risks.

It certainly takes some time, I think, for companies to embrace. SMS can sound like an administrative burden until you really understand the value that it can contribute in keeping you safe.

One of the things that we saw with Boeing, which clearly did not take its 2015 mandate to have an SMS system seriously enough, we found that after the events of January 5th, that we consciously put Boeing together with some of the carriers to say, go talk to them. They have been deploying this for a long time. And Boeing has met with UPS and some of the other carriers to talk about their SMS and customize it to their own operation.

So—and it is not a one-size-fits-all. We know some of these part 135 operators are quite small. So, we need to make sure we have a streamlined approach so they are not burdened by that process.

But it is a very effective risk management system, and that is what we need is every operator constantly evaluating their risk and then taking steps to mitigate it. That is really the thing that keeps us safe.

Mr. GRAVES OF LOUISIANA. Thank you.

In my opening, I mentioned the 2020 law that I know Mr. Larsen and other leadership of the committee felt was appropriate action, the Aircraft Certification, Safety, and Accountability Act, ACSAA. Here we are 4 years later, and as you know, major components of that legislation remain unaddressed or not fully implemented.

Can you tell me how many provisions—do you know how many provisions of that are not implemented? And give me an idea on the implementation plan, when we are going to have a 4-year-old law fully implemented.

Mr. WHITAKER. So, my understanding is that we are about 75 percent implemented on that, and we can provide your office with some more detail about where that implementation is.

It was a very comprehensive and I think very helpful plan, and we are continuing to not just rest on the designs from that plan, but to also look at our oversight model more holistically going forward as well.

Mr. GRAVES OF LOUISIANA. Administrator, Hunter told me if I said something about walking and chewing gum again that he was going to lash me. But I—look, I will tell you, I think I can speak on behalf of Mr. Larsen and all of us. No one expected it was going to take 4-plus years to implement the law. I think we viewed it with much urgency. We spent a lot of time working through it and trying to make sure it addressed major issues that were outstanding.

And with an issue as urgent as that, it is difficult for me to sit here and understand how it takes 4 years to implement. I talked in my opening statement about how we just passed a 1,000-page bill. And so, I assure you that all of us up here have strong concern about the FAA's ability to implement that with the urgency that we intend.

And so, I would like for you to submit something to us in the record following up on why this has been so difficult and so time-consuming.

And I will say it a second time at this hearing. I know that you have inherited much, but perhaps your feedback could help us understand how we can write laws in ways that are more efficient or allow the FAA to implement with the urgency that I think we intend.

With that, I am going to yield for a second round to Mr. Larsen for 5 minutes.

Mr. LARSEN OF WASHINGTON. Thank you. Thank you, Mr. Chair. I appreciate that.

Just some followups that I had on a few of the questions that have been asked.

One is, after the 90-day plan came out in May, or maybe a little before that, got a flood of whistleblower calls to the AIR21 number. A lot of news made about how many calls there were in local papers back home.

Has that leveled off, or is the rate at which you are receiving calls the same?

Mr. WHITAKER. We have received a large volume of whistleblower calls, and they get investigated as part of the process. And we view that as a healthy sign. We want people to speak up. So, we take each one seriously, and it runs through a safety analysis and investigation process.

Mr. LARSEN OF WASHINGTON. Has the number leveled off in terms of the rate of calls coming in?

Mr. WHITAKER. I will circle back with your office and give you specifics on the sort of month to month.

Mr. LARSEN OF WASHINGTON. That would be fine.

Mr. WHITAKER. Yes.

Mr. LARSEN OF WASHINGTON. Back to an earlier question I had about proactive versus reactive. There is criticism the FAA is trending behind other civil aviation authorities in transitioning from a reactive approach to a proactive approach.

Can you highlight, just again for the record, maybe the three steps to show that the FAA is moving towards a proactive approach on these issues?

Mr. WHITAKER. Well, I think the essence of the proactive approach is more reliance on data and better tools to analyze the data. So, right now, if you view the aviation safety system as a series of layers that protect us from bad outcomes, right now, we are noticing layers that are failing and then addressing that. We want to be ahead of that to try to understand layers that may have some weakness, so, really just kind of move one step ahead of that process.

Mr. LARSEN OF WASHINGTON. Is that changing your organization at the FAA to do that?

Mr. WHITAKER. So, we are going to change the—there is an executive committee that oversees safety. We are going to reconstitute that committee. We are going to make sure the Administrator is on that committee and chairing that committee, and that is going to be the committee that has a holistic view of the various actors in the NAS and how they are doing on safety so we have a sort of NAS-wide view of safety based on data. That is ambitious, because getting data and analyzing data is challenging and expensive, but that is the goal.

Mr. LARSEN OF WASHINGTON. Getting back to maybe Mr. Collins' comments earlier about the data systems at the FAA. Is this thing going to require an additional investment, a new investment into, more likely than not, software models that use AI algorithms to search for trends that then can be highlighted for you all as decisionmakers?

Mr. WHITAKER. It is a little early to know what the investments might be and what our options are. We are running some trial programs with some outside vendors who are basically going to show us some capabilities that we could utilize. We will assess those test cases and start to put together some assessment.

It is an issue that we have to work extensively with industry on and also work with our colleagues at IASA and elsewhere to make sure we have a full set of data. And we shouldn't all have to reinvent the wheel. We should come up with a system that allows ev-

erybody to have access to data that gives them insight into safety risks.

Mr. LARSEN OF WASHINGTON. I know we are probably a little bit aways from it, and this will be the last comment I have and question. But at some point you are using the KPIs to determine that on-off switch for production rate increases at the Renton plant for the 737 MAX. And, again, I am not suggesting that you are at a point where you can turn that on at all. That is not—but I do think that getting to that point, as you are getting to that point, helping us understand the progress on meeting the KPIs that then lead to that decision, it would be helpful for us so that we are not surprised by an FAA decision to turn those lights green on production, just to assure us that, again, you are doing your work, holding Boeing accountable so we can do our work to hold you accountable.

Mr. WHITAKER. Yes. I will—I think right now, we are following this labor action which, obviously, has interrupted production.

Mr. LARSEN OF WASHINGTON. Yes, right.

Mr. WHITAKER. I think——

Mr. LARSEN OF WASHINGTON [interposing]. You are not the only one.

Mr. WHITAKER [continuing]. At some point in the future, we will have a briefing with you on, as production starts to ramp up, more visibility into how we see that progressing.

Mr. LARSEN OF WASHINGTON. Just assure me and assure us that you are going to——

Mr. WHITAKER [interposing]. Yes.

Mr. LARSEN OF WASHINGTON [continuing]. Keep us in the loop on that——

Mr. WHITAKER [interposing]. We will do that.

Mr. LARSEN OF WASHINGTON [continuing]. So it is less of a surprise.

Mr. WHITAKER. Yes.

Mr. LARSEN OF WASHINGTON. Thanks a lot. I yield back.

Mr. GRAVES OF LOUISIANA. The gentleman from New Jersey, Mr. Menendez, is recognized for 5 minutes.

Mr. MENENDEZ. Thank you, Mr. Chairman. Thank you, Ranking Member.

Thank you for your testimony here today. I know we are in the homestretch here, and I appreciate your patience.

And I just want to go over a couple of topics first with respect to Boeing. When we have folks, different industry participants come in and we talk about safety, often safety is everyone's number one priority. But, obviously, there is always the tension between profits and safety.

From your perspective, how has Boeing historically and more recently handled the tension between prioritizing safety while also being a moneymaking enterprise?

Mr. WHITAKER. I think it is an interesting question. I would hope that at this point they have concluded that, without safety, the profits aren't going to follow under any circumstance. And I think for all operators in our airspace, whether it is an airline or a manufacturer, if you don't meet those fundamental safety requirements of building a safety culture and an open, just culture that allows

whistleblowers to step forward, it is going to be very hard to sustain your business.

So, hopefully that has been a lesson learned. From our perspective, that has to be the first order of business. And to your point, everybody talks about it but not everybody does it, so, our focus is to making sure they are actually doing it.

Mr. MENENDEZ. Yes. And, obviously, we always hope folks self-regulate, right, and do right by their customers and by the entire industry, right, because safety is our number one priority. You saw that with the FAA reauthorization through this committee.

But I also find it is sort of thinking about ways that we can ensure there are guardrails and hardwiring safety being the priority, because when you do have a series—a time stability and ensured safety, sometimes the attention shifts, right.

And what we need to ensure for all American people who use these aircraft, who travel through commercial airlines, to ensure that people are always focused on safety, even when there has not been an incident like what we are here to discuss today, that refocuses back on safety and sort of that continuous dogged approach to making sure that we are always best in class.

And safety is something that, on your end and our end, we want to make sure that we are always thinking about so that way we don't need an incident to return to the table to have a conversation about safety.

Mr. WHITAKER. And I think one of the things as we look at our own oversight model is to make sure we are looking at the right data so we get early indicators when that trend occurs and someone takes their eye off the ball.

Mr. MENENDEZ. I appreciate it.

If you don't mind, I want just want to switch gears briefly.

Last time you testified before this committee, we spoke about the persistent issue of helicopter noise in my district, New Jersey's Eighth Congressional District. Earlier this month, we held a workshop with the FAA in Jersey City to begin working towards a solution. I thank the FAA for their participation in this workshop. I look forward to continuing to work with you on putting an end to this problem.

In the interim, I wanted to talk briefly about the FAA Reauthorization Act and the FAA's efforts to implement the new law. Section 792 of this law requires the FAA to establish a Noise Advisory Committee. It is my understanding that the FAA is currently working to stand up this committee.

Can you provide a brief update on the status of the Noise Advisory Committee?

Mr. WHITAKER. We are scheduled to provide a staff briefing in just, I think, about 2 weeks on all of the reauth provisions. So, we will make sure that that is part of that. I don't have any specific information, but we can get that to your office directly as well.

Mr. MENENDEZ. And I appreciate it.

And sort of in the coming weeks before we have that staff meeting, I think what is so incredibly important for us—I represent a densely populated district. And so, there is a heliport on one side of the district and New York City on the other. The Statue of Liberty sits right off our shoreline.

You can tell Dan Goldman the Statue of Liberty is in New Jersey, not New York. He will appreciate it.

But what I think is important is making sure that as this Noise Advisory Committee is set up, that sort of in certain areas where we really deal with noise and noise pollution, densely populated areas—because we also have Newark airport in the district—that we get community stakeholders to be a part of the process. Because it was one of the challenges that we had with the voluntary air tourism agreements that created these buffer zones, which actually put helicopters into my district, right, when we are trying to eliminate or reduce the volume of trips.

And so, without having the communities that are subject to all of this noise at the table, I feel like that voice is lost. And I think it is something that is critically important to make sure that they are a part of the process. And any way that we can include stakeholders like that, as you think about the committee, would be extremely—it would be very much appreciated by myself and so many others.

Mr. WHITAKER. I will. I think that you make a very good point, and I think that is true. We will do that.

Mr. MENENDEZ. All right. Thank you. And I yield back.

Mr. WHITAKER. Thanks.

Mr. GRAVES OF LOUISIANA. Administrator, I am going to recognize myself, and then we will wrap here.

In the FAA bill, I have described a lot of the provisions we included in there where sort of the Congress acting on behalf of the Administrator in cases when I think decisions kind of got backlogged prior to you coming on board.

One of those is on BVLOS, and I know that we had some pretty strict language with very tight timelines. And I know that the FAA pushed back a little bit and said timelines were unreasonable. I would argue that when laws put a timeline in place, then what an agency should do is calibrate their answer to the time that is available.

Could you give us an update on the timing for BVLOS which, of course, is beyond visual line of sight for unmanned systems?

Mr. WHITAKER. Yes, sir. I think the internal goal had been early January since the onset, and we hope to exceed that. We are hoping to have that out, if not the next few weeks, by the end of the year.

Mr. GRAVES OF LOUISIANA. Okay. Administrator, thank you.

And just along the lines of some of the new entrants in the market, as you know, there were a number of provisions in the FAA bill. Those are strong priorities for me and for this committee in that I am concerned if we don't provide better certainty for those innovators, for those entrepreneurs, we are going to see those folks take their resources and go overseas. And I know that you are aware, in some cases, where that has occurred.

It is not just about the platforms themselves. It is about the technology associated with those as well, including some of the sensors and others, in addition to the conveniences that it can apply in Louisiana.

We recently had Hurricane Francine, and having the ability to send out reconnaissance aircraft, unmanned platforms to go out

there and go do some of the recon helps us to triage our response activities and resources.

And we could sit here and talk for days about all the application. And I just really want to emphasize to you the importance of providing predictability, regulatory certainty for these folks so they can get investment certainty. I think that is fair, and I think they deserve it.

A few things closer to home. We have a provision related to NPIAS airports in populated counties or—I know the other 49 States are confused—we call them parishes at home, and I just want to highlight the provision in the bill related to that. Very, very important.

We also have another provision related to expanding the use of innovative technology into the Gulf of Mexico that is really important, and I would appreciate you working and making sure that those provisions are prioritized. And we are not talking about the implementation of them years from now; that hopefully months from now we can get some clarity on interpretation there.

Mr. WHITAKER. Great. Thank you. I will do that, sir.

Mr. GRAVES OF LOUISIANA. Great. Thank you very much.

So, I am going to yield back. And I don't see any other further questions from the subcommittee, and so, that concludes our hearing today. And I want to thank the Administrator for being here and, again, for your perseverance through the committee.

The subcommittee stands adjourned.

[Whereupon, at 12:05 p.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Prepared Statement of Hon. Marcus J. Molinaro of New York

Thank you for holding today's hearing, Mr. Chair.

I am pleased that FAA Administrator Whitaker is here today discussing safety oversight and appreciate his continued leadership.

The FAA's priority is to advance the safety of the nation's aviation system. Part of this safety mission is the FAA's comprehensive aircraft certification regulations that cover the airplane from initial design through final assembly.

I had the opportunity to visit the ASPIRE MRO in Fort Worth, Texas, where Mammoth Freighters is executing passenger-to-freighter (P2F) conversions of the Boeing 777 passenger airplane in a state-of-the-art 800,000 square-foot facility. The facility allows Mammoth to convert over a dozen airplanes per year for both the U.S. and global cargo markets. The Mammoth and Aspire teams, now well over 700 employees, 150 of which are engineers, have been working on this conversion program for almost four years. Over $250 million has been invested to date.

Certification of the Boeing 777 conversions will help supply growing global air cargo freight demand and bolster United States (U.S.) market leadership over European rivals. Converted freighters have lower costs and better availability than new freighters, while reducing our carbon footprint through the replacement of old three and four engine aircraft. Recycling aging passenger airplanes creates demand for new, more environmentally friendly passenger airplanes.

Furthermore, Mammoth freighters are designed and converted in the U.S. with over 99.5 percent parts that are Made in America from suppliers across 22 states. Mammoth expects to create more than 1,000 direct jobs, not including job growth at their suppliers. They have secured 35 firm orders, with more expected, from partners such as Jetran, Kalitta, DHL International, Air Canada, and STS Aviation Services.

I understand that the program is entering the critical phase of the certification process with the FAA. I encourage the FAA to meet their published turnaround times and follow its prior practices and procedures that the Mammoth team has experienced in previous conversion programs. By doing this and utilizing the professional safety assets at its disposal, this critical program can avoid unnecessary delays that could lead to significant disruptions including potential job losses, delays in aircraft deliveries and operational impacts to cargo customers.

FAA certification is paramount to support U.S. global competitiveness and U.S. job growth, and to maintain the American gold standard in aviation safety and aircraft conversions.

APPENDIX

QUESTIONS TO HON. MICHAEL WHITAKER, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION, FROM HON. KEVIN KILEY

Question 1. You claimed that SpaceX launched recent Falcon missions without a permit. SpaceX has said these claims are completely false, and that the FAA has not alleged previously that the company was not permitted or licensed to launch these missions. Can you share the evidence for your claim that SpaceX launched these missions without a permit?

ANSWER. To clarify, once a license is granted by the FAA, the licensee is required to comply with the terms and conditions of the license as well as any representations the licensee made in its license application. Notice 2023WA990028 was issued because it appears SpaceX (1) used a launch control center not listed in its approved communications plan, and (2) failed to complete a T–2 hour readiness poll required by its approved communications plan for its PSN Satria Mission launch on June 18, 2023. The launch was licensed but, for these reasons, it does not appear that SpaceX was in compliance with the terms of its license for that launch.

Question 2. You claimed that SpaceX moved a fuel farm closer to the population without completing a risk analysis statement. SpaceX says that the new location was twice the distance from the nearest publicly accessible area, that the company provided the FAA with all the required analysis, and that the FAA ultimately approved the revised location. Please supply all correspondence between the FAA and SpaceX relative to the fuel farm.

ANSWER. It appears that SpaceX moved the fuel farm to a location further from a public roadway, but nearer to a publicly accessible parking area. SpaceX is correct that the FAA did ultimately approve the revised location but, notably, the FAA informed SpaceX in or around December 2022 that it would need to update its application to address the relocated fuel farm, and SpaceX did not provide the FAA with appropriate supporting data until approximately 9 days before the July 28, 2023 launch, at which point the FAA did not have sufficient time to address the application change prior to the launch.

Question 3. You claimed that SpaceX failed to provide an updated sonic boom analysis. SpaceX refutes this and says that the Fish and Wildlife Service had already reviewed Starship's sonic booms and determined they had no environmental impact. While SpaceX has acknowledged it recently provided the FAA data showing a slightly larger sonic boom area than originally anticipated, the company maintains this results in no new environmental impact.

Question 3.a. What evidence does the FAA have of a new environmental impact?

Question 3.b. How long will it take the FAA to make this minor paperwork update?

Question 3.c. What evidence does the FAA have for your assertion that this is a safety related incident?

ANSWER to 3.a., 3.b., & 3.c. SpaceX applied to the FAA to modify its existing vehicle operator license for the operation of the Starship/Super Heavy launch vehicle from its existing Boca Chica Launch Site in Cameron County, Texas. After completing an evaluation of all applicable Vehicle Operator License requirements, the FAA issued a modification of SpaceX's Vehicle Operator License for launches of the Starship/Super Heavy Launch Vehicle Program in Cameron County, TX on October 12, 2024. The modification authorized Flight 5 of the Starship Super/Heavy.

As part of its determination to authorize the modification for Flight 5 of the Starship Super/Heavy, the FAA developed a written re-evaluation (WR) to determine whether SpaceX's following updates are substantively consistent with the contents of the 2022 Final Programmatic Environmental Assessment for the SpaceX Star-

ship/Super Heavy Launch Vehicle Program at the SpaceX Boca Chica Launch Site in Cameron County, Texas (2022 PEA):

- Proposed project updates to the location of the expended forward heat shield in the Gulf of Mexico,
- Additional information regarding sonic booms resulting from a landing of the Super Heavy booster,
- Updates to sonic boom modeling, and
- Updates to use of the water deluge system.

The affected environment and environmental impacts of Starship/Super Heavy operations at the Boca Chica Launch Site were analyzed in the 2022 PEA.

Based on the WR, the FAA concluded that the contents of the 2022 PEA remain current and substantially valid and that the decision to issue a modification of the existing vehicle operator license for updated operations for the Flight 5 mission profile for Starship/Super Heavy operations at the Boca Chica Launch Site does not require the preparation of a new or supplemental EA or EIS to support the Proposed Action.

The WR was signed on October 12, 2024. For more information, please view the electronic version of the document on the FAA's website at: https://www.faa.gov/space/stakeholder__engagement/spacex__starship.

Question 4. You claimed that SpaceX was in violation of Texas state law. What Texas laws did SpaceX violate?

ANSWER. The Texas Commission on Environmental Quality (TCEQ) and SpaceX signed an agreed order on August 13, 2024, to resolve a TCEQ investigation report, dated August 2, 2024. The TCEQ report found that SpaceX discharged wastewater from its Starship/Super Heavy operations at the launch site into waters of the United States in violation of the Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.) and Texas environmental quality and water control laws (30 TEX. ADMIN. CODE § 305.42(a) and TEX. WATER CODE § 26.121(a)(1)). Under the terms of the agreed order, among other requirements, SpaceX agreed to obtain an individual Texas Pollutant Discharge Elimination System (TPDES) industrial wastewater permit and discharge industrial wastewater from its facility in accordance with this permit. TCEQ stated that SpaceX paid a penalty assessed by TCEQ as well.

Question 5. Does the FAA need to be reformed to keep up with innovation in the commercial space industry?

ANSWER. The Secretary of Transportation (Secretary), in accordance with Title 51 of the United States Code, regulates and oversees U.S. commercial space transportation operations, which include launch and reentry operations worldwide, the operation of launch and reentry sites, and human space flight missions. This authority has been delegated by the Secretary to the FAA. Because of this, the FAA does not need to be reformed to keep up with innovation in the commercial space industry. AST carries out these authorities to protect public health and safety, the safety of property, and the national security and foreign policy interests of the United States. In addition to these important responsibilities, AST is also responsible for encouraging, facilitating, and promoting commercial space launches and reentries by the private sector and facilitating the strengthening and expansion of U.S. space transportation infrastructure while protecting the public health and safety, the safety of property, and the national security and foreign policy interests of the United States.

While keeping public safety at the forefront, AST strives to provide operators with maximum flexibility to by regulating launch and reentry operations only to the extent necessary and in an efficient manner. As a performance-based rule, 14 CFR part 450 offers applicants flexibility in how they demonstrate compliance and allows operators to apply for and the FAA to grant a single license for multiple launches using different vehicle configurations and mission profiles. However, in order for a license to authorize multiple mission profiles and launch vehicle configuration, an operator must be able to submit license application material to the FAA that describes the different launch vehicle configurations that it proposes to launch and the corresponding range of launch parameters (e.g., flight azimuths and trajectories). New operators that are initially conducting test or research and development flights tend to have more license modifications as they continue to expand their flight envelope and make changes to the launch vehicle configuration. Once an operator's vehicle configuration and operations stabilize, it should be able to minimize the number of license modifications.

AST prioritizes regulatory clarity and is working to ensure industry has a full understanding of how to achieve compliance with part 450 and how to take advantage of its intended benefits. To facilitate industry transition to part 450, we have provided an assortment of aids, including license application checklists, issuing 17 advi-

sory circulars in FY23 and 10 advisory circulars in FY24, as well as virtual tutorials, office hours, and workshops. Part 450 will move us in the right direction toward efficiency and workload reductions for both the government and industry without compromising safety. As we look to the future, AST will also continue to consider opportunities to improve the rule to better meet its objectives and identify other aids and resources to facilitate industry transition to part 450. Additionally, we are also working to utilize advanced tools to adapt to the changing landscape. AST is developing a Licensing Electronic Application Portal (LEAP), which will be used to accept, modify, exchange, and approve licensing materials under part 450. LEAP is expected to enhance AST's ability to identify, track, and quickly resolve questions and issues both internally and externally with applicants. LEAP will streamline the licensing process for applicants, provide more transparency into the process, and guide applicants in a step-by-step process.

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