

S. HRG. 116-596

**NOMINATION OF STEPHEN M. DICKSON,
NOMINEE TO BE ADMINISTRATOR,
FEDERAL AVIATION ADMINISTRATION**

HEARING

BEFORE THE

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

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

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MAY 15, 2019
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

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**NOMINATION OF STEPHEN M. DICKSON,
NOMINEE TO BE ADMINISTRATOR,
FEDERAL AVIATION ADMINISTRATION**

WEDNESDAY, MAY 15, 2019

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10:14 a.m. in room SD-G50, Dirksen Senate Office Building, Hon. Roger Wicker, Chairman of the Committee, presiding.

Present: Senators Wicker [presiding], Thune, Blunt, Johnson, Lee, Cruz, Fischer, Moore Capito, Gardner, Sullivan, Blackburn, Scott, Cantwell, Blumenthal, Baldwin, Markey, Peters, Duckworth, Sinema, and Rosen.

**OPENING STATEMENT OF HON. ROGER WICKER,
U.S. SENATOR FROM MISSISSIPPI**

The CHAIRMAN. Mr. Dickson I would ask you at this point to make your way to the witness table.

The Committee now convenes to consider the nomination of Stephen M. Dickson for the position of Administrator of the Federal Aviation Administration. Prior to his retirement last year, Mr. Dickson served as Senior Vice President of Flight Operations for Delta Airlines. Mr. Dickson began his career nearly 30 years ago with Delta and as a pilot following over a decade of military service as an airport—Air Force fighter pilot. He is a graduate of the Air Force Academy and of Georgia State University's law school.

The President has nominated Mr. Dickson to be FAA Administrator at an especially challenging time for the agency. The FAA is the world's gold standard for aviation safety. However, the recent overseas crashes of two Boeing 737 MAX aircraft have raised serious questions about the FAA's role in aircraft certification. I hope to hear how Mr. Dickson plans to restore the flying public's full confidence in the agency if he is confirmed. I can assure him that this Committee will continue its oversight and hold the FAA accountable for any mistakes we uncover, but we also stand ready to work with the FAA on any necessary reforms.

Although safety is FAA's foremost responsibility, the agency must also facilitate innovation in our airspace. The Committee held a hearing last week on the safe integration of new entrants into the national airspace.

Unmanned aircraft are increasing—increasingly everyday totals, with over 2 million drones projected to be operating in the U.S. air-

space over the next 5 years. The commercial space launch sector is set to increase the number of launches and reentries through the airspace on the way to and from outer space. Urban air mobility companies are fast developing “air taxis,” which will revolutionize travel. And I want to be among the first customers.

The bottom line is that the airspace, especially at low altitudes, is going to get busier, and the FAA must help manage the safe and efficient integration of all users, new and existing, into the national airspace.

If confirmed, Mr. Dickson will also need to ensure that long-standing efforts to modernize the air traffic control system, especially NextGen, stay on track. The DOT Inspector General and Government Accountability Office have documented cost overruns, significant delays, and other problems in many ATC modernization programs. Mr. Dickson has experience working with the FAA in these areas, and if he is confirmed, I hope he will be able to improve the overall management of these critical efforts.

So I look forward to Mr. Dickson’s testimony and the question-and-answer.

And I now turn to the distinguished Ranking Member for her opening statement.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman. And again thank you for that very productive markup and for working together with our staffs to work through many of those issues. And I want to thank our colleagues, the two distinguished women, for working on the STEM bill. We definitely need more women in STEM. And I definitely want to express my appreciation for moving forward on such an important piece of legislation.

The CHAIRMAN. If the distinguished ranking member will yield, thank you for once again pointing out the cooperation that we’ve received on both sides of the aisle from our professional staff. This may have seemed like a rather quick 15-minute markup. It represents hours and hours of painstaking and knowledgeable work on behalf of some very talented staff members. And so I would—once again, as I will try to do throughout my chairmanship, salute the staff from both parties for making this smooth and bipartisan. So thank you for yielding on that.

Senator CANTWELL. Thank you, Mr. Chairman.

Mr. Dickson, great to see you again, and thank you for being here today. I appreciate your willingness to serve our Nation and for the important opportunity last week to discuss aviation issues and many of the challenges that would face you if you are confirmed.

Welcome to your family. If anybody is confused which side your family is on, they’re the ones without the notebooks on the other side.

[Laughter.]

Senator CANTWELL. Mr. Chairman, I am pleased to have such a qualified nominee before us. Mr. Dickson’s long career in industry has served him well, and he’s had a very distinguished military career, 27 years as a major—years at a major airline as a pilot and

ultimately as Senior Vice President for Flight Operations, and has served as a very important member of a lot of our key industry boards, the FAA's Air Traffic Management Advisory Committee and the NextGen Implementation Task Force that you just mentioned.

So I hope that if you are confirmed, you will continue to provide strong leadership in those areas. The NextGen implementation is critical, and as our skies continue to grow more crowded and congested, we can't afford to wait for the benefits that NextGen will bring.

If you are confirmed, you will have plenty of issues that you'll need to address. The recent tragic accidents of the 737 MAX has rightfully brought a renewed focus to aviation safety and security. We can never let up on those issues. And while America's commercial aviation industry remains extraordinarily safe, we need to keep working to make improvements in all areas of the industry and in all parts of the world.

I'm glad to see that we have families here from the Colgan Flight 3407. They have been consistent and resilient in continuing to help us focus on these issues. So thank you for reminding us of the cost of not prioritizing these issues.

The advocacy of the 3407 families and first officer qualification requirements have been one of the important issues that I know we will continue to look at here in this Committee and in Congress, as we have for many years. We also need to continue our focus in increasing opportunities for new pilots and getting them adequately trained.

Also, as a result of our efforts, Congress has passed a Pilot Records Data base requirement in 2010, which has not fully been implemented. I know the FAA is working on that database trying to solve technical issues, but we need to get this up and running so when an airline hires a new pilot, it can have access to all relevant information about the potential hire so they can make the best choices.

Last year, Congress also passed a major FAA reauthorization bill. This legislation and implementation is ongoing, and there are several issues that need attention there. The bill requires flight attendants to receive at least 10 hours of rest between duties. And flight attendants play a very critical role in flight safety, so I am pleased that Congress appropriately addressed that in the bill last year. I hope the implementation, though, of this 10-hour rule will move quickly under your leadership.

The bill also contains several provisions—and I would again like to thank Senator Thune for his leadership on getting that legislation done—several provisions on contract towers, which we discussed in our meeting, why they are vitally important to small airports across the country and why we need to continue to work collaboratively with them. This Committee has worked exceptionally well on putting together and protecting the contract tower program, and we look forward to working with you on how we implement improvements from last year's legislation.

And, finally, when it comes to expanding the use of unmanned aerial vehicles, we are waiting on remote identification rule to unlock so many of the potentials that UAVs have. I can just tell

you from my State's perspective, UAVs are playing a vital role in fighting fires, helping us on important resource management issues, and helping first responders at the scenes of accidents. So I hope that we can continue to work with you to get a remote ID process moving before the deadlines that we have been—that have been set.

So I expect that we will continue to remain engaged with you on many of these issues of innovation, and so I look forward to talking during the Q&A about some of those. But, again, thank you for your willingness to serve. Again, welcome to your family and thank them for helping support you in this big endeavor.

The CHAIRMAN. Thank you, Senator Cantwell.

Before turning to Mr. Dickson, at this point, I would like to insert into the record a statement of support from Senator Johnny Isakson, which includes his regret that he is unable to attend the hearing today to introduce Mr. Dickson. Senator Isakson will be accompanying a delegation of Senators at the funeral of Senator Lugar today, and so we certainly understand that Senator Isakson is in support of Mr. Dickson and also very much wanted to be a part of honoring Senator Lugar.

[The prepared statement of Senator Isakson follows:]

PREPARED STATEMENT OF HON. JOHNNY ISAKSON, U.S. SENATOR FROM GEORGIA

NOMINATION HEARING FOR ADMINISTRATOR OF FEDERAL AVIATION ADMINISTRATION

It is an honor to introduce Captain Steve Dickson as President Trump's nominee to be administrator of the Federal Aviation Administration (FAA), I am proud of Steve not only as a fellow Georgian, but also for his service to our country. He has the experience, as well as the leadership and personal attributes that I believe will be crucial to lead the Federal Aviation Administration during this very important time.

At the U.S. Air Force Academy, Steve earned the distinction of being a distinguished graduate of the class of 1979 and later completed Air Force pilot training, again as a distinguished graduate. Over the next few years, he instructed students in the high-performance T-38 aircraft at the Euro-NATO training program. Later, he transitioned to the F-15 Eagle, where he became an instructor, flight examiner and large force employment mission commander.

After completing his distinguished military service, Steve began a 27-year career at Delta Air Lines, first as a pilot flying the Boeing 727, 737, 757 and 767, and later in his career, he qualified to fly the Airbus A320 series aircraft.

Beginning in 1999, Steve rose to serve in various leadership positions in Delta's Flight Operations department, eventually becoming the Senior Vice President of Flight Operations in 2006. During his 12-year tenure as Senior Vice President, he was responsible for overseeing Delta's day-to-day flight operations on six continents, as well as Delta's pilot training operations, pilot standards, technical and operational support, pilot staffing and scheduling, operational quality assurance and regulatory compliance. He also led and provided direction to Delta's more than 14,000 pilots and an internal support team of 400 employees at Delta's Atlanta headquarters and around the world. Under his leadership, Delta achieved unprecedented levels of excellence in flight safety and operational performance that have made it the model for the airline industry in the United States and internationally.

Steve also served as an industry leader of several U.S. and international aviation industry stakeholder groups. He is the past chairman of the International Air Transport Association Operations Committee, as well as two Federal Advisory Committees: the Air Traffic Management Advisory Committee and the NextGen Implementation Task Force, commonly known in industry circles as "Task Force 5." In these and other industry roles, he has continued to be a strong advocate for Safety Management Systems and improvements to our National Airspace System, specifically NextGen.

While his accolades in the aviation industry are vast, Steve's proudest accomplishment today is his family. His wife, Janice, has been by his side as his partner

through his many career transitions and leadership positions, and they could not be more proud of their children, several of whom are with us today.

Mr. Chairman and members of the committee, I hope you will agree with me that Steve Dickson is the right choice to lead the FAA. Not only is he accomplished and experienced, he has a passion for aviation and for safety and is dedicated to continuous improvement and innovation. I strongly urge you to confirm Captain Steve Dickson as the next FAA administrator.

The CHAIRMAN. So with that said, Mr. Dickson, we turn to you for your opening statement. And feel free to introduce your family. Thank you, sir.

**STATEMENT OF STEPHEN M. DICKSON, NOMINEE TO BE
ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION**

Mr. DICKSON. Thank you, Chairman Wicker and Ranking Member Cantwell and members of the Committee. It's an honor to appear before you today as the President's nominee for Administrator for the Federal Aviation Administration. And if confirmed, I look forward to working with you and the Congress to enable and strengthen our world-class aviation system.

As Senator Wicker mentioned, I appreciate the kind and generous introduction submitted by Senator Isakson. I am humbled by this nomination and the opportunity to serve our Nation.

I would like to thank President Trump and Secretary Chao for their confidence in me to lead the FAA during this very important time.

I would also like to thank my good friend Acting FAA Administrator Dan Elwell for his strong, principled leadership of the agency.

But before I begin my formal remarks, I would like to introduce my family, including a few who could not be here today. My father is ailing a bit and was unable to make the trip, and my mother, they both live in Melbourne, Florida, Bill and Joy Dickson. I extend to them my love and gratitude for all of their support and encouragement over the years. And also my father-in-law, Hank Borter [ph], who lives in Jekyll Island, Georgia.

And, Hank, we need to get the Braves above 500. I'm sitting here in Nats territory, and we need to—we need to keep the pressure on.

I'd also like to introduce my family, that I'm extremely proud of, who has joined me today, sitting right behind me, starting, resplendent in red, my wife, Janice, the Dickson family CEO, and the love of my life.

We're also blessed with our children, most of whom are here today, not all, but our sons Andrew and Nicholas; and Ben and his wife, Emily; and our amazing daughters, Elizabeth; her friend, Austin; and Bri and her husband, Jordan.

And then, of course, we also have with us today my niece, Sara Nural [ph] and her husband, Angit [ph].

And then, of course, the star of the show down there on the end, is the esteemed Henry Treadwell Strain, who celebrated his first birthday on April 27. And I think he holds *The Guinness Book of World Records* mark for most photographs in the first year of life. So he's a—he's a buddy and a great guy.

So thank you all for being here and for all of your love and support and encouragement.

As you've heard, I grew up in a family with a strong military tradition, a family that places a very high value on service to our country. My own career in aviation spans nearly 40 years. After graduating from the United States Air Force Academy and completing Air Force pilot training, I went on to instruct on the T-38, then flew as a tactical fighter pilot on the F-15 Eagle for several years.

After completing my military service, I flew for Delta Airlines, qualifying on the Boeing 727, 737, 757, 767, and then also the Airbus A320 series aircraft. Last October, I retired after serving the last 12 years as Senior Vice President of Flight Operations, where I was responsible for the safety and operational performance of the company's global flight operations.

I've also had the privilege over the years of collaborating with U.S. and international aviation industry leaders to advocate for commercial aviation safety and improvements to our National Airspace System.

The U.S. aviation system is the most dynamic, diverse, and complex in the world, and is a key contributor to our economy. And as the safety regulator and operator of the National Airspace System, the FAA provides the programs and infrastructure that help to deliver unprecedented safety and mobility to the traveling public. If confirmed, I will work to ensure that the FAA remains focused on the Secretary's priorities of safety, infrastructure investment and innovation, and fulfills its mission with accountability to the American public.

Of all the FAA's priorities, none is more important than safety. And if confirmed as FAA Administrator, safety will be my number one priority as well. Despite the enviable track record of aviation safety in the U.S. over the past decade and more, we must never rest. Humility is always in order.

As the gold standard among aviation safety regulators in the world, the FAA's responsibilities go well beyond our borders. I look forward to the opportunity to bring to the agency the knowledge and experience I gained in aviation operations and leading international stakeholder groups as it focuses on continuously improving safety performance, not only for those who use our airspace, but for those who use U.S. aviation industry products and services around the world.

Safety regulatory decisions should be rooted in analysis derived from sound science and data, with risk-based analysis that identifies precursors and prevents accidents before they happen, and considers both the costs and the benefits of new rulemakings.

Beyond safety, if confirmed, I will also focus on stakeholder engagement, change management, global leadership, and people. I've found over the years the only way to get things done is to foster an inclusive, collaborative environment that welcomes diverse points of view, includes all perspectives, and provides transparency.

We need to thoughtfully manage the changes that we're experiencing in the aviation system today in terms of technology and also our work force. If confirmed, it will also be among my highest priorities to ensure that the FAA remains—maintains its preeminence as the global aviation industry leader in safety, continuous improvement, and innovation.

And, finally, none of what I've discussed up to this point is possible without leading and supporting our people. I have worked with the professionals from the FAA for many years. We have the most professional, dedicated workforce in the world, whether you're talking about air traffic controllers, inspectors, engineers, or technicians. This team has a rare opportunity to shape the transformation of our aviation system.

The chance to lead the FAA at this historic time is a great honor and one that I contemplate with humility and gratitude. And if confirmed, I will ensure that our people are supported and valued and that they know I have their back when it comes to safety and new ideas.

If confirmed, I intend to perform my role with accountability to the FAA stakeholders, including the American public. Safety will always be my first priority. I will also be driven by the values of honesty, integrity, and mutual respect.

Thank you for your consideration. I'm excited about the opportunity to serve our great nation, and I appreciate your time today very much. I'd be happy to answer any questions.

[The prepared statement and biographical information of Mr. Dickson follow:]

PREPARED STATEMENT OF STEPHEN M. DICKSON, NOMINEE TO BE ADMINISTRATOR,
FEDERAL AVIATION ADMINISTRATION

Thank you, Chairman Wicker, Ranking Member Cantwell and members of the Committee. It is an honor to appear before you today as the President's nominee for Administrator of the Federal Aviation Administration. If confirmed, I look forward to working with you and the Congress to enable and empower the strengthening of our world-class aviation system.

I appreciate the kind and generous introduction submitted by Senator Isakson. I am humbled by this nomination and the opportunity to serve our Nation. I'd like to thank President Trump and Secretary Chao for their confidence in me to lead the FAA during this very important time. I would also like to thank my good friend, Acting FAA Administrator Dan Elwell, for his strong, principled leadership of the agency.

Before I begin my formal remarks, I would like to introduce this very attractive-looking group of people sitting right behind me: my family—starting with the Dickson family CEO and the love of my life, my wife Janice. We are also blessed with our six children, several of whom are with us here today: our sons Andrew, Nicholas, Ben and his wife Emily; and our daughters Elizabeth and Bri, as well as Bri's husband Jordan. And then of course is the star of the show, our grandson the esteemed Henry Treadwell Strain, who celebrated his first birthday on April 27th. Thank you all for being here and for your love and support.

I grew up in a family with a strong military tradition, a family that places a very high value on service to our country. My grandfather served in Europe in World War II. My dad is a West Point graduate and is one of four brothers who served as military officers. As we moved around during my childhood to various duty stations Mom was always there to provide a caring, supportive home environment for my brother and me.

My own career in aviation spans nearly 40 years. After graduating from the United States Air Force Academy in 1979, I completed Air Force pilot training and went on to instruct in the T-38 at the Euro-NATO pilot training program at Sheppard Air Force Base, Texas. Then I transitioned to the finest air superiority fighter in the world, the F-15 Eagle, for two assignments, qualifying as an instructor, flight examiner and large force employment mission commander. After completing my military service, I was fortunate to be hired as a pilot by Delta Air Lines, where I flew as a line pilot for the first nine years of my career, eventually qualifying on the B727, B737, B757, B767 and A320 series aircraft. Last October I retired after serving the last 12 years as Senior Vice President-Flight Operations, responsible for the safety and operational performance of the company's global flight

operations of more than a million flights a year on six continents, as well as pilot training, crew resources, crew scheduling and regulatory compliance.

In addition to leading large, complex organizations, I have also had the privilege over the years of collaborating with U.S. and international aviation industry leaders to advocate for commercial aviation safety and improvements to our National Airspace System. For example, I have served as chairman of several industry stakeholder groups and Federal advisory committees. In each of these positions, my goal has been to help advance aviation safety and encourage aerospace industry innovation and performance improvement as an inclusive, collaborative leader who values the contributions of all stakeholders who share these goals.

The U.S. aviation system is the most dynamic, diverse and complex in the world and is a key contributor to our economy. For its part, as the safety regulator and operator of the National Airspace System, the FAA provides the programs and infrastructure that help to deliver unprecedented safety, mobility and security to the traveling public. If confirmed, I will work to ensure that FAA remains focused on the Secretary's priorities of safety, infrastructure investment, and innovation, and fulfill its mission with accountability to the American public.

Of all the FAA's priorities, none is higher than safety. If confirmed as FAA Administrator, safety will be my number one priority as well. Despite the enviable track record of aviation safety in the U.S. over the past decade and more, we must never rest. In aviation, you are only as good as your last takeoff and your last landing. Humility is always in order. As the gold standard among aviation safety regulators in the world, the FAA's responsibilities go well beyond our borders. I look forward to the opportunity to bring to the agency the knowledge and experience I gained in aviation operations and leading international stakeholder groups, as it focuses on continuously improving safety performance, not only for those who use our airspace, but those who use U.S. aviation industry products and services around the world. Safety regulatory decisions should be rooted in analysis derived from sound science and data, with risk-based analysis that identifies precursors and prevents accidents before they happen, and considers both the costs and the benefits of new rulemakings. This Safety Management System approach should be applied to operators, manufacturers, airports and even the FAA itself.

Another area of focus is stakeholder engagement. I have found that the only way to get things done is to foster an inclusive, collaborative environment that welcomes diverse points of view and provides transparency. If confirmed I look forward to working with this Committee and the Congress to ensure you are aware and informed of our progress toward achieving our goals of ensuring safety and fostering innovation and process improvement. Of course, we will also ensure we include all perspectives in our decision-making, including aviation operators, manufacturers, labor, airports, communities and international safety and regulatory organizations.

We also need to recognize that we are in a time of tremendous change but also opportunity. It is important to thoughtfully manage the changes we are experiencing in the aviation system today and in the coming years, so safety is not compromised but innovation and development of new technologies are supported. New technologies, including flight deck automation and air traffic management systems, can provide significant benefit but they also introduce changes to a stable, mature safety system that need to be managed carefully and thoughtfully. Unmanned systems technologies are developing rapidly but the process of scaling the technologies for broad use is in its infancy. Additionally, we are seeing a new generation of aviation industry professionals come into our ranks: pilots, engineers, technicians, developers among others. We need to ensure they have the training and experience required that will continue to raise the safety bar.

There is no doubt that the FAA is the global leader as a safety regulator and as an air navigation service provider. This is not in question. Our system is—by far—the most complex and diverse in the world. The rest of the world looks to the U.S. for leadership and will continue to do so. If confirmed, it will be among my highest priorities to ensure that the FAA maintains its prominence as the global aviation industry leader in safety, continuous improvement and innovation.

Finally, I need to emphasize the importance of focusing on people as we execute our mission. None of what I have discussed up to this point is possible without supporting our people. I have worked with the professionals from the agency for many years, and there is no doubt in my mind we have the most professional, dedicated workforce in the world, whether you are talking about air traffic controllers, inspectors, engineers or technicians. This team has a rare opportunity to shape the transformation of our aviation system. The chance to lead the FAA at this historic time is a great honor, and one that I contemplate with humility and gratitude. If confirmed, I will ensure our people are supported and valued, and that they know I have their back when it comes to safety and new ideas.

If confirmed, I intend to perform my role with accountability to the FAA's stakeholders, including the American public. As stated above safety will always be my first priority. I will also be driven by the values of honesty, integrity and mutual respect.

Thank you for your consideration. I am excited about the opportunity to serve our great nation and appreciate your time today. I would be happy to answer any questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used):
Stephen Marshall Dickson (nickname: Steve).
2. Position to which nominated: FAA Administrator.
3. Date of Nomination: April 11, 2019.
4. Address (List current place of residence and office addresses):
Residence: Information not released to the public.
5. Date and Place of Birth: September 3, 1957; Lake Charles, Louisiana.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).
 - a. My wife, Janice Elaine Dickson, is not currently employed outside the home.
 - b. Stepson: Daniel Louis Londrillo, 35 years old.
 - c. Stepson: Andrew Louis Londrillo, 34 years old.
 - d. Stepson: Benjamin Louis Londrillo, 31 years old.
 - e. Daughter: Elizabeth Ann Dickson, 29 years old.
 - f. Stepdaughter: Brianna Michele Strain (maiden name Londrillo), 29 years old.
 - g. Stepson: Nicholas Louis Londrillo, 26 years old.
7. List all college and graduate degrees. Provide year and school attended.
 - a. Bachelor of Science, United States Air Force Academy, 1979
 - b. Juris Doctor, Georgia State University College of Law, 1999
8. List all post-undergraduate employment, and highlight all management level jobs held and any non-managerial jobs that relate to the position for which you are nominated.
 - a. United States Air Force officer, instructor pilot and tactical fighter pilot, 1979–1991. Positions of increasing responsibility throughout my military career, including flight commander, instructor pilot and large-force employment mission commander.
 - b. Pilot, Delta Air Lines, 1991–2018. Qualified and flew line operations in passenger service on B-727, B-737, B-757, B-767 and A320 series aircraft.
 - c. Senior Vice President—Flight Operations, Delta Air Lines, 2006–2018. I began working in management in 1999 while continuing to maintain qualifications and fly in line operations. During the period from 1999–2006 I progressed through several positions of increasing responsibility, including: executive assistant to Director—Flight Operations, Manager—Pilot Crew Scheduling, Manager—Strategy and Communications, Chief Pilot—Atlanta, General Manager—Flight Operations and Director—Flight Operations. I assumed the leadership of the Flight Operations division as SVP—Flight Operations and became a senior officer of the company in September 2006 and remained in that role until my retirement on October 1, 2018.
9. Attach a copy of your résumé. Résumé attached.
10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.
 - a. Chairman, Air Traffic Management Advisory Committee (ATMAC), 2007–2010.
 - b. Chairman, RTCA Next Generation Mid-Term Implementation Task Force, 2009.
 - c. Chairman, NextGen Advisory Committee Working Subcommittee (NACSC), 2010–2013.
 - d. Member, NextGen Advisory Committee (NAC), 2015–2018.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Senior Vice President—Flight Operations, Delta Air Lines.

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

- a. Vice Chairman, United States Air Force Academy Endowment, 2016–2018.
- b. Member, Atlanta Botanical Garden.
- c. Member, Oakland Cemetery Foundation.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt. No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities. None.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years.

- a. September 2018: Ted Cruz (TX)—\$1000
- b. July 2018: Paul Mitchell (MI)—\$1000
- c. March 2018: John Barrasso (WY)—\$2000
- d. December 2017: Deb Fischer (NE)—\$1000
- e. October 2017: Bill Nelson (FL)—\$1000
- f. August 2014: David Perdue (GA)—\$500
- g. September 2013: Mitch McConnell (KY)—\$1000
- h. October 2012: Mitt Romney—\$2500
- i. June 2008: Saxby Chambliss (GA)—\$250
- j. 2011–2018: Delta PAC—\$27,917
 - i. 2018: \$3,750
 - ii. 2017: \$5,000
 - iii. 2016: \$4,167
 - iv. 2015: \$3,000
 - v. 2014: \$3,000
 - vi. 2013: \$3,000
 - vii. 2012: \$3,000
 - viii. 2011: \$3,000

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- a. Cadet Wing Commander, USAF Academy, Fall 1978
- b. Superintendent's List, USAF Academy, all semesters 1975–1979
- c. Distinguished Graduate, USAF Academy, Class of 1979
- d. Outstanding Cadet in the French Language, USAFA 1979
- e. Distinguished Graduate, USAF Pilot Training, Reese AFB, Texas, 1980
- f. Top Gun, USAF F–15 Combat Pilot Training, Luke AFB, Arizona, 1984
- g. Outstanding Pilot, United States Air Forces-Europe, 1989
- h. Outstanding Flight Commander, 36 TFW, Bitburg AB, Federal Republic of Germany, 1989

- i. Military decorations include: Meritorious Service Medal, Joint Service Commendation Medal, Air Force Commendation Medal (2 awards)
 - j. Associate Lead Articles Editor, Law Review, Georgia State University College of Law, 1998
 - k. Juris Doctor, magna cum laude, Georgia State University College of Law, 1999
 - l. RTCA Achievement Award, 2010 and 2015
 - m. Chairman of several Federal Advisory Committees, including the Air Traffic Management Advisory Committee (ATMAC), 2009
NextGen Implementation Task Force, and the NextGen Advisory Committee working subcommittee
 - n. Chairman, International Air Transport Association (IATA) Operations Committee, 2015–2017
17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.
- a. September 9, 2009. Chairman’s Message, RTCA NextGen Mid-term Implementation Task Force Report: “The ‘NowGen Next’ Path to NextGen”
 - b. September 28, 2015. Delta External NewsHub Op-Ed: “Privatizing the Air Traffic Organization Threatens Customer Service”
 - c. November 14, 2015. Crain’s New York Business Op-Ed: “Ground the Plan to Privatize the Nation’s Air Traffic Control”
 - d. November 23, 2015. Cranky Flier Interview: “Across the Aisle from Delta’s SVP of Operations on Why Privatizing Air Traffic Control Would be Bad”
 - e. February 1, 2016. USA Today Op-Ed: “Privatizing ATC Will Increase Traveler Costs”
 - f. August 14, 2018. National Training Aircraft Symposium (ERAU) Keynote: “Looking to the Future”
 - g. Numerous presentations as a panelist on aviation safety, training and air traffic control modernization at RTCA Symposium, IATA Safety and Operations Conference, ATCA and other aviation industry events
18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an “alias” or “handle” you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.
- a. LinkedIn account: <https://www.linkedin.com/in/steve-dickson-348b0311/-Active Account>
19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.
- a. On August 6, 2009 I testified before the Senate Committee on Commerce, Science and Transportation in a hearing to examine aviation safety, focusing on the relationship between large network airlines and regional airlines.
 - b. On February 27, 2014 I testified before the House Subcommittee on Aviation, as part of a roundtable discussion on the FAA’s efforts to address the NextGen Advisory Committee’s recommendations for implementing NextGen.
20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?
- a. Safety focus. I presided over the safest period in Delta Air Lines’ history, with improving safety metrics throughout my tenure. System safety is the single most important part of the FAA’s mission across all lines of business, whether it is daily air traffic operations, aircraft certification, regulatory oversight or the integration of new entrants.
 - b. Experienced, values-driven leader with deep operational experience. I led the global flight operations of the most successful airline in the world for more

than 12 years. I know how to set the vision for and motivate a large organization. I will lead by example and with a foundation of strong core values.

- c. Continuous improvement and operational execution. I would put the same focus on operational performance improvement and execution that I ingrained in the culture of my operational team at the airline.
- d. Broad industry experience. I have led industry efforts to advocate for aviation safety and innovation around the world. In doing so I developed strong relationships with aviation industry stakeholders in the U.S. and internationally, including manufacturers, safety organizations, RTCA, IATA and ICAO.
- e. Collaborative leadership approach. I have a strong reputation as a collaborative, transparent and non-parochial leader. For example, as Chairman of the IATA Operations Committee, I always acted from the perspective of what was best for the airline industry as a whole, not necessarily my own company. I took the same approach within the U.S. as the RTCA Task Force 5 Chairman, acting in the best interest of the industry and the public, not just from the frame of reference of the airline industry.
- f. Change leadership in large organizations. I presided over the operational and cultural integration of the most successful merger in the history of the airline industry. In the coming years, the FAA and its people and processes will be faced with an accelerating pace of change in technology, process and people. The ability to lead change while not compromising safety will be foundational to success.
- g. I believe I have the experience and personal qualities to lead the FAA through an exciting time of tremendous change and opportunity. In doing so we would collaborate with industry stakeholders to serve the best interests of our country, the traveling public and all stakeholders.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

As FAA Administrator I would be completely responsible for ensuring appropriate management and accounting controls. I have managed the flight operations of one of the largest and most complex air carriers in the world, during a period of tremendous change, including a highly successful merger and the integration of two operating cultures.

22. What do you believe to be the top three challenges facing the department/agency, and why?

- a. Safety. Ensuring continued safe operations and improving the margin of safety in the National Airspace System, in an environment of accelerating changes in technology and in the workforce.
- b. NextGen Implementation. Modernizing and improving the operational performance of the ATC system.
- c. Innovation. Integrating new entrants such as unmanned systems and commercial space operations, doing so in a way that does not compromise system safety.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

My arrangements are fully described in part 3 of my Public Financial Disclosure report.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain. No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I entered into with that Designated Agency Ethics Official and that was provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I entered into with that Designated Agency Ethics Official and that was provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I entered into with that Designated Agency Ethics Official and that was provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

As noted above, during the process leading up to FAA reauthorization, I have supported Delta's position opposed to the spin off of the Air Traffic Organization. In late 2016 the company took a more neutral approach that supported ATC spin-off, which highlighting certain considerations. Additionally, the major U.S. network carriers advocated for fair Open Skies and against allowing some of the Middle East carriers to unfairly benefit from government subsidies and support to gain access to U.S. markets under conditions that would undermine U.S. industry and workers.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name of agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes.

- a. Yes, I have been a party to one civil litigation matter. I am a named defendant in *Meryl Dickstein v. Fairbank Construction, Inc., Stephen Dickson and Janice Dickson*, Case No. CAK16269, currently pending in Monroe County Circuit Court, Florida. This is a disputed residential premises liability ("slip and fall") claim for which I am insured.
- b. In addition, I was employed at Delta Air Lines, Inc., from February 1991 until October 2018, where I served as a corporate officer from September 2006 until October 2018. During my Delta employment, from time to time and in the ordinary course of business, Delta was involved in various judicial, administrative or regulatory proceedings relating to its business, although I was not a named party in any such actions.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

RÉSUMÉ OF STEPHEN M. DICKSON

NOMINEE FOR FAA ADMINISTRATOR

Work History

USAF

Undergraduate Pilot Training, Reese AFB, Texas, 1979–80

T–38 Instructor Pilot, Euro–NATO Joint Jet Pilot Training, Sheppard AFB, Texas, 1980–83

F–15 Flight Commander and Instructor Pilot, 7th Tactical Fighter Squadron, Holloman AFB, New Mexico, 1984–86

Politico-Military Planner, European Division, J5, Organization of the Joint Chiefs of Staff, the Pentagon, 1986–87 (ASTRA—Air Staff Training Program)

F–15 Flight Commander, Instructor Pilot and Flight Examiner, 22d Tactical Fighter Squadron, Bitburg AB, Federal Republic of Germany, 1988–90

Delta Air Lines

B–727 Flight Engineer and Check Second Officer, 1991–96

B–727 First Officer, 1996–99

Executive Assistant to Director—Flight Operations, 1999–2000

Manager—Pilot Crew Scheduling, 2000–01

B–767 First Officer, 2002

Manager—Flight Operations Strategic Planning and Communications, 2002–04

B–737 Captain, 2004

Chief Pilot—ATL, 2004–05

General Manager—Flight Operations, 2005

B757/767 Captain, 2005

Director—Flight Operations, 2005–06

Senior Vice President—Flight Operations, 2006–2018

Formal Education

B.S., Engineering Sciences, USAF Academy, Colorado, 1979 (Distinguished Graduate, 17/900)

J.D., Georgia State University College of Law, 1999 (magna cum laude)

Special Honors and Awards

Cadet Wing Commander, USAF Academy, Fall 1978

Superintendent's List, all semesters

Distinguished Graduate, USAF Academy, 1979

Distinguished Graduate, USAF Pilot Training, Reese AFB, Texas, 1980

Top Gun, USAF F–15 Combat Pilot Training, Luke AFB, Arizona, 1984

Outstanding Pilot, United States Air Forces—Europe, 1989
 Outstanding Flight Commander, 36 TFW, Bitburg AB, Germany, 1989
 Associate Lead Articles Editor, Law Review, GSU College of Law, 1998
 Juris Doctor, magna cum laude, Georgia State University College of Law, 1999
 RTCA Achievement Award, 2010 and 2015
 Chairman of several Federal Advisory Committees, including the Air Traffic Management Advisory Committee, 2009 NextGen Implementation Task Force, and the NextGen Advisory Committee
 Chairman, International Air Transport Association (IATA) Operations Committee

Personal Data

Date of Birth: September 3, 1957
 Family: Married (Janice), children (Dan, Andrew, Ben, Elizabeth, Brianna, and Nick)

The CHAIRMAN. Thank you, Mr. Dickson. We very much appreciate your statement. I need to ask you, as we do all nominees, if confirmed, will you pledge to work collaboratively with this Committee and provide thorough and timely responses to our requests for information as we work together to address aviation policy?

Mr. DICKSON. Yes, sir, Chairman Wicker. I so commit that I'll be happy to work with the Committee and look forward to it.

The CHAIRMAN. Thank you. Thank you. I appreciate that.

Now, you mentioned in your written and oral statements that you still consider the FAA as the global gold standard. If confirmed, what will you do to restore the confidence in the United States and around the globe that indeed that is still a fact and will continue to be a fact?

Mr. DICKSON. Thank you, Chairman Wicker. The—I think a big part of that process is actually occurring here today by getting a permanent confirmed leader at the head of the agency, one who has vast experience and brings a fresh perspective to the agency. There are 85,000 employees involved in daily operations and aviation safety and in all aspects. They're a lot of good people, and they need leadership and they need to be supported. So I look forward to doing that.

We'll also take certainly the groups that are looking into the particular issues around the 737 MAX and the certification process to make sure that those recommendations are taken seriously, and if there are any failures or processes that need to be adjusted, that I will certainly follow up on that if confirmed.

The CHAIRMAN. Thank you. And then let me ask you also about commercial space. The Office of Commercial Space Transportation, which is often referred to as AST, was established in 1984 as part of the Office of the Secretary of Transportation. In November of 1995, AST was transferred from the Secretary's Office to the FAA. AST's primary function is to regulate commercial space launch and reentries and spaceports.

Given the national importance of maintaining U.S. leadership in space, if confirmed, will you support the expansion and growth of the commercial space sector as you work to integrate commercial space into the National Airspace System? And give us your thoughts on that if you don't mind.

Mr. DICKSON. Yes, sir. I look forward to working with the Committee and within the agency and the Department on continuing to

grow our commercial space capability. As I think you all know, the number of commercial space launches projected for this year is rising by about 25 percent, and the trend line continues up year by year. And so we certainly want to foster those opportunities and continue to innovate while at the same time, protecting the safety of the existing aviation system that will also be occupying some of the same airspace certainly during launch and reentry operations. So I look forward to making a contribution and providing leadership to move all that forward.

The CHAIRMAN. Thank you very much.
Senator Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman.

And, Mr. Dickson, again thank you for your willingness to serve. There are so many questions, I'm just going to try to run through just some broad issues first and then get to a more substantive question.

On the flight and duty rules for airline pilots, obviously, you've been a pilot yourself, do you—you know that we have a cargo carve-out. What do you think about that issue and trying to rectify our skies and having everybody on the same standard?

Mr. DICKSON. Thank you for the question, Ranking Member Cantwell. And the—it's important that we have one level of safety in the aviation system. However, many of our rules are—have prescriptive elements and also performance-based elements. And all carriers, whether they are cargo or passenger carriers, within the 121 world in any case, and I realize there are some reauthorization issues with expanding that to 135 and other disciplines. But everyone is required to have a fatigue risk management program that is—that is approved by the FAA, and that includes cargo carriers. So they have—they may have a different way of getting to the same level of safety, but I believe that it does get to the same safety bar.

I understand this is an item of interest to many stakeholders, and I think continued dialogue on the subject is certainly very appropriate, and I look forward to working with you on it.

Senator CANTWELL. Thank you. And I look forward to working with you as well on that.

On the flight attendants rest rule, you will help move that along quickly?

Mr. DICKSON. Yes, Senator. I realize that was a significant part of the 2018 reauthorization, and I don't have visibility into the specifics of how all the items are being implemented, but I look forward to working with you to move that forward.

Senator CANTWELL. OK. Obviously, the 737 MAX highlights the very diligent effort that we need to continue to do on safety writ large, and obviously we have some preliminary findings suggesting the MAX system and its impact on those accidents in Indonesia and Ethiopia. Technology and automation are going to continue to be parts of aviation, and we don't want to see an overreliance on technology, we want those skill sets to continue to be there, and as a pilot, again this is something I think—I didn't realize you were certified on all of those different types of carrier—types of airplanes. But how do you view this, the potential for overreliance on automation as a possible detriment to basic flying skills? And how

do we best manage, you know, the human element in testing on these technology issues?

Mr. DICKSON. As you know, we discussed this at some length in our—in our office visit, and I believe it's one of the most important issues that is facing us today. It actually has existed for a number of years. The interface between the pilot and the machine is extremely important. And as automation continues to advance in capability, it provides many benefits. It provides many safety benefits in terms of workload management and being able to get the job done on the flight deck.

However, it can create risks that we need to mitigate. And over the years, it's important to make sure that pilots are maintaining their manual flying skills. I know that a number of carriers in recent years have initiated programs to track manual flying skills as well as develop exercises that allow, in recurrent training, for pilots to be able to move between various levels of automation, and I think the FAA certainly needs to continue those efforts and support them and work with the carriers to make sure that we're moving forward.

Senator CANTWELL. Do you think we have the adequate tools in place today?

Mr. DICKSON. I do. I think it continues to be an area that needs to be developed. And the focus on flight plan management rather than automation itself is actually a more holistic way to address the issue because it encompasses not only the manual flying skills, but also the various levels of automation that the pilot may encounter during a particular flight. And so it's really a more—a more strategic way to address the issue.

The other thing that's nice about the newer airplanes, we've got hundreds of new narrow-body aircraft that have been delivered in the United States over the last 7 or 8 years, and it's much easier for carriers to measure performance on those airplanes to see which fleets and which—you know, on which city pairs we're seeing maybe not as much practice of manual flying as we might like to see.

Senator CANTWELL. Thank you.

I know my time has expired, Mr. Chairman. I just wanted to say, you know, our sympathies are still with the families that have been impacted by this tragedy.

And I'm glad to hear you say "holistic," because holistic I think—this isn't the—aviation isn't the only issue this Committee is dealing with this on. Our two colleagues Senator Thune and Peters have been working on advanced vehicle legislation. And so I'm sure their goal in mind is to make the driving public safer than we currently are today with our roads and highways, and yet this Committee has to play this very key role of understanding how we move forward with the technology that will help us and yet make sure that the oversight on the human aspects of these are well considered. So we'll be focusing on every agency involved in moving us forward and thinking about this human interface.

And, again, back to the *Columbia* explosion, it took us a long time to figure that out because we had—you know, we hadn't really looked at things on a holistic way on the *Columbia*. We basically hadn't looked at the entire system. Nobody figured out that O-rings

were going to cause a problem at a certain degree. So I'm glad to hear you say that a holistic approach would be helpful.

Thank you.

The CHAIRMAN. Thank you, Senator Cantwell.
Senator Blunt.

**STATEMENT OF HON. ROY BLUNT,
U.S. SENATOR FROM MISSOURI**

Senator BLUNT. Thank you, Chairman.

Mr. Dickson, glad to see you here. Glad you're willing to serve. In the last Congress, I had the privilege to chair the Aviation Subcommittee, and Senator Cantwell and I worked closely together to represent the Senate view of that. In the package we negotiated, there were a number of bipartisan provisions in that. I'm going to ask you about two of them specifically. One is contract tower and one is Essential Air Service programs.

You know, the Inspector General has validated the contract tower program as cost effective, and what it does, it serves over 250 smaller airports. I would also like to note that almost half of all the military operations out of civilian airports go in and out of contract tower airports, giving the importance of those towers. And what we had to say about them in the FAA bill, are you committed to working with the Congress to ensure the continued success of that program?

Mr. DICKSON. Senator Blunt, yes, I very much support the contract tower program and look forward to working with the Committee to—to move it forward.

Senator BLUNT. And on Essential Air Service, it's authorized through 2023. The FAA obviously has a role to play in analyzing the program cost and ensuring compliance by participating air carriers. Can you give us your commitment to implement and sustain the Essential Air Service program, as mandated in the recent FAA act?

Mr. DICKSON. Yes, Senator. I understand the importance of the EAS program, particularly to rural communities, and I fully support it and look forward to working with you on that.

Senator BLUNT. Let me cover one other topic. On the front page of one of the papers I looked at this morning, it said FAA basically outsourced certification of equipment to Boeing. I'd like you to talk about your view of how FAA works with manufacturers, and if you have this information, how does that compare with what happens in the EU, for example?

Mr. DICKSON. Senator, thank you for the question. I saw the story that you're referring to. And my experience is within flight operations, I haven't been directly involved in the aircraft certification process, so it's difficult for me to say from the outside looking in exactly, you know, what happened in this particular instance. I can tell you in the flight operations world, you don't have an ODA process, but there is the delegation of certain types of flight standards functions in terms of certifying pilots by the air carrier, and that has been very powerful over the years. It's made the FAA a much better regulator, and it's made the carriers I think safer and improved the quality of pilots that are being qualified.

And it also has facilitated the sharing of data that is becoming more and more and more important, not only to the private sector, but also to the FAA as a regulator, safety data I'm primarily referring to in this case. And so to the extent that that happens in the certification process, I think that that's very beneficial.

How it was applied in the case of the certification of this particular aircraft is certainly something that I look forward to digging into if I am confirmed. And I believe that the various review groups that are looking into this, I think I would call particular attention at this point to the Special Committee on Aircraft Certification. I believe it will provide some very strong recommendations on how to improve that process going forward.

Senator BLUNT. Two other quick follow-ups on that. One is, is it realistic to assume that the FAA could pay the personnel to check everything in the checklist on—as opposed to designated trained personnel that are certified by the FAA?

Mr. DICKSON. Again, that's something that I would need to look into. I think that, you know, in my own experience, it would be—even if you could throw enough resources at it, I think working with the private sector with the proper controls and protocols is going to allow the regulator to be much more effective and add a lot more safety value than just throwing extra resources at it. I mean, there may need to be a resource issue, and we can certainly talk about that at the appropriate time.

Senator BLUNT. Right. Well, if we need the resources, we should do that also. I'd like you to look at what like EU countries do, the countries we most likely compete with in terms of producing that product, whether they—what they do and how they do it. Do you have any information on that today?

Mr. DICKSON. My understanding, Senator, is that—and it's pretty rudimentary at this point, but my understanding is that the FAA in most cases actually delegates less of the work to the manufacturer than you see in some other jurisdictions, including the EU. But this is something certainly that the Special Committee and others will benchmark as they look into the certification process.

Senator BLUNT. And you will look carefully at their results—

Mr. DICKSON. Absolutely.

Senator BLUNT.—and take action based on that additional information?

Mr. DICKSON. Absolutely. Whether there are process failures or individual failures or gaps that need to be addressed, that will certainly be right at the top of my priority list if confirmed.

Senator BLUNT. Thank you, Mr. Dickson.

The CHAIRMAN. Thank you, Senator Blunt.

Senator Blumenthal.

**STATEMENT OF HON. RICHARD BLUMENTHAL,
U.S. SENATOR FROM CONNECTICUT**

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Thank you for your service and thank you to your family for their service.

The Chairman asked you how you would restore confidence in the FAA. The simple fact of the matter is that the FAA, like Boeing, faces a crisis of confidence. And if anything, the levels of dis-

trust and doubt have been increasing with some of the reports that we've seen over recent weeks. One of them, I'm not sure whether this was the report to which my colleague Senator Blunt referred appeared in the *Wall Street Journal*, and it describes in pretty impressive detail how the Federal Aviation Administration, the FAA, has determined, in its preliminary inquiry, that agency officials failed to participate or monitor some of the crucial safety assessments of the flight control system for the 737 MAX; they simply delegated that review. And FAA engineers and mid-level managers deferred to Boeing. And, in fact, a separate report appearing today by CNN reported that the company, Boeing, did not perform a flight test on a scenario where the MCAS software system malfunctioned, which is essentially what happened, not once, but twice, and disregarded a number of the complaints made by pilots.

So my question to you is, Will you commit to reverse the ODA delegation to the extent it has been done excessively in overbroad, in effect, abandonment of responsibility, abrogation of that duty that the FAA has to actively and proactively oversee safety because essentially safety on the cheap, which is what ODA does, has been neither cheap nor safe, and it certainly gives the perception, if not reality, of putting the fox in charge of the henhouse, putting the manufacturer in charge of oversight. And what's why I have called for a new independent robust assessment of the 737 MAX before it is allowed to fly again. Will you review and reverse that excessive delegation of authority?

Mr. DICKSON. Senator Blumenthal, you raised several important issues here, but let me just say that I will—if I am confirmed, I will never either personally or professionally abdicate my responsibility and my devotion to safety leading the FAA, and I would never put my family on an airplane—I would never certify an airplane that I wouldn't put my own family on. And that's one reason why they're here today.

Senator BLUMENTHAL. But your—

Mr. DICKSON. So my—

Senator BLUMENTHAL. Sorry, go ahead.

Mr. DICKSON. Please, sir, it's very important to—not to jump to conclusions. I mean, I've seen the media reports. I understand—it's hard to tell, again, without being inside the agency and privy to the data that the agency has, exactly what did and did not occur at any particular point in time.

So what I will commit to you is that I will take the recommendations from the Special Committee and the other—the IG investigation and the other groups that have been stood up to review this process, and whatever corrective actions need to be taken or process changes need to be put in place, I can guarantee you that those will be accomplished, and I look forward to working with you and the Committee to make sure that that happens.

Senator BLUMENTHAL. Will you come back to the Committee to report to us on what the certification process is before the 737 is allowed to fly again?

Mr. DICKSON. I'm not sure what the—what the timeline. My understanding is that some of these processes are ongoing, even beyond the time-frame when the airplane could be contemplated to fly. I know the Technical Advisory Board has specifically brought

in outside groups—Volpe, the Air Force, NASA, and FAA personnel who were not involved in the certification of the MAX—and that is the group that will take a look at this particular process, and then the other groups are really looking more at the failures of the overall ODA process.

Senator BLUMENTHAL. But ultimately, the buck stops with you, and I would like your commitment that you will come back to this Committee before that plane is allowed to fly again with any of our families and report to us on what the FAA has found and whether and why it would be certified.

Mr. DICKSON. Senator, if I am confirmed, I would certainly be happy to work with the Committee on getting the airplane flying again. I'm not sure exactly what the—what the contemplated time-frame would be, and if I would be in the seat before then.

Senator BLUMENTHAL. And one last question. I asked your predecessor about contacts and conversations with the President or others in the White House, which he declined to provide. Will you commit to tell us the substance of conversations that you may have with the President or the White House on these issues?

Mr. DICKSON. Specific conversations, again, as I understand long-standing Executive Branch practice, is that I would not divulge specific conversations, but certainly the subject matter of interest to the Committee, I will be as candid as I possibly can.

Senator BLUMENTHAL. My time is expired, Mr. Chairman. Thank you. If there is another round of questioning, I have further questions. Thank you.

The CHAIRMAN. Thank you, Senator Blumenthal.
Senator Cruz.

**STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS**

Senator CRUZ. Thank you, Mr. Chairman.

Mr. Dickson, congratulations on your nomination. You have a beautiful family. I'm sorry to see that the youngest isn't continuing to enjoy and entertain the hearing.

The CHAIRMAN. Just like many of our members, Senator.
[Laughter.]

Senator CRUZ. In more ways than one.

The question Senator Blumenthal was asking you I think are serious questions. The FAA has long been referred to as the gold standard for aviation safety. And I believe the events surrounding the certification and crashes of the 737 MAXs have drawn that reputation into serious question. The *Wall Street Journal* article from yesterday contains many dismaying reports. It begins by saying an internal FAA review has tentatively determined that senior agency officials didn't participate in or monitor critical safety assessments of the flight control system for Boeing 737 MAX jet later implicated in two fatal crashes, according to industry and government officials. It goes on to say the certification process for the 737 MAX, Boeing didn't flag the automated stall prevention feature as a system whose malfunction or failure could cause a catastrophic event. And the article later raises the very simple question, also at issue is whether agency officials performed any assessment on their own

about the system's initial safety classification. That suggests a serious breakdown in the certification process.

The Department of Transportation Inspector General has previously raised the concern of agency capture. Do you agree that these reports suggest the possibility of serious breakdown? And what should be done to fix it?

Mr. DICKSON. Thank you for the question, Senator. And I—again, the reporting externally, it's hard to tell exactly when some of these things happened and exactly how they occurred, but I can commit to you that if I am confirmed, I will be looking into this very specifically, and the review processes, including the Inspector General, including the Special Committee, the Joint Authorities Technical Review, and the Technical Advisory Board, all of that will form the basis of actions in addition to my own diligence within the agency to make sure that any adjustments are made to the process that need to be made.

Again, the highest priority is always going to be safety for the traveling public, whether it's within the U.S. or aviation products around the world. That's going to be my top priority.

Senator CRUZ. I agree with what you said a minute ago about not jumping to conclusions. At the same time, if you are confirmed getting to the FAA, the easiest thing to do will be to do nothing. Bureaucratic inertia is powerful, and the natural instincts of any agency is protect itself, protect the status quo, and admit no wrongdoing.

And so what I am asking you to do if you are confirmed is be pissed off that 346 people died. That is not a small matter, 346 lives that were snuffed out, and at least the early evidence suggests that was preventable. And not just those lives that are no longer with us, but millions of Americans, millions of people all across the world, get on planes every day, trust their children, strap their children into planes, billions in commerce travels on the aviation industry. All of that depends upon the confidence of the flying public that the planes they're getting on is safe.

So, Mr. Dickson, I would ask you not to give in to the natural bureaucratic reaction that defends what happens, but, instead, ask seriously and vigorously, Could we have prevented these crashes? And what can we do to make sure we don't see another one because of agency mistakes or because of the risk of agency capture?

Mr. DICKSON. Well, Senator, thank you for that and for raising that issue. Please do not interpret my demeanor as, you know, satisfied with the situation or in any way saying that any accident is acceptable. It is not. And if I am confirmed, I promise you I'm going to be the captain of the ship, I'll be a steady hand on the tiller, which I think is what—what the American public needs, but that doesn't mean that I'm not going to be asking the tough questions and making the changes that need to be made.

Senator CRUZ. And will you commit to this Committee to vigorously figure out what the hell went wrong?

Mr. DICKSON. Absolutely.

Senator CRUZ. Thank you.

The CHAIRMAN. Thank you, Senator Cruz. And let me note that I appreciate Chairman Cruz's leadership on the subcommittee with

jurisdiction over this issue, and my thanks goes to him and his Committee, Subcommittee, staff on that.

Also, before Senator Cruz began his question, I made a quip about members of this Committee being elsewhere. The truth of the matter is that we have dozens of appointments, constituents to see, and other Committee meetings scheduled at the same time, and I appreciate every member of this Committee making the time to give us a successful markup and hearing today. So I just wanted to explain that little quip.

Senator Peters is next.

**STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Thank you, Mr. Chairman.

Mr. Dickson, welcome, and thank you for spending some time in my office discussing a variety of issues earlier this week. The question I have for you is related to what was begun by Ranking Member Cantwell and kind of the machine interface which we had an opportunity to talk about in the office, and how we have to think this through very carefully as automation continues to advance, not just in aviation, but in ground vehicles and other aspects of the transportation system.

And I want to ask you a couple questions related to the Office of Inspector General audit report that looked at the increased use of flight deck automation that came out just a few years ago and kind of get a sense of—I'm sure you're familiar with the report—kind of get a sense of what they found in the report.

In the report, they certainly talk about the need and numerous studies that confirm the need for pilots to spend more time manually in control of the aircraft, to have the mastery necessary to take over in the event that the system goes down. But in the report, they found that—and I'll read—quote, "Air carriers may not know how often their pilots have the opportunity to manually fly. For example, only two of the nine carriers we visited analyzed data to determine the extent pilots are using autopilot in daily operations. Senior FAA officials estimate that airline pilots use automated systems 90 percent of the time, but stated there is no industrywide analysis to validate that estimate." Is that accurate? Has progress been made? And is that progress sufficient in your mind?

Mr. DICKSON. Thank you, Senator Peters. First of all, this is an area that I know my carrier was very focused on, and even participated in some of the development of the flight path management initiatives and reports that were accomplished by the Flight Safety Foundation and the FAA back in that—back in that timeframe.

And so the nice thing about the newer aircraft is it provides the ability to be able make these measurements and bring this data to the fore so that the carrier can then go back and put in exercises and recurrent training and actually make the pilots aware of opportunities that they have to practice their manual flying skills. And I know that we did that at my company in conjunction with the Airline Pilots Association, and it was a very successful program. It continues to mature and develop. And I think that, from what I have seen around the industry, it's something that con-

tinues to be talked about with the Commercial Aviation Safety Team and also measured through ASIAs as well.

Senator PETERS. Well, the report—I love your reaction to this, which I think is troubling—the report went on to say that studies have concluded that pilots may overestimate their manual flying skills, even if some of those opportunities are available that you mentioned.

For example, a recent Flight Safety Foundation study found—this is a few years ago, so I want to get your assessment of where we are today—but evaluated the manual flying skills of 30 experienced U.S. commercial airline pilots, and while 80 percent of the pilots reported that they typically hand-fly the aircraft below 10,000 feet, the pilots' aggregate scores for manual flying maneuvers fell below FAA standards for these pilots. Despite the pilots' stated manual flight experience, they were not able to meet the standards using only basic instrumentation that would be available if the automation failure occurred during flight.

What's your assessment of that study? And what more do we need to do?

Mr. DICKSON. Well, I think that it needs to—that, again, manual flying skills, not only manual flying skills, but the ability to be able to maintain situational awareness and move fluidly through various levels of automation. In commercial aviation, we generally talk about four levels of automation, everything from what we call raw data to flight director to flying the airplane through the mode control panel with the autopilot on to fully automated and preprogrammed flight. We need to—pilots need to be able to monitor the flight path, understand what their clearance is, put the airplane there, and then keep it there. It really is as simple as that. But the actual skills that you need to do that in those different, four different, automation levels and be able to de-automate the airplane when things start to snowball or aren't going exactly the way that you—that you thought they would go, it could be a weather deviation or whatever, that's what, in my experience, the carriers are really concentrating on rather than things that used to be done more by rote in terms of practicing low-visibility approaches and all that, introducing more perturbations into the training environment.

I also think that new training technologies and the introduction of augmented reality into training—the Air Force is doing some studies in this area—that will also help make training more—scenarios more realistic and more valuable to introduce some variability within what can be a bit of a canned scenario in the flight simulator.

Senator PETERS. If I may ask just one follow-up question to that. Right now, the FAA restricts the use of autopilot during takeoff and climb below 500 feet unless granted explicit FAA authorization to use it sooner. What's your assessment of that? How would you approach that regulation? Does it need to be changed? Are there some concerns about it? Give me your thoughts, please.

Mr. DICKSON. With respect to the use of autopilot below 500 feet, a lot of times that depends on the capabilities of the aircraft. An aircraft can be certified much lower than that in some—in many cases. On departure usually is where the restriction is. I don't real-

ly have any issues with that. I think that most pilots in my experience are going to hand-fly the airplane during the transition either in the approach phase or on the departure leg phase until the flaps are up almost probably 95, 98 percent of the time. So the 500-foot restriction is not—not really have any impact in that case.

Senator PETERS. Great. Thank you.

The CHAIRMAN. Thank you, Senator Peters.

Senator Blackburn.

**STATEMENT OF HON. MARSHA BLACKBURN,
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. Thank you, Mr. Chairman.

And, Mr. Dickson, thank you so much for your time to visit about your priorities. And I appreciate when I asked you about those priorities, number one was safety. And as you have heard today, there is bipartisan agreement that safety of the flying public is paramount. And we all are quite concerned about what happened with Boeing, the 737. And Mr. Peters' questions about the ability of pilots to override those systems and to manually fly those planes, that training and the degree of training is vitally important.

I've just got one other thing I want to ask you about. We didn't talk about it as we visited, but the Open Skies Agreement, which is vitally important not only for passenger, but for our cargo aircraft. And we know that this has led to greater access to U.S. markets and increased U.S. tourism and trade for our companies and our consumers. And these agreements really have helped us to secure our national security interests.

So my question for you is, how are you going to approach these? Are you going to continue to honor these while at the same time working to address the national security concerns that we all have?

Mr. DICKSON. Well, thank you, Senator. I appreciate the question.

You know, Open Skies, as a principle, is certainly something that I support and have always supported. The concerns that have been expressed among some have been about whether the playing field is level or not. And I know that there are a number of aviation industry stakeholders that have those concerns. But setting that issue aside, certainly Open Skies I think has been very powerful.

The—as you know, this is an issue that is not under the FAA's primary purview. We certainly want to be, or I would certainly want to be, part of the discussions. It really resides within the Department's Office of Aviation Policy, but I'm happy to work any aspect of that with you or any members of the Committee or any other aviation industry stakeholders.

Senator BLACKBURN. Wonderful. Thank you so much.

I yield back.

The CHAIRMAN. Thank you, Senator Blackburn.

Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you, Mr. Chairman, very much.

Earlier this year when Acting Administrator Elwell appeared before this Committee, I questioned him about safety-enhancing fea-

tures that could have saved the lives of the 346 souls on two of their 737 MAX 8s, features which Boeing had sold as optional, as though they were premium seating or extra bathrooms or fancy lighting, but these safety features could have alerted the pilots and aviation mechanics that the doomed aircraft had faulty sensors. Let's be clear, we don't pay more for seatbelts, for airbags, or for childproof caps on medication, they all come standard, and so should all safety features on aircraft.

In response to my question, Acting Administrator Elwell stated that the FAA does not permit plane manufacturers to sell safety-critical elements of an airplane for an additional price, and, of course, I agree with that. But the issue here is whether manufacturers, such as Boeing, are allowed to sell safety-enhancing features for an additional price. Safety-enhancing features include backup fire extinguishers in the cargo hold, oxygen masks for flight crews, or, in this case, the angle of attack indicator and disagree lights.

Mr. Dickson, do you believe manufacturers should ever be allowed to charge additional for any safety-enhancing feature?

Mr. DICKSON. Well, thank you, Senator Markey. It's a very important question, and I am familiar with the issue, and I agree with you that safety-critical features need to be standard, and they will always be standard. With respect to other features, in some contexts, whether they are what may be considered an enhancing feature in one context may actually end up being a distracting situation in another, and all I would say is that with respect to the aircraft certification process, we need to look very carefully at what should be safety-critical and what should not. And I am committed to do that.

Senator MARKEY. Well, do you—do you—do you believe that charging additional fees for safety-enhancing features may discourage some airlines from including them on their planes?

Mr. DICKSON. Again—

Senator MARKEY. Well, just to say, the angle of attack indicator and disagree lights, if you have to pay extra, but the airline is just saying it's an enhancer rather than basic?

Mr. DICKSON. Again, I—I—

Senator MARKEY. Do you think that would discourage airlines from buying them?

Mr. DICKSON. I can't say. I've flown many airplanes without AOA indications at all. And whether, in this particular instance, it would be considered a safety-enhancing feature, I would have to rely on the data that the agency currently has and also the Special Committee that's looking at aircraft certification process.

Senator MARKEY. Well, my opinion is that I think it's pretty clear that it would discourage airlines because any airline might assume that the additional expensive features may not be necessary for the safety of the plane, and as a result, not feel that they would pay for that extra type of equipment. So instruments that alert pilots and mechanics to issues with sensors, in my opinion, should not come with additional charges; oxygen masks should not come with an additional charge; backup fire extinguishers should not come with an additional charge; aviation safety should not be for sale. And that's why I introduced a bill, the Safety is Not for Sale Act,

that ensures safety-enhancing features are standard parts of our aircraft, not something to be sold as a la carte add-ons. Pilots, flight attendants, passengers all agree that this legislation is essential for keeping our loved ones safe in the skies. Safety features must always be standard in every plane brought—bought in this country, and I hope that we can move forward on that.

I know as well that the FAA is currently considering the downgrading of the New England Region airports, the Vision office. The office currently represents six states and 109 airports. I'm concerned that if the New England office's responsibilities are transferred to another region, the particular priorities and needs of our region will not be quickly and effectively addressed.

Mr. Dickson, will you commit today to not downgrading the New England Region office?

Mr. DICKSON. Well, Senator, thank you. The regions play a very important role, as I think you indicated, and I certainly agree with that. I don't have any line of sight into this particular decision, but if confirmed, I'm happy to look into it and work with you on that.

Senator MARKEY. Well, I can assure you that the New England senatorial delegation would not be happy if, in fact, the office was downgraded, so I'll just leave you with that clear message.

Thank you.

The CHAIRMAN. Thank you, Senator Markey. I predict a very thorough look at that last issue.

Senator Lee.

**STATEMENT OF HON. MIKE LEE,
U.S. SENATOR FROM UTAH**

Senator LEE. Thank you very much, Mr. Chairman.

Thank you, Mr. Dickson, for being here today. I enjoyed my visit with you recently, and I'm grateful to have you here at this hearing.

It's been about a year since the FAA formally ruled out the UAS Integration Pilot Program, or IPP. One of the stated objectives of IPP, as you know, was to, quote, test and evaluate various models of State, local, and Tribal government involvement in the development and enforcement of Federal regulations for UAS operations, and that, of course, included the testing of reasonable time, place, and manner limitations on low-altitude UAS operations.

Would you agree that the success of the drone—of drone integration is going to require both State and Federal and also to a degree local coordination of responsibilities?

Mr. DICKSON. Well, thank you, Senator. And I'm grateful for the discussion that we had in your office on this—on this topic. And, yes, I do think that the UAS Integration Pilot Programs have been very beneficial in beginning to get at the issues of the proper balance between the Federal role in operating and management of traffic of our National Airspace System, and then also identifying those very important State and local issues. And I think that it's important that we realize that the National Airspace is a national asset, but that it needs to be—those needs need to be balanced with State and local concerns.

Senator LEE. Sure.

Mr. DICKSON. And I'm happy to work that issue with you if I'm confirmed.

Senator LEE. Sure. Yes. There are some unique things about drones I think that make them appropriate at certain levels for State and local government involvement in a way that other types of aviation might be different. There are those out there who suggest that the FAA should have authority, exclusive jurisdiction, over anything where the drone is operating more than a few feet or even a few inches above the ground, and that is a concern to me.

Do I have your commitment that you will continue to work to make sure that we evaluate the appropriateness? Some have criticized the IPP so far as not adequately testing and evaluating the role of State and local governments relative to drones. Will you commit to making sure that that happens?

Mr. DICKSON. Senator, yes. As I said a moment ago, I think that we need to make sure we strike the appropriate balance on those issues. And I also believe that the progress on the remote identification rule will help out not only the FAA carry out its responsibilities, but also help to address other issues of concern that may actually be more concerning to State and local jurisdictions. And so I look forward to working with you on that.

Senator LEE. Thank you. In 2018, the Department of Transportation reported a shortage of certified air traffic controllers as well as historically high fail rates in recent years at the FAA Controller Academy. Current law requires that open controller positions have to be filled by an approximately equal number of candidates who are taken from the general public; that is, candidates with no prior controller education. Given both the shortage and the high attrition rates and also just the public safety issues implicated by the nature of what air traffic controllers do, this is obviously concerning. That's why I've introduced something called The Air Traffic Control Safe Operation and Readiness Act. If you're confirmed, will you be willing to work with us on reforms like these?

Mr. DICKSON. Senator, certainly the training and qualification of air traffic controllers, as it is with pilots, is a very important issue. And I believe the shortages, from my initial understanding here, have been alleviated somewhat to this point, but we are seeing very high levels of training within the facilities. Having said that, certainly the selection and the success rate of candidates going through the academy is something that I'll be paying very close attention to. And I'm certainly aware of the issue, and I know of your interest, and certainly the Committee's interest, and I'm committed to working on that with you.

Senator LEE. Thank you. In the moments I've got left, I just want to touch briefly on supersonic rulemaking within the FAA. The 2018 FAA bill, as you know, required the FAA to submit two proposed rulemakings on supersonic aircraft, a rule on noise standards and a rule on procedures to obtain special flight authorization. If you are confirmed, will you support reviewing the progress of those rulemakings and work to ensure that FAA meets its supersonic rulemaking obligations under law?

Mr. DICKSON. Yes, sir. Along with all of the other provisions of the 2018 reauthorization, which I know are pretty voluminous, I definitely am committed to looking at that, and not only that, but

exercising the level of international leadership that will need to be put into place to make sure that other parts of the world are coming along with the FAA in this area.

Senator LEE. Thank you, Mr. Dickson, very helpful.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Lee.

Senator Rosen.

**STATEMENT OF HON. JACKY ROSEN,
U.S. SENATOR FROM NEVADA**

Senator ROSEN. Good morning, and thank you, Mr. Dickson, and your beautiful family for being here and for your willingness to serve our country in this very important role.

I want to follow a little bit up on what Senator Lee has been talking about concerning the drone industry. Of course, as you may know, I represent Nevada. Nevada has become an incubator for the burgeoning commercial UAV industry. We are currently one of seven unmanned aerial systems designated test sites in the U.S. and the only state with this designation. So we've attracted lots of innovative startups, we're forming partnerships with precision agriculture, power line monitoring, pipeline monitoring, health care delivery. We are trying to do all kinds—delivering defibrillators, you name it, and particularly in our rural communities, this is very helpful.

So all of these developments are, of course, very exciting, but we also must promote responsible use of the new technology, such as deconflicting our Nation's airspace to maintain the safety of commercial air travel and keep it safe and keep UAVs away from our airports and flight paths.

So following up on Senator Lee's question, I want to talk about cybersecurity and how you are going to work with our stakeholders and partner with our agencies to ensure that the cybersecurity of UAVs, particularly those flying over populated areas, how you plan to work with that and further support cybersecurity standards.

Mr. DICKSON. Well, thank you for the question. I think it's a very important issue, not only as it pertains to UAS, but the entire aviation system. And I know that, as I recall, I believe there's a provision in the reauthorization that will actually support cybersecurity review of all parts of the FAA's processes and systems. And I certainly intend to look into what other things we could be doing as an agency to work with other Federal agencies that are in—that are very concerned about the cybersecurity space.

Senator ROSEN. And will you commit to bringing those plans back to us?

Mr. DICKSON. Of course.

Senator ROSEN. Thank you. I'd also like to go—talk a little bit about oversight. And according to the Inspector General, the FAA has conducted oversight on only 4 percent, 4 percent, of all parts suppliers on jets. And so whether that's adequate or not, we can discuss that at a different time, but some have argued in recent years that the FAA's overall safety philosophy has moved from one of enforcement to one of compliance where we, instead of penalizing for safety violations, the agency has given industry the opportunity

to correct safety violations without penalty in order to give them time to comply with regulations.

So I asked this same question to the Acting FAA Administrator here a few weeks ago, and so I'm going to ask you this: From what you know heading into your role as FAA Director, is this an accurate characterization? And what do you think is the proper way to handle safety oversight? Where do we draw the line between compliance enforcement and a safety violation? How do we enforce this?

Mr. DICKSON. Well, thank you for the question. I think it's a great question and one I'm sure that we will be discussing in the context of the issues around aircraft certification and others as it relates to aviation safety.

As I see it and I think as the FAA is currently designed, and in my experience, safety issues not only within the U.S., but internationally, the—compliance is the goal, enforcement is one of the tools to get to the goal. And so that what we want to do is be proactive. We don't want to wait for a—

Senator ROSEN. Right, because we want to wait before an accident happens.

Mr. DICKSON. We want to—we want to wait—we want to—

Senator ROSEN. Comply.

Mr. DICKSON.—resolve these issues, we want to have visibility into data that the private sector has, so you have to have oversight, but you have to have mechanisms to be able to manage programs and make sure that the private sector is executing in accordance with the processes that the FAA is overseeing.

If—if we get to the point where for whatever reason there are—enforcement action is necessary, I am certainly—if I am confirmed, I'm not hesitant to take that enforcement action. We also—

Senator ROSEN. Do you think we're relying too much on compliance and less on enforcement penalties?

Mr. DICKSON. It's—in my—you know, again, in the flight ops world, I would say no, but it is certainly something that—you know, I've—I've got—I think safety management systems, the way they're structured, are very powerful. I would want to make sure that we have that same process in place in all sectors of aviation if I am confirmed. We also need to remember that part of the Compliance Program is the incorporation of voluntary safety programs, pilots voluntarily reporting safety issues, flight attendants, aircraft maintenance technicians, whoever sees a safety issue in the system is able to report that and not suffer certificate action themselves if they—if they follow the process. And that's been very powerful in terms of giving us many more data points than the FAA would have to be proactive in its safety regulation as it—as it is today, and I think it's part of what has led to the FAA really being the gold standard in the world today. We need to make sure that that's not compromised.

Senator ROSEN. Thank you. I'm out of time.

The CHAIRMAN. Thank you, Senator Rosen.

Senator Scott.

**STATEMENT OF HON. RICK SCOTT,
U.S. SENATOR FROM FLORIDA**

Senator SCOTT. First off, thanks for being here. Thanks for your military service. And you work for a great company, and thanks for that company's investment in Florida.

I just finished eight years as Governor of Florida, and we are very focused on growing tourism, which is the biggest driver of jobs in our state. We had last year 126 million tourists, and 94 million of them came on a plane. So aviation is pretty important to our state.

So in your business experience, had you—have you seen examples, whether it's a manufacturer or an airline put profits over the safety of the people that are flying on the planes?

Mr. DICKSON. Well, thank you, Senator Scott. I'm very familiar with the State of Florida. My parents live there now. They lived in Orlando for 27 years, and we actually currently have a home near Melbourne. So it's very near and dear to my heart, as well as the State of Georgia.

But, you know, I can only speak from my own experience leading flight operations at a major airline. My—the CEO of our company always held me accountable for safety, and when he—when I took the job, I remember these words very well, and they were, "When it comes to safety, you make the call." And that means if we need to cancel a flight, if we need to, you know, make a different decision about how we're running the operation on a daily basis, that's where that—that resides. And so that was a responsibility that I took very seriously.

I always felt—you know, we were just talking about compliance over here. I always felt that compliance was—you know, the culture of safety actually is a higher level than compliance, and so safety culture is really important. That's where pilots and dispatchers, air traffic controllers, caring enough about safety in the system to go above and beyond and report issues are extremely important. And it's also why, you know, when you're sitting at the headquarters or even when you're out flying the line, you realize that you may see things as a leader and you're only seeing part of the story. You've got to work very hard to make sure that you have the whole picture. And the FAA Compliance Program is part of that, but it's not the only thing in the private sector. The—really, it's—it's all of the other data that you have to bring to bear that really I think sets the bar, and that's one reason why the U.S. has been so successful over the years.

Senator SCOTT. You know, one of the things that—one of the reasons why we have so many tourists in our State is people feel safe to fly there. And I'm convinced that you care about safety. Everything you've said today, and when I talked to you before, you care about safety. But another thing that is, Does the public perceive that our system is safe? And so how would you critique Boeing and FAA with this latest issue they're dealing with? How would you critique their ability to communicate how they're dealing with the problem and what the solution is?

Mr. DICKSON. Well, as the nominee, I would be reluctant to—you know, I'd like to get confirmed first I would say. But certainly managing any—whether it's, you know, a major weather disruption or

an IT disruption, a company, it's always very important to be honest and transparent and have leaders out there talking about it. And I certainly see myself, if I am confirmed, playing a very visible leadership role with the public, certainly in coordination with the Secretary, as it's appropriate.

And I think leadership by example is very important. So that's something that I think—you know, there have been case studies on how to—how to manage some of these situations in different industries over the years, and I think there is plenty of evidence out there that we can always—we can always improve, but there's going to be a process here of making sure that the public continues to be confident in our aviation system. And I certainly, again, I would put my family—I would not certify an airplane or put my family on any airplane unless I thought it was safe, and I think that we are indeed the gold, if not the platinum, standard in the world.

Senator SCOTT. Yes. I don't think there is any question. I think you're going to do a great job on safety. My biggest concern right now with the FAA is how transparent are they with—to make either the public, you know, get them—give them the information so they can make informed decisions. And I think everybody can always do a better job at that. But thank you. You'll do a great job.

The CHAIRMAN. Thank you very much, Senator Scott.
Senator Thune.

**STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

Senator THUNE. Thank you, Mr. Chairman.

Mr. Dickson, thank you for your service, for your willingness to serve. You bring some great experience to this position, and we look forward to working with you. I know you've been asked a lot of questions about 737s today, but I have a home State question I want to ask you and then try and get to a couple other ones real quickly.

But this week, Ellsworth Air Force Base in my state of South Dakota, is hosting a Large Force Exercise in the Powder River Training Complex, which overlies portions of South Dakota, North Dakota, Wyoming, and Montana. The PRTC is now the largest training airspace in the continental United States and is poised to play a critical role in training 5th generation aircraft like the F-35 and the future B-21 bomber, which will be based at Ellsworth.

However, in order to optimize these semiannual exercises and accommodate realistic training scenarios for our airmen, the FAA must grant the Air Force waivers to exceed the range's current ceiling of 26,000 feet and fly up to 51,000 feet. Even though there is considerable less—considerably less commercial travel through the PRTC, securing these waivers is a slow-moving process. This is in part because the PRTC is governed by three air route traffic control centers: Salt Lake City Center, Denver Center, and Minneapolis Center. Streamlining the waiver process would afford our military planners additional time to commit assets to these exercises with greater certainty. If confirmed, will you commit to working with me and the Air Force to improve the process for obtaining PRTC alti-

tude waivers to ensure that our warfighters remain the most prepared to counter modern adversaries?

Mr. DICKSON. Well, thank you, Senator Thune, for that question. We talked about this in our visit, and, you know, having quite a bit of experience in large tactical exercises, I understand the importance of having both the vertical and the horizontal dimension of airspace, and I do commit—this is something that I would be happy to look into if I am confirmed.

Senator THUNE. OK. We would very much appreciate your help and look forward to that.

Mr. Dickson, the Notice of Proposed Rulemaking for Remote Identification of Unmanned Aircraft Systems was delayed from May 1 of this year to July 21. This rulemaking will serve as the foundation for future UAS rulemakings, especially the many provisions included in the recent FAA Reauthorization Act to advance the safe integration of UASs into the National Airspace. In response to several disruptive incidents involving UAS incursions into restricted airspace, Senator Markey and I sent a letter to the FAA on April the 29th requesting an updated timeline for the agency to issue this important rulemaking. If confirmed, will you work to ensure the drone identification rulemaking is completed as expeditiously as possible?

Mr. DICKSON. Yes, sir. As I said before, I think that the remote identification rule is a key enabler of really the next step of integrating unmanned systems into—into the airspace. So I look forward to working with you on that.

Senator THUNE. All right. Let's get that done.

As you know, the FAA has been working to implement the Next Generation Air Transportation System, or NextGen, which will modernize the Nation's air traffic control system and improve the safety and efficacy of the Nation's airspace. The agency has faced implementation challenges in the past and has taken steps to address those challenges, including increased stakeholder engagement, such as through the NextGen Advisory Committee. As both a pilot and former member of FAA's NextGen Advisory Committee, could you provide your perspective on the agency's implementation of NextGen so far? And if confirmed, what actions would you take, as Administrator, to ensure that this critical modernization of ATC is fully implemented as soon as possible?

Mr. DICKSON. Well, thank you for that—for that question. As you said, I've got a long history with—with the NextGen Advisory Committee and the Midterm Implementation Task Force.

First of all, programmatically, within the agency, I don't currently have visibility as to where the programs stand with respect to milestones, but that is something that I will—I will be looking into with quite some interest and making sure that we get things on track.

The—operationally, looking at things sort of from the other end of the telescope, stakeholder engagement is absolutely critical because it is what gets communities involved, it's what get airlines, general aviation, all stakeholders involved, airports, to make sure that we are all moving forward together and putting our priorities in a way that makes sense for the agency to execute on and be able to move forward.

So I look forward to continuing to work with the industry. I think it's very important that there be industry and national consensus on how to move forward and where. But stakeholder engagement is going to be absolutely critical, and that's really the only way to move things forward productively.

Senator THUNE. We hope you can work aggressively to help us catch up to where we need to be on that very important topic. Thank you.

Thanks, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Thune.
Senator Duckworth.

**STATEMENT OF HON. TAMMY DUCKWORTH,
U.S. SENATOR FROM ILLINOIS**

Senator DUCKWORTH. Thank you, Mr. Chairman. I'd like to thank you and Ranking Member Cantwell for holding today's hearing.

Mr. Dickson, thank you again for sitting down with me recently. I very much enjoyed our conversation.

Before I get to my questions, I just want to quickly address a topic that others have raised. I want to state that I firmly believe that ATC privatization is reckless, and I do want to reinforce with Chairman Thune's emphasis just now on the importance of rapid fort movement on implementation of NextGen. I think it is critical for our airspace.

I am pleased that Congress rejected ATC privatization in the last FAA reauthorization, and I believe that it is time to focus all our energies on modernization.

With that, I want to move on to my questions. I do want to express my appreciation for your commitment to upholding critical safety regulations. I was reassured to learn in our meeting that you support the 1,500-hour pilot training rule, and I agree with you that the 1,500-hour rule safety benefits are unquestioned. My question to you is simple: If confirmed, will you oppose any effort to weaken or lower the 1,500-hour rule requirements administratively, including through so-called enhanced qualification programs?

Mr. DICKSON. Well, thank you for the question, Senator. I enjoyed our time together as well and look forward to the opportunity to continue to work with you and the Committee on aviation issues, which I'm very passionate about, of course.

The 1,500-hour rule, or, more broadly, the first officer qualification rule, as you state, I think has been a success. The track record of aviation safety within the U.S. over the last decade or so I think has shown that. I think we need to recognize that our safety culture is not static, and we want to keep taking advantage of new technologies, better, more effective, ways of training. I mentioned some of that earlier.

So what I will commit to you and would love to work with you on in the future if I am confirmed is that any changes—you know, the safety bar has been set by the first officer qualification rule, but any changes would clearly make the system safer than it is today and more effective training than it is today.

Senator DUCKWORTH. Thank you. I do agree with you, and I do want to emphasize that any—that new and more effective ways of training should never be lower than the acceptable standards from today.

Another vital safety rule is the flight and duty rule. As you know, this rule replaced a patchwork of outdated requirements with a data-driven process. You were at the table during the development of this rulemaking, and I just want to get it on the record that you both recognize the safety benefits of this rule, and, if confirmed, you will uphold the flight and duty rule as finalized. And can you make a commitment to that?

Mr. DICKSON. I believe you are referring to FAR 117.

Senator DUCKWORTH. Mm-hmm. Yes.

Mr. DICKSON. Yes. I was involved as one of a number of industry stakeholders along with certainly the FAA and Labor. That was a multiyear effort to get that done, and I'm certainly committed to ensuring it continues to be effective and implemented.

Senator DUCKWORTH. Thank you. I would like to talk a little bit about leadership on FAA reform efforts. As you know, we rely on Flight Standardization Board, so the FSB, reports as the basis for improving pilot training, qualifications deemed necessary for the operation of manufactured or modified aircraft. In conducting over-sights of issues related to the 737 MAX crashes, I was very much alarmed to learn that throughout 2017 and 2018, the various revisions of the FSB report examining the differences between the 737 MAX and the 737NG failed to assess or even mention the existence of MCAS. If the FSB had evaluated the MCAS system, the FSB would likely have reported that upon activation MCAS disables the aft column cutout feature. An error of this magnitude indicates that there may be systemic weaknesses in how the FSB itself conducts evaluations. If confirmed, Mr. Dickson, will you commit to working with me to update the 2013 advisory circular on conducting and using FSB evaluations to make sure that the Board is given access to and considers all relevant information?

Mr. DICKSON. Well, thank you for the question. The Flight Standardization Board, as you mentioned, is under the purview of Flight Standards. It's a part—it's a component of the overall certification process, but it's not within the Certification office, and certainly I think it falls—well, you know, if I am confirmed, as I said earlier, I would be looking at every aspect of this process as it was executed and make sure that whether it's—whether it's training or awareness of pilots, if there were gaps there or misses, those need to be addressed. And whatever the most effective way to make those adjustments, you have my commitment to work with you and the Committee on that.

Senator DUCKWORTH. Thank you.

Mr. Chairman, I'm out of time, but I would like to submit a question for record on developing an advisory circular providing guidance for the manufacture, maintenance, and testing of the operational angle of the wind vanes of the aircraft.

The CHAIRMAN. That will certainly be permitted. And thank you very much, Senator Duckworth.

Senator DUCKWORTH. Thank you, Mr. Chairman.

Senator Sullivan.

**STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Mr. Chairman.

And, Mr. Dickson, thanks for our good discussion yesterday. I appreciate you coming by. And I appreciate the family being here and your outstanding decades of service to our country and the military. And as a pilot, I think you are very, very qualified for this position.

I did want to reemphasize Senator Cruz's point that he made earlier. I think it's a really important one, not just for the FAA, but any agency, and that's this whole topic of agency capture where our, you know, Federal agencies that are supposed to be independent become too cozy with the actual entities they're regulating, be it Boeing or major airlines.

So can you just reiterate, if confirmed, that you will make sure that, as you've stated, your number one focus will continue to be on safety and your number one constituency is not those you regulate, it's the American people?

Mr. DICKSON. Absolutely, you have that ironclad commitment.

Senator SULLIVAN. Thank you.

Mr. DICKSON. And I think I would just call attention to my military service. I think I mentioned it's charitable for a Marine to refer to an Air Force guy as military.

Senator SULLIVAN. Well, I do it all the time with the chair.

[Laughter.]

Mr. DICKSON. But—well, that's right, I guess the Chairman as well. So—but, no, I think that my track record of being able to work in a collaborative fashion, but certainly understand that, you know, the decision needs to be made by the agency, and actions need to be taken to make sure that the system—system safety is absolutely the highest priority. And my service is to the American public if I am confirmed.

Senator SULLIVAN. Thank you.

Let me talk about my state. We talked about it a lot in the meeting yesterday. You know, Alaska has very unique aviation needs. As you know, we had a tragic midair collision that took place Monday outside of Ketchikan, and I would like to offer my condolences and prayers for the victims. Six victims so far lost their lives. Two are operators that are families of medical staff in Ketchikan and Seattle, and the emergency responders and search crews are all still working hard.

As we talked about, you know, Alaska has very unique needs, very unique infrastructure needs. In the FAA reauthorization, there are a number of provisions that try to address what we see is kind of lacking and very significant variations in infrastructure at destination airports throughout the state. Visual flight rules, IFR flight rules, we have it all there. So will you—if confirmed, will you commit to work with me on the implementation of those provisions and other infrastructure-related needs?

Mr. DICKSON. Yes, Senator Sullivan. As we discussed, I recognize Alaska as a unique state in terms of not only is it a largely rural state, it really is, in many ways, almost the last frontier.

Senator SULLIVAN. It is the last frontier.

Mr. DICKSON. And, therefore, it really does, to an extent that we don't see in just about any other part of the country, rely—the fabric of the community relies on aviation—

Senator SULLIVAN. Let me just dig a little deeper on that because there is kind of—there is an irony that you're touching on. You know, we have over 200 communities that aren't connected by roads. I mean, so we're not just rural, we're extreme rural. So the need for air travel, safe air travel, is so, so important to my constituents, and yet small-population states have a hard time competing with FAA infrastructure needs the way in which—I won't go into the details, but the formula, as you know, disadvantages actually small-population states, even though our need is so great.

So can I get your commitment, as we talked about yesterday, to work with you on making sure that we're not disadvantaged, particularly as it relates to infrastructure funding when states like mine actually need that infrastructure funding and safety in ways that are critical to so many Alaskans?

Mr. DICKSON. Yes, Senator. I'll be happy to work with you on that. I understand there needs to be a balance. And I used the word “holistically” before, but I think it applies in this particular case. Certainly, if I am confirmed, you know, the responsibility to manage and lead a national system is a very high priority, but it needs to be balanced with unique local considerations, as you highlight.

Senator SULLIVAN. Thank you. And I look forward, I know you are going to put together your schedule, but we did talk about possibly having you attend a meeting of our air carriers and other stakeholders in Anchorage in late August, and look forward to trying to get you up there. But I certainly want to get your commitment to come to Alaska soon in your tenure to see the great state and the last frontier, but our unique needs. Can I get that?

Mr. DICKSON. I've been there many times, and I look forward to a return trip if I am confirmed.

Senator SULLIVAN. Finally, Mr. Chairman, just real quick, Mr. Dickson, you saw whether it's Senator Lee's focus on FAA schools, Senator Duckworth's focus on ATC privatization, I think there's a lot of bipartisanship on this Committee on some of the big issues. So I just want to associate myself with what Senator Lee had mentioned about, you know, making sure the students who actually go to like, for example, University of Alaska in Anchorage, we have a great school that trains FAA, future FAA, flight control and safety officials for the FAA. It would seem to me it makes a lot of sense to make sure that those individuals get a hard look from you as opposed to others. But we want to work with you on those and other issues, but again appreciate your service. I think you are very well qualified for this job.

Mr. DICKSON. Thank you, sir.

The CHAIRMAN. Mr. Dickson, I think you are going to be working with members of this Committee on a lot of these follow up issues.

Thank you, Senator Sullivan.
Senator Baldwin.

**STATEMENT OF HON. TAMMY BALDWIN,
U.S. SENATOR FROM WISCONSIN**

Senator BALDWIN. Thank you, Mr. Chairman.

Mr. Dickson, you undoubtedly recognize that your nomination to lead the FAA comes at a time of renewed concern about safety and opens questions about how the FAA approved the 737 MAX for flight and whether pilots were appropriately trained. There are ongoing investigations at the FAA here in the Congress and with the DOT Inspector General and at the Department of Justice.

So as head of the FAA, what would you require of Boeing before giving the green light to unground the 737 MAX?

Mr. DICKSON. Well, thank you for the question, Senator Baldwin. And I—I will just reiterate that I'm not privy to the criteria by which the airplane was certified nor do I have complete visibility into how it will be made airworthy again and will begin to fly. I do, though, as you mentioned, put a great deal of emphasis on the various reviews, in particular, the FAA's Office of Internal Audit, and also the reviews that are going on under the auspices of the Technical Advisory Board, which is going to take an independent look, and I believe the FAA used the term "inform" its decision as to the certification of the aircraft to fly again. It is—you've got the FAA, the Air Force, Volpe, and NASA, and none of those experts were involved in the certification of the aircraft, so I think that should give the public confidence in the airplane.

The rest of the program writ large, we need to see where—where all the other investigations and reviews come out to see if those processes need to be addressed or whether there were individual failures that need to be addressed.

Senator BALDWIN. Thank you. Last Congress, the Congress passed a 5-year FAA reauthorization, and the bill included a number of reforms from a measure I worked on, the Air Carrier Access Amendments Act, to protect the rights of passengers with disabilities in air transportation. Those reforms included the creation of an advisory committee on the air travel needs of passengers with disabilities as well as the development of an airline passengers with disabilities bill of rights. If confirmed, do I have your commitment that the FAA will work to implement these important reforms without delay?

Mr. DICKSON. Yes, Senator. One of my top priorities is going to be looking at where the agency is on the many items that were contained in the reauthorization in terms of implementation, and this is certainly very high on the list.

Senator BALDWIN. Great. Also passed was my amendment directing the FAA to establish community and technical college centers of excellence to train students for career opportunities related to expanding the use of small unmanned aircraft. The FAA has already missed, unfortunately, a deadline to establish a process to designate schools as centers of excellence. If confirmed, do I have your commitment that the FAA will designate those centers of excellence without delay?

Mr. DICKSON. Senator, if confirmed, this is something that I'll be looking into again along with the other issues that you mentioned to make sure that we implement it as quickly as possible.

Senator BALDWIN. Thank you. Finally, we have a real need to ensure that there are enough qualified airline pilots in the future to continue providing reliable air service to rural airports across the country, and we must do so without shortchanging safety. One piece of that work—as one piece of that focus, I’ve introduced the bipartisan American Aviator Act to increase career opportunities for veterans who are not already military pilots. If confirmed, what more can we count on the FAA doing to break down barriers that may impede our veterans and other individuals from pursuing careers in aviation as pilots and also much-needed maintenance professionals?

Mr. DICKSON. Well, this is a key part of I know the Secretary’s workforce initiative, the Forces to Flyers initiative, that was promulgated some time ago. Also, I think that both the Department and the FAA have a pretty big bully pulpit that both can use to bring stakeholders together, whether it’s universities or technician training programs, community colleges, as you mentioned. There has been a good bit of work done, but it has been fairly fragmented, varies a little bit by sector, and I see—I have seen even as I was approaching retirement at my previous company more of a desire to support young people through STEM programs and create more sure pipelines to be able to get into a pilot or a technician career, and I certainly would look forward to supporting those efforts and taking an industry approach working, again, with all stakeholders if I’m confirmed.

Senator BALDWIN. Thank you.

And thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Baldwin.

Senator Blumenthal asked for an opportunity to have a second round of questioning. So he will be recognized. And then if Senator Gardner completes a scheduled phone call, he may be back in for his first round of questioning.

So, Senator Blumenthal.

Senator BLUMENTHAL. Thanks, Mr. Chairman. And thank you very much for giving me this second round. Thank you for your patience and enduring a second round.

I wanted to ask you first about the issue of diverting planes from major airports in bad weather. As you know, Bradley Airport is in between two major airports or centers of air traffic, Boston and New York, and frequently is the host with very little notice to aircraft that need to land safely somewhere, which is understandable and we welcome those flights. But understanding that the pilots make a final decision on where to divert, can the FAA do more to educate pilots about all of the viable airport options that may exist nearby when one airport is reaching capacity?

Mr. DICKSON. Well, thank you for the question, Senator. And actually I would say, if confirmed, that’s something that I—I would be happy to look into. It’s not only a pilot issue; frankly, it’s an issue with, in the case of a scheduled airline, how the coordination between the airline ops center and the captain works. We need to be very careful. The captain is in command of the aircraft and is always—you know, that authority can’t be infringed upon, but sometimes there may be an equal choice and—between two airports, and if we can, through modern communications, be able to

get that information to the crew in a timely manner, that can help with the process. I'm happy to work on that.

Senator BLUMENTHAL. Thank you. I wanted to follow up on Senator Duckworth's question about the 1,500-hour rule. And as you well know, both Secretary Chao and your predecessor, Acting Administrator Elwell, have committed to leaving the 15-hour rule untouched unless directed differently by an act of Congress. Will you make the same commitment?

Mr. DICKSON. I'm not familiar with—with that particular commitment, but, again, I have—I think that my response to Senator Duckworth was intended to get to the same place, which is I would never do anything to—to water down the current protocol; I think it has been very successful. But I do think that we need to recognize that our safety system is—needs to continue to improve each and every day. We need to be all about continuous improvement. And so if—if there is a better mousetrap out there and we all agree on that, then that is certainly where I think the agency would need to move.

Senator BLUMENTHAL. I think the 15-hour rule is widely accepted to be a good standard. Maybe there's a better mousetrap, but I think the burden of proof is on anybody seeking to change that 15-hour rule.

Mr. DICKSON. And, Senator, just to be clear, I have no intentions of disturbing that.

Senator BLUMENTHAL. I want to finally just ask you about a provision of the FAA Reauthorization Act that related to a commitment on studying the seat pitch, width, and length of seats in airplanes. Included in the legislation, the reauthorization legislation, was a provision that directs the FAA within one year to establish minimums for seat pitch, width, and length in airplanes. We have yet to see the FAA take any action. I would like your commitment that you will indeed meet that deadline for reviewing the minimums for seat pitch, width, and length.

Mr. DICKSON. Well, Senator, I'm aware of the provision. With respect to the deadline, I don't have visibility into how the FAA is executing all of the reauthorization provisions, but it is certainly something that I'm—that I plan—would plan to look into and work with you on.

Senator BLUMENTHAL. Because the seat configuration in airplanes often is a matter not just of convenience and comfort, but also safety. Would you agree?

Mr. DICKSON. I—I understand that that could—that is a—an item of concern, yes.

Senator BLUMENTHAL. And let me just conclude because I see my colleague Senator Gardner has come back. You know, I understand that your demeanor here is extremely measured and deliberate, as you remarked earlier, but I hope that you will bring to this issue of safety the kind of passion and impatience that the flying public feels at the moment. There are a lot of pilots and a lot of potential passengers who simply will not get on a 737 right now, they will not board a 737 MAX. I've talked to many of them. And we're talking here about our families, our friends, our neighbors, who feel this crisis and confidence in a very direct and immediate way. That's the reason that I've urged an independent and robust review

by some kind of outside authority, perhaps designated by the FAA, to win back the confidence that we all feel has to be restored, and it's not only for the 737 MAX, I think it is for the FAA as well.

One of the areas of doubt and even distrust relates to pilot training. The report said there was no pilot training in connection with the potential malfunctions of the sensors or MCAS. It's deeply troubling.

So I would just like to urge you that you, in your action, maybe not your words today, but in the action that you take, bring that kind of passion and impatience to bear because I think in the long run, it's necessary for the credibility of your agency.

Mr. DICKSON. Senator, I appreciate your perspective, and I take it to heart. And again on the issue of training, it's very important that pilots have all the information and training that they need to be able to operate the airplane at the highest levels of safety. That's not in question. What is in question in my mind is exactly what happened in this particular circumstance, and we need to get to the bottom of it, and I certainly would intend to do that.

Senator BLUMENTHAL. It's this particular circumstance, but it's also the systemic failures that led to these circumstances. I think that that broader set of issues has to be confronted.

Mr. DICKSON. I understand that, Senator, and I—that's when I was referring to process versus individual failures, that's what I—that's what I was getting at, is if there are broader issues beyond this particular situation, they certainly need to be addressed.

Senator BLUMENTHAL. Thank you.

Mr. Chairman, I appreciate the opportunity to ask these additional questions. And I'd like to ask that the two articles that have been referenced earlier, the *Wall Street Journal* article of May 14 and the CNN article of today, both be made a part of our record.

The CHAIRMAN. Without objection they will be made a part of the record.

Senator BLUMENTHAL. Thank you.

[The information referred to follows:]

FAA DIDN'T TREAT SUSPECT 737 MAX FLIGHT-CONTROL SYSTEM
AS CRITICAL SAFETY RISK

By Andy Pasztor, Andrew Tangel and Alison Sider—Updated May 14, 2019 7:37 p.m. ET

Conclusion is part of internal agency review of jetliner certification process



The FAA's findings won't be the definitive word on the approval process for Boeing's beleaguered 737 MAX fleet. Shown, a Boeing 737 assembly facility in Renton, Wash., in March. PHOTO: TED S. WARREN/ASSOCIATED PRESS

An internal Federal Aviation Administration review has tentatively determined that senior agency officials didn't participate in or monitor crucial safety assessments of a flight-control system for Boeing Co.'s 737 MAX jet later implicated in two fatal crashes, according to industry and government officials.

The preliminary conclusion, which hasn't been reported before, may be discussed at a House Transportation subcommittee hearing Wednesday. It is part of the first official investigative findings on how the MCAS system, whose misfire led to the pair of accidents costing 346 lives, ended up in the now-grounded MAX fleet despite its potentially hazardous design.

The results, these officials said, also indicate that during the FAA certification process for the 737 MAX, Boeing didn't flag the automated stall-prevention feature as a system whose malfunction or failure could cause a catastrophic event. Such a designation would have led to more intense scrutiny.

FAA engineers and midlevel managers deferred to Boeing's early safety classification, the inquiry determined, allowing company experts to conduct subsequent analyses of potential hazards with limited agency oversight. Boeing employees who served as designated agency representatives signed off on the final design, according to people familiar with the findings.

Over the years, the FAA increasingly has relied on so-called authorized designees to act for the agency, with the goal of freeing up government resources to focus on what are deemed to be the most important and complex safety matters. Last year, Congress endorsed and expanded the FAA's authority to utilize such company resources in approving new aircraft, systems and parts.

The people who described the internal report didn't specify what information and safety data Boeing shared with the FAA during the approval process, a topic that is a major focus of various ongoing investigations. Also at issue is whether agency officials performed any assessment on their own about the system's initial safety classification, according to aviation industry officials, pilot unions and others tracking the investigations.

The FAA's administrative review, launched in March following the second fatal 737 MAX crash, didn't uncover any effort by Boeing to flout certification rules or intentionally provide faulty data to the FAA, according to people familiar with the findings.

But it remains unclear what formal processes the FAA had in place to conduct an assessment independent of the initial determination by the Chicago-based company that MCAS wasn't critical to safety and therefore didn't warrant close FAA scrutiny.

RELATED

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Topics covered by the internal review are likely to come up during testimony by acting FAA chief Daniel Elwell to the House subcommittee.

The hearing is expected, among other things, to delve into FAA decisions to certify the MAX as the latest version of a decades-old design, and the extent to which computer analyses and actual flights were used to test MCAS. In recent weeks, lawmakers also have raised questions about staffing levels inside the agency, the anticipated schedule to return the jetliners to commercial service and Boeing's failure to widely share safety details before and after the dual crashes.

The hearing comes as a Justice Department probe into the aircraft's initial approval, previously reported by *The Wall Street Journal*, has broadened to include subpoenas issued to pilot unions as well as airlines. Some unions have complained about what they call Boeing's lack of transparency as well as its shifting safety explanations of MCAS-related matters.

Boeing designed the flight-control system to rely on a single sensor to verify data about the angle of a plane's nose. Investigators have said that in both accidents, errant data from a single sensor caused the MCAS system to strongly push down the jet's nose, eventually causing a steep and fatal dive.

Boeing and the FAA are now working on a software fix that will feed MCAS with information simultaneously from two sensors, and immediately shut down the system if data streams significantly differ.

In its original analysis of MCAS, Boeing considered the potential for erroneous data from a single sensor, according to a person familiar with the matter. But in the end, company officials have said, Boeing determined that dual sensors weren't required because trained pilots would know to turn off MCAS using established cockpit procedures.

That reasoning is one of the matters investigators are examining, according to people with knowledge of the probes.

SHARE YOUR THOUGHTS

Should the FAA defer to airline manufacturers when it comes to determining which systems are critical to a plane's safety? Join the conversation below.

Boeing's description of MCAS came up in talks with pilot unions after the first MAX crash in October in Indonesia. In contrast to the company's early stance that the system wasn't deemed critical for safety, Boeing executive Mike Sinnett described it as "flight-critical software" in explaining to American Airlines pilots why a software fix shouldn't be rushed, according to the group's president, Capt. Dan Carey, who reviewed a recording he made of the November meeting.

A Boeing spokesman said Mr. Sinnett disagreed with Mr. Carey's characterization.

In describing the approval process, a Boeing spokesman has said, "The FAA considered the final configuration and operating parameters of MCAS during MAX certification and concluded that it met all certification and regulatory requirements."

At the November meeting with Mr. Sinnett and other company officials, the pilots union's safety chairman asked Boeing to push the FAA to order software fixes for 737 MAX planes. "It would have set them down," Capt. Mike Michaelis said Tuesday of the emergency action he urged at the meeting at union headquarters in Fort Worth, Texas. His request was earlier reported by the *New York Times*.

Boeing said it is committed to learning from both MAX accidents and "ensuring that similar accidents never happen again."

Previously, an FAA spokesman said the agency is determined to unravel the precise actions and sequence of events that resulted in the troubled plane's approval in 2017. "There are several independent reviews of both Boeing and FAA processes

regarding the certification of MAX and, specifically, the aircraft's automated flight system," the spokesman said.

In testimony to the Senate Commerce, Science and Transportation Committee two months ago, Mr. Elwell said detailed safety assessment and approval of the suspect system was "delegated," or handed over, to Boeing relatively early in the approval process under standard procedures. But he didn't tell senators how that initial decision was reached or exactly what role FAA officials played in subsequent safety assessments.

Readers Weigh In

How should the FAA and manufactures work together to ensure passenger safety?

"I do not believe the FAA should defer to manufacturers. There is simply too much at risk!"—Susan M Koehne

The FAA's findings won't be the definitive word on the approval process for the beleaguered MAX fleet. The U.S. Department of Transportation, Federal prosecutors and the staff of the full House Transportation and Infrastructure Committee are all looking into details of the certification, including whether Boeing misled or provided incomplete information to the FAA.

Several outside advisory groups, including one composed of eight foreign regulators, also are examining related issues surrounding certification of the 737 MAX. None of those other inquiries has yet to yield preliminary findings.

In recent days, pilot unions for the three U.S. operators of the 737 MAX—Southwest Airlines Co., American Airlines Group Inc., and United Continental Holdings Inc.—said they received subpoenas. Former Boeing employees, including some who worked on the MAX, have also received broad subpoenas for documents related to the aircraft.

Southwest and American have also received subpoenas, representatives for the airlines said. A spokesman for United declined to comment.

BOEING FACES \$1 BILLION FINANCIAL HIT FROM 737 MAX GROUNDING

Pilot unions at American and Southwest have criticized Boeing for not including details about MCAS or its potential hazards in pilot manuals or training. Southwest has said the carrier learned only after the Oct. 29 crash of a Lion Air 737 MAX that cockpit warnings related to sensors that trigger MCAS were installed on the aircraft but not working. United has said it learned after the March 10 crash of an Ethiopian Airlines jet.

For FAA critics such as Rep. Peter DeFazio, the Oregon Democrat who chairs the full Transportation and Infrastructure Committee, the agency's internal review is likely to provide fresh ammunition for complaints that the agency generally has delegated too much authority to industry—including aircraft certification functions—often without proper safeguards. Immediately after the U.S. MAX fleet was grounded in March, Mr. Fazio questioned why MCAS was approved without informing pilots or mandating additional training. "When you create a new system that is very different and complicated in that [pilots] have to override it," he said in an interview with the *Journal*, "I think there should have been specific notification and required retraining."

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FAA OFFICIALS IN HOT SEAT AS WORLD AWAITS BOEING 737 MAX FIX

By Gregory Wallace, CNN—Updated 6:50 PM ET, Wed May 15, 2019



VICTORVILLE, CA—MARCH 27: A number of Southwest Airlines Boeing 737 MAX aircraft are parked at Southern California Logistics Airport on March 27, 2019 in Victorville, California. Southwest Airlines is waiting out a global grounding of MAX 8 and MAX 9 aircraft at the airport. (Photo by Mario Tama/Getty Images)

(CNN)—The acting head of the Federal Aviation Administration raised concerns Wednesday both with the actions of pilots whose 737 Max jets crashed, and the decisions of his agency and planemaker Boeing.

Acting administrator Daniel Elwell delivered his most pointed assessment to date in comments before Congress of the Lion Air pilots whose plane crashed last October. They did not identify and use an emergency checklist that could have disabled the automated system—the Maneuvering Characteristics Augmentation System, or MCAS—that pushed the airplane downward, he said.

But, he acknowledged, Boeing should have included more information about that faulty stabilization system—new for the 737 Max—in its pilots manual. The existence of the system was not revealed in the manual prior to that crash, leaving pilots in the dark.

“As a pilot, when I first heard about this, I thought there should have been more text in the manual about MCAS,” Elwell, a former military and commercial pilot, said.

Elwell took questions from House lawmakers about the certification of the 737 Max, its process for allowing planemakers to sign off on certification decisions, why MCAS was not subject to a more rigorous review, and how FAA will go about evaluating the airplane’s safety and returning it to the skies.

The 737 Max 8 and 9 were grounded worldwide after a second crash in Ethiopia two months ago that investigators have described as appearing similar to the Lion Air flight, which ended with a plunge into the Java Sea. Between the two crashes, 346 people died.

Elwell said FAA expects to receive a Boeing software update and pilot training plan to fix the problem “in the next week or so.” The FAA has scheduled a May 23 meeting with its worldwide counterparts.

He also promised to learn lessons from multiple ongoing reviews. There’s an ongoing criminal probe, an advisory panel set up to help review Boeing’s proposed fixes, a blue ribbon commission to review FAA’s certification practices, and an international collaborative review into the Max.

The Trump administration’s nominee to lead the FAA, Stephen Dickson, testified simultaneously at a separate hearing on the Senate side of the Capitol. In his first public comments on the Max, Dickson pledged to “be the captain of the ship” and oversee improvements to FAA practices.

Since Elwell's last testimony before Congress, news reports have revealed how the FAA certification process allowed Boeing officials with authority delegated from the FAA to certify their company's own work.

Elwell identified shortcomings of his own agency, including the assignment of less stringent review standards for the MCAS system than for items deemed critical to the aircraft's safety.

"I didn't make that designation, but it seems to me yes, it is" critical, he said.

He also expressed "concern" that Boeing did not notify regulators or customers for about a year after identifying a cockpit alert light that should have illuminated when the angle of attack sensors drew divergent readings. The alert, which could have given the pilots additional information, was supposed to be standard on all Max planes but was only operational on those airlines that had paid for an optional upgrade. Preliminary crash reports revealed bad data flowing into the MCAS system, triggering the automatic lowering of the aircrafts' noses, and ultimately the fatal dives.

But he also drew from investigators' public preliminary reports to find fault with how the pilots handled the malfunctions.

The Ethiopian pilots, he said, "didn't adhere to the emergency (Airworthiness Directive) that we put out" after the Lion Air crash.

Although the pilots did cut power to the MCAS system, "they never controlled their airspeed," and finding the manual process outlined in the checklist difficult, ultimately turned the automated system back on.

It is not clear that the pilots would have had enough altitude to correct the issue, aviation experts, including pilot union officials, have told CNN.

The emergency flight procedure specified in that directive has not been substantially updated since the 1960s and is now under FAA review, CNN recently reported.

Ahead of Elwell's testimony, the Allied Pilots Association, a major union, released audio of a conversation its leadership had with Boeing officials last November, after the Lion Air crash.

"We're the last line of defense to being in that smoking hole and we need the knowledge," one unidentified pilot is heard saying on the tape, which was first reported by *The New York Times*.

Captain Daniel F. Carey, a union official, said in a statement the audio shows "Boeing did not treat the 737 Max 8 situation like the emergency it was."

Boeing responded in a statement on Wednesday saying it is "focused on working with pilots, airlines and global regulators to certify the updates on the Max and provide additional training and education to safely return the planes to flight."

This post has been updated with additional developments Wednesday.

The CHAIRMAN. And, Senator Blumenthal, let me just observe that you, too, are very measured in your demeanor, but no one doubts the passion that you bring to this issue.

Senator BLUMENTHAL. Thank you.

The CHAIRMAN. And I have every confidence that Mr. Dickson's deliberate approach to all of these issues will serve us well.

So thank you very much.

And Senator Gardner is now recognized.

**STATEMENT OF HON. CORY GARDNER,
U.S. SENATOR FROM COLORADO**

Senator GARDNER. Thank you, Mr. Chairman.

Thank you, Mr. Dickson and your family, for very patiently and with great diligence going through this hearing today. Thank you very much.

Obviously, aviation is a huge issue for Colorado, a huge job creator, a huge industry driver. If you look at Denver International Airport, if you look at the work we've done around the State in aerospace as well, an announcement yesterday by the Department of Defense that four of the six cities in the running for U.S. Space Command are located—four of the six facilities located in Colorado,

just highlighting again I think the importance of aviation space, aerospace, and the work that we're doing there.

One big concern, though, is something that has been happening over the past year now, and we discussed this in our office, was this issue of the Denver Metroplex process, part of the NextGen initiative. I think I shared with you at the time concerns that I continue to hear from my constituents in a number of communities across the Front Range, significant concerns about changes in flight paths and their potential airplane noise and what it would mean to the Denver area. It's important the FAA conduct a process that's both transparent and thorough, avoiding some of the problems that we've seen around the country.

Could you share perhaps an update of where the FAA is in its Denver Metroplex process?

Mr. DICKSON. Well, Senator, I agree that the—and this is one of my—again one of my primary priorities is stakeholder engagement, and this is where it's writ large. It is engaging communities and airports, frankly, fully as the new, more modern flight procedures are put in place.

So with respect to the Denver Metroplex, I know that there were several local town hall sessions that were put in—that were conducted over about a 6-week period, and my understanding is the FAA has taken all of that into the process and will incorporate that—that public comment into future flight procedures.

So I think it's very important going forward, and it's certainly something that I'll look into if I am confirmed.

Senator GARDNER. Thank you.

Mr. DICKSON. Beyond that, I don't have specific visibility on where they are with the flight procedures for Denver, but I do think that it illustrates the point that we need to have the communities and the airports involved in these designs up front. It's much more difficult to alter them after the fact.

Senator GARDNER. But you will commit to addressing local concerns?

Mr. DICKSON. Yes, sir.

Senator GARDNER. And to being open dialogue, open to dialogue with residents, stakeholders, who are part of the Metroplex process if confirmed?

Mr. DICKSON. Absolutely. And as with any of these issues, they are important economic issues, important, you know, local community issues, as well as noise and other concerns that the community would have, and that's—that's best handled in as open and as transparent of an environment as we possibly can have.

Senator GARDNER. Thank you, Mr. Dickson. Thank you for your willingness to serve.

Thank you.

The CHAIRMAN. Thank you.

Mr. Dickson, we had 20 members of this Committee attend this hearing today, and 16 got to ask questions. I think you acquitted yourself very capably, and I'm very impressed. So thank you.

At this point, let me announce that the record will remain open for one week. During this time, Senators are asked to submit any questions for the record with the final submission deadline being close of business on Wednesday, May 22, 2019. Mr. Dickson, the

Committee asks that upon your receipt of any questions for the record, you submit your written answers to the Committee as soon as possible, but no later than close of business on Wednesday, May 29, 2019.

Thank you very much, sir.

We conclude the hearing. And the Committee expresses its appreciation.

Mr. DICKSON. Thank you, Chairman.

The CHAIRMAN. This hearing is closed.

[Whereupon, at 12:09 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO
STEPHEN M. DICKSON

Question 1. Mr. Dickson, as a result of the 737 MAX crashes in Indonesia and Ethiopia, several reports have raised questions about the aircraft certification process, specifically when it comes to automated flight control systems. In response, the Federal Aviation Administration (FAA) established a Joint Authorities Technical Review Board—which includes experts from 9 civil aviation authorities worldwide as well as the National Aeronautics and Space Administration (NASA) and the FAA—to review the certification of the 737 MAX's automated flight control system.

Additionally, the FAA established a Technical Advisory Board, which includes representatives from FAA, NASA, and the United States Air Force, to review Boeing's update to the Maneuvering Characteristics Augmentation, or MCAS, software.

Depending on the findings of these two Boards, it is likely that the decision to return the 737 MAX to service would be among the first major actions you take if confirmed as Administrator. Can you speak to how you would proceed in making this important decision?

Answer. If confirmed prior to the ungrounding of the Boeing 737 MAX, my priority will be to gather all the facts before making any decisions. Additionally, I would plan to solicit the advice and review recommendations of the Technical Advisory Board (TAB) and further engage with foreign civil aviation authorities about FAA's findings and path forward. Finally, I will remain engaged with the appropriate Congressional committees of jurisdiction throughout the process so that Congress is continually apprised of status and next steps as we continue to work through this situation.

Question 2. Mr. Dickson, the FAA Reauthorization Act of 2018 (P.L. 115–254) required the FAA to establish an Organization Designation Authorization (ODA) Office within the Office of Aviation Safety, improving the operational safety of the existing ODA program by strengthening oversight of ODA holders delegated to perform certain functions on behalf of the FAA. The FAA established the ODA office on March 5, 2019.

A. As a former employee of an ODA holder, could you speak to your experience with the program?

Answer. My experience is in Flight Operations, which does not use ODA. Delta's ODA resides in Technical Operations, and as I understand it, only pertains to aircraft interiors, not airframes and power plants. However, I do have considerable experience with FAA designees in the form of line check pilots (LCPs) and aircrew program designees (APDs). These designees perform certain certification activities pertaining to pilot qualification on new aircraft, under the supervision of fleet leadership and the FAA operations inspector for that fleet. The LCP and APD programs resulted in much more effective and realistic pilot training and qualification programs, and also more effective oversight by the FAA Certificate Management Office. The sharing of safety, operational and training data with the agency is very powerful and facilitated the FAA being much more proactive and engaged in value-added safety activity in collaboration with the carrier, and also much more effective in terms of compliance oversight. Instead of waiting for a violation to take action, in many cases the FAA team was able to help identify issues before they became a compliance or safety concern.

B. The FAA Reauthorization Act of 2018 bill also established an expert review panel to survey ODA holders and evaluate the effectiveness of the ODA process generally. If confirmed, will you commit to using the panel's recommendations to improve the ODA program?

Answer. If confirmed, I will commit to reviewing and implementing, as appropriate, the panel's recommendations to improve the ODA program.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. JERRY MORAN TO
STEPHEN M. DICKSON

Question. Mr. Dickson, the ability to fly drones beyond visual line of sight is the key to advanced drone operations being explored by the Kansas Department of Transportation in the UAS Integration Pilot Program. Beyond visual line of sight operations will unlock precision agriculture and long-line infrastructure operations that are key to the Kansas economy. Current waivers in the UAS Integration Pilot Program enabling beyond visual line of sight activity rely heavily on ground-based radars. However, the idea that ground-based radars every 3 miles across the country as the only means of supporting beyond visual line of sight drone flights is simply not scalable.

If confirmed, how will you lead the FAA to ensure we can safely integrate beyond visual line of sight drone operations into the national airspace harnessing safety solutions such as unmanned traffic management?

Answer. Safely integrating drones into the airspace will be one of my top priorities if I am confirmed. Allowing for broad application of beyond line of sight operation of UAS is a key aspect of unlocking the innovation opportunities for drone operations. I appreciate the work and leadership that Kansas is demonstrating in this effort.

In order to allow for the safe management of low altitude drone operations, I will work to finalize several of the rulemakings associated with UAS which are currently working their way through the regulatory process.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. DAN SULLIVAN TO
STEPHEN M. DICKSON

Question. As an Assistant Secretary of State in the George W. Bush Administration, I worked closely on U.S. Open Skies policy and oversaw the negotiation of a number of significant agreements, including with the EU and Japan.

(DOT's Office of the Assistant Secretary for Aviation and International Affairs, with assistance from the State Department, is responsible for negotiating bilateral agreements and awarding U.S. airlines the right to offer services provided for in those agreements.)

Since 1992, the United States has reached 120 open skies agreements governing international air passenger and air freight services. The U.S. Open Skies policy is one of the most successful economic and diplomatic initiatives in American history, expanding air service access to U.S. communities, stimulating economic growth, and creating jobs for American workers at home and abroad.

As a member of the Senate Armed Services Committee, I see our more than 120 Open Skies agreements in the broader context of international agreements, often with important geopolitical allies, that must be fully and consistently honored, and never cavalierly breached.

Open Skies allows U.S. airlines to maintain global delivery networks to transport troops and vital supplies for the military. The policy is critical to maintaining military readiness. Our cargo airlines rely on the fifth-freedom traffic rights found in each and every one of our Open Skies agreements to operate its global network. If Open Skies agreements were restricted and invoked retaliation from our international partners, it could impede military readiness by causing significant delays in the transportation of vital supplies needed to ensure military readiness.

Such a change in policy could also do enormous damage to America's world-leading all-cargo airlines, which are hugely important to Alaska and an engine of economic growth. We have one of the world's best cargo hubs (Ted Stevens Anchorage International Airport is number two in U.S. for landed cargo weight, and number six in the world for cargo throughput). The most current economic data representing the Alaskan aviation industry estimates there is about \$3.5B worth of economic activity, generated through 47,000 jobs and comprising 8 percent of Alaska's gross state product.

I noticed in the Potential Conflicts of Interest section of the Nominee Questionnaire, you disclosed that you did work advocating on behalf of the position taken by some of the U.S. network airlines in opposition to the expansion of the Persian Gulf carriers.

I recognize the Secretary of Transportation, and the DOT's Office of the Assistant Secretary for Aviation and International Affairs, would take the lead in any conversations regarding Open Skies or any disputes with our carriers. However, I imagine you may find yourself in a situation to share your opinion.

Given that you have history advocating on one side of this controversial issue, will you commit to being objective in any discussions on Open Skies that could lead to potential retribution from other nations?

Answer. Open Skies has long been a central element of U.S. international aviation policy. It is my understanding that the Administration continues to recognize its great importance to the Department's diverse aviation stakeholders, and if confirmed I will support the Administration's views on the Open Skies policy. I also understand that the Administration attaches great importance to a level playing field for U.S. companies, and has demonstrated a willingness to reexamine existing agreements and to take measures necessary to ensure those agreements are working for the United States.

I share Senator Sullivan's understanding that the controversy surrounding the Gulf carriers—which affects U.S. airlines, labor, communities and the traveling and shipping public directly—is handled by the Office of the Secretary (OST), in coordination with other government agencies. Recognizing that the issue is fundamentally a commercial concern, rather than a safety oversight matter, I would not anticipate having direct involvement in its resolution if I am confirmed as FAA Administrator. I can assure Senator Sullivan, however, that if OST were to seek my insight or advice and I am not recused from the specific matter, I would respond in an objective and fact-based manner. I can also express my commitment to work with the Senator and his staff were any issues to arise related to the Gulf carrier controversy or Open Skies policy discussions that could lead to retribution by other nations to arise within the FAA context.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. SHELLY MOORE CAPITO TO
STEPHEN M. DICKSON

Question 1. After the crash of Colgan Air Flight 3407 in 2009, Congress raised the minimum experience of airline pilots from 250 to 1,500 hours. Since then the U.S. aviation system has experienced a record level of safety.

Beyond pilot hours, how does the pilot training in the United States differ from the requirements of foreign nations?

Answer. Each country has the authority to set training standards for pilots that fly for their air carriers. In the United States, we have extensive requirements for training commercial pilots, and our training and experience requirements exceed the minimum standards of the International Civil Aviation Organization (ICAO). The FAA leads in the development of international standards promulgated by ICAO, and also actively supports and promotes implementation of these standards within individual countries. Here in the U.S. we also have an important mechanism called the International Aviation Safety Assessment (IASA) program. This program ensures that the civil aviation authorities of foreign countries are meeting those minimum ICAO standards and are appropriately certifying their operators that have direct service to the U.S. or a carrier that codeshares with U.S. carriers.

Question 2. My understanding is that Boeing has already developed a Maneuvering Characteristics Augmentation System (MCAS) software update in order to provide additional layers of protection when angle of attack (AOA) sensors provide erroneous data. Final approval of the fix by the FAA will take a significant amount of time as they conduct their own evaluations and receive foreign regulatory feedback.

If confirmed as FAA Administrator, how can the FAA renew confidence in the public about flying domestically and internationally?

Answer. It is my experience that the FAA is always looking to further improve its processes. Additionally, in my testimony before the Committee I emphasized that the FAA should be the global leader in safety, with a culture of continuous improvement. Safety is very much a journey, not a destination, and we always need to find ways to continue to improve. It is my understanding that that is why Secretary Chao called for an independent review of the aircraft certification process; the FAA formed a Joint Authorities Technical Review with international partners to review the certification of the 737 MAX automated flight control system; and the FAA established a Technical Advisory Board to review Boeing's MCAS software update and system safety assessment. I look forward to reviewing the recommendations of these independent panels of experts, and if confirmed by the Senate, leading the FAA in taking any actions that are necessary to further improve the safety of our system.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
STEPHEN M. DICKSON

Impact of obstructions on One Engine Inoperative procedures. Mr. Dickson, in 2014, FAA issued a Proposal to consider the impact of One Engine Inoperative (OEI) procedures in the aeronautical study process that is conducted under 14 C.F.R. part 77. This is the process by which FAA determines whether construction or alteration of a structure will be an obstruction in the navigable airspace. If so, the agency then conducts aeronautical studies to evaluate adverse impacts on the safe and efficient use of the airspace.

The purpose of the underlying statutory framework is to avoid construction of any structures that would conflict with the safe and efficient use of the national airspace. In making “hazard” determinations under Part 77, FAA currently only considers aircraft operating under standard conditions, not “emergency” situations like One Engine Inoperative procedures where an engine fails on departure.

However, an engine failure prevents aircraft from climbing at the standard rate. Therefore, structures near airports can create safety risks to emergency operations even if they would not harm standard departure procedures. Airports across the country are facing increasing encroachment from development, and if FAA continues to avoid analysis of impacts to emergency OEI procedures, decreased safety could result.

Question 1. Can I have your commitment to prioritize this issue and swiftly finalize FAA’s proposal to consider OEI procedures in the Part 77 process?

Answer. It is imperative that the airspace is safely and efficiently managed, particularly during takeoff and landing. If confirmed, I look forward to learning more about this issue and its current status at the FAA. I commit to working with you to address your concerns.

Temporary flight restrictions over large gatherings. It has been brought to my attention that FAA is unable to grant temporary flight restrictions (TFRs) for major events such as concerts, even when they are held in venues where TFRs are regularly granted for sporting events. These concerts often draw a similar and sometimes larger crowd than the sporting events that take place in these venues. While the organizers for the sporting events are able to use the TFR as a tool in their efforts to maintain safety of attendees, the organizers for these concerts are not able to use this as another tool in their massive undertaking to keep their patrons safe during an event. I see no reason to draw a distinction between protecting large gatherings in the same venue based on the type of event they are gathered for. While I understand a TFR will not stop a bad actor who intends to ignore the rules, a TFR does help ensure that the airspace is clear of legitimate aircraft, and makes identifying the bad actors easier.

Question 2. Are you willing to work with me to find a method for other events, like major concerts, to request and obtain a TFR, if they are held in the same venue and have the same crowd size as a sporting event where TFRs are regularly granted?

Answer. Safety of the national airspace will be my top priority if confirmed as Administrator. It’s my understanding that the FAA will issue a Temporary Flight Restriction (TFR) for large events like music festivals if a Federal law enforcement partner identifies a security threat. For sporting events, Congress has explicitly required the FAA to issue a TFR. If confirmed, I look forward to working with you on this issue.

Failure to disclose. Approximately two weeks after your June 5, 2019 confirmation hearing, the Committee was made aware of a whistleblower claim brought against Delta Air Lines by a company pilot. In her claim, which is currently pending before an Administrative Law Judge at the U.S. Department of Labor, the pilot alleges she was subjected to significant retaliation after communicating safety-related concerns to Delta’s Department of Flight Operations during your tenure as Senior Vice President of Flight Operations. On October 31, 2018, you were deposed in the course of the discovery process related to the claim. The 270-page written transcript of your deposition was provided to Committee staff at the time the whistleblower claim was first brought to our attention.

Your failure to disclose this matter to the Committee is of major concern. Further, the facts related to the whistleblower claim are troublesome and suggest at least the possibility that the claim of retaliation has merit.

In light of this development, please respond to the following questions:

Question 3. Please explain why the whistleblower claim referenced above was not disclosed to the Committee.

Answer. Thank you for the opportunity to explain. I interpreted the Committee questionnaire, as well as the pre-hearing interview with staff, to pertain to my personal conduct, my behavior both in general and as an officer of a large public company, or any instance in which I was a named party to a proceeding. There were four specific reasons I took this approach:

1. In preparing my questionnaire submission and for the confirmation hearing, I consulted extensively with experienced professional DOT and White House staff. In these consultations, we discussed how to handle legal disclosures, given the broad scope of responsibilities and length of my tenure in my previous role at a large public company. Everyone involved knew of the broad scope of my previous responsibilities and the fact that over a period of my 12-year tenure there would have been numerous legal and administrative proceedings of one form or another that the company would be involved in. During my tenure, individual pilot matters were handled by an experienced cross-divisional team and I had little to no direct involvement in the process. In addition, since I had retired I no longer had access to detailed information. That is why I responded “yes” and noted that my employer was in fact involved in legal proceedings, but that I had never been named as a party in any of them.
2. For additional guidance, I reviewed the individual submissions of all nominees on the Commerce Committee website. In every case I could find, similarly-situated nominees (partners at large law firms, directors of corporations, officers at large companies) indicated that their companies or organizations had been involved in various legal proceedings, but did not list the proceedings individually unless they had been a named party, or acted as the decision-maker in the matter at hand.
3. Unlike the other sections of the questionnaire, Section C does not ask for a list of proceedings. Additionally, since I had been retired from my previous employer for several months by the time I completed the questionnaire, I did not have access to the details to enumerate each individual proceeding the company was involved in.
4. With respect to this claim in particular, my involvement was limited to one meeting with the pilot, and providing direction to my leadership team to ensure that the appropriate follow-up actions were completed and that the contractual processes were followed so that the pilot was treated fairly in the review process. Over the course of my tenure, matters pertaining to individual pilots were handled by an experienced cross-departmental team. In contrast, I was much more involved in other proceedings where I was the decision-maker on matters more strategic to the corporation—for example, flight deck and crew rest provisioning, fleet decisions and matters pertaining to the implementation of the Pilot Working Agreement.

Finally, I want to make clear that I understand your concerns regarding this matter. My goal has been to be as transparent as possible throughout this entire process. To that end, I have also met with members of your Committee staff on multiple occasions before and since my hearing and have offered to come in again if it is helpful.

Question 4. Do you still believe, as you stated during your deposition, that the decision to refer the pilot who communicated the safety concerns for a psychiatric evaluation that could result in the revocation of her pilot’s license was “a sound course of action?”

Answer. Yes. Based on the information available at the time, the company had to act in the best interest of safety. The referral was made based on a credible report about statements the pilot made to company officials and behavior she exhibited, which raised legitimate questions about her fitness to fly. Out of an abundance of caution, the company followed the process contained in the negotiated collective bargaining agreement to ensure the pilot was safe to fly. The current review process has been in place since 2000 and some form of medical review has been in place at Delta since the 1940s. The process is, by design, non-punitive and non-disciplinary and is intended to be fair to the pilot by providing full pay and benefits during the review. It is focused on having protocols in place to ensure crewmember fitness so that the safety of the company’s customers and employees is not compromised. In fact, the 2015 Germanwings accident reminds us that the traveling public demands that air carriers have programs and protocols to assess the health of their crewmembers.

Question 5. Are there other administrative agency proceedings, criminal proceedings, or civil litigation involving you or Delta Air Lines which you have failed to disclose to the Committee? If so, please explain.

Answer. As noted above, I have never been personally named as a party to any judicial, administrative or regulatory proceeding. As a large airline, Delta has been involved in various judicial, administrative and regulatory proceedings relating to its business. During my tenure, individual pilot matters were handled by an experienced cross-divisional team and I had very little involvement in individual cases. Such cases were routinely handled by representatives in Delta's Labor Relations and Legal Departments. Since I am retired from the company, I no longer have access to detailed information. However, I understand that Delta has provided some data directly with the Committee for perspective. In addition to this data, in more recent consultations with the company, I have become aware of a total of at least 24 System Board of Adjustment cases (2–3 per year on average) and approximately 200 disciplinary proceedings (16–20 per year or about .15 percent of the pilot population, ranging from terminations to disciplinary letters) involving pilots during my tenure.

Question 6. Please advise if there is any additional information, favorable or unfavorable, which you feel should be disclosed to the Committee in connection with your nomination.

Answer. For additional perspective on the claim referenced above, you may wish to consult with industry stakeholders that I have worked with over my almost 40 years in aviation. I have led industry efforts to advocate for aviation safety and innovation around the world. In doing so, I have developed strong relationships with aviation industry stakeholders in the U.S. and internationally, including manufacturers, safety organizations, labor, RTCA, IATA and ICAO.

I believe I have the experience and personal qualities to lead the FAA through an exciting time of tremendous change and opportunity. In doing so we would collaborate with industry stakeholders to serve the best interests of our country, the traveling public and all stakeholders. System safety is the single most important part of the FAA's mission across all lines of business, whether it is daily air traffic operations, aircraft certification, regulatory oversight or the integration of new entrants.

Long-Term Incentive Plan. In your April 12, 2019, ethics agreement letter filed with the Office of Government Ethics, you reference a March 7, 2019, agreement with Delta Air Lines, Inc. that cancels certain "adjusted cash performance awards and stock to be paid out between 2020 and 2021," and instead allows these awards to be paid out in a lump sum prior to assuming "the duties of the position of Administrator."

Question 7. Please explain the genesis of this agreement to cancel your pending Long-Term Incentive Plan (LTIP) awards and instead award them as a lump sum. Did you request it, or was it offered by the company?

Answer. Neither. In connection with the nomination process, I consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. As a result of my service as an officer at Delta and my retirement, I have earned and would be entitled to receive certain long-term incentive awards over the next two years. In the discussions with the government ethics officials, I was informed that I would not be able to accept compensation from Delta after assuming duties as FAA Administrator because a continuing financial interest in the company would require my disqualifications from matters so central to the performance of the Administrator's duties that my ability to perform those duties would be materially impaired. Therefore, to comply with Federal conflict of interest requirements, the ethics officials told me I would need to work with Delta to accelerate the timing of those awards to eliminate a continuing financial interest in the company, and that I needed to develop and execute a written agreement with the company to reflect this. This is the genesis of the agreement.

Question 8. Does this agreement modify any other standards terms of Delta Air Lines, Inc's LTIP program, including confidentiality or non-compete provisions?

Answer. No.

Question 9. Does the March 7, 2019, agreement with Delta Air Lines, Inc. contain a provision requiring you to pay back any or all of the lump sum payment if you are not confirmed by the Senate as, or do not assume of the position of, Administrator of the Federal Aviation Administration?

Answer. The agreement is specifically designed to avoid the possibility of repayment. The accelerated timing of the long-term incentive awards does not take effect until after confirmation by the Senate, but before Presidential appointment. This way the conflict is resolved before I assume the position of FAA Administrator. In the unlikely event I am confirmed by the Senate and the accelerated payment has been made, but for some reason I am not appointed or never assume the position

of FAA Administrator, I would then return the accelerated payment and revert to receiving the awards consistent with the scheduled terms of the original compensation plan. This is an extremely remote possibility, but one that all parties felt needed to be accounted for. Reverting back to the status quo in this instance would put me back on the same footing with the same schedule as similarly-situated retired officers.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO
STEPHEN M. DICKSON

According to reports following the two fatal crashes of the Boeing 737 Max 8 aircraft in Ethiopia and Indonesia, senior FAA officials did not review critical safety assessments of the aircraft's automated flight-control system, which was implicated in both crashes—and was not subjected to certain safety inspections by Federal government officials in light of the fact that the FAA delegated certification authority to Boeing.

Question 1. How will you ensure that the FAA exercises more oversight over the authority delegated to private entities during the certification process to ensure the safety of aircraft and aviation systems?

Answer. Multiple reviews, audits, and investigations have been initiated by the DOT and the FAA regarding the certification of the Boeing 737 MAX, as well as the certification process in general. If I am confirmed, I look forward to reviewing the recommendations of the investigations, reviews and audits and am committed to making any necessary changes to improve the rigor of the certification process to ensure the continued safety of aircraft and aviation system, and above all else, the travelling public.

Air traffic control (ATC) services are important to rural communities and businesses, which rely on our country's ATC system to help with transportation needs, health and medical emergencies, and first responder functions. In 2016, you wrote in an op-ed in which you stated that you oppose privatizing the ATC system—a proposal for which the President has expressed support.

Question 2. Do you still oppose privatizing our Nation's ATC system?

Answer. Any proposal to spin off the Air traffic control (ATC) system would require the support of Congress and the Administration and should be the result of national debate and consensus among all stakeholders. ATC reform was proposed and considered during the 115th Congress, but the necessary consensus did not develop. If ATC reform is considered in the future and if I am confirmed, I look forward to reviewing any such proposal and working with Congress on its merits.

- Will you ensure that any changes to our ATC system consider the needs of rural communities?

Answer. Rural access to aviation is critically important and, if confirmed, I am committed to ensuring that our rural communities are considered in any aviation reform proposal.

Aviation safety is a top priority for me. I have introduced legislation with Senators Cantwell, Blumenthal, Markey, and Duckworth—the Safe Skies Act—which would ensure that America's cargo plane pilots have the same rest requirements as passenger pilots.

Question 3. Do you believe that the Department of Transportation should require cargo pilots to operate under the same fatigue rules as commercial airline pilots?

Answer. Currently, all part 121 air carriers, including cargo carriers, must implement fatigue risk management plans to manage pilot fatigue. These plans are performance-based and take into account variations in the operating and business models of various carriers, with the goal being one level of safety for every operator in the system. Cargo carriers also do have flight time limitations and rest requirements. They may choose to fly under the flight time limitations of part 121 or may voluntarily choose to apply the limits of part 117.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO
STEPHEN M. DICKSON

Failure to disclose a whistleblower retaliation lawsuit filed against Delta in your Committee questionnaire. In 2016, a first officer with Delta Airlines, Karlene Petitt, gave you and other Delta executives a written report raising concerns about pilot fatigue, pilot training, pilot training records and Delta's Safety Management Systems programs. According to a lawsuit Ms. Petitt filed against Delta, after she sub-

mitted the report, a human resources employee at Delta then referred Ms. Pettit for a psychiatric evaluation and placed her on leave without pay. It is my understanding that the Section 15 process for psychiatric evaluations is uncommon and that this is a unique case.

You gave a lengthy deposition in the case, and yet you failed to disclose this lawsuit and your involvement on the questionnaire you submitted to the Committee. Given the current climate of safety oversight at the Federal Aviation Administration (FAA), I find this omission deeply concerning and potentially disqualifying.

Question 1. How many Section 15 psychiatric evaluations occurred during your tenure at Delta?

Answer. Individual cases were not something I typically had visibility into during my tenure. However, the review process is extremely important in terms of ensuring pilots are fit to safely perform their duties in commercial airline operations. This process is contained within the collective bargaining agreement to protect the traveling public, the pilots and the company. The implementation of this specific action is routinely carried out using a well-established cross-divisional human resources process. In fact, the 2015 Germanwings accident reminds us that the traveling public demands that air carriers have programs and protocols to assess the health of their crewmembers. It is my understanding; other medical review processes are standard across the commercial aviation industry.

In order to fully answer your question and be as forthcoming as possible I have consulted with my former company. Given that I am now retired, the data provided indicates on average somewhere between 3 and 4 Section 15 evaluations per year, with as few as 1 in a year and as many as 6 in another. Some were for physical issues, others psychiatric and some were a combination of the two. Therefore, I would estimate approximately 30–45 evaluations during my tenure, which was over a 12-year period overseeing a pilot workforce of 14,000+ employees.

Question 2. Given the unique nature of Ms. Pettitt's case—coupled with the current transparency concerns at the FAA—why did you choose not to report this lawsuit on your Committee questionnaire?

Answer. Thank you for the opportunity to explain. I interpreted the Committee questionnaire, as well as the pre-hearing interview with staff, to pertain to my personal conduct, my behavior both in general and as an officer of a large public company, or any instance in which I was a named party to a proceeding. There were four specific reasons I took this approach:

1. In preparing my questionnaire submission and for the confirmation hearing, I consulted extensively with experienced professional DOT and White House staff. In these consultations, we discussed how to handle legal disclosures, given the broad scope of responsibilities and length of my tenure in my previous role at a large public company. Everyone involved knew of the broad scope of my previous responsibilities and the fact that over a period of my 12-year tenure there would have been numerous legal and administrative proceedings of one form or another that the company would be involved in. During my tenure, individual pilot matters were handled by an experienced cross-divisional team and I had little to no direct involvement in the process. In addition, since I had retired I no longer had access to detailed information. That is why I responded “yes” and noted that my employer was in fact involved in legal proceedings, but that I had never been named as a party in any of them.
2. For additional guidance, I reviewed the individual submissions of all nominees on the Commerce Committee website. In every case I could find, similarly-situated nominees (partners at large law firms, directors of corporations, officers at large companies) indicated that their companies or organizations had been involved in various legal proceedings, but did not list the proceedings individually unless they had been a named party, or acted as the decision-maker in the matter at hand.
3. Unlike the other sections of the questionnaire, Section C does not ask for a list of proceedings. Additionally, since I had been retired from my previous employer for several months by the time I completed the questionnaire, I did not have access to the details to enumerate each individual proceeding the company was involved in.
4. With respect to this claim in particular, my involvement was limited to one meeting with the pilot, and providing direction to my leadership team to ensure that the appropriate follow-up actions were completed and that the contractual processes were followed so that the pilot was treated fairly in the review process. Over the course of my tenure, matters pertaining to individual pilots were handled by an experienced cross-departmental team. In contrast,

I was much more involved in other proceedings where I was the decision-maker on matters more strategic to the corporation—for example, flight deck and crew rest provisioning, fleet decisions and matters pertaining to the implementation of the Pilot Working Agreement.

Finally, I want to make clear that I understand your concerns regarding this matter. My goal has been to be as transparent as possible throughout this entire process. To that end, I have also met with members of your Committee staff on multiple occasions before and since my hearing and have offered to come in again if it is helpful.

Question 3. Do you believe this lawsuit is relevant to your nomination process?

Answer. Yes, in the sense that safety always needs to be the top priority for operators in the aviation system. Air carriers have the responsibility to ensure protocols are in place so that their aviators are trained, current, qualified and fit to fly.

Questions 4. Are there any other lawsuits that you failed to report in your Committee questionnaire that you feel are relevant to your nomination? If so, please provide all relevant information.

Answer. As noted above, I have never been personally named as a party to any judicial, administrative or regulatory proceeding. As a large airline, Delta has been involved in various judicial, administrative and regulatory proceedings relating to its business. During my tenure, individual pilot matters were handled by an experienced cross-divisional team and I had very little involvement in individual cases. Such cases were routinely handled by representatives in Delta's Labor Relations and Legal Departments. Since I am retired from the company, I no longer have access to detailed information. However, I understand that Delta has provided some data directly with the Committee for perspective. In addition to this data, in more recent consultations with the company, I have become aware of a total of at least 24 System Board of Adjustment cases (2–3 per year on average) and approximately 200 disciplinary proceedings (16–20 per year or about .15 percent of the pilot population, ranging from terminations to disciplinary letters) involving pilots during my tenure, which spanned over 12 years. It is difficult, if not impossible, to determine the relevance of any of these matters in advance. In contrast, I was much more involved in other proceedings where I was the decision-maker on matters more strategic to the corporation—for example, flight deck and crew rest provisioning, fleet decisions and matters pertaining to the implementation of the Pilot Working Agreement.

Potential involvement in whistleblower retaliation. According to the ongoing lawsuit against Delta—currently pending with the Department of Labor—you are not accused of whistleblower retaliation in this instance. We await a final decision in the case, which we expect to come in the next year.

Question 5. Were you ever accused of retaliation against a whistleblower during your tenure at Delta? If so, please provide all relevant information.

Answer. No, I have never been accused of retaliation of any sort during my tenure at Delta Air Lines, including in the case referenced above or any other proceedings with the operational workforce.

I have not previously and will never tolerate retaliation of any kind to any employee who raises safety concerns. I fully understand the importance of safety being the top priority at the FAA. As I have previously stated, safety is very much a journey, not a destination, and we always need to find ways to improve. Having voluntary reporting programs and other reporting mechanisms in place are critical elements for pilots and other aviation system employees to use to bring forward their safety concerns. For a commercial air carrier, the very core of the safety program is employee reporting.

Over the course of my tenure, matters pertaining to individual pilots were handled by an experienced cross-departmental team. As Senior Vice President, my involvement in this matter was limited to directing my leadership team to ensure appropriate follow-up and that the contractual processes were complied with. In contrast, in my officer role, I was much more involved in other proceedings where I was the decision-maker on matters more strategic to the corporation—for example, flight deck and crew rest provisioning, fleet decisions and matters pertaining to the implementation of the Pilot Working Agreement.

Rebuilding confidence in the FAA. As you know, the next FAA Administrator will have to restore public trust in the agency by making changes to existing policy and addressing lapses in oversight that led to the recent 737 MAX crashes.

The agency's hesitation to ground 737 MAX aircraft even after safety regulators around the world ordered groundings has shaken the world's confidence in the FAA's independence and oversight ability.

Foreign regulators have indicated that they will require additional reviews of any forthcoming decision by FAA to allow 737 MAX aircraft to fly again—indicating a lack of trust in the agency. Additionally, multiple domestic airlines have extended flight cancellations of Boeing 737 MAX aircraft until August 2019, due to a lack of confidence in the aircraft.

Questions 6. What is your plan to rebuild international and domestic confidence in the agency and ensure that the FAA is once again seen as an international leader in aviation safety?

Answer. It is my experience that the FAA is always looking to further improve its processes. Additionally, in my testimony before the Committee I emphasized that the FAA should be the global leader in safety, with a culture of continuous improvement. Safety is very much a journey, not a destination, and we always need to find ways to continue to improve. It is my understanding that that is why Secretary Chao called for an independent review of the aircraft certification process; the FAA formed a Joint Authorities Technical Review with international partners to review the certification of the 737 MAX automated flight control system; and the FAA established a Technical Advisory Board to review Boeing's MCAS software update and system safety assessment. I look forward to reviewing the recommendations of these independent panels of experts, and if confirmed by the Senate, leading the FAA in taking any actions that are necessary to further improve the safety of our system. Finally, I will leverage the existing strong relationships and credibility I already have at IATA, ICAO, IFALPA, Flight Safety Foundation, EASA and elsewhere to ensure they all understand the FAA will continue to be the gold standard for safety, and second to none.

Bringing passenger service to Sikorsky Airport. Sikorsky Airport, although owned and operated by the City of Bridgeport, is located in the neighboring town of Stratford, Connecticut. Until two decades ago, passenger service was provided in the form of commuter airplanes on a regional basis to various locations in the Northeast.

Although it has been suggested over the years that a market exists for substantial passenger service to include larger planes with the ability to reach destinations such as Florida, the existing runways were not long enough to accommodate the type of aircraft necessary to travel these distances. Furthermore, a long-standing agreement between the city and the town of Stratford does not allow for runway expansion so long as Bridgeport owns the airport.

Since the beginning of 2018, the City has been privately negotiating with a group organizing a new airline who have since contracted to purchase \$1.6 billion in technologically advanced airplanes holding up to 145 passengers. These will be quieter than any other similar planes on the market and will have the ability to take off and land on shorter runways such as Sikorsky's. This group has started and operated several successful airlines in the past and, after considering other similar airports in the region, they have indicated a keen interest to provide service at Sikorsky Airport when the airline is launched in late spring of 2021.

In accordance with discussions for a public/private partnership to allow the airport to accommodate this type of passenger service, the airline would be responsible for developing a passenger terminal and aircraft apron with an investment of 8 to 15 million dollars. In turn, the City of Bridgeport would take responsibility for improvements on Runway 1129, taxiways, and other requirements to comply with FAA standards. The cost of these improvements are currently estimated to be a minimum of \$7 million.

The City of Bridgeport and the airline are presently working on a contract that would allow for a long-term lease agreement for the proposed site of the new terminal. This contract, subject to the FAA granting the necessary approval for the use of Runway 1129, will give the airline the level of comfort they need to go public with a joint announcement to unveil plans at the airport.

The City has received support from our regional public leaders as well as the Governor's Office resulting in the recent bond approval of \$7 million. These funds are conditional upon the airline's investment and ultimate operation, which is in turn conditional upon FAA permission. That permission is currently pending with the FAA.

Question 7. Given the importance of a timely decision from the FAA, if you are confirmed, will you commit to working with the City of Bridgeport and FAA's New England Region Airports Division to move this project forward?

Answer. If confirmed by the Senate, I look forward to learning more about this project and giving it full and fair consideration.

Ensuring the continued success of the FAA's Contract Tower Program. The FAA's Contract Tower Program continues to enjoy strong bipartisan support in Congress, including the support of many of us on this Committee. As validated by the Depart-

ment of Transportation's Inspector General, the program provides high quality, cost-effective air traffic control services to over 250 smaller airports throughout our Nation's air transportation system—including six in my home state of Connecticut.

Contract towers handle approximately 28 percent of the Nation's air traffic control tower operations, yet they account for only 14 percent of the FAA's total tower operations budget. It is also important to note that almost half of all military operations at civilian airports in the U.S. are handled by a Federal contract tower and 70 percent of all contract tower controllers are veterans.

Question 8. Given the critical importance of contract towers to air traffic safety in rural America and at smaller airports, can you give us your commitment to work collaboratively with Congress and the industry to ensure the continued success of the program?

Answer. I agree that the Contract Tower Program is an essential component of our National Airspace System, and is vital to smaller airports across the country. If confirmed by the Senate, I look forward to working with you and the Congress to ensure the continued success of the program.

Question 9. Will you also support implementation of the positive contract tower provisions that were part of last year's FAA reauthorization bill?

Answer. If confirmed by the Senate I look forward to leading the FAA's efforts to implement the Contract Tower provisions that were included in the 2018 FAA Reauthorization Act.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
STEPHEN M. DICKSON

The National Park Air Tour Management Act of 2000 (NPATMA) directed the FAA and NPS to develop air tour management plans for national park system units. To date, none have happened.

Question 1. How would you address the failure to implement the requirements of this act?

Answer. I understand there is a lot of interest in the topic of air tours in Hawaii and if confirmed I will engage with the National Park Service to understand what actions have occurred to date, why no plans have been finalized, and determine appropriate next steps.

As an alternative, the agencies and operators have begun developing Air Tour Management Agreements, voluntary and temporary measures, but these have only been finalized for three locations so far: Big Cypress National Preserve, Biscayne National Park, and Glen Canyon National Recreation Area. These cannot be enforced, nor do non-participating tour operators have significant incentives to join such an agreement.

Question 2. How can these agreements become more attractive for operators to join while encouraging a real air tour management plan to be developed?

Answer. My understanding is that while the decision to enter into a voluntary agreement is an individual choice for an operator, once the operator has joined they are in fact bound by the agreement and it is enforceable. With respect to getting higher participation from operators in these voluntary plans I understand the desire to have the most meaningful impact means including as many operators as possible. If confirmed, I will engage with the stakeholder community concerning this issue.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
STEPHEN M. DICKSON

As we discussed in my office, we have a bipartisan, bicameral delegation in Michigan working to ensure our Gerald R. Ford International (GRR) can continue its upgrade of the second oldest control tower [of the top 100 airports] in the country. This issue is actually an economic issue—the current tower is prohibiting growth at the airport as it is not possible to add another deck on the parking structure because the control tower is not high enough to see over it.

Question 1. Will you commit to making yourself aware of the needs at GRR?

Answer. If confirmed by the Senate, I look forward to learning more about this issue and to working with you to address your concerns.

In the past, the President's budget has called for eliminating the Essential Air Service program. I have in turn joined with a broad bipartisan group of Senators to ensure we do not get rid of this vital program, which ensures many rural parts

of our country have access to both transportation but also, in some cases, important life-saving, emergency access.

Question 2. Following up on Senator Blunt's question to you in your nomination hearing, will you commit to working with us to ensure we do not leave rural Americans without access to air travel?

Answer. I understand the importance of the Essential Air Service program to our rural communities. If confirmed by the Senate, I look forward to working with Secretary Chao to ensure that these communities have access to air transportation.

As we discussed at your hearing, the Office of Inspector General's 2016 report titled "Enhanced FAA Oversight Could Reduce Hazards Associated with Increased Use of Flight Deck Automation" included recommendations regarding pilot training guidance and standards.

Question 3. From your perspective, has FAA adequately responded to the Inspector General's recommendations?

Answer. I understand that the FAA has responded to both of the Inspector General's recommendations and they are now closed. Effective pilot training—including manual flying skills and the ability to maintain situational awareness and move fluidly through various levels of automation—is critical for safety. If confirmed by the Senate, I look forward to leading the FAA's efforts to further improve the safety of our system.

We passed provisions in last year's FAA bill to provide greater authority to deal with emerging threats, for example, from drones. I am concerned that there is not requisite personnel to carry out these new authorities and directives that we've provided to protect aircraft and airports against new drone threats.

Question 4. Will you commit to taking a look at this issue and assessing whether there are sufficient resource at FAA to carry out the directives related to safety from emerging drone threats?

Answer. The safe and secure integration of UAS into the National Airspace System is a national priority. If confirmed by the Senate, I look forward to leading the FAA's efforts to implement the UAS safety provisions that were included in the 2018 FAA Reauthorization Act.

FAA regulations have [essentially] required airports use firefighting foams that contain PFAS chemicals, a group of approximately 4,700 toxic chemicals that have been linked to cancer as well as a wide variety of health problems. The FAA standard is based on a Department of Defense specification that the military is actively transitioning away from. Last year's FAA bill included my provision to allow airports to have the option of not using the PFAS fire retardants.

Question 5. Will you commit to working with me and my office on the ongoing PFOA/PFAS problem—particularly to make sure airports have safer, fire-fighting options?

Answer. The FAA's number one priority is the safety of the National Airspace System and the travelling public. I understand that currently the most effective type of firefighting foam is fluorinated and contains PFAS, but the FAA is working to find an equally effective non-fluorinated replacement. If confirmed by the Senate, I look forward to working with you and your staff as the FAA works to implement section 332 of the 2018 FAA Reauthorization Act.

A 2018 Inspector General's Report indicated FAA's annual budget process provides broad controls for selecting and justifying developmental projects, but the Agency has lacked effective management controls in its project level agreement process. For example, 12 of the 22 agreements the IG sampled did not align with FAA's high-priority NextGen investment decisions, primarily because they were for support or implementation work. Furthermore, a lengthy approval process led to difficulty obligating funds to developmental projects.

Question 6. I know you have been intimately involved with the NextGen program from the two Federal advisory Committees upon which you have sat, so can you share your thoughts on some of the management issues that you've seen that need addressing?

Answer. From my experience looking at NextGen implementation from an industry perspective, one of the biggest challenges is "operationalizing" and scaling the technology in a way that leads to demonstrable improvements in operational performance. Successes have generally been limited to localized implementation projects. From a program perspective, I have had limited visibility into the status of NextGen programs. If confirmed, I plan to review the status of the NextGen program and its milestones. I look forward to continuing engagement with all stakeholders to ensure that NextGen implementation remains on track.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY BALDWIN TO
STEPHEN M. DICKSON

The FAA civil rights office works to ensure that airports are accessible to passengers with disabilities. Individuals with disabilities continue to encounter problems involving inaccessible shuttles on airport properties, as well as passenger boarding bridges that make it difficult for passengers to safely transit the jet bridge and transfer into an aisle chair at the bottom of the bridge in order to board the airplane.

Question 1. If confirmed as FAA Administrator, how would you ensure that our Nation's airports increase their compliance with the access requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act?

Answer. My understanding is that airports that receive Airport Improvement Program grant funding from the FAA are required to comply with a number of non-discriminatory statutes and authorities including certain parts of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. If confirmed, I will work to hold airport sponsors accountable to their grant assurance agreements to ensure appropriate access for people with disabilities.

Question 2. How will you work with the rest of the Department of Transportation to ensure that the full air travel experience of passengers with disabilities is a smooth, safe and seamless process?

Answer. My understanding is that the Department of Transportation's Office of Aviation Enforcement and Proceedings enforces the statutory requirements that prohibit airlines from discriminating against passengers because of a disability. If confirmed, I will closely coordinate with the Office of Aviation Enforcement and Proceedings on any issues that may overlap with FAA authorities to help ensure that disabled passengers have a safe, smooth, and seamless air travel experience.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JON TESTER TO
STEPHEN M. DICKSON

Bozeman Airport. As a state with expanses that exceed the distance from DC to Chicago, aviation is vital to Montana. It boosts our economy, connects families and provides critical life-lines for patients requiring urgent medical care. Aviation is expanding in Montana. Bozeman Airport in particular has witnessed explosive growth.

Since 2010, passenger traffic at Bozeman Airport has more than doubled. It now accounts for 30 percent of all passengers to and from Montana. And we get millions of visitors every year in Montana. Today, Bozeman is the largest airport in the state in terms of annual enplanements and tower operations. Montana is the only state whose largest airport is not supported by FAA-operated tower services.

To ensure year-round safe operations, passengers and employees, Bozeman Airport's on-site resources need to be aligned with today's new reality. Bozeman has stepped up to fund additional tower staff to handle the increased traffic in the immediate term.

Question 1. Will you, as the FAA Administrator, commit to adopt a long-term strategy that will ensure appropriate and equitable Federal support for airport operations by transitioning Bozeman to an FAA-operated tower?

Answer. I appreciated you taking the time to raise this important issue to me during our courtesy visit. I fully understand the importance of this issue to your constituency. If confirmed by the Senate, I look forward to working with you to address your concerns.

Addressing Pilot Shortage via Workforce Development. You know better than most about the tight pool of trained pilots, the predicted future pilot shortage and the challenges facing veterans to transition to careers as pilots. The cost of flight training is prohibitively expensive and a significant barrier to getting trained pilots into the pipeline. These high costs make it difficult for veterans to use their GI bill benefits to pursue an aviation career. Congress gave FAA the authority in the 2018 FAA Reauthorization Act to create a grant program to facilitate the education of future pilots.

Question 2. How can FAA leverage this new authority to create a grant program to educate future pilots to maximize opportunity for veterans to pursue careers as pilots?

Answer. If confirmed by the Senate, I look forward to working with Secretary Chao on the Forces to Flyers initiative to create opportunities for veterans, and by engaging all our stakeholders in creating opportunities for those interested in pursuing careers in aviation.

- What can FAA do to reel in costs and lower barriers?

Answer. If confirmed by the Senate, I look forward to working with Secretary Chao in implementing section 625 of the 2018 FAA Reauthorization Act, and engaging all our stakeholders in developing pathways for individuals to pursue careers in aviation.

- What can FAA do to encourage major airlines to support veterans' training?

Answer. As I mentioned above, if confirmed by the Senate, I look forward to working with Secretary Chao on the Forces to Flyers initiative and to using all of the authority Congress has provided to bolster the aviation workforce.

Agricultural Sector Represented on Drone Advisory Committee. The agriculture sector is one of the fastest growing adopters of drone technology in the United States.

Question 3. Will you ensure that the Drone Advisory Committee membership reflects the diverse and broad interests of stakeholders and user communities with the inclusion of a representative from the agriculture community?

Answer. It is my understanding that the current Drone Advisory Committee members include representatives from rural states (Kansas Department of Transportation), as well as UAS operators involved in the agricultural sector (PrecisionHawk). If confirmed by the Senate, I will work to ensure that we maintain a broad and diverse representation of stakeholders on the Drone Advisory Committee.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KYRSTEN SINEMA TO
STEPHEN M. DICKSON

Mr. Dickson, in my role as the Ranking Member of the Senate Commerce Committee Aviation and Space Subcommittee, I look forward to working closely with you if you are confirmed to this position to ensure that United States remains the global leader in aviation safety. Arizona has unique challenges and opportunities related to the FAA, and I expect we can work cooperatively to address those. For example, Arizona has: Phoenix Sky Harbor, one of the largest airports in the United States by passenger volume; Phoenix Deer Valley, the busiest general aviation airport in the world; and numerous medium and small airports across the state.

My first question is related to Sky Harbor. Are you aware of the history of noise problems at Sky Harbor and the 2017 D.C. Circuit case striking down the FAA's new flight routes at Sky Harbor as arbitrary and capricious, based on the lack of coordination and cooperation with the City of Phoenix? The FAA has been actively working to address the problem to the west of the airport and held three workshops in Phoenix over the past months. However, the noise problem persists to the east of the airport.

Question 1. In your new role as FAA administrator, will you commit to working with all Valley residents—both east and west of the airport—still being impacted by aircraft overflights to address their noise problem?

Answer. One of my highest priorities with respect to noise issues is stakeholder engagement. After safety, in my testimony I emphasized the importance of stakeholder engagement as one of the four most important priorities for the FAA. If confirmed, I will ensure that the FAA fully engages with communities, airports and other stakeholders to address noise issues in a fully open and transparent manner.

Question 2. Regarding the eastbound departure routes from Sky Harbor, will you commit to engage in government-to-government consultation with the Salt River Pima Maricopa Indian Community, as is called for in FAA Policy?

Answer. As I stated above, stakeholder engagement is a priority of mine with respect to noise issues faced by communities. If confirmed, I will ensure that the FAA fully engages with communities, airports and other stakeholders, in accordance with FAA policy, to address noise issues in a fully open and transparent manner.

Mr. Dickson, Phoenix Deer Valley is the busiest general aviation airport in the world. General aviation airports have unique challenges that commercial airports do not face.

Question 3. What will you do in this role to support general aviation airports, particularly very busy general aviation airports such as Deer Valley?

Answer. I fully recognize the importance of general aviation in the United States and the role it plays in transportation and commerce generally. I strongly support a robust general aviation industry. I am aware that the FAA works closely with general aviation airports on many issues including air traffic and airport development. If confirmed, I look forward to working with you on your priorities for the Phoenix Deer Valley airport.

The Phoenix-Mesa Gateway Airport is another rapidly growing airport in Arizona. As a growing airport that handles approximately 300,000 annual operations, Gateway Airport applied for, but was not granted, a supplemental funding award for a new air traffic control tower. The request for the new tower project is based on ongoing parallax and airfield line of sight issues and will increase safety at the airport.

Question 4. Will you commit that you and your staff will closely review this project for future Federal funding opportunities?

Answer. I am a strong proponent of smaller and secondary airports. If confirmed, I look forward to working with you to learn more about the needs of the Phoenix-Mesa Gateway Airport and to discuss with you the possible ways in which the FAA may be able to assist with the needs of the airport.

Mr. Dickson, along with my colleagues, I have introduced S. 919, the Space Frontier Act, which includes several provisions that impact use of the National Airspace System. Foremost, the bill directs the FAA to update regulations for commercial launch and reentry licensing. It also directs the Secretary of Transportation to prepare a report on the current state of policies and tools used to integrate launch and reentry into the NAS and recommend any new policies or tools needed to more efficiently and safely manage the NAS.

Question 5. Are you aware of this legislation and what thoughts do you have regarding the integration of space launches into the NAS?

Answer. I am aware of the Space Frontier Act, and if confirmed I look forward to learning more about its provisions and their implications. My understanding is that integration of commercial space launches into the National Airspace System is a top priority for the FAA and the FAA recently published a proposed rule to update and streamline the launch and reentry regulations. I recognize the importance of balancing the needs of all airspace users and if confirmed, I will work diligently to achieve the FAA's priority of safely integrating commercial space launches into the national airspace system.

Mr. Dickson, regarding unmanned aircraft systems, the FAA Extension, Safety, and Security Act of 2016 required the FAA to develop standards for remote identification of unmanned aircraft. As you know, these rules are an important prerequisite before the FAA and the UAS industry can move forward.

Question 6. Can you commit to advance these rules as quickly as possible?

Answer. I agree that developing standards for remote identification of UAS is an important priority and that it is fundamental to both the safety and security of drone operations moving forward. If confirmed, I will work to advance the necessary rules as quickly as possible.

- Additionally, what are your thoughts on the related issue of Counter-UAS technology?

Answer. My understanding is that the FAA is currently working to assess counter UAS technologies. It is also my understanding that authority for counter UAS activities is currently limited to other Federal agencies. I understand the FAA's priority is to work with these agencies to ensure the safety of civil aviation. If confirmed, I will continue to support the FAA's work to assess the UAS technologies and to work with the FAA's security partners to ensure their activities are coordinated with the FAA to ensure the safety of civil aviation.

- Recently, the FAA released information stating that it "does not support the use of counter-UAS systems by any entities other than Federal departments with explicit statutory authority to use this technology." In your opinion, what is the appropriate role for such technologies?

Answer. As I mentioned above, my understanding is that the FAA continues to assess the available technology. Although the implementation of counter-UAS technologies is not within the FAA's jurisdiction, these technologies should help to address malign actors who might pose security or safety risks, or raise privacy concerns. But in doing so, they must not create an even greater safety risk to the aviation system. If confirmed, my priority will be to continue the FAA's work with those agencies that are authorized to engage in counter UAS activities to ensure the safety of civil aviation.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JACKY ROSEN TO
STEPHEN M. DICKSON

As a House Member, I was proud to co-sponsor legislation to require the FAA to mandate the installation of secondary cockpit barriers on commercial aircraft in order to prevent access to the flight deck. Such barriers have the real potential to stop a terrorist attack or other hijacking. Section 336 of the FAA Reauthorization

Act of 2018 requires the FAA to issue an order by this coming October requiring the installation of secondary cockpit barriers on “each new aircraft that is manufactured for delivery” to a Part 121 passenger air carrier. However, the FAA recently described to the industry a process for completing this work that would effectively ignore performance standards and which could lead to a very long, drawn-out process for the Aviation Rulemaking Advisory Committee.

Question 1. If confirmed as FAA Administrator, what assurances can you provide to Congress that the FAA will meet its October deadline for this safety-critical initiative?

Answer. It is my understanding that the FAA plans to task the Aviation Rulemaking Advisory Committee to study secondary cockpit barriers and make recommendations concerning their use and installation in aircraft. If confirmed by the Senate, I look forward to leading the FAA as it reviews the ARAC recommendations and works to implement this provision.

Question 2. If confirmed, are you committed to focusing your energies as FAA Administrator specifically on the safety challenges facing the FAA and our national airspace, and do you further pledge to steer clear of any issues that may implicate potential conflicts of interest, including any that may have been disclosed on your questionnaire for the Committee?

Answer. Safety of the national airspace will absolutely be my top priority if confirmed as Administrator. If confirmed by the Senate, I will abide by all applicable ethical restrictions in accordance with advice from agency ethics officials.

Mr. Dickson, Reno-Tahoe International Airport, located in my state of Nevada, has been facing two challenges with the Federal Aviation Administration: 1) general lack of responsiveness in receiving approval letters for grants, and 2) lack of feedback from the FAA on the airport’s recent Section 163 request, which is inhibiting its ability to work with non-aeronautical land developers.

The Reno-Tahoe International Airport and Reno-Stead Airports are located in the northwestern part of the state, approximately twenty-two miles from Lake Tahoe. Construction season in this area is limited to the spring and summer months. Because of this limited timeframe, timeliness of FAA responses to approval requests is crucial. As some applications take a full 180 days to process—barring objections by airlines and any additional process delays—any delay in receiving approval for grant funding significantly and adversely affects the airport’s ability to schedule critical projects.

In this same vein, the airport faces potential missed opportunities due to lack of FAA responsiveness in Section 163 approvals. In the 2018 FAA Reauthorization Act, Section 163 directed the FAA to develop more efficient review procedures for the development of non-aeronautical lands under the control of airports. At Reno-Tahoe International Airport and Reno-Stead Airports, there are several pieces of land that are distant, if not totally disconnected from the airfield, which could be developed for non-aeronautical purposes, which is just what Section 163 contemplated. However, based on the unduly stringent requirements placed on the development of these properties by the FAA and the long length of time for approval, airports like Reno-Tahoe can’t fairly compete against property just outside the airport fence for development opportunities. Therefore, the airports are missing out on opportunities to diversify their revenue streams.

Question 3. As FAA Administrator, will you commit to being more responsive and timely in approving grant applications, particularly when time is of the essence for project completion, and more vigilant in keeping potential grantees abreast of developments and of the status of their applications?

Answer. If confirmed, I will work to ensure that FAA’s consideration of grant applications is conducted in as timely a manner as possible, while adhering to statutory requirements. I understand the importance of keeping applicants informed and will work to ensure that information is shared with them as quickly as possible.

- Can you work on announcing grants earlier for potential grantees located in areas with shortened construction seasons, for whom timeliness is particularly important?

Answer. I appreciate the time constraints for areas that have a shortened construction season and, if confirmed, will work to ensure that grant awards and announcements are completed as quickly as possible.

- Likewise, if confirmed, will you immediately provide a status update on Reno-Tahoe Airport's Section 163 request? And will you commit to following Section 163 as Congress intended?

Answer. If confirmed, I look forward to working with you to learn more about the Reno-Tahoe Airport request and ensuring that relevant statutory requirements are followed by the FAA.

