

**NOMINATION OF THOMAS B. CHAPMAN,
NOMINEE TO BE A MEMBER,
NATIONAL TRANSPORTATION SAFETY BOARD**

HEARING

BEFORE THE

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

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

DECEMBER 11, 2019

Printed for the use of the Committee on Commerce, Science, and Transportation



Available online: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

52-941 PDF

WASHINGTON : 2023

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

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**NOMINATION OF THOMAS B. CHAPMAN,
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WEDNESDAY, DECEMBER 11, 2019

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

The Committee met, pursuant to notice, at 11:06 a.m., in room SD-G50, Dirksen Senate Office Building, Hon. Roger Wicker, Chairman of the Committee, presiding.

Present: Senators Wicker [presiding], Cantwell, Baldwin, and Rosen.

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

The CHAIRMAN. I will now call to order a hearing to consider the nomination of Tom Chapman to serve as a Member of the National Transportation Safety Board for a term expiring December 31, 2023.

Mr. Chapman is well known by many of us as he currently serves as Minority Counsel to the Senate Commerce Subcommittee on Aviation and Space and has worked with us in this capacity since 2014. His extensive experience in the aviation sector spans his entire career. Prior to his service to our committee, he spent eight years as Vice President for Government Affairs at US Airways.

Additionally, he previously worked as Legislative Counsel at Southwest Airlines and spent 16 years working at the Aircraft Owners and Pilots Association in various policy and Government affairs roles. Mr. Chapman received his BFA in music from C.W. Post College in 1978 and his JD from the American University School of Law in 1982. The NTSB is an independent Federal agency. It investigates and determines the probable cause of all civil aviation accidents and other significant rail, highway, marine, and pipeline accidents.

The Senate Commerce Committee relies on the professional expertise of the NTSB in performing our important oversight responsibilities and in crafting legislation to provide for the safety of the American public. NTSB board members frequently testify before our committee and provide critical insight and guidance on pressing matters of public safety.

On behalf of the Committee, I would like to express my appreciation to the NTSB for the vital role they play and for the support

they give to us. Mr. Chapman, I would like to thank you for testifying today and for your willingness to serve in this key position of public service.

I look forward to learning more about your qualifications and background. And I now turn to my friend and Ranking Member for her opening remarks.

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

Senator CANTWELL. Thank you, Mr. Chairman. As you mentioned, the NTSB plays a critical role in investigating transportation accidents, making recommendations that can prevent future accidents, save lives, and prevent injuries. So while the Board is a small agency, it is currently working on a number of critical safety issues and many of which have been before this Committee.

The NTSB needs to be operating at full strength and that is why I am pleased to welcome Tom Chapman to this hearing today in his nomination to serve as a Board Member of the NTSB. You went through the various resume points of Mr. Chapman as he has worked with many of us first in the private sector, then later working under Ranking Member Nelson, and most recently under our tenure at the Committee. During that time, he has made significant contributions and obviously will continue in this focus on the important safety aviation priorities that we need to be working on.

Prior to joining the Committee, as you mentioned, he worked extensively at airlines and airline operations safety. As a general aviation pilot, he knows how important oversight is, how essential it is, promoting safety, preventing deaths and injuries, and what we need to do to prevent accidents. So, I look forward to hearing from him today. Obviously one of the pleasures we get having worked with him is we actually get to meet your family today. And so I would also like to welcome his wife and son to the hearing as well.

And I am sure you will make introductions, but again, thank you for this hearing, Mr. Chairman, and thank you for, Mr. Chapman, your willingness to serve the NTSB.

The CHAIRMAN. Mr. Chapman, you are now recognized for your five-minute opening statement. Your entire statement will be entered into the record at this point. But feel free to take a moment to point out family members, and particularly any other family members that might be here other than your wife and son.

**STATEMENT OF THOMAS B. CHAPMAN, NOMINEE TO BE A
MEMBER, NATIONAL TRANSPORTATION SAFETY BOARD**

Mr. CHAPMAN. Absolutely, Mr. Chairman. I do want to introduce the two people who are most important to me. My wife, Scotty O'Connell. She is my partner and best friend and she has been for these past 34 years. I get a little choked up about that. And next to Scotty is our handsome son Patrick. We are very proud of Patrick who is currently a senior at St. John's College High School here in Washington. By this time next year he will be away at college and Scotty and I will probably be in grief therapy some place—

[Laughter.]

Mr. CHAPMAN. But we are very, very proud of him. Chairman Wicker and Ranking Member Cantwell, thank you for the opportunity to appear before you today. I am honored to be nominated to serve on the National Transportation Safety Board. I am grateful to Senator Schumer for recommending me and to President Trump for nominating me. I also want to thank former Ranking Member Bill Nelson for his support on my behalf, as well as former Chairman Jay Rockefeller for offering me the opportunity to serve on the staff of the Senate Commerce Committee. I greatly admire the members of the staff on both sides of the aisle who work so hard to facilitate the work of the Committee. I am proud to call those fine people my colleagues and my friends.

Before proceeding, I want to introduce—actually I introduced them already so I will proceed. Mr. Chairman, appointment to the NTSB would be a rewarding opportunity to apply my experience and skills in a role allowing me to continue giving back through public service. My nearly four decades of experience have prepared me well for such a task. I have been deeply involved in an extensive range of aviation issues, often playing a key role in identifying and negotiating resolutions.

In varying degrees, virtually every aspect of aviation involves considerations of safety. Consequently, an awareness and sensitivity to a pervasive culture of safety is embedded in my professional approach, consistent with the critical safety mission of the NTSB. In addition to my experience, I would bring at least two qualities to the position which I believe are valuable. First, I have benefited from an established reputation for collegiality and consensus-building.

Second, I am committed to public service and believe that much is expected from those who are most fortunate. I am an aggressive advocate for the policy positions I am professionally obliged or personally committed to represent. However, I strive to demonstrate respect and appreciation for the views of those with whom I may disagree. I believe in compromise and I take pride in crafting solutions that will accommodate seemingly conflicting points of view. Many of those I consider my most valued professional friends and associates are those with whom I have most significantly clashed over past policy disputes.

As for my commitment to service, I view it as a responsibility for those who were fortunate to have prospered from professional life in the private sector as I have. During the last five and a half years, I have been privileged to serve on the staff of the Senate Committee on Commerce, Science, and Transportation. I joined the Aviation subcommittee staff in anticipation of the major legislative effort required to reauthorize the Federal Aviation Administration. I worked collaboratively with the bipartisan Senate team throughout the 114th Congress to develop a comprehensive FAA reauthorization bill passed by the Senate in April 2016. Subsequent negotiations that year with the House culminated in passage of the FAA Extension Safety and Security Act of 2016, passed that year by Congress in July 2016.

Efforts to agree on long-term comprehensive legislation then continued in the 115th Congress, resulting in passage of the FAA Reauthorization Act of 2018, signed into law October 5 of last year.

That five-year packaging negotiated on a bipartisan basis ensures long term stability and various important reforms of the FAA. It also reauthorized and reformed the Transportation Security Administration and the National Transportation Safety Board. I am proud of the major accomplishments to which I have contributed since joining the Commerce Committee staff.

Looking forward, I want to offer a few thoughts regarding areas of focus I anticipate will be important should I have the honor of serving as a Member of the National Transportation Safety Board. As I see it, the agency is facing at least three challenges, three key challenges. First, autonomous vehicles and new technology. Advances in automation in the development of autonomous vehicles hold great promise for enhancing transportation safety. However, these advances present new questions and challenges, some of which will be difficult to anticipate. NTSB must keep pace with the rapid changes, and it must ensure that staff expertise is maintained, and that appropriate tools and technical skills are available or developed to meet the challenge.

The second challenge I see is keeping pace with demand. NTSB's reputation as the world's premier transportation agency is well deserved. With such a reputation comes high expectations and meeting those expectations in a timely fashion is ever more important. The resources available to the agency are limited and may become more so. NTSB has performed admirably in ensuring that resources are targeted effectively. Maintaining that discipline will remain essential.

Finally, the third challenge that I see is maintaining and developing staff. NTSB staff are renowned for their skill and expertise. The work of the agency is highly dependent on the dedication and unique abilities of its employees. Recruiting and retaining skilled team members is a challenge for any Government agency and particularly for one such as NTSB which requires such unique skill sets. Key to success in this area is ensuring the well-regarded culture and work environment at the agency is maintained. If confirmed, I will work collaboratively with the Chairman, my fellow board members, and the staff of NTSB to ensure the limited resources available to the agency are targeted efficiently and appropriately to meet these challenges and to fulfill NTSB's legislative mandate.

My experience as an executive for three large entities has prepared me well for a leadership role at NTSB. I am familiar and have worked with budgeting and cost control practices having been responsible for developing and maintaining budgets for the various departments I have led throughout my career. Likewise, I have managed teams involving significant numbers of employees, focusing on an establishment and fulfillment of team objectives, response and adaptation to changing circumstances, and growth and development of individual team members.

I welcome and will be honored by the opportunity to contribute my experience and skills to ensure the continuing success and effectiveness of the world's premiere transportation safety agency. Mr. Chairman, that concludes my remarks and I am happy to respond to questions.

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

PREPARED STATEMENT OF THOMAS B. CHAPMAN, NOMINEE TO BE A MEMBER,
NATIONAL TRANSPORTATION SAFETY BOARD

Chairman Wicker and Ranking Member Cantwell, thank you for the opportunity to appear before you today. I am honored to be nominated to serve on the National Transportation Safety Board. I am grateful to Senator Schumer for recommending me and to President Trump for nominating me.

I also want to thank former Ranking Member Bill Nelson for his support on my behalf, as well as former Chairman Jay Rockefeller for offering me the opportunity to serve on the staff of the Senate Commerce Committee. I greatly admire the members of the staff on both sides of the aisle who work so hard to facilitate the work of the Committee. I am proud to call those fine people my colleagues and friends.

Before proceeding, I want to introduce the two people most important to me. Sitting behind me is my wife Scotty O'Connell. She is my partner and best friend, and she has been for these past 34 years. Next to Scotty is our handsome son Patrick. We are very proud of Patrick, who is currently a senior at St. John's College High School here in Washington.

Mr. Chairman, appointment to the NTSB would be a rewarding opportunity to apply my experience and skills in a role allowing me to continue giving back through public service.

My nearly four decades of experience have prepared me well for such a task. I have been deeply involved in an extensive range of aviation issues, often playing a key role in identifying and negotiating resolutions. In varying degrees, virtually every aspect of aviation involves considerations of safety. Consequently, an awareness and sensitivity to a pervasive culture of safety is imbedded in my professional approach, consistent with the critical safety mission of the NTSB.

In addition to my experience, I would bring at least two qualities to the position which I believe are valuable. First, I benefit from an established reputation for collegiality and consensus building. Second, I am committed to public service and believe that much is expected from those who are most fortunate.

I am an aggressive advocate for the policy positions I am professionally obliged or personally committed to represent. However, I strive to demonstrate respect and appreciation for the views of those with whom I may disagree. I believe in compromise, and I take pride in crafting solutions that will accommodate seemingly conflicting points of view. Many of those I consider my most valued professional friends and associates are also those with whom I have most significantly clashed over past policy disputes.

As for my commitment to service, I view it as a responsibility for those who are fortunate to have prospered from professional life in the private sector. During the last five and a half years, I have been privileged to serve on the staff of the Senate Committee on Commerce, Science, & Transportation. I joined the Aviation Subcommittee staff in anticipation of the major legislative effort required to reauthorize the Federal Aviation Administration. I worked collaboratively with the bipartisan Senate team throughout the 114th Congress to develop a comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in passage of the FAA Extension, Safety, and Security Act of 2016, passed by Congress in July of 2016.

Efforts to agree on long-term, comprehensive legislation continued in the 115th Congress, resulting in passage of the FAA Reauthorization Act of 2018, signed into law October 5, 2018. That five-year package negotiated on a bipartisan basis ensures long-term stability and various important reforms of the FAA. It also reauthorized and reforms the Transportation Security Administration and the National Transportation Safety Board.

I am proud of the major accomplishments to which I have contributed since joining the Commerce Committee staff. Looking forward, I want to offer a few thoughts regarding areas of focus I anticipate will be important should I have the honor of serving as a member of the National Transportation Safety Board.

As I see it, the agency is facing at least three key challenges:

- *Autonomous vehicles & new technology.* Advances in automation and the development of autonomous vehicles hold great promise for enhancing transportation safety. However, these advances present new questions and challenges—some of which will be difficult to anticipate. NTSB must keep pace with the rapid changes. It must ensure that staff expertise is maintained and that appropriate tools and technical skills are available or developed to meet the challenge.

- *Keeping pace with demand.* NTSB's reputation as the world's premier transportation agency is well deserved. With such a reputation comes high expectations, and meeting those expectations in a timely fashion is ever more important. The resources available to the agency are limited and may become more so. NTSB has performed admirably in ensuring that resources are targeted effectively. Maintaining that discipline will remain essential.
- *Maintaining & developing staff.* NTSB staff are renowned for their skill and expertise. The work of the agency is highly dependent on the dedication and unique abilities of its employees. Recruiting and retaining skilled team members is a challenge for any government agency, and particularly for one such as NTSB which requires such unique skillsets. Key to success in this area is ensuring the well-regarded culture and work environment of the agency is maintained.

If confirmed, I will work collaboratively with the Chairman, my fellow Board Members, and the staff of NTSB to ensure the limited resources available to the agency are targeted efficiently and appropriately to meet these challenges and to fulfill NTSB's legislative mandate.

My experience as an executive for three large entities has prepared me well for a leadership role at NTSB. I am familiar and have worked with budgeting and cost control practices, having been responsible for developing and managing budgets for the various departments I have lead throughout my career. Likewise, I have managed teams involving significant numbers of employees, focusing on establishment and fulfillment of team objectives, response and adaptation to changing circumstances, and growth and development of individual team members.

I welcome and will be honored by the opportunity to contribute my experience and skills to ensure the continuing success and effectiveness of the world's premier transportation safety agency.

Mr. Chairman, that concludes my remarks. I am happy to respond to questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Thomas B. Chapman.
2. Position to which nominated: Board Member, National Transportation Safety Board.
3. Date of Nomination: October 17, 2019.
4. Address (List current place of residence and office addresses):
 Residence: Information not released to the public.
 Office: Senate Committee on Commerce, Science, & Transportation, Hart Senate Office Building, Washington, D.C. 20510
5. Date and Place of birth: December 18, 1954; Denver, Colorado.
6. Provide the name, position, and place of employment for you spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).
 Married January 25, 1986, to Mary Scott O'Connell ("Scotty"). My wife retired in 2015 from the National Air & Space Museum. She was with the Smithsonian Institution for 25 years, nearly all of it at Air & Space.
7. List all college and graduate degrees. Provide year and school attended.
American University School of Law, Washington, D.C.
 Attended September 1979 through May 1982.
 Juris Doctor, May 1982.
 Admitted to the practice of law in Washington, D.C. and Maryland.
C.W. Post College, Greenvale, N.Y.
 Attended September 1973 through May 1978.
 Bachelor of Fine Arts in Music, May 1978.
 Full participant in Honors Program.
 Areas of concentration: political science, literature, and education.
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.

Counsel

Senate Subcommittee on Aviation Operations, Safety, & Security.
 Committee on Commerce, Science, & Transportation.

July 2014 to Present.

Joined Aviation Subcommittee staff in anticipation of legislative effort to reauthorize the Federal Aviation Administration. Worked collaboratively with bipartisan Senate team throughout the 114th Congress to develop comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in the *FAA Extension, Safety, and Security Act of 2016*, passed by Congress in July of 2016. Efforts to agree on long-term, comprehensive legislation continued in the 115th Congress, resulting in passage of the *FAA Reauthorization Act of 2018*, signed into law October 5, 2018. The five-year package negotiated on a bipartisan basis ensures long-term stability and various important reforms of the FAA. It also reauthorizes and reforms the Transportation Security Administration and the National Transportation Safety Board.

Vice President for Government Affairs

US Airways, Washington, D.C.

October 2006 to January 2014.

Recruited to manage Washington, D.C. office for the “new” US Airways. Newly established company resulted from 2005 merger of former US Airways and America West Airlines. Served as primary Washington representative on legislative matters, and contributed significantly to Federal regulatory work and dealing with news media on government affairs matters. During tenure, launched enhanced internal fundraising campaign for *US Airways Political Action Committee*, doubling the rate of employee participation and tripling PAC financial resources. Heavily involved in developing and implementing government affairs strategies promoting industry consolidation. Work on that company priority culminated in successful agreement to merge US Airways and American Airlines, creating the world’s largest airline.

Legislative Counsel

Southwest Airlines Co., Washington, D.C.

January 1998 to October 2006.

Recruited to establish and manage new Washington, D.C. office to represent highly regarded Southwest Airlines. Establishment of full-time Washington office significantly enhanced the effectiveness of the Company’s government affairs efforts. Served as primary Washington representative on legislative and regulatory matters. Frequently called upon to represent the Company in state and local government affairs arena, particularly in the airline’s newer east coast destination cities. Helped organize and launch the Company’s first ever PAC, the *Southwest Airlines Freedom Fund*. Dealt with news media on government affairs matters.

Senior Vice President for Government & Technical Affairs

Aircraft Owners & Pilots Association, Washington, D.C.

December 1996 to January 1998.

Promoted to direct all federal, state, and local government affairs activities for AOPA—a major national association representing interests of over 340,000 members. Managed full-time professional staff of eighteen in AOPA’s Washington, D.C. and Frederick, Maryland offices. Also managed state and local activities of twelve Regional Representatives. AOPA’s government affairs program often cited as among the most active of all national membership associations.

Vice President & Legislative Counsel

Aircraft Owners & Pilots Association, Washington, D.C.

November 1988 to December 1996.

Promoted to direct Federal and state legislative programs and PAC for AOPA. Managed staff of six in AOPA’s Office of Legislative Affairs. During tenure, substantially increased effectiveness and organization of AOPA’s legislative programs. Increased PAC fund-raising capability to secure it solidly among 50 largest PACs in the United States.

State Legislative Counsel

Aircraft Owners & Pilots Association, Washington, D.C.

June 1985 to November 1988.

Promoted to expand and direct AOPA’s state legislative program. Coordinated state legislative activities of twelve Regional Representatives.

Associate Counsel, Office of the General Counsel
 Aircraft Owners & Pilots Association, Washington, D.C.
 May 1982 to June 1985.

Established and coordinated successful state legislative program for AOPA.
 Drafted or reviewed all Association contracts and participated heavily in
 contract negotiations. Responsible for all trademark and copyright issues.
 Gained experience in broad spectrum of corporate legal matters.

9. Attach a copy of your résumé.

A copy is 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.

None to report.

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.

Vice President for Government Affairs.
 US Airways, Washington, D.C.
 October 2006 to January 2014.

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.

Member of the 116 Club . . . a private lunch club located at 234 3rd Street, NE, in Washington, DC. Member since 2012.

I have never been a member of nor have I associated with any organization which discriminates on the basis of sex, race, color, religion, national origin, age, or disability.

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.

None to report.

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 to report.

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.

1/26/2009	Citizens for Arlen Specter	\$ 500
7/6/2010	Friends of John McCain	\$ 500
6/15/2011	Schweikert for Congress	\$ 500
12/21/2011	Pat Meehan for Congress	\$ 500
2/24/2012	Jeff Flake for U.S. Senate	\$ 500
5/25/2012	Bill Nelson for U.S. Senate	\$1,000
5/28/2013	Team Graham	\$1,000

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

Recognized by the ARC of Frederick County, Maryland, for voluntary fundraising efforts in support of the organization's programs to help people with developmental disabilities.

Recognized by both the National Parks Service and the Federal Aviation Administration for efforts as one of nine members appointed by the Clinton Administration to serve on the National Park Overflights Working Group. Over a two-year period, the Working Group successfully forged a compromise that served as a foundation

for the FAA to develop reasonable regulations applying to scenic air tours over National Parks.

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.

Through Internet research and a review of my personal files, I was able to identify several articles published in my name which are listed below. If requested, I am able to provide a copy of each article listed.

Additional articles were likely published in my name, especially during my tenure on the staff of the Aircraft Owners & Pilots Association. However, I no longer have access to that material, nor was I able to identify other publications in the course of my research.

- “Daschle is right about duplicate checks,” Sioux Falls Argus-Leader, June 3, 1995.
- “Election ’94—Aviation’s Political Spectrum,” AOPA Pilot Magazine, February 1, 1994.
- “Capitol Dispatch,” AOPA Pilot Magazine, February 1992.
- “Taxing Struggles: Legislative Update—1991,” AOPA Pilot Magazine, February 1991.
- “State Affairs: 1987 in Review,” AOPA Pilot Magazine, January 1988.

Regarding formal speeches, I have delivered few during my career. However, I have participated in significant numbers of panel discussions, conferences, and question-and-answer sessions. The instances during which I participated in such events are too numerous to recall.

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.

I maintain a private Instagram account with a handful of followers, consisting of a few friends and family members. I am happy to arrange access to the account for review, if that would be helpful. <https://www.instagram.com/tbchapman01/>

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.

To the best of my recollection, I testified before Congress on two occasions—both prior to 1998, while I was still employed by the Aircraft Owners & Pilots Association.

I represented AOPA at a hearing before the Aviation Subcommittee of the House Committee on Public Works & Transportation. I testified regarding the impact of the so-called Wright Amendment, which limited flights out of Dallas Love Field in the State of Texas.

I also represented AOPA at a hearing of the Senate Transportation Appropriations Subcommittee and testified regarding funding priorities for the coming fiscal year.

Despite efforts to identify the details, I am unable to reference the precise dates on which these hearings took place.

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?

I am honored to be nominated to serve on the National Transportation Safety Board. Appointment to the NTSB would be a rewarding opportunity to apply my experience and skills in a role allowing me to continue giving back through public service.

My nearly four decades of experience in the aviation industry have prepared me well for such a task. I have been deeply involved in an extensive range of issues, often playing a key role in identifying and negotiating resolutions. In varying degrees, virtually every aspect of aviation involves considerations of safety. Consequently, an awareness and sensitivity to a pervasive culture of safety is imbedded in my professional approach, consistent with the critical safety mission of the NTSB.

In addition to my experience, I would bring at least two qualities to the position which I believe are valuable. First, I benefit from an established reputation for

collegiality and consensus building. Second, I am committed to public service and believe that much is expected from those who are most fortunate.

I am an aggressive advocate for the policy positions I am professionally obliged or personally committed to represent. However, I strive to demonstrate respect and appreciation for the views of those with whom I may disagree. I believe in compromise, and I take pride in crafting solutions that will accommodate seemingly conflicting points of view. Many of those I consider my most valued professional friends and associates are also those with whom I have most significantly clashed over past policy disputes.

As for my commitment to service, I view it as a responsibility for those who are fortunate to have prospered from professional life in the private sector. During the last five years, I have been privileged to serve on the staff of the Senate Committee on Commerce, Science, and Transportation. I joined the Aviation Subcommittee staff in anticipation of the major legislative effort required to reauthorize the Federal Aviation Administration. I worked collaboratively with the bipartisan Senate team throughout the 114th Congress to develop a comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in passage of the FAA Extension, Safety, and Security Act of 2016, passed by Congress in July of 2016.

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I am proud of the major accomplishments to which I have contributed since joining the Commerce Committee staff. I would be honored to build on that effort through additional service as a member of the National Transportation Safety Board.

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?

If confirmed, I will work collaboratively with the Chairman, my fellow Board Members, and the staff of NTSB to ensure the limited resources available to the agency are targeted efficiently and appropriately to fulfill the NTSB's legislative mandate and to achieve its priority objectives. As I understand those objectives, they include serving as a global leader in conducting independent accident investigations, promoting transportation safety through creation of relevant materials and products, stakeholder engagement in the advancement of transportation safety, and promoting NTSB staff involvement and innovation to ensure effectiveness of the agency.

My experience as an executive for three large entities has prepared me well for a leadership role at NTSB. I am familiar and experienced with budgeting and cost control practices, having been responsible for developing and managing budgets for the various departments I have lead throughout my career. Likewise, I have managed teams involving significant numbers of employees, focusing on establishment and fulfillment of team objectives, response and adaptation to changing circumstances, and growth and development of individual team members.

I welcome the opportunity to contribute my management experience and skills to ensure the continuing success and effectiveness of the world's premier transportation safety agency.

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

Autonomous vehicles & new technology. Advances in automation and the development of autonomous vehicles hold great promise for enhancing transportation safety. However, these advances will present new questions and challenges—some of which will be difficult to anticipate. NTSB must keep pace with the rapid changes. It must ensure that staff expertise is maintained and that appropriate tools and technical skills are available or developed to meet the challenge.

Keeping pace with demand. NTSB's reputation as the world's premier transportation agency is well deserved. With such a reputation comes high expectations, and meeting those expectations in a timely fashion is ever more important. The resources available to the agency are limited and may become more so. The agency has performed admirably in ensuring that resources are targeted effectively. Maintaining that discipline will remain essential.

Maintaining & developing staff. NTSB staff are renowned for their skill and expertise. The work of the agency is highly dependent on the dedication and unique abilities of its employees. Recruiting and retaining skilled team members is a chal-

lenge for any government agency, and particularly for one such as NTSB which requires such unique skillsets. Key to success in this area is ensuring the well-regarded culture and work environment of the agency is maintained.

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.

Pursuant to an Executive Change in Control & Severance Benefits Agreement with US Airways Group, Inc. & US Airways, Inc., my family and I receive lifetime flight privileges on American Airlines.

I will provide a copy of the Change in Control Agreement for review, if needed. Counsel for the Senate Ethics Committee reviewed the Agreement in 2014 at the time I joined the staff of the Committee on Commerce, Science, and Transportation.

This information is described fully in my Form 278e Public Financial Disclosure Form.

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.

I have no commitments or agreements to maintain employment, affiliation, or practice with any business, association, or other organization during my appointment.

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 NTSB's DAEO to identify potential conflicts of interest. I agreed to take those actions that are outlined in the letter to the DAEO. A copy is attached. These commitments constitute my ethics agreement as identified in the ethics regulations.

My family and I receive lifetime flight privileges from American Airlines pursuant to an Executive Change in Control & Severance Benefits Agreement with US Airways Group, Inc. & US Airways, Inc. Because we will continue to receive these benefits, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of American Airlines to provide these benefits, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Because of this ongoing financial relationship, I will not participate personally and substantially in any particular matter involving specific parties in which I know American Airlines is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Additionally, I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

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 National Transportation Safety Board's DAEO to identify potential conflicts of interest. I agreed to take those actions that are outlined in a letter to the DAEO. A copy is attached. These commitments constitute my ethics agreement as identified in the ethics regulations. 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 NTSB's DAEO 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 have entered into with the NTSB's DAEO and that has been provided to this Committee. Pursuant to that agreement:

- I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse and minor child; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.
 - My family and I receive lifetime flight privileges from American Airlines pursuant to an Executive Change in Control & Severance Benefits Agreement with US Airways Group, Inc. & US Airways, Inc. Because we will continue to receive these benefits, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of American Airlines to provide these benefits, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). Because of this ongoing financial relationship, I will not participate personally and substantially in any particular matter involving specific parties in which I know American Airlines is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).
 - If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.
 - I will meet in person with the DAEO during the first week of my confirmation in order to complete the ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with the ethics agreement by notifying the NTSB's DAEO in writing when I have completed the steps described in the ethics agreement.
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.
- Served as Vice President for Government Affairs with US Airways from October 2006 to January 2014.
 - Since July 2014, have served continuously as Counsel to the Senate Subcommittee on Aviation & Space (formerly, the Subcommittee on Aviation Operations, Safety, & Security).

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.

I have never been disciplined or cited for a breach of ethics, professional misconduct, or retaliation, nor have I been the subject of any complaints alleging such conduct.

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.

I have never been investigated, arrested, charged, or held by any law enforcement authority for anything other than for a minor traffic offense.

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.

I have not personally been a party to or otherwise involved in any administrative agency proceeding, criminal proceeding, or civil litigation. Each of the private sector organizations which has employed me during my professional career was involved in business related litigation typical of any large and sophisticated corporate entity. While I was often aware of such proceedings, I was never a party in interest nor did I actively participate in the litigation.

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.

I have never been convicted of any criminal violation other than a minor traffic offense.

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.

I have never been accused of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis.

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

None to report.

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?

In collaboration with fellow members of the Board, I will ensure that NTSB complies with deadlines for information set by congressional committees and endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority.

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?

In collaboration with fellow members of the Board, I will ensure that NTSB does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures.

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?

In collaboration with fellow members of the Board, I will cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee.

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?

I am willing to appear and testify before any duly constituted committee of the Congress on such occasions as I may be reasonably requested to do so.

RESUMÉ OF 11THOMAS B. CHAPMAN

PROFESSIONAL HISTORY

Counsel

*Senate Subcommittee on Aviation Operations, Safety, & Security
Committee on Commerce, Science, & Transportation
July 2014 to Present.*

Joined Aviation Subcommittee staff in anticipation of legislative effort to reauthorize the Federal Aviation Administration. Worked collaboratively with bipartisan Senate team throughout the 114th Congress to develop comprehensive FAA Reauthorization bill passed by the Senate in April of 2016. Subsequent negotiations with the House culminated in the *FAA Extension, Safety, and Secu-*

ity Act of 2016, passed by Congress in July of 2016. Efforts to agree on long-term, comprehensive legislation continued in the 115th Congress, resulting in passage of the *FAA Reauthorization Act of 2018*, signed into law October 5, 2018. The five-year package negotiated on a bipartisan basis ensures long-term stability and various important reforms of the FAA. It also reauthorizes and reforms the Transportation Security Administration and the National Transportation Safety Board.

Vice President for Government Affairs

US Airways, Washington, D.C.

October 2006 to January 2014.

Recruited to manage Washington, D.C. office for the “new” US Airways. Newly established company resulted from 2005 merger of former US Airways and America West Airlines. Served as primary Washington representative on legislative matters, and contributed significantly to Federal regulatory work and dealing with news media on government affairs matters. During tenure, launched enhanced internal fundraising campaign for *US Airways Political Action Committee*, doubling the rate of employee participation and tripling PAC financial resources. Heavily involved in developing and implementing government affairs strategies promoting industry consolidation. Work on that company priority culminated in successful agreement to merge US Airways and American Airlines, creating the world’s largest airline.

Legislative Counsel

Southwest Airlines Co., Washington, D.C.

January 1998 to October 2006.

Recruited to establish and manage new Washington, D.C. office to represent highly regarded Southwest Airlines. Establishment of full-time Washington office significantly enhanced the effectiveness of the Company’s government affairs efforts. Served as primary Washington representative on legislative and regulatory matters. Frequently called upon to represent the Company in state and local government affairs arena, particularly in the airline’s newer east coast destination cities. Helped organize and launch the Company’s first ever PAC, the *Southwest Airlines Freedom Fund*. Dealt with news media on government affairs matters.

Senior Vice President for Government & Technical Affairs

Aircraft Owners & Pilots Association, Washington, D.C.

December 1996 to January 1998.

Promoted to direct all federal, state, and local government affairs activities for AOPA—a major national association representing interests of over 340,000 members. Managed full-time professional staff of eighteen in AOPA’s Washington, D.C. and Frederick, Maryland offices. Also managed state and local activities of twelve Regional Representatives. AOPA’s government affairs program often cited as among the most active of all national membership associations.

Vice President & Legislative Counsel

Aircraft Owners & Pilots Association, Washington, D.C.

November 1988 to December 1996.

Promoted to direct Federal and state legislative programs and PAC for AOPA. Managed staff of six in AOPA’s Office of Legislative Affairs. During tenure, substantially increased effectiveness and organization of AOPA’s legislative programs. Increased PAC fund-raising capability to secure it solidly among 50 largest PACs in the United States.

State Legislative Counsel

Aircraft Owners & Pilots Association, Washington, D.C.

June 1985 to November 1988.

Promoted to expand and direct AOPA’s state legislative program. Coordinated state legislative activities of twelve Regional Representatives.

Associate Counsel, Office of the General Counsel

Aircraft Owners & Pilots Association, Washington, D.C.

May 1982 to June 1985.

Established and coordinated successful state legislative program for AOPA. Drafted or reviewed all Association contracts and participated heavily in contract negotiations. Responsible for all trademark and copyright issues. Gained experience in broad spectrum of corporate legal matters.

EDUCATION

American University School of Law, Washington, D.C.
 Juris Doctor, May 1982.
 Admitted to the practice of law in Washington, D.C. and Maryland.
C.W. Post College, Greenvale, N.Y.
 Bachelor of Fine Arts in Music, May 1978.
 Full participant in Honors Program.
 Areas of concentration: political science, literature, and education.

PERSONAL INFORMATION

Born December 18, 1954, Denver, Colorado.
 Married January 25, 1986, to Mary Scott O'Connell ("Scotty").

ATTACHMENT—QUESTION 3—B. POTENTIAL CONFLICTS OF INTEREST

November 12, 2019

Ms. KATHLEEN SLAUGHTER
 Designated Agency Ethics Official
 National Transportation Safety Board
 490 L'Enfant Plaza East, SW, Sixth Floor
 Washington, DC 20594

Re: Ethics Agreement—Thomas B. Chapman

Dear Ms. Silbaugh,

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Board Member of the National Transportation Safety Board.

As required by 18 U.S.C. §208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. §208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. §208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

My family and I receive lifetime flight privileges from American Airlines pursuant to an Executive Change in Control & Severance Benefits Agreement with US Airways Group, Inc. & US Airways, Inc. Because we will continue to receive these benefits, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of American Airlines to provide these benefits, unless I first obtain a written waiver, pursuant to 18 U.S.C. §208(b)(1). Because of this ongoing financial relationship, I will not participate personally and substantially in any particular matter involving specific parties in which I know American Airlines is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. §2635.502(d).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. §2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Board Member in order to complete the initial ethics briefing required under 5 C.F.R. §2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. §552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.
Sincerely,

Thomas B. Chapman

The CHAIRMAN. Thank you, Mr. Chapman. I am required to ask you this question on the record. If confirmed, will you pledge to work collaboratively with this Committee and provide thorough and timely responses to our request for information as we work together to address important policy issues?

Mr. CHAPMAN. Absolutely, Mr. Chairman, and I will be happy to do so.

The CHAIRMAN. Thank you very much. We have been required this past year to spend a great deal of time talking about aviation safety. Of course, in the U.S. commercial aviation continues to be one of the statistically safest forms of transportation. What do you think will be the greatest safety related challenges facing the aviation system over the next decade?

Mr. CHAPMAN. Mr. Chairman, I think it is not unique to aviation. I think automation is the biggest challenge. And it is a challenge again as I highlighted in my formal statement because automation presents such promise but also presents such challenge in terms of managing it and anticipating when things can go wrong with automation. We have to make sure that we haven't developed too much of an over-reliance on it and that we have operators in all modes that are able to respond when there is a failure.

The CHAIRMAN. Well, let's transition then specifically to UAS, to Unmanned Aircraft Systems, and give us your thoughts on some of the safety challenges there.

Mr. CHAPMAN. I think the key to safe integration of drones into the system is promulgation of the remote ID rule. That has lagged somewhat. I think all of us on the staff level and members as well have been frustrated by that. But I think anything that can be done to encourage FAA to move forward on promulgation of the remote ID rule as expeditiously as possible is in the best interest of safety, also security, and certainly is essential to ensure that they can be integrated into the existing air traffic control system.

The CHAIRMAN. Mr. Chapman, the Amtrak derailment in Dupont, Washington occurred on December 18, 2017. NTSB held its Board meeting on the report on May 21 of this year and issued its final report on June 24. We've heard from prior nominees that accident investigations can take longer than necessary.

It takes an average of one to two years to complete an accident investigation and issue a final report. Given your experience in working with this committee and elsewhere, how important is it to have NTSB investigation reports issued in a timely manner and do you have any recommendations for getting these reports done more quickly?

Mr. CHAPMAN. Mr. Chairman, I agree. First, of all the importance of rapid completion of these reports is a priority—I know for the current Chairman for the current Board members. I look forward to working with them. I think candidly, one of the challenges that they have faced over the past year was the shutdown which I know set them back a little bit, but it is a priority at the agency.

I look forward to working with my colleagues on the Board to ensure that these reports are issued in as timely a fashion as possible.

Obviously investigations need to be thorough and complete, but the outcome of these investigations is the product of the agency, and it is that product then that drives further improvements in safety. So they need to be made available as soon as possible.

The CHAIRMAN. Well, I would suggest to you that certainly a Government shutdown is a terrible way to run our business, and to the extent that we all have our fingerprints somewhat on that, that is regrettable, but I do think it is a much larger issue and it happens year in and year out. And I would hope that as a new member of NTSB you can give some very thorough and informed attention to this issue.

Mr. CHAPMAN. Absolutely, Mr. Chairman, and it should definitely be a priority.

The CHAIRMAN. Senator Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman. Mr. Chapman, you mentioned in response to the Chairman this issue of automation and I certainly agree. Whether you are talking about aviation or automated vehicles, we have seen recent problems and over-reliance on technology. What do you think we need to do to improve our understanding here particularly on the human interface side?

Mr. CHAPMAN. Well, Senator, frankly I think one of the proposals in your recent legislation, the idea of a Centre of Excellence for flight automation at least is one of the approaches that will be helpful. I think it is essential that there be focus not only on the benefits of automation but ensuring that there isn't a complacency in terms of the operators.

That to me is a matter of training, to a great extent, certainly in modes such as aviation, but it is also a matter of designing the systems and I think regulating the systems in such a way that the systems themselves have features built into them that ensure that there is continuing essentially reminder to the operator to maintain vigilance so that this complacency doesn't creep in and it doesn't become the cause itself of an accident when there is a failure.

Senator CANTWELL. How would you do that on the design side? I mean one of the reasons why we have suggested a Centre of Excellence on this is because as Captain Sullenberger said, "you don't even know what the limitations of human response are." So if you don't categorize that first, then how are you going to determine what their abilities are as it relates to reacting to automation?

So first you have to have some kind of definition of human capability and understanding, and then you have to determine whether that is—but I am not sure we have that part of our design elements yet, whether we are talking about automated vehicles or in aviation. So what should we do there?

Mr. CHAPMAN. I think that is right, and I think research through institutions such as a Centre of Excellence and other academic institutions helps us better understand and define what the limitations are. But then I think as we saw in the recent NTSB recommendations coming out of the Lion Air accident, we need to test the assumptions that are used with respect to, certainly in case of aviation, the certification standards that are applied.

The assumptions in the case of MCAS appear not to have been valid assumptions. They are long-standing assumptions, but they appear not to have been valid. And then the other thing that was not taken into account, and this again has to be done across the board, is how will human beings respond when there is not an individual failure but multiple failures or a failure that triggers cascading alarms or cascading failures? Those are difficult challenges and they require research, they require experience in order to better understand how to respond.

Senator CANTWELL. Well, and I definitely appreciate in NTSB's recommendation on that. I think it was very helpful and that is why we put it into legislation because we think it is—there are many things to do here obviously to upgrade our system, but clearly that is one of the things that is very clear, both what is the initial response and then how much information can you throw at somebody in that kind of environment and get some result that you think you are going to get.

One of the other issues kind of following on what the Chairman was asking which is, we obviously want in the NTSB is to do a thorough investigation. When they do a thorough investigation, it often takes a longer period of time. And yet, we want those recommendations then to be the basis of making improvements to the system. And I know that the NTSB has this most wanted list for safety improvements. How do we make progress on that?

Mr. CHAPMAN. The most wanted list, of course, is the most important tool that the NTSB has for leveraging its priority recommendations. And I know that there has been an effort ongoing at the NTSB in recent years to enhance the content, enhance the format, but the next step is taking that material and doing an effective job of advocating. I think each of the members has to take a responsibility, both individually and collectively, to get out into the field, to work with legislators, to work with Congress, to work with local Governments to ensure that these recommendations are highlighted, that work is done to implement them.

And a lot of that frankly is just good old-fashioned elbow grease and I think it requires a lot of individual effort on the part of the members of the NTSB. It is not a regulatory agency. It doesn't have the authority to compel these recommendations. I don't believe it should. I think the independence of the agency is important and I think the lack of authority is part of that independence, but I do think it requires a lot of work on the part of the board collectively, on the part of the staff, and then on the part of members individually to be out into the field and advocating.

Senator CANTWELL. Is there something else besides the most wanted list you think would be helpful?

Mr. CHAPMAN. Well, that is the most important tool. I have to be honest, I don't know enough yet about the advocacy role of individual members to know what other options there might be. I am looking forward to learning more about that because I think that is an area where I might be able to help play a role. I have been a longtime advocate myself for a number of things and I think I have some skills there that might come to bear. But I would like to learn more about what can be done and what NTSB does today or could be doing in the future to help with the advocacy piece.

Senator CANTWELL. Well, I definitely think we need to look at what tools are available to us. I also wonder if resources to NTSB to look at systemic information across many accidents would also help us, and then reminders of open issues and resolving those things, I think, or an annual report on open issues in response to many of these things. I just—you have a very big responsibility and portfolio, so we appreciate the attention you would bring to these issues. I wanted if I could, Mr. Chairman, since I see that it is here, us, if I could—

The CHAIRMAN. I think you are into your second round, Senator Cantwell.

[Laughter.]

Senator CANTWELL. Thank you, Mr. Chairman. Thanks. At grade crossings are a particular issue. In 2018, the Federal Railroad Administration data says there are more than 2,200 collisions, 262 fatalities, and 840 injuries. These numbers are, you know, very similar to previous years. So we just have a lot more injuries. We have a lot more activity. We have a lot more movement of goods and services. What can we do? What do you think we should do to try to improve this particular area of transportation safety?

Mr. CHAPMAN. Senator, this, I will freely admit, is not my area of expertise. I am looking forward to learning more from some of the other Board members who have greater expertise. I have started to do some homework with respect to rail especially and also pipeline, two areas that are relatively new to me, but I certainly understand the concern here and the importance of moving forward on this. And I am looking forward, frankly, to learning more about it and doing everything I can to see if we can't make improvements.

Senator CANTWELL. Thank you. Well, we definitely would look forward to NTSB's comments on that. We think that the infrastructure there is—we get that it is challenging, but we also think that the infrastructure is lacking to a certain degree, so we are not sure if, you know, the issue is putting resources on the table to improve the at grade crossings themselves or more safety apparatuses for what we existing in place.

But, we will look forward to the comments there as we continue to see growth and activity in this area. We just think those numbers are going to continue to stay at that very high—unfortunately very high level unless we make some improvements. So, thank you, Mr. Chairman.

The CHAIRMAN. Let me add to that, a solution to grade crossings is also near and dear to my heart. It is a safety issue and also it is a commerce issue to the extent that it impedes the efficient flow of goods and services around this country. It is something that I want to work with the Ranking Member to address. And before we close this hearing, I would be remiss, and staff members on both sides of the aisle would chastise me, if I did not emphasize the great bipartisan relationship that all members of the staff have had with Tom Chapman as someone who sat behind us.

And on behalf of the Committee and the staff that backs us up, we thank you for the work that you have done, and we wish you the best in your new endeavors.

Senator CANTWELL. Thank you for the service and look forward to continue to work with you.

Mr. CHAPMAN. Thank you for the kind words.

The CHAIRMAN. And I am now required to say, the hearing record will remain open for two days. During this time, Senators are asked to submit any questions for the record with the final submission deadline being the close of business on Friday the 13th of December. The Committee asks that witnesses that—we ask the witness that you submit your written answers to questions for record as soon as possible, but no later than close of business on Monday, December 16, 2019.

With that, we will again thank the nominee, and members, and conclude the hearing.

[Whereupon, at 11:35 a.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO THOMAS B. CHAPMAN

Question. Mr. Chapman, as you know the NTSB is not a regulatory agency, and its investigations and safety recommendations are intended to offer continued improvement of transportation safety for the public.

The NTSB Reauthorization Act, included in last year's FAA Reauthorization, required the NTSB to disclose its methodology detailing the process and information used in selecting each safety recommendation.

With the understanding that NTSB's safety recommendations are not binding, the intent of requiring this methodology is to promote the transparent sharing of information, including any external information and alternative actions considered in the development of associated safety recommendations.

a. Do you believe it is important for NTSB to provide information on its methodology underlying safety recommendations?

Answer. I agree that it is important for policymakers and those receiving NTSB recommendations to fully understand the safety issues identified by the agency, as well as the basis for and the intent of its recommendations. The "methodology" provision included in last year's FAA Reauthorization sets forth a structured mechanism which should enhance both transparency and understanding.

b. To follow up on that, how do you believe disclosing this information will help decision-makers when considering safety recommendations made by NTSB?

Answer. NTSB's mission is to identify those actions which could improve safety. I know from my own experience that some recommendations are seen as cost prohibitive or impractical at the time they are made. However, such recommendations often encourage innovation and research, ultimately resulting in forward looking solutions to safety challenges identified because of NTSB's investigative work. Decision-makers will benefit from a greater understanding of the agency's perspective, and especially when there is an acknowledgment that specific recommendations will "push the envelope." In such circumstances, decision-makers should be better able to evaluate the cost implications and practical feasibility.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO THOMAS B. CHAPMAN

Question 1. What improvements or changes would you like to see at the NTSB?

Answer. In my view, the agency is facing at least three key challenges:

- *Autonomous vehicles & new technology.* Advances in automation and the development of autonomous vehicles hold great promise for enhancing transportation safety. However, these advances present new questions and challenges—some of which will be difficult to anticipate. NTSB must keep pace with the rapid changes. It must ensure that staff expertise is maintained and that appropriate tools and technical skills are available or developed to meet the challenge.
- *Keeping pace with demand.* NTSB's reputation as the world's premier transportation agency is well deserved. With such a reputation comes high expectations, and meeting those expectations in a timely fashion is ever more important. The resources available to the agency are limited and may become more so. NTSB has performed admirably in ensuring that resources are targeted effectively. Maintaining that discipline will remain essential.
- *Maintaining & developing staff.* NTSB staff are renowned for their skill and expertise. The work of the agency is highly dependent on the dedication and unique abilities of its employees. Recruiting and retaining skilled team members is a challenge for any government agency, and particularly for one such as NTSB which requires such unique skillsets. Key to success in this area is

ensuring the well-regarded culture and work environment of the agency is maintained.

If confirmed, I will work collaboratively with the Chairman, my fellow Board Members, and the staff of NTSB to ensure the limited resources available to the agency are targeted efficiently and appropriately to meet these challenges and to fulfill NTSB's legislative mandate.

Question 2. We have examined in this Committee the many new entrants to our national airspace. What concerns do you have about emerging technologies and integration of an increasingly crowded national airspace?

Answer. I feel confident that emerging technologies such as drones can be safely integrated into our national airspace system. However, a key step in that process is promulgation by FAA of the so-called "Remote ID" rule. That initiative has lagged somewhat. FAA should be encouraged to move forward with the Remote ID rule as expeditiously as possible. Remote ID is essential to ensure the safe integration of drones. It will also play an important role in terms of security and deployment of effective counter drone measures.

Question 3. Senator Young and I have introduced legislation to help reduce school bus related accidents—associated with children being hit by automobiles when getting on or off school buses. Are you familiar with this problem—and NTSB's efforts to help address this issue? Do you have any thoughts on how NTSB can help address what the data indicates is a growing threat to school children?

Answer. We were reminded of the risks associated with school bus loading and unloading by two tragic accidents here in the Washington, D.C. region within the past week. I am certainly aware of the problem, and I know of NTSB's work in this area. In fact, NTSB staff testified on the Federal role in improving school bus safety at a House Transportation & Infrastructure Committee hearing last July.

I commend your efforts to promote school bus safety, and I look forward to collaborating with you and Senator Young. If confirmed, I will work to support NTSB's investigative and safety advocacy efforts in this area.

Question 4. Senator Ernst and I founded the Motorcycle Caucus in the Senate to advocate for and raise awareness about issues facing motorcycle riders and manufacturers. One of the biggest challenges for motorcyclists is being seen—a big part of which stems from driver awareness. Can you talk about your thoughts on the motorcycle safety and driver awareness in the context of the NTSB's advocacy role?

Answer. I am aware that injuries and fatalities resulting from motorcycle accidents are a serious and growing problem. Further, I am personally familiar with the challenge of "being seen," having been an avid bicyclist at an earlier time in my life. If confirmed, I am committed to working with fellow Board Members and NTSB staff to promote comprehensive solutions that address all facets of the problem.

Question 5. Echoing Senator Cantwell's comments on grade crossings and pipeline safety—there are considerable safety challenges in these areas and so I would entreat you to follow up on your commitment to more fully examine these issues prior to and if you are confirmed by the Senate.

Answer. In responding to Senator Cantwell's question at the hearing, I did not mention an important connection to my own family history. My grandfather was killed in a grade crossing accident in the early 1950s, a few years before I was born. My mother was still in high school at the time. As you would expect, it was a defining experience in her life.

I am less familiar with the challenges associated with pipeline safety. However, I have already engaged in the process of educating myself in this area. I also look forward to working with NTSB staff and current Board Members who have greater expertise regarding pipeline safety.

The commitment I made to Senator Cantwell is sincere and personal. I am happy to renew that commitment here. I am motivated to learn more about these issues and to do my very best to help address the critical safety challenges.