



Committee on Transportation and Infrastructure
U.S. House of Representatives

Peter A. DeFazio
Chairman

Washington, DC 20515

Sam Graves, MO
Ranking Member

March 19, 2019

Katherine W. Dedrick, Staff Director

Paul J. Sass, Republican Staff Director

The Honorable Calvin L. Scovel III
Inspector General
U.S. Department of Transportation
1200 New Jersey Avenue S.E.
West Building, W70-300
Washington, DC 20590

Dear Inspector General Scovel:

Every day, more than 2.6 million passengers take off and land safely in the United States—a total of nearly 965 million passengers in 2017.^[1] However, two recent accidents involving the Boeing 737 MAX aircraft in Indonesia and Ethiopia, resulting in a total of 346 fatalities in five months, have raised legitimate safety concerns among the flying public, aircraft experts, regulators, and legislators.^[2] While the investigations into the accidents are not complete, early indications suggest the two accidents are linked, underscoring the need to take a more proactive approach with safety to protect the traveling public.

The Transportation and Infrastructure Committee is committed to making the world's safest transportation system even safer. We understand that fully investigating the probable cause or causes of these accidents will take some time. The National Transportation Safety Board (NTSB) is the U.S. Accredited Representative assisting with the investigation and we have full faith in its thorough process and expert personnel to conduct a rigorous review.

^[1] See: "Air Traffic By The Numbers," Federal Aviation Administration, U.S. Department of Transportation, accessed here: https://www.faa.gov/air_traffic/by_the_numbers/ and "Passengers: All Carriers-All Airports," Bureau of Transportation Statistics, U.S. Department of Transportation, accessed here:

<https://www.transtats.bts.gov/DataElements.aspx?Data=1>

^[2] Lion Air Flight #610 crashed on October 29, 2018 when departing the Jakarta, Indonesia international airport killing all 189 onboard. On March 10, 2019 Ethiopian Airlines Flight #302 crashed shortly after takeoff from the Addis Ababa airport killing all 157 passengers. See: Helen Regan and Masrur Jamaluddin, "Boeing issues operational manual guidance to airlines following Lion Air crash," *CMN*, November 7, 2018, accessed here: <https://www.cnn.com/2018/11/07/asia/boeing-airline-advice-lion-air-intl/index.html>; and Aaron Maasho, Duncan Miriri, David Shepardson, "U.S. says 737 MAX safe to fly after Ethiopia crash," *Reuters*, March 11, 2019, accessed here: <https://www.reuters.com/article/us-ethiopia-airplane/after-ethiopia-crash-horror-some-nations-ground-boeing-737-max-8s-idUSKBN1QS15F>


However, while the NTSB will examine these two accidents, we request that your office assess the Federal Aviation Administration's (FAA's) approach to certifying the Boeing 737 MAX. Regardless of the specific factors that led to these accidents, we believe such an examination can help enhance the effectiveness of the FAA certification process overall and identify improvements to oversight and safety of all new aircraft. Therefore, your review should, at a minimum, focus on the following areas:

- **Aircraft Certification.** Evaluate how each of the new features on the Boeing 737 MAX, including positioning of engines on the aircraft and the corresponding changes to automation, angle-of-attack sensors, and new software, in particular the Maneuvering Characteristics Augmentation System (MCAS), were tested, certified, and integrated into the aircraft.
- **Pilot Training Programs and Manuals.** Examine the decision-making factors, including safety assumptions and human factor considerations that led to the FAA's decision not to revise pilot training programs and manuals to reflect changes to flight critical automation systems.
- **Communication.** Assess how new features of the aircraft, and potential performance differences in this aircraft, were communicated to airline customers, pilots and foreign civil aviation authorities.
- **Organization Designation Authorization (ODA).** Evaluate if FAA's reliance on designated ODA certification authority contributed to any of the factors you discover in your examination of the issues outlined above.
- **Corrective Actions.** Examine and provide status reports on how corrective actions have been and are being implemented since the initial accident in October 2018, and whether pilots are being adequately trained before the 737 MAX is returned to revenue passenger service throughout the international aviation community.

We appreciate your attention to this matter. If you have any questions regarding this request, please contact Douglas Pasternak on the Majority staff at (202) 226-1871.

Sincerely,


Peter A. DeFazio
Chairman


Rick Larsen
Chairman
Subcommittee on Aviation