



**PRESIDENT'S DEPARTMENT
AIR LINE PILOTS ASSOCIATION, INTERNATIONAL**

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October 29, 2009

The Honorable J. Randolph Babbitt
Administrator
Federal Aviation Administration
800 Independence Ave, SW
Washington, DC 20591

Dear Captain Babbitt:

On behalf of 53,500 professional airline pilots flying for 36 airlines in the United States and Canada, I write to express my grave concern and disappointment that recent FAA actions carry the potential to significantly detract from the safety of the air transportation system.

The recent FAA Call to Action served to highlight the need for airline pilots to maintain the highest standards of professional behavior. ALPA supports that goal, embodied in our Code of Ethics. Our members strive for it on every flight, every day. At the same time, we expect aviation safety professionals throughout government and industry to adhere to similarly high standards by ensuring that all facts surrounding incidents and accidents are allowed to be fully developed so that premature conclusions are not drawn. We, as a safety community, must not allow news media pressure to lead our industry in a direction that is detrimental to the goal of accident and incident prevention.

As we both know, the voluntary, non-punitive safety reporting systems such as the Aviation Safety Action Program (ASAP) are a cornerstone of safety enhancements in the airline industry. Key to those programs is a participant's confidence that he or she may volunteer information about a safety event secure in the knowledge that information so provided will be used *solely* for the improvement of safety processes and to prevent the recurrence of similar events. As the Flight Safety Foundation stated in its testimony before the Senate Subcommittee on Aviation Safety Measures on June 9, 2009, "the ability to collect and analyze that data can only be built on a foundation of trust and commitment."

The ASAP process has been developed over many years to strike the appropriate balance between proactive safety improvements and appropriate corrective action that can be taken in the event that deviations from established norms occur. Transportation safety is thus improved while the traveling public's interests are protected. To deviate from the processes contained in voluntary safety disclosure programs, which until now the FAA has fully supported, is counter to the goal of identifying safety improvements. Widespread pilot support of these programs has prevented the recurrence of accidents and incidents. Deviations from protection and proper processing of self-disclosed information cannot be tolerated, particularly in a rush to judgment to satisfy insatiable news media demands that more often than not are based on incomplete information.

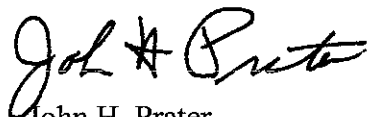


Proper investigative processes must be allowed to operate and reach their conclusion before information is publicly released to avoid the possibility of partial, incomplete information being disseminated as fact. These careful, deliberative, mutually agreed-upon processes have been shown to be the most effective way to adjudicate self-disclosed reports. For the FAA to take action before the ASAP and investigative processes have been allowed to work is unacceptable and can only result in the immediate dilution of the effectiveness of ASAP and other vitally important safety programs. Use of voluntarily supplied information—crew interviews by the NTSB—before the established due process has been allowed to proceed jeopardizes the very goal of an investigation and, worse yet, jeopardizes the continued existence of established effective safety programs. Subverting such proven processes does a disservice to aviation safety. If information is obtained through the voluntary, willing participation of pilots in the investigative process, then subsequently used as the basis for severe sanction before all the facts are in and due process is followed, an adverse effect on aviation safety is inevitable and must not be allowed to occur. The aviation safety community must ensure that a proven avenue of obtaining valuable safety data, generally not obtainable by any other means, remains open. The FAA has supported that effort, and to deviate from it for a high-profile event can only have a chilling effect on the provision of such data.

As our industry continues to make the safest form of transportation in human history safer still, we know we must strive to improve the processes by which we identify and correct safety deficiencies. The global implementation of Safety Management Systems (SMS) has been identified by the international aviation safety community as a means to that end. It is universally accepted that voluntary reporting processes are a vital element of SMS and thus must be protected. The FAA has stated its intention to comply with the ICAO-established standard of implementing SMS and has participated fully and continuously in the development of agreements to protect the sanctity of voluntarily supplied safety data. I urge you in the strongest possible terms to recommit the FAA to proper processing of all safety reports and not to allow pressure from groups unfamiliar with the value of proactive safety reporting programs to result in jeopardizing them, and compromising aviation safety as a result.

In closing, I would reiterate that ALPA pilots expect and demand professional performance of ourselves and our peers. In turn, we expect the FAA to fulfill its responsibilities in a professional manner and not be influenced by news media pressure to forgo deliberative processes. We stand ready, as fellow safety professionals, to participate in all efforts to improve aviation safety through complete investigation and protection of vital aviation safety programs.

Sincerely,



John H. Prater
President