



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

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October 29, 2009

The Honorable Deborah A.P. Hersman  
Chairman  
National Transportation Safety Board  
490 L'Enfant Plaza SW  
Washington, DC 20594

Dear Chairman Hersman:

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 the recent actions of the National Transportation Safety Board carry the potential to significantly detract from the safety of the air transportation system.

The recent FAA Call to Action has 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 in 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 development of voluntary safety reporting systems such as the Aviation Safety Action Program (ASAP) have become 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. The same is true for participation in an NTSB interview, that the information will be used for safety purposes and not for a trial in the press. 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 FAA's ASAP process strikes 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. NTSB's release of information, even factually accurate information, before that ASAP process has been allowed to work provides the means for other organizations to deviate from that process and is thus 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 are more often than not based on incomplete information.

The NTSB's established methodical, deliberative process, which ALPA supports fully, is effective in ensuring that *all* factual information is developed before *any* conclusions are drawn. To depart from that model in the interest of rapid release of information diminishes the effectiveness of the investigation. While we support your stated goal of complete transparency in NTSB investigations, we cannot support early release of information precipitated by that desire to appease the news media. Such premature release jeopardizes the very goal of the investigation and, worse yet, jeopardizes established effective safety programs. Transparency can be achieved in the overall investigation without releasing part of the investigative factual record before established processes are allowed to function as intended. Subverting such proven investigative processes in the interest of immediate transparency 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. That 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 NTSB must be a leader in that effort—not a participant, however well-meaning, in a process that 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, non-punitive reporting processes are a vital element of SMS and thus must be protected. As NTSB investigative processes evolve and adapt to the changes in our industry, it is critical that investigation protocols recognize the value of all aspects of that systems approach and do not jeopardize their effectiveness. We therefore urge you in the strongest terms to reconsider the balance between the NTSB's desire for investigative transparency and the need to protect fragile and irreplaceable sources of safety data.

In closing, I would reiterate that ALPA pilots expect and demand professional performance of ourselves and our peers. In turn, we expect the NTSB 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