

Congressional Testimony, 9/26/01

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**CONGRESSIONAL TESTIMONY to the
U.S. House of Representatives Aviation Sub-Committee**

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“NINE – ELEVEN”

The terrorist bomb that brought down Pan Am 103 in 1988, should have awakened the government to the need for the best airport security. We cannot afford the delays that plagued the past decade.

Good morning. My name is Gail Dunham, and I am the President of the NATIONAL AIR DISASTER ALLIANCE/FOUNDATION (NADA/F). I am retired from the airlines and for 30 years I thought the airlines were doing everything for aviation safety. I learned that I was wrong when our family lost a loved one in 1991. I remember when flying was fun. I flew last weekend and it is not fun today. Our corporate-government needs to re-think its' corporate culture and stop putting safety and security at the lowest, cheapest level.

The NATIONAL AIR DISASTER ALLIANCE/FOUNDATION (NADA/F) represents survivors and those who have lost loved ones in over 80 air disasters. Our members are also aviation professionals, the traveling public, and we have grown to become the largest grassroots aviation safety organization in the world. NADA/F's mission is: Safety, Security, Survivability and Support for Victims Families. Family members, who have paid the highest price for the lack of aviation safety and security, have often been the only ones on record testifying for air safety. Sadly our membership is increasing, and we deeply mourn the four commercial airplane crashes of September 11th (9-11) and the deaths that wrecked such havoc on our country, our communities, and the world.

The photo I.D. cards that are required of passengers today are because of the NADA/F legislation passed in 1996. The pilot background checks that are now allowed are because of legislation promoted and passed by members of the NADA/F. Before 1996 a pilot's professional record was considered confidential. Our members and the family members of PanAm 103 have fought hard for other legislation, and Congress and the industry should have listened to us.

Family members who have known and promoted the answers for years should have been #1 to testify with your Hearings. NOW, we must be a part of the process of promoting safety and security for the future.

I sincerely hope that those who lost family and friends on Sept. 11th are able to slow down, bring others close, and pace themselves for the path they will walk for the future, as the truth unfolds. All Americans mourn with you.

It is very different to lose someone in an air disaster. After a plane crash it can take much longer for recovery and identification of loved ones. Sometimes there is no recovery, or possibly an entire family is lost. Every step of the good bye takes much too long.

Investigations can take years, and the personal pain continues. The worst is that during this time people learn that the air crash was a preventable disaster. It was not an act of God, or some honest mistake. You learn that shortcuts and delays by bureaucratic government and the industry have prevailed.

To honor those lost we must do the following; and get to work as soon as possible to prevent another September 11th. It has been two weeks since 9-11 and government has agreed to print and spend \$40 billion, but we must change the way business is done to restore faith and make the necessary changes in the aviation industry for the future. We can no longer rely on the cheapest price and the longest delays where safety and security are concerned.

1. The American people must have the truth as soon as possible. The truth comes out eventually, and there is no excuse for denying information to the press or the public. We know that the airport security in the U.S. was terrible. The truth may be very painful to the FAA, airport management, and government; but we cannot move forward without a full disclosure.

2. We cannot continue the delays that plagued the past decade. The government does not want to embarrass itself, however, the terrorist bomb that brought down PanAm 103 in 1988, should have awakened the U.S. government to the need for state-of-the-art airport security.

3. Congress must act promptly and eliminate the 28 laws that require a “cost benefit analysis” for air safety and security recommendations—these laws have given the industry years of delays, and shortchanged the traveling public. The bureaucrats use a “cost benefit analysis” based on \$2.7 million per passenger, times a plane crash maybe once in 20 years, versus the cost of fixing the fatal flaw. September 11th was proof that this methodology was and is wrong. The U.S. should have had the best airport security in the world.

One of these laws requires a “cost benefit analysis” to determine the “impact to a small business.” A family is a small business, and far more precious, but there is no consideration to the enormous cost to a family decimated by an air crash. In other words, improved air safety and security have been based on the industry making more money, and driving standards to lowest cost, cheapest level, before consideration of what your family means to you.

Congress passed these laws that require the FAA to look at the economics before looking at saving lives, and now Congress needs to repeal these laws. EVERYONE LEARNED ON SEPT. 11TH THAT SAFETY AND SECURITY PAYS FOR ITSELF MANY TIMES OVER.

For 20 years child car seats have been required, but a child under the age of 2 is still not required to have a child restraint seat on an airplane. There have been over 30 center wing tank fuel explosions and the NTSB and it's forerunner have asked the FAA to force the airlines to comply with simple known technology to prevent the explosions, such as caused TWA 800. The FAA is still studying these issues. Give the FAA the legislation to freely move forward and put safety first, and tell the FAA it is long overdue to get tough on safety!

No one should weigh the cost of safety versus the cost of people's lives. If our politicians truly care about the people of our country they will eliminate laws requiring “cost benefit analysis,” and truly put safety, security, and us first.

4. The U.S. Civil Trial for the perpetrators of the PanAm 103 bombing must go forth and be a high priority for the U.S. Department of Justice. The trial will show the link from the terrorists to the top

levels of the Libyan government. Rogue foreign governments need to know that they will pay the highest financial price for harboring and promoting terrorists.

5. Independent oversight of the \$5 to \$8 billion per year in the Aviation Trust Fund is needed. Airline tickets are highly taxed, and the industry executives and politicians should not be the only people spending our money. Politicians struggle to bring transportation money to their own district, with little regard to the traveling public at large. If the FAA and politicians are doing such a great job in this area they would welcome the public participation. I assure you that there are independent aviation professionals, and public interest organizations like NADA/F that would prioritize the money to provide needed safety and security. Do not continue to look at a system that failed.

6. All FAA meetings should be Open to the Public, and comply with the Open Meetings "Sunshine Laws." Administrator Jane Garvey was the first FAA Administrator to recognize the need for representation from the public sector on the FAA Rulemaking Committees, which has been very positive, but there is so much more that needs to be done.

7. Improved airport security procedures, such as they have had in Europe for many years, need to become permanent in the U.S., not just indefinite. A person should pass a five year criminal and terrorist background check before they are given an airport I.D. card to work at any airport in the U.S. Airport security should be viewed as law enforcement. Yes, the government would pay more for security employees, and the airlines would pay more for their airport employees. That is OK.

8. The FAA needs to levy serious financial fines against the airports and airlines when rules/laws are broken, and these fines should not be negotiated to 10 cents on the dollar. Congress needs to tell the FAA to get tough on airport crime. Congress should pass laws that would require criminal incarceration for illegal shipping of hazardous materials and other practices that endanger people's lives.

9. Limit the amount of carry on baggage that is allowed so that it can be x-rayed AND hand checked. The FAA has had a policy for decades that the maximum size for carry on baggage should be 9" x 13" x 23", which is a total of 45" for the three dimensions. The FAA should issue a directive immediately that their own policy will be the industry standard. Flight Attendants and other airline employees that the FAA and Congress ignored have asked for this basic policy to be law for years. It appears that the FAA has not done this during the past two weeks so Congress should enact this quickly.

Also consider a maximum of 50 pounds per passenger for checked baggage, so that luggage can be x-rayed, and collect excess baggage charges for overweight. Too many people arrive at the airport looking like a moving company dropped them at the curb.

10. Concourses need to be sterile and only accessible to passengers and employees who have passed a five-year background check. European airports have taken terrorism seriously for years. Meanwhile, in the U.S., the airports build restaurants and shopping arcades to make more money, and put security contracts to the cheapest bidder.

11. People are in agreement that the Sky Marshall program needs to be expanded. I remember the first Sky Marshals during the 1970's. The program was partially cut back because the airlines wanted to make money and sell the seats--well make it clear that Sky Marshals and other aviation security programs are finally here permanently, not indefinitely, but forever.

Some airlines may be so weak financially that they cannot afford to hire employees that are able to pass five year background checks. Then say good-bye! The world can no longer afford for

aviation in the U.S. to be driven to the lowest cheapest standards. Maybe we cannot afford to have \$39 bargain tickets drive the entire industry to cost-cutting measures that have proven to be unsafe.

Providing for the safety and security of the traveling public is government's responsibility. Aviation has become mass transportation. We need to use the money, technology, and resources of our great country to provide improved aviation safety and security as soon as possible for the future. Our families were worth it, and so are yours!

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