

United States Senate
WASHINGTON, DC 20510

April 10, 2008

The Honorable Robert A. Sturgell
Deputy and Acting Administrator
Federal Aviation Administration
8000 Independence Ave., SW
Washington, DC 20591

Dear Administrator Sturgell:

We are alarmed by the parade of flight cancellations we have seen since the Federal Aviation Administration (FAA) proposed a record \$10.2 million in fines on Southwest Airlines for its maintenance violations. While the cancellation of thousands of flights increases delays and is an immense burden to ticketed passengers, we are even more alarmed by the possibility that hundreds of planes have been flying unsafely.

The pattern which has emerged is so pervasive and widespread that we cannot help but believe that it is the result of systemic problems within the FAA. The FAA's hands-off approach to airline oversight has allowed "deliberate violations," shoddy maintenance, incomplete record-keeping, and complacent oversight practices to grow and fester.

This week alone, American Airlines has canceled almost 1,500 flights. It should never have come to this.

Over a month ago, the FAA announced its response to the Southwest Airlines debacle. At the time, we hoped that the Bush Administration would respond swiftly and forcefully enough to protect the safety of the flying public. The record fine, broad review of maintenance procedures, and investigation into a complicit FAA official seemed like a promising start. However, more problems were found almost immediately. This resulted in hundreds of planes from many different airlines being grounded and repaired.

American Airlines alone grounded hundreds of its MD-80 planes to correct wiring problems. But these planes were not inspected immediately after being repaired, because now, almost a month later, American is cancelling thousands of additional flights for inspections. Why weren't these repairs inspected immediately? Why were these potentially unsafe planes allowed to fly without inspection for two weeks?

There have been known issues with the MD-80 since December, following an emergency landing in Minneapolis. While the airlines claim that passenger safety has not been compromised, we are profoundly disturbed by Capt. Sam Mayer's description of his MD-80 as an ice-encrusted "popsicle" after he managed to return it safely to the airport.

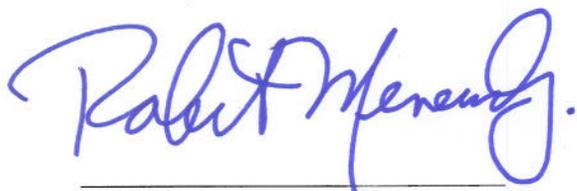
It has been reported that American Airlines recorded 23 MD-80 landing gear problems in the last few months, several of which have resulted in emergency landings.

Meanwhile, Newark Liberty International Airport is staffed by a bare minimum of air traffic controllers, and many of its most experienced controllers are nearing retirement. Although the controllers are directly responsible for air traffic safety, you appear to have adopted a confrontational management strategy. In response to calls for updated Standard Instrument Departures (SIDs) in Philadelphia, an FAA spokesman said, "The controllers are there to ensure the planes get down safe. If they don't like working for the FAA, they should reconsider their line of work." That is not constructive, and does not help keep the public safe.

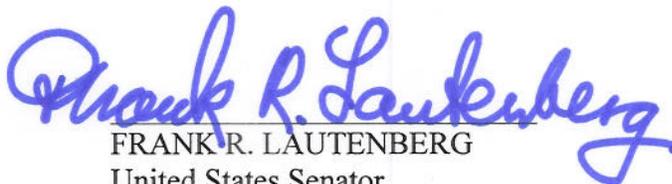
This disturbing pattern has reinforced our conviction that the FAA does not have the flying public's safety as its first and highest priority. Your continued laissez-faire approach is a tragedy waiting to happen, and we implore you to act before it is too late.

Before we can remove our holds on your confirmation as FAA Administrator, we need to see evidence that you are leading the FAA in the right direction. Safety must be your highest priority. It is simply unacceptable to have planes being repeatedly grounded for the same issue. Rather than simply waiting to react to problems, the FAA should actively enforce its maintenance, planning, and reporting procedures. We hope you will begin changing the culture at the FAA immediately, and that we will ultimately be able to endorse you as a leader of this critical agency.

Sincerely Yours,



ROBERT MENENDEZ
United States Senator



FRANK R. LAUTENBERG
United States Senator