

STATEMENT OF EDWARD F. PIERSON
BEFORE THE
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

April 17, 2024

Chairman Blumenthal, Ranking Member Johnson, distinguished members of the committee. Good afternoon. Thank you for inviting me to testify today. My name is Ed Pierson. I'm the Executive Director of The Foundation for Aviation Safety.

My father was a Washington DC homicide detective, and my mom was a registered nurse. I learned at a young age about the importance of telling the truth from my parents, teachers, & coaches-- and this was reenforced when I attended the Naval Academy. I served on active duty and in the reserves and held several aviation leadership roles including Squadron Commanding Officer. The military, like all high hazard and life safety related industries, demands that people tell the truth and admit their mistakes, because if you don't, people will die. I'm here today to share four key messages.

First, the dangerous manufacturing conditions that led to the two 737 MAX disasters and the Alaska Airlines accident, continue to exist, putting the public at risk. In December 2019, I came to Congress to testify as a Boeing whistleblower and to tell the truth about Boeing's rushed production operations. I vividly remember dozens of victim family members off to my left holding pictures of their lost loved ones. During my testimony, I explained that I had warned the 737 General Manager verbally and in writing before the Lion Air Flight 610 crash advising him to shut down the factory. I also warned the General Counsels, the CEO, and the Board of Directors before the Ethiopian Airlines Flight 302 crash to shut down the factory. They ignored my warnings. During my testimony I described the chaotic manufacturing, the dysfunctional safety culture, and the horrible job the NTSB, FAA, & DOT were doing investigating the two accidents.

As a result of the Alaska Airlines accident, people are shocked to learn about Boeing's current production quality issues. I'm not surprised at all, because nothing changed after the two MAX crashes. If anything, conditions have only worsened. Why has this happened?

There was no accountability. Not a single person from Boeing went to jail. 346 people died and there has been no justice. Government regulators completely failed and are continuing to fail. We are wasting our time today unless action is going to be taken, and people are held accountable.

Since the first MAX crash I have spent every single day thinking about the planes that crashed, thinking about the people that were on those airplanes and their devastated families and friends. I also think about the hundreds of thousands of people that board Boeing airplanes every day. I have done everything I can to continue blowing the whistle to let people know the MAX airplane is still unsafe and to alert them to Boeing's unstable manufacturing operations. I studied the accident investigations in detail, published technical reports, wrote letters to government authorities, analyzed safety reports, talked with the media, lobbied Congress, created a podcast, and started up a foundation to help shine a light on the truth. We also work with a heroic group of victim families who continue to fight tirelessly for aviation safety for all of us, despite their overwhelming grief.

The NTSB, FAA, and DOT ignored Boeing's manufacturing problems—until the Alaska Airlines Flight 1282 blowout accident. The leaders of these government agencies were finally forced to admit it, and now they are claiming they are on top of it and taking appropriate action. Don't believe it.

Passengers shouldn't have to rely on whistleblowers to provide the truth. They should be able to get on airplanes and not have to worry about what model it is, whether it was designed and manufactured to the highest of standards, whether the airline is operating and maintaining it properly, or whether government agencies are providing proper oversight. Americans pay billions of dollars for regulatory oversight of the airline industry. That money is currently wasted and drowning in broken promises.

Government officials brag about the U.S. aviation system being the gold standard. There is a reason aviation has been historically safe, and that's because people worked extremely hard for decades making substantial changes. They told the truth, they admitted their mistakes, and they didn't downplay

safety incidents. On Mar 8th members of our foundation met with FAA Administrator Whitaker and DOT Deputy Secretary Trottenberg. During that meeting we told them their organizations have become lazy, complacent, and reactive. We identified 35 specific problems and provided recommended solutions for each one.

My second point is the gold standard is now fool's gold. The only thing that is more dangerous than a dangerous environment, is the illusion of a safe environment. Despite promises to support an exhaustive investigation and to cooperate with international investigators, the NTSB did not investigate Boeing manufacturing. Two brand new airplanes crashed after exhibiting production related electrical and electronic defects within their first month of operation, and the NTSB did not investigate the factory.

They are investigating it now after the Alaska Airlines accident due to the harsh media coverage. The reality is the NTSB is overly dependent on Boeing and the FAA to provide technical assistance in their accident investigations. There is also an inherent conflict of interest.

My third point is if government authorities had done their jobs, investigators would have uncovered a mountain of important information about the two crashes and could have acted before Boeing produced 1,000 more potentially defective airplanes. The FAA would have known Boeing's production processes were a mess years ago. The FAA could have talked with factory workers and realized Boeing's safety culture was terrible. They didn't need an expert panel of PhDs to uncover this five years later. The FAA could have prevented an ever growing list of production quality defects. Instead, they are surprised each time, showing just how ineffective and reactive their oversight has become. Just last month, the FAA reported uncommanded rolls of MAX airplanes due to wiring that is being chafed. Boeing and the FAA knew about this manufacturing defect for more than two years and did not inform the public about this potentially catastrophic condition. There are also Canadian reports of new MAX airplanes with chafed wire bundles with evidence of arcing and burn marks.

Boeing routinely states their airplanes "meet or exceed all safety standards". This is untrue and misrepresents the safety of the airplanes. Boeing continues to request exemptions from longstanding legally required engineering safety standards that could result in catastrophic failures. Boeing has proven

they are unable to consistently ensure the quality of their supply chain. The company illegally removed thousands of quality control inspections on individual airplanes without the FAA's knowledge and without the knowledge of airline customers. Although many of these inspections have been reinstated, hundreds of aircraft have left Boeing factories without those thousands of inspections.

As I speak Boeing is probably delivering a new airplane even though we know their production operations are in disarray and the NTSB still can't explain what caused the latest accident. Why is the FAA allowing this?

My last point, the DOJ and FBI relied on the results of the first MAX accident investigation that was skewed by the FAA and Boeing to identify a very narrow band of criminal behavior by two Boeing pilots and used this to enter into an illegal and unjust Deferred Prosecution Agreement.

Last Wednesday, the NTSB Chair reiterated to Congress that Boeing has said there are no records documenting the work associated with the removal of the Alaska Airlines door. In my opinion this is a criminal cover-up. Records do exist documenting in detail the hectic work done on the Alaska Airlines airplane and Boeing's corporate leaders know it too, because they fought to withhold these same damning records after the two MAX crashes. I know this Alaska airplane documentation exists because I personally passed it to the FBI.

A five minute testimony is not nearly enough time to explain how insidious this story is. Boeing's corporate leaders continue to conceal the truth. They continue to mislead and deceive the public about the safety of their airplanes. That is the safety culture at the top of Boeing right now. The good news is the employees of Boeing, and these government agencies can overcome poor leadership. They need to be supported and encouraged. These problems are fixable, but it starts with telling the truth.