



*Testimony of*

Jennifer Homendy  
Chair  
National Transportation Safety Board

*Before the*

Committee on Transportation and  
Infrastructure  
United States House of Representatives

*– On –*

National Transportation Safety Board Reauthorization

–

Washington, DC • April 6, 2022

**NTSB** | National  
Transportation  
Safety Board  
*An Independent Federal Agency*

**THIS PAGE INTENTIONALLY BLANK**

Good morning, Chairman DeFazio, Ranking Member Graves, and members of the Committee. As Chair of the National Transportation Safety Board (NTSB), I thank you for the opportunity to appear before you today in support of our request for reauthorization.

As you know, the NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—highway, rail, marine, pipeline, and commercial space. We determine the probable cause of the events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct special transportation safety studies and special investigations, and coordinate the resources of the federal government and other organizations to assist victims and their family members who have been impacted by major transportation disasters. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and the United States Coast Guard (USCG), and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB is a small agency relative to our federal partners, in terms of the size of our budget and our workforce, but our impact is profound. Everyone at the NTSB plays a role in achieving our mission to make transportation safer. The reauthorization proposal sent to Congress represents a robust investment in a skilled workforce that will enhance transportation safety nationwide and across all transportation modes. Our dynamic workforce includes:

- Investigators that go to the scene of an investigation and those who work in our laboratories;
- Family assistance specialists who support victims and their families;
- Writers who develop our reports and help craft our safety recommendations;
- Advocates for our safety recommendations;
- Administrative and human resources officers who support our ability to recruit, retain, and train our workforce and make sure we acquire and manage our resources responsibly;
- Those who keep our technology up-to-date and reliable;
- Judges and legal counsel who decide pilots' and mariners' certification appeals; and
- Communications professionals who share the agency's work with the public and our stakeholders.

Their hard work, professionalism, and dedication is the reason that the NTSB is regarded as the world's preeminent safety agency, and one of the best places to work in the federal government.

Even as we have seen tremendous growth and technological advancements in transportation over the last two decades, the size of our agency is virtually the same as

it was 20 years ago, with approximately 400 employees. To continue as the world's preeminent safety agency and complete our investigations and develop recommendations that advance safety changes without delays, we must meet the challenges that come with the increasing growth and innovation in transportation. Therefore, it is critical for the agency to have additional resources to respond to events without affecting timeliness, quality, or our independence. Our reauthorization proposal to Congress includes a request for resources and hiring flexibilities to increase staffing, including the number of investigators across all modes of transportation. These resources will allow us to hire professionals with the required skills, to purchase the equipment necessary for those skilled professionals to do their jobs, and to invest in crucial staff training and development. Our workforce is our greatest asset and they are essential to our mission.

Despite the challenges introduced by the COVID-19 pandemic, over the past two years we continued our critical work of completing significant and complex investigations and issuing safety recommendations to prevent similar tragedies. These completed investigations were tragedies that occurred in some of your districts or involved your constituents, such as:

- The sinking of an amphibious passenger vessel in Branson, Missouri;
- The crash of Atlas Air Flight 3591 in Trinity Bay, Texas;
- A limousine crash in Schoharie, New York;
- A dive boat fire near Santa Cruz, California;
- A collision between a truck driver and motorcyclists in Randolph, New Hampshire;
- A natural gas-fueled house explosion in Dallas, Texas; and
- A midair collision in Ketchikan, Alaska.

Also in 2020 and 2021, we issued 264 new recommendations and closed 297. Of those closed, 245 (82 percent) were closed acceptably, meaning that the recommendation recipient took action to implement the safety recommendation.

Our current investigative workload includes over 1,600 active investigations in 49 states and Puerto Rico, in addition to supporting approximately 70 foreign investigations in over 40 countries. The vast majority of these are aviation accidents being investigated by staff from our four regional offices. They also include major investigations such as:

- The bridge collapse in Pittsburgh, Pennsylvania;
- A ship striking a pipeline off of Huntington Beach, California;
- The Washington Metropolitan and Transit Authority derailment at the Rosslyn station in Arlington, Virginia;
- Multiple fatal accidents involving railroad employees;
- The United Airlines flight 328 engine incident over Denver, Colorado;
- An Amtrak derailment in Joplin, Montana; and

- The Trans Air 810 ditching into the Pacific Ocean near Honolulu, Hawaii.

## **Developing a Robust and Resilient Workforce**

Our reauthorization proposal represents a strong investment in our workforce. They must be able to analyze, understand, and respond to the technological changes that we are seeing in the transportation industry. This proposal will ensure they can. We greatly appreciate Congress's continued support for our budget requests; however, our funding has not kept pace with the need to hire additional investigative and support staff, to train them, or to make needed program investments in information technology and enhanced data capabilities.

While our annual appropriations have increased from \$97 million in fiscal year (FY) 2013 to \$121.4 million in FY2022, our staffing levels have remained about the same. Our fiscal year 2023 request of \$129.3 million, however, does not allow us to grow our staff because while our funding has modestly grown, annual employee pay increases and required increases in retirement and health insurance benefit contributions have taken up more than 60 percent of the total appropriations increase. My hope is that over time, this proposal will authorize sufficient funding to allow the agency to fill empty positions and to expand our staffing modestly in order to meet future transportation safety challenges.

The NTSB has a dedicated and mission driven workforce. On the one hand, we have an experienced and seasoned staff. On the other hand, many of our employees have spent their careers pursuing transportation safety, and they are coming to the end of their working years. In fact, right now, roughly 20 percent of our agency is eligible to retire. In the first third of this fiscal year, the agency has seen increased rates of retirement compared to previous years. This year, we have already seen 11 staff retire. Over the next 5 years, the number of employees eligible to retire will grow to roughly 41 percent of the agency.

The goal of our reauthorization proposal is to right-size the agency over time and to ensure that our employees have the right skill set. This year, our goal is to grow by about ten percent, increasing our staffing to roughly 412 full-time equivalent positions in anticipation of further attrition of the workforce through retirements or separations, adding roughly 15 people per year through 2027 in addition to filling the vacancies that will occur. These 75 total positions do not even fill one-half of the identified needs in our agency. In fact, our staff identified the need for an additional 192 positions over the next five years.

The NTSB's work requires highly skilled employees with specific technical expertise and work experience. Once hired, we must train those employees and continue to offer a competitive salary and benefits, as well as provide ongoing training in order to retain them. To that end, over the next 18 months, we are working with the US Office of Personnel Management to develop a strategic human capital plan to

address the agency's immediate and long-term employment needs based on trends in the transportation industry; support employee retention and succession planning; and identify areas in which competency gaps presently exist. Part of this plan must include efforts to increase the diversity, equity, inclusion, and accessibility of the agency workforce and facilities. Until that plan is in effect, we are requesting the authority to directly hire certain critical technical personnel and highly qualified investigators. Our success in developing a robust and resilient workforce will depend on these efforts as well as increased resources.

## **Enhancing Accountability and Improving Processes and Products**

When I became Chair in August of 2021, I asked our leadership team to analyze our agency's risks, where we needed to improve our processes and products, and where we could enhance our accountability. I also engaged with a wide variety of stakeholders, including our rank-and-file staff in headquarters and in the regions, to get their thoughts on where we stand as an agency, and where they think we need to go.

Numerous changes grew out of that analysis and those conversations including significant improvements to our ability to close out investigations. The timeliness of our reports had become a risk but our ability to complete investigations and issue safety recommendations is critical to improving transportation safety. Resources are important to ensure that our investigations are done thoroughly and that our independence is not compromised. However, the process by which we complete the investigation also matters. We established a process that filled open investigative and technical review positions to support the mission; triaged investigations that were ready for expedited completion through reassignment; used retired annuitants to broaden the pool of report reviewers in the short-term while creating a longer-term solution; enhanced employee performance standards; and developed quality metrics and a means to track them for all investigations.

We prioritized efforts to reduce workplace risk to our people, such as implementing a new voluntary safety reporting program and providing safety training to improve the competencies of the NTSB workforce. And, something that I am incredibly proud of, our leadership team is working to finalize a new annual agreement with the State Department to ensure that if our staff are injured while participating in an international investigation, they can be evacuated during crisis, including medical emergencies. Across the agency, we are actively searching for and mitigating risks. Resources provided under this reauthorization will support those efforts.

In addition, I discovered that despite a 1986 Executive Order<sup>1</sup> that directed federal agencies to implement a program for drug testing certain employees, no

---

<sup>1</sup> Executive Order 12564 (<https://www.archives.gov/federal-register/codification/executive-order/12564.html>)

program was fully instituted at the NTSB. Although we are already taking action to address that issue, this proposal includes a provision directing the agency to implement a drug-testing program.

Likewise, safety improvements depend on our recommendation recipients being accountable for responding to and implementing our safety recommendations. Before 2003, the USCG was required to respond to NTSB safety recommendations within 90 days and to provide an annual report to Congress on the regulatory status of each recommendation on our Most Wanted List. However, when the USCG was transferred from the US Department of Transportation (DOT) to the newly established US Department of Homeland Security, it was no longer subject to these requirements. Our proposal includes a provision that would apply the same requirements to the USCG that currently apply to the DOT under Title 49 U.S.C. 1135 for responding to NTSB safety recommendations and for providing an annual report to Congress on the regulatory status of each recommendation on the Most Wanted List. The proposal would also require the NTSB, as part of its annual report to Congress, to identify each recommendation made to the Secretary of Transportation or the Commandant of the Coast Guard that was closed in an unacceptable status in the preceding 12 months. This requirement would provide the congressional committees of jurisdiction with greater visibility regarding the Secretary's or the Commandant's inaction to improve transportation safety.

The proposed bill also includes improvements to our processes and would:

- Ensure that our investigators have timely access to vehicles and data from accidents and crashes;
- Focus our railroad investigation mandate and resources on those events for which an investigation would provide the most safety benefits;
- Better define our highway investigation authority;
- Enhance our support for families of those impacted by accidents and crashes; and
- Ensure that our reports and other written products are accessible to communities and individuals with limited English proficiency.

## **Conclusion**

The proposed authorization bill, if enacted, will improve our ability to carry out our critical safety mission now and in the future; to recruit, retain, and develop a highly qualified, specialized, diverse, and inclusive workforce; to prepare the agency for investigations involving emerging transportation technologies and systems; and to meet existing needs and future challenges through data-driven decision-making and cross-office risk management.

Thank you, and I appreciate your support for the NTSB and transportation safety.