

**Rep. Christopher J. Lee (NY-26)**  
**Testimony Before the House Subcommittee on Aviation**  
**Regional Air Carriers and Pilot Workforce Issues**  
**Thursday, June 11, 2009**

Thank you, Mr. Chairman. I am grateful for the opportunity to discuss an issue of great importance to my constituents, and I appreciate your vigilance in this matter.

Of course, we are here today to discuss something of concern to all of our constituents. As major airlines have confronted significant challenges in maintaining market share, regional airlines have continued to expand their operations and now account for roughly half of the nation's commercial flights.

That includes Continental Connection Flight 3407, which departed Newark, New Jersey on the night of February 12, 2009 carrying 49 passengers and crew en route to Buffalo, New York.

One of those passengers was a 24-year old woman by the name of Madeline Loftus. Madeline was returning to Buffalo that night to play in an alumni hockey game at Buffalo State College.

And though she had purchased a Continental ticket, she was actually flying on a plane operated by Colgan Air with a crew hired and trained by Colgan Air.

Madeline died that evening when Flight 3407 crashed in Clarence Center, New York, just five miles from Buffalo-Niagara International Airport. All 49 on board the plane and one resident on the ground lost their lives.

Today, this panel will hear from Madeline Loftus's father, Mike, who served for more than 20 years as a pilot for Continental Airlines.

Mr. Loftus wants nothing less than to ensure that a tragedy like this never occurs again, and I thank the committee for allowing him to appear before you today on behalf of the family members of the victims of Flight 3407.

As you know, the need for further congressional scrutiny of this accident became readily apparent when recent National Transportation Safety Board hearings revealed a number of troubling findings, including:

- **The crew's lack of hands-on training and experience in the plane's safety systems;** for instance, the crew was trained in the activation of the stick shaker, but not in the next step, activation of the stick pusher.
- **Questionable handling of failed check-rides by Colgan Air;** specifically, despite the fact that the pilot of Flight 3407 had failed two general aviation check-ride failures, we now know that Colgan did not attempt to access this information.
- And **non-essential cockpit conversation below 10,000 feet** in violation of the FAA's "sterile cockpit rule."

**These revelations have left the families to struggle with the harsh reality that this horrific tragedy may have been preventable and far more questions than answers about how all of the regional air carriers operate.**

**For my part, I am concerned that a culture of corner-cutting has pervaded the regional air carriers, leaving passengers at risk.**

That is why I have joined with my colleagues from Western New York to push for an independent, comprehensive review of all commercial pilot training and certification programs.

This Government Accountability Office study would look at every aspect of these programs, including required training hours, training practices for new technologies, and the adequacy of responses to unsatisfactory check-rides.

Additionally, we are interested in learning what information is required to be provided by pilots on their job applications and what ability air carriers now have to verify that data.

And while we are pleased that the House has given the go-ahead for this analysis in the form of an amendment to the recently approved FAA reauthorization legislation, it is clear that we should not wait any longer to proceed.

I am submitting into the record today a letter Congresswoman Slaughter, Congressman Higgins and I have written to the GAO instructing them to begin their work at once.

**I urge this panel to lend its support to this bipartisan effort so we can expose information that will inform future steps taken by Congress to improve pilot training practices and ensure passenger safety and confidence.**

I also urge this panel to hold the FAA accountable and demand that it do its part to strengthen oversight of the regional air carriers and implement the NTSB's most-wanted safety recommendations on flying in icing conditions.

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Finally, like many Western New Yorkers, I knew several people who lost their lives on Flight 3407, including a close personal friend of mine, an expectant mother whose child would have been just two or three weeks old at this point.

**I just want to say that I am very proud of the first responders, the volunteers, and all the members of our community for coming together to provide support to those who have been affected by this horrific tragedy.**

Again, I am grateful for the committee's time, and I hope that this hearing is just the beginning of a prolonged effort to treat this matter with the attention it deserves.

Thank you.