

NATIONAL PRESS CLUB BREAKFAST WITH DEBORAH HERSMAN

SUBJECT: NATIONAL TRANSPORTATION SAFETY BOARD

MODERATOR: MYRON MELKIND, PRESIDENT, NATIONAL PRESS CLUB

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**MYRON BELKIND:** (Sounds gravel) Good morning and welcome. My name is Myron Belkind, I'm an adjunct professor at the George Washington University School of Media and Public Affairs, a former international Bureau Chief for the Associated Press, and the 107<sup>th</sup> president of the National Press Club.

The National Press Club is the world's leading professional organization for journalists committed to our profession's future through our programming with events such as this while fostering a free press worldwide.

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On behalf of our members worldwide I'd like to welcome our speaker and those of you attending today's event. Our head table includes guests of our speaker as well as working journalists who are club members. So if you hear applause in our audience note that members of the general public are attending. And that's not necessarily evidence of a lack of journalistic objectivity.

I'd also like to welcome our C-SPAN and public radio audiences. You can follow the action on Twitter using the hash tag npclunch.

After our guest speech concludes we'll have a question and answer period and we'll ask as many questions as time permits. Now it's time to introduce our head table guests. I'd like each of you to stand briefly as your name is announced.

From your right Joe Anselmo, Aviation Week Editor-in-Chief, John Boyd, Editor of the New CQ on Transportation Blog Report, Bill Cassidy, Journal of Commerce, Senior Editor, Alan Levin, Bloomberg News Aviation Reporter and a guest of our speaker, John Welch, Senior Account Executive at Edelman, and a Speaker's Committee member who helped organize today's event, Kelly Nantel, the National Transportation Safety Board, Director of Public Affairs, and guest of our speaker. Jerry Zremski, the Washington Bureau Chief of the Buffalo News, Chairman of the NPC Speakers Committee, and a past president of the National Press Club.

Skipping over our speaker for a moment, Angela [00:02:24] King, Bloomberg News, White House Correspondent, a Speakers Committee member who helped organize today's event and last year's National Press Club president, thank you Angela. Jan Brown, airplane crash survivor, and guest of our speaker. Jeff Plungis, Bloomberg News Transportation Reporter, Bonnie Rawlings, recently retired from NBC News, and Gabe Nelson, Automotive News, Washington correspondent.

[applause]

In the ten years since President George W. Bush appointed Deborah Hersman to the National Transportation Safety Board, she has used her bully pulpit to highlight a long list of transportation safety issues. Motorcycle buses—Excuse me, motor coach buses, motorcycle riders, regional airlines, drunk driver, texting and otherwise distracted drivers, pilots and train operators, and even Boeing have found themselves in her cross hairs.

She even holds a commercial driver's license to better understand the industry she investigates. Her agency, which is responsible for investigating transportation crashes and accidents, and determining their causes, also issues recommendations on safety. During her first term the Board helped put quote "distracted driving" unquote into the lexicon and reformed regional airline safety following a devastating crash in Buffalo.

As she wraps up as Chairman, Hersman is working to figure out how to safety transport oil by rail. Hersman this week will leave the Board to become CEO of the National Safety Council in suburban Chicago. She says she'll continue her focus on transportation, safety—excuse me—even with a broad focus than solely on transportation safety.

She leaves behind open investigations including probes into the cause of battery fires in the Boeing 787 Dream Liner, what happened with the Asiana airline's crash that killed two in a crash landing in San Francisco? And looking at the deadly accident in the history of New York's Metro North Railroad.

Early in her career the West Virginia native worked on the staff of the Senate Commerce Committee. Here to give her farewell remarks as Chairman of the National Transportation Safety Board, please help me give a warm National Press Club welcome to Deborah Hersman.

[applause]

**DEBORAH HERSMAN:** Thank you, Myron, for that gracious introduction. And thank you to all of the very busy people who have made time out of their day to come be with me today. Thank you for the introduction and the invitation to come back to the National Press Club.

Does anyone remember the reliable source before it was remodeled in the 1990's? There were little brass plates that had quotes on them that were all over the walls and the reliable source. And perhaps some of you that are reporters might still have some of those brass plates.

A lot of those plates had quotes on them about the independent press as a check on government. A government where I've spent most of my working career. But I've spent much of it at the National Transportation Safety Board, where independence is critical. Do we investigate, report, and go where the facts lead us? Yes. Is that something similar to what you in the press do? I think it is. But your primary responsibility is to inform the public. Our primary responsibility is to investigate, to reduce future risks. So when do we intersect when risk becomes news? So today that's what I'd like to talk about. I'd like to talk about risks, especially unlikely risks and why we pay attention to them, and when they become news.

So let me start with this story about a secluded village that's high on a mountain top in a prosperous kingdom where life is treasured. The only way to visit this secluded village was to be hoisted up in a rope drawn basket accompanied by a village elder.

One day a visitor notices as he's approaching the basket that the rope is badly frayed. But he rationalizes that surely such a place would never put at risk their own elders and their visitors. But once the basket's off the ground, the wind starts to pick up, the basket's swaying, and he's sure that the rope has just a little too much give to it. But he rationalizes that they must find extra special rope that has a lot of give because of the windy conditions near the village.

Finally, half way up the top of the mountain, and hundreds of feet from the ground, the rope is squeaking and groaning, and he feels like he just has to say

something. And so he turns to the village elder who's in the basket next to him and says, "So how often do they replace the rope?" And the village elder thinks for a moment, and he says, "Whenever it breaks I guess."

So do you think that that is good governance? Or perhaps more relevant for the audience here today, when the rope breaks would you write a story about it? I can see your headlines now, "Beware, Village of Death."

But let's make the question a little bit harder. Maybe rope is very expensive. And 10,000 passengers make the trek up in that basket before the rope breaks. Now should you wait until the rope breaks? What if the rope costs as much as solid gold? Should you wait until the rope breaks?

Sure, we could add all sorts of different variables, but what if you, or someone that you love, is the 10,000<sup>th</sup> visitor? Or what if you write the story of the 10,000<sup>th</sup> visitor? Then that stranger becomes someone that we all know. And the trouble is by that time the rope has already broken.

So let me tell you what happens when the rope breaks in real life. Twenty-five years ago the NTSB investigated the crash landing in Sioux city of a United Airlines DC-10, flight 232. The crew of this airplane did an amazing job in a no-win situation. Now if anyone here in the room is a Star Trek fan, this is the Kobayashi Maru of DC-10 simulators.

The flight took off from Denver, it was bound for Chicago. And on the way the tail mounted engine exploded severing all of their hydraulics. Although the plane's two wing-mounted engines were still operable, the crew had no control over the very essential control surfaces of the airplane. Crew members shuttled back to visually inspect the tail and the wings, while others methodically tried to access the control surfaces to no avail. They kept the plane flying using the difference in thrust between the two engines.

The captain realized that they would have to perform a crash landing. And he informed the crew. The crew then had the task of preparing the passengers on that flight for that landing. But there was no way to prepare the littlest passengers. There were children under two on board, and they were permitted to sit on their parents laps.

So as the passengers and the cabin crew waited for the brace signal, a senior flight attendant picked up the microphone and reminded the parents to buffer their babies by wrapping them in towels and blankets and placing them on the floor and bracing them with their hands and legs. And that's exactly what two mothers did. Laurie Michelson and Sylvia Sow. But the plane's final approach speed was over 240 miles per hour. The right wing caught on the runway, the plane cart wheeled, it broke into three pieces, it caught on fire and ended up in a corn field.

That crew couldn't control the landing. Nobody could. Those mothers couldn't hold onto their babies. Nobody could. Amazingly, 185 people survived that crash, but tragically 111 people lost their lives.

In the aftermath of the crash, in the burning fuselage, Laurie and Mark Michelson could not find their 11 month old daughter, Sabrina. They had to make a choice that no parent should ever have to make. Whether to escort their four and six year old sons out of that burning aircraft to safety, or to stay to look for Sabrina. In the thick smoke they made their choice. They got their boys out of that airplane safely. Mark ran back to search for Sabrina. He heard her cry, but only once.

Sylvia Sow tried to return to the plane to find her son Evan, but that senior flight attendant who had prepared them for the crash landing, blocked her path and told her she could not return to the burning aircraft. She said helpers would find the baby.

Sylvia Sow then looked up at that flight attendant and said, "You told me to put my baby on the floor, and I did. And now he's gone." Ever since then that senior flight attendant has been on a crusade to ban lap held children on flights, advocating forcefully on the issue, testifying before Congress, and some journalists, maybe some in this room, have drawn attention to the issue telling stories of Flight 232 and others.

Ten years earlier in 1979 the NTFB had recommended that the FA research and issue a rulemaking on restraint of small children. We recommended restraints for lap held children after the Sioux City accident, and we've been recommending it ever since.

Some people say that the risk is small. I say, no, a baby is small. We secure laptops and coffee pots, but we do not secure our most precious cargo, our children. Are there other risks that the NTSB should also pay attention to? Of course. How many people die in large airplane crashes? Just a handful in the last four years in the United States. But 30,000 people have died every year on our nation's highways. Do you think that we should back off of aviation safety? Most people don't.

Most people want those frayed ropes replaced before they break, not after but now. Safety is never just about the numbers. Fifteen hundred people died when the Titanic sank. There was room in the life boats for scarcely half aboard. But because of ill-defined evacuation procedures some of those life boats left half empty.

In response 100 years ago this year 13 nations concluded work on the safety of life at seas or Solace. Then World War I broke out, following by the Spanish Flu Pandemic where tens of millions died. But did we forget the Titanic? No. Because the story had been told in newspapers, in art, and poetry. People learned what happened to strangers, and they wept. Did we forget about Solace? No. Today there are a 159 countries that have signed on to that agreement.

Once the rope breaks you can't let it break again. People expect some things from government. And a good and improving standard of safety is one of those things that they expect from their government. That's because who we are transcends statistics and facts. It has to do with how our brains are wired.

So I'd like to ask you to think back. For the journalists in the room I want you to think back to an interaction with your first editor that's really stuck with you. And for the rest of us, think about your first boss. I'd like you to think on an interaction that you really remember.

Okay. If you got that memory, I'd like to see a show of hands. For those that are in the audience, how many of those memories were good memories? Ooh, okay. How many of those memories were bad memories? Neutral? Okay. So I saw a lot of hands go up for bad, and not—only one [00:18:16] for good. So I think that that really helps to prove a point. And that has to do with how we remember things.

The amygdale influences the encoding of episodic memory. Or in layman's terms, bad memories stick. So think about it Some actors won't read their own reviews because if nine out of ten things say good things about them, what are they going to remember? They'll remember the tenth thing that said something bad about them. And that's why companies spend an awful lot of money trying to help their employees through change, because there are an awful lot of people who say, "We tried something different 20 years ago, and it didn't work." And they remember that.

We've evolved that way to survive. If you're a cave man and a saber tooth tiger eats your friend a mile east of the cave, it's really important to remember not to go to that place that's a mile east of the cave. We learn by seeing. So when you raised your hand before, in response to my question, a set of motor neurons fired. The neurons tell your muscles what to do. When you lowered it, another set of motor neurons fired. But something else happened just now. When you watched me raise my hand some of your motor neurons fired again as if you had raised your hand. These are called mirror neurons, and they are key to learning and teaching.

So if you're teaching your child to tie their shoelaces, you do it first, you show them how to do it, and then they copy you. And think how much easier that is than for a child to have to try to learn to tie a knot all by themselves in a new way. So this is very helpful in human survivability. If you're teaching someone to throw a spear or build a fire it's another reason why we've survived. But there's more.

When I scratch my hand sensory neurons fire in your brain. And some, it's just because you're watching me. The only reason that you don't feel it in your hand is because you have a combination of sensory and mirror neurons. But if you numb your hand so there's no feedback, you would actually feel your hand being scratched.

The Spanish phrase for “I’m sorry,” is “Lo siento.” It means I feel it. It’s not just a colorful phrase. It’s about human beings at their core, when we see suffering or hear about suffering we feel it. At some level we might override it. In fact, we have a mix of mirror and normal neurons to do just that. But we are hard wired for empathy. By the way, if you want more on mirror neurons, check out VS Ramachandran’s TED talks on it. I’ve borrowed from him shamelessly.

So what do mirror neurons have to do with replacing the rope? We know that bad things stick with people. And we know that we empathize. So we have to replace the rope. And we know that there are some risks that we can’t personally control. That means sometimes we have to cooperate to replace the rope. But fortunately we’re wired to do just that.

We form societies to teach each other where the predators live. We eventually rid the area of predators. We band together against enemy tribes. And we teach each other where to find food so we don’t starve. This contrast with the theories of social Darwinism. The idea that some people are weeded out and just the few that remain get all of the goodies. Nobody wants that rope to break. So the other safer villages get more visitors. So the visitors to the secluded mountain top die. And that the village is cut off from the kingdom and withers away. Because the person in the basket could be you or someone you love. And in fact part of your brain may think it is. So you demand that they replace the rope.

Twenty-five years ago United Flight 232 crashed in Sioux City. Last year Asiana Flight 214 crashed in San Francisco with more than 300 people aboard that flight. The plane struck a sea wall short of the runway. It pirouetted and ended up thousands of feet down the runway. Only three people died; not 111. In part because the crashes were very different. But in part because a lot has improved with safety since 1989.

These were the first three fatalities in the United States in more than four years commercial aviation. Ninety-nine percent of the passengers on Flight 214 survived. And I know you’ve all seen footage of it; it was a catastrophic crash. But do you think that that statistic comforts the families of the three people who were lost? For them this crash was the ultimate tragedy. This summer the NTSB expects to issue its final report on the crash in the hopes of preventing more tragedies. Because the next life lost could be yours, it could be mine, or it could be any of ours. Our brains tell us so.

I began telling you about two months, Sylvia Sow and Laurie Michelson, who could not hold their babies in place in 1989. But there’s more to the Michelson story, because there was another passenger there. His name was Jerry Schemel(?) He heard little Sabrina’s cries, and he felt around in the overhead bin, which at this time was on the floor because the plane was upside down. He felt around in the thick smoke until he could grab a leg. And he pulled her out into his arms.

Eventually he got outside of the airplane and he handed Sabrina to a woman in the corn field who reunited her with the Michelson's. Later the Michelson's were able to thank Jerry Schemel for doing the right thing. For doing what his human empathy impelled him to do. For acting in a selfless way that so many act when others are in need of assistance. But like so many heroes, when Jerry Schemel was interviewed he said, "I'm not a hero because you would have done the same thing."

But there was no hero for Evan Sow. And there's somebody who's never forgotten that. The senior flight attendant that day was Jan Brown. I'm honored to share the stage with Jan today, and that she came from Chicago to join us. Within a month of arriving at the NTSB as a new board member I got a call from Jan imploring me not to remove the issue of child passenger safety and aviation off of our most wanted list.

Jan always mentions Evan every time she talks about this issue, saying, "This year Evan would have been 16, and maybe getting his driver's license. This year Evan would have been 18, and maybe leaving home for college for the first time." Well, Jan, this year Evan would have been 27, and maybe if circumstances would have been different, he would have been a reporter covering some other speaker here today.

So that's why we protect against tale events. And why people want to write and read and watch the stories of tale events. Because we're wired to do it. Because it could have been us. And to some of our neurons it was us. Because making sure, Karen, that the rope gets replaced. And we know it's the right thing to do. We wouldn't accept cars, Joan, without seat belts today. We wouldn't accept airliners without evacuation slides. Yesterday's tragic lessons are today's safety's wish list, and tomorrow's unacceptable risk.

In the ten years that I started working with the NTSB I've seen more news segments that talk about proactive solutions, people replacing the rope before it breaks. To the reporters, reporting on a disaster is covering your beat, but preventing it gets you a Pulitzer. We have a whole list of frayed ropes called our Most Wanted List. Occupant protection is one of the ten issues on that list. You get to decide what is news. Because when society is assigned the job of preventing such tragedies it is forever judged by its ability to do so, as it should be. Thank you very much.

[applause]

**MYRON BELKIND:** Thank you so much. How good has the international cooperation been in the Malaysian airline investigation. And can you update us on that investigation.

**DEBORAH HERSMAN:** Sure. I expected that I was going to get a lot of questions on Flight 370. And so I will start out by letting you know that the NTSB is not leading this investigation, and we're deferring all release of information to our counterparts in Malaysia. But we have been assisting the investigators in Malaysia. We



provided resources on the ground to Malaysia, also in Australia. And we will continue to do that. This has been an incredibly challenging investigation. I know you all in the media know that as well as anyone. And we continue to work very hard. We're hopeful that they will find the aircraft, and that we will be able to get some answers. Certainly if we recover those recorders we'll have a lot better chance of finding out what happened.

**MYRON BELKIND:** A smaller country like Malaysia will never have the resources or the experience of an agency like the NTSB when it comes to handling such crashes. That being the case, is there a need for some sort of international protocol that will bring the world's leading experts in to supervise such an investigation whenever an international flight crashes?

**DEBORAH HERSMAN:** The good news is we do have international protocols. They are governed by the International Civil Aviation Organization, or ICAO in specific Annex 13 of the ICAO agreement actually specifies how accident investigations are conducted. The U.S., as the manufacturer of the air frame, has the right, has the ability to participate in any international aviation accident. And we do regularly. We lend our assistance in addition to the assistance of the Federal Aviation Administration and the manufacturers, whether it's Boeing, Honeywell, GE, we have a lot of partners who come along with us around the world.

Annex 13 guides who leads the investigation, the country of origin, or the country of the occurrence of the accident, is the first lead. But if the accident doesn't occur within territorial waters or on land, it's the country of registry of the aircraft, which in this case is Malaysia. Annex 13 has served us very well over the years. It's allowed us to participate in a lot of foreign accidents. And it's also allowed other countries to come to the United States to help us, whether it's Bombardier from Canada, Airbus from France, we have enjoyed the benefits of international cooperation.

Aviation knows no boundaries. Safety issues are international issues, and we all work together to try to find the answers. We have a good framework with ICAO Annex 13. Is there room for improvement? There's always room for improvement. And that's what people will work on in the coming years, I am certain, at the General Assemblies and at the safety meeting and ICAO to figure out what can be done better.

Water recoveries are notoriously difficult and very expensive and time consuming. And so we continue to work on better recorder technology and better information coming from aircraft.

**MYRON BELKIND:** Here in America we're hearing a lot these days about a supposed pilot shortage stemming from new FAA rules and pilot experience and fatigue. Do you think these new safety rules are causing problems? And if so, are the problems worth the gain in safety?

**DEBORAH HERSMAN:** I'll leave the economics up to others. But there was a very good reason why rules were passed, and why regulations have changed. We had accidents. We learned lessons from them. We made recommendations. Many of those recommendations have been implemented. That is a good thing. That raises the level of safety for all of us.

If there are issues that need to be addressed I am absolutely confident in a society like ours with the means that we have as the world's largest economy that we can figure them out. Safety has to come first.

**MYRON BELKIND:** What is the biggest remaining safety challenge in the aviation arena, particularly Part 121 commercial operations?

**DEBORAH HERSMAN:** Now, Myron, you're asking me to pick amongst my children. We have a lot of issues that we care about at the NTSB. And we, in fact, have a Most Wanted List of those top ten issues that we care about. There's a number of issues in commercial aviation in Part 121 that need to be addressed. Fire safety is one of those issues. We've certainly seen that. And even though there are some issues that are not on our Most Wanted List, they have been long top of the line favorites on our Most Wanted List. Surface operation safety, fatigue. We still have a cargo operator carve out in the fatigue rules. That isn't something that we wanted to see at the board. We have a lot of issues in aviation that we need to be paying attention to. And I think we'll be talking about some of them coming up this summer with the Asiana and the UPS accidents that took place last summer. We identified a number of issues, and I think you heard about them in our hearings. Issues with respect to automation and training and preparedness for flight. And so we need to make sure that we continue to stay on top of all of those.

And so yes, I did dodge that question. There's not just one issue; there are many. And we need to have a multi-pronged approach to address them all.

**MYRON BELKIND:** What is your thought on the ferry accident in South Korea? How do you believe these South Korean authorities are handling the investigation?

**DEBORAH HERSMAN:** Our hearts go out to the tragic loss that occurred in South Korea, particularly in this case with so many students. We always investigate accidents to try to find out what happened. And there's not one cause of any accident. There's always multiple issues that need to be addressed.

I have reached out to my counterpart in South Korea offering my condolences and our assistance if needed. And we will continue to support them, if we're called upon. But we are deferring to the Koreans and their leadership on this investigation. This is their vessel, and it occurred within their purvey.

**MYRON BELKIND:** From watching General Motors unfolding recall crisis, do you think that America's legal and regulatory framework for auto safety is strong enough to protect the public?

**DEBORAH HERSMAN:** I would start out at the high level and say we still lose 30,000 people every year on our nation's highways. There is certainly room to do better. We must continue to work to do that every day.

I think what we've seen in the recent recalls is that the system is not perfect, and it can be improved. If there is information out there, it needs to be shared, and it needs to be acted on. We need to figure out how to do that in a better way. Obviously, this is not the role of the NTSB. We didn't investigate or have information about these accidents, but we will be looking in many of our ongoing investigations at some issues associated with recalls. And that has been going on for some time. And so if we have comments or insight that we can provide to improve the process, we will do that.

**MYRON BELKIND:** When the NTSB put out its Most Wanted List in 2012 it called upon the government to mandate technologies that can intervene in motor vehicles to prevent collisions. No mandate was issued, but this recommendation dropped from the Most Wanted List in 2013. Are you satisfied that the government and the industry are moving quickly enough?

**DEBORAH HERSMAN:** No. the government and industry need to move quicker. We mentioned the 30,000 fatalities that occur every year. And those occur for different reasons. Many of them have their root in human failure—distraction, fatigue, impairment. But at the end of the day what is it going to take to reduce the crashes?

What we've seen in aviation is that technology holds the key to reducing many of the accidents that have occurred. When we had mid-air collisions, even though air traffic controllers, pilots, everyone worked very hard to prevent those, we still had problems. It wasn't until the advent of TCAS, Traffic Collision Avoidance Systems, that we actually saw the elimination of mid-air collisions involving commercial aircraft that both had TCAS installed. And it was operating and working, and the pilots followed the directions.

The same thing with Enhanced Ground Proximity Warning Systems, or Enhanced Chip Width. We saw perfectly good airplanes being flow into terrain. We tried to train, we tried to make improvements. We worked long and hard on CFIT accidents. But it wasn't until Enhanced Ground Proximity Warning Systems that we really began to reduce those accidents. Technology has the ability to intervene when humans fail.

If we can take the technology that's already in vehicles, Adaptive Cruise Control, Preemptive Braking, and we can work on that technology to the point that it can eliminate or reduce or mitigate crashes, we will save a lot more lives. So no, it's not being done fast enough; yes, there's a lot of people working on it. But the challenge is most of this technology is only available in the highest end cars. There is collision technology. In fact,

I got to ride in a car to test it out at RFK Stadium. I got to do that when I was pregnant with my son, Jackson, who's now eight years old. There is the ability to prevent collisions. It shouldn't be just in the most expensive cars. Safety shouldn't just be for people who can afford it.

**MYRON BELKIND:** As a staffer on the Senate Commerce Committee you helped shape legislation that overhauled how the Department of Transport oversees the trucking and bus industries. What is your assessment of how the Federal Motor Carrier Safety Administration you helped create is doing? What surprises you about the agency as it is today, versus the one you envisioned?

**DEBORAH H HERSMAN:** Well, I think all of us have best hopes for things in the future, whether it's our children or our work. The things that we do or that we create. And I think that back in the 1990's, in the late 1990's, Jackie and Joan, and many other people who might be in this room, when we worked on that legislation to create the Motor Carrier Safety Administration, the Clinton administration actually had a goal of reducing motor carrier crashes by 50% in a decade. And that didn't happen.

We haven't really driven down the accident numbers, the fatality numbers. And in fact, in the last couple of years those fatality numbers have been rising, the overall fatality numbers have gone up. That's very disappointing. We created a whole model(?) administration really to be able to crack down on this. Last year the NTSB issued a report where we investigated four accidents, two motor coach accidents and two truck accidents, where we found that the motor carrier safety administration or their surrogates in the state had actually visited carriers in the months before an accident. But yet that carrier had a fatal accident. They were visited within the week. And they were put out of service.

One of those trucking companies had been visited the week before their crash, and had been given a satisfactory rating. But the week after a crash, they were given an unsatisfactory and put out of service. We have got to get the poor operators off the road before the crashes and not after. They're doing a better job collecting the data that gives them that information, but they have to act on that data, and they've got to put people out of service, off the road, and out of business permanently.

**MYRON BELKIND:** The United States is experiencing a significant bus boom. At the NTSB you've documented cases in which bus companies have engaged in willfully inadequate safety practices that led to fatal crashes and instances in which the Federal Motor Carrier Safety Administration either it didn't catch the violations, or it looked the other way. How scared should U.S. bus riders be? And how can the best avoid a company with a shoddy safety record?

**DEBORAH HERSMAN:** Well, thanks for asking that question about riders, because I think we always have to remember at the NTSB we investigate the bad things. We investigate the worst companies. And when you think about it, and you talk about the safety, the unprecedented safety we're seeing in aviation, and you talk about bus

operations, there are more people that ride buses than fly on airplanes every year. Almost everyone of them gets to their destination safely. So by and large, our transportation industry's are doing a very good job. But it's about the rope breaking. It's about what I talked about in my remarks. It's about the worst of the worst . It's about the weakest links. It's about the areas where we need to make improvements. That we know we need to make improvements, and that we're not making them. That's where the problems are.

It's the bad companies that are not following the rules, that are not honoring hours of service. They're actually creating unfair competition for the companies that do. We've got to get the bad operators out of business so the people that do a good job, that invest in safety, whether it's technology or their people, have a reward. Right now there's no incentive for them to do that. They don't get necessarily a seal of approval or more business.

There is a website at DOT where people can go to look. But I will ask you, how many of you all have been involved in planning a trip for a church, your kids' school group, a wedding, and understood how to go look up a bus company's or a bus carrier's safety record? And would it mean anything to you if you saw that they were satisfactory conditional or unsatisfactory? Wouldn't you think that the government was taking care of it and overseeing those operators to make sure that the bad ones couldn't hold themselves out for service?

I think that is our challenge. We don't have a system that's transparent, that people can understand readily. And it doesn't reward or incentivize people who invest in safety.

**MYRON BELKIND:** The Senate held a hearing earlier this month on rail safety, given the increasing amount of oil being shipped by rail. How great do you think the concern is about this commodity increasingly moving by rail? What should regulators do to be ahead of the curve?

**DEBORAH HERSMAN:** What we know is that the regulators are behind the curve. The transport of hazardous liquids, whether it's ethanol or crude, began ramping up starting in 2005. Those shipments have increased by over 440% in the intervening years, but our regulations have not changed. And so now where you might have had a train in the past that had one tanker of ethanol, or one tanker of crude oil, you now have an entire train of 100 cars carrying millions of gallons of this hazardous liquid coming through many communities.

We have got to get not ahead of it because we're already behind it, but we've got to get on top of it. The NTSB is going to be holding a two day forum, tomorrow and Wednesday, where we will be discussing this issue. We'll be bringing in the experts from the petroleum industry, the rail industry, and also first responders to talk about what we're dealing with.

We've seen a number of catastrophic accidents. We're supporting our colleagues in Canada, the TSB. They had a tragic accident last summer in Lac-Megantic Quebec.. They lost almost 50 people in that accident, and a whole town was devastated. We've had accidents here on this side of the boarder in [00:47:28] North Dakota. We're losing cars. We're losing millions of gallons of petroleum. And we aren't prepared. Our communities aren't prepared to respond to this. This is—or this can be a worst case scenario event. And we don't have provisions in place of how to deal with it, either on the industry side or for the first responders.

Again, it's going back to when the rope breaks. People may not pay attention until it happens in their backyard, or in their community. But these trains are running through a lot of people's backyards and a lot of people's communities. And we need to be thinking about it now.

**MYRON BELKIND:** DOT tripled one rail tank cars are increasingly being used to ship oil to points east. Do you think these rail cars are unsafe? And if so, should tens of thousands of them that are now in use be parked as unsafe at any speed?

**DEBORAH HERSMAN:** Myron, this is a long, long session. There's a lot of questions here. [laughter]

The NTSB has spoken about the DOT 111 tank cars. We have said that they are not safe enough to be carrier hazardous liquids. We've investigated accidents including an ethanol train accident in Cherry Valley, Illinois. We issued recommendations several years ago. We said they either need to remove or retrofit these cars if they're going to continue to carry hazardous liquids.

Carrying corn oil is fine; carrying crude oil is not. So let's be very clear that these DOT 111's were not designed to carry hazardous liquids. At this point the industry and others agree, they're working voluntarily to improve the tank car designs, even have built some improved tank cars but we think more needs to be done. And that's exactly why we're having our forum this week.

**MYRON BELKIND:** The Department of Transports Agencies, even those charged with enforcing safety often try to urge industry groups to make changes that the companies resist over implementation costs. Are the agencies too close to the industries they regulate?

**DEBORAH HERSMAN:** Cost is always going to be an issue. I mean, I think it's just pretty straightforward and pretty simple. It's about the dollars. How many of you all in journalism say, "Follow the money." It is about the money, and people are going to make choices, and they're going to make decisions about whether or not to do things because of how it affects their bottom line. And so we just need to understand that going—

We need to also understand that sometimes it's going to cost them money if they don't make these changes. And sometimes they can make changes that improve safety and improve efficiency. It's all about having the dialogue and making sure that people understand that. It doesn't have to be an either/or. But people will be driven by money. Our own government is driven by cost benefit analysis. There are a lot of recommendations that we have issued that have not gone anywhere because the cost benefit doesn't support them. And so it does come down to money.

With respect to the relationship, we have to have a balance. We have to have a balance of people who understand the industry, who are familiar with it, who know where the bodies are buried, who know enough about the industry and their technology to ask the right questions and to challenge them. But we have to have an independent government. We have to have a government who will ask the right questions, who will publish the information, even when it's unfavorable to certain interests. Domestic interests sometimes.

We have to have a government that people can trust and that they can count on. And so it's a fine line. You've got to have the expertise. And sometimes that expertise comes from having worked in the industry. But you've also got to have a distance, an independence, and some isolation from those industries in order to be able to be effective. And so I would say it's a tough issue. It's one that we always pay attention to. And it's one that we look at in our investigations.

Do you want an inspector, a physical inspector, a safety district inspector for the FAA whose been on a company certificate for 13 years? Or do you want an inspector that's been on their certificate for three months? You probably don't want either. You want something that's in between. But in order to get to 13 years you have to start at three months. So it's always a challenge. We've got to look at all of these issues and understand how to do it better. And that's where our investigations come in, pointing out areas where there's vulnerabilities and asking for change.

**MYRON BELKIND:** What was the high point of your tenure at the NTSB?

**DEBORAH HERSMAN:** That's another hard question. [laughter] I would say the high point of my tenure at the NTSB was the people. And many of the people are here in this room, our staff, our board members, our industry partners, the family groups, the safety advocates, the controllers, the pilots, the truckers. The people who do the hard work every day. So it was getting to work with great people and work on a great mission.

**MYRON BELKIND:** A follow on.

**DEBORAH HERSMAN:** No. [laughter] Ask me about trucks.

**MYRON BELKIND:** Does the NTSB have enough staff to do its job?

**DEBORAH HERSMAN:** Well, that's a soft ball. I can answer that one. Absolutely not. Our staff is so over-worked. Our team works really hard. But I will give you an example. We have over 20 rail investigations going on right now. And we have just about ten rail investigators. So what that means is we can't get our work done fast enough. And that means that we're going to have to turn down accidents that occur in the future, because we have too much on our plate.

We've got to do better with respect to staffing. We have mandates to investigate certain things. And then we have some discretion in other areas. And so I think there is opportunity, certainly opportunity for the board to make a greater impact. But we will need to have some specific support, and some specific direction about how to do that. Particularly when you think about it, those 30,000 fatalities on the highway side, again we have a very small cadre of highway accident investigators relative to our aviation investigators. How do we make a greater impact in highway? We have to have the resources to be able to do that.

We have a great team. They work really hard. They get what they need to get done, done. But I think they've been working really hard for quite a few years with pay freezes, sequesters, hiring freezes and you know I don't want to lose them. They put in a lot of time, and they need some support. And they need some support from their Congress to be able to do the work that they do and the things that are being asked of them.

**MYRON BELKIND:** What safety recommendation or transportation issue do you wish had been implemented before you left NTSB, or that you think the transportation industry should address in the near future?

**DEBORAH HERSMAN:** Well, I'll go back to my speech. Jan, Nora Marshall, many others before me worked on the lap held child issue. And I have to tell you when I came to the board in 2004 it was almost unbelievable that that was still allowed to go on.

We have passed laws in all 50 states. And Kate—I see Kate back there with Safe Kids—we've passed laws in all 50 states. How hard is that to require children to be restrained in automobiles? First, when they're infants. Then as they're toddlers. And now we've even got laws about booster seats for kids as they grow up. But yet we still haven't protected those same kids—they're just as valuable in the airplane as they are in the car. And the tragedy of it is I go to the airport and I watch people checking their child seats in the cargo hold in the luggage rather than putting their child in them in the airplane.

We all hear stories about turbulence. We all hear stories about other events. I could not have imagined in 2004 that in 2014 we would still be talking about this issue. It's one of my great disappointments. But I have a lot of hope, some have retired and moved on, but we have new people coming up. Emily Gibson is here. She is one of our investigators. She's a former flight attendant. And she's picked up the torch. And this



past year I went up to ICAO with an initiative about lap held children, because if we couldn't get the regulations done in the United States there might be other ways to skin the cat.

We got broad support from other countries at ICAO to put together a working group on what to do on child restraints. And I'm pleased to say that Emily's going to be a part of that effort going forward in the future. And IATA, International Airline Transport Association, representing the carriers. They're having their very first cabin safety working group meeting. And they're having a conference in Madrid next month. They're going to dedicate a whole day on the front end of that conference to child passenger safety.

It might not get done during my tenure, but I will be watching and cheering you on, Emily, and everyone else to try to get it done.

**MYRON BELKIND:** We are almost out of time. But before asking the last question we have a couple of housekeeping matters to take care of. First of all, I'd like to remind you about our upcoming events and speakers.

April 23<sup>rd</sup>, U.S. Air Force Chief of Staff, General Mark Welsh will discuss the future of the Air Force May 27<sup>th</sup>, we will have Donald Trump, Chairman and President of the Trump Organization. And May 28<sup>th</sup> Ben Carson, neurosurgeon and author.

Next I would like to present our guest with the traditional National Press Club mug. And in the little more than a minute left I'd like to ask you our final question. The National Safety Council hasn't always maintained a high profile in major transportation debates like aviation safety. Do you expect to bring a broader focus to the group's message?

**DEBORAH HERSMAN:** I hope and expect the National Safety Council will have a much higher profile in the coming years. And thanks to you all in the press core, maybe if you cover some of these important issues, it will. Thank you, Myron.

**MYRON BELKIND:** How about a round of applause for our speaker.

[applause]

**MYRON BELKIND:** Thank you for coming today. I'd also like to thank National Press Club staff, including this Journalism Institute and Broadcast Center for organizing today's event. We are adjourned.

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