

Department of State
U.S. Representative to the International Civil Aviation Organization
(ICAO), Michael Lawson
Opening Statement
House Committee on Oversight and Government Reform
Subcommittee on Transportation and Public Assets
Hearing on Preventing Another MH370: Setting International
Standards for Airline Flight Tracking
February 25, 2015

Chairman Mica, Ranking Member Duckworth, and distinguished members of the Subcommittee: I appreciate the opportunity to testify in front of this committee regarding efforts to accelerate the establishment of international standards related to the tracking of commercial airliners over oceanic areas, in response to the recent loss of Malaysia Airlines 370. As the U.S. Ambassador to the International Civil Aviation Organization, this issue is one of my highest priorities.

International responses to complex challenges have historically been frustratingly slow. However, in the aftermath of the MH370 tragedy, the international aviation community has responded with an appropriate sense of urgency. Weeks after the MH370 disappearance, ICAO convened a Special Multi-Disciplinary Meeting to study issues related to Global Airline Flight Tracking. The meeting concluded that there is a need to accelerate the existing timetable to track aircraft effectively and globally, and that the solution would have to involve more than the introduction of technology. A comprehensive approach that involves the coordination of airline industry practices, air traffic control procedures, search-and-rescue capabilities, and accident investigation processes would be required.

In the following months, an industry-led task force was formed to focus on what airlines could do to support flight tracking in the near-term, while the ICAO working group developed an over-arching concept of operations (CONOPS). The ICAO concept broke the tracking problem down into four items; Normal Tracking, Abnormal Tracking, Distress Tracking, and Retrieval of Accident Data. These two groups, industry and ICAO, worked to harmonize their proposals, and on February 3 presented their recommendations to a High-Level Safety Conference attended by more than 850 delegates from over 120 States. The ICAO conference endorsed the operational concept.

I would like to call your attention to the progress made in two key areas; normal aircraft tracking, and retrieval of accident data.

Normal Aircraft Tracking:

An international standard for normal aircraft tracking has progressed rapidly. A normal tracking standard seems basic, but it will create the foundation upon which additional requirements will be built. ICAO's proposed "normal tracking" standard clearly assigns the responsibility for tracking to the airline. It requires that every operator track the location of their aircraft every 15 minutes when their aircraft are flying over oceanic airspace, unless air traffic control is providing surveillance. It also requires that airlines develop procedures to coordinate with air traffic control facilities in the event a position report is missed. We believe these basic procedures would significantly improve search and rescue responses in the event another tragedy occurs.

The standards proposed by ICAO do not contain specific tracking technologies. Through collaboration with industry, an array of current and emerging technologies capable of meeting the proposed normal tracking standard have been identified.

ICAO will be distributing their proposal to Member States for review this week. ICAO will incorporate comments received from the States and offer the standard for adoption by the ICAO Council during November of this year. The planned global applicability date is November of 2016. A copy of ICAO's Letter has been provided, for the record.

For the United States, FAA regulations already require some level of centralized tracking, and U.S. airlines have fairly sophisticated operational control centers capable of meeting this challenge. However, other regions of the world may find the standard more challenging. For this reason, ICAO will conduct a Normal Aircraft Tracking Initiative in Asia, later this year. The initiative is designed to assist in identifying challenges with technologies and procedures, and to help the industry gain operational experience. The FAA will be providing advice and assistance, and we expect U.S. airlines will participate.

Regarding the retrieval of Accident Data:

The proposed standards to address the recovery of Cockpit Voice and Flight Data Recorders are also progressing quickly. The standards will target the recovery of data following an accident. One possible method to facilitate the recovery of post-accident data would be to mandate deployable flight recorders. However during the recent High-Level Safety Conference, industry and regulators from around the world urged ICAO to draft performance-based standards that would leave the door open to other emerging technologies such as streaming data, which may be easier and possibly quicker to implement.

ICAO has drafted the initial performance-based standards for accident data recovery. The standards will likely require changes or additions to aircraft equipment, and for this reason it may take several years to implement them. The standards will also require the development of extensive guidance material. Depending on the technological solution, the changes to aircraft equipment would be phased in, beginning in 2019 or 2021. The proposal is not scheduled for adoption by the ICAO Council until March of 2016.

Mr. Chairman, ICAO, with the support of the United States and the international community, has responded quickly to the challenge of global flight tracking. Standards that would normally take years of deliberation have instead been developed in months.

The FAA and U.S. airlines are recognized leaders when it comes to the issue of aircraft tracking, and as you know the FAA has for years provided assistance to other regions of the world in their efforts to adapt their operations to accommodate air traffic management, and now they are being asked to assist with aircraft tracking. This is a great example of America's global leadership that should be encouraged and continued.

It is my hope that the United States will continue to apply its substantial expertise towards the development and maturation of global aircraft tracking standards, and that any new U.S. regulations will be harmonized with the international standards that emerge as the result of our collective efforts.



U.S. Ambassador Michael A. Lawson

President Obama nominated Michael A. Lawson to be the U.S. Representative to the International Civil Aviation Organization (ICAO) on September 11, 2013. The U.S. Senate approved the nomination on July 21, 2014. Ambassador Lawson was sworn in by Federal District Court Judge Terry J. Hatter, Jr., on July 22, 2014, in Los Angeles. Ambassador Lawson presented his credentials to ICAO Council President Benard Aliu and Secretary General Raymond Benjamin on July 25, 2014.

Michael A. Lawson is the immediate past President of the Board of Airport Commissioners (BOAC) for Los Angeles World Airports, which oversees Los Angeles International Airport, Los Angeles/Ontario International Airport and Van Nuys Airport. Mr. Lawson served as a member of the BOAC from 2005 – 2013 and as President of the BOAC from December 2010 – August 2013.

While serving as a member of the Board of Airport Commissioners, Mr. Lawson was also a Partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, where he led the Executive Compensation and Employee Benefits Group for the Los Angeles office and the west coast. Mr. Lawson served as an attorney with Skadden for more than 31 years until his retirement in December of 2011. In his role at Skadden, he regularly advised trustees of pension and other employee benefits funds as well as board directors of companies that sponsor pension plans and financial institutions that manage pension plan assets regarding issues involving fiduciary responsibility and other matters. He also provided advice in the context of merger and acquisition transactions, bankruptcy, litigation and other matters. He has consistently been recognized as one of “America’s Leading Lawyers for Business” by Chambers USA as well as a “Southern California Super Lawyer.”

Mr. Lawson also served as a member of the Board of Trustees of the California State Teachers Retirement System (CALSTRS), which is the second largest retirement system in the United States (appointed by the Governor of California for a term ending December 31, 2013) as well as the Oversight Board for the Community Redevelopment Successor Agency/Los Angeles (appointed by the Mayor of Los Angeles). In addition, he has served as a Trustee of Morehouse College in Atlanta, GA and Loyola Marymount University of Los Angeles. He was also a board director and former chairman of the Constitutional Rights Foundation, and a board director for the Advancement Project, the Music Center / Performing Arts Center of Los Angeles County, and the Music Center Foundation.

Mr. Lawson holds a BA in Political Science and Economics from LMU, Class of 1975 and a JD from Harvard Law School, Class of 1978. In 2010, he was the recipient of the Strickland Excellence Award from the African American Alumni Association (AAAA). Mr. Lawson and his spouse, Mattie McFadden-Lawson, reside in Los Angeles and have two adult sons: Jonathan and Michael, Jr.