

# House report on Boeing 737 Max crashes: Corporate criminality, FAA complicity, but no accountability

By Barry Grey  
17 September 2020

On Wednesday, the Democratic majority on the House Transportation and Infrastructure Committee released the results of its 18-month investigation into the two crashes of Boeing 737 Max airplanes that killed a combined total of 346 passengers and crew.

The 238-page report provides damning evidence that Boeing knowingly risked the lives of countless thousands of people by rushing into service an aircraft it knew to have potentially fatal design flaws. It systematically concealed the dangers from government regulators, airline customers, pilots and the general public.

The Federal Aviation Administration (FAA), even when it became aware of the safety risks of the new plane, certified the 737 Max and failed to alert either airline workers or passengers of the dangers.

The result was the horrific crash of Lion Air flight 610 some 13 minutes after takeoff from Jakarta on October 29, 2018, killing all 189 people on board. Even after this disaster, in which a malfunction repeatedly forced down the nose of the plane until it crashed into the Java Sea, Boeing and the FAA kept the 737 Max in the air and failed to address the automated flight control defect that caused the crash.

This led less than five months later to the crash of Ethiopian Airlines flight 302, on March 10, 2019. That disaster followed the same pattern and ended with the plane plowing into the ground and killing all 157 men, women and children on board.

It was only after this second crash that Boeing and the FAA agreed to ground the 737 Max, and that was only after every other major government in the world had rejected its claims that the plane was safe and banned it from their airspace.

The report by the House Democrats cites the testimony of Ed Pierson, a senior plant supervisor at the Renton, Washington 737 Max production facility and retired Navy squadron commander, before the committee last December. Pierson related how in 2018 he told 737 General Manager Scott Campbell of multiple safety problems and defects at the Renton plant.

“For the first time in my life, I’m sorry to say that I’m hesitant about putting my family on a Boeing airplane,” he told Campbell, and added that the military would suspend production to address the safety issues. Campbell replied, “The military is not a profit-making organization.”

The report, which the Republican committee members refused to endorse, makes clear that 346 lives were destroyed and countless more threatened because the aircraft maker and defense contracting giant made calculated decisions to sacrifice safety in order to maximize market share and corporate profits.

But despite the incriminating evidence in its own report, the Democratic majority proposes no actions to hold either Boeing or FAA officials accountable. There are no calls for criminal prosecution, nor are any financial penalties proposed.

This is under conditions where the bipartisan CARES Act passed last March effectively earmarked \$17 billion in taxpayer money to prop up the company, and the Federal Reserve has backed up a \$25 billion bond sale by the firm as part of the government's multi-trillion-dollar pandemic-triggered bailout of the US corporate elite.

Dennis Muilenburg, the Boeing CEO throughout the period of 737 Max development, resigned under fire last December, and received a severance package worth \$80.7 million.

Even as the House releases its damning report, moreover, the FAA is signaling that it will soon allow the 737 Max to resume commercial flights.

The report cites five different areas of negligence and cover-up. Under “Production Pressures,” it notes, “There was tremendous financial pressure on Boeing and the 737 Max program to compete with Airbus' new A320neo aircraft.”

In other words, Boeing, which accounted for a huge portion of the rise on Wall Street following the election of Donald Trump, was under the gun from major shareholders and banks to speed up production of its new plane and cut costs in order to win the race with its European-based rival for market share, particularly in expanding markets such as China.

That market share, profit and stock price eclipsed safety for Boeing was clear from the very origins of the 737 Max. Rather than design a new generation of medium-range carriers, Boeing decided to save time and money by revamping its five-decade-old 737 model. The main innovation was a larger engine that had to be placed higher up on the wing. However, the company soon discovered that the new configuration resulted in a tendency for the plane to stall.

In order to compensate for this design flaw, Boeing installed a new automated flight control system called Maneuvering

Characteristics Augmentation System, or MCAS. The House report lists “Faulty Design and Performance Assumptions” in connection with MCAS as the second major factor in the crashes.

Boeing concealed the existence of MCAS from its airline customers and their pilots in order to avoid having to retrain pilots on flight simulators for the new aircraft, a costly and time-consuming process.

Moreover, it designed MCAS to be triggered by only one of the plane's two external angle-of-attack (A-O-A) sensors, rather than by both, as is the accepted practice for functions that are critical to the safety of an aircraft. Moreover, it failed to inform airlines and pilots, as well as the FAA, that a warning alert listed as a feature of the plane, which told the cockpit that the two sensors disagreed and therefore one was malfunctioning, was inoperable on 80 percent of its active 737 Maxes.

As a result, when MCAS was set off on the two doomed flights as a result of incorrect information from a faulty A-O-A sensor, the pilots were unable to determine the cause of the repeated downward plunges and incapable of stabilizing the planes.

That Boeing was acutely aware of the problems with MCAS is shown by the fact that MCAS was referenced in half a million emails and other internal documents.

Under the heading “Culture of Concealment”, the report provides a multitude of examples of Boeing withholding critical information from the FAA, its customers and Max pilots. This includes internal test data from 2016 revealing that it took a Boeing test pilot more than 10 seconds to diagnose and respond to un-commanded MCAS activation in a flight simulation. The pilot described the situation as “catastrophic.” Federal guidelines assume that pilots will respond to this condition within four seconds.

The fourth area cited in the report is titled “Conflicted Representation.” This is a euphemism for the FAA's total subordination to Boeing and the lack of any serious regulatory oversight. The report cites, in particular, the policy implemented under Democratic as well as Republican administrations of delegating FAA oversight to Boeing employees. These so-called “authorized representatives” routinely withheld from top FAA officials safety issues that arose in the design, production and certification of the 737 Max. In other cases, the FAA higher-ups sided with Boeing and dismissed reported safety concerns.

In the end, the FAA allowed Boeing to put the 737 Max into service without pilots having to undergo training on flight simulators. Instead, it authorized a total of *two hours* of “training” on an iPad.

In December 2018, some weeks after the crash of Lion Air flight 610, the FAA conducted a risk assessment and estimated that, without a fix to MCAS during the life of the 737 Max fleet, there could be 15 additional fatal crashes resulting in over 2,900 deaths. Nevertheless, the FAA allowed the 737 Max to continue flying while Boeing worked on a software patch for MCAS, setting the stage for the crash of Ethiopian Airlines flight 302 just weeks thereafter.

Finally, under the title “Boeing's Influence Over the FAA's Oversight Structure,” the report gives multiple examples of the FAA siding with Boeing and dismissing warnings from its own

experts.

The chairman of the House committee, Peter DeFazio (Democrat from Oregon), said upon the release of the findings: “Our report lays out disturbing revelations about how Boeing—under pressure to compete with Airbus and deliver profits for Wall Street—escaped scrutiny from the FAA, withheld critical information from pilots, and ultimately put planes into service that killed 346 innocent people. What’s particularly infuriating is how Boeing and FAA both gambled with public safety in the critical time period between the two crashes.”

What he did not mention, however, is that he and his fellow Democrats supported passage of the FAA Reauthorization Act of 2018, which expanded the self-regulation of Boeing and other corporations in the airline industry. In fact, the deregulation of the airline industry was begun in 1978 under the Democratic administration of President Jimmy Carter, leading to the dismantling of the Civil Aeronautics Board and its replacement by the far weaker and more pliant FAA.

What neither the Democrats nor the media speak about is the root cause of the mass deaths caused by Boeing and its government accomplices—the capitalist profit system.

As the *World Socialist Web Site* wrote in a statement titled “Boeing executives must be tried for murder:”

The elevation of profit above human life is the social essence of capitalism. The Max 8 disasters are not merely symptoms of corporate greed, but the end result of the capitalist system itself, which subordinates all social needs to private profit. There is a basic contradiction between the interests of society, including safe, efficient and inexpensive air travel, and the private ownership of essential industries, as well as the division of the world economy among rival nation-states. The same basic contradictions of capitalism are fueling the geopolitical and economic conflicts that threaten nuclear war and ecological disasters.

The only way to prevent further disasters is to take the profit motive out of commercial flight, end the dominance of Wall Street and replace the nightmare of the capitalist market with a rationally planned and internationally organized system of air transport. This requires the nationalization of the airline and aerospace companies and their transformation into publicly owned and democratically controlled utilities.

To contact the WSWP and the  
Socialist Equality Party visit:

<http://www.wswp.org>