

FOIA and Air Safety

Through FOIA, we have learned about numerous persistent problems involving air safety. FOIA-based coverage of air-safety issues has also revealed the limits of the FOIA.

FOIA serves an essential tool to uncover problems in government. Following are only a few examples:

- **Civilian-controlled “drone” aircraft are increasingly common, but FAA regulations are ineffective at keeping them out of commercial airspace.** (“Near-collisions between drones, airliners surge, new FAA reports show,” Washington Post, November 26, 2014; http://www.washingtonpost.com/world/national-security/near-collisions-between-drones-airliners-surge-new-faa-reports-show/2014/11/26/9a8c1716-758c-11e4-bd1b-03009bd3e984_story.html);
- **Military drones are also increasingly common in American skies – and dangerous to people on the ground.** (“Crashes mount as military flies more drones in U.S.,” Washington Post, 6/25/14; <http://www.washingtonpost.com/sf/investigative/2014/06/22/crashes-mount-as-military-flies-more-drones-in-u-s/>);
- **Despite over two decades of regulatory warnings, evacuation slides continue to malfunction on airplanes, risking passengers’ lives.** (“Federal Records Show History of Problems with Escape Slides,” NBC Bay Area, September 18, 2013; <http://www.nbcbayarea.com/investigations/Federal-Records-Show-History-of-Problems-with-Escape-Slides--223961501.html>);
- **The FAA acknowledged that a newly-certified air-traffic controller who was afraid his training was inadequate was right – after he inadvertently put two aircraft on a collision course.** (“FAA probes how Hawaii planes got on crash course,” Associated Press, 5/1/12; <http://www.kansas.com/2012/05/01/2318146/traffic-control-error-led-to-jets.html>)
- **Contracts for air-traffic controllers protect employee rights, but can also undercut FAA efforts to discipline controllers in some cases, such as falling asleep on the job and ignoring an imminent collision.** (“You’re Fired’ Doesn’t Mean Fired to Four of 10 Air Controllers,” Bloomberg News, 7/25/11; <http://www.bloomberg.com/news/2011-07-25/-you-re-fired-doesn-t-mean-fired-to-four-of-10-air-controllers.html>);

But FOIA, and agencies administering it, may provide less information than the public deserves.

- **A pair of FOIA lawsuits forced the FAA to release basic information about government agencies’ requests to fly drones in domestic airspace, but subsequent requests for similar, updated information have been met with spurious excuses.** (“How the FAA Grounds Freedom of Information Requests About Drones,” Vice.com, 4/30/14; <http://motherboard.vice.com/read/how-the-faa-grounds-freedom-of-information-requests-about-drones>);
- **Congressional questions about the FBI’s use of drones for domestic surveillance led the Bureau to send a letter to Congress, which was posted online in full – and then the Bureau redacted it in response to a FOIA request.** (“FBI Redacts Letter About Drone Usage That Was Already Published In Full By Sen. Rand Paul,” Techdirt, 2/17/14; <http://www.techdirt.com/articles/20140214/12530026231/fbi-redacts-letter-about-drone-usage-that-was-already-published-full-sen-rand-paul.shtml>)
- **The Transportation Security Administration dodged a FOIA request for passenger complaints for four years.** (“TSA Reveals Passenger Complaints... Four Years Later,” ProPublica, 5/4/12; <http://www.propublica.org/site/email/tsa-reveals-passenger-complaints-four-years-later>)