

Outspoken FAA Critic Quits Transportation Post

Adam Bryant, NYTimes | JUL 9, 1996

Mary Fackler Schiavo, the inspector general of the Transportation Department whose harsh public criticism of the Federal Aviation Administration after the ValuJet crash in Florida two months ago set off a debate about the safety of flying, resigned yesterday.

She said that her decision was voluntary and that she was leaving the job she has held for six years to do some public speaking, write and practice law. After summarizing her long-standing concerns at a Congressional hearing on aviation safety two weeks ago, Ms. Schiavo said, it was time to move on.

I said what I thought was important to say and I said it forcefully," she asserted in a telephone interview yesterday.

Like few inspectors general before her, Ms. Schiavo (pronounced SKEE-ah-voe) has regularly spoken forcefully and publicly, taking a highly visible, prosecutorial approach to a job often held by low-key auditors.

It is a role that has won her both applause and rebukes. The aviation industry can be a clubby world in which safety-related problems are usually discussed in private, while an image of trouble-free transportation is projected to the public. In recent weeks she has helped tarnish that image by saying that she does not like to fly on commuter airlines because of safety concerns and that the FAA is an inefficient, complacent organization marked by a lack of accountability.

Senator William S. Cohen, Republican of Maine, said yesterday that Ms. Schiavo had set a high standard for the Transportation Department's office of inspector general. "She has been a strong voice for airline safety and has performed her duties with great determination," he said.

Ms. Schiavo has been vindicated on several occasions. She has, for example, expressed concern about the FAA's dual mission of promoting and regulating air commerce. Last month, officials at the Transportation Department conceded that the dual mission might create the perception of a conflict of interest, and said that they would ask Congress to change the mandate.

But Ms. Schiavo has been criticized for making incendiary comments in public and for saying things before she knew them to be true.

For example, hours after the ValuJet accident in the Everglades on May 11, she rewrote passages of her guest essay for Newsweek magazine to comment on the crash. She wrote that she had long-standing concerns about ValuJet and blamed the FAA in large measure for the crash by saying, "Yet I keep seeing the holes in the safety net -- gaps in regulation and oversight that can produce spectacular cases like ValuJet."

Top FAA officials denounced her comments, noting that she could not have known the cause of the crash so soon after it occurred.

Representative William O. Lipinski of Illinois, the ranking Democrat on the Aviation Subcommittee of the House Transportation Committee, said last week that Ms. Schiavo's essay implied that she knew a ValuJet crash was imminent.

Ms. Schiavo said she was not jumping to conclusions in putting some of the blame for the crash on the aviation agency.

"Planes don't fall out of the sky on a clear day except for a reason," she said. "We have, as we produced for Congress, mountains of evidence about holes in the safety system. I don't see the gap there."

Mr. Lipinski, among others, also criticized Ms. Schiavo at the Congressional hearing two weeks ago for circumventing appropriate channels. For example, one of the tools at the disposal of all inspectors general is a so-called special letter -- also known as a seven-day letter -- to quickly flag warnings to Congress that deserve immediate attention. Instead of issuing them, in recent months she has broadcast her concerns through numerous appearances on television news programs and in national magazines.

"She set herself up as the voice of safety," Representative James L. Oberstar, Democrat of Minnesota, said yesterday. "It misleads the public as to the role of the inspector general. It is not the office of safety."

Paul C. Light, author of "Monitoring Government," a 1994 book about inspectors general, wrote that Ms. Schiavo was an example of how politicalization had crept into the process of choosing inspectors general.

He said Ms. Schiavo, a campaign worker for former President George Bush, had limited experience in government and "was a clear break with the past and a worrisome precedent to the I.G. community."

In a recent interview, Mr. Light said there was a certain "shrillness" to Ms. Schiavo's handling of her concerns after the ValuJet crash. "She did not take advantage of extraordinary powers in the statute to make Congress aware of the extreme nature of the problem that existed," Mr. Light said.

Ms. Schiavo said she did not issue a special letter about ValuJet or other safety concerns because she interpreted the letter as a way to signal interference with her office. "And I have issued thousands of pages of warning flags and have testified on many occasions," she added.

"One of the most important things you can do is bring about change," she said. "I don't think that necessarily happens in the dark. Sometimes the public has to know or you don't get any change."

John W. Melchner, who was inspector general of the Transportation Department from 1986 to 1989, said that as an auditor by training, he preferred to deal in facts and let others draw strong opinions based on his office's work.

"If you hire someone from an audit background, you're going to get a typical auditor," he said. "If you hire a prosecutor, you're going to get somebody who acts like a prosecutor."

Ms. Schiavo, who is 40, was an assistant United States attorney in Kansas City, Mo., from 1982 to 1985.

A native of Pioneer, Ohio, she showed a liking for the spotlight as a teen-ager, winning national competitions as a baton twirler and earning money as a singing ventriloquist.

She appeared twice in Glamour magazine; in 1975, she was on the cover to promote a feature on outstanding college women, and in 1987 she was one of the nation's 10 outstanding young working women.

As an assistant United States attorney, she earned the nickname "Maximum Mary," because she regularly sought the maximum penalty in prosecutions that included videocassette fraud, embezzlement and a bank robbery case.

Ms. Schiavo publicly campaigned for an appointment as United States Attorney for the Western District of Missouri. She failed to win the post, and such lobbying efforts perplexed many local politicians and members of their staffs.

"She was determined to be appointed, and the fact that a merit selection process had been announced publicly was irrelevant," Alexander V. Netchvolodoff, then chief of staff for former Senator John C. Danforth, a Missouri Republican, recalled in a recent interview. "It sort of mystified me."

But Ms. Schiavo said yesterday that there is little mystery to what motivates her -- she likes jobs that perform a watchdog role.

"I like the hunt," she said. "The spotlight sometimes comes with it."

**Copied 11/21/2016 from: <http://www.nytimes.com/1996/07/09/us/outspoken-faa-critic-quits-transportation-post.html>
(Highlights, footnotes and minor edits may have been added, but only to add analysis & clarification)**