

Mr. SABATINI. I have been assured that that is the case, sir. I would ask Jim and Tom to confirm that for me.

Mr. BALLOUGH. Mr. Chairman, it is certainly my understanding, being the Director of the Flight Standards Service, that he is not doing inspector duties at this time.

Mr. OBERSTAR. I have information to the contrary, and I think you had better take a closer look.

Mr. Cummings, the Chair of the Coast Guard Subcommittee?

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

Mr. Sabatini, I am sitting here and I have been listening to you and I have been watching you. I have got to say, when Ms. Johnson asked the question about the firing of this particular person, your reaction seemed like, just watching you, how can we do that, this person has rights.

Let me tell you something: the flying public has rights, too. The flying public has rights, and you have used some wonderful words here. You know, they have been very nice. You want to operate under a culture of safety. We want to do everything in our power to make sure that we have the highest level of safety day in and day out, but, you know, let me tell you what, I guess as a lawyer and one who has tried a lot of cases: something doesn't smell right here. I am just telling you, it sounds like we are trying to boil down this thing to maybe one person. I know the investigation continues, but it seems like there are some other people that are probably responsible. I don't know how high up it goes, but I will tell you one thing: if I were in charge of a department and I had a situation where these flights went out and the flying public had established a trust—there is a book written by Covey that is entitled, *The Speed of Trust*. The public, when we get on this airplanes, all those people out here, I bet you every one of them have flown on an airplane within the last month. But when we get on an airplane, but when we get on an airplane we trust that the people that we pay with our tax dollars are doing what they say they are going to do.

We don't expect, for example, a doctor, if he is going to operate on our heart, to party all night and then at 5:00 come home and then do the operation at 6:00. There is a certain level of trust.

I am just trying to figure out, does the buck stop with you? Do you take responsibility for this, since you are the top safety guy?

Mr. SABATINI. Absolutely, Mr. Cummings. I take complete responsibility for this, and I am going to take action to address what we learned here.

Mr. CUMMINGS. Now, you said today that you have learned some things just today that you didn't know; is that right?

Mr. SABATINI. Yes.

Mr. CUMMINGS. You have said that several times. What is the most significant thing that you learned today that you did not know before today?

Mr. SABATINI. If I may, I would like to put it in context.

Mr. CUMMINGS. That is fine, but, you know, the Chairman just said something. Apparently you didn't know that. He said that he had some information that somebody, this particular person, is still doing certain types of duties. You and Mr. Stuckey—is the immediate supervisor the person that Mr. Oberstar was talking about? You are in charge of that region, right?

Mr. STUCKEY. Yes, sir, I am the regional manager, but not Doug Gawadzinski's supervisor.

Mr. CUMMINGS. Okay. Well, I guess what I am getting at, I want to make sure that the information is flowing, because apparently something is missing here.

Anyway, Mr. Sabatini, I would love to hear what you have to say.

Mr. SABATINI. My entire life has been in public service. I have been a police officer in the city of New York for 20 years. I know police work and I know law enforcement. I learned aviation and I have spent four decades in aviation safety. I am absolutely committed to aviation safety. I am second to none when it comes to aviation safety, I can assure you, sir. And I take responsibility for what happened in my organization, and I will take what I have learned and correct that.

A couple of things have been learned. One, as an inspector it was absolute, Safety 101, you do not allow noncompliance. You will enforce the law. Obviously, there are some who thought otherwise. I am going to deal with those people, but I must do it—as a lawyer you know, Mr. Cummings, I must operate within the law.

Mr. CUMMINGS. I do, but I want to make sure you get everybody up the line or down the line. Everybody.

Mr. SABATINI. Up and down.

Mr. CUMMINGS. La-de-da and everybody who may be responsible.

Mr. SABATINI. I will address that, Mr. Cummings, absolutely.

Mr. CUMMINGS. My time is running out, but I want to ask you another question. Mr. Scovel talked about this whistleblower hot line, for lack of a better term. He seems to think that his recommendation is a better one than what is going on here. Can you just react to what he said about whistleblowers, because he makes a very good point. If somebody is calling and it is not being reacted to properly, what difference does it make? As a matter of fact, it is probably worse, because then the person is subject to all kinds of repercussions.

I just wanted you to comment on what he said, because that sounds like it makes sense. Since you said what you just said—you are very concerned about safety—and I believe you, I really do—I want to make sure we have the best system possible so that whistleblowers can come forward.

Mr. SABATINI. Well, I believe that the process that we are putting in place will allow everyone the opportunity to bring forward their concerns. I also welcome the involvement of the Office of the Inspector General. They are welcome to review what I do as we speak today. But I would encourage even more scrutiny on this particular subject.

I will be happy to work with this Committee, your staff, and with the Inspector General.

Mr. CUMMINGS. He has already said your system is not going to be the most effective and efficient system. He has already said that.

Am I right, Mr. Scovel?

Mr. SCOVEL. That is correct, sir, without a proper investigative body.

Mr. CUMMINGS. So all I am saying to you is why not, since you are concerned, as you are, about everything operating properly, and

you just gave a wonderful statement about your 20 years, and here is this man who says your system is not going to be the most effective and efficient one, and since all of this goes to safety, why not say let's go with you, Mr. Scovel?

Mr. SABATINI. Well, I think maybe I didn't make myself clear.

Mr. CUMMINGS. No, you didn't.

Mr. SABATINI. I am willing to work with the Inspector General and take in whatever his recommendation may mean, and how do we—

Mr. CUMMINGS. And put it in place?

Mr. SABATINI. Absolutely.

Mr. CUMMINGS. All right. Thank you.

Mr. OBERSTAR. I thank the gentlemen.

Mr. Carney?

Mr. CARNEY. Thank you, Mr. Chairman.

Mr. Scovel, Mr. Sabatini, I will come back to the question I asked in the earlier panel. We have seen the grounding of a lot of aircraft lately. Why do you think that is, in the last few days? What do you attribute that to? Mr. Scovel?

Mr. SCOVEL. Let me take a stab. I think carriers are gun-shy right now. I think they see FAA waking up after this incident last year. There has been a lot of publicity. The Committee has certain made known its intent to hold this hearing. FAA properly recognizes that AD compliance is a vulnerability.

We have identified that with Southwest the key ATOS inspection of its AD compliance system hadn't taken place since 1999. Southwest was certainly vulnerable. They got burned last year. Other carriers now have seen what has happened. They are feeling some of the heat. They are seeing the sunshine that is coming in to this and they are taking all steps that they possibly can to comply, even down to the letter. There have been media reports of carriers with their MD-80s, MD-88s measuring the spacing of their wiring bundles down to a quarter of an inch. Great, because if that is what the AD requires, that is what the carriers ought to be doing and that is what the inspectors ought to be checking.

The Chairman earlier ran down a partial list. Probably it was the whole list. I have only got a partial list of the groundings lately. Starting with Southwest on March 13th and up through United yesterday with its Boeing 777s, my count stands at 565 aircraft. I didn't bother to count up the number of flights and the number of passengers affected. Tens of thousands. It is a serious matter.

Mr. CARNEY. Were reports suppressed? Did management suppress some of these reports or have the airlines quietly sort of self disclosed things, too?

Mr. SCOVEL. Well, they certainly did at Southwest. We absolutely have evidence of that. I hoped during the break before my panel came forward that you all received a copy of an extract from our written statement. It is a timeline showing Southwest's aging aircraft AD violations. It is the one attached to that. That is the timeline of the March 2007 incident. It is the one right behind it.

You can see from December 2006, where we had earliest access to the data, up through March 2007 and even continuing into this year, Southwest has had problems with these violations.