

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.

We don't know what may be happening at other carriers. I would expect and welcome and invite this Committee's request to my office to continue on these lines and find out what has been happening in the voluntary disclosure reporting program industry-wide. We already have an audit underway to investigate the ASAP program, which is another partnership program of FAA.

Mr. CARNEY. I certainly think everybody on this Committee would welcome that information.

Mr. Sabatini, can you answer that?

Mr. SCOVEL. That request will be forthcoming.

Mr. SABATINI. What we discovered is that an airworthiness directive is a very complex instruction, and, again, a lesson learned here is that in the future, when we issue airworthiness directives, we are going to make certain, by working with the manufacturers and the operators, to make sure that the language is clear and understandable and essentially in plain language, plain English, so that it can be executed without difficulty.

I must tell you, sir, that of the almost 2,400 inspections that we have done, we found that 99 percent of the system was in compliance, full compliance. That 1 percent represents events like there was one carrier, because they had a low utilization of an aircraft, the airworthiness directive was not yet due, not due until 2028, yet they were in technical noncompliance with the AD because they had not submitted their plan on how they were going to implement the AD.

There were others. You heard about American Airlines and Delta and the MD-80. Again, the AD requires precision and the accuracy in order to be complied with. In this case, what we were finding is that wire bundles that ran along a particular part we will call the wheel well, where the landing gear retracts, that this wire bundle was not fastened against the bulkhead every one inch as specified by the airworthiness directive. So they took the most prudent action. They put the aircraft on the ground. Other cases were very similar to that.

Mr. CARNEY. Mr. Scovel, are you concerned that the FAA does not have appropriate quality control mechanisms to maintain its oversight for reasons of the CMO?

Mr. SCOVEL. We are concerned. In fact, I am not sure whether it was the Chairman or Mr. Costello or perhaps Mr. DeFazio who was asking if all of this was happening at the Southwest CMO, who else knew about it or who else should have known about it. Those kind of quality control mechanisms, knowledge up the chain of command, should be in place.

When we are talking specifically about voluntary disclosure programs, for instance, it is our understanding that there is no reporting requirement up the chain to gain some insight into how a particular CMO may be carrying out its duties on the voluntary disclosure reporting program.

We do know for a fact that the data that is supposedly being collected through the ASAP, which is another partnership program, self-disclosure program, that FAA and other aviation safety experts don't always have access to that data.

So while the intent of the program is to obtain information that may not otherwise be available, it is useless unless the data is collected and made available and subsequently analyzed.

Mr. CARNEY. Are we going to fix that?

Mr. SABATINI. Yes, sir. Absolutely. As a matter of fact, I will ask Jim Ballough to tell you what it is that we have underway as we speak.

Mr. BALLOUGH. In terms of the data analysis, we recently released a new version of our ATOS—Air Transportation Oversight System—and it was called version 1.2. A part of that is the national role of ATOS inspections so that we can give ourselves that red, green, yellow light look at how many completions we have in terms of surveillance and oversight of our programs. That is one aspect of it.

In terms of the voluntary programs, voluntary disclosure, ASAP programs, we have had, as you heard in the earlier panel today, we have the national info share programs that brings the member organizations that participate in those programs together and shares information from a safety perspective.

What we haven't done a good job at, and what we are in the process of modifying, is the notion of making that data available to those who actually need it to make safety decisions. That is a piece of it that we have yet to work on and finish. It will migrate, as Nick said earlier, into the data analysis program in the future. But we have some interim steps that we can take.

In terms of integrity of the voluntary disclosure program, you know, the IG made some very good recommendations to us and we thank him for that, and we will review those recommendations and we will put them in place.

What we learned from this Southwest incident or enforcement is this: number one, we feel that senior leadership at the airline must know that a disclosure has been filed and they should be aware of it. That will be implemented in our guidance material.

The additional piece of that, back in the paper system before we went to a web-based voluntary disclosure program, the office manager had to sign off on every file. You heard that earlier today, a recommendation. That will be put back in place as well, sir.

And then ultimately an analysis of the voluntary disclosure program so that everybody can learn, one airline to another can learn what we are learning out of this system.

We think that these initiatives to strengthen the voluntary disclosure program will go a long way to put measures in place so that we don't have a recurrence of this.

Mr. CARNEY. Well, hopefully from one airline to another and one region to another, and I hope the ATOS 1.21 has flashlights and screwdrivers involved with it, where they are actually crawling through the aircraft.

Mr. BALLOUGH. Mr. Carney, I can assure you we do a number of on-aircraft inspections, as well.

Mr. CARNEY. Very good.

I have grossly violated my time. You are very generous, Mr. Chairman. Thank you.

Mr. OBERSTAR. Ms. Richardson?

Ms. RICHARDSON. Yes. Thank you, Mr. Chairman.