

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.

First of all I have one question and four comments. The question is to Mr. Stuckey.

We have seen documents that were sent to you alleging repeatedly that your SPMI was frequently reducing letters of investigation to simple letters of correction. Didn't that cause some alarm bells to go off in your mind? We haven't seen any evidence to indicate that it did. What were you doing?

Mr. STUCKEY. Ms. Richardson, that is correct. We had received a report in the fall of 2005 that Doug Gawadzinski was issuing letters of concern instead of letters of investigation. As was pointed out by the panel this morning, letters of concern don't really have any application in our compliance and enforcement program.

The importance of using letters of investigation is that they get into our system and we can track them. That was brought to the region's attention in, I believe, September or November of 2005. We asked for an independent review of that, and we took two assistant managers from another office assigned to Continental Airlines who basically validated that yes, out of, I think, twenty-nine letters of concern, at least I think four or five of those should have been letters of investigation.

At that time it was communicated to Mike Mills, office manager, and then later to the supervisory principal maintenance inspector that he should stop that practice. That is not appropriate. The practice is not consistent with Agency policy.

Ms. RICHARDSON. Well, now I will get into my comments, and I will direct them to Mr. Sabatini.

A couple of things. First of all, it disturbs me to hear you kind of off-the-cuff refer to low accident rates, 1 percent. In five minutes I am going to be leaving here to get on a plane, and I am not very thrilled at this moment. I think if the American public really all understood clearly what we were discussing here today, I think a lot of people would not be.

In the business of public safety, as you said you are an expert of, we are not held to the same standards of people who manufacture pencils. We have people's lives in our hands and we are expected to perform at 100 percent rate, not at 99. The 99 is not acceptable, because our failure to perform may cost major life, which is not acceptable for us to think 99 percent is okay.

I will tell you my background. I worked in corporate America for 14 years. I have a master's in business. I would strongly recommend—you talked a lot about your public safety background. I would recommend going back and doing a little business work. Let me tell you what I mean by that. And I mean no disrespect, but I think we have to speak frankly here.

In the world of business school, this is a clear failure, as has been said, of quality control. Clear failure. There must be ongoing sampling, as there is in any industry. This should not be viewed as bureaucratic Government, anything like that. When you were talking about maintenance, sampling must occur on an ongoing basis at every single level. When you have a lack of independent review and you are not properly monitoring and validating, you are going to have problems like this.

I don't understand, for the years that this has been done, why this has not been caught.

Let me leave with my last point. I am really frustrated, because you mentioned this was a failure of humans. I disagree with you, with a business background. This was not a failure of humans. A failure of humans is one individual who fails to complete a report appropriately in 2005, who makes a mess up and is addressed. What we see here, a pattern of several years of lack of proper monitoring, validating, and really correction I don't think is a problem of humans; I call it a problem of process and management, which all of you here are responsible for.

This is not just limited, as has been said by many of my colleagues, of the one person back there. To me the problem is right here, because it is ultimately your responsibility.

When I hear Congressman Cummings ask you do you know if this person is still working, and you say it has been said to me, you know, in the business world what we do, it was your responsibility to go physically and to ensure. I don't care how busy you are; you are not so busy that when we have planes flying around with inches thick of leaks and all these other things going on, it is your responsibility to get out of the office and to get on the ground. That is my expectation, and I think the public's expectation that you would do immediately.

So as I would close I will say to you that this has really risen to the threshold that I think it is beyond the reports and the headlines that we will see tomorrow. I think you owe the public an acknowledgment of exactly what happened and exactly what you intend to do.

We can talk all day long about the programs and processes that you are going to put in place, but I will kind of break it down really simple now, since we have talked about the business side. You are lacking some hall monitors. You need people in the halls making sure that people and the things that are supposed to happen, of all these great things that you said that they are going to do, all that is is another report this thick for someone to read once a year. We need action. We need people on the ground. And we need true monitoring and validation. Anything less than that is unacceptable to the American people.

Now I am going to put my life in your hands, unfortunately, and say a prayer as I hop on this flight. We are, unfortunately, working the angels overtime, and I hope that you would do a better job of protecting all of us.

Thank you.

Mr. OBERSTAR. I thank the gentlewoman.

Mr. Petri?

Mr. PETRI. Just to put things in context, I would rather put it a little more positively. We want you to keep on batting 1000. We have gone four years. I think it was pointed out at the beginning that 200,000 people have died on the highway and zero have died during that same period of time in airline crashes and airplanes. So if you are worried about going home, fly. But that is not saying it is perfect and it is not saying that things couldn't be a lot better.

You have done so well, and the last thing we want to do is to start slipping down on the job or getting cozy arrangements that then end up with loss of life, and so we want to celebrate success. It is fantastic. It is unprecedented in world history, I think. But we