

its customers, we want to have all these multiple levels of review, we want all these forums and all? That really came from your professionals?

Mr. SABATINI. Sir, what we know about our organization across the board is that we do not behave in a consistent and standardized manner. This was one mechanism put in place.

Mr. DEFAZIO. But it has a particular lilt to it, this whole airlines are now customers and there are all these complaints. There are other ways to deal with service quality, I think, maybe the inspector general or others might address that, I think, than this. I really think it deserves major overhaul.

And then finally, just one thing. I have heard a lot about how great things are and how no one has died, and people have qualified that by saying major or big or whatever, or 135s versus 121s. We have had two deadly crashes in the last four years. One was due to a maintenance issue, which was 21 people at Charlotte. The other I think is still under investigation at Lexington, which has been attributed to pilot error or under-staffing of the air traffic control tower or other issues. I don't think there has been a final disposition on that one yet.

But people have died. That was 49. So yes, the system is doing pretty darned good. Can it do better? Yes. Are we concerned about the number of AD deviations, we find out there were deviations? Yes. And I understand there may yet be some others out there. There are three airlines that have some AD problems. Why aren't they named?

Mr. SABATINI. I would be happy to submit their names.

Mr. DEFAZIO. Well, why don't we just have them right now?

Mr. SABATINI. It is an open investigation, sir.

Mr. DEFAZIO. Thank you.

Mr. OBERSTAR. I don't want to stimulate the gentleman further—

[Laughter.]

Mr. OBERSTAR. This customer initiative sounds very strangely like public-private partnership. The gentleman will desist.

[Laughter.]

Mr. OBERSTAR. Mr. Carney and then Mr. Cummings.

Mr. CARNEY. Thank you, sir.

This is for the whole panel. Well, probably not Mr. Scovel. I was thinking about Mr. Gawadzinski, who is still employed, and Mr. Mills. Mr. Mills was not under investigation for anything, he apparently did nothing wrong. Why was he removed?

Mr. STUCKEY. Mr. Carney, initially, when we got the report of the AD overflight, we also, that same month, had already scheduled two office evaluations. As a result of all three things that were going on in the month of April, it is standard practice to remove someone from their position when you find some serious issues involved. Mr. Mills was initially detailed at his same grade, same pay, to an office in the DFW area until an investigation was completed.

In Mr. Mills' case, it was decided that he was going to be permanently transferred to that same office as an assistant manager, same pay, same grade. Primarily because his supervisor back in 2005 had given him instructions to follow national policy, you have

some issues here, letters of investigation, letters of correction. There were several issues there pertaining to relationships in the office that were causing disharmony, including what you heard from the first panel this morning. You really had two groups in the office, those that supported Doug and those that supported Mike.

For those reasons, he was administratively transferred to another office. That was made permanent I think in August of last year.

Mr. CARNEY. Given all we have heard today, that sounds a little suspicious, I have to tell you. That doesn't sit well. That doesn't seem quite just, actually, from where I sit, at least.

I have no further questions, Mr. Chair.

Mr. OBERSTAR. Doesn't sit well with me, either.

Mr. Cummings.

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

Mr. Sabatini, one of the most, as far as I am concerned, one of the most significant questions that has been asked today is the one that the Chairman of our Aviation Subcommittee asked you a few moments ago. He talked about, if you will recall, how it seems like certain things have to come to the Congress before certain actions are taken by your agency. That is very, very significant.

Let me put that over here, and then I am going to take you to another place. That is that you, when the Chairman asked you a question about why didn't you at within a certain period of time, you said, I think, and I am not trying to put words in your mouth, that you did not realize, or you all didn't realize the gravity of the situation. Is that right?

Mr. SABATINI. That is correct.

Mr. CUMMINGS. All right. Now, to me, the one thing the flying public wants, as I said a little bit earlier, is they want to be able to trust. They want to know that when they get on that plane, the plane has a pretty good chance of getting to its destination. And I guess what I am concerned about and I am wondering about is, are mechanisms now in place, and Mr. Scovel, you may want to comment on this, too, so that one can appreciate the gravity of the problem?

Because I would think that we could put all the mechanisms in place of communicating a problem. But if there is no one on the other end of the line who can appreciate the significance of the problem, and the problem still takes, in other words, for example, airlines are still flying that aren't supposed to be flying, then it seems like it smacks in the face of what we are about here, and that is trying to make sure we do what you said, that is, have the highest degree of safety that we can and to worry about the 1 percent that you and Mr. Costello talked about.

So I am wondering what is in place now or what will be in place to help you or whoever, your committee or whoever makes these decisions, as to when we act, how we at, to what degree we act, what is in place now that will help you to have a better grasp of how significant a problem is? You can't get too much more significant than this.

Mr. SABATINI. I believe there are a number of things already in place, and I keep coming back to at the Southwest region, that issue was mishandled for two and a half years. And that was not