

Ms. BROWN OF FLORIDA. Stakeholders, partners, yes. But not customer.

Mr. SABATINI. I would agree with that. We are going to recalibrate that.

Ms. BROWN OF FLORIDA. Can you describe your customer service initiative program?

Mr. SABATINI. It is designed to allow anyone who has come to the FAA, either for a pilot's certificate or an applicant for any one of the authorizations that are issued, once someone demonstrates competence and qualifications. And if during the course of that interaction one believes that the rules were not followed, then there is a process to bring that to the attention of the next level of management. What we require is that when that documentation of that interaction clearly applies the rule, the guidance, whatever that may be, so that there is consistency in the organization. It was designed around the issue of assuring consistency with whoever we might be dealing with. To assure that we treat whoever comes in, whoever we come in contact with, with the respect and the courtesy and the professionalism and timeliness that you would expect of a Federal agency.

Ms. BROWN OF FLORIDA. Would you explain a little bit more about the self-reporting?

Mr. SABATINI. Yes. That is the voluntary self-disclosure. And that is a situation where anyone who finds that they have made a mistake or are in non-compliance, if they are the ones who come forward and tell us about it, then we will consider that in the mitigation of whatever that penalty or action might be. If we are the ones who first find that non-compliance, then there is no self-disclosure. And there are various things that can be done if it is brought to our attention.

The idea is to encourage people to tell us about mistakes, so that we can address those mistakes.

Mr. OBERSTAR. Would the gentlewoman yield?

Ms. BROWN OF FLORIDA. Yes, sir, Mr. Chairman.

Mr. OBERSTAR. The question you raise is a very important one and the answer is interesting. But we discussed it earlier in this hearing. This voluntary disclosure system sets up a race to the answer. If the airline knows that they have done something, they can't voluntarily disclose. If the FAA knows it ahead of time, they can't voluntarily disclose, they, the airline, can't voluntarily disclose.

That sets up a risky environment, especially when you have someone within the FAA who is willing to pass information to the airline, say, you are about to be inspected, you had better get on the stick and self-disclose. That is where this voluntary self-disclosure process has vulnerability. That is the point that needs to be corrected.

Mr. SABATINI. And we are, Mr. Chairman.

Mr. OBERSTAR. You are going to find a way to correct it.

Thank you. The gentlewoman may proceed.

Ms. BROWN OF FLORIDA. I yield back the balance of my time, Mr. Chairman.

Mr. OBERSTAR. Thank you.

Mr. Sabatini, I have had time to reflect a little on the question I asked you earlier: why did you wait until March 13th of 2008 to

audit the other airlines. And your answer was that you really didn't know the extent of problems. I find that unacceptable. That is, you are a safety professional, committed your whole career to aviation safety, starting even before you came to the FAA in the police department of New York City. That is something you have to have your hands on. That is your responsibility.

Those incidents at the lower level should not have escaped your attention. Let's go back to 1985. In the Miami FSDO, the general counsel issued a ruling on safety to the inspector corps in that FSDO. It didn't get around the rest of the Country. And other FSDOs were doing things, taking actions that were exactly the opposite. The administrator didn't know about it. The head of the Aviation Safety Office didn't know about it.

At the time, there were the nine fiefdoms, as they were roundly called, the nine regional administrators. And they held information, didn't share it with the rest of the FAA. Centralization of FAA resulted in a very significant improvement in safety, because information now was flowing freely, flowing around the agency. And that centered responsibility on the head of the Office of Safety. That was your responsibility to know this stuff. I want you to think about how you are going to do a better job of having hands-on at the operational level within the agency.

Now, Mr. Scovel and Mr. Bloch, well, before I come to that, I asked Mr. Stuckey, Mr. Lambert a question about a directive he received to shred information that he submitted up the chain of command. He was under oath when he answered. Are you aware, were you aware, did you know about the directive to shred records that Mr. Lambert referred to pursuant to my question?

Mr. STUCKEY. No, sir. That is the first I had heard that today.

Mr. OBERSTAR. I want you to think about that.

An ethics question, Mr. Bloch, and—Mr. Sabatini?

Mr. SABATINI. Mr. Chairman, I am sorry to interrupt your chain of thought.

Mr. OBERSTAR. Not at all.

If you have a response—

Mr. SABATINI. Not a response, I need a personal break.

Mr. OBERSTAR. I understand that. You may be excused.

Mr. SABATINI. Thank you.

Mr. OBERSTAR. Yes, please. I admire your holding ability.

[Laughter.]

Mr. OBERSTAR. Mine is not as good.

I have a question. Mr. Petri, do you have something?

Mr. PETRI. Nothing urgent. I was going to ask something if you were going to pause.

Mr. OBERSTAR. I want to pursue this. No, I think I will let you go ahead, because I think Mr. Sabatini needs to be responsive. So please, go ahead.

Mr. PETRI. I just was curious, we didn't get a particular response to this chart question about why Mr. Gawadzinski was either not subpoenaed or given an opportunity to appear. Is there any reason for the record?

Mr. OBERSTAR. The reason he was not called, we considered that. He was under disciplinary order by the FAA, as we understood it at the outset of this hearing. It now appears that he is not under