

close. Not that we want adversaries. But it is just the difference between me and Mr. Oberstar and me and Ms. Johnson.

Mr. KELLEHER. I think one of the things that the Committee has touched on here that is very, very meaningful, Congresswoman, and it is exactly what you said, from what I have now heard and from what I have found out, since this became an issue, there can be too much closeness between the regulator and the regulated. And we were very, Gary in particular, and Ron Ricks, were very disturbed to learn that this decision had been made without bringing it to the attention of even our vice president of maintenance. That will not happen again. I can assure you.

But there was some kind of temporary malfunction there for some reason. We certainly don't want a relationship that is too cozy with the FAA. Because of course, that doesn't in the longer run do the carrier any good. The carrier needs to have people at the FAA saying, hey, wait a second, you are not doing this right, you can do this better, you need to revise your records. That sort of thing, that advice, that counsel, that guidance, I think is very important to the carrier, coming the other way. And apparently, we were a little shy on getting that too.

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

Mr. OBERSTAR. Thank you. I now call on Chairwoman Johnson, Chair of our Water Resources Subcommittee.

Ms. JOHNSON. Thank you very much, Mr. Chairman.

I am probably one of the few people on this Committee that has known Southwest Airlines ever since there has been a Southwest Airlines. What I am concerned about, Mr. Kelleher, is, do you feel at any time that the safety of the passengers was breached during this time?

Mr. KELLEHER. No, I do not, in any way, shape or form. Let me give you a comparison, if I might. And I am bearing in mind the Chairman's admonition earlier against creep. I do understand that.

But to put this in context, when you first come under the aging aircraft AD, right, you are just getting under it, the FAA gives you 4,500 cycles before you have to start inspecting. With our operations, that is about a year and a half before you have to start inspecting.

We flew these airplanes for about eight months. I think Inspector Boutris mentioned 30 months, but that is not so. It was June of 2006 to February of 2007. And so what I am saying is that the FAA doesn't regard that there is any threat to the airplane from cracks until you fly it for a year and a half. We flew it less than a year and a half.

Furthermore, as Gary Kelly said, we probably inspected that particular airplane and its fuselage 80 times during the year. Don't think that an airworthiness inspection directive is the only inspection that airlines apply to airplanes. We probably have four times as many regular inspections on our airplanes as the FAA requires. Those airplanes, it is like going to an internist twice a week for an examination with respect to the fuselage.

And there is another special AD inspection that comes within seven tenths of an inch of where we are talking about. So it would

be unusual to do that one and not go seven tenths of an inch and look at the other area of the fuselage.

So no, I don't think there was any threat whatsoever to the safety of passengers during that time. And I base that on technical analysis, not just saying, nothing happened, even though we have never had anything happen from the passenger fatality standpoint, as I explained. I think the planes were perfectly safe and the public could have complete confidence in them. AFTER 6:00 p.m.

Ms. JOHNSON. Thank you.

Mr. KELLEHER. Nobody flies them more than we do.

Ms. JOHNSON. Mr. Bassler, have you been in communication with the Southwest Airlines manager of regulatory compliance since your reassignment?

Mr. BASSLER. Was that to me?

Ms. JOHNSON. Yes.

Mr. BASSLER. No, ma'am.

Ms. JOHNSON. Did you call from a Government phone or your personal cell phone when you attempted to—

Mr. BASSLER. After I was reassigned to the DFW FSDO? No. Not to my knowledge, no. I haven't had any communication with them. Not that I am aware of. Are you talking about Southwest Airlines employees, correct?

Ms. JOHNSON. Yes.

Mr. BASSLER. No.

Ms. JOHNSON. Did you say you requested the reassignment?

Mr. BASSLER. Yes, ma'am, I did. Back in October of 2007.

Ms. JOHNSON. And what was your major frustration at the time?

Mr. BASSLER. There was a very hostile work environment. And we had brought it to the attention of management up to region, many, many investigations came through there over the issue. And nothing was done about it. It was continually dysfunctional and hostile.

Ms. JOHNSON. Did you have a conversation with the person who is now on suspension that was in charge of the Southwest Airlines inspection?

Mr. BASSLER. The principal maintenance inspector?

Ms. JOHNSON. Pardon me?

Mr. BASSLER. The principal maintenance inspector?

Ms. JOHNSON. Yes.

Mr. BASSLER. Doug Gawadzinski?

Ms. JOHNSON. I am sorry, I don't know his name. The person that got suspended from Southwest when they found out about the—

Mr. BASSLER. Mr. Gawadzinski, correct? Because there were two, there was Mr. Mills, I think, the manager, and Mr. Gawadzinski. If you are talking about Mr. Gawadzinski, I have conversed with him since, yes. Not on these topics, though.

Ms. JOHNSON. Pardon me?

Mr. BASSLER. Not on these topics, though.

Ms. JOHNSON. Okay. But do you feel that he was lax in his responsibility and did you talk with him about it?

Mr. BASSLER. As I said in my testimony, I wasn't privy to the information because I am avionics and he was maintenance. He wasn't my direct supervisor. I didn't directly work for him.

I did have, when my supervisor PAI was out of town or if he was incapacitated, I of course would fill in for him as the PAI on occasion. So during the two and a half years, I had gone to meetings as the PAI with the PMI. And at no time had I ever seen that type of behavior exhibited by Mr. Gawadzinski, at least in my presence.

Ms. JOHNSON. Okay. Thank you. I apologize for having been absent a period of time. But lots of things go on at the same time here. Thank you very much, Mr. Chairman.

Mr. OBERSTAR. Mr. Cummings, Chair of our Coast Guard Subcommittee.

Mr. CUMMINGS. Thank you very much, Mr. Chairman. I want to thank all of you for your testimony.

Let me talk very briefly, Mr. Kelly, you talked about improvements to the voluntary disclosure program. I want to know exactly what you may have had in mind. I want to go back to something that Ranking Member Petri talked about. He was saying sometimes you can have a voluntary disclosure and people abuse it. That is true. In Baltimore, we had a situation where at a hospital they were giving AIDS tests and hepatitis B tests with equipment that did not work. Thousands of them, thousands of AIDS tests, people getting the wrong results. And if it were not for disclosure, we would have never known it.

Part of the problem with the disclosure is that when it was disclosed, management sort of suppressed it and kept it sort of in a little cocoon, and it never got past a certain point. I guess what I am getting at is, I get the impression that you are looking at your voluntary disclosure procedures and trying to make sure they are what you want them to be.

I think we have to be very careful and set a different kind of standard when we are talking about life or death. In other words, I don't worry so much about, I do understand people may abuse the process. But I agree with you that I would rather know than not know. If you are talking about life or death, those pilots sitting back there, if it is going to their lives and all the passengers that they fly around, I want to know.

So I hope that when you reevaluate, you said you were looking at it and whatever, I hope you will keep that in mind. I understand what Mr. Petri is saying, but we are talking about thousands of flights and thousands of people. We are also talking about that thing that I talked about a little bit earlier, that trust that things are in order.

Did you have a comment on that?

Mr. KELLY. Well, yes, sir and hopefully I can clarify. I am a huge proponent of our voluntary disclosure program, because we do want to know, we want to know the truth. If mistakes are made, we want people to feel comfortable that they can report mistakes without some kind of punishment.

The point that I was making earlier is we want to make sure that that is a credible self-reporting process and have enough proper research done, have enough independent checks and balances to look at that to make sure that the proper decision is being made about how to deal with a matter once it becomes known.

I am more concern about that, in other words.