

some of the threads that we are trying to pick up with this ATOS thing, personally, but that is my own Luddite prejudice, I guess.

Thank you, Mr. Chairman.

Mr. OBERSTAR. It is not Luddite in the least, and Mr. Sabatini earlier committed to modifying this voluntary disclosure program and correcting holes in it and reporting back to us in due course.

Ms. Brown.

Ms. BROWN OF FLORIDA. Yes, Mr. Chairman, I just have one follow-up question.

With respect to all recent grounding, you know, Delta had a big one, and I think American, do you think the type of non-compliance we are now seeing with previously allowing aircraft to continue in operation instead of grounding?

Mr. KELLEHER. I am not really familiar from the technical standpoint with what required the grounding at the other carriers. And if I were to give an opinion on that, I think I would have to be inside those carriers or inside the FAA. So it is really hard to tell exactly what transpired. I have read press accounts of what went on with respect to some of the airplanes. But I really don't have any insight into how serious the issues were with the other carriers.

Ms. BROWN OF FLORIDA. Mr. Kelly?

Mr. KELLY. I don't have any insight at all as to what happened at other carriers. I can describe our own March 11th experience, which was in creating a new document for a change order, and being ever-vigilant in this environment, we did find an instruction that was conflicting. It was confusing. We used the word ambiguous. It was unclear which type of inspection was required for 44 of our aircraft. Mind you, we did an inspection. We just weren't certain that we did the inspection with the right method. It is either with an electrical device or doing it visually.

We talked to Boeing, we talked to the FAA. All agreed that the wording was ambiguous. So they asked us to perform the most conservative inspection on the night of March 11th. Once we tried to do that inspection, we found that it could not be done. The metal was such that it would not accept this electrical eddy current device. It took all day on March 12th to resolve that particular discrepancy.

So I do think that you will find things like that when all of this is subjected to that level of scrutiny. I am not complaining about it, but I am just pointing out that some of the reactions that you might be seeing are in fact just taking it to that level of detail. We had one aircraft that was grounded for an entire weekend over a washer that is less than the size of a dime. Historically, manufacturing allowances are such that you could use one washer, two washers, up to three washers. We had two washers on one bolt that was about an inch and a half long. And it took all weekend to resolve whether we could use two washers instead of one washer.

So there is that kind of detail that is embedded in 1,110 pages of inspections that human beings are being subjected to try to work their way through. So I am sympathetic to what some of the airlines are going through.

Ms. BROWN OF FLORIDA. Would either one of you like to respond to that question?

Mr. COLLAMORE. I think the thing that led us astray was if you looked in the preamble to the AD 2004-1806, the particular question was asked about the area that Southwest Airlines had missed during the NPRM stage that because of the window belt and the over-wing exits the extra skin and doubler inside made that area on stringer 10 between body stations 540 and 727 extremely difficult, if not impossible to inspect. And the FAA's response at that time, from the ACO, the aircraft certification office, was that because of the extra skin and the doublers in that area, they did not consider that area as a cracking concern.

I can't speak for Mr. Gawadzinski. But I believe that that was what he had based his decision on to allow those airplanes to be flown, because that was the exact same area that Southwest Airlines had disclosed to us.

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

Mr. OBERSTAR. Thank you for those questions. They are very pertinent and very right on point.

Mr. Kelleher and Mr. Kelly, earlier in the exchange, you one, referred to a statement by Mr. Boutris that, or attributed to him the 30-month violation. In fact, this is documented in your own self-disclosure detail document on page three, time violation remained undetected, 30 months. This is your own document.

Reason why the violation was inadvertent, your response is, due to individual human errors during the document data transition, I won't go through all the items, were inadvertently, the inspections were inadvertently omitted. Unfortunately, due to the extended time span, we cannot definitively determine the exact reasons the initial error occurred and was then overlooked during creation of the document, its revisions and reviews. We can reason that the error occurred because of the complex nature of the ADs involved.

Do you disagree with the ADs?

Mr. KELLY. Mr. Chairman, I don't remember the 30 months. But our executive vice president reminds me that the 30 months maybe the time that the document was out there in error, but the actual aircraft were not in non-compliance for that entire time period.

Mr. OBERSTAR. But do you disagree with this directive?

Mr. KELLY. No, I don't disagree with the AD, no.

Mr. OBERSTAR. Good. There is a process by which you can disagree with Airworthiness Directives, not only you but all airlines.

Mr. KELLY. No, sir.

Mr. OBERSTAR. You haven't done that and you're not in disagreement?

Mr. KELLY. We are not, no.

Mr. OBERSTAR. Count one of the FAA fine imposition reads, "Fifty-nine thousand seven hundred ninety-one of the flight cycles addressed in paragraph 16 were operated at the time when Southwest Airlines was unaware of its failure to incorporate the repetitive external detailed and eddy current inspections of stringer 10 left and right at body stations 540, 597 and 663, 727 at intervals not to exceed 4,500 flight cycles."

Number 17, "The aircraft addressed in paragraph two were unairworthy when they were operated on the flights above because re-