

quired AD inspections had not been accomplished.” That is the finding of the FAA. Do you disagree with that?

Mr. KELLY. I think we have fully admitted that once we discovered the non-compliance and self-reported it, that we should not have continued to fly those aircraft based on what we know today. So we certainly don’t agree with that.

Mr. OBERSTAR. And that is the statement Mr. Kelleher made earlier, we should not have flown?

Mr. KELLY. Yes, sir.

Mr. OBERSTAR. There are maybe many other questions, but again, I just want to underscore that it is your own document that says, time violation remained undetected, 30 months. This was not attributable to an FAA inspector. This is your own filing, your own admission. And I think that is appropriate. It is candid. You should not be disputing the time frame.

Mr. KELLY. Well, again, as I say, my recollection is based on the schedule of aircraft that I looked at, that the time that we were beyond the 4,500 cycle requirement, the longest time period was eight months. What I think the 30 months refers to is the time that the AD documentation was created that had the small area missing from the inspection. So I believe that that is what the 30 months is. But I apologize, otherwise I just, I don’t recall the 30 months.

Mr. OBERSTAR. It is clear from the body of evidence presented today and the testimony that there is a great deal of adjustment that needs to be made and process at issue here. Voluntary disclosure, partnerships, relationships, the ability of a carrier to call and complain about an inspector and have that person removed, those are things that should not be happening within the safety context of FAA and its relationship with the airlines. As Mr. Sabatini said earlier in response to my questions, there are going to be substantial adjustments on a number of those policies, and we will follow those very, very closely. We look forward to airline participation in this process as well.

I thank the panel for their presentation and testimony, and appreciate your being here throughout this very long day.

Mr. KELLY. Thank you very much.

Mr. KELLEHER. Thank you for the opportunity to appear.

Mr. OBERSTAR. You are always welcome.

Our next panel includes Mr. Tom Brantley, President of the Professional Aviation Safety Specialists organization, accompanied by Linda Goodrich, Vice President, Region IV of PASS; Mr. Richard Andrews, Aviation Safety Inspector, American Eagle Operations Unit, also of PASS; Mr. Joseph P. Thrash, Aviation Safety Inspector, retired, for Continental Airlines; and Mr. Bill McNease, retired Aviation Safety Inspector, FedEx CMO.

I will ask you all to raise your right hand. Do you solemnly swear that the testimony you will give before this Committee in the matters now under consideration will be the truth, the whole truth and nothing but the truth, so help you, God?

[Witnesses respond in the affirmative.]

Mr. OBERSTAR. Thank you.

Mr. Brantley, we will begin with you.

TESTIMONY OF TOM BRANTLEY, PRESIDENT, PROFESSIONAL AVIATION SAFETY SPECIALISTS, ACCOMPANIED BY LINDA GOODRICH, REGION IV VICE PRESIDENT, PROFESSIONAL AVIATION SAFETY SPECIALISTS; RICHARD A. ANDREWS, AVIATION SAFETY INSPECTOR, AMERICAN EAGLE OPERATIONS UNIT, AMR CMO, PROFESSIONAL AVIATION SAFETY SPECIALISTS; JOSEPH P. THRASH, RETIRED AVIATION SAFETY INSPECTOR, CONTINENTAL AIRLINES CMO; AND BILL MC NEASE, RETIRED AVIATION SAFETY INSPECTOR, FEDEX CMO

Mr. BRANTLEY. Thank you, Mr. Chairman.

I want to begin by quickly introducing the people here with me. I think they may very well end up being helpful. Linda Goodrich, as you said, our Regional Vice President, representing our aviation safety inspectors. And Rick Andrews, a retired FAA safety inspector. I want to thank Rick for offering his own comments today.

In the interest of time, I am going to dispense with my prepared remarks. I would just like to comment on a few things I have heard today that I found very disturbing. They relate to this idea of whether this is an isolated incident, what happened in the Southwest CMO or whether it is a systemic problem. I see the FAA trying very hard to portray this problem as a Southwest CMO problem.

What I would offer is that there are problems in that CMO that are unique. They have the two factions down there that are battling constantly. That really exacerbated the problems with their system. But I think what we are seeing is a systemic problem. The fact that we are seeing delays and cancellations at many airlines, because they are grounding planes for checks, for maintenance that they are concerned hasn't been done or that in fact has not been done, speaks to the fact that this is a systemic problem. I think trying to portray it as anything else is a little misleading by FAA.

Along those lines, one of the things that has been most disturbing to me has been the way the FAA has described this special review that they have undertaken over the last 10 days. I think it is clear to everyone that was nothing more than an attempt to paint a picture for this Committee, plain and simple. That review was set up in a manner that there was no way they would find problems.

I mean, quite frankly, they made a public announcement that they are doing this special review, and then they quietly sent direction to inspectors that unless the aircraft is already out of service for heavy maintenance, don't worry about a visual or physical inspection. Review the data that you are provided by the airline and make your determination based on that. That is exactly what they did before this review.

So to expect them to find a problem that hadn't already been found is kind of ludicrous. I think the biggest fear that I have isn't that we know how unsafe things are, it is that we have no idea right now what the status of the industry's compliance with these airworthiness directives is. Frankly, right now, we don't have any idea. We can guess that the majority of them are done, and I think that is safe.

But without having the physical inspections that verify compliance, I think it leaves everyone wondering exactly where we are. I think until the FAA integrates that piece back into their process, it is going to be a flawed process. I don't care how much data you collect, if you don't know that the data is good, it is meaningless, it is absolutely useless, as you mentioned earlier, Mr. Chairman.

I think until the agency is forthcoming about that and faces that problem and deals with it, this is not going away. I will conclude on that and I look forward to any questions you might have.

Mr. OBERSTAR. Thank you for your candor.

Ms. Goodrich?

Ms. GOODRICH. I am going to turn this over to Rick Andrews.

Mr. ANDREWS. Chairman Oberstar, Members of this Committee, thank you for holding these hearings on the relationship between the FAA and the airlines. My name is Richard Andrews. I was employed as an aviation safety inspector by the FAA at the American Eagle Certificate Management Office in the Southwest Region and assigned as an aircrew program manager in the American Eagle unit until March 31st of this year.

I am a member of the Professional Aviation Safety Specialists and I served as the PASS representative for the American Eagle Airlines Operations Unit in that Certificate Management Office.

I have worked for the FAA over 31 years. During that time, I have witnessed dramatic changes in the aviation industry. When I first started my career with the FAA, safety of the system was the priority. With the financial hardships facing many of the airlines and the pay for performance mentality of FAA managers, safety has become a second thought.

My work at the Certificate Management Office has proven to me that management's primary goal is to fill the quotas for the office, in other words, producing members is the focus, rather than getting the job done right. As FAA inspectors, we are the workforce trained to focus only on the safety of the system. It is beyond frustrating when we discover a problem with an air carrier and are prevented from doing anything about it. We are frequently stopped in our tracks by several layers of management and our focus is on pleasing the airlines.

Thirty-one years ago, I was out in the field with my hands on airplanes and looking for safety problems. I had the power to make a difference. Now, in the age of self-disclosure and the tight relationships between FAA management and the airlines, inspectors are sitting at their desks getting their information into a computer. Unfortunately, what suffers most from all this is the safety of the system.

I have seen and experienced the repercussions of these cozy relationships between the FAA and airlines in the past. A recent situation illustrates the point. In October of 2007, I met with the American Eagle Unit assistant manager and principal operations inspector to discuss the status of American Eagle Airlines' flight operations and training. It was agreed that American Eagle should be under surveillance, and I was asked to start doing an in-depth evaluation of their manuals and programs. After several months of working on this project, in addition to my other full-time assign-