

Congress should, and following these hearings will—I will—draft legislation—I hope we can have bipartisan concurrence on it—to establish a long post-service cooling off period for FAA inspectors before they are allowed to go to work for the airlines. This is something that FAA could do by regulation, but it would take them way too long to do it. Just as we do with other Executive Branch personnel, we should do it for FAA.

Senior management at FAA has to develop a better way to monitor local airline oversight offices and avoid lapses in compliance such as we saw with Southwest.

It is no mere coincidence that FAA's recently initiated audit began just after news of our hearing was revealed to the public. We are going to look in-depth at the factors that brought us to this point in the course of this hearing.

With that point, I yield to the gentleman from California, Mr. Mica.

Mr. MICA. Thank you for yielding and also thank you for convening a very important hearing this morning.

Probably one of the most important responsibilities we have as a Member of this Committee, whether it is Mr. Oberstar, myself, or any other Members here is making certain that we do conduct thorough oversight, and, particularly when it comes to aviation, that we ensure, as is the charter set forth for FAA, the highest standard of safety.

I do want to, though, assure the Members of Congress and the American people that we have developed and maintained the safest system of passenger aviation in the history of the world. Last year, we had over 735 million people fly. In fact, two-thirds of all the air traffic in the world took place within the boundaries of the United States. Since 2001, November 12th, we have not had a single aviation fatality in a large aircraft in the United States of America. That record is unparalleled, again, in the history of aviation.

But I think that today's hearing is very important because we have had a couple of people step out at probably some great personal risk and bring information to the Committee that, as good as the system we developed and put in place, we can't sit on our laurels; that, in fact, we have got to look at what we put in place. And, you know, I was a strong advocate of a risk-based inspections and also self-reporting system, and I think so far it has proven to work well.

But what we have from the individuals that we will hear from today is a wake-up call, a wake-up call that you can never just accept a standard or a protocol or a routine in government, and particularly where it involves safety, that you have to be constantly vigilant of the system you put in place and then take corrective action. So we are going to hear about what went wrong with the system we had.

We are going to hear about some relationships the Chairman described that probably are improper and that need to be corrected. We are going to hear about some revolving door relationships, too, that also need to be corrected. But what we have got to do is come up with positive changes that ensure that the record that we have had to date continues.

Now, again, I want to assure the American people the system is safe; we found some flaws, but this hearing is going to ensure that we continue that record and we correct the things that we found and we will hear today what has gone wrong. Just for example, last year, 43,000 people were killed in automobile accidents. Since the last major aircraft crash and deaths in 2001, over 200,000 people have died on our highways and millions injured. So just put all of this in perspective. But, again, we can't rest on our laurels.

I have tried to take a look at what went wrong, and I think that we have several problems, and at least three things need to be addressed. First of all, the system that we put in place was a self-reporting and risk-based system, which is a good system. What we didn't put in place is somebody to check those who are doing the checking; and I think that is what is missing in the system. We can't just rely on what we created to be, again, a self-policing, the fox guarding the hen house; we have got to have some independent check of the checkers.

The second thing that concerns me in all of this is if you look at the number of employees, we have 3800 people in FAA and inspections. They do about 7,000 commercial aircraft. We probably have enough people to do the job if everybody was on the job. I think we are going to hear—and we need to ask questions of Mr. Sabatini about—who are the people we have doing the job and how many people we actually have in place.

My observation is we have a serious problem with retirement, we have a serious problem with recruitment, we have a serious problem with replacement, and we also have a serious problem with looking at the number of people in administrative positions versus the people who are actually online conducting these inspections. So it is not always how many people you have, it is how you use the people that you have and if the positions are filled or will become vacant and then finding a way to replace them.

My third and last concern is we are here today, we are on our third extension of FAA reauthorization. Congress sets the policy; we have basically failed in our responsibility to pass FAA legislation reauthorization. We have not had an administrator at the FAA, a confirmed administrator since September of last year. This is particularly a very difficult return to what we experienced in the past.

I have been on the Committee for 16 years. When I came on at one point, we had five administrators in a very short period of time, and then we had no administrators or acting administrators for almost the same period of time. You cannot run a Federal Aviation Administration without someone at the helm.

And I have written every Member of the Senate before this hearing was convened or announced and asked them to take action on that. We have no deputy. It took us years to get a COO. The COO left. We have a new COO. So I am not a happy camper as far as the way FAA is rudderless, and, again, Congress has abdicated its responsibility to confirm or reject the President's nominee.

Out of all this, in closing, there is some good news, and the public and you can take confidence when you have an incident like this, as you have heard already, the planes are being pulled out of the sky, there are re-inspections, there are audits, there are re-

views. Everyone is going to “dot” there “I”s and cross their “T”s as far as safety is concerned, so in a bad situation some good things will happen.

But again, finally, the public has to be also assured in a time when airlines are being forced. I mean, they are really feeling the pinch. We had another one go down today. But the public has to be reassured that even when there is cost-cutting by airlines and cost attention to expenses, that safety will not be compromised by the Federal Government, which has that important responsibility.

So I look forward to working with the Chairman, Members of the Committee, those that are left at FAA, the industry, and others to make certain we restore confidence and correct problems with the system. Thank you.

Mr. OBERSTAR. I appreciate the gentleman’s affirmative statement in favor of safety and concur on the points that he has made.

The gentleman from Illinois, Chair of the Aviation Subcommittee, Mr. Costello.

Mr. COSTELLO. Mr. Chairman, thank you. And, Mr. Chairman, I think you have given a very good summary of why we are here today and the issues before us. Therefore, I will submit my statement into the record and make some brief comments. But before I do, I want to follow up on Mr. Mica’s comments. I think he has made very good points concerning the lack of an administrator and, secondly, the fact that the legislation that we passed through the House is pending in the other body.

So the two points that I would make is that we on this side, this Committee and the Subcommittee, as well as the House of Representatives, we have not failed in our duties. We have passed a reauthorization bill. It passed the House with bipartisan support on September 20th of last year. It is pending in the other body.

On the other issue of you have to have someone at the helm, an administrator, I agree with Mr. Mica, but I would also point out that many of these violations, when the inspectors were reporting these violations to their supervisors, we did have an administrator in office at the time. So I just want to, for the record, point that out.

First, Mr. Chairman, let me thank Mr. Boutris and Mr. Peters for being here, but for their persistence and dedication. We would not be holding this hearing today had it not been for their determination and their courage and their persistence. They were the ones who exposed the violations, and they should be commended for their actions.

It is a pretty sad day when employees of any agencies here in the Federal Government, when they have to seek whistleblower protections in order to do their job, let alone safety inspectors from an agency whose number one responsibility is protecting the flying public. The fact that Southwest failed to ground planes that should have been grounded is inexcusable, and they should pay a hefty fine.

However, this hearing today is not about Southwest Airlines; it is about the total failure by the FAA to perform sufficient oversight of its maintenance program. While Southwest’s failure is inexcusable, the fact that FAA supervisors prevented FAA inspectors from