

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

doing their job, preventing them from enforcing serious safety violations, is nothing more or nothing less than outrageous.

We need to know, this Committee needs to know, the American people need to know who at the FAA knew about these violations, when they learned about the violations, and why the FAA waited so long to impose a fine on Southwest. We also need to know what action will be taken by the FAA to prevent this from happening again in the future.

Mr. Chairman, we have seen a pattern at the FAA of being an agency that is reactive, and not proactive. Since I became Chairman of the Subcommittee in January of last year, I can tell you that sometimes you get the feeling that the agency is on autopilot until they are pushed into action, either by this Committee, the Aviation Subcommittee, the media, or, in this case, whistleblowers.

I can give many examples, but just to give you a few, the issue of runway incursions. The FAA acted when we were at the height of runway incursions back in 1999, 2000, and 2001. They put together a committee. The administrator and the secretary interacted with that committee, all of the stakeholders. They created an Office of Director of Runway Safety. But then, when the numbers started coming down, the FAA left the problem, walked away from it, and left the office vacant; and no more input or contact with the stakeholders.

Secondly, the issue of hazardous conditions in towers at the FAA. We have had reports and the FAA has had reports from air traffic controllers and their employees about the hazardous conditions at the air traffic control towers, the TRACONs and other facilities. They didn't act until the Subcommittee started to take action. In fact, they didn't even put together a list as to which facilities were in the worst condition in order to address the problem. In my judgment, they ignored the problem until we at the Subcommittee level held a hearing.

The issue of congestion and delays. It was when the Subcommittee held a hearing. We pushed the FAA, in my judgment, to addressing the issue by having the secretary and the President of the United States issue a directive to the secretary and the administrator to do something about congestion and delays.

And last—and there are many other examples—consumer issues like holiday travel and emergency contingency plans. You know, only after my call to the Secretary of Transportation saying, look, we anticipate, over Thanksgiving and the Christmas holiday, more people flying than ever before, do we have a plan to address this; are we going to bring airport operators and the airlines together to put a plan together? And I was told, boy, that is a great idea, we should do that. And I said, well, let's begin meeting and we will do it around your schedule.

The next call I got was, well, I am not going to be able to participate because I am working over at the White House to try to address the issue. And on the very morning that we held our Subcommittee hearing on the issue of holiday travel and congestion during that period the Secretary and the President made an announcement that he was directing the Secretary to come up with a plan.

It is very clear that the agency acts when they are pushed to act. You know, it is not enough to have safety regulations in place. We in this Committee, the Subcommittee on Aviation, and the American people expect the FAA to enforce these regulations.

As has been pointed out by the Chairman and others, we have the safest air transport system in the world here in the United States, but we can't become complacent and rely on the past.

Finally, Mr. Chairman, let me say that I have said it before and I will say it again, I have said it at Aviation Subcommittee hearings and I have said it over and over again, and I will say it again today: I want the FAA to know, I want the industry to know this Committee is not going away, the Aviation Subcommittee is not going away. We are going to fulfill our responsibilities of aggressive oversight on this issue and every issue. We owe it to the American people. That is our responsibility and we are going to live up to our responsibility.

With that, Mr. Chairman, I look forward to hearing from our witnesses today, and I thank you for calling this hearing.

Mr. OBERSTAR. I thank the gentleman for his comments and for his superb work as the Chair of the Aviation Subcommittee.

Ranking Member of the Subcommittee on Aviation, distinguished gentleman from Wisconsin, Mr. Petri.

Mr. PETRI. I thank my Chairman from Minnesota. And I would like to thank you for having this important hearing on the FAA's airline maintenance oversight and how they have discharged that responsibility. I will summarize my remarks and ask that the full remarks be made a part of the record.

Mr. OBERSTAR. Without objection, it will be included in the record.

Mr. PETRI. The roughly 6,900 employees of the FAA's Office of Aviation Safety, including some 3,800 aviation safety inspectors, oversee approximately 19,000 aircraft, including about 7,000 aircraft that make up the U.S. commercial airline fleet; over 500,000 pilots and approximately 5,000 repair stations. Their charge is as important as it is obviously large.

While it is true that we are enjoying the safest period in aviation history, due in no small part to the hard work of many at the FAA and at the airlines, we must keep a vigilant guard to protect safety because lives, as has been pointed out, depend on it.

Clearly, there were serious problems at the FAA's Southwest Certificate Management Office. The dysfunctional make-up of the office got in the way of proper safety oversight, and we are fortunate that no lives were lost.

As we listen to today's witnesses, we need to pay special attention to proposed recommendations to prevent such a situation from happening again. Our emphasis today also should focus on the future of aviation safety, on the "how it happened" so that we can fix the problem, not just on "what happened."

To this end, I am interested in hearing the Inspector General's recommendations after having fully investigated the events that occurred at the FAA's Southwest Certificate Management Office, as well as recommendations from our other witnesses.

Fundamental to this Committee's responsibility to safety is to ensure that the FAA has the proper number of inspectors to carry out