

the mission of the Office of Aviation Safety. The FAA's Aviation Safety Workforce Plan, released Monday, indicates that 14 percent of the engineers and up to 35 percent of its inspector corps will be eligible to retire in budget year 2009, compared to 4 percent that actually retired in budget year 2007.

This Committee's FAA reauthorization bill included language requiring the Administration to develop an aviation safety inspector staffing model to account for retirement trends and ensure adequate staffing. For this reason, along with many others, I urge our Senate counterparts to move forward on their bill so that we can address these important aviation safety issues.

I thank the Chairman again for calling this important hearing and yield back the balance of my time.

Mr. OBERSTAR. I concur in the gentleman's appeal to the other body and to Mr. Mica's vigilant efforts with the other body, as we have all done, and hope that we can come to a point where we have a conference with the Senate and move the FAA reauthorization act.

We will now move to our first panel, ask members to rise, 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. You may be seated.

Mr. Boutris, we will begin with you, but, at the outset, I want to express my great appreciation to all of the members of this panel for the public-spirited courage it took when you ran the length of administrative procedures to call to account the failing practices and came to no avail, that you had the courage to step forward and come to our Committee and say something serious is amiss. And I regret that a death threat ensued in that process, but I am greatly relieved that it is under investigation by law enforcement authorities. You deserve the gratitude of the flying public and of the Members of this Committee.

Mr. Boutris.

TESTIMONY OF CHARALAMBE "BOBBY" BOUTRIS, AVIATION SAFETY INSPECTOR AND BOEING 737-700 PARTIAL PROGRAM MANAGER FOR AIRCRAFT MAINTENANCE, SOUTHWEST AIRLINES CERTIFICATE MANAGEMENT OFFICE; DOUGLAS E. PETERS, AVIATION SAFETY INSPECTOR AND BOEING 757 PARTIAL PROGRAM MANAGER, AMERICAN AIRLINES CERTIFICATION UNIT, AMR CMO; MICHAEL C. MILLS, ASSISTANT MANAGER, DALLAS FORT WORTH FLIGHT STANDARDS DISTRICT OFFICE; PAUL E. COTTI, SUPERVISOR, AMERICAN EAGLE AIRWORTHINESS UNIT, AMR CMO; ROBERT A. NACCACHE, RET. ASSISTANT MANAGER, SWA CMO; AND TERRY D. LAMBERT, MANAGER, SAFETY AND ANALYSIS GROUP, FLIGHT STANDARDS DIVISION, FAA SOUTHWEST REGION

Mr. BOUTRIS. Thank you, Mr. Chairman. Good morning, Mr. Chairman and Members of the Committee. My name is Charalambe Boutris. I go by Bobby for obvious reasons. I have a

lot to say this morning, so if I speak too quickly and it sounds Greek to you, more than likely it probably is. However, I will do my best to ensure that everyone understands me.

For 20 years I worked in the aviation industry, performing aircraft maintenance and inspections for several U.S. major airlines and U.S. major cargo carriers. I also held several management positions, including Director of Maintenance.

In February of 1998, I was hired by the Federal Aviation Administration as an Aviation Safety Inspector. I am currently assigned to Southwest Airlines Certificate Management Office as the maintenance Partial Program Manager for the Boeing 737-700 aircraft.

For me, safety comes first and my job second. I am not a disgruntled employee; I am a person with integrity and I do believe that we should cooperate and collaborate with the airlines, but not to the point that we go outside our guidance and break the law. I have followed the chain of command, without any results.

I am here today because I am concerned for the safety of the flying public, which has been jeopardized by the abuse of authority and violations of the Federal regulations. I have summarized the information for my verbal testimony; however, I would like to inform you that details for this information which I am about to present were originally submitted to the Division Management Team at the Southwest Regional Office and, six months later, to the Office of Special Counsel. In addition, I have provided the Committee with a detailed written testimony.

Since 2003, I have been raising safety concerns regarding my Supervisor/Principal Maintenance Inspector Douglas Gawadzinski suppressing my inspection findings and his refusal to follow FAA guidance regarding chronic and systemic non-compliance maintenance issues that affect air safety.

The FAA issues Airworthiness Directives—we call them ADs for short—in order to address unsafe conditions for aircraft and their components. AD requirements are mandatory and by Federal regulations.

In December 2003, I was the Partial Program Manager for engines for Southwest Airlines. After reviewing the Southwest Airlines AD compliance records for several aircraft engines, I discovered the required AD compliance information was inconsistent and was difficult to track the AD compliance. This was contrary to Title 14 CFR Part 121.380.

After long talks with my supervisor, Mr. Gawadzinski, on January 23rd, 2004, he allowed me to send Southwest Airlines a letter of concern, not a letter of investigation, as I wanted to and was required in accordance with our guidance. Southwest Airlines agreed with my findings and took one year to complete the project and bring the AD information into compliance.

In January of 2006, I became the PPM for the Boeing 737-700 aircraft. In reviewing the AD compliance records, I found similar discrepancies to the ones I had found with the engines two years earlier. I immediately informed my supervisor, Mr. Gawadzinski, of my findings and told him I wanted to send Southwest Airlines a letter of investigation, but Mr. Gawadzinski refused.

After going to him several times and insisting that we had to address the AD problem, Mr. Gawadzinski, in January 2007, assigned

me to perform the AD Management Safety Attribute Inspection—SAI for short. This inspection evaluates the content of the airline's manual system and procedures in meeting the regulatory and FAA policy requirements for AD management.

When Southwest Airlines found out that I was the assigned inspector for this inspection, for the SAI, the Southwest Airlines Director of Quality Assurance, Mr. Mats Sabel, and the AD compliance team leader, Mr. Bill Krivanek, had a meeting with my supervisor, Mr. Gawadzinski, and requested my removal from doing the inspection. Mr. Gawadzinski called me into his office and told me of this meeting. I went to the office manager, Mr. Mike Mills, and complained to him that it was obvious that Southwest Airlines wanted to cherry-pick the inspector for this inspection. Mr. Mills talked to my supervisor who then informed me to go ahead and do the inspection.

On February 26th, 2007, I informed the Southwest Airlines AD compliance team leader, Mr. Krivanek, that due to the fact that both of us already knew that Southwest Airlines did not have all the required procedures in place for the AD management, I was also going to look and review some aircraft records to ensure AD compliance.

Mr. Krivanek stated that he and my supervisor, Mr. Gawadzinski, had discussed what my assignment was, and reviewing aircraft records for AD compliance was not part of my inspection. I told Mr. Krivanek he was correct; however, due to my knowledge of the previous history with AD issues, I felt that reviewing some of the Southwest Airlines aircraft records for compliance was appropriate. Mr. Krivanek was not happy about that, but he agreed to meet with me on March 15th and start the inspection.

On March 15th, 2007, I went to Southwest Airlines and met with Mr. Chris Roth. Mr. Chris Roth informed me that Mr. Krivanek could not participate at the meeting because he was working on a project. I went to my supervisor, Mr. Gawadzinski, and told him that Mr. Krivanek could not participate with AD management inspection because he was working on a project. Before I had the chance to say anything else to my supervisor, he stated, "Yeah, they had some airplanes over-fly an AD and they are going through the records to find out how many."

At this point, it was obvious to me that since I had told Mr. Krivanek that, along with the AD management SAI, I was going to review some aircraft records for AD compliance, Mr. Krivanek had decided to have the aircraft records reviewed prior to my inspection and had discovered the AD over-fly discrepancies.

On March 22nd, 2007, while I was performing night surveillance inspections at Southwest Airline maintenance facility at Chicago Midway Airport, I witnessed a Southwest Airlines aircraft being repaired due to a crack that was found on the fuselage. After returning back to my office and talking with another inspector, I discovered that this aircraft was flying in revenue service with overdue AD inspections, with the knowledge of my supervisor, Mr. Gawadzinski. I immediately reported this serious safety issue to my office manager, Mr. Mills.

Due to my ongoing safety concerns with Southwest Airlines and the inadequate procedures for tracking and complying with AD re-

quirements, I preformed a review of the aircraft records and I discovered the following: On March 15th—that was the date I was supposed to start my inspection for the ADs—2007, Southwest Airlines informed my supervisor, Mr. Gawadzinski, that they had discovered that some of their aircraft had overflowed the inspection requirements of Airworthiness Directive 2004-18-06. At the time, Southwest Airlines were not sure of how many aircraft were affected and estimated that the number could have been up to 100 aircraft.

The AD requirements that Southwest reported that were not being accomplished require inspections of the fuselage on their Boeing 737-300 and-500. On the first page of the AD it states: “This action is necessary to find and fix fatigue cracking of the skin panels, which could result in sudden fracture and failure of the skin panels of the fuselage and consequent rapid decompression of the airplane. This action is intended to address the identified unsafe condition.”

FAA records show that besides the March 15 verbal notification, on March 19, also, Southwest Airlines, via the Voluntary Disclosure Reporting Program, reported the AD non-compliance again, but this time they informed Mr. Gawadzinski that their investigation had determined that there were 47 aircraft affected, not 100 as was originally reported to him on March 15. Even though Mr. Gawadzinski was aware of this unsafe condition on March 15th, 2007, he did not document anything until March 19th, when Southwest submitted the self-disclosure in writing.

In reading the VDRP report that was prepared by Southwest Airlines and accepted by Mr. Gawadzinski, under the Initial Notification, “Did Non-compliance Cease After Detection?” Southwest reported “Yes.” However, this is not the truth. The aircraft records show that Southwest continued to operate the affected aircraft in a known unsafe condition and fly passengers until March 23rd, 2007.

From March 15th, 2007, the date that Mr. Gawadzinski was initially informed for this non-compliance, to March 23rd, 2007, while Southwest Airlines was performing the overdue inspections on these aircraft, and while these aircraft were still operating in revenue service, records show that six aircraft had cracks on their fuselage. Maintenance records show that one of these aircraft had multiple cracks, ranging from one inch to three and a half inches long.

This is enough evidence of a serious safety issue. When it comes to ADs, our guidance is crystal clear, and had Mr. Gawadzinski followed the FAA guidance, he should have notified Southwest Airlines that the affected aircraft could not be used in air transportation past the date that this non-compliance was discovered and initially reported to him on March 15th, 2007. What is also aggravating and brings this unsafe condition to the highest level of concern is the fact that, according to the VDRP report, at the time of discovery, the violation for compliance with the AD inspections had remained undetected for 30 months.

What is interesting here is that in reading the VDRP report, under the “Information of the Person Preparing the Comprehensive Fix” for Southwest Airlines is the name Paul Comeau. Mr. Comeau

is an ex-FAA inspector who was performing oversight inspections for regulatory compliance issues for the Southwest Airlines certificate at the Southwest Airlines CMO with Mr. Gawadzinski.

While working for the FAA, Mr. Comeau accepted a job offer from Southwest Airlines as the Manager for Regulatory Compliance. I believe that Southwest Airlines knowingly hired Mr. Comeau for his FAA connections with inspectors in our office and, to their advantage, placed him in the position that directly interfaces with our office on a daily basis in regards to Regulatory Compliance issues in dealing with aircraft maintenance.

I questioned Mr. Comeau's hiring by Southwest Airlines and I was told by my supervisor, Mr. Gawadzinski, that his hiring was cleared through our Regional Office. However, there is an ethics issue here and, as proven, a conflict of interest. In addition, in March of 2007, during an FAA security investigation, I gave Special Agent Dave Friant a statement regarding my concerns with the relationship of my supervisor, Mr. Gawadzinski, and Mr. Comeau. I stated that since Mr. Comeau was hired with Southwest Airlines, my supervisor was working directly with him, and I was being bypassed and kept out of the loop on reported safety concerns regarding my fleet.

I believe that this cozy relationship between Mr. Gawadzinski and Mr. Comeau played a contributing factor and allowed the 47 aircraft to remain in service and operate in a manner that would provide relief to schedule the AD overdue inspections at the Southwest Airlines' convenience while flying paying passengers. Mr. Comeau, being an ex-FAA inspector, should have known AD inspection requirements are mandatory and address unsafe conditions. They teach that to the FAA inspectors at the Academy.

Southwest Airlines is reporting that they are the ones that blew the whistle on themselves. That is correct. What they are not reporting is that at the time of discovery of the non-compliance, back on March 15th, 2007, Southwest Airlines was required by Federal law to immediately remove the 47 aircraft from service and comply with the AD requirements. But Southwest Airlines did not take immediate corrective action and kept the affected aircraft flying passengers with a known unsafe condition until March 23rd, 2007.

At the time of discovery, by not taking the 47 aircraft out of service and by not complying with the inspection requirements of the Airworthiness Directive 2004-18-06, Southwest Airlines failed to resolve an unsafe condition and, therefore, violated the requirements of Title 14 Code of Federal Regulations, Part 39.11, which clearly states: "Airworthiness Directives specify inspections you must carry out, conditions and limitations you must comply with, and any actions you must take to resolve an unsafe condition."

As it is stated in the AD, due to the past events pertaining to the Boeing 737, the skin fatigue and cracks could have resulted in a sudden fracture and failure of the skin panels of the fuselage, and consequently cause a rapid decompression which would have had a catastrophic impact during flight. This inspection requirements are the result of the Aloha Airlines accident in which a Boeing 737 aircraft, during flight, lost the top of its fuselage due to undetected cracks.

The requirements of the AD are stated on its first page as follows: "Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive."

There is no excuse for the actions of Southwest Airlines and FAA personnel. Mr. Gawadzinski did not have the authority to allow these aircraft to operate with a known unsafe condition past the date at which time the AD non-compliance was discovered and reported to him, March 15th, 2007. In addition, it was his responsibility to ensure that Southwest Airlines had taken immediate corrective action in taking these aircraft out of service.

FAA Order 8300.10 under Inspector Responsibility states: "An inspector who becomes aware of an unsafe condition in an aircraft that is being operated or about to be operated and fails to act under the provisions of Section 605(b) FA Act of 1958, as amended, is in dereliction of duty. This duty is placed specifically by Congress upon the inspector, rather than on the Administrator. If the inspector, after due consideration, still has any doubts regarding whether or not to ground the aircraft, the grounding notice should be issued."

Also, there is a similar statement under Title 49 of the U.S. Transportation law in the Air Commerce and Safety Section.

FAA inspectors are hired by the taxpayers to ensure airlines conduct their business with safety as the utmost consideration at all times. Allowing an airline to fly passengers on an aircraft with a known unsafe condition puts the lives of the flying public in jeopardy and, in my opinion, it is dereliction of duty and should be criminal.

The 47 aircraft with the overdue AD inspections were not the only ones that kept flying in revenue service and out of compliance. On March 20th, 2007, via the VDRP, Southwest Airlines reported to Mr. Gawadzinski that 70 of their aircraft had overflow the requirements of their maintenance program for the functional check of the rudder standby hydraulic system.

This required maintenance task is a very detailed and in-depth functional check which ensures the integrity of the hydraulic system for the standby rudder and its components. The hydraulic standby system provides hydraulic fluid under pressure to operate the rudder, among other components, in the event of a main hydraulic system failure. In the past, several catastrophic accidents have occurred with other airlines due to the malfunction of the rudder control system.

Even though the 70 aircraft had been flying out of compliance for over a year, at the time of discovery of the non-compliance, again, Southwest Airlines and Mr. Gawadzinski took no action and the 70 aircraft remained in service and operated in a matter that would provide relief to schedule the overdue inspections at the Southwest Airlines' convenience while flying passengers. In the VDRP report, Southwest Airlines, in part, states: "Due to availability of the equipment and man-hours needed for each aircraft, it will take approximately 14 days to complete this task on all affected aircraft."

But in reading the VDRP report that was prepared by Southwest Airlines and accepted by Mr. Gawadzinski, under the Initial Notification question "Did the Non-compliance Cease after Detection?," Southwest reported "Yes." However, this is not the truth. As I stated earlier, the records show that the non-compliance did not cease after detection, and the affected aircraft were allowed to fly in revenue service and out of compliance for an additional 10 days past the date of detection.

These 70 aircraft were part of my fleet, but my supervisor, Mr. Gawadzinski, kept me in the dark and worked this VDRP directly with Mr. Comeau.

In one of the statements that were made by the FAA regarding the operation of the Southwest Airlines aircraft in revenue service with the overdue AD inspections, it was stated that one FAA inspector looked the other way. I am here to report that more than one FAA inspector along the FAA management have been looking the other way for years. No supervisor can do what my supervisor was doing without the support from fellow inspectors, the support of the Division Management Team, who were fully aware of what was going on; and I believe the support of some people in Washington.

This should have been obvious. I was the only maintenance inspector that kept finding and raising the safety concerns since 2003. And when they were elevated to the Division Management Team, nothing was done. Every time I pointed out to Mr. Gawadzinski that he was not following our mandated guidance regarding safety violations in the presence of the office manager, Mr. Mills, Mr. Gawadzinski would respond that our guidance was outdated and that he was talking with Mr. Ballough, the Director of Flight Standards, who always informed him of the ups and comings. According to Mr. Gawadzinski, he spent a lot of time with Mr. Ballough at the Eastern Region during his executive leadership program.

Mr. Mills always looked into my safety concerns and supported my findings; however, every time he elevated them to the Division Management Team, he received no support. Under the circumstances that I just described, no matter how good of a manager a person is, without upper management support, the system makes him ineffective.

The FAA is a great organization with many good inspectors and managers, and I am proud to be part of it. However, there is no accountability throughout the ranks. As FAA inspectors, we have taken an oath to uphold the rules and regulations outlined in our mandated guidance, and we are told that safety is our job. If that is the case, then how come the FAA does not hold accountable the management and inspectors who look the other way instead of ensuring that the airlines conduct their business with safety as the utmost consideration? After all, we owe this to the taxpayers who put their trust in us. To this date, other than moving some personnel around, the FAA has taken no action.

The Southwest aircraft that I reported flying with the overdue AD inspections were not part of my fleet. The inspector, Mr. Collamore, who is the Partial Program Manager for those aircraft, had full knowledge of the serious safety issue seven days before I

did. He also had an obligation and responsibility to follow our guidance and the Federal Regulations and ensure that this unsafe condition was immediately addressed. But Inspector Collamore chose to take no action and went along with Mr. Gawadzinski's decision.

As for management accountability, after the removal of Mr. Gawadzinski from our office, the current office manager, Mr. Bobby Hedlund, promoted Inspector Collamore and gave him more authority by letting him act in Gawadzinski's position as Supervisor/Principal Maintenance inspector. I had a meeting with Mr. Hedlund and expressed my concerns, but he was not interested.

I wrote several e-mails to the Division Manager, Mr. Stuckey, raising my concerns and stating that instead of holding inspectors accountable for their inactions, the management was rewarding them and giving them additional authority. I requested a meeting and his immediate attention. Mr. Stuckey never responded. However, I received an e-mail from the Assistant Division Manager, Mr. McGarry, who informed me that management has the right to assign acting personnel to temporary supervisory positions.

We all hear statements that we have the safest air transportation system in the world. I believe that the safety we are enjoying today is the fruit of the aftermath of the Value Jet accident in the mid-1990s, which forced us to refocus and put in place new procedures. Unfortunately, that was done after the accident. I do not think that we should be taking credit for being reactive to accidents.

What is alarming is the fact that even today we are still being reactive. This is proven by the notice that the FAA issued two weeks ago, ordering FAA inspections of the airlines in order to validate AD compliance because of this hearing. Despite the fact that our databases are full of positive findings, the current events are proving us wrong by having hundreds of aircraft taken out of service with AD compliance issues. Where are the ATOS risk indicators?

Southwest Airlines is reporting that, according to Boeing, there was no safety issue regarding the 47 aircraft that were flying passengers with the overdue AD inspections in which six of them had cracks on the fuselage. It is nice of Boeing to offer an opinion for their largest customer; however, if aircraft manufacturers could predict accidents, we wouldn't have the safety requirements of this AD today.

In addition, consultants have been reporting that after reviewing the data, in their opinion, safety was not jeopardized. I am reporting to you that calling Boeing for an opinion or hiring a consultant is not an option, because neither one has the authority over the mandatory requirements of an AD, and that is the law.

The majority of the ADs are the result of catastrophic accidents, and, as the industry saying goes, "ADs are written in blood." I am very concerned because these safety issues affect the lives of the flying public, and, instead of being advocates for safety, some people are still trying to mud the water by down-playing this serious safety issue.

It is very sad that an FAA inspector has to become a whistleblower in order to address safety issues. But I would like to set the record straight because, for some reason, the FAA Biweekly news

is stating the following: “In the Southwest Airlines case of non-compliance, an inspector repeatedly raised issues with his supervisors, but he felt he needed to use an anonymous FAA hot line in order to be heard.”

That is not the truth. I did not use an anonymous FAA hot line. These are serious safety issues, and I wanted the people that received my concerns to be able to get in touch with me; this way I could answer any questions they might have. For the record, I have been raising safety concerns for AD compliance and maintenance issues since 2003 on record and openly. I have followed the chain of command from my manager all the way to the Regional Office and the Division Management Team. Every safety concern, every inspection finding has my name on it.

What you will find interesting is that in late March of 2007, after I discovered that Southwest Airlines, along with the FAA, had allowed the operation of these aircraft with the overdue AD inspections in revenue service, and once everybody knew that I elevated this serious safety issue, I was removed from my position and was placed under investigation due to an anonymous complaint with allegations against me that was forwarded to our office through Mr. Gawadzinski from Southwest Airlines.

Along with the anonymous complaint, my office manager, Mr. Mills, received an e-mail from the Director of Quality Assurance, Mr. Mats Sabel—the same person who had previously requested my removal from doing the AD SAI inspections—requesting my restriction from Southwest Airlines property until this investigation and any other official investigation had been contacted. That day, Mr. Gawadzinski came to my cube and told me, with that type of allegations against me, he did not see a reason for me to stay in the office. I questioned the timing of the anonymous complaint, but I got no response.

From March 2007 to the end of August of 2007, I was hoping that the Division Management Team would do the right thing and look into my findings and safety concerns. However, they did not address anything. In July 2007, they closed the investigation regarding my documented safety concerns and they concentrated their efforts in silencing the messenger. By the end of August, I realized that the Division Management Team’s interest was damage control and covering up the serious safety concerns.

By the end of August, I put a package together, the same package I had given to the Division Management Team six months earlier, and I sent it to the Office of Special Council, and again I went on record and openly identified myself. By the end of September 2007, after the Division Management Team found out that I had elevated the safety issues to Washington, they reinstated me back to my original position and they reopened the investigation regarding my reported safety concerns. I am here to report to you that all my findings and safety concerns have been validated 100 percent.

During the FAA town hall meeting in March 2008, Mr. Sabatini stated that the FAA is working on a solution to prevent this from happening again, and it is my understanding that the FAA is going to put in place a hot line process for inspectors to elevate safety concerns. But, with all due respect, I have a question here: If FAA

management did not respond when I openly, and on record, raised the serious safety concerns, how is the hot line process going to work? What we need is accountability throughout the ranks, and that will fix the problem. There is no need to burden the taxpayers with another hot line process.

Additionally, I would like to inform you that for years we had a similar hot line system in place that inspectors do not trust, because hot line complaints and safety issues end up on the FAA Administrator's desk, and then they are passed down to the local FAA Regional Office to be investigated. The Regional Office assigns the local FAA security, which reports to them, to conduct these investigations. FAA security does not have the technical background, and that is when the Regional Office controls the outcome by assigning the technical portion of the investigation to Regional FAA personnel that report to them also.

From my experience, I believe the priority of the Regional Office is damage control, and I see no interest in accountability or doing the right thing. At the end of the investigation, no matter what the evidence shows, it is disregarded by the Division Management Team, who cherry-pick the information from the investigation reports and, without looking at the big picture, they apply Band Aids instead of fixing the root of the problem.

I would also like to inform you that since the FAA put in place the customer service initiative, the partnership programs such as the Voluntary Disclosure Reporting Program and Aviation Safety Action Programs have become ineffective. We are told that the airlines are our customers, and if they do well we do well—more jobs for us. However, some of us have forgotten that we have another more important customer—the taxpayers—who put their trust in us to ensure that the airlines provide safe transportation for the flying public.

The airlines take advantage of the customer service initiative and they constantly remind us that they are the customer. The best way to put this is like you are going down the highway committing traffic violations and jeopardizing the safety of others, and when the police officer stops you and informs you that you are breaking the law by endangering people's lives and you tell the officer that he cannot document the violation because you are his customer. I know this sounds funny, but this is as close to an example as I can come up with.

We also have the customer service feedback line for the airlines, which gives them the opportunity and the tool to cherry-pick the inspectors that manage their certificate by praising the inspectors that go along with their wishes. However, there is nothing in place to support the inspectors that are intimidated by the FAA management and by the airline because they do their job by the book. In the performance of my duties, I have been asked by Southwest Airlines management to make a violation go away. In addition, I have been threatened by Southwest Airlines management that they could have me removed from the certificate by picking up the phone.

The airlines use the VDRP as a tool to circumvent the regulations and provide relief for themselves from maintenance and inspection requirements in order to keep their aircraft flying. A good

example of this is the Southwest Airlines VDRP report of the 70 aircraft that were flying in revenue service with the functional check of the rudder, which were overdue for over a year, and they used the VDRP report to continue flying the aircraft in revenue service and out of compliance for an additional 10 days past the date of discovery due to the shortage of manpower and equipment.

The ASAP program is also abused by maintenance personnel who are no longer held accountable. They are using the program for reasons other than its intent, and I will give you a couple of examples. In the past, Southwest Airlines mechanics were installing the wrong tire and wheel assemblies, B-737-300, wheel and tire assemblies, on the Boeing 737-700 aircraft. The first time this discrepancy was reported and accepted into the ASAP, the mechanic that was involved received human factors training and the tire and wheel assembly paperwork was revised for future installations by adding a paragraph as a note right above where the mechanic signs for changing the wheel and tire, questioning him or her to check that the proper wheel and tire assembly was installed.

The second time another mechanic installed the wrong tire and wheel assembly on another aircraft, the ASAP accepted the report and the mechanic also got human factors training. In addition, a new safety net was put in place by writing on all the tires with big letters on the sidewall indicating to what type of aircraft they belong to. The third time another mechanic installed the wrong tire and wheel assembly on another aircraft. The FAA again accepted his ASAP report, at this point I see accepting the first mechanic's report, but how can we say that by accepting the other two mechanics' reports into the ASAP we contributed to safety?

I can stand here and give you all kinds of similar examples, but the bottom line is that some mechanics are not as vigilant as they should be, and they do not worry about it because they know that they can always ASAP the performance of improper maintenance, even after an FAA inspector finds it. We need to refocus and ensure that these programs meet their intent, instead of being a get out of jail free card.

I hope the information I have provided today will help bring some overdue changes and help inspectors like myself to continue serving the public and give hope to the inspectors that have lost faith in the system.

Thank you for your time and for giving me the opportunity to raise my safety concerns in front of your honorable Committee.

Mr. OBERSTAR. Thank you, Mr. Boutris.

I will say to Committee colleagues that this is a lengthy, in-depth statement, but it was necessary to hear in every detail the journey of public interest and of safety that this panel made, and this witness in particular. You have to hear it all in its specific details.

Mr. Peters has a somewhat shorter statement, and after him we will limit the other witnesses to five minutes.

Mr. Peters.

Mr. PETERS. Good morning, Mr. Chairman and Members of the Committee. My name is Douglas E. Peters, and I am an Aviation Safety Inspector employed by the FAA and am currently assigned to the American Airlines Certificate Management Office, or CMO. I am the Acting Boeing 757 Partial Program Manager. I have been