

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

employed by the FAA for a total of seven years, all of which have been in the Flight Standards Service. Prior to my assignment to the AMR CMO, I was assigned to the Southwest Airlines CMO from April 2001 through October 2007, holding the positions of Inspector, Assistant Principal Maintenance Inspector, and Data Evaluation Program Manager. I have an untarnished career at the FAA and, in February 2004, was selected as the Southwest CMO Maintenance Inspector of the Year.

Prior to my employment with the FAA, I worked for two major U.S. air carriers and I am a veteran of the United States Air Force. I have 27 years of experience in aircraft maintenance.

I have provided detailed records to the Office of Special Council, the Office of Inspector General, and the FAA Security regarding FAA employees of the Southwest CMO's participation and involvement in violation of Federal regulations, abuse of authority, and substantial and specific danger to public safety. I am not a disgruntled employee, nor do I wish to embarrass the FAA or ruin its reputation. I merely wish to truthfully describe the events that brought me here today.

At this time, I would like to take the opportunity and explain the events surrounding the Southwest AD overflight issue and explain how that event became the catalyst that brought us before the Committee.

In April 2007, the Southwest CMO conducted an internal investigation of the Voluntary Self-Disclosure that was submitted by Southwest Airlines to the FAA regarding an AD overflight that was accepted by PMI Douglas Gawadzinski. I was the lead inspector on that investigation. During the investigation, the Division Management Team instructed Office Manager Mike Mills to hand over the preliminary results of the investigation to an audit team who were on-site in our office.

At that time, my investigation was ongoing and incomplete; however, I had discovered that several aircraft had been operated in an unsafe condition beyond the date of March 15th, 2007, three of which had cracks in the area inspection required by the AD. A fourth was found to have cracks at a location outside of the inspection area called out in the AD.

The audit team was constructed of management personnel from other offices within the Southwest region. Following the audit team's conclusion of the AD overflight investigation, a memo from FAA Managers Teppen and Whitrock, dated April 18th, was given to Manager Mills stating that Southwest Airlines had indeed operated 47 aircraft in an un-airworthy condition and that the PMI condoned such operation. Additionally, the memo stated "Southwest CMO has a relaxed culture in maintaining substantiating data as well as any documents that would support any decisions made by the airworthiness unit." PMI Gawadzinski was the supervisor for that unit.

Following the memo by FAA Managers Teppen and Whitrock, on May 8th, Mike Mills called the entire office to an all-hands meeting where the Assistant Division Manager for Flight Standards, Ron McGarry, temporarily removed both Manager and PMI pending an investigation and announced Bobby Hedlund as the Acting Man-

ager of the CMO. Neither Mills nor Gawadzinski attended that meeting.

June 11th, 2007, at approximately 1:00 p.m., Acting Manager Bobby Hedlund stopped by my office. That was during the time frame of the FAA's initial internal investigation of the AD overflight. I was typing my written statement to FAA Security Special Agent Jay LaFlair and I informed Hedlund that I would be sending him a memo regarding unethical actions taking place by inspectors in the Southwest CMO. He agreed to look into the matter once he received the memo.

Before Hedlund left my office, I told him that I thought writing my concerns about unethical actions was the right thing to do. He stated and agreed that we should always do the right thing, and that is what his father had always told him to do. He got out of the chair and walked over to my bookcase, where I keep pictures in frames. He picked up a picture of my son that was taken next to an aircraft and said, "This is what's important, family and flying." He then pointed to a picture of my family and said, again, "This is what is important." On the way out the door, he made the following statement: "You have a good job here and your wife has a good job over at the Dallas FSDO. I'd hate to see you jeopardize yours and her's career trying to take down a couple of losers."

June 14th I sent the previously described memo to Acting Manager Bobby Hedlund. As of today, I never received a formal response to that memo.

On June 14th I submitted a 15-page written statement following a two-day interview where I was interviewed by FAA Security. Special Agent Jay LaFlair and Flight Standards Manager Terry Lambert conducted the interview. During my sworn statement, I described over two and a half years of PMI Gawadzinski's improprieties, unethical actions, abuse of authority, and misuse of government resources along with relaxed oversight of Southwest Airlines. I also included in my statement several instances where his subordinates were engaged in unethical actions as well.

In July 2007, I made my first contact with Congressional staff personnel at the T&I Committee. I informed them of the situation in the office and that I believed that Southwest Airlines was at risk due to the lax oversight that they had been under in the absence of accountability actions with regard to FAA personnel. I also informed them the conditions were basically the same following FAA Security investigation that had taken place in June. There was a serious divide within the office. The divide consisted of those who followed national policy and those who were loyal to Gawadzinski. I provided a copy of the AD overflight disclosure to substantiate my initial concern.

After waiting nearly two months for corrective action to occur by either the Division Management Team or the Flight Standards Director, James Ballough, for the improprieties identified by the FAA security investigation, it was evident that no action was being considered by FAA senior management personnel, leaving a strong underlying tone that the happenings of the Southwest CMO were not only condoned, but possibly sanctioned.

In August 2007, after gathering additional facts and documentation following the FAA security investigation that occurred in June,

Inspector Boutris and I filed disclosures with the Office of Special Council. We supposed the OSC and the T&I detailed documentation which substantiated our safety concerns and supported our disclosures. The poor condition of the Southwest Airlines regulatory maintenance oversight was a risk that neither Inspector Boutris nor I was willing to accept.

On August 28th, during a telephone conversation with T&I Congressional staff personnel, I was informed that a call had been placed to FAA Headquarters to the Director of Flight Standards, James Ballough. Mr. Ballough was not available to take the call; however, a message was left regarding the events at Southwest Airlines and he was encouraged to return the call. During the next few weeks, several unsuccessful attempts and messages were said to have been made by T&I personnel to contact the Director during the time period between August 28th and mid-September.

According to T&I staff personnel, the FAA initially refused to cooperate with a request for information regarding this matter. Only under threat of subpoena in an October 5th, 2007 letter to Acting Administrator Sturgill from Chairman Oberstar and Chairman Costello was the documentation from the FAA internal investigation obtained.

September 9th, 2007, Acting Manager Bobby Hedlund called a Southwest CMO for an all-hands meeting where Division Manager Tom Stuckey and Assistant Division Manager Ron McGarry were present. The meeting was called to announce that Bobby Hedlund was selected as the permanent Manager of the Certificate Management Office and that Mike Mills had accepted a position as Assistant Manager at the DFW FSDO. To my knowledge, that was the first visit by the Division Manager to address the CMO in over two years. He spoke about change and made reference to the train leaving the station, and if anyone didn't want to be on that train, he might be able to help them in making arrangements for that person or persons to work in another location.

At the close of the meeting, I asked to speak to him. Mr. Stuckey and Assistant Division Manager Ron McGarry visited me in my office. I stated to the Division Manager that I did not want to be on that train and that I had put in a request for reassignment to the AMR Certificate Management Office. I also stated that he was about five months too late. I made reference to the divide in the office and how Gawadzinski's previous subordinates with one other inspector had engaged in unethical and inappropriate actions in May.

I presented a copy of the June 14th memo that I had given to then Acting Manager Hedlund. He briefly scanned over the memo and handed it to Ron McGarry. They both acknowledged my request for reassignment and stated that they would have to talk to the manager of the AMR CMO, but the final decision would be entirely up to him.

On October 14th I was reassigned to the AMR CMO as the Acting Boeing 757 Partial Program Manager.

Only under the watchful eyes of the T&I Committee, the OIG, and the OSC did this gross misconduct by FAA management personnel and the Southwest CMO, Regional, and Headquarter levels receive the close scrutiny that was warranted.

It didn't have to come to this. Or maybe it did.

As a follow-up to the FAA town hall meeting which was held March 18th, ironically, one year following the AD overflight Self-Disclosure by Southwest, it was evident that management personnel with the responsibility and the authority to take appropriate action proved themselves unworthy to being custodians of the public trust. The proof was provided by their blatant disregard and failure to respond to significant safety events that were constantly reported in both verbal and written form to the Division Management Team.

Mr. Sabatini made several points in his FAA town hall meeting which I agree with, first being that we have identified a risk. However, I am not confident that the risk defined by him is accurate. Secondly, I also agree that what is in the media is troubling, and I believe that, as an agency, appropriate action does indeed need to be taken. After being a key witness to the lack of concern for public safety through the intentional and blatant disregard of national policy, I do not have the confidence that all responsible individuals will be identified and held accountable.

There have been public statements made that indicate FAA is conducting damage control to protect the agency's reputation, while clouding the issues surrounding the impropriety that occurred in the FAA's Southwest Region and was known by FAA senior management. There is evidential proof that there are more involved than just one man or a few individuals. It is my earnest plea that this Committee take the accompanying data along with the factual testimony that is being voiced today to draw conclusions and submit a plan of action that not only restores faith in the FAA, but also dispels any fears or concerns that the American citizens might have towards aviation safety.

The implications that this is all the doing of one man is simply a misnomer. This one man, Douglas Gawadzinski, was fueled and energized by others around him who were willing to disregard policy. We operate on a documented and carefully un-engineered system of rules and orders, and at no time is any one of the individuals involved permitted the self-appointed power to make determinations contrary to that guidance.

In the aforementioned FAA town hall meeting, Mr. Ballough described the events surrounding Inspector Boutris' claims. He stated, "There were indicators, there were warning signs that we should have picked up that go back for a period of over two years, at least." Southwest Airlines, yes, I agree we have identified a risk and a breakdown. Regarding Boutris, it wasn't at the inspector level. Regarding Manager Mills, it wasn't at the CMO manager level. These two individuals were raising safety concerns to the Division Management Team for over two years.

In addition to meetings by CMO Manager Mills with the Division Management Team personnel, e-mails and memos from Boutris and myself, several WEAT Team visits occurred. WEAT Team was a term used for Workplace Evaluation Assessment Team, where other FAA Management personnel would come to visit and assess the environment within the office. These are the office audits I spoke about earlier today. I personally communicated my concerns during the past three years to WEAT Team members. The audit

that occurred in April 2007 revealed several shortcomings regarding the lack of approval documentation for Southwest Airlines' maintenance program.

The flying public and Southwest Airlines deserves to hear the truthful facts surrounding the lack of oversight at this carrier. They also deserve to board a flight without having to worry if the FAA inspector responsible for the oversight of that carrier has allowed them to knowingly fly in an unsafe aircraft. They deserve to fly in a plane knowing that when known safety concerns are brought to FAA Divisional, Headquarter levels, that they are not ignored and pushed aside until the threat of subpoena has been made by Congress.

In conclusion, let me say that I feel it is my duty to see this matter through in hopes of the Committee assessing the information and making the determination of what needs to happen next. The unethical actions that have been identified and permitted, as well as the known unsafe conditions, have gone on for too long. The fact that FAA senior management knew about these issues within the Southwest CMO is undisputed.

I have received unsolicited encouragement from field inspectors all throughout the agency, with many of them revealing examples of the same types of mismanagement that we are discussing today. Not only for my sake, but for theirs, I feel empowered and compelled as a United States citizen, and having the privilege of being a Federal employee, to stand up for the rights of all aviation safety inspectors. I am thankful for the opportunity to come before you and explain the obstacles that we face on a daily basis, placed upon us oftentimes by our own agency that hinders us from our first and foremost duty: safety.

As for Southwest Airlines as a whole, it is my opinion that your company was led down the wrong path by a handful of individuals both within your ranks and ours. Unfortunately, these individuals have negatively impacted your company's reputation and put passengers and crew at risk. I am not sure how long it will take to recover from this, but I am sure that if any company can do it, Southwest Airlines can. You have a great company and your reputation will shine again.

Thank you, Mr. Chairman and Members of the Committee.

Mr. OBERSTAR. Thank you, Mr. Peters

I think the American public should take great heart from the courage demonstrated by these two witnesses and, as we will see, from the others in this panel, but also from the depth of conviction with which they give their testimony. And I just want to say, parenthetically here, Mr. Peters' statement I do not have confidence that all responsible individuals will be held accountable, I make the observation that Mr. Gawadzinski, about whom you heard devastating testimony, is still an FAA inspector. He has been removed from the Southwest Certificate, transferred to the American Airlines Certificate as CMO at \$100,000 a year pay.

Mr. Mills.

Mr. MILLS. Thank you, Mr. Chairman, Mr. Mica, and honorable Members. My name is Michael Mills. I am currently Assistant Manager of the Dallas-Fort Worth Flight Standards District Office in Fort Worth, Texas. I have been employed with the FAA for al-