

ever measures are necessary to validate the adequacy of Southwest's control over its maintenance program."

Because of the illumination of this unfortunate estimate, Mr. Sabatini has announced that he will take steps to improve employee communication at all levels, including a mechanism to encourage employees to take their concerns to a higher authority when there is a failure in the chain of command. Time will tell as to whether this will be effective, and I would add to that initiative a recommendation that higher level FAA managers be rotated periodically so as to lessen the likelihood that a dysfunctional management team perhaps too willing to give in to outside influence can perpetuate what in this case can only be termed a hoax on the flying public.

I thank this honorable Committee for the opportunity to present this information.

Mr. OBERSTAR. Thank you very much, Mr. Mills. Your last comment about rotating high-level personnel comes right along with the earlier proposal I made of limiting the revolving door.

Mr. Hayes?

Mr. HAYES. Mr. Chairman, if I could interrupt just a moment. I have a statement from the Southwest Airline Pilots Group that I would like to submit under unanimous consent for the record. They are obviously a very important part of the whole safety program and not knowing what time constraints are going to do, I would like to give it to you.

Mr. OBERSTAR. Without objection, the material will be included in the record, along with the testimony from Southwest Airlines.

Mr. HAYES. Thank you, Mr. Chairman.

Mr. OBERSTAR. Mr. Cotti.

Mr. COTTI. Good morning, Mr. Chairman, Members of the Committee. My name is Paul Eugene Cotti. I am currently an Airworthiness Unit Supervisor in the FAA's AMR Certificates Management Office. I have been in the FAA Flight Standards Service for nearly 18 years, four as a Principal Inspector and over three now as a frontline supervisor.

My work experiences prior to the FAA include a variety of aviation maintenance-related positions in commercial and military aviation. Like so many in the FAA Flight Standards Service, I care very deeply about ensuring the safety of the flying public and for FAA's success in achieving the objectives of its critical mission. I am honored to be appearing before you today.

I served as the Geographic Unit Supervisor in the Southwest Airlines CMO from March 2005 to May 2007. During that entire period, the Office's management team was often divided on matters relating to the management and oversight of the Southwest Airlines operating certificate. This division can be summarized as being between management officials that insisted on adherence to the stated and implied intent of FAA orders and those that insisted on exercising degrees of latitude and discretion that often fell well outside of the parameters of those orders.

Under the banner of collaboration with the airline, the latter group, whose most important or prominent member was the Supervisory Principal Maintenance Inspector, did so in a manner that

was often contrary to FAA orders and at times openly hostile to the requirements of transparency and accountability.

Proper collaboration with airlines can be an effective method for collectively reducing risks and improving safety; however, in this case, it was engaged in an environment in which regulatory compliance could be delayed or gained only through deals which under the best of circumstances only provided to the traveling public that to which it is already entitled to on a continuing basis. It is unfortunate that the resistant group was not as committed to collaboration with the office manager as it apparently was to the airline. Had they done so, the events and conditions that ultimately resulted in these hearings would have been avoided.

By virtue of his important position, the PMI's erroneous decisions and opinions were unfortunately afforded a significant degree of legitimacy by the airline. Consequently, a distinct contrast was created between the PMI and the resistant group on one hand and the compliant management officials and inspectors, such as Boutris and Peters, on the other.

This had a very detrimental impact on how the airline perceived the hazards and risks that were discovered and presented to them by FAA personnel that were attempting to follow FAA orders. By his words and actions, the PMI presented a distorted view of FAA expectations and a very negative example to his subordinates. Over time and for various reasons, the PMI's resistance to transparency and accountability was in turn adopted by a number of other inspectors in the office as well. This further exacerbated divisions in the office and had a very detrimental impact on the office's productivity and effectiveness.

The expectation to follow FAA orders was specifically expressed and elaborated on many times by the office manager. It was also expressed by the Regional Division Manager at every management conference attended by the Office Management Team during the above period. In light of their obligations and such frequent admonitions from their chain of command, I am at a loss to understand how the PMI or the resistant group could have possibly justified their actions, or why those actions went uncorrected for over two years.

Although the office's Geographic Unit, which I supervised, provided airworthiness and operations inspection services to the principal inspectors, it was deliberately designed by the FAA as a separate work unit, with its own supervisor and with a line of responsibility and authority that was direct to the Office Manager. This design constituted a control to ensure that, from a supervisory standpoint, the Geographic Unit was independent of the PMI and the other two principal inspectors.

The PMI, and at times the Principal Avionics Inspector, were openly adverse to that organizational design, and particularly so when I, as the Geographic Unit Supervisor, insisted that the unit follow FAA policies that resulted in inspection and enforcement outcomes that did not meet with the PMI's personal desires. Regulatory violation findings by the Geographic Unit were often met with active or passive resistance from the PMI. On more than one occasion the PMI or one of his direct reports improperly contacted one of my subordinates to undermine my position with regards to

regulatory enforcement in order to effect an outcome that was outside of the FAA's orders.

The PMI was also openly critical of my efforts to improve the deficient safety inspection and enforcement performance of a number of my direct reports. I concluded from his behavior that the PMI was threatened by inspection and enforcement outcomes which he personally could not influence and control, regardless of the fact that those outcomes would fully conform to FAA policies.

On quite a few occasions, responsible inspectors such as Boutris and Peters brought disconcerting airline events or circumstances to the manager's attention, apparently, because they were unable to garner the level of acknowledgment and support from the PMI that was necessary for appropriately addressing those matters. A number of the issues they brought forward were especially alarming because they represented precursors for aviation accidents.

When the PMI failed to display appropriate reactions to the manager's resulting inquiries, he often tasked the assistant manager and me with conducting objective reviews in order to determine the validity of the inspectors' concerns. The results of those reviews were dutifully reported back to the manager and further exposed the scope and nature of the office divide with further discoveries that certain investigative enforcement and airline safety oversight related processes were being mismanaged. Examples included failures to take required enforcement action in response to discovery of regulatory violations by the air carrier.

It must be understood that I am referring to all levels of enforcement, including simple administrative actions. There were concerns with how voluntary disclosure and aviation safety action programs were being administered; there were efforts by the PMI and his ASAP representatives to prevent dissemination of de-identified ASAP information to the manager, who is responsible for approving continuation of that program; there was misapplication of the ATOS surveillance process; and there were concerns with the manner in which Southwest Airlines maintenance time limitations for maintenance tasks were approved and documented. When the results of these reviews were brought to the PMI's attention, he was hostile, close-minded, and resistant to efforts to professionally discuss and take actions appropriate to those concerns.

The most glaring example of the PMI's failure to follow FAA orders involves the manner in which he responded to the now well-known voluntary disclosure from the airline that it had grossly overflowed a structural inspection Airworthiness Directive. The prohibition against further passenger flights until the AD was accomplished should have been immediately and specifically conveyed to the airline, and enforced as necessary. Such a response should be clear to any journeyman inspector and a natural reflex for someone in the critical position of Principal Maintenance Inspector.

The FAA's voluntary disclosure and aviation safety action programs can be beneficial to the traveling public and to the airlines and individuals that fundamentally commit to the requirements of those programs. However, the effectiveness and long-term legitimacy of those programs is dependent on sound understanding of responsibilities, proper exercise of authorities, and on effective efforts to detect and correct abuses.

Throughout the above period, I communicated my concerns through appropriate channels and maintained the expectation and faith that FAA machinery would engage and appropriately correct the PMI and those that were driving the office divide by their resistance to authority and accountability. Unfortunately, I do not believe that the scope and source of the serious safety and compliance-related differences in the Southwest Airlines CMO were ever properly acknowledged or understood outside of the CMO during the above period.

My observations concerning events and conditions within the Southwest CMO ended with my transfer to the AMR CMO in May 2007.

I trust that my statement and responses to any questions are helpful to this distinguished Committee and its processes. Whatever the outcome of these hearings, I am also hopeful that the outstanding service and everyday commitment to aviation safety by so many others in the Flight Standards Service is not forgotten by those that we constantly strive to faithfully serve. Thank you.

Mr. OBERSTAR. Thank you very much, Mr. Cotti. The web, it seems, gets ever more intricate.

Mr. Naccache.

Mr. NACCACHE. Good morning, Mr. Chairman and Members. In response to your invitation, it is an honor and privilege to be here to provide you with my testimony.

First, if I may, now that I have retired, I would like to take a minute to introduce myself and state some of my credentials. My name is Robert Andre Naccache. After more than 20 years of service in flight standards, I recently retired in November 2007 from the FAA as an Assistant Manager of the Southwest CMO.

During my tenure with the FAA, I served about three years as a Principal Inspector for 129 foreign carriers, six years as a Principal Operation Inspector for several 129 supplemental air carriers operating domestically and internationally, eight years as a Supervisor for Certificate, airman certification and carrier certificate and surveillance, and, lately, three years as an Assistant Manager at the Southwest CMO. While with the FAA, I was presented the Southwest Region's Field Inspector of the Year Award in 1994. I also twice received the Southwest Region's Supervisor of the Year Award for the year 2001 and 2003.

Prior to my career with the FAA, I was an airline pilot for 17 years, flying overseas Boeing 707 and the Boeing 747, as a captain, between Europe, Asia, Australia, and the U.S. Before that, back in my mid-twenties, I was an FAA-certified flight instructor for three years. This gives me over 40 years of experience in the field of aviation.

Now let me tell you that I care a great deal about the FAA. It is an excellent agency, unmatched anywhere else in the world. And, trust me, I have experience of that, flying overseas. The majority of employees produce outstanding work for aviation safety. The FAA guidelines are well conceived. The air transport industry and the FAA created partnership program as a means of addressing safety problems and to prevent potential safety hazards; however, they need to be consistently and fairly implemented across the board.