

signed the Voluntary Disclosure to Mr. Larry Collamore. In his first two interviews, Mr. Collamore claimed Mr. Gawadzinski never told him anything about the self-disclosure.

Mr. Collamore changed his statement in his third interview, indicating that Mr. Gawadzinski had told him as soon as Southwest had called. Mr. Collamore said he did nothing because Mr. Gawadzinski did not assign him any tasks. Mr. Gawadzinski showed favoritism to Matt Crabtree, an inspector in the office, when he paid out of his pocket for Mr. Crabtree to attend training.

Office management has not effectively dealt with the issues in the office. A summary of these events was given to the Division Management Team in June 2007. It was also noted that Mr. Gawadzinski continually suppressed the work efforts of Mr. Boutris and his ability to do surveillance.

These are a few of the issues that have been and are being worked at the Southwest Regional Office. Mr. Gawadzinski's actions, his relationships with Southwest employees, and the actions of other inspectors that have supported Mr. Gawadzinski is outside the guidance and authority entrusted to FAA employees. This has affected the oversight of the Southwest Airline Certificate.

Thank you, Mr. Chairman and Committee Members.

Mr. OBERSTAR. Thank you, Mr. Lambert.

I would note for the record that Mr. Lambert, as a member of management at FAA, is in effect here testifying against his boss, and that takes enormous courage to do that.

I thank all of the panel, all members, for the courage you have shown in coming forward, I will say it once again, for your public-spirited defense of aviation safety.

The FAA would have us believe that what took place was an isolated incident and has been contained. In fact, the testimony we have heard substantiates that, clearly, this is not an isolated aberration attributed or attributable to a rogue individual, but, rather, a systematic breakdown of the safety oversight role of the FAA. It is misfeasance, malfeasance, bordering on corruption. If this were a grand jury proceeding, I think it would result in an indictment.

The FAA has incorporated into its oversight system, for a variety of reasons, what is called the ATOS, Air Transportation Safety Oversight System. That is supposed to be a rating, supposed to be a structure, a system for tracking safety and, through record-keeping, identify shortcomings. I think the result of ATOS is that inspectors are spending more times looking at databases than doing hands-on inspection. This is not new. This goes back to the mid-1980s, when FAA inspectors were telling me they were spending more time inspecting paperwork than engine work; more time processing papers than spending time on the floor of the maintenance shops and observing the work being done.

So I have a question for Mr. Boutris and Mr. Peters. What has happened here? Has the ATOS broken down? And let's look at the chronology. March 6th, after revelation of our Committee inquiry and your representations and documentation to the Committee, FAA imposes a \$10.2 million fine on Southwest; March 10, a special FAA team is sent to investigate Southwest; March 11, Southwest puts three employees on administrative leave; March 12, Southwest grounds 41 aircraft for inspection; March 13, FAA issues

a national order to all flight standard district offices to conduct a special emphasis validation of AD oversight; American Airlines grounds 200 aircraft, 200 MD-80s, for further inspections; U.S. Airways loses a part of a wing panel in flight; United Airlines grounds its entire 777 fleet for further inspections; Delta Airlines grounds its MD-88s for further inspections; Northwest holds back its 757s for slats inspections; and Southwest grounds another 38 aircraft for further inspections.

If ATOS is so good, why has it failed? Why have these incidents come to light only after what your testimony has submitted here took place? Mr. Peters.

Mr. PETERS. Yes, sir. Unfortunately, ATOS is a generic oversight system that applies to an air carrier that might operate, let's say, 10 aircraft of one specific fleet type or model. That also applies to an air carrier that might be considered a mega-carrier, with over 600 aircraft and maybe six different types of fleet types. I say it is generic that the tools are the same; however, in this particular element, AD management, it is considered a high criticality element, and those generic procedures apply to both small carrier, large carrier. High criticality requires an inspection twice a year. Of course, the Principal Maintenance Inspector responsible for that can increase that number based on the number of different fleet types and the number of different models that they operate.

ATOS doesn't really address that. Our guidance is weak when it comes to the larger carriers that operate different types of fleets of aircraft and they operate them whether in or outside of the United States. It is generic and I don't believe that it is adequate, our policies and procedures.

Mr. OBERSTAR. Thank you. I have long felt that it is insufficient. It is a useful tool, but insufficient, and in this case, combined with the Voluntary Disclosures, resulted in a major failure of safety.

Mr. Lambert, were you ordered to destroy your notes after FAA Region learned that our Committee was investigating the incidents about which you testified?

Mr. LAMBERT. If you are referring to the notes that I took during the investigation?

Mr. OBERSTAR. Correct.

Mr. LAMBERT. Yes, sir, I was.

Mr. OBERSTAR. Who issued that order?

Mr. LAMBERT. I believe it was in October of 2007, and it would have been Mr. Steve Douglas.

Mr. OBERSTAR. Thank you.

Mr. DEFAZIO. And who is Mr. Steve Douglas, Mr. Chairman? Who is Mr. Steve Douglas?

Mr. OBERSTAR. Mr. Douglas is? State for the record his title.

Mr. LAMBERT. He would be one of the Assistant Division Managers at the Southwest Region.

Mr. OBERSTAR. Southwest Region, yes. We have that information in our files.

In light of this testimony, what changes do you recommend in the Voluntary Disclosure and the ATOS systems? Mr. Lambert?

Mr. LAMBERT. One of the changes I would make is we need to train the inspectors on how to do the inspections, rather than how to do the computer work associated with those inspections. It is not

just a matter of putting it into the computer; it is a matter of doing the inspection.

Mr. OBERSTAR. Thank you. Over-reliance on system rather than people doing inspections, putting their nose into the work. It is not a matter of going around and demeaning, saying, well, we don't need people going around kicking tires and putting hands on fuselage. That is demeaning of the role of inspector. And you are right about the degree and extent of training.

I will withhold at this point.

Mr. Petri.

Mr. PETRI. Thank you very much, Mr. Chairman.

I am interested in getting a sense of this. It is a very traumatic thing for the agency and for the individuals involved. Is it in part a difference of philosophy, of trying to do things completely by the book, when the book may be outdated, as opposed to creating an ethos of safety and working together for a common end? Is this underlying this at all, a difference in sort of management philosophy here, or is it malfeasance by an individual? I don't know who would like to testify to that. Mr. Mills, you would be in a position, I think.

Mr. MILLS. It is my opinion that there is a necessity that is clear to Washington Headquarters that, based on the ever-increasing airline industry and the failure of the FAA oversight capability to keep up with that, some mechanism needs to be put in place in order to allow the airlines to take a bigger role in their oversight, and I believe that is why ATOS was created, because we simply can't be everywhere to do everything as inspectors.

I do not believe any of the people who run the FAA are opposed to regulatory enforcement. I think perhaps that we may have gone too far toward considering airlines as customers and being customer-friendly. But in an effort to be everywhere and do everything we can, I believe that is why this model was created.

And there are different schools of thought within the FAA. There is the old school of thought that says enforce the regulations and make life difficult for those operators who don't comply with them, and the school of thought that was represented by the Principal Maintenance Inspector was that this was outdated and we needed to secure the cooperation of the operators in order to have some degree of effectivity in our oversight.

In my view, ATOS needs to be a tool. We need to surveill based on risk, but we also can't have the advice that it is the be-all and end-all. I know of some inspectors who believe that, when they are sent out and assigned a task under ATOS, that they can't look at anything else but what they are specifically assigned according to the risk.

There is also the element that it is easy to answer a question yes when a question is raised by ATOS as to whether an airline has a specific thing that it is supposed to have, and it is sometimes hard to say no because it creates a great deal of extra paperwork and it often causes the carriers to display some difficulty with the FAA. So inspectors are human beings; some of them respond poorly to that. I think the model may need to be revised.

Mr. PETRI. Let me just say it clearly is a management problem if you have honest and very hard-working, able inspectors who question the integrity of the framework in which they are oper-