FAA CRITICISMS. 25 YEARS OF SYSTEMIC PROBLEMS WITH FAA OVERSIGHT. 59 pages.

A Catalog Of 91 GAO / OIG Reports, Congressional Hearings, and Media Articals. A History of FAA "Partnership Programs" from 1995 TO 2020. Articals include; 46 Office of the DOT Inspector General, 12 Government Accounting Office Reports, and 34 Media Articles. 7 Were of FAA Management Retaliations Against 13 Employees.

By john.king19@comcast.net FAA Aircraft Maintenance Technician License # 1552888.. Rev 2/21/2020.

BACKGROUND.

With the groundings of the Boeing 737 MAX and the loss of 346 lives; many expressed shock of details to the manufacturers' self-certification of a faulty design, the extending of a 1960s- era design to avoid new certification costs, and the FAA's lax oversight including the long-held policy used since before the FAA was born in 1958 of using manufactures' employees as FAA Designated Engineering Representatives (DERs). Boeing engineers deputized by FAA signed off on more than 90% of designs. FAA's Ali Bahrami (Associate Administrator of Aviation Safety) said regarding the 737 MAX investigation, - "From the safety perspective, we felt strongly that what we did was adequate." (1) Elsewhere, FAA said; "The FAA is reassessing some of its key assumptions. The agency said certification procedures are "well-established and have consistently produced safe aircraft designs," (2) For decades the FAA has appointed inspectors - either employees within companies or outside contractors - to be its eyes and ears in the factory (3). A 'cozy relationship' ? consider this;

(a) In 1984 the Airline Pilot's Union accused the FAA of burying a critical FAA audit of Continental Airlines. "The FAA dispatched a special team to Continental headed by a 24 year veteran, Harry Langdon . Langdon's group recommended 20 enforcement actions for breach of 31 regulations which could have resulted in hundreds of individual violations. The findings were never made public. Critical comments of Continental management and criticisms of lax enforcement by FAA regional office were deleted by the FAA associate administrator, Anthony Broderick. Langdon protested a "cover up" to DOT Secretary, Elizabeth Dole who did not respond, but FAA Chief, Donald Engen, stated it was a "labor-management issue" (4) Ultimately, Continental got a "mild slap" compared to other FAA in contrast to other carriers."

(b) In 1987, the FAA cited 'labor-management' exonerations again with Eastern Airlines, and until a unprecedented Grand Jury 60-count maintenance indictment was issued in 1991 (5). Five years later, all walked away when the statute of limitations was allowed to run out. Three unindicted Eastern senior managers, went on to head Continental Express until the Flight 2574 broke up inflight on September 11,199l. The same maintenance lapses had reappeared said NTSB member John K. Lauber (6).

(c) In a 1991 interview, former FAA Administrator Allan McActor from 1987 to 1989; commented that; "We should insist on depoliticizing the FAA – getting politics out of that agency". (7)

(d) A 1996 FAA internal memorandum calling for a unprecedented 'recertification of ValuJet Airlines' remained obscured until the loss three months later of ValuJet Flight 592. During the investigation,(8) another, but less detailed memorandum, surfaced. The intended FAA manager to receive it said he hadn't seen it. See article 'Oct 2008"

FOOTNOTES

1. Business Insider, Aug 2, 2019 By David Slotnick..
2. The Wall Street Journal Aug 17, 2019. "The 4-second catastrophe: How Boeing doomed the 737 MAX.".
3. "FAA lets aerospace firms certify safety of their products". Dominic Gates Seattle Times. (See article date stamped "9/2/08" in this document).
4. "Kind Words for Continental", Time magazine, January 12, 1987. Page 30. From a article.
5. US District Court, Eastern District, Case # CR 90-629.
6. NTSB Reportt # AAR-92/04, Ref to pages 51 to 54 of the Final report; two last paragraphs of Mr Lauber'sstatement;
Link > http://libraryonline.erau.edu/online-full-text/ntsb/aircraft-accident-reports/AAR92-04.pdf
7. Interview with former FAA Administrator Allan McActor in 'Professional Pilot', August 1991, page 34.
8. "NTSB official blasts FAA at ValuJet hearing" – CNN; Link http://edition.cnn.com/US/9611/21/valujet.hearing/index.html
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ANALYSIS;

1. 7 Articles documented FAA Management retaliations of 13 employees (Air Traffic Controllers and Air Safety Inspectors) for reporting safety violations; (ref here at; 6/14/11, 5/29/11, 7/2/09, Oct 08, 4/3/08, 9/29/10, and 4/10/08 and pre-fixed with # .)
2. The need to analyze inspection data to decide, when, and where to direct FAA's limited inspection resources has been a long-standing concern to FAA since at least 1991 when FAA developed 'SPAS'. Deployment to field inspectors was also lengthy process that took 6 years. (ref here at 4/30/96). More than 9 Voluntary "Partnership" Reporting Programs have followed.
3. 13 articles referencing FAA Voluntary "Partnership" Reporting Programs were reviewed for any mention of FAA's Only Mandatory Reporting Program (Service Difficulty Reporting (SDRs) and referenced here at 7/28/16, 4/10/14, 12/18/13, 1/31/13, 9/11/12, 9/10/12, 4/25/12, 4/12/12, 4/6/10, 6/3/05, 7/6/04, 4//8/02, and 12/12/01. Just two others at 10/5/2000 and 2/8/1995 have mentioned the SDR Mandatory Program in the past 25 years. Reference dates are pre-fixed with an asterisk. Nine "Partnership" Reporting Programs acronyms included; SAS, VDRP, ASIAS, SMS, SEP, ATOS, CASS, ASAP, and SPAS.
4. The FAA relies heavily on "Partnership Programs" to motivate airlines, mechanics, and other operational personnel to self-disclose violations as means of "identifying non-compliance with the regulations that the FAA otherwise might not have detected." Senior FAA officials agree that effective safety management is data-driven and that data are essential to identifying emerging risks. However, Voluntary reported data is voluntary, the completeness of the data is unknown, there no way to know how many violations or safety issues aren't reported. The Federal Air Regulation (FAR 121.703) mandatory requirements to file of the SDRs are not enforced. In the past 5 years, under-reporting exceeds 50 % (Survey – The "Kedigh Reports'.) 'Frivolous' filings continue to clog the system.
5. Critical safety lapses indicated problems of airline compliance, and deep rooted and are symptomatic of much deeper problems in several key areas of FAA's Oversight. Industry retaliation, and by FAA toward its own employees', effectively punishers truthtellers.
6. Moreover, as of February 27, 2020, FAA's SDR website contained no data after October 20, 2019 for American, Alaska Air, United, Delta, Southwest, and JetBlue airlines at the FAA's SDR Query Website Link > http://av-info.faa.gov/sdrx/Query.aspx However ineffective management appears deep-rooted and systemic; i.e. after FAA oversight issues were first reviled at Southwest in 2008; as of 14 years later in 2020, they continue. (ref here at 2/11/20, 4/18/14 and 4/3/08).

INDEX . Excerpts. See Links For Full Articles. See Page 10 for Expanded Texts, Excerpts, and Source Links.

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Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Southwest%20Airlines%20Final%20Report%5E02.11.2020.pdf

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Link > https://www.oig.dot.gov/sites/default/files/SAFETY_CHALLENGES.pdf (Regarding FAA Inspector Boutris). Partial Text; "We also have concerns regarding FAA's failure to protect employees who report safety issues from retaliation by other FAA employees. …. He became the subject of an FAA security investigation and removed from his duties as an inspector….also (he) was subjected to reprisal for whistle blowing and harassment by co-workers….. Both the SWA and NWA cases demonstrate that FAA must pursue a more reliable internal review process and protect employees who bring important safety issues to light". See Link for full text.

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See Link for full text > http://www.npr.org/templates/story/story.php?storyId=89328997 ---

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4/3/08. OIG Statement. Actions Needed to Strengthen FAA's Safety Oversight and Use of Partnership Programs. Project ID: CC-2008046. Link > https://www.oig.dot.gov/sites/default/files/OIG_STATEMENT_ON_SWA.pdf See Link for full text.

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See Link full text > http://flightsafety.org/media-center/press-releases/2008-press-releases/criticism-of-FAA-and-industry-safety

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"Abstract; Succeeding Principal Operations Inspectors Robert Lloyd, Mary Rose Diefenderfer and Bill Whitaker, and Inspector Les Martin who oversaw Alaska Airlines from 1991-2000 harassed and forced out by FAA Officials, Phil Hoy, Mike Kelly,and Tom Stuckey." See Link full text.

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3/18/08. Media Article. FAA Orders Check of All Airline Maintenance. The action follows intense criticism of the FAA for how it handled missed safety inspections at Southwest Airlines. See Link for full text > http://www.youtube.com/watch?v=TEAWaZ88VYc

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Link > http://seattletimes.nwsource.com/html/businesstechnology/2003917025_webboeing01.html See Link for full text.

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Link > https://www.oig.dot.gov/sites/default/files/av2006031.pdf See Link for full text.

9/7/05. GAO REPORT. FAA Management Practices for Technical Training Mostly Effective; Further Actions Could Enhance Results.
Report # GAO-05-728. Link > https://www.gao.gov/assets/gao-05-728.pdf See Link for full text.

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* 6/3/05. OIG REPORT. FAA Safety Oversight of an Air Carrier Industry in Transition. ID: AV-2005-062.
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See Link for full text > http://www.nytimes.com/2005/02/10/politics/10terror.html (' FAA Warned') .

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* 7/6/04. GAO REPORT. Better Management Controls are Needed to Improve FAA's Safety Enforcement and Compliance Efforts.
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3/8/04. OIG Memorandum. Audit Initiated of Air Carriers' Use of Noncertificated Repair Facilities.
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Link > https://www.oig.dot.gov/sites/default/files/aa20030715.pdf See Link for full text.

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Link > https://www.oig.dot.gov/sites/default/files/av2002088.pdf Inspectors develop surveillance plans for each air carrier, based on data analysis, and adjust the plan periodically based on inspection results. Analysts review air carrier data to identify areas of safety risks. Focus is on safety vulnerabilities rather than regulatory compliance."

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* 12/12/1. OIG REPORT. Oversight of FAA's Aircraft Maintenance, Continuing Analysis, and Surveillance Systems . ID: AV2002066.
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Link > https://www.gao.gov/assets/rced-98-21.pdf See Link for full text.

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5/13/96. Media Article. SEEKING SAFER SKIES. MAY 13, 1996. PBS Transcript, 'On-Line News hour' interview with Mary Schiavo and FAA's David Hinson. See Link for full text > http://www.pbs.org/newshour/bb/transportation/may96/valujet_schivavo_5-13.html

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4/30/96. GAO Testimony Before the Subcommittee on Governmental Management, Committee on Governmental Affairs, U.S.Senate. Tuesday Targeting and Training of FAA's Safety Inspector Workforce. Statement of Gerald L. Dillingham, Assoc Director,
Link > http://www.gpo.gov/fdsys/pkg/GAOREPORTS-T-RCED-96-26/pdf/GAOREPORTS-T-RCED-96-26.pdf See Link for full text.

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* 2/8/95. GAO REPORT. Data Problems Threaten FAA Strides on Safety Analysis System. Report # AIMD-95-27. SafetyPerformance Analysis System (SPAS). Link > https://www.gao.gov/assets/aimd-95-27.pdf * SDR Searched. SDR references found.. The FAA's Mandatory Service Difficulty Reporting Program is mentioned with; "Similarly, the Department of Transportation Inspector General reported in **1994** that between 46 and 98 percent of the data fields of inflight service difficulty records are missing data." Ref page 4. See Link for full text.

Continued

Expanded Texts, Excerpts, and Source Links.

46 Office of the DOT Inspector General, 12 Government Accounting Office, and 34 Media Articles.

7 Were of FAA Management Retaliations Against Employees; 13 Inspectors / Air Traffic Controllers.

2/11/20. OFFICE OF INSPECTOR GENERAL. Memorandum. FAA Has Not Effectively Overseen Southwest Airlines' Systems for Managing Safety Risks. Report No. AV2020019. From: Matthew E. Hampton Asst IG for Aviation Audits To: FAA Administrator. Self-initiated. Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Southwest%20Airlines%20Final%20Report%5E02.11.2020.pdf Partial Text. Safety is the Federal Aviation Administration's (FAA) top priority, including overseeing the safety programs of large air carriers. On March 9, 2015, FAA established requirements for all part 1211 air carriers to implement a formal, top-down approach to managing safety risks, known as safety management systems (SMS). Under this approach, FAA and air carriers are to develop systems to identify hazards and implement corrective actions that mitigate risk. Specifically, air carriers must identify root causes for hazards and proactively manage risk to prevent accidents. However, recent events have raised concerns about FAA's safety oversight, particularly for Southwest Airlines, one of the largest part 121 carriers in the United States. In early 2018, our office received a hotline complaint regarding FAA's oversight of Southwest Airlines and a number of operational issues at the carrier, such as alleged pilot training deficiencies and inaccurate information being provided to pilots prior to flight. Then, on April 17, 2018, Southwest Airlines Flight 1380 suffered an engine failure, and debris penetrated the aircraft cabin, resulting in the first U.S. passenger fatality in over 9 years. As a result of these events, we initiated an audit to review FAA's safety oversight of Southwest Airlines. Specifically, our objective was to assess FAA's oversight of Southwest Airlines' systems for managing risk. We conducted this performance audit between July 2018 and December 2019….. Findings included;
 FAA Does Not Adequately Oversee Southwest Airlines' Systems for Managing Risk. FAA Improperly Relies on Southwest Airlines' Risk Assessments To Justify Continued Non-Compliance With Safety Regulations. FAA Designees Approved 71 of the 88 Previously Owned Aircraft the Same Day the Carrier Submitted Them for Approval. FAA Has Not Provided Inspectors With the Guidance Needed To Oversee Southwest Airlines' Safety Management System. FAA Inspectors Do Not Consistently Evaluate Southwest Airlines' Safety Risk Assessments
 FAA Inspectors Have Not Assessed Southwest Airlines' Safety Culture Despite Widespread Concerns.
• The safety culture at Southwest Airlines consists of using "diversion, distraction, and power" to get what the company wants. • Regarding Southwest Airlines bypassing the local oversight office by going directly to FAA Headquarters when there is a disagreement, "They've always done that—just more blatant now." • "Southwest's management is very skilled in what they have to do. If it costs money, they won't do it." • "Whatever Southwest puts on paper for us to see never seems to get done the way they wrote it." • "It's not a positive culture with these issues at Southwest Airlines. Arrogance gets the best of them." • Southwest's attitude toward FAA appears to take the form of "I'll respond to you when I damn well please." Recommendations To improve FAA's oversight of Southwest Airlines' safety management system, included; 1. Ensure Southwest Airlines complies with regulatory requirements to provide accurate weight and balance information to pilots, or grant an exemption that justifies the non-compliance being in the public interest. 2. Retrain inspectors at the local oversight office for Southwest Airlines on the purpose and proper use of the Voluntary Disclosure Reporting Program. 3. Train managers and inspectors of the local oversight office on their roles and responsibilities to work with Southwest Airlines for root cause analysis. 4. Enhance management controls to ensure designated airworthiness representatives comply with established procedures to verify that aircraft conform to U.S. airworthiness standards. 5. Develop a management control to ensure that designated airworthiness representatives verify completeness and accuracy of maintenance records, and do not rely on air carrier provided summary data to make airworthiness determinations. 6. Complete a compliance review of other certificates issued by the designated airworthiness representatives used by Southwest Airlines. 7. Ensure Southwest Airlines complies with regulatory requirements that the 88 previously owned aircraft conform to U.S. aviation standards. 8. Train inspectors on FAA's process to provide feedback on designated airworthiness representatives when corrective actions are needed, and provide inspectors access to the system used to provide feedback. 9. Develop and implement a management control to ensure air carriers and inspectors do not use Safety Management Systems as a substitute for regulatory compliance. 10. Develop and implement guidance on how to evaluate air carrier safety risk assessments to ensure the carrier has performed a comprehensive analysis, identified root causes, and established appropriate corrective actions. 11. Develop and implement inspector guidance on how to evaluate air carrier safety culture and how it should be factored into oversight decisions. See Link For Full Text.

2018.

2/11/20. OIG Report. FAA Has Not Effectively Overseen Southwest Airlines' Systems for Managing Safety Risks. See Link for full text.
Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Southwest%20Airlines%20Final%20Report%5E02.11.2020.pdf
Excerpts. Full PDF Report available. Text; "What We Looked At; On March 9, 2015, the Federal Aviation Administration (FAA) established requirements for air carriers to implement a formal, top down approach to identifying and managing safety risks, known as safety management systems (SMS). However, recent events have raised concerns about FAA's safety oversight, particularly for Southwest Airlines, one of the largest passenger air carriers in the United States. In early 2018, our office received a hotline complaint regarding FAA's oversight of Southwest Airlines and a number of operational issues at the carrier. Then, in April 2018, Southwest Airlines Flight 1380 suffered an engine failure that resulted in the first U.S. passenger fatality in over 9 years. We initiated an audit to assess FAA's oversight of Southwest Airlines' systems for managing risk. WHAT WE FOUND; Our review identified a number of concerns regarding FAA's safety oversight of Southwest Airlines. First, Southwest Airlines continues to fly aircraft with unresolved safety concerns. For example, FAA learned in 2018 that the carrier regularly and frequently communicated incorrect aircraft weight and balance data to its pilots—a violation of FAA regulations and an important safety issue. Southwest Airlines also operates aircraft in an unknown airworthiness state, including more than 150,000 flights on previously owned aircraft that did not meet U.S. aviation standards—putting 17.2 million passengers at risk. In both cases, the carrier continues operating aircraft without ensuring compliance with regulations because FAA accepted the air carrier's justification that the issues identified were low safety risks. Second, FAA inspectors do not evaluate air carrier risk assessments or safety culture as part of their oversight of Southwest Airlines' SMS. This is because FAA has not provided inspectors with guidance on how to review risk assessments or how to evaluate and oversee a carrier's safety culture. As a result, FAA cannot provide assurance that the carrier operates at the highest degree of safety in the public's interest, as required by law. OUR RECOMMENDATIONS; FAA concurred with all 11 of our recommendations to improve its oversight of Southwest Airlines' systems for managing risk and provided appropriate planned actions and completion dates…"

12/17/19. FAA Needs To Improve Its Oversight To Address Maintenance Issues Impacting Safety at Allegiant Air. Report No. AV2020013
Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Allegiant%20Air%20Final%20Report.pdf Excerpts. Full PDF Report available. Partial Text; "What We Looked At; Allegiant Air—the Nation's 11th largest passenger airline—grew faster than the airline industry as a whole in 2018 by carrying approximately 14 million passengers. However, incidents at this air carrier—including a series of in-flight engine shutdowns, aborted takeoffs, and unscheduled landings—have raised concerns about its maintenance practices. FAA uses its Compliance Program to achieve rapid compliance with regulatory standards, eliminate safety risks, and ensure positive and permanent changes that benefit the aviation industry. This program is based on the concept that the greatest safety risk comes from an operator who is "unwilling or unable" to comply with rules, rather than a specific event or its outcome. Our objective was to assess FAA's processes for investigating improper maintenance practices at Allegiant Air. Specifically, we assessed FAA's (1) oversight of longstanding maintenance issues impacting safety at Allegiant Air and (2) process for ensuring Allegiant Air implemented effective corrective actions to address the root causes of maintenance problems. WHAT WE FOUND; "Since 2011, FAA inspectors have not consistently documented risks associated with 36 Allegiant Air in-flight engine shutdowns for its MD-80 fleet or correctly assessed the root cause of maintenance issues. This was because inspectors did not follow FAA's inspector guidance that requires them to document changes in their oversight once they have identified areas of increased risk. Also, FAA's Compliance Program and inspector guidance do not include key factors related to carriers' violations of Federal regulations. Specifically, they do not contain provisions for inspectors to consider the severity of outcomes when deciding what action to take following a non-compliance. As a result, FAA is missing opportunities to address maintenance issues and mitigate safety risks in a timely manner. OUR RECOMMENDATIONS; We made nine recommendations to improve the effectiveness of FAA's oversight of air carrier maintenance programs. FAA concurred with eight of our nine recommendations and partially concurred with one. We consider the eight recommendations resolved but open, pending completion of planned actions. We are asking FAA to reconsider its actions for the partially-concurred recommendation." See Link for full text.

6/20/18. OIG Report. Audit Initiated of FAA's Safety Oversight of Southwest Airlines. Project No. 18A3007A000.
Link > https://www.oig.dot.gov/sites/default/files/Audit%20Announcement%20-%20FAA%20Oversight%20of%20Southwest%20Airlines.pdf
Excerpts. Full PDF Report available. " On March 9, 2015, the Federal Aviation Administration (FAA) established requirements for all part 121 air carriers to implement a formal, top-down approach to managing safety risks, known as safety management systems. However, recent events have raised concerns about FAA's safety oversight, particularly for Southwest Airlines, one of the largest part 121 carriers in the United States. Accordingly, we are initiating a review of FAA's safety oversight of Southwest Airlines. Specifically, our objective is to assess FAA's oversight of Southwest Airlines' systems for managing risk." See Link for full text.

5/9/18. OIG Report. Revised Notification | Review of FAA's Oversight of Air Carrier Maintenance Programs . Project ID: 17A3003A000. Excerpts. Full PDF Report available. Link > https://www.oig.dot.gov/sites/default/files/Audit%20Re-Announcement%20-%20Air%20Carrier%20Maintenance%20%28Allegiant-American%29.pdf Excerpts. Full PDF Report available. "Revised Notification. Review of FAA's Oversight of Air Carrier Maintenance Programs. Requested by Representatives Peter DeFazio, Rick Larsen, Nita Lowey, David Price, Mike Quigley, Katherine Clark, Pete Aguilar, Jacky Rosen, and Cheri Bustos and Senator Bill Nelson. In June 2017, the Office of Inspector General announced a review of the Federal Aviation Administration's (FAA) oversight of air carrier maintenance. Based on our initial audit work and additional congressional requests, we are adjusting the scope of this audit. Our objectives now are to assess FAA's processes for investigating allegations of improper maintenance practices at two carriers, Allegiant Airlines and American Airlines. Specifically, we will (1) examine FAA's independent reviews, complaints to the FAA hotline, and other sources to see whether inspectors conducting routine surveillance of Allegiant and American Airlines found similar discrepancies and (2) determine whether FAA ensures that Allegiant and American Airlines implement effective corrective actions to address the root causes of maintenance problems." See Link for full text

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12/19/17. OIG Report. FAA Oversight Is Not Keeping Pace With the Changes Occurring in the Regional Airline Industry. Project ID: AV2018012. Link > https://www.oig.dot.gov/sites/default/files/Final%20Report-Regional%20Airlines-AV2018012.pdf Excerpts. Full PDF Report available. "What We Found; FAA's process for identifying periods of transition and growth at regional air carriers is ineffective in key areas. FAA's tools to evaluate air carrier risk are confusing and subjective, and limit the Agency's ability to be proactive and weight specific risks. Furthermore, inspectors are hesitant to use the tool designed to detect potential financial problems because they do not have the knowledge or information they need to evaluate carriers' financial conditions…… FAA inspectors also do not adjust air carrier surveillance in response to changes because their risk assessment tools are ineffective. Additionally, even when inspectors are able to identify areas of risk, Agency guidance is vague regarding how inspectors should adjust surveillance. Finally, the new oversight system relies heavily on inspector judgement. While sound inspector judgment is crucial for effective oversight, inspectors also need adequate tools and guidance to aid their decision making. Our Recommendations; We are making 10 recommendations to FAA to improve its risk assessment tools, improve data sharing between offices, and improve the guidance for how inspectors should handle anonymous complaints. FAA concurred with all 10 recommendations." See Link for full text

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6/1/17. OIG Report. Audit Initiated of FAA's Oversight of Air Carrier Maintenance Programs. Project ID: 17A3003A000. Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Air%20Carrier%20Maintenance%20Programs%20Announcement%20Memo%5E6-1-17.pdf Excerpts. Full PDF Report available. Request from the Ranking Members of the House Transportation and Infrastructure Committee and the Subcommittee on Aviation. "Commercial aviation in the United States is one of the safest forms of transportation in the world. This impressive safety record is due in part to safety controls developed by the Federal Aviation Administration (FAA) and the airline industry to ensure that aircraft are operated and maintained according to the highest standards. However, recent safety events and disclosures—such as allegations that mechanics have been forced to shortcut repairs to aircraft as well as emergency landings and aborted takeoffs caused by mechanical problems—remind us that FAA oversight of maintenance programs is paramount. In 2016, the Ranking Members of the House Transportation and Infrastructure Committee and the Subcommittee on Aviation requested that we review the overall effectiveness of FAA's oversight of air carrier maintenance programs. The Congressmen questioned whether FAA demonstrates a sustained ability to account for mergers, rapid expansion, cost cutting, and other factors that could affect air carriers' decisions about maintenance. They were particularly concerned about whether corrective actions taken by air carriers actually address root causes of maintenance lapses. Accordingly, our objectives for this audit are to assess (1) FAA's oversight of air carrier maintenance programs and (2) whether FAA considers factors such as mergers, rapid expansion, or cost-cutting initiatives when adjusting its oversight of air carrier maintenance programs." See Link for full text

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5/20/17. OIG Report. Enhancements Are Needed to FAA'S Oversight Of The Suspected Unapproved Parts Program. Federal Aviation Administration. Report Number: AV2017049. Excerpts. Full PDF Report available.
Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20SUPs%20Final%20Report%5E5-30-17.pdf
"Results in brief. FAA's process for monitoring and investigating SUPs is not as effective as it could be, because of recordkeeping weaknesses and the lack of a management control to capture and accurately report the number of SUPs. For example, our analysis of all 265 SUPs entries in FAA's database revealed 16 duplicate, 86 incomplete, and 28 invalid entries. These inaccuracies occur, in part, because FAA Hotline personnel are not formally trained on how to record SUPs-specific information. While Hotline personnel are required to analyze data for SUPs related trends, they do not perform this analysis because they do not have the capabilities to do so. In addition, FAA inspectors perform SUPs investigations in different ways because they do not uniformly follow established guidance, which leads to varying and inconsistent results. Furthermore, FAA's risk-based oversight system is not designed to incorporate unapproved parts as a risk indicator for manufacturers.

Finally, FAA committed to share SUPs data with Federal law enforcement agencies, but it has not done so unless criminal activity is suspected (e.g., falsifying records or distributing fraudulent parts). As a result, FAA cannot accurately account for the number of SUPs or track safety-related trends to share with senior FAA management and Federal law enforcement agencies about the risks posed by unapproved parts. FAA's oversight of industry actions to remove unapproved parts is ineffective. First, FAA does not consistently implement its process for notifying the industry about unapproved parts. The Agency's inspector guidance states that issuing Unapproved Parts Notifications (UPN) is FAA's primary means for alerting the industry. However, FAA does not issue UPNs in all cases where unapproved parts are found, which limits its ability to accurately inform the aviation industry about unapproved parts. Second, during their investigations, Agency inspectors do not ensure that operators take action to destroy or remove unapproved parts from the aviation supply chain before investigations are closed. For example, instead of determining where unapproved parts were located and if they should be quarantined or destroyed, inspectors conducted investigations to determine only whether part(s) were unapproved; then they closed the cases without further action. Finally, FAA does not require the industry to sign up to receive automated notifications so they can keep apprised of unapproved parts that may be in their inventories. For these reasons, FAA cannot be assured that unapproved parts have been removed from the system and no longer pose a threat to safety. We are making several recommendations to enhance the effectiveness of FAA's oversight of the SUPs program."
See Link for full text.

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* 7/28/16. GAO Report. FAA's Risk-Based Oversight for Repair Stations Could Benefit from Additional Airline Data and Performance Metrics. Report # GAO-16-679. Link > https://www.gao.gov/assets/gao-16-679.pdf Excerpts. Full PDF Report available. "Why GAO Did This Study; FAA is responsible for overseeing nearly 4, 800 FAA-certificated repair stations in the United States and in foreign countries. While U.S. airlines' rely on repair stations for much of their maintenance, some aviation stakeholders have questioned FAA's oversight of foreign repair stations. Highlights; 28 selected U.S. airlines' annual contracted maintenance spending ranged from 58 to 64 percent of their total annual maintenance spending….. 10 U.S. airlines….contract some, if not all, of the more involved maintenance and repairs that may require specialized skills and equipment. (FAA) regulatory requirements for foreign repair stations differ in several ways from the requirements for domestic repair stations, including certification, renewal, personnel, and drug and alcohol testing requirements. FAA faces challenges in overseeing foreign repair stations related to its inspectors' ability to conduct routine and unannounced inspections ….In fiscal year 2015, FAA began to deploy its **Safety Assurance System (SAS),** a risk-based, data-supported oversight system to help standardize how its inspectors identify safety risks in planning and conducting oversight, including of repair stations. Safety assurance is one of the four components of FAA's new Safety Management System oversight approach, and FAA designed SAS to implement that component. GAO found the design of SAS fully meets three of the five principles FAA identified as key for the safety assurance component and partially meets the other two principles, which involve data collection and management review. SAS enables inspectors to collect various data, but does not enable them to consider a repair station's volume of work when determining risk. FAA does not otherwise collect or track this data….. they do not consider volume data to be a standalone risk factor, but FAA has previously stated that tracking volume data could help identify high-risk repair stations. GAO and…..(DOT) Office of Inspector General have reported on the importance of FAA's collection of quality data for providing a comprehensive risk-based oversight system. Also, FAA conducts management reviews, but has not developed a process with goals and performance metrics for determining the effectiveness of SAS. Without the ability to measure progress toward goals, FAA risks not knowing whether its new, risk-based oversight approach is a success or could be improved.
GAO was asked to examine maintenance contracting trends and FAA oversight of repair stations. This report assesses: (1) trends and factors influencing airline maintenance contracting from 2010 through 2014, (2) how FAA's oversight of foreign and domestic repair stations differs and associated challenges, and (3) efforts taken by FAA to improve its risk-based oversight. GAO analyzed BTS data on airlines' maintenance spending from 2010 through 2014 for 28 selected U.S. commercial airlines with the largest number of flights, and interviewed representatives for 10 U.S. airlines. GAO visited seven foreign repair stations in three countries, and interviewed industry representatives. GAO also analyzed FAA inspection and enforcement data for repair stations from 2010 through 2014. Reissued on September 2, 2016. RECOMMENDATIONS; To enhance FAA's risk-based approach for oversight of repair stations, the Secretary of Transportation should direct the Administrator of the Federal Aviation Administration to develop and implement a process in Flight Standards for incorporating into SAS the volume of critical maintenance that each U.S. airline contracts to repair stations." See Link for full text.
EDITOR NOTES; From the 65 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

12/3/15. OIG Audit. Audit Initiated of FAA's Oversight of Regional Airlines. Project ID: 15A3013A000. Link > https://www.oig.dot.gov/sites/default/files/FAA%20Oversight%20of%20Regional%20Air%20Carriers%20Announcement%20Letter%2012-3-15.pdf Excerpts. Full PDF Report available. " Requested by the Ranking Members of the House Committee on Transportation and Infrastructure and its Subcommittee on Aviation. The Office of Inspector General is initiating an audit on the Federal Aviation Administration's (FAA) oversight of regional air carriers. We are conducting this audit at the request of the Ranking Members of the House

Committee on Transportation and Infrastructure and its Subcommittee on Aviation, who requested that we examine the effectiveness FAA's oversight of regional air carriers. Our audit objectives are to evaluate FAA's process for (1) identifying periods of transition and growth at regional carriers and (2) adjusting its oversight to respond to changes in regional air carrier operations. The Ranking Members also asked us to examine issues related to pilot pay, which we plan to address in a separate report". See Link for full text

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8/24/15. Media Article. FAA 8 years away from pilot database. By Rene Marsh, CNN Aviation and Government Regulation Correspondent. Mon August 24, 2015. Link > http://www.cnn.com/2015/08/24/politics/federal-aviation-administration-pilotdatabase/index.html?eref=rss_politics "Story highlights; The Federal Aviation Administration delayed creating a critical database. It is at least 8 years away from creating the congressionally mandated system. Washington (CNN)—The Federal Aviation Administration has delayed creating a critical database, which Congress mandated, to help keep track and weed out poorly trained pilots. The Department of Transportation Inspector General's office released an audit last week saying until the agency addresses these shortcomings "significant gaps will persist in the extent and level of data reviewed by airlines prior to hiring pilots."

"Ensuring air carriers have all available information on a pilot's training performance remains a critical safety area for FAA," said Matthew Hampton, assistant inspector general for aviation audits, wrote in the report. 'Without these additional records, air carriers may be unaware of unsatisfactory evaluation events or other items that could indicate performance issues for a pilot." Between 1987 and 1994, the U.S. airline industry suffered seven major accidents that were attributed in part to errors made by pilots who had been hired without background safety checks. In all cases, the hiring airlines lacked access to, or failed to obtain, the pilots' flight qualifications and other safety records from FAA and/or previous employers before completing the hiring process.

After the 2009 Colgan Air crash near Buffalo, New York, the National Transportation Safety Board found that the captain of the commercial flight failed to disclose failed proficiency checks that occurred prior to his employment with the airline. As a result, in 2010 Congress mandated better tracking of poor performing pilots. Congress called for the FAA to develop a database with information about the pilot and their performance from the FAA, airlines and other records (including the National Driver Register.) The records are to be maintained in the database for the life of a pilot to ensure comprehensive pilot records are available to air carriers during the hiring process. But the audit found the FAA remains "years away" from creating such a database. The agency has made "limited progress" since the congressional mandate and will likely not have a fully operational database until another 8 years. FAA officials said this is in part because Congress did not set a deadline for developing the database. As a result, FAA allocated resources to other congressional mandates such as raising standards in pilot training and performance, and improving rest requirements. The database is under development, the FAA said, and will contain the records of approximately 866,000 pilots. But the agency said further work needs to be done in determining protocol for using the database and ensuring the information included remains secure."

8/25/14. DOT OIG Announcement Letter Regarding DOT's FY 2015 Top Management Challenges. (Required by the Reports Consolidation Act of 2000 and OMB Circular A-136.) See Link For full text > https://www.oig.dot.gov/sites/default/files/TMC%202015_Announcement%20Letter%5E8-25-14.pdf Partial Text. "Summary; The Office of Inspector General has identified seven top management challenges for the Department of Transportation (DOT) for fiscal year 2015. When issued, this report and the Department's response will be incorporated into the DOT Annual Financial Report, as required by law. The issues covered in this year's report are listed below and will be presented in greater detail in the final report. • Modernizing the National Airspace System and Addressing Organizational Challenges. • Enhancing Safety and Oversight of a Diverse and Dynamic U.S. Aviation Industry. ….. • Managing Acquisitions and Grants To Maximize Performance and Save Federal Funds. • Securing Information Technology Resources."

8/20/15. OIG Report. FAA Delays in Establishing a Pilot Records Database Limit Air Carriers' Access to Background Information. Link > https://www.oig.dot.gov/sites/default/files/FAA%20Pilot%20Records%20Database%20Progress%20Final%20Report%5E8-20-15.pdf Excerpts. Full PDF Report available. "Requested by the Chairman and Ranking Member of the House Transportation and Infrastructure Aviation Subcommittee. Project ID: AV2015079. Ensuring air carriers have all available information on a pilot's training and performance remains a critical safety area for the Federal Aviation Administration (FAA). The 2010 Airline Safety and Extension Act mandated that FAA create a pilot records database to ensure pilot records are retained for the life of the pilot and that air carriers review those records when making hiring decisions. FAA's progress in developing and implementing the pilot records database remains limited, and its completion remains uncertain. The Agency does not expect to issue a related rulemaking until 2017, and the database will likely not be fully implemented until more than a decade after Congress mandated its creation in 2010. Moreover, FAA has yet to make key decisions regarding how to incorporate historical records or how air carriers will transition to and access the database. In the meantime, air carriers, in large part, do not have all relevant pilot records available to review when evaluating pilot applicants. Specifically, FAA has not determined whether air carriers have followed through on their voluntary commitments to request additional records from FAA when hiring new pilots. As a result, air carriers

are not able to fully evaluate prior performance when deciding whether to hire a pilot. We made three recommendations to FAA to better manage its implementation of the pilot records database and ensure that air carriers have all available information on a pilot's training performance. FAA concurred with all three recommendations. Based on FAA's response, we consider two recommendations open but resolved, and we are requesting additional information for one recommendation." See Link for full text.

6/25/14. GAO Report. Additional Oversight Planning by FAA Could Enhance Safety Risk Management. (SMS) Report GAO-14-516: Link > https://www.gao.gov/products/gao-14-516 Excerpts. Full PDF Report available. " Why GAO Did This Study; FAA, industry, and others to continually improve safety. To further enhance safety, in 2005, FAA began adopting a proactive, data-driven, risk-based approach to managing safety, referred to as SMS, and has proposed rules that would require SMS implementation for certain segments of the aviation industry. This report addresses (1) the status of SMS implementation at FAA and in the aviation industry; (2) key challenges that FAA and industry face in implementing SMS; and (3) actions aviation stakeholders believe FAA could take to improve SMS implementation. GAO reviewed FAA documents and interviewed FAA officials. GAO also interviewed representatives from 20 selected aviation stakeholders, including commercial air carriers, certificated airports, repair stations, and design and manufacturing firms. Because the stakeholders were non-statistically selected based on their size, SMS implementation, and the industry segment represented, their views cannot be generalized to the industry or any industry segment. What GAO Found; The (FAA) Air Traffic Organization completed Safety Management System (SMS) implementation in 2010, and five other FAA organizations are implementing it now. SMS is an approach to collect and analyze safety data to identify hazards, manage risks, and take corrective action before an accident occurs. FAA's implementation activities include developing internal SMS guidance and procedures and using them to, among other things, identify hazards in the aviation system and provide oversight of the aviation industry……. Although SMS is not yet required for commercial air carriers, airports, or any other industry segment, some are voluntarily implementing SMS as part of several FAA pilot projects. Of the 83 commercial air carriers, 77 are in the process of implementing SMS. FAA anticipates publishing a final rule in September 2014 requiring commercial air carriers to implement SMS. To a lesser extent, other industry segments are voluntarily implementing SMS. For example, according to FAA, 9 of the nation's largest airports are implementing SMS…..According to FAA officials, completing the rulemaking processes for commercial air carriers and airports has been a primary challenge to industry SMS implementation….one reason for delay has been difficulty in developing the benefit-cost analyses required for significant regulatory action….Uncertainty about FAA plans for SMS oversight was among the key challenges for aviation industry SMS implementation. Although some inspector training has been provided, representatives from 9 of the 20 stakeholders GAO interviewed cited concerns that FAA inspectors may not be adequately trained to oversee industry SMS activities, and 6 expressed concerns that inspectors throughout FAA may not consistently interpret SMS regulations. However, FAA has not completed plans for its SMS oversight activities, including inspector training, and officials stated that they would not do so until the final rule is published. Without adequate planning of oversight and training of inspectors, FAA could find itself unprepared to meet its oversight responsibilities when final SMS rules are published. Recommendations; that FAA develop a plan for overseeing industry SMS implementation that includes providing guidance and training for FAA inspectors by the time final rules are published….. " See Link for full text.

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* 4/10/14. Further Actions Are Needed To Improve FAA's Oversight of the Voluntary Disclosure Reporting Program. (VDRP) ID: AV-2014-036. Link > https://www.oig.dot.gov/library-item/28672 Excerpts. Full PDF Report available. "Summary; The Federal Aviation Administration's (FAA) Voluntary Disclosure Reporting Program (VDRP) provides air carriers the opportunity to report and correct areas of non-compliance without civil penalty. While VDRP helps FAA identify and mitigate safety issues, it requires close monitoring to ensure the program is not misused. The FAA Modernization and Reform Act of 2012 mandated that our office examine FAA's oversight of VDRP. FAA has made progress in ensuring that air carrier disclosure reports meet VDRP requirements, but the Agency lacks awareness of the root causes that led to reported violations—in part because FAA does not require air carriers to identify or document the root cause of a violation when they submit a self-disclosure. Furthermore, FAA does not ensure that air carriers fully implement corrective actions or verify whether the actions are adequate at resolving problems. We also found that FAA does not effectively collect, analyze, and trend VDRP data to identify safety risks at the national level. As a result, FAA inspectors are not realizing the full potential of VDRP data to target inspections to areas of highest risk." We made eight recommendations to improve FAA's VDRP oversight and its ability to identify safety risks using VDRP data. We have requested that FAA provide a written response to our report and recommendations within 30 days. RECOMMENDATIONS; To further improve the VDRP program, we recommend that FAA:

1. Add dedicated data fields in the VDRP electronic system for air carriers to describe the root cause(s) associated with the non compliance and identify whether the violation occurred due to the actions of an individual or a systemic problem.
2. Require inspectors to evaluate the root cause(s) determination to ensure repeat self-disclosures do not go undetected and potential systemic issues are identified.
3. Require inspectors to use the dedicated field within the VDRP electronic system to document the surveillance performed as a result of self-

disclosures.
4. Require inspectors to ensure that air carriers track any revisions to programs and procedures resulting from VDRP disclosures to prevent future modification without consideration of VDRP requirements.
5. Provide familiarization training to inspectors and office managers regarding VDRP guidance that allows the ASAP corrective actions to be used as the comprehensive fix for a voluntary disclosure when certain conditions are met.
6. Ensure that inspectors' ability to obtain safety data is not further restricted through efforts to streamline voluntary safety programs.
7. Develop a mechanism to assist inspectors with surveillance planning, identification of safety issues, and monitoring trends for Part 121 air carriers.
8. Analyze VDRP data from a national perspective to aid in the identification of systemwide trends and patterns that represent risks. AGENCY COMMENTS AND OFFICE OF INSPECTOR GENERAL RESPONSE; We provided a draft of this report to FAA on January 31, 2014. The Agency did not provide a written response to the report or our recommendations. Throughout the review, we discussed our findings and proposed recommendations with FAA representatives. Where appropriate, we incorporated FAA's comments and input received during our meetings at both FAA headquarters and regional offices. However, until we receive the Agency's written response, our recommendations will remain open and unresolved." See Link for full text.

EDITOR NOTES; From the 19 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

4/18/14. Media Article. FAA Fails to Follow Up on Safety Violations Even When Carriers Self Report.
Link > http://www.judicialwatch.org/blog/2014/04/faa-fails-follow-safety-violations-even-carriers-self-report/ " Six years after Congress learned that the federal agency in charge of aviation safety ignores serious violations that endanger the public, the culture continues and the details are documented in a distressing government audit released this month. It's a truly unbelievable tale of incessant negligence—and corruption—on the part of a huge government agency, the Federal Aviation Administration (FAA), tasked with protecting millions of lives. In 2008 two FAA inspectors actually testified before Congress about how the agency let the safety violations of major U.S. airlines slide because supervisors had cozy relationships with the carriers. The inspectors were threatened with dismissal when they pointed out the serious safety violations and became government whistleblowers. A year earlier a scathing congressional report detailed the serious safety mishaps that regularly occur on runways across the country, especially at the nation's busiest airports. That investigation also exposed that the FAA has unscrupulously close ties to the industry it regulates. At the time the head of the FAA, Marion Blakey, accepted a job as head of a powerful trade group that represents major firms regulated by the agency. As FAA chief, Blakey oversaw and awarded lucrative federal contracts to many of the firms that she went on to represent in the private sector.
A number of other scandals have rocked the FAA over the years and Judicial Watch has reported many of them. For instance, the agency certifies mechanics that can't even speak English, has lost track of more than 100,000 airplanes and fails to properly secure flight schools. Remember how the 9/11 hijackers received their training at U.S. flight schools? It's the FAA's duty to prevent this sort of thing from ever happening yet even after the 2001 terrorist attacks it has failed miserably to do so. Read JW's coverage of the FAA here. Now, half a decade after the whistleblower FAA inspectors personally laid out the outrageous safety violations for members of Congress, it appears that little has changed to clean up the agency. At least that's what an FAA Inspector General report indicates. Released just a few days ago, the report says that even when the FAA is spoon fed detailed information on airplane safety violations, it fails to take action. This appears to border on the criminal and at the very least is seriously negligent.
Investigators focused on a special initiative called Voluntary Disclosure Reporting Program (VDRP) that provides air carriers the opportunity to report and correct areas of non-compliance without civil penalty. This helps the FAA identify and mitigate safety issues and requires "close monitoring," according to the agency watchdog. In other words, the FAA is supposed to do its job by following up to make sure that the violations are corrected. However, investigators found that the "FAA does not ensure that air carriers fully implement corrective actions or verify whether the actions are adequate at resolving problems." It doesn't stop there. The IG also found that the FAA doesn't effectively collect, analyze and trend the self-reported data to identify safety risks at the national level. "As a result, FAA inspectors are not realizing the full potential of VDRP data to target inspections to areas of highest risk," according to the report. The IG interviewed dozens of FAA inspectors and none bothered to identify root causes of the safety violations, which is a large part of their job at the agency.'"

2/21/14. OIG Report. Audit Initiated of FAA's Implementation of a Pilot Records Database. Project ID: 14A3005A000.
Link > https://www.oig.dot.gov/sites/default/files/PRD%20Announcement%20Letter%20Final_signed.pdf Excerpts. Full PDF Report available " Requested by the Chairman and Ranking Member of the House Transportation and Infrastructure Subcommittee on Aviation. Excerpts. Full PDF Report available. "The Office of Inspector General is initiating an audit on the Federal Aviation Administration's (FAA) implementation of a pilot records database. We are conducting this audit at the request of the Chairman and Ranking Member of the House Transportation and Infrastructure Subcommittee on Aviation. To ensure that air carriers have full information on a pilot's performance history

during the hiring process, Congress mandated in 2010 that FAA create a centralized database of FAA and air carrier pilot records. Accordingly, our audit objectives are to (1) evaluate FAA's progress in developing and implementing the pilot records database, and (2) determine what pilot records are available for air carriers to obtain and review for new applicants." See Link for full text

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* 12/18/13. OIG Report. FAA's Safety Data Analysis and Sharing System (ASIAS) Shows Progress, but More Advanced Capabilities and Inspector Access Remain Limited. Project ID: AV-2014-017. Excerpts. Full PDF Report available.

Link > https://www.oig.dot.gov/sites/default/files/FAA%20ASIAS%20System%20Report%5E12-18-13.pdf "Summary; In 2007, the Federal Aviation Administration (FAA) implemented the Aviation Safety Information Analysis and Sharing (ASIAS) system in an effort to proactively identify and address safety risks that may lead to accidents. Through ASIAS, FAA collects and analyzes safety data from multiple public and confidential databases, such as from airline voluntary safety reporting programs. In the Airline Safety and FAA Extension Act of 2010, Congress directed us to assess FAA's ability to establish a system such as ASIAS that can accommodate multiple data sources and also be accessible to FAA safety inspectors and analysts who oversee air carriers. ….. We found that FAA has made significant progress with implementing and encouraging participation in ASIAS since 2007, and the program now captures key confidential voluntary safety data from 95 percent of all Part 121 operations. However, FAA's plans to use ASIAS to predict safety risks are still years away, and the program does not yet contain data from non-commercial sectors of the aviation industry that could also benefit from ASIAS's safety analyses. In addition, we found that FAA does not allow its inspectors and analysts to use ASIAS's confidential data for air carrier oversight due to complex data protection agreements. Although many of the inspectors we surveyed stated that access to national-level trends from voluntary safety programs would improve air carrier oversight, FAA has not yet disseminated these data and safety trends to the field. FAA concurred with all four of our recommendations to enhance the Agency's policies and processes for accessing and using ASIAS information. We are requesting additional information for one recommendation." See Link for full text *EDITOR NOTES; From the 20 pages within this Report - but the exception of a "SDR" mention in a Table on page 4,- there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.*

10/30/13. Media Article. Lawmakers question FAA inspections. By Keith Laing .

Link > http://thehill.com/policy/transportation/188681-lawmakers-question-faa-airplane-inspections Text : "Lawmakers sparred Wednesday over the Federal Aviation Administration's delegation of airplane safety inspections to aircraft manufacturers. The battle follows questions earlier this year about the FAA's certification of the Boeing 787 Dreamliner. The FAA came under fire for that decision after the plane was grounded in the beginning of the year following a series of battery failures. The agency was criticized for allowing Boeing to conduct parts of the inspections themselves, in a process known as self-certification. Democrats on the House Aviation subcommittee argued Wednesday that delegating certification tests was the only way the agency could keep up with the high volume of airplanes that have to be inspected. "The FAA's delegation authority is nothing new – it has been a key component for decades," Rep. Rick Larsen (D Wash.) said. "Because FAA simply does not have the personnel to oversee every aspect of aviation certification, the law allows FAA to delegate certain functions to qualified individuals and companies." Larsen added that the FAA would not have to delegate much of its airplane inspection process if Congress provided more funding for the agency. "To ensure that aviation manufacturing continues to play such a critical role in the nation's economy, Congress must provide adequate resources for FAA certification services," Larsen said. "Additionally, Congress should encourage FAA to improve the streamlining process, while maintaining the highest level of safety."

Under the self-certification process, airplane safety tests are supposed to be conducted to meet standards that are set by the FAA. The results are then supposed to be double-checked by the FAA before an airplane is ruled to be safe to fly. However, airplane safety advocates called to testify Wednesday questioned where the FAA was spreading itself too thin with the self-certification tests. "How much oversight can we have for the designees if we don't have enough inspectors?" said Professional Aviation Safety Specialists President Perrone.

FAA officials testified that delegating inspections like it did during the initial Dreamliner certification process allowed the agency to tap other companies' areas of expertise. "No entity is going to have the expertise in every single piece of technology, and industry is continually pushing the boundaries," FAA Aircraft Certification Service Director Dorenda Baker said.

Rep. Frank LoBiondo (R-N.J.), chairman of the House Transportation subcommittee on Aviation, said Wednesday he was going to take a wait-and-see approach to measure the impact of changes to the FAA's airplane certification process that were made in the 2012 funding bill that Congress passed for the agency. "It is the shared goal of everyone in this room to find the right balance between maintaining the highest level of aviation safety while achieving greater efficiencies in FAA's certification processes," LoBiondo said. LoBiondo countered Larsen that Congress did exactly that in the funding bill that was approved for the FAA in 2012. "The Aviation subcommittee often hears concerns from companies, operators and other certificate holders related to the FAA's certification processes," LoBiondo said. "In particular, long wait times, inconsistent regulatory interpretations, and redundant or outdated processes have all been brought to the subcommittee's attention," LoBiondo continued. "In response, Congress included two important provisions in the FAA Modernization and Reform Act of 2012 to improve the FAA's certification processes. These provisions require the agency to develop plans to streamline their certification processes, and address

regional regulatory inconsistencies — all while maintaining the highest level of safety." General Aviation Manufacturers Association President Pete Bunce agreed with Larsen's argument that the self certification were not a problem. "Designees are nothing new since the FAA was created in [1958]," Bunce said. "Every pilot out there used a designee to get their license." Bunce said it was more important that the FAA get its certifications right, no matter who was conducting the initial tests. "If something has the FAA stamp of approval, we don't want any other country to have to come over and inspect [the airplanes] again," he said. "We want them to accept the FAA gold standard."

10/8/13. Media Article. FAA Recalls Airline Inspectors Put on Leave by Shutdown. By Alan Levin.

Link > http://www.bloomberg.com/news/articles/2013-10-07/airline-inspectors-being-recalled-from-u-s-furloughs Text;

"Oct. 8 (Bloomberg) -- Aviation regulators in the U.S. will begin recalling some airline and aircraft inspectors from furloughs spurred by a partial government shutdown that has entered its second week. More than 800 Federal Aviation Administration workers will return to their jobs this week, the agency said yesterday in a statement. They had been deemed nonessential for safety and sent home without pay when the shutdown began Oct. 1. The agency's aircraft registry will remain closed. JetBlue Airways Corp., US Airways Group. and AMR Corp.'s American Airlines said they haven't been able to accept new planes as a result, and aircraft manufacturers say the shutdown may block the sale of at least 130 newly built planes for private owners worth $1.5 billion by next week. "The registry closing threatens our economic recovery and our ability to provide good, high-paying jobs at a time when the industry is making a comeback," Pete Bunce, president of the General Aviation Manufacturers Association, a Washington trade group, said today. Without the ability to obtain a title for a plane, manufacturers and dealers can't sell them and buyers can't obtain loans, the group said in its statement. About three-quarters of the FAA employees returning to work oversee major airline operations. Most of the others will keep an eye on the "most critical" production of aircraft and parts, according to the agency statement. 'EVALUATING RISK'; "The FAA is constantly evaluating safety risk," the agency said. "As the government shutdown continues, the agency will determine whether additional employees need to be recalled to provide oversight of potential risk." All 3,000 of the FAA's aviation-safety inspectors, who oversee airlines, maintenance shops and aircraft manufacturers, were placed on unpaid leave. All of them should be returned to work, Mike Perrone, president of the Professional Aviation Safety Specialists union, said in an e-mail statement. "Sidelining aviation safety inspectors, who are crucial employees, for even a day is unacceptable and exposes the aviation system to unnecessary risk," Perrone said.

POLITICAL BATTLE; Many U.S. government services have been shuttered for a week and the country is 10 days away from running out of cash to pay all of its debts. Congressional Republicans are insisting on changing the 2010 Affordable Care Act, which requires most Americans to have insurance or pay a penalty, before funding the government while President Barack Obama refuses to discuss policy conditions tied to ending the shutdown or raising the ceiling on borrowing. The FAA registry closing has blocked the delivery of planes destined for airlines. American Airlines won't receive an Airbus SAS A319 it expected tomorrow, spokeswoman Andrea Huguely said in an e-mail. It has stopped sales of used planes, Ed Bolen, president of the National Business Aviation Association, a Washington based trade group, said in an interview. As many as 10,000 aircraft a month may be grounded if registrations can't be renewed, he said. His group represents corporate flight departments and airplane dealers. "As long as the registry is closed, there is going to be a significant impact," Bolen said.

CONTROLLERS, CONSTRUCTION; Bunce, Bolen and other trade-group leaders sent Transportation Secretary Anthony Foxx a letter today urging him to reopen the registry. The FAA put 15,514 employees on leave Oct. 1, or about a third of its workforce of about 46,000, according to a Transportation Department plan for the shutdown. The agency's air-traffic controllers remained on the job. Operations funded by the FAA's Airport and Airway Trust Fund, such as construction grants to airports, also were uninterrupted. The trust fund earns revenue from taxes on airline tickets and fuel instead of general funds. In addition to inspectors, about 25 doctors and workers who oversee drug and alcohol testing of commercial pilots, mechanics and others, are being recalled, the agency said. While safety inspectors were sent home, other members of PASS who maintain the FAA's navigation and air-traffic equipment remained on the job, Kori Blalock Keller, a spokeswoman, said in an interview.

AIRLINE OVERSIGHT; All airlines do in-house inspections to ensure that maintenance is performed and safety procedures are followed. The potential for safety lapses is minimal in the early days of a shutdown, Keller said. The risks that errors may occur and be missed by a carrier increase as time passes without government oversight, she said. No maintenance work has been interrupted or postponed at Southwest Airlines Co. due to the absence of FAA inspectors, said Brandy King, a spokeswoman for the Dallas-based carrier. The return of the FAA workers "will benefit air carriers in allowing for review and approval of operations specifications and certain FAA-approved program revisions," she said. Some Boeing Co. aircraft deliveries have been delayed by shortages of FAA inspectors and employees who register the aircraft, John Dern, spokesman for the Chicago-based company, said in a phone interview. About 200 engineers and inspectors who sign off on newly built planes were among the FAA employees returning to work.

'TOUGH SITUATION'; The National Air Traffic Controllers Association, a union representing more than 15,000 controllers as well as FAA engineers and support staff, called for an end to the shutdown in a statement. About 2,800 union members remain furloughed and those who are working aren't being paid, Doug Church, a spokesman, said in an e-mail. "This is a tough situation that will only worsen as it drags on,"

Church said. “This shutdown is a mess of enormous proportions and it must be stopped.” The FAA is monitoring private-aircraft accidents during the shutdown while not sending employees to crash scenes. If it appears there is an “urgent high risk” identified because of a crash, the agency said it will recall employees to investigate.” contact the reporter: Alan Levin in Washington at alevin24@bloomberg.net

10/1/13. Media Article. FAA Furloughs Thousands of Airline Safety Inspectors. By Associated Press Reporter and Daily Mail Reporter. Link > http://www.dailymail.co.uk/news/article-2440050/FAA-furloughs-THOUSANDS-airline-safety-inspectors.html Text; The inspectors check to make sure airlines are maintaining their planes safely and conduct inspections at airports of planes and pilots. They also visit domestic and foreign repair stations where airlines send planes for major overhauls, among other safety jobs, Federal air-traffic controllers will remain on the job and airport screeners will continue scrutinizing passengers at security checkpoints. Union officials are outraged that the airline inspectors have been furloughed because employees critical to public safety should not be affected. Nearly 3,000 aviation safety inspectors are being furloughed by the Federal Aviation Administration as part of the government shutdown, the union representing the inspectors said Monday. The inspectors check to make sure airlines are maintaining their planes safely, conduct inspections at airports of planes and pilots, and visit domestic and foreign repair stations where airlines send planes for major overhauls, among other safety jobs, said Kori Blalock Keller, a spokeswoman for the union, Professional Aviation Safety Specialists.

Union officials initially thought the FAA had made a mistake when they received word of the furloughs, Blalock Keller said. But FAA Administrator Michael Huerta confirmed the inspector furloughs in a phone call with union officials Monday, she said.

Mike Perrone, the union's national president, said he is 'outraged that the FAA would consider aviation safety inspectors as playing anything but a pivotal role in protecting the safety of the American public. Furloughing this critical workforce is neither in the best interest of the economy nor the oversight of this country's aviation system.' Employees critical to public safety are generally exempt from the furloughs. Federal air-traffic controllers will remain on the job and airport screeners will continue scrutinizing passengers at security checkpoints. FAA spokeswoman Kristie Greco declined to confirm the union's tally of the number of inspectors furloughed and the type of inspections they conduct. She said nearly 2,500 safety office personnel — including some inspectors — will be furloughed, but they may be called back to work incrementally over the next two weeks. 'Many employees will be on call and ready to return to work if necessary,' she said.”

6/20/13. OIG Report. FAA Lacks a Reliable Model for Determining the Number of Flight Standards Safety Inspectors It Needs. Project ID: AV2013099. Full PDF Report available. See Link for full text

Link > https://www.oig.dot.gov/sites/default/files/FAA%20Inspector%20and%20Analyst%20Staffing%20Report%5E6-20-13.pdf Required by the Airline Safety and FAA Extension Act of 2010. Excerpts. Full PDF Report available. “The Federal Aviation Administration (FAA) employs approximately 4,000 aviation safety inspectors and 40 analysts who play a key role in helping to maintain the United States’ remarkable air carrier safety record. Due in part to concerns raised after the 2009 Colgan Air accident, Congress directed our office in the Airline Safety and FAA Extension Act of 2010 to evaluate how FAA assigns inspectors to Part 121 air carriers, including assessing the number and experience levels of inspectors and analysts, and how inspectors use surveillance methods to supplement their regular inspections. Our audit found that although FAA introduced a new inspector staffing model in October 2009, FAA has not fully relied on the model’s results to determine the number and placement of inspectors needed. This is due in part to continued concerns with the model’s incomplete, inaccurate, and outdated data. Without a reliable inspector staffing model, FAA’s process for assessing the number of inspectors and analysts it needs does not differ significantly from prior ineffective methods. For example, inspector staffing processes vary by region, which can lead to subjective and inconsistent staffing decisions. Finally, FAA supplements its regular inspections through its geographic surveillance program, a helpful oversight tool. However, we identified concerns with geographic inspector training and workload levels that may undermine the program’s success. We made seven recommendations to enhance FAA’s inspector staffing model and geographic surveillance program; FAA concurred with six and partially concurred with one. We are requesting additional information or a revised response for two recommendations.”

4/18/13. OIG Report. The Federal Aviation Administration’s Fiscal Year 2014 Budget Request: Key Issues Facing the Agency. Requested by the Senate Appropriations Subcommittee on Transportation,……., and Related Agencies. Project ID: CC-2013-016.

Link > https://www.oig.dot.gov/sites/default/files/FAA%20FY%2014%20Budget%20Testimony%20Statement%5E04-18-13.pdf Excerpts. Full PDF Report available. “Summary; On April 18, 2013, the Inspector General testified before the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies regarding the Federal Aviation Administration’s (FAA) fiscal year 2014 budget. The Inspector General focused on three challenges that FAA faces as it works to meet its mission in a restricted budget environment: (1) more effectively managing its workforce, (2) effectively managing its implementation of modernization programs and protecting its airport investments, and (3) continuing efforts to ensure the safety of the NAS. Specifically, the Inspector General noted that FAA has opportunities to improve the management of its workforce—the Agency’s largest cost driver—by strengthening its controller training program, revising its controller staffing and scheduling practices, and effectively allocating its safety inspectors. FAA’s second major challenge is protecting its multibillion-dollar investment in NextGen and other infrastructure improvements. This will require FAA to set priorities and establish sound

management strategies to achieve near- and long-term benefits, enhance its contract oversight, and prevent misuse of airport revenue and grant funds. Finally, the Inspector General stressed that FAA's top priority remains ensuring the continued safety of the NAS. FAA's safety challenges include collecting and analyzing data to prevent air traffic controller operational errors, addressing the rise in runway incursions, implementing the remaining provisions of the Airline Safety Act, safely integrating unmanned aircraft systems into the NAS, and using safety data from air carriers to mitigate risks." See Link for full text

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4/16/13. OIG Statement. FAA's Progress and Challenges in Advancing Safety Oversight Initiatives. (Requested by the Senate Committee on Commerce, Science, and Transportation.) Statement of Jeffrey B. Guzzetti, Assistant Inspector General for Aviation and Special Programs.
Link > https://www.oig.dot.gov/sites/default/files/Aviation%20Safety%20Testimony_4-16-13.pdf Excerpts. Full PDF Report available.
"Summary; On April 16, 2013, the Assistant Inspector General for Aviation and Special Programs testified before the Senate Committee on Commerce, Science, and Transportation regarding the Federal Aviation Administration's (FAA) progress and challenges in implementing safety oversight initiatives. The Assistant Inspector General focused on FAA's (1) need for comprehensive data collection and analysis to enhance the safety of air traffic operations; (2) need to strengthen its risk-based oversight approach for repair stations and manufacturers; and (3) progress and challenges with implementing mandated safety requirements. Specifically, the Assistant Inspector General noted that, to reduce the risk of safety incidents such as air traffic controller operational errors, pilot deviations, wildlife strikes, and runway incursions, FAA needs to refine its processes for collecting data and analyzing root causes. In addition, the Assistant Inspector General described FAA's challenges with establishing a risk-based oversight system for repair stations and aircraft manufacturers, as well as effectively determining how many inspectors it needs and where. Finally, the Assistant Inspector General noted that despite commendable progress on implementing key elements of the Airline Safety Act, FAA continues to be challenged with meeting provisions for improved pilot training, qualification, and screening requirements, as well as advancing safety initiatives at smaller carriers." See Link for full text .

2/14/13. OIG Report. Growth of Domestic Airline Code Sharing Warrants Increased Attention. Project ID: AV2013045.
Link > https://www.oig.dot.gov/sites/default/files/Airline%20Code%20Sharing%20Report-2-14-13.pdf Requested by the Ranking Members of the House Committee on Transportation and Infrastructure and the Subcommittee on Aviation. Excerpts. Full PDF Report available. "On February 14, 2013, we issued a report regarding the Office of the Secretary's (OST) and the Federal Aviation Administration's (FAA) oversight of domestic airline code share agreements. The number of code share agreements—in which a mainline air carrier contracts with a smaller regional carrier to provide flights to its hub airports—has grown rapidly in recent years, raising questions about both the oversight and consumer awareness of these agreements. We also found that some confusion still exists for consumers about which airline is operating their flight because carriers, travel agencies, and advertisers all disclose this information differently. Finally, as a safety regulator, FAA is not required to review any domestic code share agreements and does not voluntarily do so. FAA also does not have specific procedures to advance the Agency's commitment of ensuring an equivalent level of safety between mainline air carriers and their code share partners. Instead, the Agency relies on its oversight of individual carriers to ensure the safe operation of passenger flights. We made five recommendations to enhance OST and FAA monitoring of domestic code share relationships and to increase code share transparency for consumers. In a joint response, OST and FAA concurred with two recommendations and partially concurred with three. We are requesting that the Agencies provide additional information or reconsider their response for two recommendations." See Link for full text.

2/4/13. Media Article. FAA faulted for outsourcing 787 safety checks to Boeing. By Kyung M. Song. Seattle Times Washington Bureau.
Link > http://www.seattletimes.com/seattle-news/faa-faulted-for-outsourcing-787-safetychecks-to-boeing/ Text; "WASHINGTON — The battery woes that have indefinitely grounded Boeing 787s have raised questions about how the Federal Aviation Administration (FAA) certified the cutting-edge aircraft. But few may realize it was Boeing, not FAA inspectors, that largely vouched for the Dreamliner's safety. The tests on the lithium-ion batteries at the center of Boeing's unprecedented crisis were conducted by the company. And the people the FAA designated on its behalf to ensure that the batteries conformed to its safety regulations also were Boeing employees. That shift toward "self-certification" accelerated during the past decade even as critics say advances in aerospace technologies have created greater need for closer independent scrutiny. Under streamlining begun in 2005, the FAA has granted Boeing in-house oversight for new planes in production and approval of major repairs and alterations. In a 2011 review, the inspector general of the Department of Transportation found the FAA in one case delegated some 90 percent of the determination for regulatory compliance for new aircraft design to outside representatives. The Inspector General's Office would not identify the company, but the report focused on Boeing, Cessna Aircraft and Bombardier-Learjet.
The FAA is examining its own certification of the 787 in 2011, even as an international probe continues into what caused a fire and another battery malfunction last month that sidelined Boeing's new flagship jet. Bret Jensen, a spokesman for Boeing, responded that the 787 was subject to greater scrutiny from the FAA than any previous jetliner. "We are confident in the regulatory process that has been applied to the 787 since its design inception and we are confident in the safety and quality built into our products," he said. Critics say the FAA's heavy

reliance on manufacturers to attest to the safety of their own products has largely relegated the agency to an administrative role — and has left it without the expertise and manpower to adequately challenge and revise safety standards. For example, the FAA allowed Boeing more than three dozen deviations from existing safety requirements for the composite-frame 787. Called Equivalent Levels of Safety, they were Boeing's alternative proposals for complying with regulations concerning fuel-tank flammability, auxiliary power unit installation and other design and operational matters. The FAA issued so many exceptions for the 787 that it "represents an aircraft that sort of meets the regulations," contends Michael Dreikorn, principal partner at ASD Experts, an aviation consulting firm in Bokeelia, Fla. Dreikorn, a former FAA official who was vice president of quality and regulatory compliance for jet-engine maker Pratt & Whitney, believes the FAA should have applied more of its own expertise and direct oversight to the 787's many new technologies. Dreikorn has been a paid expert in a whistle-blower lawsuit filed by Boeing employees in Wichita, Kan., claiming manufacturing defects in some 737-Next Generation planes.

One question now is whether FAA engineers adequately gauged the risks posed by the 787 battery, which the agency called a novel technology. The FAA approved its use in 2007 — four years after Boeing first applied to build the jet — but attached nine conditions to reduce potential hazards. Lithium-ion batteries are well known for being much more flammable than older nickel-cadmium batteries, with fires that are all but impossible to extinguish until a battery's solvent-based liquid electrolytes burn out. Among other things, the FAA required the battery design to prevent the possibility of spreading, uncontrolled overheating. That danger, known as thermal runaway, is exactly what occurred in the first of two 787 incidents, when a fire broke out aboard a Japan Airlines 787 after it landed in Boston's Logan Airport on Jan. 7. The National Transportation Safety Board (NTSB) said the battery showed signs of short-circuit and thermal runaway.

The FAA also had decreed that any battery malfunction not damage surrounding electrical systems and equipment enough to cause a more serious failure. Yet the Japanese plane sustained damage to the adjacent electronics bay, although the NTSB has yet to determine whether the battery — located beneath the cabin in the plane's rear and accessible only from the outside — could have disabled critical flight controls had the fire occurred in midair.

Mary Schiavo, former inspector general for the Transportation Department, said the FAA's extra safeguards for the battery instead turned out to be a blueprint for malfunctions. "This regulation predicted that this would happen," Schiavo said. She questioned the FAA's decision to "contain a failure, not eliminate it." She contends the agency perhaps should have pushed Boeing harder to consider alternatives to lithium-ion technology.

According to the FAA, Boeing's battery tests were observed by both company employees and agency staff. Some of the Boeing employees were acting as representatives of the FAA because Boeing has what's called an Organization Designation Authorization (ODA) to act as proxy on certification oversight.

From the early days of commercial aviation, the FAA has relied on third-party observers to ensure aircraft were designed engineered and produced according to regulation. But partly in response to complaints about a slow and inefficient certification journey, the FAA has shifted even further away from detailed product oversight to focusing on overall systems safety.

The creation of the ODA system was one big change. Under it, Boeing became an FAA designee with wide latitude in picking the company's own engineers to sign off on their employer's work on behalf of the FAA. Previously, engineers in that role were approved by and reported directly to the FAA.

Bart Crotty, an aviation-safety consultant in Springfield, Va., said the FAA lacks the technical firepower to directly inspect every stage of getting a new aircraft in the air. So it's left to the manufacturers' employee engineering delegates to review the design, plan and observe tests, and certify they meet applicable standards. FAA staff will attend many critical tests involving safety issues — such as flammability of new materials and design of flight controls — especially before the initial "type certificate" is issued for a new jet model. If they witness something questionable, FAA employees can refuse to sign off on a certificate, Crotty said. But for the most part, the FAA's role is largely administrative, such as overseeing data recording. In fact, FAA employees don't conduct any hands-on inspections because of liability risks, said Crotty, who is a former industry designated airworthiness representative. And once the manufacturer receives a production certificate greenlighting assembly, "the FAA becomes a ghost," he said. Boeing's Jensen said ODA is not tantamount to self-certification. Instead, he said, Boeing's authority extends only to "routine compliance activity where we have the expertise and have demonstrated the capability," with the FAA retaining ultimate authority. Jensen said Boeing is not disclosing how many battery tests it ran or other details. Dreikorn, the former FAA official, doesn't believe the FAA ought to subsidize private research by conducting separate tests. Still, he contends the FAA wasn't quick or rigorous enough in anticipating troubles with the new lithium-ion technology. The FAA's conditional approval for the 787 battery came a year after a three-alarm fire in Tucson, Ariz., in 2006 leveled a building where the company that makes the battery's charging-control system was working with a prototype. In an incident in 2011, a new Cessna Citation business jet caught fire at that company's plant in Wichita, Kan., while its lithium-ion battery was being recharged. Cessna quickly decided to swap out the battery with nickel-cadmium versions that are less prone to ignite. That did not prompt the FAA to revise its special conditions on the 787 battery. According to the FAA, the design of Cessna's lithium-ion battery was different from Boeing's. Besides, the FAA said, the Cessna fire was caused by a mechanic who bypassed safety controls. Dreikorn said that wasn't good enough. "The FAA should have cast a very large shadow over the (787) design and certification processes. But,

without the right expertise, the shadow does little good," he said. If Boeing turns out to have made technical mistakes or followed regulations with less than absolute diligence, he said, "the FAA allowed them to do it." Kyung Song: 202-383-6108 or ksong@seattletimes.com.

* 1/31/13. OIG Report. FAA and Industry Are Advancing the Airline Safety Act, but Challenges Remain To Achieve Its Full Measure. (Requested by the Ranking Members of the House Committee on Transportation and Infrastructure and its Aviation Subcommittee and the Chairmen and Ranking Members of the Senate Committee on Commerce, Science, and Transportation and Aviation Subcommittee.) ID: AV-2013-037. Link > https://www.oig.dot.gov/sites/default/files/Safety%20Act%202010%20Report%5E1-31-13.pdf Requested by the Ranking Members of the House Committee on Transportation and Infrastructure and its Aviation Subcommittee…. . Excerpts. Full PDF Report available. "Summary; On January 31, 2013, we issued a report on the Federal Aviation Administration's (FAA) progress and challenges in implementing the Airline Safety and FAA Extension Act… We found that FAA has made considerable and important progress implementing many elements of the Act, such as advancing voluntary safety programs, improving pilot rest requirements, and establishing better processes for managing safety risks. We also found the Agency has not sufficiently targeted assistance to smaller air carriers who are furthest behind in developing new safety programs. In addition, FAA faces challenges with meeting timelines for key rulemaking efforts and with developing a long-term strategy for transitioning to a new pilot records database, including addressing privacy concerns. We made five recommendations to FAA to improve its efforts in implementing the Act. FAA concurred or partially concurred with all five, but we are requesting that the Agency submit additional information or reconsider its response for three of them." See Link for full text

EDITOR NOTES; From the 18 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

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* 9/11/12. GAO Report. Additional FAA Efforts Could Enhance Safety Risk Management. (SMS) Report # GAO-12-898. Link > https://www.gao.gov/assets/gao-12-898.pdf Excerpts. Full PDF Report available. "Why GAO Did This Study; …..The FAA is seeking to further enhance safety by shifting to a data-driven, risk-based safety oversight approach--referred to as SMS. SMS implementation is required for FAA and several of its business lines and the agency is taking steps to require industry implementation. What GAO Found; The Federal Aviation Administration (FAA) and its business lines and offices are in different stages of their implementation of Safety Management Systems (SMS). ….. FAA business lines, such as the Aviation Safety Organization (AVS) and the Office of Airports (ARP), have SMS guidance and plans largely in place and have begun to integrate related practices into their operations, but many implementation tasks remain incomplete, and officials and experts project that full SMS implementation could take many years……. FAA has only partially addressed other key practices such as developing a project plan to track SMS implementation, and FAA has not addressed performance-related practices such as establishing SMS performance measures or links between employees' performance standards and SMS……challenges related to data sharing and data quality; capacity to conduct SMS-based analyses and oversight; and standardization of policies and procedures could negatively affect FAA's efforts to implement SMS in a timely and efficient manner. Further, FAA officials stated that SMS implementation will require some skills that agency employees do not have, but FAA has not yet assessed the skills of its workforce to identify specific gaps in employee expertise. In addition, while existing federal law protects any data collected for SMS, any data airports collect could be subject to state-specific Freedom of Information Act laws, a gap that could create a disincentive for airports to fully participate in SMS implementation. Recommendations; GAO recommends that FAA develop systems to: track SMS implementation, evaluate employee performance as it relates to SMS, and assess whether SMS meets its goals and objectives; conduct a workforce analysis for SMS; and consider strategies to address airports' data concerns. The Department of Transportation agreed to consider the recommendations and provided clarifying information about SMS, which GAO incorporated". See Link for full text

EDITOR NOTES; From the 39 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

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* 9/10/12. OIG Report. Audit Initiated of FAA's Oversight of the Voluntary Disclosure Reporting Program. (VDRP) Project ID: 12A3013A000. Link > https://www.oig.dot.gov/library-item/28698 Excerpts. Full PDF Report available. "Summary; The Office of Inspector General plans to initiate an audit of the Federal Aviation Administration's (FAA) oversight of the Voluntary Disclosure Reporting Program (VDRP). We are conducting our review in accordance with a provision in the FAA Modernization and Reform Act of 2012. Established in 2006, FAA's VDRP allows air carriers to voluntarily report adverse safety issues to FAA without fear of enforcement actions. Our objectives will be to determine whether FAA: (1) ensures that air carrier disclosure reports meet FAA requirements prior to acceptance into the Voluntary Disclosure Reporting Program; and (2) evaluates the effectiveness of air carrier corrective actions prior to closing the reports." See Link for full text

EDITOR NOTES; From this document there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

5/10/12. Media Article. Despite Recommendations, FAA Still Not Budging On Mandatory Bird Strike Reports, by Nolan Peterson. Link > http://news.medill.northwestern.edu/chicago/news.aspx?id=205369 Text; "Herricks, who has a Ph.D. in biology, works with the FAA to develop strategies to minimize wildlife interactions with aircraft and improve air safety. He said there are at least 20 bird strikes on U.S.

aircraft every day, and likely many more that go unreported. "Only 30 or 40 percent of bird strikes are reported, and the costs are handled by the airlines and aircraft owners. So the risk is there, but there isn't any pressure on the FAA to do anything – responsibility has largely been relegated to the airports," Herricks said. The FAA's bird strike database archived more than 29,500 civilian aircraft strikes in the U.S. in the last three years. This number represents a fraction of the bird strikes that actually occur. A 2009 FAA study estimated that 39 percent of bird strikes are actually reported, while a 2010 Department of Defense study puts the reporting rate at only 20 percent. Despite pushback from the FAA, the NTSB continues to believe mandatory bird strike reporting could improve air safety. According to the NTSB, "The FAA chose not to adopt the recommendation; however, the Board continues to believe that mandatory reporting of all wildlife strikes would allow a more complete and accurate assessment of the wildlife strike problem and would enhance mitigation efforts." Efforts to make the bird strike database secret The debate over mandatory bird strike reporting is not the first time the FAA and NTSB have clashed over issues relating to bird strikes. Notably, the FAA drew criticism from experts and lawmakers in 2009 when it proposed a federal law to make its national bird strike database off-limits to the public."

5/8/12. Media Article. Office of Special Counsel; Seven concerns listed to highlight FAA failings. News article. The Washington Post. Link > http://triblive.com/home/1515119-74/seven-cases-concerns-counsel-dot-lerner-letter-planes-airport-aviation Text; "Brief - WASHINGTON -- Air traffic controllers in New York sleeping, playing video games and going home early. Planes bound for one airport hitting turbulence from big jets headed to another airport. Unauthorized planes entering U.S. airspace. Bad instruments and inconsistent rules jumbling efforts to land planes at busy airports. Those safety concerns were among seven outlined by U.S. Special Counsel Carolyn Lerner in a letter on Tuesday to the White House that criticized the Federal Aviation Administration for being slow to respond to problems that could put airline passengers at risk. While the letter focused on seven specific cases, Lerner said they reflect a pattern of behavior by an agency that is slow to respond to criticism. "This snapshot we're looking at with these seven cases is not unusual, given what we've seen over the last 5 1/2 years," Lerner said at a news conference. "I think the facts speak for themselves. These are serious allegations."

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* 4/25/12. GAO Report. FAA Is Taking Steps to Improve Data, but Challenges for Managing Safety Risks Remain. (SMS) Report GAO-12-660T. Link > https://www.gao.gov/assets/gao-12-660t.pdf Excerpts. Full PDF Report available. "Why GAO Did This Study…. As a result of recent accidents and related NTSB findings, FAA announced a Call to Action Plan in June 2009 to, among other things, increase air carrier participation in voluntary safety programs …. As a result, FAA developed a concerted strategy to implement new safety programs, including increasing air carrier use of voluntary safety programs and advancing the use of SMS….. SMS—a data-driven, risk-based safety approach that involves establishing the necessary organizational structures, accountabilities, policies, and procedures. The implementation of SMS heightens the importance of obtaining and using high-quality aviation safety data. What GAO Found…. FAA uses data reactively and proactively to prevent accidents and manage safety risks ….. since 1998, FAA has partnered with the airline industry to identify precursors and contributing factors, and ensure that efforts to improve safety focus on the most prevalent categories of accidents and formulate an intervention strategy designed to reduce recurrences. Although FAA plans to continue using data reactively to understand the causes of accidents and incidents, as part of its adoption of Safety Management Systems (SMS), it is shifting to a proactive approach in which it analyzes data to identify and mitigate risks before they result in accidents ….. systems and processes that capture accurate and complete data are critical for FAA to determine the magnitude of safety issues, assess their potential impacts, identify their root causes, and effectively address and mitigate them. Though FAA has put in place data quality controls, weaknesses remain in some areas. In particular, several FAA databases GAO reviewed in 2010 did not have a managerial review process prior to data entry—an important control that helps ensure data accuracy and completeness. In response to GAO's recommendations, FAA is taking steps to address its data weaknesses, but vulnerabilities that remain potentially limit the data's usefulness for safety analysis. FAA also continues to experience data-related challenges, including limitations with the analysis it conducts and the data it collects and the absence of data in some areas ….. Recommendations; GAO has made a number of recommendations to address data quality weaknesses. See Link for full text .

EDITOR NOTES; From the 18 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

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* 4/12/12. OIG Report. Audit Initiated of FAA's Implementation of the Aviation Safety Information Analysis and Sharing (ASIAS) System. Project ID: 12A3002A000. Link > https://www.oig.dot.gov/library-item/28942 Excerpts. Full PDF Report available. "Summary; The Office of Inspector General plans to review the Federal Aviation Administration's (FAA) use of information systems for improving air carrier oversight, specifically the Aviation Safety Information Analysis and Sharing (ASIAS) system. First implemented in 2007, ASIAS is a tool that collects and analyzes data from multiple databases to proactively identify and address safety risks that may lead to accidents. We are conducting this review in accordance with a provision in the Airline Safety and FAA Extension Act of 2010. Our audit objectives will be to assess FAA's: (1) progress in implementing ASIAS; (2) process and plan for allowing system access at both field and

headquarters levels; and (3) use of ASIAS data to assist in commercial air carrier safety oversight." See Link for full text
EDITOR NOTES; From this document there is no mention of the FAA's Mandatory Service Difficulty Reporting Program

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3/20/12. OIG Testimony. Progress and Challenges in Responding to Key Provisions of the Airline Safety Act. (Pilot Data).
Link > https://www.oig.dot.gov/sites/default/files/FAA%20Safety%20Testimony%5E3-20-12.pdf Excerpts. Full PDF Report available.
"Summary; On March 20, 2012, the Inspector General testified before the Senate Subcommittee on Aviation Operations, Safety, and Security regarding the Federal Aviation Administration's (FAA) commercial airline safety oversight. Specifically, the Inspector General focused on FAA's implementation of the 2010 Airline Safety and FAA Extension Act, emphasizing: (1) FAA's progress in responding to provisions of the Act; (2) the challenges FAA faces in implementing certain provisions; and (3) concerns related to achieving the full measure of safety enhancements intended by the Act. The Inspector General noted that FAA has made important progress related to key Act requirements, such as strengthening pilot rest requirements and advancing programs for managing safety risks. However, FAA has yet to implement Act provisions related to pilot training, professional development, and qualifications, due in large part to industry concerns. The Agency also faces challenges in establishing a pilot records database to enhance carriers' screening process for pilot applicants. In addition, FAA needs to assist smaller carriers in developing and managing the safety programs called for in the Act to fully realize the benefits of increased safety reporting and trend analyses." See Link for full text .

12/22/11. Media Article. FAA's New Pilot Fatigue Rules Aim To Put Concerns To Rest Safeguards, Including Minimum Rest Periods, Will Be Phased In, Don't Apply To Cargo Pilots. By Jon Hilkevitch, Chicago Tribune reporter. Link > http://articles.chicagotribune.com/2011-12-22/business/ct-biz-1222-pilot-fatigue-20111222_1_reserve-pilotscargo-pilots-air-line-pilots-association Text; "Long-awaited aviation safeguards were announced Wednesday to increase the minimum rest period for airline pilots and make it easier for fatigued pilots to remove themselves from duty. The Federal Aviation Administration's rules rely on the latest science into how the body clock works to establish pilot flight-time limits and the duration of on-duty and rest periods, officials said. Among the provisions, the revised rules will require that pilots receive at least 10-hour rest periods before flights, including the opportunity for eight hours of uninterrupted sleep. The previous rules mandated a minimum eight-hour total rest period, which often resulted in insufficient sleep when taking into account the time it takes to depart an airport and check into a hotel. FAA Acting Administrator Michael Huerta said the changes will lead to "more rest and better rest before flying." In the aftermath of accidents in which fatigue may have played a role and reports that it is common for pilots to take turns napping during flights, the new regulations should also reassure passengers that sleepy pilots are not flying their plane, officials said. One criticism voiced Wednesday, however, was that the rules will be phased in slowly during the next two years, in part because they will be expensive for the airlines to implement. The FAA projected the cost to the industry at $297 million over 10 years. The airlines' investment is significantly lower now that some requirements have been dropped from an earlier rules draft, industry experts said. It remains unclear whether the airlines will need to hire or assign more reserve pilots and make other changes to comply, the officials said. Pilots are generally "encouraged that the new rules are science-based and not the archaic rules we have been using since piston-powered airplanes," said Jerry Leber, a United Airlines first officer who is also a union spokesman for the United unit of the Air Line Pilots Association. But referring to the fact that cargo flights are exempted under the rules, Leber, who flies Airbus A320 aircraft, said, "It's obvious that cost trumps safety in a lot of cases." ALPA President Lee Moak said the union is "disappointed that cargo operations are being held to a lesser standard.'' The FAA said that including cargo carriers would have added more than $200 million to the program's cost. When the rules are in place, pilot scheduling requirements will be based on factors that include the time the workday starts, the number of time zones crossed and whether the flights are commuter short hauls, cross-country or international, officials said. U.S. Transportation Secretary Ray LaHood said the changes, widely backed by safety advocates, will keep tired, bleary eyed pilots out of the cockpit. "If (a pilot) feels too fatigued to fly, the new rule gives him the right and the responsibility to say so," LaHood said. "Our charge, above all else, is to save lives." The new rules follow the Colgan Air regional airline crash near Buffalo, N.Y., on Feb. 12, 2009, in which 50 people were killed. The flight's captain spent the previous night in an airport crew lounge and the co-pilot had commuted overnight from the West Coast to New Jersey, the accident investigation found."

12/21/11. Media Article. FAA announces pilot fatigue rule. By Jim Barnett, CNN.
Link > http://articles.cnn.com/2011-12-21/travel/travel_pilot-fatigue-rule_1_pilot-fatigue-flight-and-duty-time-pilotsand-airlines?_s=PM:TRAVEL Text; "The U.S. Department of Transportation and the Federal Aviation Administration announced Wednesday a sweeping final pilot fatigue rule governing how much time off commercial passenger pilots must have between work shifts, ensuring they have a longer opportunity for rest before they enter the cockpit. The new rule sets a 10-hour minimum rest period prior to a flight duty period, a two-hour increase over the old rules. The new rule also mandates that a pilot must have an opportunity for eight hours of uninterrupted sleep within the 10-hour rest period. The DOT said the proposal was science based, and would significantly increase public safety. The final rule will take effect in two years, according to the FAA, to allow commercial passenger airline operators time to transition, rearrange schedules and

indoctrinate pilots. "This is a major safety achievement," said Transportation Secretary Ray LaHood. "We made a promise to the traveling public that we would do everything possible to make sure pilots are rested when they get in the cockpit. This new rule raises the safety bar to prevent fatigue." LaHood disputed criticism the changes in the rule took a long time. "We wanted to make sure we got it right. We took time to listen to people. Every voice was heard," LaHood said. "You can't implement overnight. It takes time." "Every pilot has a personal responsibility to arrive at work fit for duty. This new rule gives pilots enough time to get the rest they really need to safely get passengers to their destinations," said FAA Acting Administrator Michael Huerta. It was a point echoed by Transportation and Infrastructure Committee Chairman John Mica, R-Florida, who released a statement saying, "While the final rule provides improvement for aviation safety, pilots must take personal responsibility for coming to work rested and fit for duty. The government cannot put a chocolate on every one of their pillows and tuck them in at night." The FAA said it "expects pilots and airlines to take joint responsibility when considering if a pilot is fit for duty, including fatigue resulting from pre-duty activities such as commuting. At the beginning of each flight segment, a pilot is required to affirmatively state his or her fitness for duty. If a pilot reports he or she is fatigued and unfit for duty, the airline must remove that pilot from duty immediately."

8/3/11. OIG Report To FAA Administrator. FAA Polices and Plans Are Insufficient To Ensure An Adequate And Effective Acquisition Workforce. Report Number: ZA-2011-148. See Link > http://www.oig.dot.gov/sites/dot/files/FAA%20Acquisition%20Workforce_0.pdf Excerpts. Full PDF Report available. "In 2008, FAA launched an ambitious planning effort to develop strategies for hiring, training, developing, and retaining acquisition employees. In 2009, FAA issued its initial Acquisition Workforce Plan on the agency's workforce needs from fiscal year 2009 through fiscal year 2011, and updated the plan in 2010 to project these needs through fiscal year 2014. This increase helps fund important modernization programs, including the Next Generation Air Transportation System (NextGen)—a system intended to accommodate increased air traffic, which is expected to triple by 2025. At the same time, 20 percent of FAA's acquisition workforce is eligible to retire, with a cumulative retirement eligibility of 40 percent by fiscal year 2015. FAA's significant contracting budget coupled with the projected attrition emphasizes the need for effective acquisition workforce planning. We reviewed the 2009 plan and found that it lacked sufficient development to ensure FAA staff would have the skills and expertise needed to effectively manage and oversee FAA's acquisitions."

6/14/11. Media Article; (FAA INSPECTOR RETALIATIONS). More heartbreak for FAA whistleblowers. The Examiner, Wash, D.C news article. Link > https://www.washingtonexaminer.com/more-heartbreak-for-faa-whistleblowers (Regarding FAA Inspectors Gabe Bruno, Edward Jeszka, Rich Wyeroski, Kim Farrington, and Mary Rose Diefenderfer). Text; "Members of the FAA Whistleblowers Alliance were expecting more from Clayton Foushee Jr., head of the Federal Aviation Administration's Office of Audit and Evaluation. Hoping that Foushee was finally willing to do something about the relentless retaliation reported by former FAA employees forced out for doing their jobs, they were once again disappointed. "Older cases would have lesser priority," FWA Executive Director Gabe Bruno, who attended the meeting last week at the downtown offices of the Government Accountability Project, told The Washington Examiner. The former FAA manager was forced to retire after uncovering a fraudulent airline mechanic certification scheme in which 33 "mechanics" shared the same address in Saudi Arabia. "They made it clear that their primary mission is to protect current employees who blow the whistle, not expand it to people who left the agency," concurred GAP Legal Director Tom Devine. Foushee admitted that FAA managers are still abusing their authority, but told the former employees there was nothing he could do for them. However, Devine believes mothballing old cases is a big mistake. "Some old cases have the most chilling effect on would-be whistleblowers. Because they are symbols of intimidation and the hopelessness of seeking justice, they undercut AAE's ongoing work. They sabotage their own credibility by washing their hands of them."

One example is **Edward Jeszka**, a former flight standards inspector in Birmingham, Ala., whose FAA certificate was revoked after he reported that a supervisor was diverting tens of thousands of dollars for his own personal training -- and FAA management signed off on the fraud. The crooked employee even crashed a $180,000 government helicopter, but it was Jeszka who got the boot. "AAE has been in business for over a year and hasn't helped anybody," complained **Rich Wyeroski**, a former Long Island inspector who says he was fired after reporting runway incursions and other serious safety violations. He claims FAA blackballed him so he could not get another job, planted backdated regulations in the Federal Register to justify his illegal firing, and then lied to an administrative court judge.

The fact that Foushee reports directly to FAA Chief Counsel David Grizzle -- who is defending the agency against Wyeroski's accusations -- doesn't help. After 8 years, Wyeroski's case is pending before the Merit Systems Protection Board, which he describes as "standing on a high wire on top of a banana peel" because the board historically has sided with less than 2 percent of plaintiffs who make it that far. Former FAA cabin/aviation safety inspector **Kim Farrington,** whose case in on appeal, says she was also hounded out of the agency after insisting that flight crews were not receiving adequate emergency training -- even though three passengers perished because a flight attendant did not know how to open the exit door of a burning DC9. The National Transportation Safety Board sided with Farrington's interpretation of the rules -- but that was not enough to get her job back. Disheartened by Foushee's response, FWA members have good reason for optimism. **Mary Rose Diefenderfer**, formerly the FAA's top safety inspector in Seattle, was forced out after she reported that Alaska Airlines was falsifying

maintenance records -- a year before a critical stabilizer assembly failed and sent Alaskan Airlines Flight 261 careening into the Pacific Ocean, killing all 88 people on board. She also fingered an airline executive who used highly flammable vodka to de-ice a jetliner grounded in Siberia, warning Congress that "dedicated, ethical inspectors are attacked every day for upholding public safety." Earlier this year, after 12 years of litigation, the FAA reportedly awarded Diefenderfer a large settlement. Foushee did not return a telephone call seeking comment for this column. Barbara F. Hollingsworth is The Examiner's local opinion editor." .

5/29/11. . Media Article; (FAA INSPECTOR RETALIATIONS). FAA Culture of Cover Up Causes Repeat Mistakes. by Scott Bloch

Link > http://www.dcresultslawyers.com/2011/05/29/faa-culture-of-cover-up-causes-repeat-mistakes/ (Regarding FAA Inspectors Bobby Boutris, and Doug Peters. Also Air Controller Anne Whiteman). Text ; By Scott J. Bloch. G.K. Chesterton said, "If a thing is worth doing, it is worth doing badly." This famous witticism turns out too often to be a guiding principle for government oversight. Americans are tired and frustrated. We sense that there is too much money and corruption in our government. We're tired of compromise in aviation safety by the Federal Aviation Administration. We now learn from the Transportation Department Inspector General that near misses are up over fifty percent. You know there is something wrong when every week for a month controllers are being caught falling asleep on the job, watching movies, or bringing the First Lady's airplane up close and personal with the flying public. And more recently the Second Lady's plane was on a crash course with another plane out of Chicago O'Hare airport. Somebody is going to pay. Only it will not be the FAA. They'll find a suitable scapegoat. And if anyone speaks up, he will be fired or retaliated against. Over and over, when the FAA is caught asleep at the wheel, those in charge rattle their sabers, fire low level individuals and allow the management that refuses to play by the rules to stay in power. Soon it all slouches back into a comfy system because the FAA does not like oversight, does not tolerate whistleblowers, and will say whatever it takes for the cameras to stop rolling and the members of Congress to stop having hearings. I know because I shined the light on FAA malfeasance and cover up for five years when I headed the independent oversight agency United States Office of Special Counsel (OSC). In several rounds of near-misses of aircraft, Air Traffic Controller **Anne Whiteman** learned that blowing the whistle on FAA malfeasance did not pay. She was proved right in two separate investigations by my office, one in 2005 (featured on Oprah show), one in 2007 with a second whistleblower in her control facility. During that round, she revealed cover ups of serious near misses, including controllers playing chicken with planes, and the FAA lying about fixing the problem. In the second round, FAA tried to shift blame to pilots in order to cover up safety violations and keep those safety numbers from edging up. After the Inspector General and press revealed the seriousness of the cover ups, the FAA swore it had taken care of the problems, the wrongdoers, and would no longer cover up near misses and incidents that endangered passengers. But they hadn't. Anne Whiteman was retaliated against so often she felt she had to retire. Threats to her life, removal of privileges of employment, attempts to find dirt on her, and harassment by management and rank and file alike took their toll. Now the third round is upon us, and we are seeing no sign that the house cleans itself. OSC also experienced several rounds with FAA on cover up of fraudulent mechanics certificates for FAA safety mechanics. In that case, the whistleblower experienced retaliation as well. Witness another example of a repeat problem in the grounding a month ago of some 300 scheduled flights, and hundreds of aircraft due to the five-foot fuselage hole and depressurization of the Southwest Airlines flight 812 in Yuma, Arizona. We brought these problems to light in 2007 and in 2008, Congressional hearings, OSC's investigation, and Inspector General's findings showed a cover up of the structural fatigue cracks in the ageing Boeing 737-300, 700 and other 737 series. Our whistleblowers, like Anne Whiteman, came forward and revealed a wide scale cover up of FAA and Southwest Airlines refusing to comply with Airworthiness Directives (ADs) requiring regular inspections of the fuselage of these Boeing 737s for just the type of holes or cracks that appeared in the recent depressurization of flight 812. Whistleblowers **Bobby Boutris and Doug Peters** reported to OSC that they as FAA maintenance inspectors were being stopped from enforcing this AD by FAA management under the so-called partnership program with the airlines. We found a violation of the AD and retaliation against Boutris and Peters for their efforts to uphold this important safety regulation. There was a revolving door problem of FAA safety inspectors being invited into cushier jobs with the very airlines they were supposed to oversee. We referred the case to the Inspector General of the Department of Transportation, Calvin Scovell III, for fuller investigation and correction of the problems, which he confirmed had occurred. Massive attention was paid, a high level FAA executive had to leave his job, 1000 planes were grounded, a whole fleet of Boeing 737s were mothballed, and still Southwest and other Airlines were allowed to let slide these dangers. I found that powerful interests in government don't like oversight one bit, and they retaliate and come after you. Is this the kind of oversight and aviation industry we want in America? Consider that in the face of ongoing problems with structural fatigue in the old 737, and in Boeing's Next Generation or NG 737, which is also facing non-conforming parts creating the very same structural integrity problems in the news. So did the FAA or Inspector General of the Transportation Department look into this? Not at all. FAA has gone into business with Boeing to develop the Next Gen or NG warning system and, so far, has tried to sweep the 737 NG structural problems under the rug. FAA is paying Boeing billions to develop and implement this NG system. Is this what America expects of its public officials, to get in bed with Boeing or other large aviation interests? John Adams said, "Good government is an empire of laws." But what happens when officials won't enforce those laws? We, the citizens, have to join with vigorous representatives who are not merely beholden to lobbyists or industry. They have tried to silence the whistleblowers, silence their critics. But their voices will be heard. That is if weren't not

asleep at the switch. Hon. Scott J. Bloch was Special Counsel over the U.S. Office of Special Counsel from December of 2003 until December of 2008 and now practices law on behalf of aviation and other whistleblowers, injured government contractors, and private and public employees, in Washington, D.C. "

5/19/11. OIG Report. Audit Initiated of Follow-Up Review of FAA and Industry Efforts To Enhance Airline Safety in Response to the Colgan Air Accident. Project ID: 11A3012A000. Link > https://www.oig.dot.gov/sites/default/files/Follow-Up%20Review%20of%20Efforts%20to%20Enhance%20Safety%20in%20Response%20to%20the%20Colgan%20Accident.pdf Excerpts. Full PDF Report available. "Summary; The Office of Inspector General plans to conduct a follow-up review of FAA and industry efforts to enhance safety in response to the 2009 fatal crash of Colgan Air flight 3407. We are conducting this review at the request of the Ranking Member of the House Committee on Transportation and Infrastructure and the Ranking Member of the Subcommittee on Aviation. Several safety initiatives were introduced following the Colgan Air crash through FAA's Call to Action on Airline Safety and Pilot Training and subsequently became requirements under the Airline Safety and FAA Extension Act of 2010. Effectively implementing these requirements in a timely manner is critical to enhancing safety for the traveling public. Accordingly, our audit objectives are to: (1) examine FAA and industry progress in implementing elements of the Act; and (2) identify any challenges to completing these actions." See Link for full text

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4/15/11. Media Article. FAA Ups Controller Staffing At 27 Towers.

Link > http://news.cheapflights.com/faa-ups-controller-staffing-at-27-towers/ Text; "In the wake of a wave of unanswered nighttime calls by concerned pilots to control towers, the Federal Aviation Administration is increasing midnight shift staffing at 27 facilities. The latest late night lapse, which was preceded by at least three previous incidents, triggered the response. The Reno-Gazette Journal reports that a medical flight with an ill patient on board was forced to land in the wee hours of Wednesday morning April 13 with no help from the tower. The sole controller on duty appears to have been sleeping. In March a similar incident occurred at Reagan Washington National. Later in the month, again on the midnight shift, controllers failed to "hand off" control of a departing aircraft to the Fort Worth Air Route Traffic Control Center. April 11 a controller fell asleep in the tower at Boeing Field/King County Airport in Seattle. Controller suspensions followed the incidents, as did outrage on the part of Transportation Secretary Ray LaHood. In a prepared release LaHood said, "This is absolutely unacceptable. The American public trusts us to run a safe system. Safety is our number one priority and I am committed to working 24/7 until these problems are corrected." Now, FAA Administrator Randy Babbitt and National Air Traffic Controllers Association President Paul Rinaldi have jointly issued a nationwide "call to action." DOT says they will be visiting air traffic facilities across the country to reinforce professionalism. The FAA is also reviewing the air traffic control system, looking at staffing and scheduling. For years there's been criticism of the way in which the Federal Aviation Administration schedules controllers on overnight shifts. Now, the issue has reached a head."

4/7/11. OIG Report. Audit Initiated of FAA's Aviation Safety Inspector and Analyst Staffing. Project ID: 11A3007A000.

Link > https://www.oig.dot.gov/sites/default/files/FAA%20Safety%20Inspector%20Staffing%20Announcement%20Letter.pdf Excerpts. Full PDF Report available. "Summary; As directed by Congress in the Airline Safety and FAA Extension Act of 2010, the Office of Inspector General plans to review the Federal Aviation Administration's (FAA) Aviation Safety Inspector (ASI) and Operations Research Analyst (ORA) staffing at commercial (i.e., Part 121) air carriers. The National Transportation Safety Board also highlighted this issue in its report on the 2009 Colgan Air accident, concluding that commercial carriers that experience rapid growth, increased complexity of operations, or increased accidents or incidents warrant more stringent FAA oversight. Therefore, our audit objectives are to: (1) evaluate FAA's process for assigning ASIs and ORAs to each Part 121 air carrier; (2) assess the number and level of experience of ASIs and ORAs assigned to each Part 121 air carrier; and (3) evaluate FAA's use of other surveillance processes to supplement the inspections performed by assigned oversight offices. See Link full text

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4/5/11. Media Article. Whistleblowers Claimed the FAA Let Southwest Keep Unsafe Planes In the Air.

Link > http://www.alternet.org/investigations/150518/whistleblowers_claimed_the_faa_let_southwest_keep_unsafe_plane s_in_the_air/

Text; "In 2008, the FAA faced criticism from investigators for acting too cozy with the airline industry – in particular, with Southwest. The five-foot tear in the roof of a Southwest 737 last week has not only brought renewed attention to the problem of aging planes, but also to problems in oversight of the airline industry. In a report that received limited attention when it was released in December, the Transportation Department's inspector general raised questions about the Federal Aviation Administration's safety checks of airliners. According to the report, the agency had failed to perform on-time inspections of the major airlines in more than 300 instances between fiscal years 2005 and 2009."

3/21/11. OIG Report. Letter to Ranking Member Costello Regarding FAA's Oversight of On-Demand Aircraft Operators.

Link > https://www.oig.dot.gov/sites/default/files/On-Demand%20Operators%20letter%20to%20RM%20Costello.pdf Excerpts. Full PDF Report available. "Summary; On March 21, 2011, we issued a letter to Representative Jerry F. Costello, Ranking Member of the House

Committee on Transportation and Infrastructure's Subcommittee on Aviation, to convey the results of our review regarding challenges in the Federal Aviation Administration's (FAA's) oversight of on-demand aircraft operators. We conducted this review to follow up on our July 2009 report that evaluated the differences between FAA regulations and oversight for on-demand operators and larger, commercial air carriers. Our report recommended actions for FAA to revise outdated safety regulations and improve its risk assessment processes. We also testified before that subcommittee in March 2010 on aspects of the industry where FAA should focus its oversight efforts. Since then, FAA has made notable progress in addressing our recommendations. Specifically, FAA has developed risk based tools to target safety issues inherent to on-demand operations and improved surveillance resources for FAA inspectors. The FAA also is updating the regulatory structure for on demand operators to address risks within Helicopter Emergency Medical Services operations and reduce human error in the cockpit through required crew resource management training. We commend FAA for these safety advancements but note that it also should focus on a number of National Transportation Safety Board recommendations aimed at closing regulatory and oversight gaps in areas such as air tours and illegal operators." See Link for full text

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12/16/10. OIG Report. FAA Needs To Improve Risk Assessment Processes For Its Air Transportation Oversight System. (ATOS). Project ID: AV-2011-026. Link > https://www.oig.dot.gov/sites/default/files/ATOS_Report.pdf Excerpts. Full PDF Report available. "Summary; On December 16, 2010, we issued our report on the Federal Aviation Administration's (FAA) Air Transportation Oversight System (ATOS). FAA uses ATOS to conduct surveillance of nearly 100 airlines that transport more than 90 percent of U.S. airline passenger and cargo traffic. While ATOS is conceptually sound, our prior reports have found that FAA needs to strengthen national oversight of the system. Following safety lapses at a major airline in 2008, the Senate Committee on Science, Commerce, and Transportation and the House Committee on Transportation and Infrastructure asked us to assess weaknesses systemwide. Accordingly, our audit objectives were to determine (1) whether FAA has completed timely ATOS inspections of air carriers' policies and procedures for their most critical maintenance systems; (2) how effective ATOS performance inspections have been in testing and validating that these critical maintenance systems are working properly; and (3) how well FAA implemented ATOS for the remaining Part 121 air carriers and what, if any, oversight challenges FAA inspection offices face. While FAA has worked to continuously improve ATOS, we found that FAA inspectors did not complete ATOS inspections of air carriers' maintenance policies and procedures or systems performance on time. In addition, FAA transitioned all of its Part 121 inspection offices to ATOS at the end of 2007, but--due in part to training gaps--some inspectors for smaller air carriers had difficulty adapting ATOS to those carriers' operations. We made seven recommendations to FAA to improve its data, training, and risk assessment processes for ATOS. FAA concurred with four of our seven recommendations and partially concurred with three." See Link for full text

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9/29/10. Media Article; (FAA INSPECTOR RETALIATIONS). Whistleblower Office Vindicates FAA Whistleblower, But Questions Remain On Hundreds Of Improperly Closed Cases. POGO article. Link > http://pogoblog.typepad.com/pogo/2010/09/whistleblower-office-vindicates-faa-whistleblower-but-questions-remain-on-hundreds-of-improperly-clo.html (Regarding FAA Inspector Robert Spahr and Richard Wyeroski.) Full Text; The federal Office of Special Counsel (OSC) yesterday announced that it substantiated the findings of Federal Aviation Administration (FAA) whistleblower Robert Spahr. Spahr, who is an aviation safety inspector, reported to the OSC that the FAA's flight standards district office in Pittsburgh and the FAA Eastern Division Regional Office violated regulations by failing to take action against three entities regulated by the FAA. CNN's Allen Chenoff reports that "Erie Aviation, a repair station operator that services commercial airlines; C.J. Systems, which pilots helicopters for hospitals around the country; and Air Charter Service, an operator of private charter flights," were the three entities FAA failed to take action against. Enforcement actions should have been taken in response to mechanical deficiencies and false entries in aircraft logs, according to the OSC.

But questions still remain about OSC's previous work with whistleblowers, including those at the FAA and Federal Air Marshal Service (the subject of a 2008 POGO report). Under Scott Bloch, the former Special Counsel who pled guilty to lying to Congress, literally hundreds of whistleblowers' cases were closed without investigation. A few weeks ago, CNN featured another FAA whistleblower in that agency's Eastern Division who says he's been a victim of OSC's dereliction of duty. Richard Wyeroski, a former FAA safety inspector in the Farmington, N.Y., office, told OSC that his FAA managers did not want a runway incursion incident at Long Island MacArthur Airport reported in order "to keep incursion numbers down." Runway incursions occur when aircraft are not where they are supposed to be on a runway, and can result in near misses of aircraft and even aircraft collisions. The development of mechanisms to prevent runway incursions has been on the National Transportation Safety Board's Most Wanted List for years. Wyerocki said he "was harassed for reporting this serious runway incursion through the Program Tracking Reporting System" maintained by FAA. "Wyeroski says his supervisor also tried to prevent him from earning this aviation inspection certificate and then terminated him in late 2002, falsely claiming Wyeroski had lied on his certificate application," according to a CNN transcript. The FAA did not respond to CNN's request for a comment. Days after the CNN segment on Wyeroski ran, Rep. Steve Israel, D-N.Y., wrote to the William Reukauf, the Acting Special Counsel, asking for a "full investigation" into Wyeroski's allegations.". -- Nick Schwellenbach.

9/9/10. Media Article. Who's Looking Under the Hood? Written by Barbara Peterson, Conde Nast Traveler.
Link > http://www.cntraveler.com/travel-tips/flying/2010/10/Who-s-Looking-Under-the-Hood Text; "In late June, when the Federal Aviation Administration proposed a $2.5 million fine against regional carrier Trans States Airlines for maintenance lapses in 2007 and 2008, the news drew little attention: Judging from the summary report released by the FAA, the carrier, which operates flights for United and US Airways, appeared guilty mainly of sloppy recordkeeping. But FAA case documents reviewed by Condé Nast Traveler reveal a more disturbing scenario: The FAA charged the St. Louis-based airline with operating 320 flights on nine aircraft used by Trans States and its affiliate GoJets in a "careless" manner "that endangered the lives and property of others," including thousands of passengers. Among the airline's transgressions, according to FAA documents, was a botched procedure on one plane that safety experts say could have led to an accident: Maintenance workers failed to attach a part to the wing flap that allows pilots to adjust the angle and slow the plane upon landing. The Trans States group, which operates 50 regional aircraft and carries some four million passengers annually, said in a statement that it would fight the FAA fine and "is confident we will be able to successfully dispute the allegations. " It's not just smaller or low-cost carriers like Trans States that are under scrutiny: Earlier this year, Southwest Airlines agreed to pay a $7.5 million fine—negotiated down from the 10 million originally proposed for operating more than 55,000 flights two years ago with aircraft that hadn't been properly inspected for cracks.
FAA records from 2002 to this year obtained by Condé Nast Traveler through the Freedom of Information Act show that the agency levied fines (most well under $100,000) against virtually every U.S. carrier in some 300 cases of improper maintenance and investigated close to 3,000 maintenance violations. But since the beginning of 2010 alone, the FAA has proposed multimillion--dollar fines against at least a half-dozen airlines, including: Northwest Airlines (now part of Delta), which is facing a $1.45 million fine for operating a number of 757s without proper windshield wiring inspections. American Eagle Airlines, which is facing a $2.9 million fine for "operating more than 1,000 flights using aircraft on which improper repairs were performed on landing-gear doors." American Airlines, which is facing a fine of just over $1 million for a string of violations ranging from failure to fix a malfunctioning onboard computer to flying a plane that was later found to have loos screws. (These charges are unrelated to the 2008 incident in which American had to ground 3,000 flights when FAA inspectors uncovered problems with wiring bundles in MD-80s.)
Some lawmakers and safety experts are voicing concern that the growing practice of outsourcing repairs, in tandem with other cost saving trends such as deferring non-essential maintenance, is adding up to a serious safety issue. "The FAA doesn't have the resources [to monitor maintenance], and the airlines don't have enough money," says a former FAA official who asked that his name be withheld in order to protect colleagues still at the agency. "We're sort of going on faith here." Battered first by the travel slump that followed 9/11 and then by the global economic crisis, U.S. carriers have spent nearly a decade implementing belt-tightening measures—from eliminating workers to retiring planes. One of the industry's most effective money-saving moves was its shift to outsourcing aircraft maintenance—a task traditionally performed by the carriers themselves. U.S. airlines still do much of the routine repairs themselves, but when it comes to the biggest jobs, they increasingly rely on independent maintenance facilities—both in the United States and abroad. At nine major airlines surveyed by the Department of Transportation (excluding American Airlines, which maintains its own planes), the cost of heavy maintenance completed by outside contractors grew from 29 percent of overall spending on repairs in 2002 to 71 percent in 2007. Of that amount, some 30 percent represents aircraft sent to foreign facilities, which can do the work for about half what it would cost the carrier for the same work in-house. Delta is reported to have saved $250 million in repair costs by sending its planes to outside facilities, such as the one it uses in Hong Kong. The airlines say that the work done by maintenance facilities is equal in quality to that done in-house, and they point out that the FAA is regularly required to inspect these repair shops. "Outsourcing allows airlines to remain competitive without sacrificing quality," says David Castelveter, spokesman for the Air Transport Association. Jim Sokol, vice president of maintenance operations at Southwest, agrees. "In today's world it is not easy to raise fares, and if you do, you lose the consumer," he says. "Our profitability is directly tied to getting good value out of our maintenance program." The airlines' long money-losing streak has contributed to concerns among some members of Congress that the industry's cost-cutting moves might be going too far. Many of them are now pushing for a crackdown on outsourcing. "We've got to be more careful about who's under the hood of our aircraft," Senator Claire McCaskill (D-Mo.) has said numerous times in her campaign for stricter oversight of aircraft maintenance. "We've got to make sure that these repairs are being done in a safe, secure, and accountable facility." One of the more vocal congressional critics of airline outsourcing, McCaskill—along with several other lawmakers, including Congressman James Oberstar (D-Minn.)—have proposed legislation that would prohibit airlines from using non-certified repair shops for heavy maintenance, would require more frequent inspections of facilities abroad, and would likely reduce the number of planes sent overseas for servicing. Even security concerns have entered the mix. The TSA is just now embarking on long overdue reviews of background checks and other security measures at foreign repair shops, and Congress has banned the FAA from approving any new overseas repair facilities until the inspections are done. Any legislation faces an uphill battle, in part because the U.S. airline industry continues to enjoy an enviable safety record and few accidents have been blamed directly on maintenance mistakes in recent years. In fact, the last fatal accident occurred in 2003, when an Air Midwest turboprop, operating as a US Airways code-share flight, crashed outside Charlotte, North Carolina, killing all 21 people aboard. The National Transportation Safety Board investigation concluded that the accident was caused by a faulty repair

made by a domestic subcontractor to a maintenance company.

"The U.S. aviation safety record has never been better, and that's not a matter of luck," says Carol Giles, a former airline mechanic who now runs the FAA's maintenance oversight division. "Maintenance is much less a contributing factor in accidents than it was in the past." While the airlines' safety record is indeed impressive—the accident rate for domestic carriers has dropped dramatically in the past 20 years—some argue that the lack of a catastrophe is no indication that maintenance standards are being upheld. "The absence of an accident does not mean the system is as safe as it should be," says John Goglia, an aviation safety consultant who was the first mechanic to be appointed as a NTSB member. Within the past few years, a round of DOT inspections of 15 outside repair stations—8 of them overseas—suggests that more oversight is needed. In one case, the temperature and humidity inside a storage room at an unnamed foreign facility were so far above the maximum allowed that it could have damaged critical aircraft parts; and the problem went uncorrected for several years after it was pointed out. At another foreign facility, repairs were being handled by unqualified employees working for a subcontractor that had never been approved for such work. And according to FAA documents obtained by Condé Nast Traveler, inspectors discovered a series of discrepancies at Ameco Beijing, a major facility in China. Jointly owned by Air China and Lufthansa, Ameco gets a substantial amount of business from U.S. and European airlines and just entered into its second five-year contract with United for heavy maintenance on its 747 and 777 fleets.

Letters to Ameco executives from FAA field inspectors based in Singapore detail a litany of violations of agency rules, including some described as "unsafe" and "dangerous." The letters, which date from 2004 to this year, cite numerous infractions, among them: improper storage of aircraft parts, open containers of chemicals that were past their expiration date and were left out in the open, and cigarette butts in the part of the hangar where engines and wings undergo sensitive structural testing. Other problems fell into what the FAA described as "cultural" concerns, such as lack of English--language comprehension.

In 2006 the FAA effectively put the facility on probation, renewing its certificate for only 4 months instead of the usual year, because of what was described as the facility's "systemic non-compliance." Ameco did fix most of these problems, according to the FAA. In a statement, United said that the facility meets the "very high standards" of the FAA and the industry.

Sending planes to foreign countries for repairs isn't a new phenomenon; aircraft, after all, are mobile assets, and it's only logical that carriers which fly internationally would use their global reach to save money on maintenance. When Condé Nast Traveler queried major airlines on where their planes are maintained, we learned that almost every major line sends some of its fleets out of the United States for heavy maintenance. Southwest, JetBlue, and US Airways all report that they use a large facility in El Salvador for much of their work; Delta, United, and Continental use repair shops in mainland China, Hong Kong, and Singapore. The FAA has approved 700 overseas facilities to maintain U.S. planes, more than double the 344 that had this privilege in the mid-1990s.

Reports of bungled jobs have only added to the controversy regarding outsourcing. A maintenance manager who is also a labor representative at a major U.S. carrier, and who asked that his name be withheld, reports that earlier this year a 767 returned from a Chinese maintenance facility with the landing gear "significantly underserviced." He says the problem was caught by the airline's own technicians when the plane landed at Newark. He and other labor officials cite similar cases: Not long ago, United had to ground a half-dozen 747s after work in Korea was done using tools that were incorrectly calibrated. And a US Airways A320 left an El Salvador hangar with crossed wires that could have led pilots to shut off the wrong engine in an emergency.

Carriers defend outsourcing by pointing out that the reason these lapses were discovered is that all work done by outside facilities is inspected by the airlines' own engineers before the planes are put back into service. Moreover, the list of international carriers that use facilities in El Salvador, Brazil, and Taiwan, for example, includes such heavyweights as Lufthansa, Japan Airlines, and Air Canada—all known for having a strong safety culture.

Maintenance lapses can occur anywhere, including at U.S. facilities. The question critics are asking is whether the FAA can adequately oversee the work done in foreign shops. Because the agency can't possibly provide on-site supervision at the roughly 4,000 maintenance facilities in the United States alone, it relies on the airlines' own employees, who are assigned to be present when major scheduled maintenance is being performed. If the work is being done abroad, inspectors from local FAA equivalents around the world are required to be present, and airlines send their own technicians to watch over important jobs.

But even a token appearance by the FAA is a stretch, says Linda Good-rich, regional vice president of the Professional Aviation Safety Specialists, the union that represents several thousand FAA employees assigned to inspect aircraft. She says that visa requirements, budgetary constraints, and other red tape add to the burden of overseas inspections. Besides, says Goodrich, the FAA "can't possibly show up unannounced, which removes one of our most effective weapons—the surprise visit."

The agency handles foreign inspections from a half-dozen international field offices, but inspectors spend less than a full day at any particular site. In fact, one FAA employee may be responsible for more than 20 repair stations spread around his or her region. Countries like China and Brazil have gained a significant amount of business from U.S. carriers in the last five years, raising another concern for safety watchdogs: Most inspectors don't speak the local language and are unable to determine if the mechanics fully understand the manuals they are following, which, for a U.S.-owned plane, are in English.

An internal investigation by the DOT found that the FAA did not send a single inspector to one large overseas engine repair shop for five years—despite the fact that at least one major airline sent nearly 50 engines there during that time. While the FAA employs several thousand safety inspectors, it has just 84 inspectors handling foreign maintenance checks.

"This has been a frustration for many years," says Goodrich, adding that repeated pleas for more staff in the field have been rebuffed. In response to such criticism, the FAA says that it has in fact added inspectors in recent years and that the airlines, which have statutory responsibility for making sure their planes are well maintained, have a strong incentive to ensure that repairs are done properly. The debate isn't just an in-house versus outsourcing question. Even airlines that do most of their own repairs are still under pressure to cut costs in their maintenance operations. One way they accomplish this is to defer non-essential repairs for as long as possible. But this approach is not without other costs: This year the DOT, acting on a tip from an anonymous informant, concluded that American Airlines' maintenance-related problems had risen dramatically—in part because its deferral rate had jumped 32 percent in the past four years. In February, a report from the DOT inspector general criticized the FAA and the carrier for "inadequate" supervision. American responded that it has worked with the FAA and addressed the problems, but at press time, the FAA was reportedly about to propose a record fine against the airline for maintenance violations dating to 2008. Even if carriers return to profitability, which they had by midsummer, their margins are so razor-thin that they can't afford to overlook any strategy that can save money, and their collective $7 billion annual maintenance price tag is too large not to consider trimming. In the short term, the scaling back of flights carried out by most large U.S. airlines in an effort to return to profitability may have given aviation safety an unexpected boost: Many of the old gas-guzzling aircraft that require the most maintenance have been retired to the desert, which has brought down the average age of the U.S. fleet. Additionally, the newer generation of planes relies more on composites, which are less subject to corrosion and fatigue than metal.

To those who argue that the recent enforcement activity by the FAA is an indication that carriers are cutting too far into their maintenance budgets, the agency says that it has found no evidence to suggest that this is the case. "The airlines are asking us if we've gotten tougher on them," says Giles. "Whether it is coincidental or not, we have had some serious issues in the past few years, and we don't take them lightly." What still remains to be seen is whether new FAA chief Randy Babbitt, a former leader of the largest airline pilots union, will deliver the resources required for stepped-up maintenance oversight. If the rash of fines this year suggests anything, Goglia says, it's that "there's a new sheriff in town."

7/30/10. Media Article. FAA NextGen Criticized For Poor Performance Tracking. By Elizabeth Montalbano Information Week. Link > http://www.informationweek.com/news/government/enterprise-apps/226400053 Text; "A General Accountability Office report has found the FAA project to overhaul the U.S. air-traffic control system lacks performance metrics and outcome-based goals. A General Accountability Office report has found the FAA project to overhaul the U.S. air-traffic control system lacks performance metrics and outcome-based goals. The Federal Aviation Administration (FAA) has received more criticism over its handling of an ambitious project to overhaul the U.S. air-traffic control system. A new report by the General Accountability Office (GAO) found the FAA is not doing an adequate job of measuring NextGen against the goals the system is meant to achieve. Specifically, the FAA lacks performance metrics in its acquisition of software and hardware, outcome-based goals and funding for NextGen, according to the report. NextGen aims to use technology to rebuild the stressed and outdated air-traffic control system in the United States by 2025. The project has been plagued by poor leadership and limited funding, however, and FAA officials recently told Congress they are not sure if it will meet its deadline." See Link for full text

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* 4/6/10. GAO Report. Improved Data Quality and Analysis Capabilities Are Needed as FAA Plans a Risk-Based Approach to Safety Oversight. GAO-10-414: Link > https://www.gao.gov/assets/gao-10-414.pdf Excerpts. Full PDF Report available. " To improve aviation safety, the Federal Aviation Administration (FAA) plans to have in place the initial capabilities of a risk-based approach to safety oversight, known as a safety management system (SMS), by the end of fiscal year 2010. FAA is also implementing new procedures and technologies to enhance the safety, capacity, and efficiency of the national airspace system. Data are central to SMS and FAA's ability to test the impact of these changes on safety. This congressionally requested report addresses FAA's (1) current and planned use of data to oversee aviation safety, (2) access to data for monitoring aviation safety and the safety performance of various industry sectors, and (3) efforts to help ensure data quality. To perform this work, GAO reviewed 13 databases that contain data on key aviation safety events, assessed data quality controls for the databases, and interviewed agency and industry officials, as well as 10 experts in aviation safety and data. (Ed Notes; Full Report shows SDR database was included). Recommendation; To help improve and expand FAA's capability to use data for aviation safety oversight, the Secretary of Transportation should direct the FAA Administrator to develop and implement a comprehensive plan that addresses how data fit into FAA's implementation of a proactive approach to safety oversight and ensure that this plan fully describes the relevant data challenges (such as ensuring data quality and continued access to voluntarily reported safety data), analytical approaches, and staffing requirements and integrates." See Link for full text (Ed Notes; Emphasis Added). *EDITOR NOTES; With the exception of chart reference on page 5, none of the 41 pages within this Report is there further mention of the FAA's Mandatory Service Difficulty Reporting Program*.

2/10/10. Media Article. FAA Close to Fining American Airlines. Link > http://www.cbsnews.com/2100-500395_162-6193212.html Text; "The FAA itself is coming under criticism by a government watchdog for lax oversight of American's aircraft maintenance. A spokesman for the Allied Pilots Association, which represents pilots at American, said the union brought some of the safety issues to the attention of the inspector general in 2008 after FAA inspectors failed to respond to the union's complaints. "We had been trying to bring some of these systematic issues to the attention of the FAA and were finding some significant push-back," said Sam Mayer, a spokesman for the union. The FAA has submitted replies to be included in the audit that agree with many of the conclusions about maintenance problems at American and some of the findings about weak oversight." See Link for full text

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11/18/09. OIG Report. Actions Needed to Improve Safety Oversight and Security at Aircraft Repair Stations.
Link > https://www.oig.dot.gov/sites/default/files/H_Hmlnd_Sub_Hrg_For_Rep_Stations_11.18.09.pdf Excerpts. Full PDF Report available. "Summary; On November 18, 2009, the Inspector General testified on the Federal Aviation Administration's (FAA's) oversight of repair stations. Air carriers' use of repair stations has risen dramatically in the last several years – both in the volume and type of repairs outsourced. The Office of Inspector General (OIG) has reported since 2003 that FAA's oversight of aircraft repair facilities is not robust enough to ensure that outsourced repairs meet FAA standards. Specifically, FAA does not know where all critical outsourced repairs are performed – for both certificated and non–certificated facilities. Instead, it relies heavily on air carriers' oversight of repair stations – even air carriers with known quality assurance problems. Several of the OIG's recommendations aimed at improving FAA's oversight of foreign and domestic repair stations remain open. Successfully implementing these recommendations would allow FAA to identify and target repair facilities in need of safety oversight…….. "See Link full text.

8/9/09. Media Article. Report criticized FAA for weak oversight of helicopters, small planes. By Alexi Friedman/The Star-Ledger.
Link > http://www.nj.com/news/index.ssf/2009/08/washington_less_than_a.html Text; "WASHINGTON -- Less than a month before the deadly midair collision involving a private plane and a sightseeing helicopter over New York's Hudson River, a federal watchdog warned about the lax safety oversight of the for hire flight business. A report issued by the Department of Transportation's inspector general criticized the Federal Aviation Administration for providing significantly weaker oversight of the "on-demand" flight industry – companies hired to fly aircraft, both helicopters and planes, that seat less than 30 people -- than it does of the commercial airline industry. Criticism of the FAA's oversight of the on-demand flight industry is nothing new. Since 2002, the NTSB has made 16 recommendations related to safety of the on-demand flight industry. The FAA has not implemented any of them. An FAA advisory committee spent two years examining on-demand flight industry safety, issuing 124 recommendations in September 2005. Nearly four years later, none of those recommendations -- many of which paralleled the NTSB recommendations -- have been implemented." See Link for full text

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7/13/09. OIG Report. Report on On-Demand Operators: Less Stringent Safety Requirements and Oversight than Large Commercial Air Carriers. Project ID: AV-2009-066. Link > https://www.oig.dot.gov/library-item/30277 Or https://www.oig.dot.gov/library-item/29757
Excerpts. Full PDF Report available. "Summary; On July 13, we issued our report on FAA's less stringent safety requirements and oversight for on–demand operators compared to larger, commercial air carriers. We conducted this audit at the request of the Chairmen of the House Committee on Transportation and Infrastructure and Subcommittee on Aviation, who were concerned with disparate regulatory requirements between large commercial and on–demand operators and the level of FAA oversight of on–demand operators. Our audit objectives were to (1) evaluate the differences between FAA regulation and oversight for on–demand operators and larger, commercial air carriers, and (2) identify specific issues that may hinder FAA's oversight of on–demand operators. This is the first of two reports on this audit and focuses solely on objective 1. We found that on–demand operators do not have to meet many of the regulatory requirements that large, commercial air carriers must follow. These operators also have more risk in their operating environments and receive less oversight from FAA. Further, FAA does not effectively target inspections to higher–risk on–demand operators. The number of fatalities from on demand operations makes it imperative that FAA address our recommendations, which focused on actions FAA needs to take to enhance safety and oversight of on–demand operators as it plans regulatory and oversight changes for this growing industry. FAA concurred with all of our recommendations. Our second report addressing objective 2 will be issued later this year." See Link for full text

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7/11/09. OIG Report. Regional Air Carriers and Pilot Workforce Issues.
Link > https://www.oig.dot.gov/sites/default/files/IG_House_Testimony-_Regional_Air_Carriers_and_Pilot_Workforce_Issues.pdf
Excerpts. Full PDF Report available. "Summary; On June 11, 2009, the Inspector General testified before the House Subcommittee on Aviation regarding regional air carriers, pilot workforce issues, and concerns with the Federal Aviation Adminstration's (FAA) oversight of the aviation industry. Last month's National Transportation Safety Board (NTSB) hearing after the crash of Colgan flight 3407 highlighted the need to closely examine regulations governing pilot training and rest requirements and the oversight necessary to ensure their compliance. This is a

particular concern at regional carriers, which constitute an increasing proportion of U.S. operations. The Inspector General noted several issues with regional and mainline carriers that could impact safety, such as identified differences in operating environments and potential differences in pilots' flight experience, training programs, fatigue levels, and compensation. Despite these differences, FAA maintains it has one level of safety for all types of air carrier operations. The Inspector General stated that while FAA has improved some aspects of its safety oversight, there are still weaknesses in its oversight and inconsistencies in how its rules and regulations are enforced. Given the concerns with regional carriers noted by the NTSB and the vulnerabilities previously identified with FAA's safety oversight, the Subcommittee requested that the Office of Inspector General review aspects of pilot training and rest requirements. The Inspector General stated that his office recently started this review, which focuses on FAA oversight of commuter and regional pilot training, the number of training hours needed before a pilot can assume pilot–in–command responsibilities, and how U.S. airlines update pilots on the latest technologies on the aircraft they operate. The review will also examine the information pilots are required to provide airlines and whether it is sufficient to verify pilot employment and training." See Link for full text

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7/2/09. Media Article; (FAA INSPECTOR RETALIATIONS). FAA whistle-blower safety warnings found to have merit. July 2, 2009. CNN story. By Allan Chernoff, CNN Sr. Correspondent. Link > http://am.blogs.cnn.com/2009/07/02/faa-whistleblower-safetywarnings-found-to-have-merit/ (Regarding FAA Inspector Christopher Monteleon) Text; "A federal investigation into Federal Aviation Administration employee whistle-blower safety complaints has found more than two dozen to be on the mark, CNN has learned, potentially putting the public's safety at risk. The federal Office of Special Counsel, which investigates allegations of reprisal against whistle-blowers, tells CNN it has made a "positive determination" that the FAA improperly responded to 27 current cases of FAA employee whistle-blowers warning of safety violations ranging from airline maintenance concerns to runway and air traffic control issues. It means that FAA is a very sick agency," said Tom Devine, legal director of the non-profit Government Accountability Project. "There's never been an agency that's had that large of a surge of whistle-blowers whose concerns were vindicated by the government's official whistle-blower protection office." The Department of Transportation told CNN, "We acknowledge it's a large number of cases." "We take whistle-blower complaints very seriously and we fully cooperate with all of the investigations," said FAA spokesperson Laura J. Brown.

Among the warnings found to have merit are those of FAA inspector Christopher Monteleon, who flagged safety problems at Colgan Air for several years before a Colgan plane crashed near Buffalo in February killing 50 people. He told CNN he's faced retaliation at the FAA for pointing out issues including faulty aircraft manuals and poor cockpit procedures he observed during in-flight aircraft testing. "My supervisor called me into his office and said, 'Stop your investigation.' He said that these violations never occurred," said Monteleon. But Monteleon continued raising safety concerns about the airline. Eventually he was demoted and put on leave of absence. "I had my aviation inspector credentials taken from me," Monteleon told CNN. "It has just been humiliating. It's been awful."

The FAA says it does not believe any of Monteleon's reassignments were retaliatory, and cannot comment further because this is a personnel issue covered by privacy laws. While the Office of Special Counsel has found merit in Monteleon's charges of safety violations, the Special Counsel continues to investigate his claim that he was the victim of retaliation for pressing his safety concerns. Though passenger safety is at stake, the Office of Special Counsel found the FAA has repeatedly deferred to the airlines it regulates. "That's shocking, and it's really unconscionable for a government agency that's supposed to be about safety, not about witch hunts for those who find safety lacking," said Mary Schiavo, inspector general of the Department of Transportation from 1990-1996, who is now an attorney representing families of accident victims. What's going on at FAA? Critics say it's the culture. In 2003, former FAA administrator Marion Blakey established a "Customer Service Initiative" that defined airlines as customers, rather than the flying public. The current Transportation Department inspector general Calvin Scovel, found, "FAA's definition of its customer has had a pervasively negative, although unintended, impact on its oversight program." While there's no evidence of illegal dealings, the FAA has an active revolving door. Agency managers regularly go on to work in the aviation industry while industry executives take top spots at FAA.

- Former FAA administrator Marion Blakey is now president and CEO of the Aerospace Industries Association.
- Former FAA chief operating officer Russell Chew moved on to become president of Jet Blue Airways, where he just stepped down and took on the role of Senior Adviser for the company.
- FAA's chief operating officer of air traffic, Hank Krakowski, came from United Airlines where he held a number of senior management positions, including vice president of flight operations.
- Linda Daschle, wife of the former Senate Democratic leader, was the FAA's acting administrator, and then became a lobbyist representing the airline industry. "There's a very cozy relationship between the lobbyists for the industry and the Department of Transportation and the FAA," said Schiavo. As in all federal agencies, senior executives leaving the FAA are subject to a one-year "cooling off" period that forbids them from representing a client before the FAA. The new transportation secretary Ray LaHood and FAA administrator Randy Babbit, who took office June 1, say they will make sure whistle-blowers are heard. "We will pay attention to any kind of complaint or accusation or any concern expressed by an employee of FAA. It's a new day at the FAA and at DOT," LaHood told CNN. FAA last year established a Safety Issues

Reporting System for employees to raise safety concerns. FAA also tracks employee hotline complaints in its General Counsel Office. But, the agency has resisted calls to establish an independent office to investigate whistle-blower safety claims. The pending House bill to reauthorize FAA would require the agency to establish such an office. The Senate still has to write its version of the bill. The Office of Special Counsel has referred all 27 cases to the transportation secretary who is investigating and must tell the Special Counsel what steps will be taken to fix the safety problems."

6/10/09. OIG Report. The Federal Aviation Administration's Role in Safety Oversight of Air Carriers. See Link for full text
Link > https://www.oig.dot.gov/sites/default/files/IG_Senate_Testimony-FAAs_Role_in_Safety_Oversght_of_Air_Carriers.pdf
Excerpts. Full PDF Report available. "Summary; On June 10, 2009, the Inspector General testified before the Senate Subcommittee on Aviation Operations, Safety, and Security regarding the Federal Aviation Administration's (FAA) role in the oversight of air carriers. The Inspector General noted that while FAA has made progress toward improving aspects of its safety oversight, there are still vulnerabilities that must be addressed, especially in five critical areas: risk–based inspections, repair stations, aging aircraft, disclosures of safety violations made through the Aviation Safety Action Program, and internal reviews of whistleblower complaints. The Inspector General also noted operational differences between regional and mainline carriers that could impact safety and discussed his office's recently initiated review in this area. This review was requested by the Subcommittee as a result of a National Transportation Safety Board hearing last month that highlighted pilot training and fatigue issues following the crash of Colgan flight 3407. The Office of Inspector General's review will focus on (1) aspects of pilot training, such as FAA's standards for and oversight of certification of commercial pilot training, (2) FAA regulations and airline policies regarding crew rest requirements, and (3) possible correlations between accidents and pilot experience and compensation".

5/14/09. OIG Report. FAA Is Not Realizing the Full Benefits of the Aviation Safety Action Program. (ASAP) Project ID: AV2009-057.
Link > https://www.oig.dot.gov/sites/default/files/WEB_FILE_ASAP_Final_Report_May_14_ISSUED.pdf Excerpts. Full PDF Report available. "Summary; On May 14, 2009, we issued our report on the Federal Aviation Administration's (FAA) Aviation Safety Action Program (ASAP). We conducted this audit following a complaint from an FAA inspector regarding the acceptance of a fatal accident into ASAP. ASAP is a joint FAA and industry program that allows aviation employees to self–report safety violations to air carriers and FAA without fear of reprisal. Incidents reported through ASAP by aviation employees are reviewed for acceptance by an Event Review Committee (ERC), which may also recommend corrective actions. Our audit objective was to assess FAA's implementation of ASAP and identify any improvements that will help FAA to maximize the program's safety benefits. While ASAP is a potentially valuable safety tool, we found that FAA's ineffective implementation and inadequate guidance have allowed inconsistent use and potential abuse of the program. Further, FAA has not devised a method to fully compile data reported through ASAP for analysis on a national level . Therefore, little is understood about nationwide trends in the types of violations reported under ASAP, and ASAP reports do not help FAA determine whether systemic, nationwide causes of those violations are identified and addressed. As a result of these issues, ASAP, as currently implemented, is a missed opportunity for FAA to enhance the national margin of safety. To realize the full benefits of ASAP, FAA must improve the program in the following areas: (1) revising ASAP guidance to clarify which incidents should be excluded from the program, (2) emphasizing to employees that ASAP is not an amnesty program, (3) clarifying the ERC's authority and role in ASAP and ensuring ERC members are unbiased, (4) requiring inspectors to examine repetitive reports of ASAP–related safety concerns and enhancements to ensure effective corrective actions, and (4) developing a central database of all air carriers' ASAP reports that FAA can use for trend analysis at a national level." See Link for full text

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3/25/09. Congress testimony. Safety & Technology Director Dale Wright Testifies on NextGen Before the Senate Aviation Subcommittee.
Link > http://www.natca.org/legislative_congressional_testimony.aspx?zone=Congressional%20Testimony&nID=420 Excerpts. Full PDF Report available. "The National Air Traffic Controllers Association (NATCA) is the exclusive representative of more than 15,000 air traffic controllers serving the Federal Aviation Administration (FAA), the Department of Defense and the private sector. NATCA's Recommendations; (1) The FAA must collaborate meaningfully with stakeholders, – The inclusion of NATCA is critical to the success of NextGen and all projects relating to modernization, technology and procedures. The Government Accountability Office and the Inspector General of the Transportation Department have both testified before Congress that controller involvement prevents cost overruns and implementation delays. NATCA must be included in all stages, from inception to implementation. (2) NowGen must not be neglected as we prepare for NextGen – The current air traffic control system has fallen into disrepair. (3) Human factors must be addressed – Several of NextGen's proposals raise serious concerns regarding human factors, including the increased complexity and safety risk inherent in a best equipped, best-served policy. These issues must be addressed during the development stages in order to avoid delays, cost overruns, and safety failures. (4) Safety requires redundancy – NATCA is concerned that the system being proposed by the FAA, which is centralized and lacking a viable backup, is unacceptably vulnerable to attack or natural disaster." See Link for full text

12/21/08. Media Article. Denver Crash Shows Runway Safety Still a Concern. By Dulcinea Staff.

See Link > http://www.findingdulcinea.com/news/Americas/2008/December/Denver-Crash-Shows-Runway-Safety-Still-aConcern.html
Partial Text; "Saturday's crash of a Continental Airlines Boeing 737 is the latest of several runway crashes. Earlier this year, a pilot raised concerns about dangerous runways. Last year's GAO report criticized the FAA criticized the FAA for reducing its runway safety efforts in recent years and raised concerns about air-traffic controllers and fatigue, the Washington Post reported …. "The failure to address issues of 20 years ago, 16 years ago, appears again in 2007," said Rep. James L. Oberstar (D-Minn.), according to the Washington Post. "The FAA has not learned the lessons of the past." The FAA countered in a statement that "runway safety is one of the FAA's top priorities."

Oct 2008. Media Article. (FAA INSPECTOR RETALIATIONS). Fighting For Airline Safety. An Interview with ACFE Sentinel Award Recipient Mark Lund. By Dick Carozza. September/October 2008. Link > http://www.fraud-magazine.com/article.aspx?id=423 Text; "**Mark Lund** just wants to do his job. As a safety inspector for the U.S. Federal Aviation Administration, he's assigned to spot potential problems. After he reported safety concerns during an airliner's mechanics' strike, he was relegated to a desk job. But eventually an FAA inspector general's report vindicated him. Read how he and other safety inspectors try to be the "eyes and ears" of the flying public. Mark Lund was concerned. Northwest Airlines' mechanics had gone on strike Aug. 20, 2005, and the airline had replaced them with substitute employees and managers. Lund, a Federal Aviation Administration (FAA) inspector in Bloomington, Minn., saw some problems. A line maintenance manager couldn't find the right switches to test the engines on an Airbus A320. He admitted he had never performed this test on an operating A320 and only recently had been trained on a simulator. A replacement mechanic was unsure how to close the passenger entry door on a Boeing B757. Another failed to lock the brakes on a jet before checking its brake wear pins. A DC10 aircraft arrived from Amsterdam with a defective lavatory, which spilled human waste onto vital navigation equipment. Northwest Airlines planned to let the flight continue to Honolulu with the contamination and without fixing the problem until another FAA safety inspector intervened.

Two days after the strike, Lund sent a "safety recommendation for accident prevention" memo, a routine procedure for reporting safety deficiencies, to his supervisors and to FAA headquarters in Washington, D.C. He claimed that a "situation exists that jeopardizes life" and recommended that Northwest cut back on its flight schedule until mechanics and inspectors could do their jobs "without error." Instead of mitigating the public safety risks exhibited at Northwest Airlines, the FAA confiscated Lund's badge that gave him access to Northwest's facilities and confined him to a desk job. Lund then hand-delivered his safety recommendation to Mark Dayton, then the Democratic senator for Northwest's home state of Minnesota. Dayton sent the memo to the inspector general (IG) for the Department of Transportation (DOT), which oversees the FAA.

On Sept. 27, 2007, the IG released a report (www.oig.dot.gov/StreamFile?file=/data/pdfdocs/NWA.pdf) that criticized the FAA for its treatment of Lund and wrote that the FAA needs "better procedures for responding to and resolving safety complaints identified by its inspectors.

In the report, the IG wrote that the "FAA's handling of [Lund's] safety concerns appeared to focus on discounting the validity of the complaints. A potential consequence of FAA's handling of this safety recommendation is that other inspectors may be discouraged from bringing safety issues to FAA's attention."

The report also stated that in August and September of 2005, FAA inspectors responsible for oversight of Northwest Airlines operations identified at least 121 findings related to replacement mechanics' lack of knowledge or their ability to properly complete maintenance tasks and documentation. The FAA concurred with the IG's recommendations to establish better review procedures and resolve deficiencies. But it disagreed with the IG's conclusion that the FAA didn't want to document that some of Lund's concerns were valid, and it maintained that it didn't adopt Lund's recommendations to improve mechanic training because it already was doing so. The IG, in turn, disagreed with the FAA's response citing that the FAA's own investigation team reported Northwest's initial mechanic training program wasn't effective even though it advised Lund that his assertion that the mechanics received inadequate mechanic training was an unsupported, subjective opinion. The FAA has returned Lund to his original duties as a safety inspector, and he continues to be one set of "eyes and ears of the airline passenger," as he says. For his courage and tenacity in protecting the public, the ACFE has awarded Lund its 2008 Cliff Robertson Sentinel Award. Lund recently spoke to Fraud Magazine from his home in Cannon Falls, Minn.

WHAT DO YOU SEE AS YOUR RESPONSIBILITIES? As a safety inspector, it is my duty to ensure public safety. The public is and always has been my customer. Our oath is to the flying public to ensure their safety in air transportation. It is my responsibility to raise safety issues at airlines and recommend appropriate enforcement actions by the FAA.

I represent the passenger and try to be their eyes and ears. What would the passenger say if he or she knew a particular safety problem was occurring or an accident could happen? How can I assure their safety in my review and observations or recommendations in response to the airlines' request for FAA approval?

FAA senior management has implemented a "Customer Service Initiative," which has been attacked in the April 2008 Congressional hearings. FAA senior managers are now also saying that passengers - not the airlines - are their customers. If this is true, then why aren't they asking the public for their opinions in open forums?

DO YOU BELIEVE, AS SOME HAVE STATED, THAT THE FAA AND SOME AIRLINES HAVE DEVELOPED A TOO-COZY RELATIONSHIP? IF SO, HOW IS (OR WAS) THAT MANIFESTED IN DAILY PROCEDURES? Absolutely. FAA management has come to view the airlines as their customers and clients rather than treating the flying public as the customer.

The FAA's responsibility is not to meet an airline's bottom line; it's to ensure that airlines are complying with FAA regulations and continuing the safe operation of their aircraft. Somewhere, the FAA has lost sight of this and has been at the beck and call of the airlines - to the point that if the airline alleges a complaint against an inspector to FAA management, the inspector is determined to be guilty. In my own experience within the FAA Northwest Airlines Certificate Management Office, a fellow inspector was called into the office manager's office. He was told that Northwest Airlines had raised a verbal complaint against him. The inspector was threatened that if Northwest submitted a written complaint, the office manager had no choice but to discipline the inspector. There was no investigation of facts. It was cut and dry. If the airline complains, FAA management agrees with the airline and disciplines the inspector. Needless to say, this thwarted a good inspector and he was never the same since in his efforts to ensure public safety.

SPECIFICALLY, WHAT DID YOU DO AFTER THE NORTHWEST AIRLINES MECHANICS WENT OUT ON STRIKE IN 2005? First off, it was no surprise to most of us FAA inspectors that maintenance errors would occur when replacement mechanics took over. It is virtually impossible to replace an experienced maintenance organization in one night with one that has no experience with the airline's maintenance requirements. Many FAA inspectors shared these concerns directly to FAA office management before the strike occurred. FAA management, which had the authority to intervene in the public's best interest, disregarded the experienced inspectors' safety concerns. When I saw what was occurring, I tried to proactively address these safety concerns by presenting my observations to my immediate supervisors during daily afternoon briefings. The briefing sessions were attended by all available FAA safety inspectors overseeing Northwest Airlines' maintenance actions performed by the replacement mechanics and the reassigned maintenance managers. As each day passed, however, the frustration level of many FAA safety inspectors grew in the briefings as they shared their ongoing safety concern observations with no action by FAA management. I have used the standard FAA safety recommendation memo process in the past and saw it as my only recourse. If a situation exists that jeopardizes life or property, then a safety inspector is supposed to immediately contact FAA's Aircraft Accident Investigation Branch. I called that office and faxed my memo.

WHAT WERE SOME OF THE THINGS YOU WARNED ABOUT IN YOUR MEMO? I wrote in the memo that the situation at Northwest Airlines jeopardized life or property due to the mechanics' strike. I also wrote that FAA office management had decided not to use the highly regarded, standard computerized data entry Air Transportation Oversight System (ATOS) process for the surveillance and collection of data for safety risk assessment of Northwest Airlines. Instead, it developed its own paper checklists. By using the paper checklists, it was able to keep the inspector's safety findings out of any FAA data collection system, which prevented oversight by the FAA regional office and national headquarters. And the FAA safety analysis branch in Washington, D.C., couldn't analyze the findings because they didn't exist in any nationally accessible database.

WHAT DID YOU PROPOSE? In brief, I recommended in the memo that Northwest Airlines flight operations be reduced based on the availability of the mechanics and inspector workforce to perform assigned duties and tasks without error. I proposed that an FAA "maintenance error-human factors evaluation team" be assembled to oversee duties of Northwest Airlines operations. Any and all risks identified would be immediately corrected before any expansion or continuation of Northwest Airlines flight operations. The leadership of the Professional Aviation Safety Specialists (PASS) union, AFL-CIO, would be involved. [According to PASS, it represents more than 11,000 employees of the FAA and the Department of Defense who install, maintain, support and certify air traffic control and national defense equipment; inspect and oversee the commercial and general aviation industries; develop flight procedures; and perform quality analyses of the aviation systems. I also recommended the FAA safety inspectors be given Congressional authority to intervene and halt, if necessary, any observed activity that might impact person or property safety and there would be no retribution or coercion by FAA management.

I proposed that a separate FAA management group, which would include PASS members, would manage surveillance on Northwest Airlines and that Northwest revise its inspector training programs.

WHAT WAS THE AGENCY'S RESPONSE? The initial response was that it was not going to assign a file number to the case for tracking and investigation purposes. This meant they were not going to act on my safety recommendation. After your supervisors confiscated your badge and relegated you to a desk job what was your course of action? It saddens me that my own agency was unwilling to uphold public safety as we are responsible to do. Instead, I was condemned as guilty and removed from my safety assignment. When I learned that the FAA was not going to act upon my memo - I found this out within a few days - I immediately contacted the office of Minnesota's democratic senator at the time, Mark Dayton. Sen. Dayton telephoned me directly and we spoke for about an hour. I then visited his office in person. He and his staff quickly brought in the OIG investigators.

Another FAA inspector also shared safety concerns with Sen. Dayton's office staff. I am grateful to Sen. Dayton's office staff members for their tireless efforts to ensure the safety of the flying public.

WHAT OCCURRED AFTER DAYTON BROUGHT THE MATTER TO THE ATTENTION OF THE INSPECTOR GENERAL? Once Sen. Dayton's office

involved the DOT's IG, within days, OIG investigators were on the scene conducting a formal investigation. They interviewed me and other FAA safety inspectors at Northwest Airlines. Once the OIG was involved, other FAA safety inspectors stepped forward to share their safety concerns. As the subsequent Sept. 28, 2007 OIG report states, they also said that FAA office management discouraged the use of civil penalties for regulatory noncompliance investigations, which lead to ineffective oversight of the carrier. The IG's investigation conclusion that the FAA office management discouragement of using civil penalty enforcement actions, leading to ineffective oversight of the carrier, has grave ramifications. The National Traffic Safety Board reports of the Britt Airlines, Continental Express, ValuJet, and Alaska Airline's accidents that killed 212 people in all cite lack of FAA oversight as a contributing factor. Bottom line is, people can die when FAA management does not intervene to ensure public safety when safety inspectors identify and report unsafe conditions at an airline.

DO YOU FEEL VINDICATED BY THE REPORT? I actually feel saddened that it took outside involvement to prove the validity of my safety concerns. I am saddened that the FAA, which is tasked with aviation safety responsibilities, preferred to attack me in my public safety duties, than to ensure the safety of the public due the situation at Northwest Airlines. In my now 18 years of experience with the FAA, it did not surprise me that the agency took no action about the safety concerns that I and other inspectors reported. We only have to look at FAA management's recent history.

The ValuJet accident of May 1996 killed 110 people. A few months before the accident, February 1996, FAA management in the Washington, D.C., headquarters had written a memo of the risk to public safety that ValuJet presented. Of noteworthy in the memo, it was recommended that consideration should be given to an immediate FAR 121 recertification of ValuJet as an airline. What this meant was that ValuJet should be reevaluated and demonstrate that it was in full compliance with FAA federal safety regulations to determine if it should continue to hold an FAA issued Air Carrier Certificate. A failed recertification could have removed ValuJet's FAA authority to continue operation as an airline. It could have shut down ValuJet. FAA senior management took no comprehensive action to ensure the safe operation of the airline. If they had, they might have been able to prevent that accident and save 100 lives. (ED Note; See page 1, Item " (d), A 1996 FAA internal memorandum"

The Alaska Airlines' accident of January 2000 killed 88 people. On April 3 of this year, Sen. Jim Oberstar, chairman of the Transportation and Infrastructure Committee, held hearings about the "coziness" the FAA has towards the airlines. An ex-FAA principal inspector who was assigned to Alaska Airlines submitted written testimony as to how they tried to get the attention of FAA's senior management about Alaska Airlines' dangerous safety culture to no avail. The testimonial details many specific events including FAA management's reassignment of safety inspectors off the airline certificate due to false complaints by the airline against safety inspectors. This is what happened in my case. The FAA reassigned the safety inspector who provided the testimonial, eventually reprimanded him, and forced him out of the FAA. Other safety inspectors warned of a pending accident but the FAA reprimanded or reassigned them. My heart goes out to them. They have to be miserably frustrated. The bottom line for FAA safety inspectors is saving lives. I would rather take the arrows in my back by FAA management than to have done nothing and be responsible for preventable deaths. I can't understand how some FAA managers can live with themselves knowing that they might have been able to prevent accidents. As a public servant charged with upholding the public's trust, it grieves my heart. My highest priority is public safety. My primary customer has always been the public, not the airlines.

Even though the DOT OIG's findings did not surprise me, having the IG validate my safety concerns made me feel that someone else recognized a serious deficiency at the FAA. If anyone who attempts to elevate safety concerns is immediately labeled a "problem employee" and punished, then how will inspectors be able to do their jobs?

The inspector general's report said that the "FAA's handling of [Lund's] safety concerns appeared to focus on discounting the validity of the complaints. ... A potential negative consequence of FAA's handling of this safety recommendation is that the other inspectors may be discouraged from bringing safety issues to FAA's attention."

DO YOU AGREE WITH THIS CONCLUSION, AND IF SO, CAN YOU ELABORATE ON YOUR THOUGHTS? I do agree with the DOT IG report's conclusion. Unfortunately, the FAA was more concerned with discounting and discrediting me and the other inspectors on Southwest Airlines, Alaska Airlines, and ValuJet, than addressing our safety concerns we attempted to elevate. FAA safety inspectors' stifling environment thwarts their ability to ensure public safety. The intimidation, reprisals, and harassment by FAA management against inspectors raising safety concerns prevents the inspector from doing his public safety duties. The inspector does not have the authority with the airline to mandate a change or restrict an operation. All he can do is report and recommend. What happens to the inspector in this FAA management culture? He shuts down. He goes through his day skimming the surface to justify his job and feel satisfied. He goes through the motions, accepting the unsafe situation as unchangeable, anticipating an incident will occur to bring attention to the matter that will force a change - hopefully, without anyone getting hurt. But that accident did happen at ValuJet and Alaska Airlines and people died.

I UNDERSTAND THAT AFTER YOU WERE REMOVED FROM INSPECTING AIRLINERS, YOU STAYED AT YOUR DESK JOB FOR SIX WEEKS UNTIL THE OIG BROKERED A DEAL THAT ALLOWED YOU TO RETURN TO YOUR FORMER DUTIES IN EARLY OCTOBER 2005. WHAT DID YOU THEN DO AFTER YOU RETURNED TO YOUR INSPECTION DUTIES? When I returned to my inspection duties in October 2005, I began investigating an incident in which a Northwest Airlines' Boeing 757 blew out its main tires when it landed in Detroit the first morning after the replacement mechanics took over, Aug. 20, 2005. That aircraft is my area of assignment. My investigation concluded that probable cause for the tire

failure was a brake failure caused by a brake control cable that a replacement mechanic inadvertently jammed after routine maintenance to an unrelated system. The cable jam just happened to be in the area in which routine work was necessary on the other system. It is a standard maintenance practice to be cautious around control cables. It was apparent to me that replacement mechanics hadn't known about or followed these standard practices. I initiated a second safety recommendation memo on Oct. 12, 2005, citing this maintenance error as another example of a public safety risk at Northwest Airlines. In this report, I stated that Northwest Airlines isn't a school to train mechanics. Somehow, media sources also obtained this report and quoted some of the specifics in the report.

DURING THIS WHOLE TIME, DID YOU TALK WITH OTHER INSPECTORS WITHIN THE FAA ABOUT YOUR SITUATION OR OTHER PEOPLE WITHIN THE GOVERNMENT? During the investigation, I worked with my union, PASS, and heard about similar situations with other inspectors around the country. Many encouraged me and shared similar stories. The common thread is that we all work within a culture perpetuated by the FAA in which the airline is the customer and safety inspectors shouldn't impede them in any way. Of course, the FAA should nurture, assist, and support safety inspectors to enable and empower them in performing their jobs. Once FAA management has rebuffed them, safety inspectors were and are fearful of elevating their concerns. To this day, many inspectors continue to call me and express their support and gratitude for shedding light on the FAA's serious deficiencies. As the media released information, I also received telephone calls from pilots at Northwest Airlines thanking me for my efforts to keep their planes safe. Pilots from other airlines called to tell me about their safety concerns; I gave them possible courses of action for resolution. It was a hopeless situation for me to hear their stories; some had called the national FAA safety hotline to no avail.

AT THE REQUEST OF THE OIG, THE FAA IS NOW MODIFYING THE PROCEDURES IT USES TO REVIEW SAFETY ALLEGATIONS RAISED BY INSPECTORS. DO YOU SEE SOME DIFFERENCES IN THE WAY THE AGENCY NOW HANDLES SAFETY RECOMMENDATIONS FROM ITS INSPECTORS? Although the FAA has now implemented a new additional voluntary program to improve its procedures, there is no evidence of changes thus far. Many inspectors are still very disappointed with the FAA's continuous denial that these issues are systemic and its contention that these are isolated issues and problems. I'm convinced that safety inspectors don't trust FAA managers to support their cause of public safety. A review of safety reports available in FAA's new safety reporting system shows me nothing of substance reported. I personally will not use it until FAA executive management demonstrates convincingly that they are sincere about protecting the safety inspector from retaliatory acts. One very significant way they could demonstrate their honest commitment is to make whole the Alaska Airline FAA inspectors who shared their safety concerns before the accident - restore them and make right any retributions taken against them.

WHAT DOES (AND CAN) HAPPEN WHEN A SAFETY INSPECTOR LAUNCHES A FORMAL INVESTIGATION? Typically, when a safety inspector observes a safety issue - large or small - in order to open a formal investigation, a supervisor must "green light" any formal investigation. The supervisor has the authority to determine when and if a safety inspector launches a formal investigation. If FAA management thwarts an inspector's attempts to raise and deal with an unsafe situation, management can make it very miserable for the inspector.

FAA management has become very good at stacking unjust cause against an inspector and establishing a trail for disciplinary actions that eventually leads to dismissal or resignation from employment with the FAA. The inspector can become ineffective as a safety inspector if management threatens him with discipline or the implication that he won't be promoted. He can then become ineffective and passive in the performance of his duties and can actually cause an increase in an unsafe situation with the airline. In an effort to get along with FAA management or the airline, he might grant approval or capitulate to the airline's request - all to keep everyone happy regardless of any safety ramifications.

DO YOU THINK YOU MIGHT HAVE HELPED STRENGTHEN THE RESOLVE OF OTHER SAFETY INSPECTORS? I hope other inspectors are encouraged by my actions and of those who have come forward, but I also hope that other inspectors would not have to go to this extraordinary level just to have their safety concerns addressed. I know that far too many safety inspectors are trying hard to work within the parameters of the system, but it's still very difficult to come forward. Hopefully, because of my actions and that of other whistle-blowers, changes will be made and others will not have to resort to such measures.

The PASS union has told me that I have been a catalyst for other inspectors. I do know that the best benefit in public safety is not databases and data analysis in attempts to identify safety risks. These have benefit over time and on a broad national scale.

However, the most immediate and proactive cause for public safety is the safety inspector in the field doing the hands-on surveillance - kicking the tires, if you will. Here is where the safety issue is immediately stopped as it is observed. Here is where the culture and "tone" or "feel" of the airline gets known. The most important public safety element of the FAA is the integrity of the experienced safety inspector. Just let them do their jobs.

BEFORE JOINING THE FAA IN 1990, YOU WORKED AS AN AIRCRAFT ELECTRICIAN FOR THE U.S. NAVY AND AS MAINTENANCE DIRECTOR FOR A SMALL AIRLINE IN MINNEAPOLIS. HOW DOES THAT AFFECT YOUR INSPECTION EFFORTS TODAY? God has blessed me abundantly in my aviation career. He has lead each step of the way, and it has been full of surprises. It gives me goose bumps looking back and seeing His hand on my life. It was not some childhood wish to be an FAA safety inspector. I joined the Navy because I did not know what else to do. The Navy selected me for aviation and my career as an aircraft electrician began. I loved the work but hated shipboard life. I pursued an aviation

career after the Navy, attending a two-year avionics program and was immediately hired by a growing regional carrier in Wisconsin. I then made a career move to eventually become the director of avionics for another fast-growing regional carrier in Minnesota. My civil regional airline experience with two growing airlines provided tremendous and fast growth for me. I was blessed to have worked for a vice president of maintenance who was a retired FAA safety inspector. He was a man of integrity and upheld safety first in aircraft maintenance. I traveled the world with him evaluating and buying aircraft for the airline's use. I gained experience in airline regulations as well as repair station regulations.

He was my mentor and facilitated my career with the FAA. It has been my experience that working within a growing regional airline prepared me well for the job I do with the FAA. The airline process and requirements are the same whether having 50 or 500 aircraft. The small airline environment allows experience with all aspects of airline maintenance and an understanding as to how departments need to work together to produce a safe operation.

The drawback I have seen with inspectors from the large mega-airlines is that they have spent most of their whole career with that airline and, in most cases, had no understanding of the airline operations and requirements of the FAA. This limits their objectivity in methods of compliance for federal safety regulations.

Joseph T. Wells began the Association of Certified Fraud Examiners to train people to deter fraud, waste, and abuse, and to embolden fraud examiners to be sentinels in the workplace. What advice would you give to the members of the ACFE as they try to "fight the good fight"?

I would encourage ACFE members to always maintain high standards. Do not allow others to deter you and do not be discouraged by those who lose sight of your mission. You are the one who has to live with yourself.

It is important that you establish yourself with a sound behavioral history. Your pattern in the workplace has to be consistent. You have to be honest and of high integrity. Do not be stiff and unemotional. Have fun. Be confident. Be friendly and offer advice to those of lesser experience. Be available to others. Show honest emotional concern when others share their concerns with you.

Be diligent and thorough in your investigations. Collect all data, and then be objective in your analysis. If you have a case, it should stand on its own. If you do not have a case, then let others know it. You have not failed.

And lastly, pursue all elevations of your concerns or findings in a professional manner. Try to work within the established chain of command. Establish yourself as working within the system and give opportunity for those to respond. If they meet your expectations, you have done an honorable job. If you must go outside your organization, then you must ensure that you will be working at a level that has the ability to affect your outcome. Stay professional and hold your concern from the media until you have no other option.

As in a card game, you do not want to publicly show your cards until the last of your strategies has been played. Always play the game fairly even though others may lie and cheat. Their just reward will always occur in the end.

THIS MUST HAVE BEEN A LONG PROCESS FOR YOU. WHAT HAS MOTIVATED YOU IN YOUR PERSISTENCE? My motivation throughout this long process has only been to be able to do my job. Safety inspectors simply want to make sure that airlines are in compliance with FAA regulations and are operating safely. My brothers and sisters at PASS are committed to the safety of the flying public and we will remain so. Any actions that we take are to improve efficiency and safety in air travel.

My ultimate motivator, of course, is preventing aircraft accidents that kill people. I have a personal connection with one accident as a team member of the FAA National Safety Inspection Program (NASIP) team that was assigned to evaluate the airline immediately after.

The Sept. 11, 1991 crash of a Britt Airlines aircraft - doing business as Continental Express Airlines - killed 14 people in Eagle Lake, Texas. It's a classic example of a dangerous airline safety culture. The National Traffic Safety Board (NTSB) report found that the probable cause of this accident was the failure of Continental Express maintenance and inspection personnel to adhere to proper maintenance and quality assurance procedures for the airplane's horizontal stabilizer deice boots [that de-ice wings in flight], which led to the sudden in-flight loss of the partially secured left horizontal stabilizer leading edge and the immediate severe nose-down pitch-over and breakup of the airplane. Contributing to the cause of the accident was the failure of the Continental Express management to ensure compliance with the approved maintenance procedures and the failure of FAA surveillance to detect and verify compliance with approved procedures.

FAA regulations require an airline to comply with approved aircraft maintenance procedures, to have a competent mechanic workforce, and have aircraft that are airworthy after maintenance actions. Another regulation requires an airline to have an inspection and maintenance program that ensures that all this does occur. If the airlines I mention in this interview had complied with these regulations then the accidents would not have happened.

NTSB member John K. Lauber, in a dissenting statement about the cause of the Continental Express accident, said, "The National Transportation Safety Board determines probable causes of this accident were (1) the failure of Continental Express management to establish a corporate culture that encouraged and enforced adherence to approved maintenance and quality assurance procedures, and (2) the consequent string of failures by Continental Express maintenance and inspection personnel to follow approved procedures for the replacement of the horizontal stabilizer deice boots. Contributing to the accident was inadequate surveillance by the FAA of the Continental Express maintenance and quality assurance programs."

I agreed with Mr. Lauber's findings. Frankly, I was surprised that an NTSB member would counter the team's conclusion, which almost never occurs. An airline has an unsafe corporate culture when there are a number of organizational breakdowns, as in this case, and the other examples in his statement. Mr. Lauber's findings are very similar to the FAA inspectors' safety concerns about Alaska Airlines' dangerous corporate culture.

EDITOR'S NOTES; Mr. Lauber also voiced similar systemic failures in NTSB's report # NTSB/AAR-92/04, a ContinentaL Express Flight 2574 Flight Structural Breakup on September 11,199l. See NTSB Link > http://libraryonline.erau.edu/online-full-text/ntsb/aircraft-accident-reports/AAR92-04.pdf Ref to pages 51 to 54 of the Final report; two last paragraphs of Mr Lauber's statement; when he said;

" Finally, I note for the record my concerns about the way certain factual background information regarding senior management personnel has been handled in this report. As discussed in our Board meeting, but not in the report, two senior managers at Continental Express previously held positions of key responsibility at two other airlines, one airline of which was the subject of both civil and criminal litigation for maintenance related practices, and the other airline of which experienced a major accident which this Board determined to be, in part, due to failures and deficiencies in that airline's maintenance program and in the management thereof. Both people were in line management positions within their maintenance organizations during the time of the deficient practices, all of which involved deviation of actual practices from those specified in relevant, official, and approved documents. I am in no better position than anyone else to determine how directly relevant to the present accident this information is. It is factual information of the kind we routinely collect in any accident investigation, and is already in the public record, and since it is clearly not inconsistent with the management practices noted in this investigation, I believe it is relevant to this discussion, and thus deserves explicit mention here. To do otherwise is to make a de facto decision that this information is clearly not relevant, a decision which I am unwilling to support"

"I believe the probable cause should read as follows The National Transportation Safety Board determines that the probable causes of this accident were (1) the failure of Continental Express management to establish a corporate culture which encouraged and enforced adherence to approved maintenance and quality assurance procedures, and (2) the consequent string of failures by Continental Express maintenance and inspection personnel to follow approved procedures for the replacement of the horizontal stabilizer deice boots. Contributing to the accident was the inadequate surveillance by the FAA of the Continental Express maintenance and quality assurance programs". Statement of John K. Lauber Member. July 21, 1992.

From page 57 of the NTSB's Final report, those senior managers were identified as follows; Stephen J. Kolski, President of the Commuter Division of Continental Airlines, Inc., and as President of Continental Express. Senior Director of Maintenance and Engineering John Wade, and Senior Director of Quality Assurance and Control Ray Fox.
All had prior positions at Eastern Airlines indicted by a Grand Jury for a 60 Count Indictment for criminal conduct in 1991. See Eastern Airlines indictment Case # CR 90-629, US District Court, Eastern District of New York, March 20, 1991

The NTSB report also faults the FAA for the inadequacy of its NASIP inspection. It cites that the FAA should have done more observations of in-progress maintenance and shift turnover procedures because these were areas that should have had focus due to the improper maintenance that lead to the accident. This is personal to me because our FAA NASIP team was told by the team manager that we were not to observe or pursue any area within the airline that might be related to the accident. FAA management restricted the NASIP inspection in its scope.
The FAA manager went to great effort to discount team member findings as they gave them. I experienced first-hand, early in my young, two-year career, FAA management's strong desire to protect an airline's reputation even after an accident that killed 14 people.
FAA senior management continues to speak out on the value of collecting safety data for analysis and determination of safety risk. However, in my opinion, there is already plenty of data to evaluate and analyze safety risk and make improvements within the FAA and airline process. FAA management is unwilling or has no desire to respond and take measures to eliminate or mitigate the safety risks I mention in this interview. Experienced and knowledgeable safety inspectors who the FAA has categorized as whistle-blowers have assessed the airlines' safety risks they've observed. They've presented these concerns to the senior FAA levels. They've done their work despite personal retaliatory acts against them. The process for me actually has not ended. I will continue my diligence to ensure public safety of the airlines I am assigned to. Being part of this honorable ACFE award presentation has been stressful for me. It is going to expose me in a greater manner to the public eye, something I have tried to stay out of. It is going to expose me to the scrutiny of FAA management. I commit this ACFE Sentinel Award to my fellow safety inspectors who, as myself, have struggled repeatedly to uphold their public safety duties. In special recognition, I want to highly commend those safety inspectors who lost their jobs, were reprimanded, or reassigned because of the safety concerns they raised on Alaska Airlines before their accident. Some have had their FAA careers destroyed by FAA management because of their tenacity to bring forth

their safety concerns on Alaska Airlines. They have committed the ultimate sacrifice in their duties to ensure public safety and continue to suffer because of the public trust they choose to stand firm on. Again, I say, they need to be restored and made whole.
WOULD YOU HAVE DONE ANYTHING DIFFERENTLY? Looking back, the easy part of this job is to look away from potential safety concerns. FAA management demonstrates a preference for the smooth road - no problems, no issues, no additional work. They are the ones who have authority to act and enact change within the airline. This is work for them as well. It is easier to just go along. This ordeal has been very difficult for me and my family to endure, but I do take comfort in believing that I helped to put the wheels of change in motion at the FAA. The FAA cannot continue to say that it will make changes - it has to act. Changes must be made in order to ensure safety inspectors have the resources and support they need to do their jobs. If my carrying the safety torch has caused other inspectors to come forward for the benefit of public safety, than yes, it is worth it. I want to thank the ACFE for its gracious selection of me for your Sentinel Award. It was an unexpected surprise when [Education Manager] Allan Bachman called me. He patiently went through the FAA government ethics process with me."

10/7/08. Media Article. WASHINGTON - Nine U.S. airlines outsourced more than 70 percent of their major aircraft maintenance last year, and federal aviation officials' oversight of repair facilities is lagging, according to a government report. PAMA (Professional Aviation Maintenance Association) Press release. Link > http://pamablog.typepad.com/pama/faa/ Text; "One fourth of the outsourced maintenance is being handled by contractors overseas. The Transportation Department's inspector general said the outsourcing, which has more than doubled in four years, was of concern because the Federal Aviation Administration has failed to closely track how much maintenance is farmed out and where it is performed. Although the FAA has taken steps to improve, "the agency still faces challenges in determining where the most critical maintenance occurs and ensuring sufficient oversight," investigators said in the report issued this week. In their effort to lower costs, the report said, airlines continue to shift their heavy airframe maintenance from their own in-house mechanics and engineers to hundreds of repair companies in the United States, Canada, Mexico and countries in Central America and Asia. Nine major airlines examined by the inspector general outsourced 71 percent of their heavy air frame maintenance — repairs and servicing to an aircraft's body, wings and tail — in 2007, up from 34 percent in 2003. More than a quarter of that maintenance — 27 percent — was performed at foreign repair facilities. The airlines examined in the report were AirTran Airways, Alaska Airlines, America West Airlines, Continental Airlines, Delta Air Lines, JetBlue Airways, Northwest Airlines, Southwest Airlines, and United Airlines. American Airlines, the nation's largest domestic carrier, was not included, the inspector general said, because it handles most maintenance in-house. The FAA relies heavily on the airlines — and the repair facilities themselves — to make sure outsourced repairs meet the air safety standards and requirements of the individual airlines. FAA requires each repair station to undergo a government inspection at least once a year, FAA spokesman Les Dorr said. The report says those inspections often are not being conducted by agency inspectors most familiar with standards and requirements of the airline whose planes are being repaired. As much as five years lapsed between visits to some major maintenance facilities by inspectors assigned to individual airlines. Inspectors not assigned to a specific airline may not be familiar with the special maintenance requirements of that airline's planes, which are often customized. The report cited a foreign facility, which repairs engines for an unidentified airline, that had not been inspected by an FAA inspector assigned to that airline in five years, a period in which the facility had repaired 39 of the air carrier's engines. The report recommends FAA require airlines to provide more complete information on the extent and location of outsourced repairs, ensure air carriers and repair stations are better able to spot and correct problems, and improve the documentation of inspection results. The FAA agreed it needs to do more. "We actually concur with all the inspector general's recommendations," Dorr said. "We have procedures in place that already address some of the recommendations, and we have some projects in progress that address others." One safety expert, however, said the report underscores that FAA still has a long way to go toward resolving the outsourcing issue, which has been source of controversy for the agency for several years. "What this report tells me is there is still a big problem with oversight — the FAA is not verifying that the oversight being provided by the air carriers is doing the job it's supposed to," said John Goglia, a former member of the National Transportation Safety Board."

9/30/08. GAO Report . Air Carriers' Outsourcing of Aircraft Maintenance. Report # AV-2008-090.
See Link > https://www.oig.dot.gov/sites/default/files/WEB_FILE_Review_of_Air_Carriers_Outsourced_Maintenance_AV2008090.pdf
Excerpts. Full PDF Report available. "Summary. On September 30, 2008, we issued our audit of air carriers' outsourcing of aircraft maintenance. We conducted this audit at the request of the House Committee on Transportation and Infrastructure. Air carriers are increasingly outsourcing maintenance to repair stations to reduce operating costs. When an air carrier uses a repair station that is certificated by the Federal Aviation Administration (FAA) to repair its aircraft or parts, the repair station's organization becomes an extension of the air carrier's maintenance organization. Our audit objectives were to (1) identify the type and quantity of maintenance performed by external repair stations and (2) determine whether FAA is effectively monitoring air carriers' oversight of external repair stations' work and verifying that safety requirements are met. We found that while FAA has begun moving its safety oversight toward a risk–based system, it still relies

too heavily on air carriers' oversight procedures, which are not always sufficient. Specifically, we determined that FAA did not (1) have an adequate system for determining how much and where the most critical maintenance occurs, (2) have a specific policy governing when certificate management inspectors should visit repair stations performing substantial maintenance, (3) require inspectors to validate that repair stations have corrected deficiencies identified in air carrier audits, and (4) have adequate controls to ensure that inspectors document inspection findings in the national database and review related findings by other inspectors. As a result, FAA could not effectively target its inspection resources to those repair stations providing the highest volume of repairs, which caused deficiencies at repair stations to go undetected or reoccur and prevented inspectors from obtaining sufficient data to perform comprehensive risk assessments. We recommended that FAA develop and implement an effective system to determine how much and where critical maintenance is performed. In addition, FAA must ensure that inspectors conduct initial and follow–up inspections at substantial maintenance providers, perform detailed reviews of air carrier and repair station audits and corrective actions, document inspection findings in the national database, and review related findings by other inspectors. In addition, since many air carriers do not differentiate between in–house and outsourced maintenance, FAA must ensure air carriers provide repair stations with clearer guidance on how to perform maintenance and inspections at repair stations. FAA is working to address this issue through a rulemaking change but needs to pursue interim actions to establish agreements between air carriers and repair stations on maintenance procedures."

9/22/08. Media Article. Analysis: Hearing Details FAA's Rush to Certify First VLJ (Very Light Jet) by Kathryn Creedy.
Link > http://www.aviationtoday.com/vlj/categories/bga/Analysis-Hearing-Details-FAAs-Rush-to-CertifyFirst-VLJ_26133.html
Text; "Owing to the complexity of events surrounding Eclipse Aviation and the Eclipse 500, Aviation Today's VLJ Report will devote most of this week's issue to last week's unfolding story beginning with this analysis of the House hearings. More criticism was heaped on the Federal Aviation Administration last week as the House Transportation and Infrastructure Aviation Subcommittee held hearings into the rush to certify the first very light jet, the Eclipse 500. The hearing, with testimony peppered with references to FAA management actions that were "highly unusual" and "rare," included testimony from Department of Transportation Inspector General Calvin Scovel indicating FAA test pilots said it was premature to grant a type certificate. It also outlined how FAA management overruled the certification directorate employees, seemingly at the behest of a new, untried manufacturer in order to grant a type certificate by the end of the fiscal year. Indeed, said Scovel, the decision to issue the type certificate is "difficult to defend or explain."

9/11/08. Media Article. FAA Told to Audit Airline Safety Data for Accuracy. PAMA (Professional Aviation Maintenance Association) Press release,. By Sholnn Freeman, Washington Post Staff Writer. Link > http://pamablog.typepad.com/pama/2008/09/faa-told-to-aud.html
Text; "The Federal Aviation Administration should audit information it receives from airlines on safety and maintenance issues to ensure its accuracy, a panel of aviation safety experts said yesterday. Transportation Secretary Mary Peters asked an outside panel earlier this year to review FAA safety policies in the wake of blistering criticism from Congress and the Transportation Department's inspector general that the FAA had grown too cozy with air carriers. The FAA relies heavily on self-reported data from airlines to spot trends that could lead to mechanical failures or plane crashes. The criticism stemmed from safety lapses in the past two years by American Airlines and Southwest Airlines. The government fined Southwest $10.2 million for flying 46 Boeing 747s that had not been checked for fuselage cracks. Panel members said they supported the FAA's strategy of working closely with airlines on maintenance and safety issues, citing the approach as integral to the nation's aviation safety system. Panel member William O. McCabe, a former aviation executive at DuPont, said the FAA had to focus on "leading indicators" by sifting through data. He called the system "looking for ugly." McCabe said safety officials can't depend on post-crash analysis for cues on safety given the small number of major incidents. The panel made 13 recommendations for changes at the agency, including implementing the audits, more training of inspectors and more consistency in inspection rules. Acting FAA Administrator Robert Sturgell said the agency would work "full throttle" to implement the changes. Peters and Sturgell used the panel's report to defend the agency. Sturgell said the report "validated" the FAA's overall safety approach. Peters said the FAA had a "determined and persistent" focus on safety that was the world's "gold-standard." The five member panel was chaired by Edward W. Stimpson, a former Clinton aviation appointee and a past president of the General Aviation Manufacturers Association. See Link for full text See Independent Review Team's full report Link > http://pamablog.typepad.com/pama/files/irt_report1.pdf

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9/11/08. Media Article. FAA's NextGen Air Trans System Planning Criticized. By Roy Mark.
Link > http://www.eweek.com/c/a/IT-Infrastructure/FAAs-NextGen-Air-Trans-System-Planning-Criticized/ Text; "The House Science and Technology Committee faults the Federal Aviation Agency's organization and planning for its much touted Next Generation Air Transportation System. Projected to take until 2025 to complete and cost as much as $76 billion, the plan calls for precision satellite navigation; digital, networked communications; and an integrated aviation weather system in addition to improving ground infrastructure, aircraft technology and alternative fuels. But will it ever fly? WASHINGTON - As any of the thousands of air travelers who suffered through an Aug. 26 crash of

the Federal Aviation Administration's flight plan IT network already knows, the nation's air transportation system is aging and failing. The crash grounded hundreds of flights at more than 40 airports.

The federal response is a massively complex, interagency program called NextGen (Next Generation Air Transportation System) approved by Congress five years ago. The plan is to reinvent the air transportation to handle the anticipated dramatic future increases in travel demand without compromising safety or the environment. Unfortunately, despite of efforts of federal agencies including the FAA, NASA, the Department of Defense, the Department of Transportation and Homeland Security, the initiative is still basically on the planning boards.

"I really question whether the FAA has the capacity to handle a project of this magnitude," Rep. Jerry Costello, D-Ill., said at a Sept. 11 hearing of the House's Committee on Science and Technology. "We've spent a lot of time and billions of dollars on [NextGen] and very little to show for it." NextGen envisions a major redesign of how America flies involving precision satellite navigation; digital, networked communications; and an integrated aviation weather system. NextGen also aims to improve ground infrastructure, aircraft technology and alternative fuels.

The project is expected to reach to 2025 and cost between $69 billion and $76 billion, according to the Congressional Research Service. The actual cost, though, remains uncertain, according to Calvin L. Scovell, inspector general of the Department of Transportation. "Much work remains to set research agendas and priorities for a multiagency approach, establish requirements for software-intensive acquisitions, determine steps to deliver NextGen capabilities and develop realistic transition plans," Sovell told the House panel. Recognizing the flagging details of the NextGen program, the House approved in December an FAA reauthorization bill (H.R. 2881) that included strengthening the interagency NextGen planning and development effort and moving the NextGen research and development into new operational capabilities as soon as possible. The bill has stalled in the U.S. Senate.

One of the key provisions of the House FAA reauthorization bill is to elevate the status of the Joint Planning and Development Office, which was established to facilitate NextGen activities. The House plan is to have the JPDO report directly to the head of the FAA. Yet, as the bill sat in the Senate, the FAA engaged in its own reorganization. The agency added a senior vice president for NextGen and Operations Planning to the Air Traffic Organization.

The status of the NextGen JPDO was downgraded by the FAA in the restructuring. House Science and Technology Committee Chairman Bart Gordon, D-Tenn., wasn't pleased. "It was troubling to find out about the restructuring of the FAA's NextGen program from news accounts and not from the FAA itself," Gordon said. "And it was even more troubling to find out that the status of the NextGen Joint Planning and Development Office had been downgraded in the FAA restructuring ... a move directly counter to the intent of provisions of H.R. 2881."

Costello, a member of the Committee on Science and Technology and chairman of the House Aviation Subcommittee, also blasted the FAA's reshuffling of JPDO. "We have done extensive work on the best way to move the NextGen process forward, and there is wide agreement within the aviation community that JPDO should report directly to the FAA administrator," Costello said. "More than anything, the director of JPDO must have the ability to aggressively marshal the various agencies involved to make NextGen a priority. Only then will we make the necessary progress to upgrade our aviation system, and this is the approach we have taken in H.R. 2881." Victoria Cox, senior vice president for NextGen and Operations Planning, ignored the lawmakers' complaints and read a statement praising the progress of the NextGen program. "Much progress has been made during the past year," Cox said. "We have moved to accelerate initiatives that yield benefits to stakeholders in the near and mid-term. We have also taken steps to ensure a more holistic approach to managing NextGen and related legacy programs." Shortly before Gordon dropped the gavel on the final session of his committee for the 110th Congress, he warned, "The next president needs to make the NextGen initiative a national priority and ensure that it is given the resources, management attention and sense of urgency that it warrants."

Rep. Mark Udall, D-Colo., chairman of the Subcommittee on Space and Aeronautics, said in a statement, "America's aviation system is vital to the continued health of our economy and our competitiveness in the wider world beyond our shores, as well as being important to our quality of life. We need to ensure that we do all that is necessary to maintain its health." For the time being, though, the patient is still ailing."

9/2/08. Media Article. FAA Lets Aerospace Firms Certify Safety Of Their Products.. By Dominic Gates Seattle Times aerospace reporter. Link > http://seattletimes.nwsource.com/html/businesstechnology/2008152462_faa02.html Text; "EVERETT — In a conference room at the Jamco America plant here, about 50 framed certificates hang on one wall. Each testifies that a Jamco project to upgrade an airline's passenger cabins complies with all Federal Aviation Administration (FAA) safety regulations. But the regulatory regime they represent will soon be replaced by greater reliance on a company's internal watchdogs. "Those on the wall were all signed by the FAA," said Jamco manager Dave Crotty. "In the future, I'll be signing those myself." Jamco, a supplier to Boeing and Airbus, last month became the first company in the Pacific Northwest authorized to self-certify that its products meet FAA safety requirements.

It joins just eight other companies nationwide, among them Northwest Airlines and business-jet maker Gulfstream, that have so far been approved to self-certify under the new rules. But other large aerospace companies that do major work on airplanes, including Boeing, will shift to the new regulatory regime by next year. Delegating such responsibility to manufacturers has sparked criticism among some safety experts and FAA insiders. But the agency defends the new program as a smart way to farm out the simplest reviews while focusing its limited

resources on the most critical ones. Even Jamco's seemingly innocuous installations — typically new seats, galleys, lavatories and entertainment systems — can raise aviation-safety issues. New materials for interior panels have to pass flammability tests; rods securing galleys in place must hold immense loads; the automatic fire extinguisher built into lavatory wastepaper bins must suppress a fire. Under the new rule, designated Jamco engineers will act on the FAA's behalf: reviewing new designs, overseeing testing to ensure the products meet all applicable standards and signing off on certification.

The FAA will only focus on any new design elements that Jamco's in-house inspectors flag as related to safety — for example, a new material that must be tested for flammability. It will also audit Jamco's work through spot checks after the products are certified.

Jim Hall, a former National Transportation Safety Board (NTSB) chairman and respected aviation-safety expert, criticizes the new approach. "The federal government, because of shrinking resources, is turning over key parts of transportation-safety oversight" to private industry, said Hall in an interview. "History tells us this could be a very dangerous path," Hall said.

DELEGATING SAFETY

For decades the FAA has appointed inspectors — either employees within companies or outside contractors — to be its eyes and ears in the factory. Those in-house inspectors report regularly to FAA engineers and must be formally renewed each year by the agency. Jamco works with about 70 such in-house inspectors today.

Under the new concept now applied to Jamco — called ODA, or Organization Designation Authorization — the inhouse engineers assessing whether a product can be certified for safety will report to Jamco manager Crotty, not to the FAA. The FAA contends that only companies that have rigorously proved their competence can get the new authority to self-certify.

But Hall cites the 1998 crash of Swissair Flight 111 off the coast of Nova Scotia as a possible example of fatal consequences when companies producing aviation products are allowed to self-regulate. The Transportation Safety Board of Canada concluded the wiring of a new inflight-entertainment system might have caused the electrical fire that led to the crash and the deaths of all 229 people on board. The FAA designees who certified the entertainment system, without the required oversight by FAA engineer, may not have properly integrated the entertainment system's power supply with that of the airliner, the report said. After that report, the FAA promised to tighten interaction between its certification engineers and the designees working within companies. But critics say the new regulatory approach will mean less interaction with the agency, not more.

CONFLICT OF INTEREST?

For Jamco and its customers, the new regulatory authority could mean saving time and money. A subsidiary of a Japanese company, Jamco employs about 250 people in Everett. As well as installing complete airplane-cabin interiors, it designs and manufactures its own cockpit doors, galleys and lavatories. It manufactured the luxurious first-class suites on the Airbus A380 superjumbo jet for Singapore Airlines. It will use its new FAA authorization for the first time on a contract for a major upgrade of the interiors on 33 Emirates 777s. On such projects, getting timely FAA certification has often been a struggle, Crotty said. "By delegating to us, we control our own schedule, our own resources, and our own fate," he said. He's confident that there's no reduction in safety. "We never forget for one moment that I represent the FAA's interest first," said Crotty, who has spent nearly 40 years in aerospace and worked for the FAA in safety engineering before joining Jamco in 2005. "There's no denying the fact that my paycheck comes from Jamco. There is an element of conflict of interest," Crotty said.

But such conflicts exist in the established system of designees as well, he said. Besides, he said, the change is not as dramatic as it sounds. Under the previous rules, the FAA kept a close eye only on safety-critical issues and spot-checked everything else. "In today's world, they delegate 99 percent of this," Crotty said. "They never see this stuff, these test reports, these analysis documents and drawings."

FAA INSIDER CONCERN

Still, the shift toward more self-regulation troubles some inside the system. One FAA-certification engineer who asked not to be identified for fear of losing his job said relying on audits isn't good enough because it happens after "the airplane is out flying carrying passengers." He said that inserting a layer of company management between him and the company's engineers increases "the chance of undue pressure" on those doing the detailed engineering reviews. Tomaso DiPaolo of the National Air Traffic Controllers Association (NATCA), a union that represents air traffic controllers and about 600 aircraft-certification technical experts at the FAA, said the new system "hands the keys over to the companies." DiPaolo said the union isn't worried about protecting jobs — there is more than enough work for the FAA — but about reduced oversight of safety issues.

Yet Ali Bahrami, the Renton-based manager of the FAA Transport Airplane Directorate, insists that the FAA isn't abdicating its regulatory role. With a swelling workload, the agency must focus on those areas that are deemed critical, rather than reviewing every routine element of an airplane design, he said. "This is more [FAA] involvement where involvement is necessary," Bahrami said. "Resources aren't going to be such that you can be there every step of the way. That's just wishful thinking."

BOEING ON BOARD

Boeing's transition to the new system by November 2009 will be less dramatic than Jamco's. Much of its inspection work is already delegated to more than 400 company in-house inspectors who, though appointed by the FAA, for the past decade have reported their findings largely

through an internal Boeing organization, said Scott Peterson, director of regulatory- and quality-systems oversight at Boeing Commercial Airplanes. Freeing the agency from the "adminisitrivia" of managing all those oversight staff "allowed the FAA, rather than work the day-to-day minutiae, to put more focus on the key safety factors," he said. "We're not bogging down the FAA," Peterson said. "It's a win/win." Back at Jamco, director of sales and marketing Shawn Raybell acknowledged the additional responsibility that the FAA has placed on company engineers. "They've put a lot of faith in us," Raybell said." Dominic Gates: 206-464-2963 or dgates@seattletimes.com

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July 2008. FAA Tech Report DOT/FAA/AR-08/39. History Of Aviation Oversight In The United States.
Link > http://www.tc.faa.gov/its/worldpac/techrpt/ar0839.pdf Excerpts. Full PDF Report available. EXECUTIVE SUMMARY; "One of the Federal Aviation Administration's (FAA) core missions is safety oversight—the process of ensuring that airmen, airlines, aircraft, manufactures, and a host of others who are engaged in aviation perform their functions safely and responsibly. Efforts are currently underway to create a new oversight system, and part of that effort includes a study of how to assess the performance of such a system. Toward that end, this report surveys the history of aviation safety oversight in the United States and how decisions makers and stakeholders have perceived its performance over time. This report takes a generally chronological approach, dividing the history into seven main epochs. From the beginning, promotion and protection have both been parts of the mission of safety oversight. The relation of these missions is largely complementary. By creating an aviation system that the public trusts and is willing to use, both the promotion and the protection goals are realized. As the aviation system has matured, it has become harder to assess how oversight affects safety outcomes. Declining accident rates were initially an important indicator. Later accident investigation results yielded important insights. However, the admission that "we regulate by counting tombstones" prompted the search for a better approach. Cost control has been a long-standing performance goal. On the one hand, federal overseers have generally sought to maintain the support of industry by avoiding requirements involving high disruption or excessive cost. On the other, it has relied on industry to provide much of the frontline oversight, beginning with the designee programs of the 1940s. This approach makes the oversight system highly dependent on industry, re-enforcing the need to work cooperatively with industry, rather than as an adversarial rule enforcer, whenever possible. The evolution of the oversight system can be partially understood in terms of two-long term trends: greater capability to monitor what inspectors do and decreasing ability to observe the safety outcomes that result. In the scheme of James Q. Wilson, this implies that the safety oversight has evolved from a "coping" activity to a "procedural" one, from something akin to a policeman walking his beat to one more similar to the Occupational Safety and Health Administration.
The development and enhancement of FAA surveillance programs, i.e., National Program Guidelines and Air Transportation Oversight System reflect this shift, as system managers assert more control over what inspectors do and how they do it " See Link for full text .

6/30/08. OIG Report. Review of FAA's Oversight of Airlines and Use of Regulatory Partnership Programs. Project ID: AV-2008-057.
Link > https://www.oig.dot.gov/sites/default/files/SWA_Report_Issued.pdf Excerpts. Full PDF Report available. "Summary; On June 30, 2008, we issued our review of the Federal Aviation Administration's (FAA) oversight of airlines and use of regulatory partnership programs. We initiated this review at the request of the Chairman of the House Committee on Transportation and Infrastructure. The objectives of our initial review were to determine (1) the thoroughness of FAA's investigation of whistleblower complaints regarding FAA's oversight of Southwest Airlines (SWA) and (2) the type and timeliness of corrective actions FAA took in response to any inappropriate inspector actions. At the request of Congress, we continue to review FAA's air carrier oversight processes to determine if there are areas in which FAA could strengthen its oversight. We testified multiple times before the House and Senate regarding the SWA matter in April. During these hearings, we made a series of recommendations to improve FAA's air carrier oversight practices. We are still reviewing these issues and plan to issue our final report later this year. This interim report formally transmits to FAA the recommendations we have identified to date. While FAA generally agreed with most of our recommendations, it disagreed with two that are fundamental in improving its air carrier oversight: (1) periodically rotate supervisory inspectors to ensure reliable and objective air carrier oversight and (2) establish an independent organization to investigate safety issues identified by FAA employees. Given the seriousness of the issues these recommendations were intended to address, we believe FAA needs to reconsider its position." See Link for full text

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7/3/08. Media Article. FAA, Agency Too Cozy With Airlines. Wall Street Journal reporter, Andy Pasztor.
Link > http://www.npr.org/templates/story/story.php?storyId=92177954 Partial Text; "The Federal Aviation Administration inspector general issued a stern rebuke to his own agency. The U.S. safety record is excellent — for now. This week, the Federal Aviation Administration completed a three-month review of U.S.-airline maintenance, and they reportedly gave the airlines really good grades when it came to compliance with federal mandates. But another report, this one by the inspector general's office of the Department of Transportation, says the agency has gotten too cozy with the airlines, notably with Southwest. And it says the FAA is resisting some suggested reforms." See Link for full text.

4/17/08. OIG Report. Key Safety and Modernization Challenges Facing the FAA. Project ID: CC-2008-070.
Link > https://www.oig.dot.gov/sites/default/files/WEB_FILE_IG_Statement_on_Safety_and_Modernization.pdf Excerpts. Full PDF Report available. "Summary; On April 17, 2008, the Inspector General testified before the Senate Committee on Appropriations, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies. The testimony focused on the Federal Aviation Administration's (FAA) key safety and modernization challenges. FAA must operate and maintain an increasingly strained system while transitioning to the next generation of air traffic control and addressing attrition in critical workforces. The recent events involving Southwest Airlines and grounded flights by multiple carriers have raised concerns about FAA's overall approach to safety oversight. There is an urgent need to identify the root causes of safety problems and proactively examine how to maintain and ultimately enhance the margin of safety. The Inspector General highlighted three key challenges facing FAA and its stakeholders over the next several years: (1) strengthening FAA's oversight of the aviation industry, including its systems for monitoring air carriers' use of outsourced maintenance and aircraft manufacturers' suppliers; (2) keeping existing modernization programs on track, reducing risk with NextGen, and setting realistic expectations; and (3) addressing attrition within FAA's air traffic controller and inspector workforces." See Link for full text.

4/13/08. Media Article. FAA reportedly aware of potential MD-80 problems for years.
Link > http://www.marketwatch.com/news/story/faa-reportedly-aware-potential-md-80/story.aspx?guid=%7B211B1060-26B3-4FCC-B870-8CCD34A364F3%7D&dist=msr_3 Text; WASHINGTON (MarketWatch) -- The Federal Aviation Administration has known for years of potential problems arising from wiring bundles on MD-80 airliners but didn't issue an airworthiness directive ordering inspections of the bundles, located near the jets' main landing gear, until June 2006, according to a Ft. Worth Star-Telegram report. Airlines were given 18 months to comply with the directive. A Star-Telegram review of more than 24,000 MD-80 maintenance and incident reports since 2000 turned up just a single case of chafed and burned wires in the wiring bundle in question: on an MD-88 operated by Delta Air Lines while it taxied to the gate in August 2005. FAA-ordered inspections have prompted numerous flight cancellations this past week for American Airlines, the AMR Corp. subsidiary that ranks as the largest U.S. air carrier. Southwest Airlines . Southwest Airlines Co. has also gotten caught up in the controversy arising from questions surrounding the FAA's regulatory relationship with U.S. airlines". See Link for full text

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4/10/08. OIG statement. (FAA Inspector Retaliations). Key safety Challenges Facing The FAA. IG Statement to House Committee. Before the Committee on Commerce, Science, and Transportation Subcommittee on Aviation Operations, Safety, and Security, U S Senate. Statement of The Honorable Calvin L. Scovel III Inspector General U.S. Department of Transportation.
Link > https://www.oig.dot.gov/sites/default/files/SAFETY_CHALLENGES.pdf Excerpts. Full PDF Report available. "However, a number of high-profile events, including fundamental breakdowns in FAA oversight at Southwest Airlines (SWA), have raised legitimate concerns about the effectiveness of FAA's overall approach to safety oversight and what changes are needed. These concerns have been amplified by the fact that airlines have grounded nearly 700 aircraft since FAA began industry-wide assessments of compliance with safety directives. There is an urgent need to assess what went wrong, identify root causes, and proactively examine how to maintain and ultimately enhance the margin of safety. Mr. Chairman, it is against this backdrop that we would like to discuss the following three key safety challenges facing FAA and its stakeholders, as we see them: * Strengthening FAA's Oversight of the Aviation Industry. The recent events at SWA brought to light serious lapses in FAA's oversight of air carriers. As this Committee knows, FAA's handling of whistleblower concerns regarding SWA's failure to follow a critical FAA airworthiness directive (AD) has had a cascading effect throughout the industry. While the critical safety lapses indicated problems with the airline's compliance, they are symptomatic of much deeper problems in several key areas of FAA's oversight.
• We found FAA's SWA inspection office developed an overly collaborative relationship with the air carrier that allowed repeated self disclosures of AD violations through FAA's partnership program. These programs are intended to facilitate cooperation between FAA and air carriers to identify and address safety issues. Yet, FAA allowed SWA to repeatedly self-disclose AD violations without ensuring that SWA had developed a comprehensive solution for reported safety problems—which is required for FAA to accept the disclosure and absolve the carrier of any penalty. • We also found that the events at SWA demonstrate weaknesses in FAA's national program for risk-based oversight—the Air Transportation Oversight System (ATOS). This allowed AD compliance issues in SWA's maintenance program to go undetected for several years. As early as 2003, one of the whistleblowers expressed concerns to FAA about SWA's compliance with ADs. In 2006, he began urging FAA to conduct system-wide reviews, but FAA did not begin these reviews until after the details of the March 2007 disclosure became public. In fact, FAA inspectors had not reviewed SWA's system for compliance with ADs since 1999. At the time of SWA's disclosure, 21 key inspections had not been completed in at least 5 years. As of March 25, 2008, FAA still had not completed five of these required inspections, in some cases inspections had not been completed in nearly 8 years. We previously identified system-wide problems with ATOS. In 2005,1 we found that inspectors did not complete 26 percent of planned ATOS inspections—half of these were in identified risk areas.
We recommended, among other things, that FAA strengthen its national oversight and accountability to ensure consistent and timely ATOS inspections. However, FAA has still not fully implemented our recommendations. Our ongoing work at SWA and our 2007 audit at

Northwest Airlines (NWA) also have identified weaknesses in FAA's processes for conducting internal reviews and ensuring appropriate corrective actions. In the SWA case, FAA's internal reviews found, as early as April 2007, that the principal maintenance

* OIG Report Number AV-2005-062, "FAA Safety Oversight of an Air Carrier Industry in Transition," June 3, 2005. OIG reports and testimonies are available on our website: www.oig.dot.gov .

* inspector (PMI) was complicit in allowing SWA to continue flying aircraft in violation of the AD. Yet, FAA did not attempt to determine the root cause of the safety issue, nor initiate enforcement action against the carrier until November 2007.

* **We also have concerns regarding FAA's failure to protect employees who report safety issues from retaliation by other FAA employees.** For example, in the SWA case, after one whistleblower voiced his concerns to FAA, an anonymous hotline complaint was lodged against him. According to the inspection office manager, the PMI indicated that a SWA representative submitted the complaint. The complaint was non-specific and never substantiated, but the whistleblower was removed from his oversight duties for 5 months while he was being investigated. Yet, FAA did not suspend other inspectors who were subjects of similar complaints, including the PMI, who admitted that he allowed SWA to continue flying in violation of the AD. **Our work at NWA found the same problem with FAA's handling of the inspector who reported safety concerns. As with the inspector in the SWA case, FAA managers reassigned an experienced inspector to office duties, after a complaint from the airline, and restricted him from performing oversight on the carrier's premises. At NWA, FAA's reviews of an inspector's safety concerns were limited and overlooked key findings identified by other inspectors. Although some of the inspector's safety concerns were valid, FAA informed him that all of his concerns lacked merit. Both the SWA and NWA cases demonstrate that FAA must pursue a more reliable internal review process and protect employees who bring important safety issues to light.** (Ed Notes; Bold Was Added)

Recently, FAA announced several actions to address the SWA safety directive violation. These include initiating a review of AD compliance at SWA and other air carriers. FAA also proposed to fine SWA more than $10 million. While FAA's actions are necessary, albeit long overdue, the issues we have identified will require immediate and comprehensive changes in FAA's air carrier oversight. These actions include the following:

* Ensuring that its Voluntary Disclosure Reporting Process requires inspectors to (a) verify that air carriers take comprehensive actions to correct the underlying causes of violations identified through self-disclosure programs, and (b) evaluate, before accepting a new report of a previously disclosed violation, whether the carrier developed and implemented a comprehensive solution.

* Implementing a process for second level supervisory review of self-disclosures before they are accepted and closed—acceptance should not rest solely with one inspector. – Periodically rotating supervisory inspectors to ensure reliable and objective air carrier oversight. – Revising its post-employment guidance to require a "cooling-off" period before an FAA inspector is hired at an air carrier he or she previously inspected. – Implementing a process to track field office inspections and alert the local, Regional, and Headquarters offices to overdue inspections. – Establishing an independent organization to investigate safety issues identified by its employees. – Developing a national review team that conducts periodic reviews of FAA's oversight of air carriers. FAA committed to implement these recommendations. Follow through will be critical to demonstrate FAA's commitment to providing effective oversight. Our work also has shown that FAA needs to make similar improvements in its oversight of repair stations and its risk-based system for overseeing aircraft manufacturers' suppliers. A key issue in both cases is that FAA's oversight was inadequate in keeping up with dynamic changes occurring in those industries. We will continue to examine FAA's oversight approach of the aviation industry from a national perspective, and will keep the Committee apprised of our progress with this review, as well as other actions FAA should take to ensure safety……- See Link for full report.

4/3/08. Media Article. FAA Whistleblowers: Southwest Probes Stymied. By Wade Goodwyn. NPR Correspondent, National Desk, Link > http://www.npr.org/templates/story/story.php?storyId=89328997 Text; " First, Southwest Airlines grounded dozens of 737s because of missed safety inspections. Then last week, American Airlines and Delta had to cancel hundreds of flights after concerns about the airplanes' wiring. Wednesday, it was United's turn — the carrier grounded 31 Boeing 777s for maintenance checks. And that's no coincidence. It's the fallout from two Federal Aviation Administration whistleblowers who accuse the agency of becoming way too cozy with the airlines it oversees. The whistleblowers are scheduled to testify before Congress on Thursday, but before their date with lawmakers, FAA inspectors Bobby Boutris and Douglas Peters told their story to NPR. In 2003, Boutris was in charge of reviewing the engine maintenance for 737s in his region. He says that when he looked at Southwest Airlines' paperwork, it was so inconsistent and incomplete that he couldn't tell what was going on with the engines. "I had found a lot of inconsistencies with the records," Boutris says. "They were different from aircraft to aircraft; it was very hard to determine compliance." He complained to his supervisor but was largely ignored. The situation came to a head in 2006, when Boutris was named program manager for the Boeing 737-700 series. He says he was responsible for the safety of the entire aircraft and that Southwest's record-keeping had not improved. He again went to his supervisor and explained that he was seeing the same problems. Boutris wanted to send a letter of investigation, but the supervisor refused. An FAA letter of investigation is a serious matter for an airline. And in Boutris' particular circumstances, according to FAA rules, he was required to investigate further. Boutris says he was blocked yet again

by the supervisor, Douglas Gawadzinski, and thinks he knows why. He says Gawadzinski was friends with a man named Paul Comeau, a former FAA inspector who had accepted a position with Southwest Airlines as the manager for regulatory compliance.
"Anything that had to do with aircraft maintenance, it was dealt between Mr. Gawadzinski and Mr. Comeau. They had a very close relationship," Boutris says. Neither Gawadzinski nor Comeau responded to NPR requests for comment. With a former FAA insider heading up their compliance team, Boutris says, Southwest grew complacent and arrogant. But Boutris says he refused to back off and the carrier tried to get him removed. "It was obvious that Southwest Airlines was trying to cherry-pick the inspector for the inspection," he says. "And because of my knowledge, they didn't want me to perform this inspection, they wanted somebody else." At first, Gawadzinski refused to remove Boutris. But it wasn't long before the supervisory maintenance inspector told Boutris he was out and that his career was in jeopardy because there had been undisclosed complaints from anonymous Southwest officials. This is where the second FAA whistleblower, Peters, became involved. Peters was asked to review Boutris' Southwest investigation. The more he looked into the matter, the more he agreed with Boutris that the flying public was in danger. Peters says the situation defied logic. "That something so critical ... would be not addressed ... I can't explain it. It's a mystery." Peters says Southwest also began trying to interfere with his investigation by going behind his back to FAA supervisor Gawadzinski. The situation for Southwest, however, was about to change.
In March 2007, the airline reported to the FAA that it had not done the required fuselage inspections on 47 jets. The checks are crucial because some versions of the Boeing 737 are vulnerable to cracks just above and below the windows. In 1988, an Aloha Airlines 737 decompressed and blew out 18 feet of its roof, killing a flight attendant. Instead of grounding the 47 aircraft and inspecting them, Southwest quietly continued to fly the jets. Gawadzinski, who was aware of Southwest's alleged deception, is accused of helping the airline cover it up. Peters says the problem at the FAA involves more than one rogue supervisor. He says higher-ups in the agency have known for three years that there were serious problems with aircraft maintenance inspections and have done nothing.
THE FAA HAS TRIED TO DO SOME DAMAGE CONTROL.
The agency has transferred supervisor Gawadzinski and fined Southwest $10.2 million. Acting FAA Administrator Bobby Sturgell said at a news conference at Washington's Reagan National Airport on Wednesday that there was a breakdown in the system at Southwest. "For those who question our commitment to safety, I would suggest there's at least one airline today with 10.2 million reasons why those critics are simply wrong," Sturgell said. Southwest initially balked at the fine but then backed off as the extent of the public relations mess became apparent. Ginger Hardage, senior vice president for communications, says the company is investigating the missed maintenance.
SOUTHWEST DECLINED TO COMMENT ABOUT ANY OF THE DETAILS REGARDING ITS PAST INTERACTION WITH THE FAA.
It does not promise to be a pleasant day for Southwest executives or the FAA officials appearing before the House Transportation Committee and its Chairman Jim Oberstar on Thursday. The FAA's announcement that four more airlines are now under investigation for failing to comply with federal maintenance regulation seems only to underscore Boutris' contention that other FAA investigators have been stymied by their supervisors. Congress' reaction will determine a lot about future aircraft safety, Boutris says. "The flying public needs to know that we need their support. This way, we can do what we were hired for."

4/3/08. OIG Report. Actions Needed to Strengthen FAA's Safety Oversight and Use of Partnership Programs. Project ID: CC 2008046.
Link > https://www.oig.dot.gov/sites/default/files/OIG_STATEMENT_ON_SWA.pdf Excerpts. Full PDF Report available. ”Summary; On April 3, 2008, the Inspector General testified on actions needed to strengthen FAA’s safety oversight and use of partnership programs before the House Committee on Transportation and Infrastructure. This testimony is part of the Office of Inspector General’s ongoing work on FAA’s handling of whistleblower concerns following a Southwest Airlines (SWA) airworthiness directive (AD) violation, as requested by the Committee. The Inspector General noted breakdowns in three areas of FAA oversight that contributed to the SWA event and illustrate the potential for system–wide weaknesses. Specifically, FAA’s: (1) partnership programs with air carriers, (2) national program for risk–based oversight, and (3) internal reviews and handling of employees who report safety concerns. The testimony focused on key changes that FAA must make to its oversight programs to address these areas. These include the following: (1) establishing an independent organization to investigate safety issues identified by FAA employees; (2) periodically rotating supervisory inspectors to ensure reliable and objective air carrier oversight; (3) revising its guidance on self– disclosure programs for air carriers; (4) implementing a process for secondary review of self–disclosures; (5) revising its post–employment guidance to require a “cooling–off” period for inspectors hired at air carriers that they previously inspected; (6) implementing a process to track field office inspections and alert the local, regional, and Headquarters offices to overdue inspections; and (7) developing a national review team that conducts periodic reviews of FAA’s oversight of air carriers.
In addition “FAA Did Not Follow Its Own Criteria for Self-Disclosures . “ “Breakdowns in FAA’s Oversight of Its Self-Disclosure Program Point to an Overly Collaborative Relationship With SWA”. “Problems With Other FAA Partnership Programs”, “ Multiple Missed ATOS Inspections at SWA Point to Longstanding Weaknesses in FAA’s National Oversight” Reg pages 7 to 13). The Inspector General stated that his office will continue to examine FAA’s oversight approach from a national perspective, as requested by the Committee.” See Link for full text
Full Hearing Records Link > .https://archive.org/stream/gov.gpo.fdsys.CHRG-110hhrg41821/CHRG-110hhrg41821_djvu.txt

4/3/08. Congress Hearing. Full text of "CriticaL Lapses In Federal Aviation Administration Safety Oversight of Airlines: Abuses of Regulatory ''Partnership Programs'' Link > https://archive.org/stream/gov.gpo.fdsys.CHRG-110hhrg41821/CHRG-110hhrg41821_djvu.txt Excerpts. Full PDF Report available. Executive Summary ; "FARs require the immediate grounding of any aircraft that is past due mandatory AD requirements or required maintenance checks. There are no exceptions to this rule. The FAA maintains oversight of airlines through its Flight Standards Service, which is comprised of approximately 3,600 inspectors. This division reports to the Director of Flight Standards Service at FAA Headquarters ("HQ"), who reports to the Associate Administrator for Aviation Safety at FAA. The Associate Administrator for Aviation Safety reports to the FAA Administrator. Flight Standards is organized into Regional Offices and Certificate Management Offices (CMO). Each major airline is assigned a CMO that is responsible for overseeing a particular airline. The CMO reports to a Regional Flight Standards Director, who reports to the Director of Flight Standards at HQ. See the organizational chart attached. FAA issues regulations such as ADs that require certain mandatory aircraft inspections at specific intervals. These ADs and mandatory inspections are specific to each type of aircraft, and the CMO for the airline is responsible for seeing that these mandatory inspections take place. The FAA relies heavily on "partnership programs" such as the Voluntary Disclosure Reporting Program (VDRP) and the Aviation Safety Action Program (ASAP) to motivate airlines, mechanics, and other operational personnel to self-disclose violations as means of identifying non-compliance with the regulations that the FAA otherwise might not have detected. There are incentives to airlines and certificate holders (in the form of immunity from the finding of a violation) for self-disclosing as a means of correcting compliance problems and detecting important safety-related trends. These programs are discussed in more detail below. On March 15, 2007, SWA notified, by telephone, FAA SPMI Gawadzinski in the SWA CMO of a voluntary' disclosure that potentially up to 100 aircraft were overdue the required inspection and compliance for one AD. Under VDRP guidelines, it was mandatory that the SWA non-compliance with the FARs should have immediately ceased on the date of disclosure. This clearly did not occur. Once airline maintenance officials were able to evaluate and define the scope of the problem, the number of aircraft involved was later revised to 47 aircraft…… ". See Link for full text

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4/3/08. (FAA Inspector Retaliations). Testimony of FAA inspector Mary Rose Diefenderfer) Principal Operations Inspector to Honorable Jim Oberstar, House Transportation and Infrastructure Committee on April 3,2008. (See "Congress Hearing" Above). (Regarding FAA Inspectors Robert Lloyd, Mary Rose Diefenderfer and Bill Whitaker, Link > https://osc.gov/PublicFiles/FY2010/10-38%20DI-08-2971%20Comments%20Part%204%20of%205.pdf Excerpts. Full PDF Report available. " Abstract; Succeeding Principal Operations Inspectors Robert Lloyd, Mary Rose Diefenderfer and Bill Whitaker, and Inspector Les Martin who oversaw Alaska Airlines from 1991-2000 harassed and forced out by FAA Officials, Phil Hoy, Mike Kelly, and Tom Stuckey. Excerpts; "My comparison will show that Alaska Airlines' lack of regulatory compliance and negative safety culture was brought to the attention of FAA management in Seattle, and was not only ignored, but a systematic campaign of retaliation was initiated against those inspectors, including me, who spoke up for the flying public.
I believe that if our warnings had been heeded by FAA management, 88 people might not have died on that Alaska Airlines flight in 2000. The real tragedy is that Mr. Pearson and other FAA managers were never held accountable for their retaliatory actions against inspectors prior to the accident, and for their misleading statements about the whistleblowers and the Alaska Airlines culture during the NTSB testimony.
I served as FAA Principal Operations Inspector (POI) in Seattle overseeing Alaska Airlines from 1993 through 1997 (Northwest Mountain Region, Seattle Flight Standards District Office). My duties were as primary Flight Operations Inspector with direct responsibility for Alaska Airlines legal approvals and operations surveillance program. I also had oversight responsibility for three other inspectors, who reported their findings to me for action. Subsequently, from the end of 1997 until the end of 1999, I worked for the FAA in another office after being suddenly reassigned for whistleblowing. I was forced out of the FAA two months before the crash. As POI, I found a highly dangerous safety culture within Alaska Airlines. It was one of defiance of regulatory authority, especially the FAA, and a culture that appeared to lack any consideration for safety. The culture seemed to be one of "get the job done no matter how illegally you have to do it". There was also a strong culture among mid-level and senior Alaska Airlines management that false complaints against FAA inspectors would keep the FAA from finding deficiencies because inspectors would be reassigned, or at least restricted. I reported my Alaska Airlines safety findings, as well as the findings of the three inspectors who reported to me, through the FAA chain of command, but our warnings were not heeded. In fact, FAA management began to ostracize me, hindered me from making future reports and correcting problems, sent me to "reprogramming" sessions disguised as a customer service initiative, reassigned me, escalated the retaliation, and ultimately forced me out of the agency though bogus disciplinary actions at the end of 1999. My career was virtually ended for trying to protect the flying public. The three other inspectors experienced similar treatment and two were reassigned from their positions-just like the inspector group overseeing Southwest Airlines. Ultimately, in May 1997, three Alaska Airlines inspectors and I made a whistleblower report to the DOT Office of Inspector General in Seattle, which focused on FAA management hindered us from performing our jobs and pandered to Alaska Airlines. We expressed our concerns that Alaska Airlines was headed towards a major disaster, and that FAA management's actions were going to be a contributing factor. I also made reports to FAA Security, the FBI, and the NTSB (following the accident). The various parties were warned of an impending disaster ifconditions didn't change. Two months after I was forced out of the FAA, Alaska Airlines 261 crashed off the coast of California killing 88 people. The

NTSB ultimately found that the FAA Seattle Office contributed to the crash by its lack of oversight (the report is online at the NTSB website). I believe that if the FAA would have listened to the Alaska Airlines inspector team, those 88 people would still be ……
Please take a moment to review and compare the almost identical treatment in chronological order of FAA inspectors who oversaw Alaska Airlines from 1991-2000, keeping in mind that the current Division Manager, Brad Pearson, was in charge throughout those years. The underlined text is FAA airline action that is similar to what inspectors reported in the hearing:
1991! 1992- Robert Lloyd is Principal Operations Inspector. He finds Alaska Airlines falsifying pilot training records for required simulator wind shear training. He initiates an enforcement investigation on the case. He is harassed by FAA management for his findings and ultimately is told to drop the case after his investigative evidence package disappears from his desk while meeting with the Division Manager, a meeting which the Division Manager called regarding the falsification case.. 1993- I. (Mary Rose Diefenderfer) am Principal Operations Inspector. I find falsification of pilot training records and make a report to both FAA Security (due to the criminal nature of the case) and FAA Flight Standards management. I am harassed. have my FAA required medical certificate threatened, have my career threatened, and I'm ultimately reassigned to another office. I file an EEOC case and I'm returned to the POI position. (Falsification was proven and action taken) 3. 1994-1997 - I, as well as other inspectors who work for me, warn FAA management that the safety and regulatory compliance culture at Alaska Airlines is degrading and could result in an accident. We are ignored, and enforcement paperwork is "lost" at the management level. See Link for complete statement." See Link for full text

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4/3/08. Media Article. Flight Safety Foundation Responds to Criticism of FAA and Industry Safety Record. By Emily McGee, Director of Communications. Link > http://flightsafety.org/media-center/press-releases/2008-press-releases/criticism-of-FAA-and-industrysafetyrecord Text; "The Flight Safety Foundation (FSF) issued the following statement today in response to allegations of lax FAA aviation safety oversight and criticism of aviation safety partnership programs, including those aired in a hearing today held by the House Transportation and Infrastructure Committee: "The commercial aviation system in the United States is the safest in the world," said FSF President and CEO William R. Voss, "and both the FAA and industry should be justifiably proud of their record. As in any safety management system, there is always room for continuous improvement, but we cannot allow isolated breakdowns, which the FAA and industry are moving swiftly to address, to ruin partnership programs that have demonstrably contributed to aviation's sterling safety record. Nor can we afford to dry up the free flow of information that allows professionals to identify problems before they become safety threats," Voss continued. "We cannot create a wall between the FAA and the airlines that will stop the flow of information and set aviation safety back 20 years."
See Link for full text

3/31/08. Media Article. Faulty Wiring in Airbus Jets Cited In Two United Incidents. by Andy Pasztor.
Link > http://online.wsj.com/article/SB120689141103774993.html?mod=googlenews_wsj Partial Text; " UAL Corp.'s United Airlines has found wiring improperly connected to the main landing gear of three of its Airbus A320s, which company and government officials believe caused a pair of nonfatal runway accidents. The incidents have prompted an industry debate over how the miswiring took place … whether tests to verify the wiring are sufficient. United's difficulties are the latest by a U.S. airline involving lapses in maintenance practices. No deaths or major accidents have been reported, but the disclosures have put U.S. airlines and the Federal Aviation Administration under scrutiny."
See Link for full text.

3/18/08. Media Article. FAA Orders Check of All Airline Maintenance. The action follows intense criticism of the FAA for how it handled missed safety inspections at Southwest Airlines. (March 18). Link > http://www.youtube.com/watch?v=TEAWaZ88VYc Partial Text; "The Federal Aviation Administration has ordered a check of the maintenance logs of all U.S. airlines." … Video. See Link for full text.

2/26/08. FAA Report. Assessment Of FAA'S Risk-Based System For Overseeing Aircraft Manufacturers' Suppliers. Federal Aviation Administration. Report Number: AV-2008-026. From David A. Dobbs. Principal Assistant Inspector General for Auditing and Evaluation, to Acting Federal Aviation Administrator. Link > http://www.pogoarchives.org/m/tr/faa-supplier-20080226.pdf Excerpts. Full PDF Report available. Text; "Results In Brief. Since 1998, FAA has worked towards implementing a risk-based oversight system for aviation manufacturers. However, this system was implemented in fiscal year (FY) 2003 and does not take into account the degree to which manufactures now use suppliers to make aviation products. FAA based the new system on historical manufacturing business models, in which manufacturers maintain primary control over the production of their aircraft rather than use suppliers to design and manufacture extensive portions of aircraft. We found that FAA needs to improve its risk-based oversight system as it does not ensure that manufacturers regularly audit their suppliers. FAA also does not perform enough audits of manufacturers' suppliers (i.e., supplier control audits) to test how well manufacturers' quality assurance systems are working. Rather, FAA requires its inspectors to conduct, at most, four supplier audits regardless of how many suppliers a manufacturer uses. This process is not adequate to determine the risk that a manufacturer will produce substandard

parts. FAA's process for supplier audits should be designed to address newer manufacturing business models, which have expanded the number of foreign suppliers, locations where parts are assembled, and the degree of independent manufacturing responsibility suppliers now have. We also found that the risk assessments FAA inspectors use to evaluate a manufacturer's potential for producing substandard products exclude pertinent information that would aid in evaluating risks. For example, inspectors do not routinely evaluate the results of manufacturers' audits of their suppliers. In our view, manufacturers' assessments of their suppliers, if properly conducted, would provide valuable information that FAA inspectors could use to assess risk and target inspection resources. Risk-based oversight is the right direction for FAA, but it needs to strengthen its system for overseeing aircraft and aircraft part suppliers so that its oversight is effective in today's manufacturing environment.

Finally, we determined that FAA's inspections at supplier facilities were too focused on specific tasks rather than overall quality systems. Using a more uniform approach to supplier audits, our aviation consultants identified widespread deficiencies at supplier facilities used by major aviation manufacturers. We found that some aircraft manufacturers had not designed effective oversight systems for their aircraft part suppliers. Although manufacturers are ultimately responsible for the quality of parts used on their aircraft, three of the five manufacturers we reviewed did not have procedures in place to routinely visit all their critical6 suppliers and sub-tier suppliers. Consequently, neither manufacturers nor FAA inspectors have provided effective oversight of suppliers; this has allowed substandard parts to enter the aviation supply chain. We made a series of recommendations designed to enhance FAA's oversight of manufacturers' suppliers. Our full recommendations are listed on page 15." See Link for full text

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10/1/07. Media Article. FAA Rejects Criticism Of 787 Fuselage Testing. By Dominic Gates, Seattle Times aerospace reporter.

Link > http://seattletimes.nwsource.com/html/businesstechnology/2003917025_webboeing01.html Partial Text; "The Federal Aviation Adminstration (FAA) has rejected suggestions from a former Boeing engineer that it change the testing and certification process proposed to prove that the 787 Dreamliner is as safe in a crash landing as current airplanes. In a formal response published in the Federal Register last week, the FAA summarizes two critiques of its certification proposals from unidentified sources. One of those is recognizable as referring to an 11-page letter submitted in July by Vince Weldon, formerly employed as a high-level engineer and manager at Boeing's Phantom Works research unit. Weldon's safety concerns were the basis for a cable TV news show last month presented by former CBS anchor Dan Rather. Weldon, who was fired in 2006 under disputed circumstances after 46 years at Boeing, argued that the 787 needs stiffer tests than those Boeing has conducted. He asserted that its composite plastic structure could shatter in a crash landing and burn with toxic fumes."

See Link for full text.

9/11/07. Media Article. Departing FAA Chief Comes Under Fire. By Alan Levin, USA TODAY.

Link > http://www.usatoday.com/news/washington/2007-09-11-Blakey_N.htm Text; "WASHINGTON — The nation's top aviation regulator is under criticism for accepting a job as head of a trade group that frequently lobbies for the aviation industry on government spending and policy. Marion Blakey, who heads the Federal Aviation Administration, agreed in July to become president and CEO of the Aerospace Industries Association (AIA), starting Nov. 12. The association represents firms her agency oversaw and awarded contracts to during her five-year tenure. In recent weeks, the FAA has awarded a contract worth up to $1.8 billion to revamp the nation's air traffic system, issued emergency safety orders on Boeing jets and aggressively pushed Congress to adopt fees to fund long-term air traffic improvements. All of those actions could impact AIA. Blakey, whose FAA term ends Thursday, said she has been "scrupulously careful" to follow federal ethics rules and had no direct involvement in matters relating to her new employers since job negotiations began in late June. She filed a letter June 29 vowing not to participate in the creation of rules that could impact association member Boeing, according to a document released Tuesday.

GROUPS THAT MONITOR ETHICS IN WASHINGTON WERE CRITICAL.

"It raises some pretty serious ethics questions," said Melanie Sloan, executive director of Citizens for Responsibility and Ethics in Washington (CREW). Scott Amey, general counsel of the Project on Government Oversight, said Blakey's actions fit the public's "worst fear" of government. "Under the Bush administration, the revolving door has spun out of control," said Rep. Henry Waxman, D-Calif., who has proposed tighter rules on officials leaving government.

Blakey said she has not taken a direct role in any regulatory action that affects the AIA, which represents aircraft manufacturers and defense contractors. She said she was "taken aback and a little appalled, frankly" at issues being raised. She said that because the member firms of AIA competed against each other so aggressively, it provided an incentive for her not to weigh in on behalf of any single company. John Douglass, AIA's outgoing president and CEO, bristled at charges that hiring Blakey could cause a conflict. "This idea that when someone leaves the government and goes to work in our American industrial base there's something wrong with that, I totally reject that," Douglass said. For federal executives at Blakey's level, the annual salary is $168,000, according to the U.S. government's "Plum Book." Blakey and AIA have not released her new salary, but federal tax forms indicate Douglass made $ 531,653 in 2005."

6/20/07. FAA Testimony of Margaret Gilligan, Deputy Associate Administrator for Aviation Safety before the Senate Committee on Commerce, Science and Transportation, subcommittee on Aviation on the Federal Aviation administration's Oversight of foreign aviation repair stations. Link > http://testimony.ost.dot.gov/test/pasttest/07test/gilligan2.htm Excerpts. Full PDF Report available. Partial Text; "No less an authority than the former Department of Transportation Inspector General (IG), Ken Meade, testified before Congress that use of these stations is not a question of quality, but rather an issue of oversight. We agree, which is why the FAA is continually improving and refining our oversight of maintenance, no matter where it is performed or by whom. Previously, our oversight was based largely on inspector knowledge and information that was available as the result of individual inspections. This approach was the best we could do at the time, but it was far from comprehensive. The effectiveness of our oversight could vary from facility to facility. We have been working closely with the Department of Transportation Inspector General's (IG) office since their issuance in 2003 of the report "Review of Air Carriers' Use of Aircraft Repair Stations." The report identified specific areas where the IG felt improvements could be made. In response to the report, we made a number of changes to our oversight of repair stations - In 2004, we revised the regulations that apply to repair stations - In 2005, we issued guidance to enhance oversight of repair stations based on system safety requirements and risk assessment. - In 2006, we developed and implemented software to further enhance oversight, risk assessment, and risk management processes used in our oversight. - We've improved our Safety Performance Analysis System to provide sharing of information between the inspectors assigned to the repair station, and those assigned to the air carrier. - We've also improved the training requirements for certain repair station personnel. - We are currently testing a different way to oversee the work performed by complex repair stations. - In response to the IG, we have also made some changes to our oversight of foreign repair stations. For example, we eliminated the 10% sampling requirement on FAA's inspection of repair stations in countries where there is a BASA/MIP in place. In FY 2006, FAA conducted sampling inspections in 21% of the repair stations located in these countries. - I do not claim to have all the answers. I think the changes we have made in recent years are good ones. But we can't sit still. There will always be ways to improve and we will continue to look for them." See Link for full text

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12/15/05. OIG Report. Review of Air Carriers' Use of Non-Certificated Repair Facilities. Project ID: AV-2006-031.
Link > https://www.oig.dot.gov/sites/default/files/av2006031.pdf Excerpts. Full PDF Report available. "Summary; On December 15, we issued our audit of FAA's oversight of air carriers' use of non-certificated repair facilities. This audit was requested by Rep. James Oberstar, Ranking Minority on the House Transportation and Infrastructure Committee. We found that although air carriers have used non certificated facilities for years to perform minor or emergency repairs, they are now using these facilities to perform scheduled and critical maintenance. The work performed at these facilities is approved by FAA certificated mechanics; however, this is not an adequate substitute for the quality control and additional layers of oversight FAA requires at FAA-certificated repair stations. Also, neither FAA nor air carriers are providing oversight of the maintenance work performed at these facilities. FAA generally agreed with our recommendations." See Link for full text

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9/7/05. GAO Report. FAA Management Practices for Technical Training Mostly Effective; Further Actions Could Enhance Results. Report # GAO-05-728. Link > https://www.gao.gov/products/gao-05-728 Excerpts. Full PDF Report available. Highlights; "One key way that the Federal Aviation Administration (FAA) makes air travel safer is to inspect the manufacture, operation, and maintenance of aircraft that fly in the United States. To better direct its resources, FAA is shifting from an inspection process that relied on spot-checks of compliance with regulations to one that evaluates operating procedures and analyzes inspection data to identify areas that pose the most risk to safety (called system safety). While FAA believes the new approach requires some technical knowledge of aircraft, Congress and GAO have long-standing concerns over whether FAA inspectors have enough technical knowledge to effectively identify risks. GAO reviewed the extent that FAA follows effective management practices in ensuring that inspectors receive up-to-date technical training. In addition, GAO is reporting on technical training that the aviation industry provides to FAA. Recommendations; To gain better acceptance from the inspector workforce for changes being made and planned for the inspector training curriculum, the Secretary of Transportation should direct the FAA Administrator to increase the focus of its training efforts on system safety/risk management will improve inspections and aviation safety." See Link for full text.

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* 6/3/05. OIG Report. FAA Safety Oversight of an Air Carrier Industry in Transition. (ATOS and SEP).
Project ID: AV-2005-062. Link > https://www.oig.dot.gov/sites/default/files/av2005062.pdf Excerpts. Full PDF Report available. "Summary; On June 3, we issued our report on FAA's oversight of the changes network air carriers are making in response to financial challenges and FAA's oversight of the growth of low cost air carriers. FAA has made progress in implementing risk based oversight systems, but these systems were not flexible and comprehensive enough to permit FAA to adequately monitor the changes in the industry. FAA is facing extraordinary budgetary challenges and expects to lose some of its safety inspectors; therefore, it is imperative that FAA have well-planned and well-executed oversight programs. FAA needs to: (1) strengthen its oversight and monitoring of its field offices to ensure inspectors conduct their inspections in a timely and consistent manner; (2) refine its risk assessment, inspection planning, and data analyses process so they are more comprehensive and flexible; (3) determine if it can make enough efficiency gains in its operations to sustain the

planned cuts of 233 safety inspectors beyond 2005." FAA's risk-based oversight systems are conceptually sound. However, the magnitude of changes that air carriers are making and the rapid pace at which the changes are occurring have presented challenges for FAA at a time when its oversight systems are still evolving. After 6 years of working with ATOS and over 5 years with SEP, FAA still has a substantial amount of work ahead to refine and effectively implement its data-driven oversight system. "Decisions on risks are still subjective in many cases and often based on inspector knowledge because of the lack of comprehensive, quality air carrier and inspection data." Although inspectors are increasingly using data in decision-making, they continue to rely more on their past knowledge and experience rather than data to identify risk areas. See Link for full text

EDITOR NOTES; From the 58 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

2/10/05. Media Article. 9/11 Report Cites Many Warnings About Hijackings. By ERIC LICHTBLAU.

Link > http://www.nytimes.com/2005/02/10/politics/10terror.html Partial Text; "WASHINGTON, Feb. 9 - In the months before the Sept. 11 attacks, federal aviation officials reviewed dozens of intelligence reports that warned about Osama bin Laden and Al Qaeda, some of which specifically discussed airline hijackings and suicide operations, according to a previously undisclosed report from the 9/11 commission. But aviation officials were "lulled into a false sense of security," and "intelligence that indicated a real and growing threat leading up to 9/11 did not stimulate significant increases in security procedures," the commission report concluded. The report discloses that the Federal Aviation Administration, despite being focused on risks of hijackings overseas, warned airports in the spring of 2001 that if "the intent of the hijacker is not to exchange hostages for prisoners, but to commit suicide in a spectacular explosion, a domestic hijacking would probably be preferable." The report takes the F.A.A. to task for failing to pursue domestic security measures that could conceivably have altered the events of Sept. 11, 2001, like toughening airport screening procedures for weapons or expanding the use of on-flight air marshals. The report, completed last August, said officials appeared more concerned with reducing airline congestion, lessening delays, and easing airlines' financial woes than deterring a terrorist attack. The Bush administration has blocked the public release of the full, classified version of the report for more than five months, officials said, much to the frustration of former commission members who say it provides a critical understanding of the failures of the civil aviation system. The administration provided both the classified report and a declassified, 120-page version to the National Archives two weeks ago and, even with heavy redactions in some areas, the declassified version provides the firmest evidence to date about the warnings that aviation officials received concerning the threat of an attack on airliners and the failure to take steps to deter it. Among other things, the report says that leaders of the F.A.A. received 52 intelligence reports from their security branch that mentioned Mr. bin Laden or Al Qaeda from April to Sept. 10, 2001. That represented half of all the intelligence summaries in that time. Five of the intelligence reports specifically mentioned Al Qaeda's training or capability to conduct hijackings, the report said. Two mentioned suicide operations, although not connected to aviation, the report said. A spokeswoman for the F.A.A., the agency that bears the brunt of the commission's criticism, said Wednesday that the agency was well aware of the threat posed by terrorists before Sept. 11 and took substantive steps to counter it, including the expanded use of explosives detection units. "We had a lot of information about threats," said the spokeswoman, Laura J. Brown. "But we didn't have specific information about means or methods that would have enabled us to tailor any countermeasures." She added: "After 9/11, the FAA and the entire aviation community took bold steps to improve aviation security, such as fortifying cockpit doors on 6,000 airplanes, and those steps took hundreds of millions of dollars to implement." The report, like previous commission documents, finds no evidence that the government had specific warning of a domestic attack and says that the aviation industry considered the hijacking threat to be more worrisome overseas. "The fact that the civil aviation system seems to have been lulled into a false sense of security is striking not only because of what happened on 9/11 but also in light of the intelligence assessments, including those conducted by the F.A.A.'s own security branch, that raised alarms about the growing terrorist threat to civil aviation throughout the 1990's and into the new century," the report said. In its previous findings, including a final report last July that became a best-selling book, the 9/11 commission detailed the harrowing events aboard the four hijacked flights that crashed on Sept. 11 and the communications problems between civil aviation and military officials that hampered the response. But the new report goes further in revealing the scope and depth of intelligence collected by federal aviation officials about the threat of a terrorist attack…." See Link for full text.

10/8/04. GAO Report. FAA Needs to Strengthen the Management of Its Designee Programs. Report # GAO-05-40.

Link > https://www.gao.gov/products/gao-05-40 Excerpts. Full PDF Report available. " Highlights;. FAA delegates the vast majority of its safety certification activities to about 13,600 private persons and organizations, known as "designees," which are currently grouped into 18 different programs. Among other tasks, designees perform physical examinations to ensure that pilots are medically fit to fly and examine the airworthiness of aircraft. GAO reviewed (1) the strengths of FAA's designee programs, (2) the weaknesses of those programs and factors contributing to those weaknesses, and (3) potential improvements to the programs. Recommendations; To improve management control of the designee programs, and thus increase assurance that designees meet FAA's performance standards, the Secretary of Transportation should direct the FAA Administrator to develop mechanisms to improve the compliance of FAA program and field offices with existing policies

concerning designee oversight. The mechanisms should include additional training for staff who directly oversee designees. As part of this effort, FAA should identify best oversight practices that can be shared by all FAA program and field offices and lessons learned from the program evaluations and incorporate, as appropriate, suggestions from our expert panel. Recommendation status is Closed - Implemented. On March 17, 2006, FAA issued a revised order on designees (VS 1100.2) that established a Delegation Steering Group with representatives from each office with designee programs. The group had its first meetings in August 2006, and its function is to monitor compliance with the revised designee order, make recommendations to improve the designee programs, and to report to the Office of Aviation Safety management team at least annually. A revised designee management training course for FAA staff was scheduled for October 2006 and a second course by the end of FY 07. In addition, in 2006, FAA deployed an on-line questionnaire to FAA employees and designees to determine the health of the designee processes, with the goal of learning from the field perspective, what works well and what does not." See Link for full text

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* 7/6/04. GAO Report . Better Management Controls are Needed to Improve FAA's Safety Enforcement and Compliance Efforts. Report # GAO-04-646. Link > https://www.gao.gov/products/gao-04-646 Excerpts. Full PDF Report available. Highlights; "The safety of the nation's flying public depends, in large part, on the aviation industry's compliance with safety regulations and the Federal Aviation Administration's (FAA) enforcement of those regulations when violations occur. FAA attempts to gain the industry's compliance through enforcement tools, including levying fines and suspending or revoking operating certificates, and partnership programs that allow participating companies or individuals to self-report violations of safety regulations and mitigate or avoid fines or other legal actions. GAO was asked to assess how FAA uses its enforcement options to address noncompliance and what management controls are in place to ensure that enforcement efforts and partnership programs result in compliance with aviation safety regulations.

FAA relied on administrative actions such as warning notices to close most of its enforcement cases--53 percent of the nearly 200,000 enforcement actions taken during fiscal years 1993 through 2003--and closed about 28 percent with legal sanctions, such as fines. The administrative actions include those taken in response to violations that were self-reported under FAA's industry partnership programs, some of which allow airlines and pilots to self-report violations that, in many cases, FAA then closes administratively. In addition, when FAA managers recommend legal sanctions, they are often reduced by FAA legal counsel staff. For example, FAA managers recommended fines totaling about $334 million for fiscal years 1993-2003; that amount was subsequently reduced to about $162 million. According to FAA, it reduces or eliminates the sanctions when it has proof that the violator is attempting to correct the violation or new evidence arises that may exonerate the alleged violator. Annually, FAA closed about 3,200 cases (about 18 percent of the total cases) without taking action. Cases were often closed in this manner because the investigative reports prepared by inspectors who initially identified the possible violations lacked sufficient evidence, according to FAA. FAA has established some management controls over its enforcement efforts and partnership programs, such as guidance on detecting violations, but lacks management controls in other areas. Specifically, FAA lacks explicit, measurable performance goals for its enforcement actions and partnership programs. In addition, FAA does not evaluate its enforcement efforts and partnership programs. Because FAA has not evaluated the effect of its enforcement actions, it is not possible to tell whether those actions have had a deterrent effect on future violations. FAA is limited in its ability to evaluate enforcement efforts because the agency lacks comprehensive nationwide data. For example, FAA field offices maintain independent, site-specific databases on enforcement cases because of missing or incomplete information in the nationwide Enforcement Information System database, but these databases are not linked. Thus, data maintained in one office are not readily available to other offices Recommendations; To determine the effectiveness of the agency's enforcement actions and partnership programs, the Secretary of Transportation should direct the FAA Administrator to develop a continuous evaluative process and use it to create measurable performance goals for enforcement actions, track performance towards those goals, and determine appropriate program changes. The evaluation should consider the agency's use of administrative actions and closure of cases with no action, and to identify repeat violators and repeat types of violations." See Link for full text

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3/8/04. OIG Report. Audit Initiated of Air Carriers' Use of Noncertificated Repair Facilities. See Link for full text.
Link > https://www.oig.dot.gov/sites/default/files/04a3007a000.pdf Excerpts. Full PDF Report available. Partial Text; "We initiated an audit of FAA's oversight of noncertificated aircraft repair facilities at the request of Representative James Oberstar, who expressed concern that U.S. airlines rely on repair facilities that are not certificated by FAA to maintain their aircraft. We will determine: (1) how FAA requirements for noncertificated facilities differ from requirements for certificated repair stations; (2) how FAA identifies and monitors work performed at noncertificated repair facilities and ensures that air carriers' oversight of this work is effective; and (3) the reasons that air carriers use noncertificated repair facilities and the extent to which they use them to complete their aircraft maintenance work."

7/15/03. OIG Memorandum. Audit Initiated of FAA Oversight of New-Entrant and Low-Cost Air Carriers.
Link > https://www.oig.dot.gov/sites/default/files/aa20030715.pdf Excerpts. Full PDF Report available . "This audit will evaluate procedures for monitoring new-entrant and low-cost air carriers. Specifically, we will determine whether: (1) procedures of FAA and the Office of the Secretary of Transportation have effectively implemented procedures to heighten surveillance of new entrant and low-cost air carriers during periods of rapid growth, and (2) FAA's risk-based surveillance system is used effectively to target identified risk areas and to aid FAA in assigning inspectors. ... evaluate procedures for monitoring new-entrant and low-cost air carriers. Specifically, we will determine whether: (1) procedures of FAA and ... admin –" See Link for full text.

7/8/03. OIG Report. Review of Air Carriers' Use of Aircraft Repair Stations. Report Number: AV-2003-047.
Link > https://www.oig.dot.gov/sites/default/files/av2003047.pdf Excerpts. Full PDF Report available. 'We publicly released our audit report on Air Carriers' Use of Aircraft Repair Stations. We found that airlines are increasingly outsourcing maintenance to repair stations. Despite the increase, FAA concentrates its oversight of airline maintenance on work performed at the air carrier's in-house facilities. Discrepancies in U.S. and foreign repair-station operations went undetected at 86 percent of the stations we visited. The discrepancies included using improper parts and equipment, and uncorrected repetitive deficiencies. Because of the poor documentation received and the lack of focus by foreign authorities on FAA requirements, FAA is unable to determine if FAA-certified foreign repair stations meet FAA standards. We made nine recommendations to improve FAA's oversight, including that FAA must determine trends in air carriers' use of repair stations; find out which repair stations the carriers are using to perform maintenance; perform more frequent, detailed reviews of those facilities air carriers use the most; and take steps to ensure foreign authorities are following FAA standards in conducting inspections. FAA concurred with our recommendations." See Link for full text.

3/26/03. OIG Memorandum. Audit Initiated on FAA's Oversight of Financially Distressed Air Carriers. See Link for full text.
Link > https://www.oig.dot.gov/sites/default/files/aa20030326.pdf Partial Text; "This audit will determine whether FAA's actions to monitor financially distressed air carriers are effective, including whether FAA has effectively used its Air Traffic Oversight System and its Safety Performance Analysis System by providing the data and tools inspectors need to oversee financially distressed carriers….. Our audit will include visits to FAA Headquarters and field offices responsible for monitoring air carriers. In addition, we plan to visit air carriers to determine what operational changes they have made and what actions they are taking to ensure safety is maintained…… " See Link full text

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4/11/02. OIG Report. FAA Oversight of Passenger Aircraft Maintenance. (CASS, ATOS). Project ID: CC2002146.
Link > https://www.oig.dot.gov/sites/default/files/cc2002146.pdf Excerpts. Full PDF Report available. "Assistant Inspector General for Auditing Alexis M. Stefani testified before the House Transportation and Infrastructure Aviation Subcommittee on FAA's oversight of passenger aircraft maintenance. Ms. Stefani stated that while FAA's new Air Transportation Oversight System (ATOS) for monitoring air carriers is conceptually sound, it is still not reaching its full potential at the original 10 major carriers and has not been expanded to the remaining 129 passenger air carriers. FAA has had a long-standing requirement for carriers to monitor their own maintenance, but when doing oversight has placed limited emphasis on this area, known as Continuing Analysis and Surveillance Systems (CASS). Part of ATOS, CASS is the system air carriers use to monitor the effectiveness of their aircraft maintenance and inspection programs. As a result, weaknesses have gone undetected in air carrier maintenance systems. To make progress on long-standing problems limiting FAA's ability to improve its oversight, we recommended in our audit report released on April 8 that FAA: 1. finish developing key elements of ATOS, specifically, its processes for analyzing ATOS inspection results and ensuring that corrective actions are implemented for weaknesses found in air carrier maintenance and operations systems; 2. better prepare its inspectors to carry out ATOS by improving inspector training and locating qualified inspectors where they are most needed; 3. establish strong national oversight and accountability to ensure consistent ATOS field implementation." See Link for full text.

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* 4/8/02. OIG Memorandum . Air Transportation Oversight System. (ATOS). Report Number: AV-2002-088.
Link > https://www.oig.dot.gov/sites/default/files/av2002088.pdf Excerpts. "This report presents the results of our audit of the Federal Aviation Administrations (FAA) Air Transportation Oversight System (ATOS). "This report is in response to requests by the Senate Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure. We met with members of your senior management staff and considered their written comments in preparing this report. The objectives of our audit were to assess FAAs progress in implementing ATOS and identify barriers to successfully implementing ATOS. ATOS is FAAs new approach to air carrier safety oversight. The new system is an important change in the way FAA conducts air carrier safety inspections because it shifts FAAs oversight beyond the traditional inspection method of simply checking an air carriers compliance with regulations to identifying and assessing risks to safety. FAA initiated ATOS at 10 of the Nations largest passenger air carriers on October 1, 1998. While FAA has made progress, this report

provides details on the work that still needs to be done to fully implement this new system. Although the aviation industry and FAA agree that ATOS is conceptually sound, in actual field operations, the system is not reaching its full potential and significant challenges to full implementation still exist. First, FAA needs to finish developing and testing key elements of ATOS, its processes for analyzing ATOS inspection results and for ensuring corrective actions are implemented for weaknesses found in air carrier maintenance and operations systems. Second, FAA needs to better prepare its inspectors to carry out ATOS by improving inspector training and locating qualified inspectors where they are needed most. Third, FAA needs to establish strong national oversight and accountability to ensure consistent ATOS field implementation. FAA agreed with our recommendations to complete development of key aspects of the ATOS process; follow through on planned enhancements to procedures for collecting and analyzing important ATOS safety data; and provide improved training to all ATOS inspectors. In addition, FAA agreed to locate qualified inspectors where they are needed most; strengthen national ATOS program oversight and accountability; and finalize a comprehensive plan with goals and milestones for completing development and planned enhancements to the ATOS program. However, FAA did not agree that inspectors need formal training on the recent integration of the ATOS inspection database with the agencys automated inspection analysis system, referred to as the Safety Performance Analysis System, or SPAS. Because the lack of adequate training for inspectors has been a longstanding problem cited in General Accounting Office (GAO) and OIG reports on FAAs oversight and is also one of the primary factors impeding FAAs implementation of ATOS, we continue to believe formal training is necessary. In addition, FAA expressed concerns with statements in our report regarding the status of ATOS implementation and the quality of training previously provided to ATOS inspectors. In addition, FAA has only recently (January 30, 2002) integrated the ATOS database with **SPAS,** a computer analysis tool designed to aid inspectors in determining areas to inspect based on safety risk. The need to analyze inspection data to decide when and where to direct its limited inspection resources has been a long-standing concern reported to FAA since at least 1987. (Ref to GAO/RCED-87-3) FAA responded to this concern by developing SPAS. Development of the initial SPAS system and deployment to field inspectors was a lengthy process that took 6 years See Link for full text.

EDITOR NOTES; From the 43 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

12/14/01. GAO Report. FAA and DOD Response to Similar Safety Concerns. GAO # GAO-02-77.
Link > https://www.gao.gov/products/gao-02-77 Excerpts. Full PDF Report available. "Highlights; The informal and formal networks used by the Federal Aviation Administration (FAA) and the military services to exchange critical aviation safety information have proven useful. However, because recent and expected retirements threaten to erode informal networks, additional formal channels of communication are needed to ensure that common safety risks are identified and addressed in a systematic and timely manner. This includes the exchange of information on how FAA and the military services have addressed particular aviation safety concerns. Existing gaps in the formal processes used by FAA and the military services to exchange information could allow for communication lapses and delays in getting critical safety information to the right parties in a timely manner, potentially resulting in the loss of lives and aircraft. Recommendation; To help ensure the systematic exchange of critical safety information, the Secretary of Defense and the Administrator of FAA, as directed by the Secretary of Transportation, should develop a memorandum of agreement (MOA) that defines the types of safety information to be exchanged, the mechanisms for exchanging this information, and the parties responsible for this exchange. This MOA should also establish a mechanism for the two departments to exchange information on how they have responded to specific safety concerns. See Link for full text.

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* 12/12/01. OIG Report. Oversight of FAA's Aircraft Maintenance, Continuing Analysis, and Surveillance Systems . (CASS) Project ID: AV2002066. See Link > https://www.oig.dot.gov/sites/default/files/av2002066.pdf Excerpts. Full PDF Report available. "We found that FAA, in its oversight of carriers' maintenance programs, has placed limited emphasis on air carriers' Continuing Analysis and Surveillance Systems (CASS). CASS is the system air carriers use to monitor the effectiveness of their aircraft maintenance and inspection programs. While FAA inspectors conducted reviews of air carriers' ongoing aircraft maintenance, CASS reviews were either not conducted or not conducted in a comprehensive manner. The lack of effective oversight of air carriers' CASS perpetuates a system where FAA relies on its own inspections to ensure carriers maintain their aircraft in an airworthy condition. This system is ineffective because FAA does not have sufficient resources to physically inspect every aircraft. While it is clearly the responsibility of air carriers to ensure the day-to-day safe operation and maintenance of their aircraft, FAA must be more proactive in identifying deficiencies in air carriers' CASS and ensuring those problems are corrected."

EDITOR NOTES; From the 28 pages within this Report there is no mention of the FAA's Mandatory Service Difficulty Reporting Program.

6/8/01. OIG Memorandum. Air Carriers' Compliance with FAA's Pilot Rest Regulations. Project ID: CC2001122.
See Link > https://www.oig.dot.gov/sites/default/files/cc2001122.pdf Partial Text; In response to a request from Representative Frank Wolf, we updated our January 2001 review of issues concerning FAA's pilot rest regulations. New Flight Time, Duty Time and Rest Regulations Continue to Be Delayed…FAA Plans to Levy a Fine Against a Major Air Carrier for Violating Reserve Crew Rest Regulations….In view of the long unsettled history of regulating hours of service and rest, we intend to continue monitoring this issue, including FAA enforcement actions. … "

Feb 2001. Media Article. Avialex. News letter, Volume 5 - February 2001. Ref; Disclosure of Voluntarily-Provided Safety Information. Link > http://www.avialex.com/Volume_5.html Partial Text; "In past issues of AVIALEX®, we expressed great concerns over the - releasability of information voluntarily self-disclosed to the FAA by air carriers and other air agencies. Under this legislation, and for the purpose of encouraging voluntary submission of safety and security information, the FAA has been directed not to disclose voluntarily-provided information...(here's the catch) if the FAA determines that doing so would inhibit further disclosure or interfere with security concerns. How the FAA will make this determination, or what guidelines it will use, are anyone's guess at this time. Needless to say, we stand by our prior recommendations, i.e., WHEN YOU SELF-DISCLOSE TO THE FAA, ANTICIPATE THAT WHATEVER YOU SAY, AND WHATEVER YOU SUBMIT (manuals, records, employee information, internal memoranda, and the like) WILL EVENTUALLY BE RELEASABLE AND MADE AVAILABLE TO THE PUBLIC! When furnishing the FAA with manuals, either in connection with initial certification, manual revisions, responding to LOI's or making self-disclosures, do it in writing. Please take a look at the language that we recommended including (see AVIALEX®, Volume 3). In a nutshell, it (1) identifies the information as being proprietary, constituting trade secret and/or commercial information, containing data, procedures and practices unique to the certificate holder which have been developed and/or which have evolved over a period of time based upon the certificate holder's experience, and are the product of the certificate holder's substantial investment, release of which would cause substantial harm to the certificate holder's present or future competitive position; (2) objects to the public availability and/or release of same; (3) seeks confidential treatment under 49 C.F.R. §7.69 and 49 U.S.C. Sec. 40115; (4) seeks confidential treatment of the names and identities of any employees identified in the disclosure under 49 C.F.R. §7.73; and (5) asserts that the continued viability and success of the FAA's self disclosure program requires that certificate holders be able to report safety concerns and possible discrepancies without fear that these reports will become matters of public record or otherwise disseminated to the public, thereby undermining the integrity of the self-disclosure program."

2001. NASA Report. (estimated, undated document) NASA Aviation Safety Reporting System (ASRS). (Pub. 60). The Case for Confidential Incident Reporting Systems. Link > http://asrs.arc.nasa.gov/docs/rs/60_Case_for_Confidential_Incident_Reporting.pdf Excerpts. Full PDF Report available. "In April 2001, the world's largest confidential voluntary aviation reporting system, the NASA Aviation Safety Reporting System (ASRS), celebrated its 25th anniversary of operation. Just prior to this event, the ASRS reach another milestone – the processing of its 500,000th incident report. Scarcely one year later, report intake has now exceeded 558,000. The longevity and success of this government program is a remarkable example of how interagency cooperation can create a stable, effective agent for system safety improvements against the backdrop of changing political climates and times.

The ASRS was founded in 1976 through a Memorandum of Agreement between the Federal Aviation Administration (FAA) and National Aeronautics and Space Administration (NASA). The program was designed primarily to support the FAA in its mission to eliminate unsafe conditions in the national aviation system, and prevent avoidable accidents. The first step was to design a system in which the aviation community, both individually, and collectively, could place a high degree of trust.

The FAA quickly recognized that its regulatory and enforcement roles would discourage the aviation community from trusting and using the new program if the FAA were to operate the system. It therefore asked NASA to act as the highly respected, independent third party that would administer the program and fulfill the role of an honest broker attending to the interests of both sides. NASA, a research organization with no regulatory or enforcement role, saw a unique opportunity to enhance its research capability through access to the human factors data generated by the new system.

NASA accepted the FAA's proposal, and the ASRS began operation on April 15, 1976. This mutually beneficial interagency partnership has endured for a quarter of a century. The data collection and analysis operations of the ASRS are funded by the FAA with in kind contributions from NASA. NASA administers the program's details, oversees its products and services, guarantees confidentiality, and ensures that de-identified incident data and the results of special studies are communicated to those responsible for aviation safety, and other interested parties…….. ". See Link for full text.

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* 10/5/00. I.G. Testimony. House Hearing; Report #106-112, Aircraft Electrical System Safety. Before The Subcommittee On Oversight, Investigations And Emergency Management Of The Committee On Transportation And Infrastructure. Ref to; Stefani, Alexis M., Assistant Inspector General for Auditing; Link > http://commdocs.house.gov/committees/Trans/hpw106-112.000/hpw106-112_1.HTM Excerpts. "Third, of most concern to us is the health of this SDR system, itself…. We found, however, that the SDR system is not robust, and over the years, it has suffered from budget cuts with staffing going from twelve full-time to three full-time people. Weakness in this system reduces the reliability and usefulness of the data, and can impact FAA's ability to do trend analysis." (Ref Page 47).

EDITOR NOTES; A mention of the FAA's Mandatory Service Difficulty Reporting Program on page 47. Emphasis Was Added.

9/29/00. GAO Report. FAA faces more criticism for computer security failings. Dead Link. Checked Feb 2,2020.
Link > http://articles.cnn.com/2000-09-29/tech/FAA.criticism.idg_1_computer-security-faa-jane-garvey?_s=PM:TECH
Partial Text; "The Federal Aviation Administration continues to face harsh criticism in Congress for failing to do background security checks on many of its contract workers, some of whom were hired to conduct penetration testing of the agency's computer systems. The FAA's computer security practices were again faulted in a report by the General Accounting Office that was released earlier this week at a House Science Committee hearing. The report -- the third issued on the matter by the GAO since late last year -- reiterated allegations that the FAA is at risk of "undue exposure to intrusions and malicious attacks on its facilities, information and resources." Science Committee Chairman James Sensenbrenner (R-Wis.) charged at the hearing that the FAA is putting national security at risk by hiring foreign nationals from countries that "harbor ill will" toward the U.S."

10/24/97. GAO Report. FAA Oversight of Repair Stations Needs Improvement. Report # RCED-98-21.
Link > https://www.gao.gov/products/rced-98-21 Excerpts. Full PDF Report available. Highlights; Pursuant to a congressional request, GAO examined the Federal Aviation Administration's (FAA) oversight of the aviation repair station industry, focusing on: (1) the nature and scope of the oversight of repair stations conducted by FAA personnel; (2) how well FAA follows up on inspections to ensure that the deficiencies in repair station operations are corrected once they have been identified; and (3) the steps taken by FAA to improve the oversight of repair stations. Recommendations; The Secretary of Transportation should instruct the Administrator, FAA, to expand the use of locally based teams for repair station inspections, particularly for facilities that are large, complex, have higher rates of noncompliance, or meet predetermined risk indicators…..to specify what documentation should be kept in files on repair stations to record complete inspection results and follow-up actions. The documentation should include inspection results, deficiency letters, repair station responses to deficiencies, and FAA's responses indicating that the deficiencies were corrected. See Link for full text.

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* 2/8/95. GAO Report. Data Problems Threaten FAA Strides on Safety Analysis System. Report # AIMD-95-27. Safety Performance Analysis System (SPAS). See Link > https://www.gao.gov/assets/160/154878.pdf Excerpts. Full PDF Report available. Highlights; Pursuant to a congressional request, GAO reviewed the Federal Aviation Administration's (FAA) Safety Performance Analysis System (SPAS), focusing on: (1) whether FAA is effectively managing the SPAS acquisition; (2) the extent to which SPAS will rely on Aviation Safety Analysis System (ASAS) databases; and (3) whether FAA is effectively addressing known data quality problems with the ASAS databases. …. As previously reported by GAO, FAA, and others, these ASAS databases contain incomplete, inconsistent, and inaccurate data….. Similarly, the Department of Transportation Inspector General reported in 1994 that between 46 and 98 percent of the data fields of inflight "service difficulty" records are missing data. If the quality of the data that SPAS relies on remains poor, its inputs to safety-related decisions will not be reliable, and it will not effectively support FAA's inspection and certification mission. Recommendations; The Administrator, FAA, should direct the Associate Administrator for Regulation and Certification to require the Office of Flight Standards to develop and implement a comprehensive and coordinated strategy, specifying how the quality of all data residing on SPAS source data systems will be brought up to the minimum level needed for SPAS to meet operational requirements. At a minimum, this strategy must include: (1) clear and measurable data quality objectives for each SPAS source data system that recognize the sensitivity of various SPAS analyses to the respective source data inputs; (2) accurate assessments of the current quality of the data on each SPAS source data system; (3) clear statements of organizational responsibility and authority for improving the source systems' data quality; (4) both interim and long-term milestones for attaining stated quality objectives that tie closely to SPAS development schedules; and (5) estimates of resource requirements to meet stated objectives and agency commitments to providing these resources. *EDITOR NOTES; From this Report the FAA's Mandatory Service Difficulty Reporting Program is mentioned with; "Similarly, the Department of Transportation Inspector General reported in 1994 that between 46 and 98 percent of the data fields of inflight "service difficulty" records are missing data." Ref page 4. Emphasis Was Added.*

5/13/96. Media Article. SEEKING SAFER SKIES. PBS Transcript, 'On-Line News hour' interview with Mary Schiavo and FAA's David Hinson.
Link > http://www.pbs.org/newshour/bb/transportation/may96/valujet_schivavo_5-13.html Partial Text; "Samples – "MARY FACKLER SCHIAVO: Well, we found that they did not use service difficulty reports for tracking of problem trends. ELIZABETH FARNSWORTH: Mr. Hinson, what about these criticisms? The FAA's come under some attack in the last couple of months. DAVID HINSON: Well, indeed, we have. We have worked very hard since the President asked me to join his administration here to sort of reshape the FAA. A number of the problems that Mary refers to are problems that the Secretary and I inherited, and we've been trying to deal with and work through. ELIZABETH FARNSWORTH: What had caused these problems, if you inherited them? DAVID HINSON: Well, how much time do we have? ELIZABETH FARNSWORTH: Well, just briefly. DAVID HINSON: Well, there's a long tenure of--a long list of issues that go way back. First, my predecessors, we had a rapid turnover of FAA administrators, one every 18 months, long periods with nobody in the job at all, and uh-- ELIZABETH FARNSWORTH: I understand. DAVID HINSON: -- a whole host of issues like that. So let me say that, uh, I don't agree with

everything that Mary said, but I do agree with some of the things that she said, and we're working very hard to address those issues."
See Link for full text

4/30/96. GAO Testimony Before the Subcommittee on Governmental Management, Committee on Governmental Affairs, U.S. Senate. Tuesday April 30, 1996. Targeting and Training of FAA's Safety Inspector Workforce. Statement of Gerald L. Dillingham, Associate Director, Transportation and Telecommunications Issues, Resources, Community, and Economic Development Division.
Link > http://www.gpo.gov/fdsys/pkg/GAOREPORTS-T-RCED-96-26/pdf/GAOREPORTS-T-RCED-96-26.pdf Excerpts. Full PDF Report available. "In summary, we have found that • FAA needs to target its inspection resources to the areas of greatest potential risk. Because of the magnitude of the inspectors' work load,targeting is essential because FAA may never have enough resources to inspect all pilots, aircraft, and facilities. Since 1991, FAA has been working to develop its Safety Performance Analysis System (SPAS) to target resources for aviation inspections. However, problems with the quality of the source data, such as data on the results of safety inspections, jeopardize the potential benefits of the $32-million SPAS system. We recommended in February 1995 that FAA develop a comprehensive strategy to improve the quality of these data. FAA officials planned to develop such a strategy by the end of 1995, but the strategy drafted by an FAA contractor has yet to receive agency approval. • Over the last decade, we, the DOT IG, and FAA have reported on problems related to the technical training for inspectors, including inspectors performing inspections for which they did not have appropriate or current credentials. Our work has shown persistent problems with FAA's training of inspectors. Specifically, inspectors have been unable to take courses that they believe are necessary to perform their inspection responsibilities. Additionally, FAA has limited aircraft-specific training and decreased the frequency of flight training for inspectors responsible for overseeing pilot proficiency. Decreases in FAA's overall budget have reduced the funding available for technical training by 42 percent from fiscal years 1993 through 1996. FAA estimates that it will have a shortfall of $20 million for technical training that FAA had identified as essential in its fiscal year 1996 training needs assessment process." See Link for full text.

END

MIISC NOTES.

FAA CRITICISM. Sources Included; GAO Reports. Search > https://www.oig.dot.gov/search/node/air%20carriers
GAO Search for FAA. 201-210 of 510 result for "FAA" . Google Search; Ended Google Search at Google page 23.
Link > https://www.gao.gov/search?keyword=FAA&f%5B0%5D=content_type%3AReport&f%5B0%5D=content_type%3AReport&page=4

"INFOSHARE" is a semiannual, closed-door meeting of more than 500 airline safety professionals that facilitates sharing of safety information, including ASIAS data". Link > https://nbaa.org/aircraft-operations/safety/statistics/sharing-aviation-safety-data-good-thing/

In addition, The FAA's SDR website continues with no data after October 20, 2019. As of February 27, 2020, no carrier filings are available for 6 U.S. carriers; American, Alaska Air, United, Delta, Southwest, and JetBlue airlines. SDR Check on 2/26/20. SIX CARRIERS. LAST FILING DATE. AALA 10/16/19 – 10 REPTS ASAA 10/15/19 – 7 REPTS, CALA 10/17/19 – 3 repts, DALA 10/20/19 – 4 repts, SWAA 10/17/19 - 2 repts, YENA 10/14/19 - 1 rept

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From April 10,2008 to June 14, 2011, seven articles report retaliations by FAA management of ten FAA Safety Inspectors and one FAA Air Traffic Controller. See article dates pre-fixed with a 'pound' icon (#).

Search for any mentions of SDR difficulties. 13 articles relevant to disclosure/partnerships programs were reviewed. All dates checked are pre-fixed with a asterisk * (7/28/16, 4/10/14, 12/18/13, 1/31/13, 9/11/12, 9/10/12, 4/25/12, 4/12/12, 4/6/10, 6/3/05, 7/6/04, 4/8/02, 12/12/01) Just 2 (2/8/95 and 10/5/2000 were found

By john.king19@comcast.net Last Rev 2/21/2020.

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