

Testimony of William L. McNease, April 3, 2008.

Thank you for the opportunity to speak to this panel today.

I have spent 14 years of my life working for the US government. Ten of those years with the Federal Aviation Administration.

During my last assignment with the FAA as an Inspector on the Federal Express certificate I found an issue with FedEx that has implications not with just FedEx but throughout the industry.

Due to the loss of retirement benefits and large cuts in pilot salaries, many pilots are supplementing their income by flying for companies other than their primary employer.

This is legal and in accordance with current Federal Aviation Regulations only as long as flight, duty or rest times are complied with. What I found was that the Director of Operations at Federal Express was issuing authorization letters allowing pilots to do outside commercial flying. When I contacted Federal Express Crew Scheduling I was informed that the company has no policy or method to track outside commercial flying.

With no way to track outside commercial flying there is not a method for the company or the pilot to assure that the Federal Aviation Regulations are being followed.

During the course of another investigation it came to the attention of our office that a pilot for FedEx had been caught flying an illegal charter trip. The pilot admitted that he had flown this trip and his status as a Check Airman, representing the FAA, was immediately rescinded. This pilot is a MD-11 international captain.

Since this pilot and the company had possibly violated the Federal Aviation Regulations by not recording or tracking the outside commercial flying I asked my supervisor how he wanted me to proceed. I was told not to continue my investigation. I was given no reason why not to proceed.

I followed up with an email to my supervisor to verify what I was told. No answer via email was ever received by me. I later met with my supervisor along with another inspector as a witness and asked once again if he wanted me to not investigate this matter. I got the same answer. Do not continue the investigation.

I was amazed that I was being told not to continue an investigation with such far reaching implications. I am not implying that FedEx or the pilot involved have violated the Federal Aviations. What I am saying is that without an in-depth investigation the FAA and FedEx have no way to determine if a violation had occurred or is continuing to occur.

This same situation applies throughout the airline industry and to my knowledge is not being investigated.

On another issue I was treated the same way but at a much higher level within the FAA. I was told from FAA management in Washington to stop working on a problem. I attempted to contact the Associate Administrator, Nick Sabattini, via email, telephone and through the chain of command for more than two years and I never once received any acknowledgement from him, in spite of his so called open door policy. Once again I was not allowed to do my job as an inspector in this critical security issue.

I understand that Chairman Oberstar has referred that matter to another committee so I will not go into those details at this time.

Thank you for your time and I would be happy to answer any of your questions.