

Congressional Testimony of Michael C. Mills

My name is Michael C. Mills. I am currently Assistant Manager of the Dallas/Ft. Worth Flight Standards Office in Fort Worth, Texas. I have been employed with the FAA for almost 13 years, about half of which has been in a managerial role. Prior to my employment with the FAA, I worked for 28 years as a commercial airline pilot, and much of that time was spent in airline operations management. I have accumulated more than 15,000 hours of accident-free flying, and, in my employment with the FAA, I have enjoyed rapid advancement and a blemish-free employment record until May 8, 2007, when I was abruptly removed from my position as manager of the Southwest Airlines Certificate Management Office, a job I had held for two and a half years.

My removal occurred within a matter of days after I had discovered and reported to my superiors that Southwest Airlines had overflowed critical safety inspections of some of its aircraft and that one of my subordinates, the principal maintenance inspector, had apparently suppressed this information.

Inspectors Boutris and Peters, along with one of my supervisors, Paul Cotti, all of whom are appearing with me today, were instrumental in discovering and analyzing the records that led to my initial reporting of these overflights and my call for an investigation in early April, 2007. I applaud their courage in exposing this episode, especially in light of the humiliating treatment I have received as a result of my actions. Mr. Boutris and Mr. Peters are not wild-eyed reactionaries who carry a grudge for some perceived injustice and have some long-standing desire to punish the FAA. They are honest, hardworking men, proud of what they do, and who attempted to work within the system to have their concerns addressed. They saw in me someone they could trust, and I decided to help them. My dismissal for doing so was a fate that was certainly not lost on them, so it is no surprise that they sought the whistleblower protection that was available. I only wish that I had done so.

This is a story largely about unhealthy relationships and my struggle to overcome them in order to achieve the purpose for which I believe I was hired—to protect the public interest in matters of air safety. I encountered unhealthy relationships between the FAA and Southwest Airlines, between FAA regional division managers and their subordinate field managers and between regional division managers and FAA headquarters. It is a story of arrogance, egotism, unbridled ambition, turf protection, mistrust, missed opportunities and the havoc that can be caused by one misguided individual's uncanny ability to influence others into believing his own improbable self-hype.

Even considering the damage to my reputation at the hands of my superiors, I am still proud to be a part of this Agency and its important mission. To a substantial degree, I also support the partnership concepts established between the FAA and the airlines that are of concern to this committee. I believe that risk-based surveillance and data gathering through these partnerships have a place in the FAA toolbox, so long as they are used as tools and not as a replacement for common sense and the irreplaceable skill and dedication of our inspectors.

This unfortunate episode bears stark evidence that the success of these partnerships is highly dependent upon the integrity of those persons engaged in the process and the propriety of their actions. I believe the information I am presenting will illustrate a type of breakdown that can occur if this principle of good stewardship is ill-conceived, ignored or undermined. In this case, there was plenty of this to go around.

I was appointed as manager of the Southwest Airlines Certificate Management Office (Southwest CMO) on November 15, 2004, by Tom Stuckey, the Southwest Region Flight Standards Division Manager. After a few months on the job, it became clear to me that the oversight mission of the office toward Southwest Airlines was considerably degraded by virtue of the informality that had developed in the office's business transactions with the carrier and the coziness between some of the inspectors and their counterparts at Southwest Airlines. I also found that the FAA Principal Maintenance Inspector, Douglas Gawadzinski, one of four supervisors who reported to me, appeared to be unusually lenient with the carrier in several areas, especially in investigating and documenting violations of the federal aviation regulations.

This assessment led me to publish, within a few months of my arrival, a memorandum to all the office employees entitled, "A Time for Change," setting forth a notice of course correction, in an attempt to refocus the office toward a more businesslike oversight model aligned with FAA policy and guidance.

Representing an immediate obstacle to this effort to tighten up the oversight was Gawadzinski, who supervised approximately eight airworthiness inspectors in the office and had indirect supervision of several others who were domiciled in other parts of the country. Gawadzinski had been working in the Southwest CMO for some time prior to my arrival, having previously participated in an executive development program that took him to FAA headquarters in Washington on a detail arranged, presumably, through Mr. Stuckey, who acknowledged to me that he was Gawadzinski's mentor. During his time at FAA headquarters, Gawadzinski became acquainted with James Ballough and Nicholas Sabatini, among other high-ranking FAA executives.

Gawadzinski, who possessed an unusually outsized ego and made no secret of his ambition to join the executive ranks himself, had convinced a number of the inspectors who worked for him, as well as one or more of his fellow supervisors, that he enjoyed a special relationship with Mr. Ballough and Mr. Sabatini, whose names he would drop on an almost daily basis, leaving the impression that he was in frequent personal contact with them.

Gawadzinski's made sure that everyone in the Southwest CMO was aware of his purported connections at FAA headquarters, and he even claimed to have knowledge and direction from the senior executive level that transcended current regulations, which he termed "outdated." He told me and others that "Nick and Jim" were eager for him to return to Washington, but that they had agreed to allow him to stay in place in the Southwest CMO until he completed his self-styled mission to inculcate Southwest Airlines adequately with the system safety concept.

Gawadzinski's zeal for this effort was such that it distracted him from normal oversight duties and the proper establishment of surveillance plans and recordkeeping. He knew that the promotion of system safety among air carriers was in vogue at FAA headquarters, and to the extent that he could be recognized as the progenitor of a successful program at Southwest Airlines, he was convinced that his prospects for ascending the FAA hierarchy would be enhanced. He fancied himself as an emissary from FAA headquarters toward the carrier, even referring to himself as such on occasion. He made frequent visits to Southwest Airlines in this regard, often referring to his increasing presence at the carrier as "building bridges" and "tearing down walls," terms he had coined from books he had read on the subject of system safety.

Lending additional credence to Gawadzinski's presumably privileged status occurred during a visit by Mr. Sabatini to a conference at Southwest Airlines headquarters in Dallas in 2006. Mr. Sabatini was the keynote speaker before a large conference hosted by the company for all levels of its managers from all over the country. My management team from the CMO had also been invited, and we were seated at a table near Mr. Sabatini and his entourage. Upon greeting each other, Gawadzinski abandoned our table and joined Mr. Sabatini's group for the remainder of the conference. The special attention afforded Gawadzinski did not go unnoticed by the management of Southwest Airlines and by his peers at our table, and he certainly did not keep it a secret from his subordinates upon returning from the conference. The episode was used effectively by Gawadzinski to project to the rest of the office evidence of his connections at the highest levels of the FAA. He believed his "insider" status entitled him to promote certain accommodations for the carrier in helping Southwest "work through" issues of regulatory noncompliance in its maintenance and engineering department. He believed this approach was innovative and in keeping with a refined line of thinking at headquarters regarding the FAA's role in overseeing major air carriers.

This stance placed Gawadzinski and a faction of his subordinate inspectors loyal to him in direct conflict, on an almost daily basis, with my goal of strict adherence to FAA policy and regulations. He was also openly resentful of being passed over for the office manager's position to which I was appointed and considered me unqualified for the job, referring to me among others as "another general aviation pilot whom he would have to train to manage a CMO." (For the record, I do not have a background in general aviation.)

There were other circumstances that empowered and emboldened Gawadzinski. By all accounts, Kenneth Kadey, my immediate predecessor as manager of the Southwest CMO, had ceded to Gawadzinski an unusual degree of freedom and autonomy to practice his “enlightened” concept of oversight toward Southwest Airlines. In his turnover briefings to me upon my appointment as CMO manager, Kadey made no mention of having observed anything amiss with Gawadzinski’s unorthodox brand of oversight. Having presided over the office during an entire year in which he noticed nothing abnormal, Kadey was promoted to a position as Tom Stuckey’s chief of staff, thereby precipitating my appointment as CMO manager in his place. Gawadzinski, having enjoyed a relatively free rein under Kadey, realized that I was becoming a threat to him, and this fueled his ever-increasing defiance of my leadership and authority.

While it was incomprehensible to me that Gawadzinski’s shameless self-promotion would have found any real adherents at FAA Washington headquarters, I was surprised at one point to learn that Gawadzinski was working with Mr. Ballough on a project that concerned the staffing of my office. This was quite unsettling, as it certainly would have been a courteous gesture for Mr. Ballough to have cleared the project and Gawadzinski’s participation in it through me. I began to think that Gawadzinski’s influence-peddling might have legs in Washington after all.

I made numerous attempts to gain Gawadzinski’s cooperation and to encourage him to work within our team to accomplish the goals I had set for the office. While he would occasionally pay lip service toward this end, he remained defiant and could barely conceal his disdain for me and the constraints imposed on him by my leadership.

As a part of my effort to assess the degree to which oversight and enforcement standards had been relaxed by Gawadzinski, I sought the assistance of other airworthiness inspectors in the office in whom I had confidence. These included Inspectors Bobby Boutris, Douglas Peters and Supervisor Paul Cotti. By the time I had written the “A Time for Change” memo, Inspector Boutris had recognized my intentions to tighten up the office as an opportunity for him to come forward with long-repressed concerns about Gawadzinski’s actions as principal maintenance inspector. Inspector Boutris began to provide evidence of a number of instances wherein Gawadzinski had waived enforcement action that should have been taken against the carrier in favor of mere “letters of concern.” He also pointed out unauthorized allowances that Gawadzinski had approved in Southwest’s maintenance manuals that could have had significant effects detrimental to safety.

Meanwhile, Inspector Boutris, who reported to Gawadzinski, continued to perform surveillance of Southwest Airlines and frequently found and documented more discrepancies than other inspectors. This caused the carrier to complain and infuriated Gawadzinski, who made numerous attempts to restrain Inspector Boutris by attempting to restrict his travel. In these cases, I would countermand the restrictions Gawadzinski imposed, causing him to be even more hostile and defiant toward me.

As time went by, I received reports that Gawadzinski had placed in a sensitive information-sharing position one of his subordinates who he may have known was in employment negotiations with Southwest at the time he was also representing the FAA on this panel. On another occasion, I received evidence that Gawadzinski had forced one of his inspectors to change the findings in an official surveillance report to enable the carrier to avoid enforcement action and instead self-disclose the event. I submitted this evidence to my superiors at the regional office, who took no action that I was aware of. After being removed from my position as manager, I turned the information over to FAA security.

By the time I had issued the "A Time for Change" memo and Inspector Boutris began to share his concerns with me, I recognized that I must attempt to orchestrate a change in Gawadzinski's actions or to effect his removal at all costs. Counseling Gawadzinski had proved futile despite many sessions, both in private and in a peer setting. So, I began documenting my instructions to him with the intention of using what I was certain would be his failure to follow them in measuring his performance and effecting a change in his attitude or conducting disciplinary action.

In doing so, however, I braced myself for what I knew would be a turbulent time ahead, during which support from Mr. Stuckey would likely be tepid or nonexistent. I also expected a great deal of opposition from Gawadzinski, who did, indeed, take his case immediately and often to his mentor, Mr. Stuckey.

One would need to have been a close observer of the FAA Southwest Region division management in order to appreciate the difficulty that I unquestionably knew would exist in my attempt to rein in Gawadzinski. Mr. Stuckey is generally recognized among his subordinates as an intelligent, energetic and ambitious individual who can be personable at times, but who is seldom approachable and runs the region largely as a fiefdom. He has a very short attention span, and it was not uncommon for him to end a conversation with a subordinate in mid-sentence if he lost interest in the subject being discussed. He has a highly unpredictable managerial style, at times micromanaging local offices and, at other times, detaching and insulating himself via his deputies from those offices where managers experience complicated situations. He maintains an autocratic style and tends to choose for his inner circle people who are largely unencumbered with opposing viewpoints or a willingness to make a decision apart from his influence.

The managerial ranks under Mr. Stuckey are almost always in a state of flux because he frequently replaces or reassigns office managers and supervisors as the quick and easy solution for those offices whose internal troubles result in their becoming more visible than others. This roiling of management personnel in the southwest region is widely recognized across other regions, and many of our peers from the outside privately express their dismay at the management froth surrounding Mr. Stuckey. The high turnover rate among managers and supervisors has had an unquestionably emasculating effect on those who serve in those positions, causing some perhaps to compromise their integrity and make improper accommodations among their staff or their operators with the understanding that everyone will simply remain quiet about it.

Because I was not willing to give in to Gawadzinski as perhaps others had in the past, I certainly knew that things were going to get noisy, because he was clearly not going to be constrained without a fight. Knowing that Mr. Stuckey prized, above almost all else, the quiescence of field offices, I was hoping that I would be able to make my way through this mine field without becoming a casualty myself. Unfortunately, it didn't turn out that way, and my fears were ultimately realized.

In an attempt to ensure tranquility among his field offices, Mr. Stuckey had, for a number of years, conscripted teams of managers and supervisors to travel periodically to the offices of their peers and solicit, privately and in sworn secrecy, opinions from the employees about their relationships with each other and with the office management. These were known as Workplace Environment Assessment Teams, or "WEAT" teams, designed ostensibly to assist office managers in identifying and solving employee problems before they became untenable. In practice, however, these visits were highly intimidating to the management of those offices and were generally viewed as witch hunts that had the very real potential of imperiling their jobs.

The high turnover rate of managers and supervisors was well exemplified at the Southwest CMO, as that office had been through five managers in five years at the time of my arrival. Such turnover, combined with Mr. Stuckey's alternatively paternalistic and reclusive management style, contributed to a feeling of constant imbalance among office managers and fostered the attitude that maintaining peace, at any cost, was a means of attaining longevity in their jobs. It also did little to foster an expectation that Mr. Stuckey would support them if the going got tough.

In this environment, I knew that I would have to provide unassailable documentation of Gawadzinski's improprieties in order to bring about a resolution. I began this documentation with an e-mail sent to my immediate supervisor, Ron McGarry, on September 19, 2005, detailing the difficulties I was having with Gawadzinski and his defiance of the changes I was attempting to make. Notable in that message was a copy of the previously mentioned surveillance record that an inspector may have been forced by Gawadzinski to alter in a way that would favor the carrier. As I stated earlier, McGarry took no action on this matter, and I turned the evidence over to FAA security after my removal as manager.

Soon thereafter, I asked for and was granted a personal meeting with Mr. McGarry to discuss the situation with Gawadzinski. When I arrived for the meeting, Mr. McGarry took me into Mr. Stuckey's office, where he and Ken Kadey, Mr. Stuckey's chief of staff, joined us. During that meeting, I presented a folder with approximately two dozen examples of letters of concern that I deemed to be inappropriately issued by Gawadzinski to Southwest Airlines, many of which he issued prior to my arrival as manager. I told the assembled group that, in my view, these should have been processed as enforcement actions, but were instead intentionally issued so as to diminish the impact on the carrier. I told the group this was an indication that Gawadzinski was too close to Southwest and that a change needed to be made.

Mr. Stuckey said he would take the matter under advisement, and later, through Ron McGarry, instructed me to turn the letters over to Buford Eatmon, a supervisor at the Continental Airlines Certificate Management Office in Houston, for review. Aside from the obvious lack of trust in me demonstrated by Mr. Stuckey's choice of a lower-level supervisor to judge the validity of my findings, I was incredulous at the seemingly low level of importance he placed on this issue. It was not clear why he did not look over the documents himself or at least have had them reviewed by his staff at the regional level, given the seriousness of my allegations. Thusly did Mr. Stuckey demonstrate his inexplicable capacity to squander yet another opportunity to build confidence in one of his subordinates, a relationship through which he might have formed an ally instead of an adversary.

Later, I asked for a follow-up report of the supervisor's review of the letters of concern, but I did not receive it. So, I called Mr. Eatmon and asked what he had found. He stated that my findings had merit, in his view, and that he had counseled Gawadzinski regarding the matter. I thought this a bit peculiar, since I, was Gawadzinski's supervisor, and should have been doing the counseling. What was clear, however, was that I was not calling the shots in this matter. Eatmon stated that he was not allowed to divulge the details of the counseling, so I was unable to acquire corroborating documentation that I needed to use for taking disciplinary action against Gawadzinski. I have provided representative copies of these letters of concern to all the agencies investigating this matter.

Rather than focusing on the safety implications of the letters of concern and my assertion that Gawadzinski was too close to the carrier, Mr. Stuckey ordered a "Peer Review" of the Southwest CMO, which was undertaken soon after my meeting with him. This was in keeping with one of Mr. Stuckey's favorite tactics in dealing with offices with problems—assembling teams of untrained conscripts from within his sphere of influence under the guise of conducting an "unbiased" review. This tactic had served him well over the years and, in fact, could be considered to be brilliantly conceived in affording him and his deputies a degree of plausible deniability, insulated from the repercussions of an ill-advised decision, because it could be blamed on a flawed observation or recommendation of his review team. For me, a far more useful and longed-for approach would have been for Mr. Stuckey to take a personal and insightful interest in the problems of his subordinate managers, affording them more than the solicitation of a "one-pager" memo that he was famous for demanding when we needed help. Unfortunately, he was unable to muster enough trust to do this, thereby squandering again that most essential attribute of a well-functioning organization—the feeling of being part of a team.

The peer review conducted at the Southwest CMO confirmed the difficulties, on many levels, that the employees had in dealing with Gawadzinski. Notably, however, the issue of the letters of concern was largely ignored by the peer review team, possibly because they did not recognize their significance. And once again, other than the issuance of a report of the team's findings, no action was taken and no assistance was offered by Mr. Stuckey in getting something done with Gawadzinski.

For those who question why I did not take immediate unilateral action against Gawadzinski to effect his removal, it needs to be clarified that this was not an easy thing to do at my level. It was not within the capability of an office manager to take such action against one of his subordinates, especially one who is a management employee, without elaborate due process, which can be daunting in terms of time expended and documentation required. If a significant action is contemplated against an employee, this can only be undertaken after lengthy documented counseling and progressive disciplinary actions. It was also necessary to consult heavily with the labor relations specialists at the regional level and to obtain their concurrence, along with that of division management, on the action to be taken. This is made even more difficult when the employee to be disciplined is highly resistant and knows how to use to his advantage the rather elaborate employee protection apparatus of the federal government.

However, one quick method of effecting a personnel change with little difficulty is that of the division manager's authority simply to reassign someone to another position in another office, an action to which Mr. Stuckey was certainly no stranger and which I was hoping I could convince him to do. An office manager did not have such authority without regional concurrence, and my attempt to gain it in the meeting with Stuckey, McGarry and Kadey had obviously been rebuffed.

During the first week of November, 2005, a remarkable and troubling event occurred at a manager/supervisor meeting in Fort Worth. Ron McGarry pulled me aside during a break to talk about the documentation of Gawadzinski that I had begun—and apparently which Gawadzinski had complained about. McGarry said this was not an effective way for me to deal with my subordinates and instructed me to cease this practice. I was completely astonished at this overt interference in what McGarry knew to be my attempt to deal with the Gawadzinski problem. At this point, I hardly knew what to think; I began to fear that Gawadzinski may indeed enjoy some special status and protection after all. I wasn't sure how to proceed at this point.

As a few more weeks went by, and I continued to complain about Gawadzinski, Mr. McGarry seemed increasingly intent upon characterizing my struggle with him as the result of a personality conflict and would not consider anything else as a possibility. In support of his obsession with this notion, he insisted that Gawadzinski and I undergo a mediation session, in an effort to resolve what he perceived to be our personality problems. I complained bitterly to Mr. McGarry that this was not a personality issue but one affecting safety, but he was utterly dismissive of this argument. Now fearful of the consequences for me of not following his direction, and not knowing how far up the FAA hierarchy Gawadzinski was protected, I participated in the mediation and signed an agreement toward fostering an improved working relationship. This ill-conceived, forced agreement, plus the restrictions McGarry placed on me against documenting Gawadzinski's actions, crippled my ability to circumscribe his activities for months to come. Meanwhile, Gawadzinski's stature was undeniably elevated among those employees loyal to him at the Southwest CMO. This weakened my authority considerably, and I knew I would have to wait for an event that would provide incontrovertible evidence of Gawadzinski's mishandling of his job. I was certain that I would not have to wait for long.

Suppressing my concern for the consequences, I decided to elevate again to Ron McGarry another issue involving Gawadzinski's mismanagement of his job. I had become aware that, before my appointment as office manager, Gawadzinski had reached an inappropriate agreement with Southwest Airlines as to which of its maintenance manuals and documents he would review. The agreement, in essence, allowed the carrier itself to decide which maintenance manuals and critical documents it would present to Gawadzinski for review. Among these were some whose review and approval by the FAA were required by regulation. Gawadzinski's rationale for relaxing this requirement for Southwest was that he had information from "Nick and Jim" that some of the FAA regulations were outdated and that the Agency should be trending away from such close oversight. He was saying, in essence, that Southwest Airlines should police itself in this area. Some of the documents that were allowed to escape FAA review under this scheme were maintenance task cards, an omission which would later prove critical in the airline's overflying airworthiness directives and required inspections that engendered this Congressional inquiry. Much of the evidence I collected for submission to the region was brought to me by Inspector Boutris.

I sent this information to Ron McGarry on November 28, 2005, in a lengthy memo detailing the deficiencies I had noted and requesting assistance from him in conducting an independent appraisal of Gawadzinski's handling of this issue. As I knew Mr. McGarry's area of expertise, like mine, was not in the airworthiness discipline, I followed up with a personal visit to his office, accompanied by Paul Cotti, one of my airworthiness-qualified supervisors, to help detail for him the problems I had noted in my memo. In the memo, a copy of which has been supplied to investigators, I stated: *"The PMI has largely been resistant toward inquiries by the office manager as to the validity of these elements of airworthiness certificate management. Because of the lack of transparency, I believe a possible safety risk may exist, and I am requesting the assistance of ASW-200 in conducting an independent in-depth evaluation of at least the concerns presented above and of any aspect of any other element of the CMO operation deemed appropriate by division management."*

Mr. McGarry did not agree that an independent review was needed, and, remarkably, Gawadzinski's lapse of judgment, which should have been obvious, did not appear to resonate with him. At this point, I was wondering what it would take to get Mr. McGarry or Mr. Stuckey to take seriously the problem with Gawadzinski. Needless to say, this added to my suspicion that Gawadzinski was being protected for some reason and increased my uneasy feeling that I could ultimately wind up being the victim instead. At the time, I did not feel comfortable bypassing Mr. Stuckey and taking my concerns to Washington. I was well aware of the unspoken—but no less real—adversity that could come my way by failing to follow the chain of command. Only after Mr. Sabatini described in a recent Town Hall meeting a new means for elevating problems to a higher management level has Mr. Stuckey suddenly become a proponent of doing such a thing.

If the peer review were not enough, Mr. Stuckey sent to my office, in the spring of 2006, a WEAT team, whose purpose I described earlier. He apparently was still focused on office harmony rather than the evidence I had turned over to him that Gawadzinski's actions were either incompetent or contrary to policy. But, more troubling, this indicated that the regional management was either still oblivious to the safety implications of what I had presented or was intent on ignoring them.

The findings of the WEAT team were given to me in draft form, and they largely confirmed Gawadzinski's defiance of my authority and the difficulty he was having with his subordinates, especially those who were, by now, known to be reporting his misdeeds. Although I asked repeatedly, I was never provided with a final copy of the report, as was customary for WEAT visits, so I still do not know if the final report was altered from the draft version. Even though the draft report highlighted how dysfunctional Gawadzinski had become, it was still not enough evidence, apparently, for Mr. Stuckey to act.

In December, 2006, still supposedly insisting that the problems with Gawadzinski were the result of a personality clash, Mr. Stuckey authorized yet another mediation event, this time for my entire supervisory staff! This was conducted offsite by a member of the regional labor relations group. The result of this meeting was another forced agreement, signed by me and all my supervisors toward fostering a better working relationship. This agreement, combined with all the other regional restraints, brought to a complete stop my ability to resolve the issues with Gawadzinski, especially because the documentation tool had been taken away by Mr. McGarry back in November, 2005, and now, the management team had been told, through the forced agreement, to get along with Gawadzinski or else. With this in place, I could only wait for Gawadzinski's next blunder to be revealed.

Finally, in late March, 2007, I became aware, through reports by Inspector Boutris and my own review of self-disclosures, aided by Inspector Douglas Peters and Supervisor Paul Cotti, that Gawadzinski had accepted a disclosure from Southwest that it had overflown inspections required by an FAA Airworthiness Directive to detect cracks in the fuselages of older B-737 aircraft. Through reviewing the records, I learned that Gawadzinski had accepted the self-disclosure and then quietly closed it without mentioning it to me or the other supervisors, even though he had many opportunities to do so in our almost daily meetings. In researching the matter, members of my staff found indications that the airline had indeed discovered cracks in the fuselages of some of its aircraft, but was allowed by Gawadzinski to continue flying them until they could be repaired at a convenient time, contrary to the terms of the airworthiness directive.

I reported this to Mr. McGarry, who instructed that a team once again be assembled to give an independent evaluation of my findings. The team later confirmed the findings in a written report to Mr. McGarry, but not without some controversy. At the team's in-briefing on April 11, 2007, one of the members, Kermit Teppen, a close friend of Gawadzinski's, told the assembled group, including Paul Cotti and Robert Naccache, that he suspected I might be making too big an issue of this because, according to him, *we often have to cut deals with the carriers because they can't be expected just to ground suddenly ground a large number of their aircraft*. All the other meeting participants were stunned by this statement and, immediately afterward, I made a note of the exchange. Because of Teppen's remark, I was unsure of the objectiveness of this team's investigation, but I was relieved later when the other team member, Skip Whitrock, prevailed in supporting my findings.

I later learned that an investigation of Gawadzinski had begun around this time, and I felt a degree of relief that some remedial action may finally be taken with him.

Gawadzinski recognized that Inspector Bobby Boutris had a role in bringing to light these issues unfavorable to him and began pleading with me to have him removed from the office because of the "disruption" he was causing. I did not accede to these requests and, a short time later, Gawadzinski brought into my office an anonymous complaint that appeared to have originated from a Southwest Airlines employee. The complaint made some highly implausible claims against Inspector Boutris, and its timing seemed very suspicious. I was obligated, however, to turn the matter over to the regional office, which I did. The instruction came back to remove Inspector Boutris from any oversight of Southwest Airlines while the matter was being investigated. The regional office even considered removing Inspector Boutris from the CMO, until the assistant manager, in my absence, commendably refused to concur with this action. Inspector Boutris continued to supply me with evidence he had collected regarding Gawadzinski, and, shortly before I was removed, I sent the entire file via overnight express to Ron McGarry.

Shortly after informing my superiors of the AD overflight by Southwest and while that matter was still under investigation, I became aware that the carrier may also have overflowed a required standby rudder inspection, again through a self disclosure that had been accepted and quietly closed by Gawadzinski without reporting it to me or the other supervisors. I assembled a package containing the evidence of that overflight and sent it to the regional office for review on May 3, 2007. Later that day, I called the regional office to inquire about their review of my submission and received a very troubling, even chilling, response. One of the staffers who received the package told me, almost under his breath, that he had been instructed by Mr. McGarry to handle this matter “very quietly” and “low key.” I asked him what that meant, and he didn’t respond.

Within a few days, I had my response. Mr. McGarry came to my office on May 8, 2007 and handed me a letter signed by Tom Stuckey, relieving me of my duties as manager of the Southwest CMO. He instructed me to call the office staff together in an all-hands meeting and then ordered me to leave the building. I asked him if I had done anything wrong and if I was under investigation. He answered “no” to both questions. I followed his instructions and quietly left the office, with no opportunity for me to say goodbye to my staff, while he informed them of my dismissal. Thankfully, Mr. McGarry also dismissed Gawadzinski at the same time but, to this day, I have received no reasonable explanation as to the rationale for the action taken against me, an action that will forever wrongly convey the presumption that I was as culpable as Gawadzinski in this very public scandal. The FAA, in its briefings to reporters over national television, has implied that its removal of two managers—one being me—was the appropriate official response. I fear that my reputation will never recover from this mischaracterization of the facts.

In my view, my actions over the period of my tenure at the Southwest CMO were focused on the elimination of a serious deficiency in the oversight of the carrier—an imperative that I felt I could not ignore, even though I could not be sure of its impact on my career. My actions to remove the threat Gawadzinski posed were ultimately successful, in spite of an absence of support and the outrageous obstacles placed in my way by the regional office management. The price of my effort to ensure safety, however, was not the recognition or reward that should have been afforded the official who reported the incident, but the humiliating and totally unwarranted ejection from perhaps one of the most prestigious middle management jobs in the FAA.

Also worthy of note is the contrast between my treatment and that of my two predecessors who were managers of the Southwest CMO. The unhealthy relationship between the CMO and Southwest Airlines almost certainly existed during their tenure, yet they either did not recognize it or were fearful of raising it above their level. As a result, the problems with the office remained invisible, and those managers were ultimately promoted to higher level positions.

In the spirit of full transparency, I must also submit to you that my successor as manager of the Southwest CMO is, in my view, ineligible to hold his position because of a significant ethical issue. He was improperly allowed, through an agreement signed with Southwest Airlines by Mr. Stuckey, to receive a B-737 type rating from the carrier, worth an estimated \$15,000, at no cost to himself or the Agency. This was accomplished through a memo of understanding that is reserved, according to FAA policy, for Aircrew Program Managers. My assistant manager at the Southwest CMO, Robert Naccache, and I had pointed out to Mr. Stuckey the impropriety of this arrangement, but he insisted that the agreement should remain in place.

Within a few weeks after my removal, and still concerned about these matters, I wrote a prophetic e-mail to the office manager who succeeded me at the Southwest CMO. I had no idea then just how poignant my remarks would turn out to be:

Bobby, the two recent events (the fuselage crack AD and the standby rudder inspection overflights) seem to be in a soft pedal mode at the branch level. I base my opinion on a phone call to me from Jay Nelson on this date (May 3, as depicted in the accompanying e-mail traffic) wherein he made frequent references to keeping this "low profile" and "quiet." If you don't get any feedback from my request below (for regional analysis), that will be further evidence, I would think, that they are operating at a diminished interest level, for whatever reason.

My feeling is that this will likely not remain "low profile" nor "quiet." My advice to you, as my successor, would be to ensure that you are fully conversant with these two events, among others you may ultimately discover, and take whatever measures are necessary to validate the adequacy of Southwest's control over its (maintenance program).

Because of the illumination of this unfortunate incident, Mr. Sabatini has announced that he will take steps to improve employee communication at all levels, including a mechanism to encourage employees to take their concerns to a higher level when there is a failure in the chain of command. I would add to that initiative a recommendation that regional managers be rotated periodically so as to lessen the likelihood that a dysfunctional management team, intent on preserving itself at any cost, can cover its misdeeds so effectively for so long.

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