U.S. OFFICE OF SPECIAL COUNSEL
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November 13, 2008

The President
The White House
Washington, D.C. 20510-1102

Re: OSC File Nos. DI-06-1499, DI-07-2156, and DI-07-0237

Dear Mr. President:

The Office of Special Counsel received disclosures of serious safety lapses in the air traffic operation of one of the nation's busiest airports, Dallas/Fort Worth International Airport (DFW), Dallas, Texas. The whistleblowers, three Federal Aviation Administration (FAA) employees at DFW, disclosed that senior officials at the airport were underreporting the incidence of operational errors and deviations by misclassifying them in order to keep the number of air traffic events reported artificially low.

In accordance with a referral pursuant to 5 U.S.C. § 1213(c) and (d), the Secretary of Transportation was required to conduct an investigation into these disclosures. The Secretary tasked the Department of Transportation, Office of Inspector General (OIG) with conducting the investigation and writing the report. As discussed further in the attached report of April 28, 2008, the investigation substantiated the allegation that air traffic events were underreported. The OIG concluded that management intentionally misclassified air traffic events to avoid attributing operational errors or deviations to air traffic controllers. As a result of these troubling findings, OIG issued a number of recommendations to FAA.

The Secretary provided a supplemental report on August 13, 2008, which described the actions taken by FAA thus far to address the issues identified by the OIG's investigation. The supplemental report also sets forth the proposed disciplinary actions for those officials found responsible for the misconduct. The whistleblowers' comments on the agency reports are also included.

I have reviewed the original disclosures and the reports. Based on that review, I have determined that the agency's reports contain all of the information required by statute and that the findings appear to be reasonable.

Significantly, this marks the second time in three years that whistleblowers from DFW have come forward with disclosures of misconduct and mismanagement by senior FAA personnel at the facility, and the second time those allegations have been substantiated. For this

reason, scrutiny of FAA and its implementation of the corrective measures proposed to resolve the continued misconduct and mismanagement, is critical.

As required by law, 5 U.S.C. § 1213(e)(3), I have sent a copy of the report and the whistleblowers comments to the Chairman of the Senate Committee on Commerce, Science and Transportation and to the Chairman of the House Committee on Transportation and Infrastructure. I have also sent copies to the Ranking Member of each Committee. A copy of the agency reports and the comments of the whistleblowers who consented to the release of their names, has been placed in our public file and the cases closed.

Respectfully,

William E. Reukauf

William E. Reukauf
Acting Special Counsel

Enclosures