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Whistleblower Reveals FAA Allowed Airplanes to Fly with Expired Airworthiness Certificates, Registrations

FOR IMMEDIATE RELEASE

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WASHINGTON, D.C./June 13, 2018 – The U.S. Office of Special Counsel (OSC) today sent [letters](#) to the President and Congress disclosing that safety inspectors at the Federal Aviation Administration (FAA) have improperly approved aircraft for commercial operations without first reviewing critical safety information that in some cases would have prohibited their operation. Moreover, due to lapses in oversight at FAA’s Civil Aviation Registry, aircraft have operated in the National Airspace System without a valid registration or airworthiness certificate.

“When the FAA does not know the location of an aircraft, the owner of an aircraft, or whether the owner might be deliberately attempting to circumvent safety regulations, that’s a serious problem,” said **Special Counsel Henry J. Kerner**. “Thankfully, because a whistleblower came forward, the FAA now appears to be taking this issue seriously and has initiated corrective action to ensure inspectors don’t cut corners and are better equipped to keep our airspace safe.”

After a whistleblower [disclosed](#) problems with FAA’s aircraft oversight, OSC referred the case to the U.S. Department of Transportation (DOT) to investigate. The agency [substantiated](#) the whistleblower’s allegations and concluded that many Aviation Safety Inspectors at FAA are not sufficiently familiar with the requirement that all aircraft exemptions must be reviewed before the aircraft is cleared to fly. The report also found that FAA’s guidance on inspection requirements is inadequate.

Based on the DOT’s findings, the FAA issued several recommendations for corrective action. The FAA established a task force to analyze approximately 1,000 exemptions and records for over 11,000 aircraft to determine airworthiness actions necessary to ensure their safety. In addition, the FAA is revising its guidance to provide clarity and ensure inspectors review all limitations and exemptions prior to aircraft being cleared to fly.

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC’s primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.