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OSC Obtains Relief for TSA Whistleblowers Who Disclosed Security Risks

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The U.S. Office of Special Counsel (OSC) blocked proposed personnel actions involving two Transportation Security Administration (TSA) employees at the Minneapolis-St. Paul International Airport who reported security risks.

Andrew Rhoades, an assistant federal security director, reported violations of aviation security policy. Specifically, he objected to a supervisor's proposal to have TSA screeners improperly handle confiscated weapons. Additionally, he reported that stickers were not consistently placed on checked bags that had been cleared by TSA. Both issues were remedied by TSA. Beginning in September 2014, a series of local news stories ran on security lapses at the Minneapolis-St. Paul International Airport. In December 2014, one of Mr. Rhoades' supervisors sought to learn if one of his employees was providing information to the media. In February 2015, that same supervisor issued Mr. Rhoades a forced reassignment to an airport in Florida. In March 2015, the TSA granted OSC's request for a stay. Subsequently, TSA formally rescinded its reassignment of Mr. Rhoades.

Rebecca Roering, another assistant federal security director, disclosed a vulnerability in TSA's Pre✓ program to TSA officials and to OSC. An investigation by the Department of Homeland Security, Office of Inspector General substantiated Ms. Roering's concerns. OSC issued a report on the Pre✓ program and Ms. Roering's concerns to the President and the congressional homeland security committees earlier this year.

In March 2015, after a lengthy investigation of Ms. Roering, TSA proposed to suspend her. At OSC's request, TSA's Office of Chief Counsel agreed to stay the disciplinary action. OSC appreciates TSA's cooperation in these cases, and will investigate to determine if the pending suspension was issued because of Ms. Roering's whistleblowing.

A stay provides temporary relief to complainants while OSC investigates their prohibited personnel practice claim (for example, whistleblower retaliation). A grant of a stay request is not a finding on the merits of the claim; rather, OSC requests a stay when it has a reasonable belief that a prohibited personnel practice may have occurred.

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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.