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December 28, 2009

The President
The White House
Washington, D.C. 20500

Re: OSC File Nos. DI-07-2793 and DI-07-2868

Dear Mr. President:

Pursuant to 5 U.S.C. § 1213(e)(3), the Office of Special Counsel is forwarding to you agency reports concerning disclosures from Charalambe B. "Bobby" Boutris and Douglas E. Peters, whistleblowers at the Department of Transportation (DOT), Federal Aviation Administration (FAA), Southwest Airlines Certificate Management Office (SWA CMO), Irving, Texas. Messrs. Boutris and Peters, each of whom consented to the release of his name, alleged that FAA's Principal Maintenance Inspector (PMI) for Southwest Airlines knowingly allowed the airline to operate aircraft in passenger revenue service in an unsafe or unairworthy condition, after the inspection dates for airframes had passed and without a required maintenance check. The whistleblowers also alleged that agency officials failed to take action to ensure future compliance with Airworthiness Directives and required maintenance checks, thus jeopardizing the safety of the flying public, and putting safety and regulatory compliance second to serving the airline as a customer.

The whistleblowers' allegations were referred to the Honorable Mary E. Peters, former Secretary of Transportation, to conduct an investigation into this disclosure pursuant to 5 U.S.C. § 1213(c) and (d). Secretary Peters tasked the investigation of the matter to the Honorable Calvin Scovell, DOT Inspector General.

As discussed in the attached Analysis of Disclosures, the agency investigation substantiated the allegations that the FAA's PMI knowingly permitted Southwest Airlines to operate commercial aircraft in passenger revenue service in an unsafe condition. Messrs. Boutris and Peters provided comments on the reports. As required by law, 5 U.S.C. § 1213(e)(3), we are now transmitting to you the report, a supplemental report, and the whistleblowers' comments.


We have reviewed the original disclosures, the agency's report and supplemental report, and the whistleblowers' comments. Based on that review, OSC has determined that the agency reports contain all of the information required by statute, and that the findings of the agency head appear reasonable.

As required by law, 5 U.S.C. § 1213(e)(3), we have sent copies of the reports and Messrs. Boutris' and Peters' comments to the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure and the Chairman and Ranking Member of the Senate

The President
Page 2

Committee on Commerce, Science and Transportation. We have also filed copies of the reports and the whistleblowers' comments in our public file and closed the matter.¹

Respectfully,


William E. Reukauf
Associate Special Counsel

Enclosures

¹ Mr. Peters requested that his comments on the initial report not be made public.