



**U.S. OFFICE OF SPECIAL COUNSEL**  
**1730 M Street, N.W., Suite 300**  
**Washington, D.C. 20036-4505**

**The Special Counsel**

May 21, 2026

The President  
The White House  
Washington, D.C. 20050

Re: OSC File No. DI-24-000224

Dear Mr. President:

I am forwarding to you reports transmitted to the Office of Special Counsel (OSC) by the Department of Transportation (DOT) in response to the Special Counsel's referral of a disclosure of wrongdoing at the Federal Aviation Administration (FAA), Office of Aerospace Medicine (AAM), Washington, D.C. OSC has reviewed the disclosure, agency reports, and whistleblower comments, and, in accordance with 5 U.S.C. § 1213(e), I have determined that the reports contain the information required by statute.<sup>1</sup> As summarized below, the agency investigation did not substantiate the allegations. While I commend the FAA for the remedial actions taken in response to the whistleblower's disclosure, I do not agree with its conclusion that the disclosure was unsubstantiated. The following is a summary of the allegations, the findings, and the whistleblower's comments.

██████████ ██████████ who consented to the release of his name, disclosed that understaffing of FAA Medical Officers in AAM led to extraordinary backlogs in the review of medical certificates and clearances, which had a negative impact on national air space safety. Specifically, ██████████ alleged AAM failed to review medical certificate determinations in a timely manner, as prescribed by 14 C.F.R. § 67.407 and agency policy, resulting in approximately 1200 airmen holding FAA medical certificates who may not be medically qualified to fly. ██████████ also alleged the delay in processing medical applications deters airmen from disclosing illness, injury, and medications that may affect their eligibility for a medical certificate. Last, ██████████ alleged that the backlog of air traffic controller specialists' medical clearance examinations may lead to a shortage of employees controlling the national

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<sup>1</sup> The whistleblower's allegations were referred to then-Secretary of Transportation Pete Buttigieg for investigation pursuant to 5 U.S.C. § 1213(c) and (d). The FAA Office of Audit and Evaluation conducted the investigation. Secretary Buttigieg delegated the authority to review and sign the agency report to then-DOT Acting General Counsel Subash Iyer.

air space and FAA leadership has failed to implement any recruitment or retention incentives to hire the needed staff.

The agency did not substantiate the allegations, finding that the FAA's understaffing of AAM Medical Officers and support staff did not constitute gross mismanagement or create a substantial and specific danger to public safety. The investigation revealed that in 2023, Medical Officers were required to review less than one-tenth of 1% of the 445,613 medical certificates Aviation Medical Examiners issued to airline transport pilots, commercial pilots, and private pilots, totaling approximately 400-600 certificates. The agency reported that AAM referred 479 of the issued certificates to the FAA Office of Chief Counsel for an Enforcement Investigation Report and possible revocation because they were unable to complete their review in the 60-day timeframe outlined in 14 C.F.R. § 67.407(c). Nevertheless, the agency found that the existing airman medical certificate review process was not a specific danger to public safety because the cases requiring a lengthy review constitute a small percentage of the total medial certificates issued and because, under 14 CFR § 61.53, pilots have an affirmative duty not to perform pilot operations when they know or have reason to know of a medical deficiency that would make them unable to fulfill their duties.

In addition, the agency acknowledged that the FAA has experienced air traffic controller staffing shortages and prioritized hiring over 1,500 air traffic controllers in both 2023 and 2024. As a result of this hiring, the number of medical applications for air traffic controllers rose while AAM staffing numbers remained stagnant, and the average processing time for medical clearance was 133 calendar days in 2023. However, because air traffic controller candidates may not begin training or working at an air traffic control facility without a medical certificate, the agency found that delays in the review of their medical applications did not pose a substantial or specific danger to public safety.<sup>2</sup>

Significantly, despite the agency's findings, in response to this investigation, the FAA increased the number of Medical Officers from 52 to 78, hiring 26 additional Medical Officers since the fall of 2024. The FAA has also undertaken efforts to improve the efficiency of the airman medical certification and air traffic controller medical clearance processes by making information on requirements and necessary supporting documentation more easily accessible and contracting out case management services, such as evaluation scheduling and document collection.

In his comments, ██████ asserts that the agency's findings, which dismiss safety risks created by delays and staffing shortages within AAM, are not credible. ██████ highlights that, although Medical Officers review only a small percentage of the total medical certificates

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<sup>2</sup> The agency did not address whether the delay in processing medical applications prolonged the FAA's shortage of air traffic controllers in their analysis.

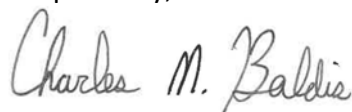
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issued, the agency does not dispute that because of the AAM's delay in reviewing the medical certificates flagged with an anomaly hundreds of airmen were flying in the national air space who may not have been medically qualified. Nevertheless, [REDACTED] expressed gratitude for the definite and positive changes that have occurred. He explained that Secretary Sean Duffy assigned "Critical Safety" status to Medical Officers which helped address the staffing shortage and resulted in remarkable safety improvement.

In light of these facts, OSC does not find the agency's conclusions regarding the lack of safety risks appear reasonable, but we appreciate that the agency prioritized corrective actions to greatly increase staffing and efficiency in AAM to nonetheless resolve these concerns. I thank [REDACTED] for bringing these safety-related allegations to OSC. Given the significance of [REDACTED] disclosures and the FAA's comprehensive response, OSC recommends that DOT recognize [REDACTED] contributions to improve the safety of the national air space and consider issuing a monetary award to him.

As required by 5 U.S.C. § 1213(e)(3), I have sent a copy of this letter, the agency reports, and whistleblower comments to the Chairs and Ranking Members of the Senate Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure. I have also filed redacted copies of these documents and a copy of the letter referring this matter in our public file, which is available online at [www.osc.gov](http://www.osc.gov). This matter is now closed.

Respectfully,



Charles N. Baldis  
*Chief Counsel*

Enclosures