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November 16, 2009

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

Re: OSC File No. DI-07-2350

Dear Mr. President:

The U.S. Office of Special Counsel (OSC) received disclosures from a whistleblower, Gabriel D. Bruno, former Manager of the Orlando Flight Standards District Office, Federal Aviation Administration (FAA). Mr. Bruno alleged that ongoing delays and deficiencies in FAA's effort to re-examine airframe and power plant (A&P) mechanics who hold questionable mechanic certificates pose a substantial and specific danger to the flying public. According to Mr. Bruno, the program FAA has implemented to re-examine mechanics who received questionable certificates from designated mechanic examiner St. George Aviation Testing Center (St. George) is inadequate because it does not require mechanics to take the hands-on, practical portion of the standard A&P mechanic certification exam. Mr. Bruno further alleged that many St. George-certified mechanics with questionable certificates continue to perform maintenance on aircraft, even though they have not yet been re-examined by FAA. In addition, Mr. Bruno alleged that one or more St. George certificate holders may be implicated in mechanical failures that contributed to two specific aviation accidents.

As discussed in the enclosed reports, an agency investigation confirmed Mr. Bruno's allegation that, during the current phase of the St. George re-examination program, FAA is administering to mechanics a substantially modified and condensed version of the standard A&P mechanic certification exam, which omits the hands-on practical test. According to the agency reports, FAA contends that it has discretion to administer modified versions of the mechanic certification exam during a re-examination effort. The investigation also revealed that a St. George certificate holder had in fact performed maintenance and inspections on an aircraft involved in a 2005 aviation accident; however, FAA concluded that there is no evidence to suggest that the mechanic was implicated in the accident. The agency report advised that, in order to prevent another St. George-type fraudulent certification scheme from occurring, FAA has instituted several corrective actions to improve oversight of its designated mechanic examiner program.

OSC required the Honorable Mary E. Peters, former Secretary of Transportation, to conduct an investigation into the whistleblower's disclosures pursuant to 5 U.S.C. § 1213(c) and (d). Secretary Peters tasked FAA with conducting an investigation, in coordination with the Department of Transportation, Office of Inspector General, and she submitted a report to this

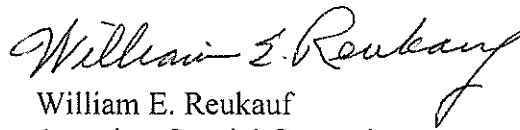
The President
Page 2

office on September 15, 2008. At OSC's request, FAA submitted additional information in a supplemental report, on September 23, 2009. Mr. Bruno provided comments on the agency reports to this office pursuant to 5 U.S.C. § 1213(e)(1); his comments are enclosed.

OSC considered the information provided in the agency reports and Mr. Bruno's comments. For the reasons discussed in the enclosed Analysis, OSC concludes that the reports meet all of the technical requirements of 5 U.S.C. § 1213, and the findings of the agency head appear reasonable. Notwithstanding this conclusion, we note that Mr. Bruno has raised several issues that warrant the agency's consideration as it contemplates future policies and actions.

As required by law, 5 U.S.C. § 1213(e)(3), OSC is now transmitting the reports and Mr. Bruno's comments to you. We have also sent copies of the reports and the whistleblower's comments to the Chairmen and Ranking Members of the Senate Committee on Commerce, Science and Transportation and the House Committee on Transportation and Infrastructure. In addition, we have filed a copy of the reports and Mr. Bruno's comments in our public file and closed the matter. OSC's public file is now available online at www.osc.gov.

Respectfully,



William E. Reukauf
Associate Special Counsel

Enclosures