



U.S. Office of Special Counsel  
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## DEPARTMENT OF TRANSPORTATION SUBSTANTIATES WHISTLEBLOWER'S SAFETY CONCERNS ABOUT UNITED AIRLINES' EMERGENCY DOOR BATTERIES AND OVERHEAD BINS

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### FOR IMMEDIATE RELEASE

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WASHINGTON, D.C. / February 18, 2010 – Today, the U.S. Office of Special Counsel (OSC) transmitted to the President and Congress the Department of Transportation's (DOT) response to whistleblower allegations that Federal Aviation Administration (FAA) employees compromised the safety of the flying public by failing in their oversight and regulatory responsibilities.

The whistleblower, Cheryl Henderson, Aviation Safety Inspector, DOT, FAA, United Airlines Certificate Management Office, Daly City, California, specifically disclosed concerns about the lack of proper FAA oversight of United Airlines' compliance with an Airworthiness Directive (AD) concerning emergency door batteries on United's Boeing 777s and the improper self-disclosure of defective overhead bins on its Boeing 767s.

The August 2009 report from Secretary of Transportation Ray LaHood to OSC found that two FAA senior supervisory inspectors had improperly permitted United Airlines to self-disclose noncompliance with an AD about the installation of overhead bins in violation of FAA's Voluntary Disclosure Reporting Program (VDRP). The AD had been issued to prevent the failure of tie rods to the center overhead stowage bin modules, which could result in a collapse of the bins and, consequently, injuries to passengers and crew.

The investigation also found that the then-FAA Principal Avionics Inspector for United Airlines in Daly City, California, failed to adequately address the expiration of emergency door batteries and the reliability of battery restoration equipment. DOT substantiated that the battery restoration equipment was not properly calibrated and, therefore, inadequate for measuring accurately the quality of the batteries. The investigation found that while United Airlines eventually replaced all the emergency door batteries in question, FAA improperly delayed by 18 months a decision about United Airlines' use of non-calibrated equipment. In addition to addressing the safety concerns identified in the investigation, FAA also proposed suspensions for the senior managers for their mismanagement and failure of oversight.

OSC determined that the agency's report contains all the information required by statute and the findings appear reasonable.

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*The U.S. Office of Special Counsel (OSC) is an independent investigative and prosecutorial agency and operates as a secure channel for disclosures of whistleblower complaints. Its primary mission is to safeguard the merit system in federal employment by protecting federal employees and applicants from prohibited personnel practices, especially retaliation for whistleblowing. OSC also has jurisdiction over the Hatch Act. For more information, please visit our web site at [www.osc.gov](http://www.osc.gov) or call 1-800-872-9855.*