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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

April 1, 2025

Mr. Chris Rocheleau
 Acting Administrator
 Federal Aviation Administration
 800 Independence Ave, SW
 Washington, DC 20591

Dear Acting Administrator Rocheleau:

As you consider Boeing's Organization Designation Authorization (ODA) renewal in May 2025, I write to emphasize several critical concerns that must be addressed before any decision is made.

On May 31, 2022, the late Ian Won, former manager of the Federal Aviation Administration's (FAA) Boeing Aviation Safety Oversight Office, extended Boeing's ODA for notably only three years, rather than the standard five years, to require necessary improvements to merit any further extension of Boeing's ODA:

"There are multiple in work improvements that the FAA would like to assess within the Boeing organization over the next three years. We will review improvements to the ODA, including but not limited to, interference, independence, timely implementation of corrective actions, Boeing Procedures Manual updates, self-audits and implementation of the Boeing Safety Management System. We expect that the next three years should provide ample time for these improvement activities to be completed. We will expect verification and confirmation of effective implementation prior to reaching the next renewal timeframe."¹

This careful approach was reinforced by the Department of Transportation's Office of Inspector General (DOT OIG) report released on October 9, 2024, which revealed concerning findings about the FAA's oversight of the production quality of Boeing's 737 and 787 production lines.² The report said that in August 2023, FAA oversight officials initiated a request to their superiors to allow Boeing's ODA to resume issuing final airworthiness certificates for these aircraft, rather than FAA, citing steady improvement in the quality of Boeing aircraft."³ However, the DOT OIG found that FAA data actually demonstrates a *decline* in production quality. FAA also took

¹ Letter from Ian Won, FAA to Boeing, May 31, 2022 (on file with Committee).

² "FAA's Oversight Processes for Identifying and Resolving Boeing Production Issues Are Not Effective" U.S. Department of Transportation Office of the Inspector General, October 9, 2024, accessed here: <https://www.oig.dot.gov/library-item/46466> ("DOT OIG Report").

³ An airworthiness certificate represents a FAA finding that an individual aircraft has been produced in accordance with the design in the type certificate. See 14 CFR Part 21, Subpart H. FAA had previously revoked the Production Certificate ODA's ability to issue final airworthiness certificates for the 737 MAX and 787 due to a series of production quality issues. DOT OIG Report at n.5.

this action amid continued reports of undue pressure on ODA unit members as detailed by the Inspector General,⁴ by the expert panel commissioned by section 103 of the Aircraft Certification, Safety, and Accountability Act (ACSAA),⁵ and by a Commerce, Science, and Transportation Committee whistleblower report.⁶

In response to these findings, recommendation 13 of the DOT OIG report urged the FAA to “[e]stablish specific and measurable criteria for Boeing to meet before FAA can return delegation” to Boeing’s ODA.⁷ FAA has agreed to implement recommendation 13 by September 30, 2025, six months after FAA is to make a decision about continuation of Boeing’s broader ODA approval.

Mr. Won’s 2022 letter and the OIG’s findings align with ACSAA’s goal of returning critical safety decision authority to FAA that was previously delegated to Boeing’s ODA. For example, ACSAA limited the FAA’s ability to delegate to Boeing’s Type Certificate ODA certification tasks relating to safety critical design features until FAA has reviewed and verified all human factors assumptions, in addition to other reforms.⁸

As noted above, according to the DOT OIG Report, “in August 2023, FAA oversight officials initiated a request to return authority to issue airworthiness certificates to Boeing’s ODA” even though the data actually showed “an expected increase” in the average number of issues per inspection each month.⁹ The report then states that before FAA senior officials could approve that request, “in January 2024, Alaska Airlines experienced a door plug blow out midflight.”¹⁰

The FAA’s attempt to re-delegate final airworthiness certificate approvals back to Boeing is all the more troubling given that it occurred *the exact same month* as the Alaska Airlines flight 1282 fuselage with damaged rivets was shipped from Wichita to Renton.¹¹

During his confirmation process, Secretary Duffy committed to work with the FAA Administrator and career safety experts on the future parameters of Boeing’s ODA.¹² While we await a Senate-confirmed FAA Administrator, I urge you to work with Secretary Duffy to meet this commitment.

In anticipation of the May 2025 deadline for Boeing’s ODA renewal, I also require that you please provide to the Committee:

⁴ DOT OIG Report at p.28 (referencing 34 allegations of undue pressure reported to FAA by Boeing).

⁵ https://www.faa.gov/newsroom/Sec103_ExpertPanelReview_Report_Final.pdf at p. 5 (Boeing’s ODA “still allows opportunities for retaliation to occur,” which “influences the ability of UMs to execute their delegated functions effectively.”). ACSAA is found at Division V of Public Law 116-260.

⁶ See <https://www.commerce.senate.gov/2021/12/commerce-committee-releases-aviation-safety-whistleblower-report> at p.19 (“The FAA office overseeing Boeing found that undue pressure continues to exist under the FAA’s ODA program.”).

⁷ See DOT OIG Report. at Recommendation 16 (p. 30).

⁸ See ACSAA sections 106, 107, and 125.

⁹ OIG Report at p. 24.

¹⁰ *Id.* at p 25.

¹¹ www.nts.gov/investigations/Documents/DCA24MA063%20Preliminary%20report.pdf at p. 18 (“Fuselage Line 8789 was shipped to Boeing on August 20, 2023.”)

¹² https://www.commerce.senate.gov/index.cfm?a=Files.Serve&File_id=768060E4-3FB1-4122-8390-5E836CD00D2F (p. 9).

- An analysis of whether, to date, Boeing has satisfied the conditions set forth in Ian Won's May 31, 2022, letter that would merit a further extension of Boeing's ODA and how Boeing satisfied those requirements; and
- Further to recommendation 13 from the DOT OIG report, an explanation of any applicable criteria that FAA has established, and that Boeing must meet, prior to FAA re-delegating FAA tasks to the Boeing ODA, in anticipation of the September 30, 2025 deadline.

Please provide a response to the requests above by April 15, 2025. Thank you for your prompt attention to this issue.

Sincerely,

A handwritten signature in blue ink that reads "Maria Cantwell". The signature is fluid and cursive, with the first name "Maria" being the most prominent part.

Maria Cantwell
Ranking Member