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June 23, 2005

The Special Counsel

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

Re: OSC File No. DI-04-1232

Dear Mr. President:

I received disclosures from Ms. Anne R. Whiteman, a whistleblower at Dallas Fort Worth International Airport (DFW) Terminal Radar Approach Control (TRACON), alleging that air traffic controllers and management personnel routinely covered up serious operational errors involving aircraft. Ms. Whiteman revealed that errors involving aircraft flying too close to each other occurred, on average, once a month and that often they were neither reported nor investigated. Ms. Whiteman's allegations identified how the management and operation of the DFW TRACON routinely compromised public safety as well as the public's trust in the air traffic control system.

As discussed further in the enclosed Analysis of Disclosures, the Department of Transportation substantiated Ms. Whiteman's allegations. Ms. Whiteman provided detailed comments on the report which are also enclosed.

Specifically, Ms. Whiteman alleged that the failure to report and investigate potential operational errors was a violation of Federal Aviation Administration (FAA) Order 7210.56C, *Air Traffic Quality Assurance*, and a substantial and specific danger to public safety. Ms. Whiteman alleged that for at least two years, FAA employees at the DFW TRACON routinely failed to report and investigate serious operational errors jeopardizing the airport and air traffic safety. In some instances the supervisors on duty declined to conduct the required investigation by failing to review the radar data and flight data plots, and by failing to interview the air traffic controllers and, where necessary, the pilots involved. In other instances, she alleged that the Air Traffic Manager simply failed to notify FAA Headquarters of errors.

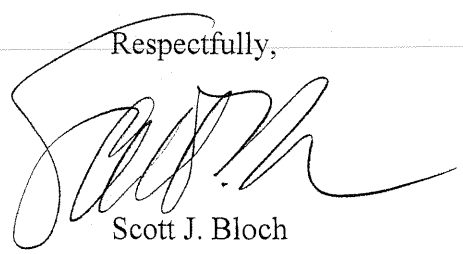
I required the Secretary of Transportation to conduct an investigation into these disclosures pursuant to 5 U.S.C. § 1213(c) and (d). The Secretary tasked the Inspector

General with conducting the investigation and writing the report. The Department of Transportation's Office of Inspector General (DOT OIG) substantiated Ms. Whiteman's allegations finding that air traffic controllers and management systematically covered up operational errors. The DOT OIG's investigation revealed an improper management practice in place for seven years which was responsible for underreporting and the failure to investigate operational errors. As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting the report and comments to you.

I have reviewed the original disclosures and the Department of Transportation's report. Based on that review, I have determined that the agency's report contains all of the information required by statute and that its findings appear to be reasonable.

As required by law, 5 U.S.C. § 1213(e)(3), I have sent a copy of the report to the Chairman of the Senate Committee on Commerce, Science and Transportation and to the Chairman of the House Committee on Transportation and Infrastructure. I have also filed a copy of the agency report and Ms. Whiteman's comments in our public file and closed the matter.

Respectfully,



Scott J. Bloch

Enclosures