

Donald Craig
720 Blue Oak Drive
Lewisville, TX 75067

May 2, 2008

Tracy Biggs
Office of Special Counsel
1730 M Street, NW Suite 218
Washington, D.C. 20036-4505

Re: Comments Regarding IG Report - OSC File No. DI-07-0237

Dear Tracy,

The Inspector General (IG) was unable to substantiate some of my allegations due to the lack of radar and voice data. Due to the amount of time that had transpired from when I made those observations to when the IG investigation was initiated, along with that fact that some initial investigations were never done by the facility, does make it hard to prove my accusations. I wish I had requested copies of the voice and ARTS data, but fearing for my situation, I felt that the best I could do at the time was to make my initial report to your office.

Despite the lack of radar data and voice tape evidence there is sufficient proof to substantiate some of my claims.

During my interview with Mr. Hooper, I gave him a copy of the disc containing the Camtasia recording of QAR5398. This QAR recording was part of the evidence that Ms. Casilio and Mr. Gutwein attempted to terminate me with. I was given a copy of this recording, sometime after the December 11, 2006 creation date, more than 90 days after the event with the agency being able to destroy the radar and voice tapes after 45 days.

Camtasia is used to combine the radar data with the voice tape to depict a traffic situation from the controller's perspective of the radar display. On that recording the Quitman/Lake Sector controller stated that AAL2362 had

entered Frisco Sector airspace, a system deviation. I made a verbal report to a supervisor; not noticing whom the supervisor was due to my being very busy trying to resolve the situation. I never heard anything else about the situation until I received the recording. Again, my going to the QA office to request the recordings would have placed me in a very uncomfortable position.

Why was I never given a copy of QAR5398 as required by the FAA's own rules, in time so that I could have attempted to obtain the data via the union?

FAA 7210.56C 4-1-3. QUALITY ASSURANCE REVIEW Section E states:

*The result of a QAR that involves an employee **shall be communicated** to the affected employee **as soon as practical, normally the employees' next assigned shift** and forwarded to the employees' first-level supervisor for review.*

Despite the lack of the actual radar data on this event, the Camtasia recording is proof of what I had claimed that a system deviation had occurred. The fact that an Operations Manager allegedly investigated and classed this situation as a non-event, me never receiving the copy of the QAR in accordance with FAA rules and then thereby allowing the later destruction of the actual data indicates something was amiss.

Referring to the enclosed letter from OS Steven Nye.

Mr. Nye issued that letter to me on Sept. 3, 2006, almost 2 months to the day of the event described in the letter. Mr. Nye refers to the Corrective Actions: "We discussed this **QAR.**" Which QAR? QARs are supposed to be numbered. Again, I never received a paper copy as required by FAA policy. By the time Mr. Nye finally got around to issuing me this letter the 45 day limit had passed where the facility would have destroyed the radar and voice tapes. How convenient for them. Why was 2 months time allowed to pass thus insuring the destruction of the data before I could have gotten the union to obtain a copy for me?

FAA 7110.65R is the rulebook that controllers are required to use when performing their job function and each facility has it's own version of the 7110 as a supplement to the FAA 7110.65 to cover situations unique to each facility.

The national 7110.65 states:

Section 2-1-14. COORDINATE USE OF AIRSPACE

- a. *Ensure that the necessary **coordination has been accomplished** before you allow an aircraft under your control to enter another controller's area of jurisdiction.*

Along with the local directive:

Section 8-14. GO-AROUND/PULL-OUT/MISSED APPROACH PROCEDURES

- a. *Local control shall assign a heading **and coordinate** with the appropriate radar controller(s).*

- c.(1) *In the event of a missed approach of runway 13R the aircraft shall be instructed; turn right heading 270 degrees climb and maintain 2,000 feet. Local control **shall notify MN** of the missed approach.*

In the letter from Mr. Nye, he states twice that "LW2 ATTEMPTED TO CALL MN".

An attempt is nothing but that, an attempt. Attempted coordination cannot be considered as coordination accomplished. Since coordination was never accomplished, a system deviation had occurred.

Mr. Nye then states: "IT WAS DETERMINED THAT LW2 HAD COMPLIED WITH DFW ORDER 7110.65 8-14C". When did LW2 notify MN of the missed approach? He didn't. Even without the radar and voice tapes to replay the scenario, it is obvious that a deviation occurred. The management of this facility did nothing about the event except to harass me about saying, "Shut up" to the controller when I was trying my best to keep AAL1681 from descending into EGF682.

Perhaps this was another example of Mr. Gutwein's assertion, during another deviation situation, that **proper coordination had occurred because the exchange between the controllers occurred while the American Eagle plane was still in the tower's airspace.**

As the national and local 7110.65 specify, the coordination must be completed before the action is taken. Not during, not after. Even without the radar and voice tapes, this letter from Mr. Nye is documented proof of a system deviation with no further action taken by the management of this facility.

Recommendation 9:

(Reconsideration of DFW as "Central Large TRACON Facility of the Year")
Consider the addition of the following;

Bonus awards received by Ms. Casilo (\$1,500) and Mr. Gutwein (\$3,500) during 2007 along with any Superior Contribution Increase (SCI) pay increase they or the other 5 individuals identified as responsible parties by the IG, be rescinded.

I close this first part of my comments on the IG report, but now wish to add additional comments expressing my concern regarding the current positions held by the former manager and assistant manager of the DFW Tracon along with other individuals.

From the Dallas Morning News

FAA Moving 2 Top Managers to Regional Headquarters
Posted on: Thursday, 24 January 2008, 03:00 CST
By Katie Fairbank, The Dallas Morning News

Jan. 24--The Federal Aviation Administration's top two air traffic managers in North Texas are moving to the regional headquarters to work on agency programs.

*JoEllen Casilio, facility manager of the FAA's tower and traffic control office at Dallas/Fort Worth International Airport, will join a **traffic analyst review program (TARP)** for the agency.*

*Dan Gutwein, assistant air traffic manager, will work on **strengthening technical training** for terminal traffic control facilities.*

*"They'll be **working from the FAA's regional offices in Fort Worth,**" Tammy Jones, a spokeswoman for the agency, said Wednesday.*

From the FAA Website:

FAA Takes Steps to Ensure Proper Reporting of Operational Errors

*Additionally, the FAA will accelerate deployment of the **Traffic Analysis Review Program (TARP)** software that automatically detects losses of aircraft separation at terminal facilities at Dallas-Fort Worth TRACON.*

From: The DOT's Performance and Accountability Report (PAR)
<http://www.dot.gov/perfacc2006/mgmtdiscanalysis.htm>

Section: Ensure Reporting of Operational Errors

To automate this incident audit review process, FAA is currently developing and implementing a nationwide automated software prototype to depict separation conformance in both the terminal and enroute environments called the **Traffic Analysis Review Program**. This detection technology applies separation logic to targets, identifies where applicable separation standards are not being maintained, and highlights incidents for further investigation.

The report of the IG investigation to these allegations of cover-ups also refers to the TARP Program. It is being tested at this moment within the DFW Tracon.

Email from our local's listserv:

Subject: Re: [D10-MEMBERS] Snitch Patch

Date: Fri, 25 Apr 2008 10:22:09 -0400

*This has been at our facility. It is in "test mode". But I guarantee you that they are using it. **The ironic thing is that JoEllen is in charge of implementing this program.***

SO

How could the agency place the former manager, Ms. Casilio, on a team to implement a system designed to detect separation errors and to highlight incidents for investigation, when she was removed from her former position for covering up or ignoring such incidents?

From the IG Report, Pages 15 and 16.

*The Assistant DFW Tracon Manager improperly authorized controllers to apply a specific procedure during "parallel final approaches," **which caused operational errors.***

*The **Assistant TRACON manager asserted that a loss of separation was permissible** while executing this procedure and, as such, did not cause an operational error.*

*Based on the **obviousness of the violation, and because of his knowledge and experience**, we concluded the Assistant TRACON manager knew --- or should have known --- that the procedure was not permissible.*

The agency places the former assistant manager, Mr. Gutwein, on a team to **strengthen technical training** at terminal facilities when he is not capable of determining when a procedure should or should not be used?

The following text is from a letter that Mr. Ed Mears wrote July 31, 2004, to Nancy B. Kort, Area Director, Central Terminal Operations, when she came to the Austin ATCT to discuss the hostile work environment that the manager, Joe Bialek, had created at that facility. Mr. Mears gave me permission to share this with you.

*"Joe has actually been emboldened by the grievances we have filed because, even though he is always told by the region that he was wrong, he **says "nothing has happened to me"**. A few weeks ago **he told me** he didn't know why I was wasting my time pursuing the issues du jour **because "nobody is going to look at what you send up, no one cares. Nothing ever happens to me and nothing ever will"**. For most people, being told you were wrong would be enough.*

*Joe manages with a style I can only describe as "hostage taking". Just a couple examples: When I told him I was going to try to get a controller more than the arbitrary two days a week of administrative duties he was allowing while medically disqualified he told me if I did he would cut the allowed days to zero and he would get nothing. Hostage taking. (as well as proof the two days was, indeed, arbitrary) When **he was upset over an unflattering newsletter I wrote he** came to the facility late one night and **left letters in five controllers' lockers**, bypassing their supervisors and the Ops manager, saying they had left early, **accusing them of violating federal laws and regulations and threatened disciplinary action**. Most of the controllers receiving letters were still in the building and Joe has repeatedly told us that he had better things to do than worry about someone leaving a few minutes early. (We discussed this incident in our meeting.) **He withdrew all the letters two weeks later and has openly told people he did it as retaliation for the newsletter."***

It may interest you to note that Mr. Bialek had been given the moniker "Teflon Joe" meaning that no matter what he did or got caught doing, nothing would stick. A very inappropriate nickname for a facility manager to have.

A letter to Senator Cornyn from the Regional Administrator regarding Mr. Bialek, late 2004.

Dear Senator Cornyn:

Thank you for your letter dated September 7, 2004, on behalf of your constituent. Mr. Ed Mears. regarding a Federal manager who allegedly used government equipment and employees to supplement outside business interests.

*We were made aware of the allegation on September 2, 2004. The agency initiated a complete security investigation of the facility manager and a forensic diagnosis of his computer. The allegations made by your constituent were founded. **Our investigation revealed the Manager, Airport Traffic Control Tower, Austin, Texas, used government resources for personal business interests.***

This behavior will not be tolerated and appropriate action will be taken with the facility manager to ensure that these abuses do not occur in the future. An identical letter has been sent to Senator Kay Bailey Hutchison.

If can be of further help, please feel free to call me.

Sincerely,

*Ava L. Wilkerson
Regional Administrator
Southwest Region*

The "appropriate action" that Mr. Bialek received was the same as the previous individuals, reassignment. Reassigned to the regional office as a Senior Advisor, whatever that is. In my 25 years of service as an air traffic controller I had never heard of such a position.

I recently learned, not only were Ms. Casilio and Mr. Gutwein reassigned to other offices but two of the Operations Managers (OM) were removed from their positions in the Tracon.

Mr. Bialek has been (re?)assigned to replace one of the open OM positions at the DFW Tracon. I do not know if this is permanent or temporary.

A manager removed from his previous position for misusing government time, property and personnel, along with his other behavior now an OM at DFW Tracon?

From: FAA HUMAN RESOURCES OPERATING INSTRUCTIONS (HROI)

TABLE OF DISCIPLINARY OFFENSES AND PENALTIES

Nature of Offense

*30. Misuse of Government time,
property, personnel, information,
funds or leased services
(including, not limited to,
computers and systems, fax,
telephone, mail services, etc.).*

*First Offense - Reprimand to removal
Second Offense - 10-day suspension to removal
Third Offense - Removal*

The only thing that I know of that Mr. Bialek received as punishment was to be reassigned.

After the earlier IG investigation that was conducted at the DFW Tracon, the FAA reassigned the facility quality assurance manager, Stephen Burks to the office of Safety Investigations and Evaluations (ATO-S) as an auditor.

https://employees.faa.gov/employee_directory/profile/index.cfm?userId=4089

Mr. Burks, inept at the job of Quality Assurance Manager, removed from that position, how could he be put in charge of auditing the very things that he was incapable of? The only thing that he could do at that office is be an example of how NOT to the job.

This is no different than what the agency did with Ms. Casilio, Mr. Gutwein, Mr. Bialek and Mr. Stuckey, reassignment. Quite frankly, I have become sick of hearing the word - reassign.

The FAA cannot be trusted to do the right thing at any time; they must be forced to do it by either the OSC or the IG.

The agency has suspended or fired controllers for much, much less than what these individuals are guilty of. The FAA fired 11 controllers from the New York Tracon for failing to check a box on a medical form. These controllers were eventually successful in regaining their former positions.

One month ago a controller trainee was fired, with Hank Krakowski upholding the termination.

*FAA Air Traffic Manager David E. LeCates fired Gigliobianco on Feb. 29 after the trainee was denied an excused absence on Feb. 22 by an FAA training manager despite a snowstorm that prevented him from making a safe and timely commute to work. The **same training manager was part of a group of non-essential employees sent home** due to the storm that day shortly after Gigliobianco had his request to stay off the roads denied. **This, after several other employees (including supervisors) were allowed to remain home. Gigliobianco, in fact, had spun out in his first and only attempt to drive on the slick roads.** NATCA protested the firing and the FAA agreed to take the matter under investigation. But **Krakowski upheld the decision on March 27, just one day before Gigliobianco would have completed his one-year probationary period.***

Letter from Pat Forrey, NATCA President, to Hank Krakowski, April 21, 2008.

Dear Mr. Krakowski:

*When we met for the first time after the FAA hired you I asked why you took this job. Your response was that **you wanted to make a difference and change things***

for the better. Two weeks ago in Chicago you stood in front of hundreds of safety professionals explaining your vision of a safety culture, and to what lengths you would take to ensure that your managers do the right thing in performance of their duties. However, over the last six months, and in particular a situation involving a probationary employee, your commitment to make a difference and correct wrongdoings appears to be more about rhetoric than substance.

Last fall when you met with the NATCA Executive Board, we provided you with a number of issues for you to address that would "make a difference for the better." There has been no change to date. This past week, **the Agency terminated a probationary employee for nothing more than not being able to drive to work in a snowstorm. I asked you to investigate this matter and make right a grave injustice. Instead, you handed off the investigation to the same individuals who made the original decision, only to recommend the same result.**

Ms. Casilio and Mr. Gutwein, along with the complicity of other management personnel from the DFW Tracon, decertified me in violation of FAA rules and procedures and then attempted to terminate my employment with the same bogus charges. Initially I intended to refute these actions but needing to protect the retirement that I had earned, I opted to leave the agency. This is yet another example of the ethical integrity, or the serious lack thereof, of at least these two people.

None of these individuals should be placed in any position, temporary or not, until the agency determines what additional personnel action should be taken.

If an air traffic controller would lose their medical clearance for any reason, they are not allowed to perform their normal duties, in other words, they would not be allowed to work traffic. Usually this is a short-term condition such as recovering from surgery or a mild heart attack or until they get their high blood pressure under control, diabetes check, there can be many reasons. An example of this situation occurred to me in mid 2005, when my blood pressure was too high for the flight surgeon.

In the past when a controller was not allowed to work traffic due to a temporary loss of medical clearance, the facility management would allow the individual to perform administrative duties within the facility. Ensuring FAA Orders, Notices and other such paperwork were up to date, helping other administrative personnel with their duties, etc. However, for the last 4 to 5 years most facility managers, instead of allowing them to work admin duties, have forced controllers in these situations to use their sick leave or annual leave, if the individual did not have a sick leave balance for some reason.

I am not arguing that controllers should not be using their sick leave in these situations, that is what sick leave is for. In my case, high blood pressure, I took two weeks of sick leave before the regional flight surgeon approved my medical clearance. My point is that the managers didn't even try to find something for the individuals to do while in that situation, just forced them out the door.

The FAA reassigning these aforementioned and some admitted guilty (Casilio, Gutwein, Bialek, Burks and Stuckey) people to other positions, with no loss of pay or reduced leave balance and without issuing any real punishment while forcing the lower ranks of the workforce to a loss of pay, loss of leave balances for situations beyond their control is one of the most outrageous things I can think of.

The attitude of most people in management, from my experience of the last 4 years, is just as Mr. Bialek's, "*Nothing ever happens to me and nothing ever will*". Very much like what Senator Rockefeller stated to Mr. Sabatini on April 10, 2008 during the Aviation Safety Oversight Hearing; "Sounds very, very much like the DOD where nobody at the top ever gets fired, no 3 stars, no 4 stars, just people lower down".

Mr. Sabatini stated "in Civil Service, everyone has rights and we've got to honor those rights". You are right Mr. Sabatini, in Civil Service, everyone does have rights, but the problem is some seem to have more rights than others.

In August, 2005...just one month after the beginning of negotiations with NATCA the FAA's senior leadership held a meeting. Here is a quote from the official notes of that meeting:

"RESTRICT USE OF MEDICALLY DISQUALIFIED EMPLOYEES"

From the FAA ATO Site:

Mission:

Our mission is to provide the safest, most efficient aerospace system in the world.

Vision:

- * We continue to improve the safety and efficiency of flight*
- * We are responsive to our customers*
- * We are accountable to the public*

Values:

- * Safety is our passion. We're world leaders in aerospace safety.*
- * Quality is our trademark. We serve our country, our customers, each other.*
- * Integrity is our character. We do the right thing, even if no one is looking.*
- * People are our strength. We treat each other as we want to be treated.*

Improve safety - allow uninspected aircraft to fly and carry passengers?

Responsive to your customers – the airlines?

Accountable to the public?

Integrity - covering up errors when the IG/OSC wasn't looking?

Treat all employees of the FAA exactly the same?

Allowing these individuals accused and already those deemed guilty of such serious offenses to continue to earn pay with no loss in benefits while those same people force controllers, for circumstances beyond the controllers control, to use their leave is not right.

These individuals (Ms. Casilio, Mr. Gutwein and Mr. Stuckey) should at least be forced into using their annual and sick leave or leave without pay until the agency finally decides what to do to them or the agency will be forced to do to them. I fear the latter will be required since the agency has shown, time and time again, that they will not do the right thing.

There should be some sort of additional action taken up to and including termination for some of these individuals. People in positions of authority should be held to a higher standard of conduct than non-supervisory employees.

The Agency's "Standards of Conduct," ER-4.1 outlines the responsibility for a supervisor to provide positive leadership and serve as a role model for their subordinates by demonstrating a commitment and sense of responsibility to their job and loyalty to the organization. Simply put, the Federal Aviation Administration (FAA) expects a supervisor to serve as a role model and not violate workplace rules. When misconduct occurs by a superior it is considered more serious.

It is not my intent to portray that all facility managers down to the supervisors are as described like the ones above. There are a few managers that I have heard of that try to do the right thing, personally I know none.

Of management personnel at DFW Tracon, I know of one Operations Manager and maybe 3 or 4 supervisors who tried to do their job correctly. Most of the time any correct decisions that they made were over-ridden by Mr. Gutwein or upper management personnel outside this facility

It is my earnest hope that there is no other executive agency that has such a tarnished record and reputation.

During my almost 25 years as an air traffic controller, I served my country to the best of my ability by giving the flying public the best air traffic service that I could, now, this is all I can do to help.

Please do what you can to ensure that something will be done so that things might change for the better within the Federal Aviation Administration. Maybe as Senator Oberstar stated in the April 3, 2008 hearing - Critical Lapses in FAA Safety Oversight of Airlines, "The FAA needs to clean house from top to bottom".

Indeed, with the exception of the very bottom, the controllers, inspectors and technicians who are trying very hard to do the work they love to do, this FAA does certainly need to clean house.

Please do what you can to ensure that these individuals receive appropriate sanctions for their actions.

I thank you and the IG for all the work and time that you have invested into this investigation. It is my earnest hope that things will change for the better for my brother and sister controllers still out in the field. Most, if not all of them, are working 6 day work weeks along with extended daily shifts due to the short staffing that the FAA has created.

Again, my thanks,

A handwritten signature in cursive script that reads "Donald R. Craig". The signature is written in dark ink and is positioned above the printed name.

Donald R. Craig

Enclosure

Enclosure



Federal Aviation Administration

Memorandum

Date September 03, 2006
From Operations Supervisor, Dallas-Ft. Worth ATCT/TRACON
To: Donald Craig, CPC
Subject: **INFORMATION:** Performance Discussion

On 7/4/2006 at 20:26 UTC, you were assigned the MN position. The following performance was documented:

O-AROUND 13R - MISSED APPROACH -- VISUAL APPROACH TO RUNWAY 13R. EGF682 INFORMED THE LW2 CONTROLLER HE WAS TOO HIGH AND REQUESTED A GO-AROUND. THE LW2 CONTROLLER ADVISED THE AIRCRAFT TO CONTINUE TO THE AIRPORT AND EXPECT A TURN TO HEADING 270. AT 2026:47 UTC AS EGF682 WAS ON A 1/2 MILE FINAL LW2 INSTRUCTED EGF682 TO TURN RIGHT TO A HEADING OF 270. THIS WAS DONE IN PART BECAUSE OF WEATHER OVER THE AIRPORT. THE PILOT ASKED IF HE SHOULD MAINTAIN 2,000. LW2 ADVISED EGF682 TO MAINTAIN 2,000 FEET. AT 2026:57 UTC **LW2 ATTEMPTED TO CALL MN.** MN WAS BUSY AND LW2 DID NOT STAY ON THE LINE OR ADVISE BREAK FOR CONTROL. EGF682 WAS JUST PASSING OVER THE FIELD BOUNDARY AS THIS ATTEMPTED COORDINATION WAS MADE. MEANWHILE MN HAD RECEIVED AAL1681 ON A MISSED APPROACH ON A HEADING OF 310. AAL1681 REPORTED THE FIELD IN SIGHT. ACCORDING TO RECORDINGS, IT APPEARS MN ATTEMPTED TO COORDINATE TO DETERMINE IF THERE WERE ANY DEPARTURE AIRCRAFT AS HE WAS ABOUT TO CLEAR AAL1681 FOR A VISUAL APPROACH. COORDINATION WAS ATTEMPTED ON LW1 - LW2 WAS BEING STAFFED- PERHAPS CONFIGURATION WAS BAD. AAL1681 WAS 2 1/2 MILES MILES SOUTHWEST OF DFW AND AT 2027:05 UTC MN CLEARED AAL1681 FOR A VISUAL APPROACH. AT 2027:21UTC MN OBSERVED EGF682 AND INSTRUCTED AAL1681 TO CANCEL APPROACH CLEARANCE MAINTAIN 3,000 FEET. IT WAS THIS SAME TIME **LW2 AGAIN ATTEMPTED TO CALL MN.** MN ADVISED LW2 TO "SHUT UP." [EGF682 WAS 1/2 MILE SOUTH OF RY13R.] AAL1681 MAINTAINED 3,000 FEET AND EGF682 MAINTAINED 2,000 FEET. A REVIEW OF THE EVENT REVEALED THE FOLLOWING: THE WEST TOWER HAD BEEN ADVISED BY TMU THAT EGF682 WAS THE LAST AIRCRAFT FOR RUNWAY 13R. THAT INFORMATION HAD NOT BEEN PROVIDED TO MN AS THEY WERE SATURATED WITH MANY FIRES TO PUT OUT. **IT WAS DETERMINED LW2 HAD COMPLIED WITH DFW ORDER 7110.65 8-14C.** NO LOSS OF SEPARATION.

Corrective Actions:

WE DISCUSSED THIS QAR AND THE COORDINATION, WITH THE TOWER. THE MORE APPROPRIATE WORDS TO SAY WHEN YOU MUST ATTEND TO HIGHER PRIORITY DUTIES ARE "STAND BY" ACCORDING TO THE PILOT/CONTROLLER GLOSSARY. WE ALSO REVIEWED FAA ORDER 7110.65P PARA. 2-4-14 WORDS AND PHRASES.

Steven Nye

Received By:

Date:

Donald Craig
720 Blue Oak Drive
Lewisville, TX 75067

May 5, 2008

Tracy Biggs
Office of Special Counsel
1730 M Street, NW Suite 218
Washington, D.C. 20036-4505

Re: Additional Comments Regarding IG Report - OSC File No. DI-07-0237

Dear Tracy,

I did not state to the investigators that I made an oral report to a supervisor regarding a suspected operational error on September 4th, 2006. I stated that the supervisor observed the event and did nothing. I was mistaken as to who the supervisor was due to his facing the opposite direction. I was busy with traffic. Due to earlier experience with the lack of action on the part of management, I decided to take notes of the event and make a report to OSC.

The IG investigation was unable to locate any records concerning several of my allegations and thus was unable to prove whether or not the incidents even occurred.

From my original report to your office:

8/11/2006 1130Z AWE520 (B737 - 300) entered FW airspace W/O coor. OE prevented by not climbing Lifeguard N837MA (C500) to top of FW airspace. OS (Jeff Cooksey) notified of OD - supposed pilot deviation but OD had occurred - no action taken

I resent the inference that since there were no records of some of my allegations that these situations did not occur. Given the already proven facts of this latest investigation should instead suggest that the conduct of DFW Tracon supervision from the front line managers up to the facility manager is even worse than what the investigation found.

I was able to locate flight track information * on the AWE520 and the N837MA flights at the Flight Aware web site which obtains the data from the FAA.

Most flight tracking applications use a single source of data - the US Federal Aviation Administration's (FAA) Aircraft Situation Display to Industry (ASDI) data feed. The ASDI data feed tracks flights primarily within the United States' controlled airspace and contains information for flights controlled by air traffic control. Once a flight departs, the FAA publishes information about the **position, altitude and speed** of the flight. This data is not accurate enough to determine if a separation error between two aircraft occurs but is more than accurate enough to determine if an aircraft has strayed into an adjacent controller's airspace.

Using the above FAA supplied ASDI data, the track of the AWE520 flight was plotted onto a map of DFW Tracon airspace and it clearly shows AWE520 entering FW2 airspace at 5000'. The aircraft stayed level at 5000' for several miles and then continued the climb. This confirms my allegations, memory and personal notes of this event.

Any FAA employee who is aware of any occurrence that may be an operational error, deviation, or air traffic incident, are required to the occurrence immediately to any available supervisor. **Controllers have been fired for not reporting** an operational error. Once a controller has reported a suspected error, from then on, the situation is out of the controller's responsibility or capability to act upon, except to make a report or call to the Administrator's Hotline or to make a whistleblower report to your office.

A supervisor who fails to initiate a preliminary investigation into a suspected event has failed their duty and obligation, has no business being in that position of authority and should be demoted or terminated.

Investigations into these type situations (OE, OD, PD, or QARs) are not supposed to be punitive in nature. They are supposed to determine the whats, whys, is' and hows.

What caused this error to occur?

Why did the pilot or controller do what they did?

Is there something about a procedure or chart that is confusing?

How can we prevent this type error from happening again?

What needs to be changed to prevent this occurring?

By not even starting an investigation for a situation such as the AWE520 event as I allege happened, management fails to ensure that a like type incident will not occur in the future with perhaps more drastic results.

Again, my thanks,

Donald R. Craig

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<http://flightaware.com/live/flight/AWE520/history/20060811/1127Z/KDFW/KPHX/tracklog>
<http://flightaware.com/live/flight/N837MA/history/20060811/1130Z/KFTW/KNEW/tracklog>