



**U.S. Department  
of Transportation**

Office of the Secretary  
of Transportation

GENERAL COUNSEL

1200 New Jersey Avenue, SE  
Washington, DC 20590

Catherine A. McMullen, Esq.  
Chief, Disclosure Unit  
U.S. Office of Special Counsel  
1730 M Street, NW, Suite 300  
Washington, DC 20036-450

July 28, 2014

Re: DI-13-4206 et al.

Dear Ms. McMullen:

I have enclosed a status update, prepared by the Federal Aviation Administration (FAA), on corrective actions relating to whistleblower complaint Case No. DI-13-4206 et al. The investigative report and correction action plan were transmitted to OSC on May 16, 2014.

Please feel free to call Debra Rosen or me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Terence Carlson".

Terence Carlson  
Assistant General Counsel  
for General Law

Enclosure



## Federal Aviation Administration

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### Memorandum

Date:

**JUL 23 2014**

To: Terence W. Carlson, Assistant General Counsel for General Law, C-10

From:  H. Clayton Foushee, Director, Audit and Evaluation, AAE-1

Subject: Update to Corrective Action Plan on Office of Special Counsel Case No. DI-13-4206, 14-0359, 14-0461, 14-0492, and 14-1590 regarding Detroit Metropolitan Wayne County Airport Flight Plans and Staffing Referral Dated March 11, 2014

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The FAA is providing this status update to the Corrective Action Plan (CAP) outlined in our April 17, 2014, Report of Investigation (ROI) in response to the U.S. Office of Special Counsel (OSC) case numbers DI-13-4206, DI-14-0359, DI-14-0461, DI-14-0492, and DI-14-1590 regarding Detroit Metropolitan Wayne County Airport Flight Plans and staffing referral. The Federal Aviation Administration (FAA) concurred with report findings, and because of the time required to complete the full range of corrective actions, this update is based on activities completed as of July 1, 2014, and will be followed with another update in September 2014. No updates are provided for the staffing allegations or findings at this time. The ROI found the staffing of the Operations Manager position to be discretionary and is not directly linked to the flight plan allegation or any other operational issues.

**Allegation:** *"FAA management has failed to properly address frequent and systemic problems with computer based systems designed to automate the filing and amending of flight plans and delivery of departure clearances."*

**Updated Status:** As previously reported to the Department, the FAA established a Multiple Flight Plan Task Force that met on May 7, 13, and 19, 2014. Additional meetings will be scheduled as required. Recommendations from the Task Force were delivered to a Safety Risk Mitigation (SRM) Panel that met June 17-19, 2014. The SRM Panel included Task Force members in addition to other stakeholders from the FAA and industry (members of SRM Panel attached). The following items describe the major changes recommended by the SRM Panel:

1. Changes proposed by the Air Traffic Organization (ATO):
  - a. Changes<sup>1</sup> to National Airspace System (NAS) automation systems
    - i. Establish a standard time for when Air Route Traffic Control Centers transmit flight plans to terminal (Towers and Terminal Radar Approach Control) facilities;

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<sup>1</sup> Requirements developed during 2014 would not be implemented until 2015 or later

- ii. Reject any attempt to file a new flight plan if a flight plan has already been filed for the same flight (e.g. same aircraft identification from same departure point within a standardized time period). Longer periods during severe weather or other special circumstances may justify longer flight plan retention; and
    - iii. Notify flight plan filers that experience flight plan rejection that they must contact the FAA to amend or cancel the existing flight plan appropriately.
  - b. Revise current FAA policy/guidance to (anticipated by September 2014):
    - i. JO 7110.10, Flight Services;
    - ii. JO 7210.3, Facility Operation and Administration; and
    - iii. Aeronautical Information Manual.
  - c. Raise awareness of upcoming changes through various outreach efforts to include the monthly flight plan filers' telcon (discussed during June 4, 2014 telecon).
  - d. Develop an instructional document for those filing/amending flight plans:
- 2. Flight Standards Service (AFS) will:
  - a. Develop an Advisory Circular (AC) providing guidance for dispatchers and other flight plan filers (long-term effort);
  - b. Publish a Safety Alert for Operators (SAFO) or Information for Operators (InFO) on the issue of multiple flight plans, and the risk they pose to NAS operations (short-term effort).
- 3. Other definitive changes are being studied.

The SRM Panel was informed, that analysis of flight plan data confirmed that multiple<sup>2</sup> flight plans are filed daily NAS-wide. Voluntary safety (Air Traffic Safety Action Program) reports filed by controllers also relayed concerns about multiple flight plans. Facility safety occurrence reports were also reviewed but may not have captured all safety occurrences in which multiple flight plans may have contributed to risk. A full SRM Document is expected to be finalized by September 2014. It will include the proposed changes and safety risk considerations as required by the ATO Safety Management System.

Facilities are being reminded to report instances of multiple flight plans that result in a safety occurrence via a Mandatory Occurrence Reports (MOR) using the Comprehensive Electronic Data Analysis and Reporting (CEDAR) application which is available to all facilities. Other reports of multiple flight plans are being studied to support a comprehensive view of this issue, which would permit a determination of change. The FAA will forward recent reports of identified multiple flight plans in our next status report on this subject and share our findings with operators during the monthly National Customer Forum (NCF) sessions beginning in September 2014.

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<sup>2</sup> FAA automation experts have requested that we label the issue from the complainants as 'multiple' flight plans (e.g. same aircraft identification taking off from the same airport within a certain timeframe) that contain different flight data (e.g., different route/aircraft type/equipage) that can generate unplanned risk; a 'duplicate' flight plan does not add safety risk to the NAS.

The FAA is confirming that the 2<sup>nd</sup> clearance delivery position at Detroit Airport Traffic Control Tower (DTW) is operationally configured to support those activities described in the ROI. We anticipate the operational verification of the 2<sup>nd</sup> clearance delivery position to be complete by August 1, 2014. If the position is found to be fully configured, then the FAA will determine what operational conditions will trigger the use of the 2<sup>nd</sup> clearance delivery position during 2014.

We plan to provide our next update in September 2014 to allow for completion of the SRMD. If you have questions or need additional information, please contact Joseph Teixeira, Vice President for Safety and Technical Training, AJI-0, at 202-267-3341.

cc: Teri Bristol, Chief Operating Officer, AJO-0  
Joseph Teixeira, Vice President for Safety and Technical Training, AJI-0  
Terry Biggio, Vice President, Air Traffic Services, AJT-0  
Elizabeth Ray, Vice President, Mission Support Services, AJV-0  
Nancy Kalinowski, Vice President, System Operations Services, AJR-0  
Jim Eck, Acting Vice President, Program Management Organization, AJM-0

Attachments:

1. Multiple Flight Plan SRM Panel Members
2. ATO Memo Identifying the Duplicate Flight Plan Task Force, Dated May 6, 2014

## Attachment A

## Multiple Flight Plan SRM Panel Members

NAME	REPRESENTING	ROLE
Chris Stephenson	NATCA	Terminal Ops Specialist
Jim Kettenhofen	AJI-314	SENTEL Contract Support
Bill Vogelgesang	CLE ATCT	FLM
Ray Ahlberg	Air Traffic Requirements	Automation SME
Joe Russell	AJI -314	SENTEL Contract Support
Joel Brown	AJV-723	HSI Contract Support
Marvin A. Burnette	HDQTRS	Technical Advisor
April Hart	Safety	Safety Analyst
Monica Bradford (Phone)	AJR ,Flight Services	
Robert Ingram (Phone)	AJR ,Flight Services	
Wayne Maxwell (Phone)	Tech Center	ERAM
Constance Mack	Training	AJI-2
Vincent McMenami	AJV-823	Enroute SME
Chris Wilbanks	ZHU	OS ZHU
Gordy Rother	MSP FSDO AFS-240	ASI/Dispatch
Keith Alexander	CSA/ ATCSCC	AJR-17 Senior Advisor
CDR. Keith Shipman	Military	Navy Liaison FAA
Sandra Park	Dispatch	Air Traffic Mgr.
Clint Long	NATCA ERAM SME	ZKC SME
Brian Dubois	NATCA	BOS TWR SME
David Swanson	AJV-8	Airspace Team, Terminal & En Route Oceanic Airspace Group/Traffic Control Specialist
Dan Watkins	AJI-314	US Air Captain (Retired) SENTEL Contract Support- Pilot SME
Natking Estevez	AJI-314	Facilitator



## Federal Aviation Administration

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### Memorandum

Date: MAY 05 2014

To: Teri Bristol, Chief Operating Officer, Air Traffic Organization, AJO-0

From: *Terry Baggio*  
Terry Baggio, Vice President, Air Traffic Services, AJT-0

Subject: Duplicate Flight Plan Task Force

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This memo is to inform you that Air Traffic Services will evaluate the best way to address the problem of multiple/duplicate flight plans. We will form a Task Force comprised of technical experts from the Air Traffic Organization and Aviation Safety to address the risks associated with duplicate flight plans that will respond to the recommendations found in the FAA Report of Investigation to the Secretary of Transportation and the National Corrective Action Plan.

The Task Force will deliver documented, accountable processes for the industry and the FAA to follow. These processes may also include any necessary changes to our automation, and/or policy and procedure changes needed to ensure accountability and reduce risk. Final recommendations will be delivered to a Safety Risk Mitigation Panel no later than May 19, 2014.

Following are the Duplicate Flight Plan Task Force Members:

Ronald Singletary, AJT-22  
Marvin Burnette, AJT-22  
Ray Ahlberg, AJV-7  
Joel Brown, AJV-7  
David W. Swanson, AJV-8  
Jorge Chades, AJV-8  
Clifton D. Jordan, AJI-151  
Gordon Rother, AVS-240  
Keith Alexander, AJR-17  
Charles Stimley, AJW-1  
Pat McQueen, AJW-1  
Wayne Maxwell, AJM-25  
NATCA

If you have any questions or need further information, please contact Ronald F. Singletary, Manager, Technical Advisor Group, AJT-22, at (202) 385-8558.

**CC:**

**Elizabeth Ray, Vice President, Mission Support Services, AJV-0**

**Nancy Kalinowski, Vice President, System Operations Services, AJR-0**

**Vaughn A. Turner, Vice President, Technical Operations, AJW-0**

**Joseph Teixeira, Vice President, Safety & Technical Training, AJI-0**

**Chris Metts, Vice President, Program Management Organization, AJM-0**