



U.S. Department  
of Transportation

Office of the Secretary  
of Transportation

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Catherine A. McMullen, Esq.  
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U.S. Office of Special Counsel  
1730 M Street, NW, Suite 300  
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February 2, 2015

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,

Terence Carlson  
Assistant General Counsel  
for General Law

Enclosure



# Federal Aviation Administration

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## Memorandum

Date: **JAN 26 2015**

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

From: *Erina*  
*ja* H. Clayton Foushee, Director, Office of Audit and Evaluation, AAE-1

Subject: Update to Corrective Action Plan regarding Office of Special Counsel Case Numbers DI-13-4206, 14-0359, 14-0492, 14-0461 and 14-1590 regarding Detroit Metropolitan Wayne County Airport Flight Plans and Staffing, dated March 11, 2014

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The Federal Aviation Administration (FAA) is providing this status update to the Corrective Action Plan outlined in our April 17, 2014, Report of Investigation in response to the U.S. Office of Special Counsel (OSC) case numbers DI-13-4206, 14-0359, 14-0461, 14-0492, and 14-1590 regarding Detroit Metropolitan Wayne County Airport (DTW) Flight Plans and staffing referral. The Air Traffic Organization (ATO) continues to work with the Flight Standards Service (AFS) and industry to complete corrective actions.

**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."

**Update:** The ATO has been collecting data and evaluating and documenting proposed corrective actions in accordance with our Safety Management System processes. We continue education and outreach efforts; however, before the National Airspace System (NAS) changes are made, we must ensure they will not introduce additional risk. Our robust review ensures corrective actions do not cause unintended consequences.

The following details update the status for NAS-wide activities:

1. Publish a Safety Risk Management (SRM) Document that provides risk analysis and hazard mitigation. The SRM Document is being finalized and circulated for comment. Due to coordination required we have not obtained all needed signatures. We expect completion in January 2015.
2. Continue outreach to pilots and controllers to educate and raise safety awareness.
  - Publish a short (2 pages) Information to Operators (InFO) advisory to alert operators about pertinent safety problems prior to the development of an Advisory Circular (AC). The attached InFO 14012, Flight Plan Discrepancies and Amendment Filing

Procedures, dated December 24, 2014, is also available at the FAA InFO website: [https://www.faa.gov/other\\_visit/aviation\\_industry/airline\\_operators/airline\\_safety/info/all\\_infos/](https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info/all_infos/)

- ATO and AFS subject matter experts met in December to determine the contents and structure for a lengthier AFS AC to be developed during CY 2015 providing detailed guidance on filing and changing flight plans.
  - Continue outreach efforts for NAS operators via venues to include flight plan filers' telephone conferences (telcons) and National Customer Forum (NCF) meetings. This topic was discussed during the June flight plan filers' telcon, as well as during the August, October, and December NCF meetings, and will continue to be addressed as needed during the telcons and meetings.
  - Continue outreach efforts for air traffic controllers. The attached ATO Quality Assurance (QA) Bulletin on Multiple Flight Plans was published in October and an article is being developed for the upcoming Winter Edition of *Safety Matters*, with planned publication in early CY 2015.
3. Revise FAA publications (e.g. FAA Orders JO 7110.10, *Flight Services* and JO 7210.3, *Facility Operation and Administration*; and *Aeronautical Information Manual*) to establish criteria/requirements and guidelines for flight plan processing by NAS automation systems. Proposed changes are planned for publication in December 2015 and will be attached to the SRM Document. These revisions will support changes and/or local adaptations to NAS automation systems.
  4. Conduct an initial baseline data assessment and a subsequent audit to verify the effectiveness of the mitigations. The audit may not yield measureable results until automation and policy changes planned for 2015 are complete. The audit is currently scheduled to be conducted during CY 2015.

Restoration of the second clearance delivery position was addressed. The DTW management staff completed impact and implementation bargaining with the National Air Traffic Controllers Association and collaboratively developed operational procedures that were published in the attached DTW Notice N7110.245, to DTW Order 7110.9, *Standard Operating Procedures, Chapter 10, Flight Data/Clearance Delivery 2*. Technical Operations technicians completed the final configuration requirements and restored the position for operational use on December 11, 2014.

The FAA continues to work with stakeholders to proactively address the OSC findings. Our next update will be provided upon completion and signing of the SRM Document.

cc: Teri L. 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  
 Dan Smiley, Acting Vice President, System Operations Services, AJR-0  
 James T. Eck, Acting Vice President, Program Management Organization, AJM-0  
 Vaughn Turner, Vice President, Technical Operations, AJW-0

Attachments:

1. FAA InFO 14012, *Flight Plan Discrepancies and Amendment Filing Procedures*
2. ATO Quality Assurance Safety Bulletin, *Multiple Flight Plans*
3. DTW Notice N7110.245, *New Chapter 10, Flight Data/Clearance Delivery 2*



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# InFO

Information for Operators

InFO 14012  
DATE: 12/24/14

Flight Standards Service  
Washington, DC

[http://www.faa.gov/other\\_visit/aviation\\_industry/airline\\_operators/airline\\_safety/info](http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info)

*An InFO contains valuable information for operators that should help them meet certain administrative, regulatory, or operational requirements with relatively low urgency or impact on safety.*

**Subject:** Flight Plan Discrepancies and Amendment Filing Procedures

**Purpose:** This InFO serves to remind operators of the importance of following appropriate procedures when amending an Air Traffic Services (ATS) flight plan.

**Background:** The Federal Aviation Administration (FAA) Air Traffic Organization (ATO) along with the Flight Standards Service (AFS) has noticed an increasing trend with discrepancies between the “filed” ATS flight plan and the “operational” flight plan provided to the flightcrew. These discrepancies can lead to a loss of separation and an increase in workload for Air Traffic Control (ATC) and flightcrew(s).

Examples include:

- During July 2014—Hours after departing JFK, ATC noticed a B77W flying a route that differed from the flight plan. While ATC had cleared the flight as filed based on the most recent flight plan, Dispatch had issued the pilot a route from an earlier filed flight plan.
- During August 2014—ATC provided a C525 1000’ vertical separation in Reduced Vertical Separation Minimum (RVSM) airspace based on the ATS flight plan. However, the operational flight plan indicated the flight was not RVSM approved.

Despite efforts to correct this problem, including monthly meetings between the FAA ATO and flight plan filers, flight plan discrepancy errors have continued.

**Discussion:** The majority of flight plan discrepancies appear to be caused by inadequate coordination of changes to flight plans. The most common types of problems seen include:

1. Sending of a “replacement” flight plan without canceling the original flight plan.
2. Sending a “replacement” flight plan after an attempt to cancel the original flight plan was unsuccessful (usually because the attempt to cancel occurred after the departure strip printed).

Either of the above cases results in multiple flight plans in the system. ATC will resolve these when aware of them, but there are cases (especially if the change is made very late) where ATC will not see the second flight strip in time. In a busy tower with parallel runways, the strips may even be distributed to different positions.

For example:

Flight 123 departure out of New York to London is planned on North Atlantic (NAT) Track W. The aircraft is planned for a flight level that requires Controller Pilot Data Link Communications (CPDLC)

and Automated Dependent Surveillance-Contract (ADS-C) equipment. During the preflight check the crew notices that the data link is not functioning normally. Maintenance is called and the system is deferred in accordance with the approved Minimum Equipment List (MEL). 20 minutes prior to departure, the aircraft dispatcher, or flight planner, realizes that a reroute will be required; refiles the flight plan via NAT Track Z, changes the required fuel, and notifies the flightcrew. (There are now 2 flight plans in the system for this flight). The flightcrew loads the second flight plan into the Flight Management System (FMS). However, the dispatcher fails to contact the overlying Air Route Traffic Control Center (ARTCC) Flight Data to inform them of the change. The crew is cleared as filed, based on the original flight plan, only to find out when they get their oceanic clearance that ATC was expecting them to fly NAT Track W. The crew then informs ATC that they cannot accept this route claiming they were filed appropriately on NAT Track Z.

**Note:** Flight plan changes are the leading cause of FMS input errors resulting in navigation errors. Such errors can be eliminated by enforcing the appropriate filing procedures.

Acceptable operator procedures may vary depending on whether they normally amend flight plans or cancel/refile, but in any case the following constraints must be addressed, since FAA systems do not allow any operator changes once the first departure strip prints, normally 45 minutes before the proposed departure time:

**Early Flight Plan Amendments:** If a flight plan is amended more than 45 minutes prior to the filed, proposed departure time, the aircraft dispatcher or flight planner can send a "Change" message. If the change involves a route change, the filer has the option to send a "Cancellation" message first, wait for an acknowledgement from the system, and then refile the flight plan accordingly. If there is any uncertainty whether the cancellation has been processed or if you cannot send a Cancellation message, then call Flight Data at the ARTCC and ask them to remove the flight plan. If the response to a cancel or change message is "REJECT- MANUAL COORDINATION REQUIRED" this means the system has locked the flight plan from user amendments and you must call the center.

**Late Flight Plan Amendments:** If any change occurs within 45 minutes of the proposed departure time, the recommended procedure is to request the controlling facility remove the current flight plan and inform them that the dispatcher or flight planner will be filing a new flight plan. When informed that the flight plan has been removed, the dispatcher should send the revised flight plan to the center. Dispatch can coordinate directly with the controlling facility when the pilot is known to be not yet in contact with ATC. The pilot and ATC must be part of the change coordination once they are in communication. Regardless of when and how the change is made, dispatch must take steps to ensure that any change communicated to the pilot is successfully coordinated with the controlling facility.

**Recommended Action:** Title 14 of the Code of Federal Regulations (14 CFR), parts 121, 125, 129, 91, 91 subpart K (91K) and 135 Directors of Operations, Directors of Airline Operations Control, Fractional Ownership Program Managers, and flight planning vendors; or pilots (91) should familiarize themselves with the information contained in this InFO and ensure procedures are established for flight plan amendments to eliminate the chance of having conflicting, or multiple operational and ATS flight plans. Flight planning information is available at the FAA Flight Planning website:  
[http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/air\\_traffic\\_services/flight\\_plan\\_filing/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/air_traffic_services/flight_plan_filing/)

**Contact:** Questions or comments concerning this InFO can be directed to the Air Transportation Division, New Program Implementation Branch, AFS-240 at (202)-267-8166.

## Multiple Flight Plans

*Are multiple flight plans contributing to safety events when you are working?* Since 2011, 84 ATSAP submitted reports indicated "duplicate flight plan" as possible contributors to risk.

Flight plan data analyses indicate hundreds of multiple flight plans for the same flights may exist in the NAS. Reporting these events are an essential component to identifying occurrences in the NAS and directly relate to strategies that minimize the associated risk.

### ATSAP Safety Event Narrative

**Event #1- Synopsis:**

- Aircraft was on departure and a sector called to hand off the aircraft because they were unable to initiate a handoff
- It appeared that there were duplicate flight plans on this aircraft, which prevented proper data tagging

**Causal Factor:**

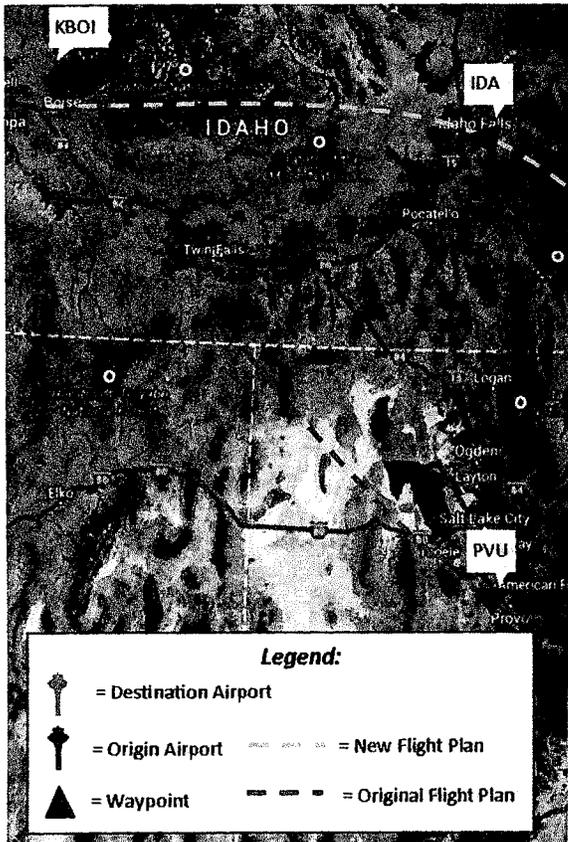
- Changes made to flight plans within 30 minutes prior to propose departure time and a new flight plan is generated.
- Risk: If Controller is separating based on route of flight

**Event #2- Synopsis:**

- Aircraft checked on at FL240 and host indicated that the plane was direct to a fix
- Aircraft was cleared direct the airport listed on the flight plan, which was not the same airport to which the pilot was navigating

**Causal Factor:**

- Duplicate flight plans were in the system and the incorrect plan was activated



### Examples of Multiple Flight Plan Strips

LN43X	RKS	1418	33	170	DEN RKS IDA BOI	ZDV
B757/1			14			
T468						
66						
04			IDA			

LN43X	RKS	1418	33	170	DEN RKS PVU BOI	ZDV
B757/1			14			
T468						
66						
04			PVU			

### Why Your Reports Matter?

- Tell us how we can improved multiple flight plan occurrences.
- Reports help identify trends and solutions to develop.
- Report multiple flight occurrences via ATSAP and MOR summary sections or contact a QA/QC specialist.

Please email responses to [9-AJI-HQ-QualityAssurance@faa.gov](mailto:9-AJI-HQ-QualityAssurance@faa.gov) or scan the QR Code below.

Produced by ATO Safety and Technical Training  
Quality Assurance Group in Partnership with NATCA and SUPCOM

Please visit our webpage: [my.faa.gov/qabulletin](http://my.faa.gov/qabulletin)





U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

DTW N7110.245

DETROIT METRO ATCT

Effective Date:  
December 10, 2014

Cancellation Date:  
December 10, 2015

**subj:** New Chapter 10. Flight Data/Clearance Delivery 2

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- 1. Purpose of This Notice.** This Notice incorporates new Chapter 10. Flight Data (FD)/Clearance Delivery (CD)2 into the DTW Standard Operating Procedures.
- 2. Audience.** This notice applies to DTW tower, and all associated support personnel.
- 3. Where Can I Find This Notice?** This notice is available in all applicable DTW publications and the FAA Federal Directives Repository, <https://loa.faa.gov/>
- 4. Explanation of Changes.** During periods of numerous amended flight plans, FD/CD2 may be opened to equally spread the workload. FD/CD2 will only deal with amended clearances.
- 5. Procedures.** Add new Chapter 10. Flight Data/Clearance Delivery to the DTW Standard Operating Procedures.

John Whitehurst  
Air Traffic Manager  
Detroit Metro ATCT

## CHAPTER 10. FLIGHT DATA / CLEARANCE DELIVERY 2

### SECTION 1. PROCESS AMENDED INFORMATION

#### 10-1. RECEIVE AMENDED FLIGHT PLAN INFORMATION

Information will be received from:

- (1) FDIO
- (2) Other Facilities.

#### 10-2. PREPARE AMENDED DATA FOR DISTRIBUTION

- a. Review departure strips for accuracy.
- b. Coordinate route/altitude revisions with appropriate ZOB sector.
- c. Amend routes/altitudes using the FDIO.
- d. Enter flight plans if operationally advantageous or as directed by Watch Supervisor.
- e. For a coordinated nonstandard route that has been approved by D21 and/or ZOB, circle the facility and place a checkmark next to it.
- f. Immediately notify controllers of amended or removed flight plans. If flight plan is not found, physically scan all tower work areas.
- g. Write "CD" in large letters on active flight plans that need to be amended.
- h. Remove or write "RS" on flight plans that have been removed from the system.

### SECTION 2. DISTRIBUTE AMENDED FLIGHT PLAN INFORMATION

#### 10-3. ISSUE AMENDED CLEARANCES

- a. CD2 will be responsible for issuing amended departure clearances when open.
- b. When issuing an amended clearance:
  - (1) Issue initial altitude restrictions.
  - (2) Make appropriate strip marking entries (see Appendix 2).
  - (3) If a revision to a flight plan is received, CD2 shall ensure the old data is amended and only the up-to-date flight progress strips are in use.
  - (4) When advised an aircraft is unable to meet appropriate climb restrictions, underline the aircraft callsign.
- c. When issuing a Full Route Clearance (FRC) controllers must:

- (1) Verbally issue all FRC flight plans.
- (2) Ensure FRC is written in the remarks section of flight plan.
- (3) Place a check mark next to the FRC when issued (see Appendix A-2-1).

d. Monitor and operate communications equipment on frequencies: VHF - 120.425

e. Issue an abbreviated Coded Departure Route (CDR) to all participating airlines. Issue an FRC to all other aircraft.

**NOTE:** Phraseology for CDR, (call sign) cleared to (destination airport) via (CDR route). ie:  
"DAL123 CLEARED TO O'HARE AIRPORT VIA DETROIT O'HARE SIERRA 1 CODED DEPARTURE ROUTE"

f. Forward departure strips to the appropriate ground controller (see Appendix 2-3).