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July 9, 2014

Karen Gorman
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Dear Karen,

Thanks again for your time and patience in addressing yet another safety issue that not only affects the Detroit Air Traffic Control Tower, but the entire National Air Space (NAS).

This response will cover the investigation, findings and corrective actions for OSC File No. DI-13-4206-et al.

Throughout the report, it is stated that the Agency has “no statutory authority” and “no ability to enforce existing protocol” in addressing the filing, amending or controlling what the dispatchers execute. This is absolutely an unacceptable response from an Agency with the mission of providing the safest, most efficient aerospace system in the world.

Page two of the Executive Summary states, “*Therefore, a dispatcher in Atlanta may be unaware that an existing previously submitted flight plan is still active in DTW and may erroneously enter a new one assuming that the previously filed flight plan had expired.*” Later in the report it states that dispatchers have found ways to bypass protocols. Additionally, dispatchers have filed routes in an attempt to delete or remove a particular flight out of an Expect Departure Clearance Time (EDCT) program. So the dispatchers know exactly what they are doing when they enter new flight plans to change not only the proposed time, but routes, altitudes and other fields of a flight plan and we have evidence in support.

Page four of the summary states, “*Once a flight strip is printed, changes made to the flight plan from sources outside the FAA are then prohibited.*” Beginning on page five of the summary, an event describing an amended flight plan is covered. Attachment one is that event. A strip

printed with a proposed time of 0041z. At approximately 0100z an amended strip printed out with a change to the route with no FRC displayed in the remarks section. After a few inquiries, it was discovered that the dispatcher amended the route. As stated above, after a strip prints, changes by any other entity other than the Agency are prohibited. Our understanding is that Endeavor has not purchased the software to amend the flight plan due to cost. So how was this flight plan amended?

This is just another example of how the Agency has lost regulatory control of what is entered into the NAS and who has what capabilities to do so. The Agency cannot make the statements “no statutory authority” and “no ability to enforce existing protocol” and then state that changes are prohibited. Does the Agency have authority and enforcement when it comes to prohibited actions and not protocols? Who determines the distinction? Why establish protocols and then not, at a minimum, monitor the process. DTW alone has been giving the Agency plenty of issues of nonconformity.

On that note, on page five it is stated that DTW first began tracking the issue in December 2012. This is not accurate. Every mention of this issue in the summary expresses 2012 as the moment of epiphany. This endeavor began as far back as 2009. As a matter of fact, this very issue was elevated to ATSAP in 2010 and ignored. The Agency has known about this issue for a very long time and numerous examples that should have alerted them.

During the investigation of the claims in the summary, a protocol named Next Day Time Interval (NDTI) was discovered. To our understanding, it is a 58 minute window that allows dispatchers, and probably others, to enter a flight plan into the system without regard to current time and proposed time.

Example; if an aircraft is proposed to depart at 2100z and the clearance has been received and is taxiing for take-off at 2110z, an identical flight plan or the same call sign with some modifications can be entered with a proposed time of 2100z and the new flight actually prints out immediately. Normally an entered proposed time of 2100z at 2110z would recognize the 2100z proposed time for the next day and not print out until 2030z the following day. This NDTI apparently gives users a “58 minute we think you mean this day and hour” latitude with regard to proposed times.

So someone with knowledge or understanding in the Agency appears to have modified the system that filers use to enter flight plans into the NAS. We have not heard of the NDTI acronym, been notified of any change nor can we find NTDI in any FAA documents.

This entire issue also brings into play one of the top areas of risk and safety emphasized by the Agency; the increased possibility of hearback/readback errors. When automation is not utilized

in the issuance of clearances the possibility of these types of errors increase. Foreign carriers, overseas flights and weather events add to the potentiality. This report did not even mention this top priority nor did the 2012 task force established by the Agency that set this emphasized risk to safety. If the Agency cannot even see the correlation of this issue to one of their top emphasized risk and safety areas, then it will not be properly addressed.

On page 5 of the summary the Agency states that the PDC and FDIO are operating as designed and further states on page six that the alerts are software bugs associated with ERAM and most have been identified and eliminated. Attachment two shows that the problem persists. Also given as supporting documentation of PDC issues were PowerPoint presentations and numerous ATASP filings that display more issues than what we are encountering here at Detroit. Yet the Agency has taken another “operating as designed” stance when it comes to equipment.

During the investigation, these issues were also discussed with DOD officials. They voiced concerns over the necessity for duplicate flight plans. The same issues exist when military aircraft are utilizing DTW for various reasons. Within this discussion was mention of smaller air carriers with shorter commuter flights. While we understand these necessities, the DOD and smaller carriers are no different than any other user of the NAS. If they want to use the NAS, they must operate within all rules, regulations and protocols. To date, we here at Detroit have seen no differences in violating protocols from military to air carriers, corporates to charters and general aviation to air taxis.

These issues may seem to be, on the surface, caused by human action when in all actuality caused by a user driven mentality. We all want to provide the best service possible to the individuals paying for and providing a service, but it must begin from the stand point of “safe, orderly and expeditious handling of air traffic”. Users of the NAS do not always get what they want. Sometimes they have to be told what they are going to receive and sometimes these decisions cause delays. Intentional delays to ensure safety.

The Agency needs to conduct themselves as the leaders and guardians of the NAS. Proper decisions need to be made and not by committee. They need to give their controllers the proper equipment and support to avoid unnecessary confusion and doubt in what they are receiving and disseminating. Automation is supposed to streamline operations, not increase workload and create inefficiency. Having numerous entities unmonitored and unfettered access to the NAS is unsafe. Dispatchers and filers alike should not be able to amend any portion of a flight plan, especially route information, without authorization from the Agency or their designees.

If filers are able to make route amendments without Agency approval and a change is sent to the affected facility, how are we to know who made the amendment? How are we to know if the

route is authorized or approved by the governing facility? During a weather event, equipment issues enroute or locally or just inundation at a particular area could be disastrous.

Cleveland Center has a 90 minute amendment deadline imposed prior to a strip printing in the tower. After 90 minutes, amendments are no longer permitted. Cleveland Center was contacted and asked about the deadline. After two emails and two phone calls, it was discovered that the 90 minutes is a factory default setting. The 90 minutes was taken down to 30 minutes and will take affect approximately mid July. We cannot state that this will correct all or even some of our issues, but what the Agency's task force could not find or attempt to correct, took two emails and two phone calls, after we received the summary, to at least try to rectify.

The issues do not need another task force, especially containing members or input from users or any other member from the failed group of 2012. They clearly do not have a clue as to the issues, effect on the NAS, repercussions or consequences of their failures. The users only need to be informed of their infractions and the Agency's actions.

In the National Corrective Action Plan it states, "...that results in individual flight plans that *appear* to violate the revised FAA policies." What appearance? This is a simple. If two or more flight plans with the same call sign are delivered to the same facility within the established time frame, it is a violation. Who is going to decide the appearance? Is it going to be the same old Agency response of "well the controller caught it and nothing happened" mind set?

We agree with the standardized time limit recommendations and reinstallation of the CD2 equipment and position. The educating of the users needs to be short and to the point. They all have known about these issues since at least 2012, so there should be no excuses. If they know how to bypass, they know of the issues. Here are the protocols; absolutely no route changes are to be made without center or tower approval after the 30 minute prior to the proposed time is reached. Allow them to amend any other field, (type aircraft, proposed time, requested altitude and etcetera), and these types of amendments must not generate another flight plan or strip, just an amendment notification strip. Users will always have the option of contacting an air traffic facility to accomplish amendments as well. Adhere to them or restrictions will be imposed.

If duplicate flight plans are received, all duplicates and original shall be removed. The company or pilot will be notified based on aircraft position. If the aircraft is taxiing, they shall be pulled out of line and held until their company only enters one flight plan into the system. This may cause delays, but it is a useful tool for mitigating safety and will only need to be done a few times until the consequences are understood. Also remove the NDTI period leniency to ensure proper protocols are adhered to.

The Agency has known about these issues since at least 2009 and now has been informed of the systemic impact, consequences and ramifications. The Agency knows what the safety issues are and need to put fail safes into place to identify and alert controllers of multiple or duplicate flight plans in the system. Notifications must be put into place to alert controllers of users trying to bypass protocols or if users attempt to enter duplicate flight plans into the NAS, they will be rejected by the system. The single deciding factor for either warning, our notification of duplicates or the user's rejection notice, shall be the call sign.

These issues have occurred while utilizing HOST and ERAM. It appears that instead of designing a system or software that does not allow duplicates, the Agency developed protocols relying upon user compliance.

In reference to the statements concerning NATCA in the Findings and Details; after discussions with NATCA officials, it was discovered that NATCA did not submit a proposal to the task force and the Agency is confusing issues concerning ERAM and flight plans.

The Agency, in reference to our vacant OM position, states, "... management functions can be shared by both operations in the same building." This has historically been a failure here at Detroit. We have too many positions that are staffed with individuals who have little or no large tower experience or even any control experience at all. This results in individuals trying to dictate what the tower should or should not do. They attempt to push their duties onto the tower, expect us to correct or be responsible for separation on final, dictate traffic flows that adversely impact tower operations and attempt to interpret tower rules to their benefit. This has been consistent from the ATMs to TMU to D21 FLMs to QC.

This is absolutely due to the lack of a tower OM. There is no equal playing field. No experienced tower air traffic voice for our facility. Air traffic issues should be discussed and decided at the OM level and leave the administrative side to the ATMs. We do not have that. We are left with individuals making decisions based on how it will affect D21, but not the tower. We are not in the equation. And why, because D21 managers believe they have authority over the tower. This is due to the lack of proper managerial structure, chain of command and lack of intellect and respect for tower operations. If the Agency expects this facility to share functions and resources, then it should properly staff the facility with air traffic intellectuals to establish a chain of command and leadership.

To add to this absurdity, a bid just recently closed for D21's second Operations Manager position. Here was an opportunity to correct an ongoing issue in the facility and the Agency has failed once again in making a proper decision.

Thank you again in assisting, supporting and addressing safety concerns not only here at Detroit, but the entire National Airspace System.



Vincent M. Sugent



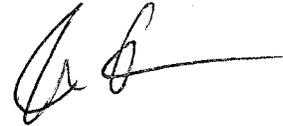
Michael Redies



Lewis M. Bird



Corinna Morris



John Overman

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10/9/12

NEW D21/DTW PROBLEM REPORT

1-23-14 .0100 VM CFC

DATE: TIME: INITIALS: POSITION:

* STARS EFSTS ETVS ASDEX FREQ SCS ROUTING OTHER
(circle appropriate problem/s) (similar call signs)

DUPLICATE FLIGHT PLANS -- Provide flight progress strips if able.

STARS CONFIG: FIXED PAIRS (multi func, D, slew & enter).

ACID: COMBINED: Y/N WITH:

EFSTS CONFIG:

* TRAN * RECV TYPE AC

FREQ: MAIN STBY MAIN STBY LOCATION

PROBLEM: FLG WAS AMENDED TO ADD AUW TO THE ROUTE. A "1" WAS GENERATED ON THE STREP, BUT NO FRC IN THE REMARKS. THE 710.65, 4-3-3(4)(b) REQUIRES AN FRC IN THE REMARKS WHEN THE ROUTE IS CHANGED. WE CALLED THE CENTER AND THEY SAID THEY DID NOT CHANGE THE ROUTE, BUT WHAT WAS CHANGED WAS FINE. I CALLED DISPATCH AND THEY SAID THEY CHANGED THE ROUTE BY ADDING AUW AT THE REQUEST OF THE PILOT. THEY DID NOT REMOVE OR ASK TO REMOVE THE STREP PRIOR TO THE NEW ROUTE SO AS NOT TO GENERATE A DUPLICATE STREP. THEIR SYSTEM GENERATED AN AMENDED STREP, BUT NO FRC. NOT GOOD. WHY DID THIS BEGIN AND HOW? WE CANNOT HAVE DISPATCH CHANGING ROUTES DURING WX EVENTS OR ANYTIME FOR THAT MATTER THAT WILL CONFLICT WITH US OR 20B.

FLG3556 CRJ2/A 162	7404 P0041 260	KDTW WV	+DUNKS J70 PMM J70 BAE+ DUNKS PMM J70 BAE KCWA						
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DELTA: 404-773-3997, AMERICAN AIRLINES: 800-433-3300, COMPASS: 800-433-3300
Skywest 435-634-3706, Shuttle America 317-484-2336, Compass 612-713-6829,
Go Jet 314-222-4775 (Please circle airline to whom you faxed)

FLG3556 1 CRJ2/A 162	7404 P0041 260	KDTW	+DUNKS J70 PMM J70 BAE+ KDTW DUNKS PMM J70 BAE AUW KCWA						
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NEW D21/DTW PROBLEM REPORT

7-3-14 2220 VM CA
DATE: TIME: INITIALS: POSITION:

* STARS EFSTS ETVS ASDE-X FREQ SSCS ROUTING OTHER
(circle appropriate problem/s) (similar call signs)

DUPLICATE FLIGHT PLANS - Provide flight progress strips if able. PDC

STARS CONFIG: FIXED PAIRS (multi func, D, slow & enter)

ACID: COMBINED: Y / N WITH:

EFSTS CONFIG:

FREQ:	* TRAN	* RECV	TYPE AC

PROBLEM: DAL1722 DISPLAYED IN PDC AS *REV*. DAL1722 WAS 10 NE OF DTW.

395 DAL1722	A320/L	4113 459	KDTW D2208	350	KDTW	MOONN4	JHW	YGK	ART
.NIPPY	.ENE	00SHN2	KBOS/2343	0	FRC TO ART				

ATTACH FLIGHT STRIP HERE WHEN APPLICABLE
(STARS - EFSTS - SSCS - ROUTING issue's must be accompanied with a flight strip)

Duplicate Flight Plans - FLMs fax to airline ASAP and then forward form to front office.
DELTA: 404-773-3957, Attn: Ed Olsen, COMAIR: 859 767-2081, PINNACLE: 901-348-4352,
Skywest 435-634-3706, Shuttle America 317-484-2336, Compass 612-713-6829,
Go Jet 314-222-4775 (Please circle airline to whom you faxed)

CONTROLLERS - FORWARD TO FLM/CIC.
Mandatory Information - Date, Time, Initials

NEW D21/DTW PROBLEM REPORT

7-2-14 2120 VM POSITION: CD

* STARS EFSTS ETVS ASDE-X FREQ SSCS ROUTING OTHER
(circle appropriate problem/s) (similar call signs)

DUPLICATE FLIGHT PLANS - Provide flight progress strips if able. PDC

STARS CONFIG: FIXED PAIRS (multi func, D, slew & enter)

ACID: COMBINED: Y / N WITH:

EFSTS CONFIG:

	* TRAN	* RECV	TYPE AC
FREQ:	MAIN	STBY	MAIN STBY LOCATION

PROBLEM: THE PDC DISPLAYED ASQ5144 TWICE AS *REV* BACK TO BACK. NO STRIPS PRINTED AND A FRC REVEALED ONLY ONE FIP IN THE SYSTEM. WHEN I ASKED WHO HAD ASQ5144 FIP, LMW SAID HE WAS ROLLING DOWN THE RWY.

ATTACH FLIGHT STRIP HERE WHEN APPLICABLE
(STARS - EFSTS - SSCS - ROUTING issue's must be accompanied with a flight strip)

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DELTA: 404-773-3957, Attn: Ed Olsen, COMAIR: 859 767-2081, PINNACLE: 901-348-4352,
Skywest 435-634-3706, Shuttle America 317-484-2336, Compass 612-713-6829,
Go Jet 314-222-4775 (Please circle airline to whom you faxed)

CONTROLLERS - FORWARD TO FLM/CIC.
Mandatory Information - Date, Time, Initials

NEW D2/D1W PROBLEM REPORT

7-6-14 1740 VM CD
DATE: TIME: INITIALS: POSITION:

* STARS EFSTS ETVS ASDEX FREQ SSCS ROUTING OTHER
(circle appropriate problem/s) (similar call signs)

DUPLICATE FLIGHT PLANS -- Provide flight progress strips if able. PDC

STARS CONFIG: FIXED PAIRS (multi func, D, slew & enter)

ACID: COMBINED: Y / N WITH:

EFSTS CONFIG:

	* TRAN	* RECV	TYPE AC
FREQ:	MAIN	STBY	LOCATION

PROBLEM: FLG 3293 PRINTED TO LAN AND WAS PDC'ed. THE C/S AND GATE DID NOT DISPLAY, (AFTER THE PDC WAS ACCEPTED), WHEN INFO'ed, FLG 3293 DISPLAYED A P2352 TIME GOING TO CMH.

FLG 3293 DID NOT RECEIVE THE LAN PDC AND ~~HAD TO~~ WAS ISSUED A VOICE CLEARANCE.

ATTACH FLIGHT STRIP HERE WHEN APPLICABLE
(STARS - EFSTS - SSCS - ROUTING issue's must be accompanied with a flight strip)

Duplicate Flight Plans - FLMs fax to airline ASAP and then forward form to front office.
DELTA: 404-773-3957, Attn: Ed Olsen, COMAIR: 859 767-2081, PINNACLE: 901-348-4352,
Skywest 435-634-3706, Shuttle America 317-484-2336, Compass 612-713-6829,
Go Jet 314-222-4775 (Please circle airline to whom you faxed)

CONTROLLERS - FORWARD TO FLM/CIC.
Mandatory Information - Date, Time, Initials