



U.S. Department
of Transportation

Office of the Secretary
of Transportation

GENERAL COUNSEL

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1730 M Street, NW, Suite 300
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November 4, 2011

Re: OSC File No. DI-11-1353 (Seeley)

Dear Ms. McMullen:

This is in response to an October 4, 2011, e-mail from Karen Gorman in connection with the above referenced matter, requesting, *“updated information concerning any disciplinary action taken or proposed, including the names of the involved subjects, and an update on the status of FAA’s management recruitment efforts.”* Please treat this letter as our supplemental report.

Regarding management corrective actions, FAA advises that to date, one of the former managers at the New York Air Route Traffic Control Center (ZNY) has been reassigned to the Future Facilities Office as an En Route subject matter expert and 4 of the former managers have been placed on administrative leave. FAA also advises that its Air Traffic Organization (ATO) has named Mr. Christopher Metts, Acting Vice President for En Route and Oceanic Operations, as the deciding official for potential disciplinary actions. After reviewing the available material, Mr. Metts, in consultation with FAA legal and advisors in the Office of Human Resources, has requested that FAA’s Office of Security and Hazardous Materials Safety (ASH) conduct a supplemental investigation into all aspects of the potential misconduct by the 5 former managers, including the former facility chief. This investigation will involve gathering pertinent information relating to the dates of incidents, what the managers knew and when they knew it, as well as other details needed to properly determine the appropriate level of disciplinary action for each individual involved.

With regard to an update on recruitment efforts, as stated on page 29 of the Report of Investigation (ROI) transmitted to you on September 12, 2011, an interim management team took charge of ZNY on September 6, 2011, and as stated, FAA’s intention was to keep that team in place for 6-8 months. The interim management team is charged with

identifying and implementing any and all corrective actions necessary to bring ZNY into compliance with all FAA policies and operating procedures.

Since the interim team has been on site not quite 2 months, the identification and recruitment activities for the permanent management team are in the very preliminary stages with potential candidates being identified and discussed by senior ATO management. We would be happy to provide you with more detailed updates as the interim team's tenure nears its end in the spring of 2012. Depending upon the progress made by the interim team, it is also possible that their tenure could be extended beyond 8 months.

Please do not hesitate to contact me or Debra Rosen if you have any questions.

Sincerely,



Judith S. Kaleta
Assistant General Counsel
for General Law