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DEPARTMENT OF TRANSPORTATION REPORT AGAIN SUBSTANTIATES WHISTLEBLOWER'S SAFETY CONCERNS AT DETROIT METROPOLITAN AIRPORT

FOR IMMEDIATE RELEASE

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WASHINGTON, DC / August 9, 2010 – Today, the U.S. Office of Special Counsel (OSC) transmitted to the President and Congress the Department of Transportation's (DOT) response to whistleblower allegations that Federal Aviation Administration (FAA) managers at Detroit Metropolitan Airport (DTW) compromised the safety of the flying public by directing air traffic controllers to operate an air traffic approach and departure configuration in violation of local FAA Orders. The whistleblowers, Air Traffic Controllers Vincent Sugent and Paul Mueller, also disclosed that Wind Measuring Equipment (WME) at DTW is unreliable and compromises safety.

The January 2010 report and supplemental reports from DOT to OSC found that on July 21, 2008, a front line manager improperly directed controllers to authorize the departure of three Boeing 747 jets in a manner contrary to DTW local policy. During the investigation, six additional violations of local policy were identified. None of the incidents violated national standards regarding minimum separation between aircraft.

In response to the investigative findings, DTW management suspended the responsible front line manager, counseled the Quality Assurance Manager for failing to identify the six additional violations of the local order, and re-briefed controllers on the DTW local policy.

The investigation also substantiated that the two wind detection devices available to controllers in the Air Traffic Control Tower have provided inconsistent wind readings. FAA Administrator J. Randolph Babbitt noted that in March 2009, a sensor was replaced on one of the devices, and both now function as designed. Controllers were briefed on the differences between the two instruments.

The whistleblowers continued to report malfunctions in the WME, after the January 2010 report was received. In response, FAA asserted that the two instruments that provide wind readings, "are operating properly and, thus, any difference in the measurements they provide does not constitute a safety threat." The Administrator advised that "[a]t DTW, controllers may estimate the wind using the airport windsock if the [Terminal Doppler Weather Radar] TDWR WME is not considered reliable."

OSC determined that the agency's reports contain all the information required by statute and the findings appear reasonable. Notwithstanding this determination, OSC noted with concern that the whistleblowers

have asserted that the wind instruments are not operating in a manner that enables them to confidently issue wind advisories to aircraft landing and departing at DTW. Although FAA indicated that the instruments are working as designed, and that controllers may estimate the wind using airport windsocks located a fair distance from the Air Traffic Control Tower, perhaps another evaluation of these essential controller tools is warranted to ensure the safety of the flying public.

The U.S. Office of Special Counsel (OSC) is an independent investigative and prosecutorial agency and operates a secure channel for disclosures of whistleblower complaints. Its primary mission is to safeguard the merit system in federal employment by protecting federal employees and applicants from prohibited personnel practices, especially retaliation for whistleblowing. OSC also has jurisdiction over the Hatch Act. For more information please visit our web site at www.osc.gov or call 1 (800) 872-9855.