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OSC Finds Deficiencies in Department of Transportation Reports Concerning Flight Safety At Detroit Metropolitan Airport

FOR IMMEDIATE RELEASE

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WASHINGTON, DC / April 27, 2011—Today, the U.S. Office of Special Counsel (OSC) transmitted to the President and Congress two separate reports from the Department of Transportation (DOT) in response to whistleblower allegations of safety issues at the Federal Aviation Administration (FAA), Detroit Metropolitan Airport (DTW) and D21 Terminal Radar Approach Control (TRACON), Detroit, Michigan. OSC noted deficiencies in each report.

First, OSC transmitted DOT's response to allegations from Timothy Funari, a Support Manager and whistleblower at the TRACON, also known as the Radar Room. Mr. Funari alleged that controllers did not consistently follow FAA rules for air traffic control, and that management created a culture in which rules were selectively enforced and in which operational errors and deviations went unreported.

The agency's report and three supplemental reports partially substantiated Mr. Funari's allegations. The reports confirmed that TRACON Staff did not know which separation requirements to follow regarding successive arrivals into three of the surrounding controlled satellite airports, controllers violated FAA rules by allowing aircraft to come within 1.5 nautical miles of adjacent airspace boundaries, and controllers operated dual Instrument Landing System (ILS) approaches in violation of FAA rules. The agency's reports also confirmed the inadequacies of the Quality Assurance Review procedures and investigations into operational errors and deviations.

OSC found several aspects of the reports troubling. Although the agency substantiated Mr. Funari's allegation that controllers operated dual ILS approaches in violation of FAA rules, OSC found the report unreasonable given that violations of the dual ILS approach procedures in FAA Order 7110.65 continue to occur two years after OSC

referred this allegation for investigation. OSC also found unreasonable the agency's conclusion that it could not substantiate Mr. Funari's allegation that the TRACON's missed approach procedures violate FAA Order 7110.65, noting that the agency failed to ensure that data relevant to the allegations was retained. Finally, OSC found unreasonable the agency's conclusion that TRACON management did not discourage the reporting of operational errors and deviations in light of the evidence contained in the reports. OSC also noted that Mr. Funari has raised several issues that warrant the agency's attention as it contemplates future policies and actions.

In the second matter, OSC transmitted DOT's response to allegations from Vincent M. Sugent that FAA managers at DTW implemented the "Northeast Flow" air traffic procedure without completing the required environmental, noise, and safety risk assessments, or properly notifying FAA and DTW officials. The whistleblower, an FAA Air Traffic Controller, contended that DTW management operated this configuration in a manner that created a safety hazard.

DOT did not substantiate the allegations, but after OSC's referral, cancelled the Northeast Flow and removed it from DTW's Standard Operating Procedures. OSC found it unreasonable that the agency did not substantiate Mr. Sugent's allegation that DTW officials failed to conduct a safety assessment. OSC also found unreasonable the OIG's finding that DTW management adequately notified FAA and DTW officials that they had established a new air traffic procedure. Despite these and other concerns as noted in OSC's transmittal to the President and Congress, OSC acknowledged that, because FAA has cancelled the Northeast Flow procedure at DTW, it appears that appropriate corrective action has been taken.

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