



**U.S. Department  
of Transportation**

Office of the Secretary  
of Transportation

**GENERAL COUNSEL**

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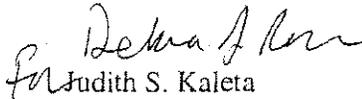
July 27, 2012

Dear Ms. McMullen:

I have enclosed a status update, prepared by the Federal Aviation Administration (FAA), on corrective actions relating to whistleblower complaints (DI-11-1675 and DI-11-1677) filed by Vincent Sugent and Brian Gault, Air Traffic Controllers at Detroit Metropolitan Airport (DTW), concerning simultaneous operations on parallel runways at DTW. The Office of Special Counsel closed this complaint on May 8, 2012.

Please feel free to call Debra Rosen or me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judith S. Kaleta".

Judith S. Kaleta  
Assistant General Counsel for General Law

Enclosure



# Federal Aviation Administration

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## Memorandum

Date: **JUL 26 2012**

To: Judith S. Kaleta  
Assistant General Counsel for General Law, C-10

From:  H. Clayton Foushee, Director, Audit and Evaluation, AAE-001

Subject: Follow-up Status Report regarding Office of Special Counsel Case Nos.  
DI-11-1675 and DI-11-1677 for Detroit Metropolitan Wayne County Airport  
Divergent Headings Corrective Actions

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This is a follow-up status report concerning the allegations described in an Office of Inspector General (OIG) report of investigation (ROI) dated November 15, 2011. Following the May 10, 2011, Office of Special Counsel (OSC) referral of case numbers DI-11-1675 and DI-11-1677, and the November 15, 2011 OIG ROI, the Federal Aviation Administration (FAA) responded to the allegations and OSC follow-up questions. This response included a commitment to providing Department officials quarterly updates on the status of corrective actions. Previous updates were provided in February and April 2012.

**Allegation 1:** *"During simultaneous arrivals and departures on parallel runways at DTW, the air traffic control rule for protecting airspace in the event of a missed approach conflicts with the rule for maintaining radar separation between aircraft."*

**Allegation 2:** *"DTW controllers have received inadequate guidance concerning the application of rules for protecting airspace in the event of a missed approach and maintaining radar separation during simultaneous arrivals and departures on parallel runways."*

**Allegation 3:** *"The conflicting rules for protecting airspace in the event of a missed approach and maintaining radar separation have resulted in unreported operational errors at DTW."*

**Updated Response:** The FAA is now 120 days into the audit phase of the corrective action plan. During the first 120 days of the audit, only three missed approach (MA) events occurred. All of the events transpired *prior to* the effective date of the new procedures (April 2, 2012). Of the three MAs, two of the events involved no departures or any other aircraft. Only one MA event occurred during instrument meteorological conditions (IMC), while simultaneous instrument landing system (ILS) approaches were in use with a simultaneous departure aircraft involved. During the monitoring and auditing period, it appeared that duplication of the same circumstances that precipitated the event in the OIG complaint would be rare. As we reported in April, eighteen missed approach procedures were implemented on April 3, 2012, via Notices to Airmen (NOTAM). They were formally published by FAA on July 26, 2012.

DTW has taken significant measures to ensure that operational personnel are compliant with current requirements while conducting simultaneous ILS approaches on parallel runways during IMC. Current data indicates that DTW was in compliance with all applicable requirements throughout the audit period. Due to the limited opportunities available to assess compliance with FAA Order JO 7110.65, Paragraph 5-8-5, and consistent performance by operational personnel, it is recommended that audits continue for a period of not less than 60 days and not to exceed 180 days.

The Vice President for Air Traffic Organization (ATO) Safety and Technical Training agreed to the complainant's request to meet and discuss the operational error that occurred on December 25, 2009 at DTW. Our office coordinated attendance for the OSC, and the meeting took place at FAA Headquarters on May 23, 2012. Following the meeting, the complainant voiced a willingness to help review the policy and training associated with FAAO JO 7110.65, paragraphs 5-8-3 and 5-8-5.

National training on the policy in FAAO JO 7110.65, paragraphs 5-8-3 and 5-8-5 continues. We expect to have training completion reports from all affected facilities during July 2012, and this will be described in our next status report scheduled for October 2012.

If you have any questions or need additional information, please contact Joseph Teixeira, Vice President, ATO Safety and Technical Training, at 202-267-3341.

cc: Vice President, ATO Safety and Technical Training  
Vice President, Terminal Services  
Chief Operating Officer