

Air traffic cover-up alleged

D/FW faces inquiry as official blasts 'culture of fraud' that faults pilots

12:00 AM CDT on Thursday, July 12, 2007

By KATIE FAIRBANK / The Dallas Morning News

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Air traffic controllers who watch over North Texas skies are repeatedly allowing airplanes to fly into situations that could result in a crash – and upper management is systematically shifting the blame to the pilots involved, according to an investigative federal agency.



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Anne Whiteman, now an air traffic control supervisor, spurred an earlier investigation when she reported that air traffic control managers covered up close calls. 'Nothing has changed,' she says. 'They just manipulated how they hide things.'

The Office of Special Counsel, an independent investigative and prosecutorial agency that enforces laws protecting government whistle-blowers, is ordering a special investigation into the operation and management of Dallas/Fort Worth International Airport's air traffic control system, which also oversees the air traffic into Dallas Love Field. The investigation may be widened to a national scope.

"We're talking about a culture of fraud," U.S. Special Counsel Scott Bloch, who heads the agency, said in an interview. "It's a pretty shocking saga of what is going on down there."

Managers with air traffic control at the airport referred questions to the Federal Aviation Administration. So did the spokesman for the U.S. Department of Transportation. The FAA released a statement that says there are numerous audits that take place to ensure all air traffic controller errors are reported and are correctly classified.

"The flying public can rest assured that the FAA thoroughly investigates every safety deviation, whether it was the result of controller or pilot error, and closely tracks and addresses any pattern of errors," the FAA stated.

This will be the second investigation of D/FW Airport's air control system in two years. The first occurred after Anne Whiteman, an air traffic controller, alerted the FAA that managers at the Terminal Radar Approach Control, which handles all air traffic over North Texas, intentionally ignored and covered up many instances in which jets flew too close to one another.

After Ms. Whiteman's disclosures, another controller nearly forced her vehicle off the road, according to police and federal documents. That controller, who was never charged, said the incident was unintentional. Ms. Whiteman also reported that she was harassed, threatened and intimidated by her co-workers and managers. The Office of Special Counsel concluded its investigation on Monday and confirmed that Ms. Whiteman faced retaliation, mistreatment and a hostile environment.

Two years ago, the FAA agreed to fix the problems found by the U.S. Department of Transportation's inspector general. The agency also moved Ms. Whiteman from the job she loved as a controller in the radar room to a controller position in the tower.

But now a second whistle-blower, who has asked to remain anonymous, has come forward with allegations of how jets are still flying too close to one another because of controller errors. The whistle-blower said that the controllers' mistakes are then swept under the rug, and the pilots are blamed, according to Mr. Bloch.

"I received that information, and it was shocking," Mr. Bloch said. The information "regarded radar replays and data plots showing operational errors and the FAA's attempt to shift blame to pilots. It

showed errors putting airplanes into each other's course that could result in a crash and attempts by the FAA to cover it up."

The Office of Special Counsel approached Ms. Whiteman about the allegations. She backed up the whistle-blower's stories about safety lapses still occurring regularly.

"Nothing has changed. They just manipulated how they hide things," Ms. Whiteman told *The Dallas Morning News*. She is now an air traffic control supervisor in the tower at D/FW.

"Now we're into a 9 ½-year cover-up," said Mr. Bloch. He told the U.S. Department of Transportation by letter on Tuesday that he was ordering an investigation into air travel safety at D/FW and possibly at other facilities across the country. The department has 60 days to conclude the investigation.

"We believe this might be national in scope to artificially suppress the number of errors in FAA control facilities and towers," he said.

Controllers who make errors normally get supplemental training or are removed from their positions, if appropriate. But if the items are not reported as controller errors, that does not occur.

"The controllers report them, and then it's in the hands of management. It's management's decision," said Mike Conely, representative of National Air Traffic Controllers Association Local D10 at D/FW Airport.

He pointed out that the number of controllers at D/FW has dropped to 68 from 100 about five years ago. "I'm not saying that leads to more errors, but it means you've got tired eyes watching the skies," he said. "They're having to work more airplanes, more days, more hours."

Air traffic controllers keep the pilots from complaining by suggesting that they file an Airline Safety Action Partnership report, Mr. Bloch said. These were created by the aviation industry to track safety issues and correct them. At the same time, the ASAP report keeps the event off of the pilot's safety record, unless the incident was particularly egregious.

"If the pilot complains, the controllers tell the pilots to self-report. Then it will never appear on their record. There's a technique to make sure that no one is ever held accountable," said Mr. Bloch.

In the letter to Department of Transportation Secretary Mary E. Peters, Mr. Bloch wrote: "It appears to be acceptable and established FAA practice to treat operational errors such as airplane separation, runway incursions, incorrect flight instructions to pilots, near misses and other dangerous situations as pilot errors not requiring reporting."

An accompanying report has details on why an investigation is being ordered. It alleges several instances of controller errors, including:

- Airplanes that could have collided during a descent mishap.
- A smaller airplane following too closely in the wake turbulence of a big jet.
- A pilot who was instructed to make a turn that couldn't be executed given the amount of time and space – and then blamed for not being able to do so.

"In summary, these allegations expose a continuing pattern by FAA management of abuse of the basic measures of protection meant to insulate the flying public from disasters that very well may be preventable," the letter states.

American Airlines spokesman John Hotard said the Fort Worth-based airline is not aware of the investigation. "There was one instance in 2006, but beyond that, we're not aware of any other issues involving pilots being blamed," said Mr. Hotard.

A spokeswoman for Southwest Airlines, based in Dallas, also said the airline was aware of only one event. "We have seen no increase in pilot deviation errors. Nor do we have any problem with Dallas/Fort Worth air traffic control," spokeswoman Paula Berg said.

Still, there has been a large spike in pilot deviations, according to federal aviation officials. But they attribute the vast majority of those to the institution of a global satellite navigation system that guides pilots along more direct departure routes. Officials say the deviation numbers dropped again as pilots were trained on that system.

Ms. Whiteman said that some of the deviations can indeed be attributed to the new routing, but that doesn't explain away so many of the reports. Since January, the radar room at D/FW has reported about 100 pilot deviations, she said.

For Ms. Whiteman, speaking out has been heartbreaking but necessary. "How could you not report this? How do you sit idly by?" she asked. "To become the enemy of the FAA is something that is impossible for me to accept. I've done this for all the right reasons, because I love this job so much."

<http://www.star-telegram.com/business/v-print/story/166313.html>

Thursday, Jul 12, 2007

Posted on Wed, Jul. 11, 2007

Controllers covered up mistakes at D/FW, federal agency says

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A government agency is again accusing federal air traffic controllers and their supervisors at Dallas/Fort Worth Airport of covering up mistakes such as allowing planes to fly too closely to each other.

The controllers sometimes shifted the blame to airline pilots, Scott Bloch, head of the U.S. Office of Special Counsel, said in a letter and report to Transportation Secretary Mary Peters on Monday.

Bloch, in his letter, called for Peters to launch an investigation. *The Dallas Morning News* first reported Bloch's inquiry late Wednesday afternoon on its Web site.

In an interview with the *Star-Telegram* Wednesday night, Bloch confirmed he sent the letter and report.

"You have a kind of perfect storm for this kind of coverup, and the big loser is air traffic safety," Bloch said.

In the report, Bloch outlined several incidents that two whistle-blowers said occurred at D/FW. Both whistle-blowers work for the Federal Aviation Administration at D/FW.

One of the whistle-blowers is Anne Whiteman, who blew the whistle to Bloch's office on what she said were air traffic control safety problems at D/FW several years ago. A subsequent study by the Transportation Department's Office of Inspector General backed up the claims made in 2004 and 2005.

Bloch said his office continued to monitor the situation, and began looking into the latest allegations in 2006. The second whistle-blower is choosing to remain anonymous.

The FAA has done little to correct the problems since the first case arose, Bloch said.

"Those (problems) have essentially continued, and the people have really never been brought to task," he said in the interview.

A regional spokesman for the FAA referred questions to the Washington, D.C., office, where an official did not return calls for comment Wednesday night.

Mike Conely, president of the National Air Traffic Controllers Association local D10, which represents controllers in the radar approach control tower at D/FW Airport, said Wednesday night that controllers report any operational errors to their supervisors. It's up to the supervisors to determine how the errors should be classified.

Bloch said a team of investigators from the Dallas branch of the Office of Special Counsel discovered a managerial "laxness" and a "cavalier attitude about what had gone on before and about Anne Whiteman's disclosures."

The investigators were the same ones who looked into Whiteman's initial allegations a few years ago. They have a "great deal of familiarity with the rules of air traffic control separation," Bloch said.

One of the incentives for controllers and supervisors to cover up the problems is financial, Bloch said. Calling it "pay for performance," he said operational errors weigh against salary raises and bonuses and discourage controllers from admitting mistakes.

The system "increases the likelihood that people are simply going to bury operational errors," he said.

Peters has 60 days to investigate Bloch's allegations and make a recommendation. If it doesn't like the answer, Bloch's independent office has the power to conduct its own full investigation. If Peters launches an inquiry, the Office of Inspector General would likely be the investigating arm looking into the matter. Bloch has also asked Peters to look into whether the situation at D/FW Airport is systemic at airports across the country.

D/FW management is not being implicated. The airport has no authority over air traffic controllers. "We've done everything we can as an airport to promote a culture of safety on our airfield and we expect the FAA to operate a safe environment in the skies over North Texas," Jeff Fegan, the airport's chief executive, said via e-mail Wednesday night. "We support the FAA and will certainly be in contact with its leaders to assure those expectations are being met."

The Office of Special Counsel's primary job is to safeguard federal employees from "prohibited personnel practices," largely reprisals from whistle-blowing.

<http://www.npr.org/templates/story/story.php?storyId=11926679>

Cover-Up Charged at Dallas-Fort Worth Airport

by [Wade Goodwyn](#)

[All Things Considered](#), July 12, 2007 · For the second time in two years, whistleblowers are accusing their air traffic control colleagues of a wide-ranging conspiracy to cover up errors at one of the nation's busiest airports.

The latest accusations charge that instead of accepting responsibility, it is the practice and policy of the controllers to blame near misses at Dallas-Fort Worth on pilot error.

The office of U.S. Special Counsel has investigated and accuses the FAA of issuing the "pilot error" policy from the very top of the agency and suspects the same problem is occurring at other airports besides DFW.

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Dallas Air Control System Faulted

by [Wade Goodwyn](#)

[All Things Considered](#), June 24, 2005 · Managers and air traffic controllers in Dallas regularly covered up errors over a period of seven years, according to agency reports. The Inspector-General of the Transportation Department credits a whistleblower with bringing the deception to light. The report says managers relied on the word of controllers rather than checking radar tapes, which document aircraft positions.

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