

**ATTACHMENT 5**

**to Operations/Human Performance Group Chairman's Factual Report**

**Assistant Chief Pilot Statement**

**DCA10IA001**

November 6, 2009

Upon arrival at gate G14 on October 21, 2009 for the arrival of flight 188 from SAN I was met by officers and representatives from several agencies including the airport police, the FBI, FAM representatives and the TSA. I tried to introduce myself to the head of each of these agencies while at the same time answering almost nonstop calls and pages from Delta leadership in flight operations. Walking down the jet-way to the aircraft, it was explained that for my protection I would not initially be allowed to board the flight until they assessed the situation. Once the determination was made that this was an apparent operational error and not a breach of the flight deck, the passengers were allowed to deplane and I was allowed entry into the aircraft but not immediate access to the crew. There were three police officers in the flight deck when I entered. Two officers were interviewing the crew and the third was of larger stature facing aft to block any entry or view of what was occurring in the flight deck. I have also since learned that the officers administered a breathalyzer without any pre test brief or discussion of post test results. This may be the protocol for the airport police but I would like to have been informed about this test. Meanwhile, I maintained a position in the forward galley near the cockpit door and helped the onboard leader reassure and thank the passengers, answered additional phone calls, and tried to gain entry into the flight deck. With deplaning complete, the officers exited and I was allowed entry into the flight deck. In retrospect, a delay in having contact with the crew plays a large role in how we perform our duties. While we never want to interfere with the duties of other agencies, this delay prevents the CVR circuit-breakers from being pulled in a timely fashion and in this case I think it was at least a causal factor in the flight documents not being gathered. Upon entering, I introduced myself to the crew and explained that I was from the Chief pilots office and was here to help them. The crew was distraught and Captain Cheney offered a brief statement of what had occurred. To my surprise they had nearly completed their post flight duties including flight bags nearly packed. I did not see any signs of the flight paperwork which would have been my reminder to retain them. I don't know if the crew retained them or due to their distraught state discarded them as we normally do on domestic, uneventful flights. My attention then turned immediately to the FBI and TSA who were requesting an interview of the crew. Both agencies stressed the importance of interviewing the flight crew prior to departing the aircraft as their superior's in Washington, DC needed some questions answered quickly. The interview with Captain Cheney took place in the first class cabin. I monitored the interview and they were both very professional and respectful while questioning Captain Cheney. I suggested they conduct the interview with First Officer Cole in the Chief Pilots office after the drug testing was complete. They agreed and I escorted the crew to the drug testing facility where I was met by Chief Pilot Tom Perillo who had coordinated the remaining administrative requirements for the night.

While the retention of the flight documents would have been preferred to possibly gain additional information, regrettably it did not happen for the reasons stated above. As required, we do retain documents for a period of 90 days for International flights per FAR 121.695 and is specifically included in the Delta Air Lines post accident checklist, located in the Flight Operations manual. This event does not fall into one of those two categories.

In summary, my attention was very divided that evening between taking care of this crew, coordinating with all the agencies present and keeping flight operations informed about the events through phone calls and text pages. While it was a busy and stressful evening for all, I must commend everyone for a well coordinated effort and the extreme professionalism of everyone involved, both front line and behind the scenes.

If anyone has any additional questions please feel free to contact me and I will provide any assistance I can.

Sincerely,

Todd M. Luebke  
Northwest/Delta Air Lines  
Flight Operations Manager  
MSP Chief Pilots Office  
