

CEN23MA034

**OPERATIONAL FACTORS/HUMAN PERFORMANCE**

Attachment 4

FAA Personnel Transcripts and Statements

November 22, 2023

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## **FAA Inspector Simpson Statement**

November 13, 2022  
Stephen W. Simpson

The midair collision/accident occurred at approximately 1320 local time at Dallas Executive Airport (KRBD) during the Wings Over Dallas Airshow on November 12, 2022. The airshow was operating under a Certificate of Waiver issued by the North Texas FSDO on November 2, 2022. I was assigned as the FAA IIC for the airshow and reviewed all of the documents submitted prior to the airshow in accordance with FAA Order 8900.1, Volume 3, Chapter 6, Section 1 and signed the waiver.

The airshow was initially planned to occur Friday, November 11 through Sunday, November 13. The weather was not sufficient to conduct the airshow on Friday but a pilot briefing still occurred on that Friday at 0800. The majority of the aircraft and pilot documents that had not been previously submitted electronically were reviewed that Friday morning. I was accompanied by Operations Inspector Miguel Jimenez Perez (in training), Maintenance Inspector Gerald Dotson, and Avionics Inspector Lonnie McDaniel. Only Inspector Jimenez and I were present on the day of the accident. Neither the B-17 (N7227C) nor the P-63 (N6763) submitted their documents in advance so both the maintenance records and pilot records were reviewed on site. Both aircraft had previously been ramp checked by an FAA Inspector during the 2022 airshow season so neither aircraft was ramp checked by North Texas FSDO personnel. N7227C had previously been ramp checked on 4/23/2022 and N6763 had been ramp checked on 6/10/2022.

On the day of the accident the full pilot briefing occurred from approximately 0800 to 0845. The PIC of N7227C, Len Root, and the PIC of N6763, Curt Hutain, were present during the briefing and signed the briefing sheet. A separate pilot briefing with just the pilots that were flying when the accident happened occurred from approximately 0845 to 0900 to answer any questions and ensure everyone understood the plan since there were a number of aircraft involved in that part of the airshow flyby. It was noted on the sign in briefing sheet for the briefing that occurred the day prior that both pilots were present and received a full brief of the plan that day as well.

The airshow began at 1100 with approximately 6 "acts" occurring prior to this act. The Air Boss, Russell Royce (713-409-4266), was located on the platform near taxiway A4 and I was located directly beneath him monitoring the show. No deviations from the waiver were observed prior to the accident and the Air Boss had control of the airspace and was controlling all aircraft at the time of the accident. My attention was on a separate aircraft so I did not see the moment of collision but I did observe both aircraft just as they impacted the ground. Fire Rescue was positioned on taxiway A2 and arrived on scene within approximately 30 seconds. A conversation was held with the Air Boss two hours later and he indicated the aircraft involved were positioning for a flyby with multiple fighters including the P-63 positioning to the 500' line with the bombers including the B-17 directed to the 1,000' line. Mr. Royce was asked to provide a written statement and further information regarding the exact positioning and communication can be provided by him.

The accident occurred at approximately 1320 and I called the North Texas FSDO Office Manager, Lewis Gonzales, at 1323 to begin the process of informing the Regional Operations Center and initiate FAA/NTSB response. At completion of the call per the Emergency Response Plan I proceeded to the Incident Command Center. I assumed the role of the acting FAA IIC for the accident and conducted a briefing with the Emergency Response Team at approximately 1400 once the First Responders had completed their initial response. At that point the police department was requested to begin documenting all debris that was located on the highway and adjacent shopping center with geo-tagged

photos. The majority of the wreckage was contained within the airport property and the response team was instructed to remain clear of that area.

I started an initial assessment of the wreckage at 1438 and began taking photos to document the scene. Contact with Mike Hodges, NTSB initial IIC, was made at 1524 and he authorized the debris located outside the airport property to be collected and brought to a secure location on airport property once all photo documentation had been accomplished so that the highway could be reopened. A call with Jason Aguilera, NTSB permanent IIC, occurred at 1550 to clarify the change and to coordinate medical examiner response. Matthew Hodges, FAA permanent IIC, arrived on scene at approximately 1600 and assumed control. At that point all further calls received were redirected to Matthew Hodges and the Incident Command Center was notified that he would be the FAA IIC for the rest of the investigation. I continued to assist Inspector Hodges and departed the scene at 1845.

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL COLLISION AT WINGS OVER  
DALLAS AIR SHOW AT THE DALLAS  
EXECUTIVE AIRPORT IN DALLAS, TEXAS  
ON NOVEMBER 12, 2022

Accident No.: CEN23MA034

\* \* \* \* \*

**Interview of: STEVEN SIMPSON, Inspector in Charge**

Federal Aviation Administration

via Zoom videoconference

Wednesday,  
October 4, 2023

APPEARANCES:

SHAWN ETCHER, Aviation Operational Factors Investigator  
National Transportation Safety Board

SABRINA WOODS, Aviation Human Performance Investigator  
National Transportation Safety Board

MATT RIGSBY, Air Safety Investigator  
Office of Accident Investigation and Prevention  
Federal Aviation Administration

BOB HEATH, Director of Operations  
Commemorative Air Force

MATTHEW T. SMITH, Esq.  
Office of the Chief Counsel  
Federal Aviation Administration  
Representing Mr. Simpson

I N D E X

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I N T E R V I E W

(10:37 a.m.)

1  
2  
3 MR. ETCHER: Well, good morning, my name is Shawn Etcher, I'm  
4 an operational factors investigator. It is October 4th, it's  
5 10:37 Central time. I appreciate you coming to educate me on life  
6 as an air show IIC, if you will, with the FAA. In a little bit,  
7 I'm going to have my colleagues introduce themselves and their  
8 role, but just so you know, I'm an operational factors  
9 investigator, I look at everything forward of the cockpit door and  
10 how it interacts with pilots, everything that surrounds that, as  
11 well, which is why we're here, getting educated by you.

12 So I appreciate you coming in to educate me and we'll make  
13 this as easy as we can but, you know, know full well, I'm just  
14 looking for all the information I can just to learn from it, so I  
15 appreciate it.

16 I'm going to go around the room. We have a party system, I'm  
17 sure you're well aware, at the NTSB, in which we have people who  
18 have a lot more intelligence than I do to help me understand, we  
19 have folks from within NTSB, we have folks from the FAA, and from  
20 the Commemorative Air Force, but I will have them introduce  
21 themselves and we will start with Ms. Sabrina.

22 DR. WOODS: Good afternoon, I'm Dr. Sabrina Woods, I'm also  
23 with the NTSB. I'm a human performance investigator, so I work  
24 usually kind of in tandem with the ops investigators, I work with  
25 Shawn, and essentially, what my job is, is to look at human



1 performance in all the things that help us do our job better and  
2 maybe some of the things that detract us from being able to do our  
3 job well.

4 MR. ETCHER: Thank you, Ms. Sabrina.

5 Mr. Rigsby.

6 MR. RIGSBY: Hey, Steve. Matt Rigsby with the FAA's Office  
7 of Accident Investigation. As you know, I was an FAA coordinator  
8 on this accident for AVP-100, so --

9 MR. ETCHER: Thank you, sir.

10 Mr. Heath.

11 MR. HEATH: Hello, Inspector. My name is Bob Heath, I'm  
12 director of operations for the Commemorative Air Force. Thank you  
13 for helping us.

14 MR. ETCHER: So Inspector, that is everybody that will be  
15 asking you questions today, helping me get educated, so is there  
16 anybody that you are opposed to having on this education time?

17 MR. SIMPSON: No, that's all fine with me.

18 MR. ETCHER: All right, perfect. I do appreciate that. As I  
19 said, today we're going to be using a recording, we're going to  
20 record this interview, we will send that audio portion out to be  
21 transcribed. That audio portion, the transcript itself, will  
22 become part of the public docket for this event, the audio will  
23 not. And I just want to make sure you are okay with us audio  
24 recording and having it transcribed

25 MR. SIMPSON: Yeah, I am okay with that.

1 MR. ETCHER: All righty. As part of our regulations, any  
2 time we talk to anybody, you guys are entitled to have a  
3 representative of your choosing, if you wish. Do you wish to have  
4 a representative here with you?

5 MR. SIMPSON: I do, I've got Matt Smith here with me from the  
6 FAA.

7 MR. ETCHER: All righty. And Mr. Smith, just for the record,  
8 would you introduce yourself and your role?

9 MR. SMITH: Good morning, Matt Smith with the FAA's Office of  
10 the Chief Counsel. Thank you.

11 MR. ETCHER: Thank you, sir.

12 So like I said, that's everybody that's going to be talking  
13 with you today, but before we actually get started, I just have a  
14 few little rules, we'll call them that, I like to go over with.

15 One, sometimes my brain comes up with some, what it thinks is  
16 really good questions, but my mouth doesn't articulate it at all  
17 or well, so if I ever ask a question that you don't have any clue  
18 what I'm asking for, don't hesitate, just ask for clarification.

19 If you give me something that I'm not quite sure on, I'm  
20 going to ask for clarification, just so we're both playing, if you  
21 will, with the same -- excuse me -- with the same sheet of music.  
22 Also, if you need a break to confer with counsel, get a drink, go  
23 to the bathroom, whatever, just say so, we'll hit pause and we'll  
24 resume when everybody gets back, it's all right. We're not going  
25 to sit here and make it painful for everybody, how's that?

1           The last rule I have, and I always think it's one of the more  
2 important rules, is we like to deal with facts, sometimes we ask  
3 for opinions, but if you don't know something, "I don't know," "I  
4 can't recall," whatever, it all works just fine. So don't think  
5 twice about saying that, if you need to. All righty. Before we  
6 get started, do you have any questions?

7           MR. SIMPSON: I do not.

8           MR. ETCHER: You were supposed to take longer to do that so I  
9 can get my drink of coffee, since my throat was all froggy there.

10   INTERVIEW OF STEVEN SIMPSON

11           BY MR. ETCHER:

12           Q. So if you would, let's start with, I always say the toughest  
13 questions first, of course, could you state your full name and  
14 spell your last for us?

15           A. My name is Steven Simpson, last name is spelled  
16 S-i-m-p-s-o-n.

17           Q. All righty. And do you want us to call you Inspector  
18 Simpson, Steven, Steve, sir, what would you like?

19           A. I'm fine with whatever you want to use, I normally go by  
20 Steve, but whatever you all want to call me is just fine with me.

21           Q. Don't give me that much latitude, you might be surprised what  
22 I can come out with, but I won't. I'll stick with Steve for this  
23 time. So we're going to kind of just go through some basic  
24 questions, just so we know you, as well, but then we'll kind of  
25 work into the event, if you will, but on the day of the event,

1 what was your role with the FAA, at the Wings Over Dallas event?

2 A. Okay, I was the FAA IIC, which is the inspector in charge.

3 Q. And what is -- help me understand what that role is.

4 A. So it's -- the role involves -- it starts well before the  
5 event, so the first part is when they first submit their  
6 application for a certificate of waiver. We would be part of  
7 reviewing all the documentation, you know, per our guidance and  
8 making sure that they've met all the requirements for that and  
9 then eventually issuing the certificate of waiver.

10 So once that's issued, then once the day of the event comes,  
11 during the practice days we would be there checking that all the  
12 aircraft and performers have met all their requirements and that  
13 they're all eligible, so that's quite a bit of the work that goes  
14 into it prior and during the event, and then, of course,  
15 surveillance during the event.

16 Q. Okay. So how far in advance of an air show do you guys start  
17 working the certificate of waivers, everything that you have to  
18 start, approximately how far in advance?

19 A. It varies with each air show. Most of those, you know, this  
20 is more than a month before, typically, prior, especially for the  
21 larger air shows, we're looking at that for quite a bit in advance  
22 and so I don't recall fully, I'd have to go look at when this one  
23 was assigned to me. The way it works is when air shows are  
24 assigned, they go through our office management, they look at the  
25 qualifications for the inspector, they assign it to one of us,

1 there's quite a few inspectors in our office, and then from there  
2 we take a look at it and go. So typically, I would say it's  
3 definitely more than 30 days, a lot of them are quite a bit before  
4 that, as well.

5 Q. And you say your office manager looks at qualifications for  
6 inspectors, do you guys have different qualifications? How do you  
7 get those qualifications? Teach me, would you?

8 A. Yeah. So there's general qualifications for everything that  
9 we do, it doesn't -- not just pertaining to air shows, and then  
10 there's air show-specific qualifications. So as inspectors, when  
11 we come in, we have what's called OJT, on the job training, and we  
12 have three different levels of on the job training for just  
13 general, everything we do.

14 So level one is when we read the guidance and we confer with  
15 the trainer, okay, we've read the guidance together, we understand  
16 it. Level two is when we observe another qualified inspector  
17 doing that task. And then level three is when they kind of  
18 observe us doing that task.

19 Specific to air shows, we meet our OJT requirements and then  
20 we are also required to participate in the issuance of, I believe  
21 it's three waivers, prior to an air show, so we have to observe  
22 that, and then we have to also participate in the surveillance of  
23 at least three events with a qualified trainer, and that's just  
24 for general air shows altogether. If it's a military team  
25 performing, we have to surveil and participate in a waiver for two

1 military teams. For this one, I would've been issuance of at  
2 least three certificate of waivers underneath a trainer and then  
3 surveillance of three certificate of waivers underneath a  
4 qualified IIC.

5 Q. So for you, were you -- did you have all the levels you  
6 needed, level three or whatever?

7 A. I did, yeah. So this was in 2022, this year. Twenty twenty-  
8 one, I completed my training and then so 2020, by the beginning of  
9 2022, I was already a qualified IIC, I think this was my fifth air  
10 show that season.

11 Q. Okay. So just for the season of 2022?

12 A. Twenty twenty-two, yeah, sorry. And then, yeah, 2021 is when  
13 I did all my training and participated with a qualified trainer in  
14 at least three air shows, that was all 2022; 2021 when I did my  
15 training; 2022 is when I was an IIC.

16 Q. Okay, perfect. And thank you, I didn't realize there was  
17 different levels of training --

18 A. Yeah.

19 Q. -- so I appreciate that. At Wings Over Dallas, was it just  
20 you as the FAA IIC or did you have somebody along with you? Kind  
21 of help me understand that.

22 A. Yeah, there was one of the other guys who was doing his -- he  
23 needed to attend to meet his -- I think this was his third air  
24 show, I don't recall if it was his second or third, but he needed  
25 to participate in both the issuance and surveillance, and so he

1 was shadowing me, I had him training with me, and then prior to  
2 that, we had two maintenance inspectors to assist, not on the day  
3 of, I think it was the day before, to assist with ramp checking  
4 and then going through all those documents because it's quite a  
5 bit of work.

6 Q. Okay, perfect. And when you have somebody overshadowing you  
7 or shadowing you or whatever you want to call it, is that more  
8 work on you when it comes to dealing with air shows and now adding  
9 somebody else, that you're kind of walking along with it or is it  
10 actually a huge benefit because there's more of you?

11 A. Yeah, it's not typically -- I wouldn't say it's much more  
12 work, they're typically just shadowing us and watching is what  
13 their job is. If anything, it could be a benefit just to have  
14 their assistance, to hey, can you take a look at this document and  
15 help me out and verify they have this, but they're just mainly  
16 watching, there really isn't much more of work, it's an extra set  
17 of eyes.

18 Q. So if you'd be so kind, if you could kind of -- I want to be  
19 that famous fly on your shoulder, if you will, kind of want to  
20 walk through the process, once you know that you got assigned the  
21 Wings Over Dallas event, kind of walk me through that process from  
22 when you're assigned up until the day of the event, if you will.  
23 I just kind of want to know all that you guys do and I'm sure you  
24 can't do it in an hour and a half, but kind of help me understand  
25 what all you all do.

1 A. Yeah, I'll do my best to summarize. So the first thing that  
2 typically comes in is I get an assignment from my manager, hey,  
3 you're assigned to this air show, and I'll take a look at our  
4 guidance, so I've got a hundred and 66-page document, I kind of  
5 got it up on my other screen, just so I have that ready. It's FAA  
6 Order 8900.1, Volume 3, Chapter 6, Section 1, and I've got all  
7 sorts of comments along my PDF back from 2021, when I went through  
8 all the guidance.

9 And so I typically start by opening that up and I have a  
10 little comment that says, "start here," right, that I go to, and  
11 that is completion of the 7711-2, so the 7711-2 is the FAA form  
12 which is an application for a certificate of waiver. So I  
13 typically will look at that form and I just want to make sure,  
14 okay, what are we looking at, just big picture, what type of air  
15 show, where is this, what's involved, is there military, what's  
16 not, and I'll go line by line.

17 There's different items that that guidance breaks down, is  
18 everything on the form, so is the form -- you know, is it clear  
19 what they are asking for. And that form will list, you know, who  
20 the responsible person is, who's the air boss, what regulations  
21 are they requesting to be waived, and it's not unusual to send  
22 that back to the responsible person just because for clarification  
23 or an item is missing or whatever. So that's typically what I do,  
24 is just take a look at the form and make sure everything that  
25 needs to be on there is there and if there's any uncertainty, I



1 would coordinate with the responsible person of "hey, this isn't  
2 clear," we'd go back and forth. From there I look at all the  
3 other -- accompanying document that needs to be with that form,  
4 all the maps, what we call the aerobatic box, the -- just the  
5 different routes for emergency personnel, there's quite a bit  
6 that's contained in that form and so -- and that's all spot-on  
7 guidance, what needs to be there, so really, it's just the big  
8 picture view, "Is everything that I need here?"

9       The form would typically include the list of the performers  
10 and the aircraft, but there is options for them to kind of attach  
11 that as an addendum because that tends to change, right, you know,  
12 if it's two months before, you tend to have performers who are  
13 still noncommittal and that can change up as long as we make sure  
14 that prior to them performing, everything's been done. So that's  
15 where I would start, is just, "Okay, do I have what I need to  
16 start looking at this waiver?"

17       From there we have a FSDO checklist that's provided on the  
18 National Events page, there is a -- I would call it an intranet-  
19 type page that the National Events branch from the FAA puts out  
20 and it has all of our updated guidance on what we use to evaluate  
21 forms, all the updated regulations that are allowed to be waived.  
22 So I typically go there and grab my FSDO checklist and just start  
23 going through things, start gathering data of "Okay, here's all  
24 the stuff I need, I need the air boss letter of authorization, I  
25 need this map." "Hey, you didn't quite comply with this."

1 Different airports require -- different air shows require  
2 different -- other forms that need to be submitted. So for this  
3 one, if you have what's called a Part 139 airport, I need to see  
4 coordination with the airport's office to make sure that they have  
5 their airport's division queued in, I'd look at emergency response  
6 plan, there's different requirements for the emergency response  
7 plan, so I'm checking that against my checklist, it requires air  
8 traffic control, ATC, coordination.

9 And so once I have that form that's all the information I  
10 need, I forward that on to both the approach control and the  
11 airport ATC to -- because I need coordination from them to say  
12 yeah, we agree, altitudes, all that looks good for us and so then  
13 that's where I'd go from there and once everything is in order,  
14 then we look at starting to issue the certificate of waiver.  
15 That's kind of a very condensed version of what we do, but it's --  
16 it's quite a bit to look at beforehand, before that waiver is  
17 actually issued.

18 Q. So I'm listening to you talk and I'm trying to absorb it in  
19 and sadly, I have a -- you know, air molecules --

20 A. Yeah.

21 Q. -- only up to my gray matter, but I'm picturing it a lot of  
22 work, you know, tons of paperwork, tons of coordination, things  
23 like that. I'm going to assume, and please correct me if I'm  
24 wrong, this is not your only duty with the FAA.

25 A. Yeah, that's correct. This is just a small part of what we

1 do.

2 Q. So how do you -- I mean, you know, I visualize a circus, you  
3 know, juggling flaming spears or something, how do you -- how do  
4 you manage all of that along with all your other duties with the  
5 FAA? To me, it sounds like it might be a bit task saturated.

6 A. It depends. For these, at least that time of year, where I  
7 was at, it didn't feel saturated. Like I said, it was my fifth  
8 air show, I'm very comfortable with them. I've got guidance, so  
9 everything -- I'm using my own kind of checklist based on that and  
10 making sure we're checking the boxes, everything, it's there.  
11 It's like any other job, you have to prioritize what you're  
12 working on, on any given day, and so when it comes to the air  
13 shows, that's what I prioritize and we get through it all and I  
14 ask for assistance, like if I need extra help, I'll ask for it.

15 So for this one, there was quite a few aircraft at this air  
16 show and that requires a lot of just making sure they've been ramp  
17 checked and performers' documents, so I requested management  
18 assign two extra maintenance inspectors to be there to assist me  
19 because that's part of the day of and they can do a lot of the  
20 work prior for me, as well, and so, you know, if I need extra  
21 assistance, I can get that from management.

22 Q. Okay. And of your -- forgive me, your fifth air show, I  
23 think you said last year, was there any point that management said  
24 no, we can't give you a maintenance inspector, we can't give you  
25 whatever you need or we can only give you -- instead of two, we

1 can give you one, has that happened?

2 A. No, if I request it, I've -- they're going to give me what I  
3 request. I didn't have any pushback at all about having the extra  
4 two guys there, they were good at helping me there.

5 Q. Okay, great. So in your opinion, or maybe there's some  
6 matrix you guys have, was the Wings Over Dallas air show, would  
7 that be a big air show, medium, small? I'm using my layman's  
8 terms, maybe you guys have a matrix on what you would classify  
9 that air show as, but in your opinion.

10 A. So that's relative to what you have going on, right, so if  
11 you talked about Oshkosh, if we were to say medium, small, big, it  
12 would be a medium compared to Oshkosh, which is the largest air  
13 show out there, right, or maybe the Lakeland one. For our area,  
14 if you want to look at our area, I would say it was, you know, in  
15 between -- it was definitely not small, I would say it's between  
16 medium and large.

17 For the number of aircraft, it wasn't -- didn't feel  
18 overwhelming and so I'd say somewhere between medium and large, I  
19 mean, if we're comparing versus Oshkosh, I'm going to say it's a  
20 medium-sized air show. It's not a very big area, it's not a very  
21 big airport, so grand scheme of things FAA-wide, I'd say it's a  
22 medium size.

23 Q. Okay. And for what you deal with, you know, don't compare it  
24 to Oshkosh or Sun 'n Fun or anything, I know those are world  
25 renown, if you will, but compared to what you deal with there in

1 the North Texas FSDO, big, medium?

2 A. Yeah, I mean, I would say medium because it was on par with  
3 like an Alliance air show or a Wings Over -- what was it, Rose  
4 City Airfest, I did that earlier in the year, Thunder Over Cedar  
5 Creek, those are all about -- they're all about similar,  
6 definitely not small, I would say. It's a medium size.

7 I don't recall how many aircraft we had, it was what, 20-some  
8 aircraft, maybe and maybe a little bit more than that, I'd have to  
9 look. Just, I'd say it's an average, you know, like medium size,  
10 it's -- we would not have anything larger than that in our FSDO,  
11 if that's helpful, I don't know.

12 Q. Okay. No, that helps a lot. I visualize now and that helps,  
13 so thank you. When you were explaining kind of the -- what  
14 happens when you first get notified and the responsible person  
15 sends you all the paperwork and everything and you said sometimes  
16 you have to send it back. Did you have to in Wings Over Dallas,  
17 did you have to send it back to them for clarification or for  
18 whatever reason, that you can recall?

19 A. Yeah, I'm trying to recall if they had all the boxes. This  
20 one's been going on for a while, I think. I did ask for an  
21 addendum to the emergency response plan, you know, I talked to the  
22 -- you know, we have certain guidance for what has to be in the  
23 emergency response plan. And it was clear that they had all those  
24 boxes checked and they had all the equipment and they had the  
25 emergency personnel, I mean, it was very clear the day of, I mean,

1 they had a command center and everything like that, but they  
2 didn't have it on -- everything on paper that I wanted to see to  
3 match our guidance. So I did have them issue an addendum to the  
4 emergency response plan, I said I need to see that, so you have it  
5 in writing, for example, it has to be in writing so that emergency  
6 response personnel can respond within one minute. They were  
7 there, you know, they had a map of where the fire engines and all  
8 that would be, it just wasn't in writing, and so I did send that  
9 back and I had them give that to me in writing.

10 As far as the 7711-2, the actual application, I don't recall  
11 if I had to return that one and it would've been for something  
12 small, like hey, you left this name off or whatever, I don't  
13 remember if we -- I'd have to look if we went back and forth on  
14 that part.

15 Q. Okay. And when you'd send it back to them, they would do  
16 whatever they did and resubmit it or whatever, was that a big --  
17 was that a delay, like, did it take weeks, was it, you know,  
18 minutes later you got it back? Just kind of how long does it  
19 take, usually, to get it re-sent back?

20 A. For this one it was fairly clear, because after conver-  
21 sations, it was clear they had everything there, I just said hey,  
22 I want it in writing, I said -- I think I even sent the  
23 responsible person, here's the guidance, this is what I need in an  
24 emergency response plan, and it was -- it was less than a week, I  
25 think, on that. I don't recall fully, but it was -- it was fairly

1 quick because I just needed them to put in writing what they were  
2 already doing.

3 Q. Okay. And I'm just trying to understand your -- I'll call it  
4 your duties, but your responsibilities, maybe, is a better term, I  
5 don't know. When they submit the paperwork for the certificate of  
6 waiver, do they also -- I know you mentioned that sometimes pilots  
7 are noncommittal 60 days out, so do you have to -- do you -- I  
8 don't mean you, personally, I mean you, as the FAA IIC, do you  
9 have to approve the pilots and the air boss, the airplanes, is  
10 there anything you have to approve?

11 A. So I have to -- I would say I don't approve them, I make sure  
12 that they have the proper credentials to participate and that  
13 they're on the list. And so with the initial application on this  
14 one, from what I recall, they sent an initial list of here's all  
15 the aircraft that are going to be in attendance at this thing.  
16 The same thing, the air boss, they're listed on Item 2 of the  
17 7711.

18 All I need to see from him is a valid letter of authorization  
19 and that I get from the responsible person and like all right, I  
20 see you have this air boss, you know, please send me and I'll  
21 verify that they have a current letter of authorization, so I  
22 verify they have the proper credentials. When we start looking at  
23 aircraft and pilots, I typically will send out what's called an  
24 Aircraft Status and Inspection Sheet and also an aircraft -- it's  
25 like a performer's document sheet and I'll send that to the

1 responsible person and I'll say hey, please get this out to all  
2 the pilots and aircraft and as many of them as I can get, those  
3 forms are turned electronically in advance, that helps me the day  
4 of. And so I'm good about sending out those sheets and I didn't  
5 get them all back, but you know, I have my checklist of who am I  
6 missing, because day of it's quite a bit of work, and then what  
7 our guidance now says is that each performer just has to be ramp  
8 checked at least once every air show season and they define an air  
9 show season almost with a calendar, January 1st through December  
10 31st.

11 And so prior to the air show we go through and we call it  
12 SPAS, it's our FAA system where I can look up notes that other  
13 inspectors have done on aircraft and participants. And so prior  
14 to the air show here, we went through and SPA -- when I says SPAS  
15 check, I don't know what SPAS stands for, I can get you that  
16 abbreviation.

17 We went through on every single aircraft and pilot and we did  
18 a check to see okay, who has been ramp checked every air show  
19 season and I have a list and actually write down, I've got my  
20 paper here that I took with me, of "hey, this guy was ramped on  
21 this date, this guy was ramped on this date," and then I have my  
22 "need ramped, need ramped; hey, I notice this one was an  
23 experimental, so let's make sure that they have the correct  
24 operating limitations." So all that is nice because it can be  
25 done ahead of time and so when we show up the day of, if they've



1 already been ramp checked, they still have to send me electronic,  
2 you know, verification of -- you know, if they do it in advance,  
3 you know, their pilot's certificate, whether they have a formation  
4 card or what we call the SAC card, which is a Statement of  
5 Aerobatic Competency, and then the aircraft status inspection form  
6 kind of lists all of their maintenance, inspection requirements,  
7 it essentially shows that the aircraft is airworthy.

8       If they have already been ramp checked at the season and they  
9 send me that form in advance, I don't have to do anything with  
10 them day of, I can verify it all electronically per guidance and  
11 it significantly cuts down our workload. And then if they haven't  
12 and they didn't send me anything, they haven't been ramp checked,  
13 or maybe they sent me something but they haven't been ramp checked  
14 yet, then we would ramp check them and then we'd also verify their  
15 documents on site day of.

16 Q. All right. I'm still just sitting here in awe of all you  
17 guys have to do to get ready for an air show, I -- I'm impressed,  
18 I'll be honest, it's impressive what you guys have to go through,  
19 so I appreciate the details you're giving me, it's filling in a  
20 lot of holes. You get the name of the air boss, you get the  
21 airplanes, you get the pilots' names. As the FAA IIC, can you  
22 tell the responsible person oh, you know, I worked an air show  
23 with this pilot or this airplane or this air boss and yeah, I'm  
24 not going to allow him to work this one, do you have that  
25 authority as the FAA IIC or is that totally on the responsible

1 person?

2 A. I think if something came up, I would go up to our management  
3 and say I have some concerns, and document those. For something  
4 like that, I don't -- to my knowledge, it's not laid out in our  
5 guidance. We do have an aviation event specialist that I often go  
6 to if I have questions, his name is Eric Stout, he's with AFS-800  
7 or whoever that branch is, and so I coordinate with him, likely.

8 So I haven't had that scenario where I've been concerned  
9 about somebody, it would normally come out in the ramp check or,  
10 you know, if there were any safety concern, so I just haven't  
11 encountered that and so I haven't had to go. But if I did, I  
12 would run that through management and then our aviation event  
13 specialist just to kind of get their thoughts on it and go from  
14 there.

15 Q. Okay, excellent. All right. So let's kind of fast forward,  
16 you kind of got me -- I assume you got me through most of the  
17 paperwork, up to the day of the event?

18 A. Yeah, that's most of it, that's the very high-level picture  
19 of it, but yeah.

20 Q. Okay. And it may be high level, but it seemed a lot of  
21 detail, so I appreciate that, I can only imagine if we dug deep,  
22 how much more detail there would be. But let's go to the day of  
23 the event or the day before, whatever, the day the air show  
24 starts, your choice, kind of walk me through -- I know you've  
25 already kind of given me some ideas of what you do, you know, by

1 ramp checks, if you need to and stuff, that you weren't able to do  
2 early, but walk me through, "day in the life," if you will, of you  
3 on an air show scene.

4 A. Yeah, so typically -- typically, we have a practice day, not  
5 always, but most of the air shows we do will have a practice day.  
6 Maybe if it's a really small one, they won't. So day of showing  
7 up, there will always be a briefing and that's typically in the  
8 morning, quite of it -- you know, quite -- you know, a couple  
9 hours prior -- let's talk practice day right now. So I would show  
10 up, you know, 30 minutes to an hour before the briefing and kind  
11 of get myself set up and ready to go.

12 Typically, we'd go through the briefing, and at that briefing  
13 I would have the list of pilots and aircraft that still need to be  
14 ramp checked. And so the air boss typically does the briefing and  
15 so they'd go through the brief, and I would sit through that and  
16 listen to that and then make an announcement, hey, here's all the  
17 pilots and aircraft I need to see.

18 There's also a briefing attendance log that's kept and if  
19 you're -- you have to sign that briefing log. If you want to  
20 perform, and that's always been made clear by the air boss, if you  
21 want to be in this air show, your name must be on this aircraft.  
22 For certain teams, like if you have an aerobatic team, you only  
23 need like the lead member could represent the team for that, but  
24 -- so after the briefing, they announce hey, the FAA's over here,  
25 if you need to see the FAA, go see them. And so we're up at the

1 front and whoever's name I called, I'm making sure that they come  
2 see me and if they don't come see me we'd go hunt them down and  
3 track them down. Also, after the briefing, and there's only  
4 sometimes a couple hours in there, I'm also checking that everyone  
5 who is on the list to perform sign that sheet, so I've got to go  
6 through and verify okay, who are we missing, who are we missing,  
7 maybe who got -- you know, who couldn't make it here for weather  
8 that day, and we did have a weathered-out day on that practice  
9 day.

10 And so there's some ramp checks we had to do, I think, the  
11 following day. And so that's where I start, is just who do I need  
12 to see because that takes quite a bit of time, and make sure I see  
13 everybody. And then my maintenance, my two maintenance guys were  
14 going out, it was raining that day, on the practice day, so they  
15 were going out ramp checking aircraft, having people come to me.  
16 After that, I typically like to walk the perimeter because I'm  
17 worried about spectators and access to the area.

18 So at an air show we have an aerobatic box, right, it's a  
19 defined area and that has to be fenced off, you can't have what's  
20 called nonessential personnel in that box. And so I typically  
21 like to walk the perimeter and just sometimes see what I can get  
22 away with, it depends. Like, if I see an opening, you know,  
23 because they -- if there's going to be spectators there, there  
24 should be security and even on a practice day, typically, you  
25 might have school groups coming out, it just kind of depends. So

1 I like to walk the full perimeter to see okay, is all the fencing  
2 up. If I see an opening, a gap, I actually, typically, will put  
3 my badge away and just try to walk through and see how far I can  
4 get and, you know, if there is an opening and just kind of see  
5 hey, where are some areas that, you know, kids and non-aviation  
6 people might try to get through.

7 We also have, you know, ramp areas with live aircraft and so  
8 I also want to make sure that those are cordoned off, especially,  
9 because a lot of my concern is for the non-flying public, just  
10 being aware, you know, when propellers are spinning, sometimes  
11 they're hard to see. And so I'm just checking all that stuff from  
12 the eyes of -- you know, I've got my own four-year-old son, okay,  
13 if my four-year-old son was here unattended because he got lost  
14 and away from me, where could he go.

15 And so those are the things I'm looking at. So kind of  
16 walking around the perimeter, but a lot of that time, it's taken  
17 up just finding the performers and making sure everyone has got  
18 their documentation. And then yeah, then just kind of getting set  
19 up beforehand and making sure we're all on the same page, maybe  
20 taking a little bit of a break before the performance starts.

21 Q. Okay. So the day of the event doesn't sound like it gets any  
22 easier for you, even if all the paperwork is perfect, sounds like  
23 it's probably your busiest part.

24 A. Yeah, it's --

25 Q. Is that a good assessment?

1 A. It's still busy. I think the busiest part is leading up to  
2 the event. Once I get there and I can walk the perimeter, once  
3 the air show starts, it's -- you know, I'm still walking around,  
4 but it's -- my part is I'm still there for surveillance but it  
5 definitely gets less busy once the event starts because then all  
6 the focus is on the air show.

7 Q. Okay. So let's go back just a little bit in that day, I know  
8 you're talking about the practice day and I assume the practice  
9 day, I'll call it a dry run of the actual performance day, but  
10 maybe there's differences, is it the same, is it different?

11 A. A practice run is typically very similar to the performance  
12 day. You might have different aircraft that are there, but it's  
13 basically a dry run, so I'll give a different air show example.  
14 At Alliance, when we used to have that air show, the practice day,  
15 they'd have a lot of school groups come in, so that's the day it  
16 was free for all the different schools to come in, so it's still a  
17 full-on air show, everyone still has to comply with everything,  
18 they just also use it as an opportunity just for different members  
19 of the public maybe to come in when it's not so busy.

20 Practice day, in my mind, is no different. There's still a  
21 waiver, they're still operating under their waiver, they still  
22 have the same, you know, restrictions, requirements, so as far as  
23 differentiation, it's no -- it's another air show, there's just  
24 not as many people there.

25 Q. Okay. All right, perfect. So the day of the event, we'll

1 just spring forward to the day of the event itself, you had said  
2 something about everybody has to sign in on the sign-in sheet.  
3 Let's say, hypothetically, of course, I was performing in that  
4 event and I didn't sign in. So if I don't sign in, does that mean  
5 I can still go perform, does that mean more work for you, you have  
6 to track me down and if you can't find me, what happens? Kind of  
7 help me understand, what if I don't sign in?

8 A. Yeah, if you weren't -- if you didn't attend the briefing,  
9 you don't perform, that's -- it's really cut and dry. And so from  
10 there, you know, I try to track people down, if I can, it's their  
11 responsibility to come see me, but I'm willing to go track them  
12 down, if I need to, just because I might get busy and maybe they  
13 tried to get a hold of me, but if I can't track them down I would  
14 coordinate with the air boss and say this aircraft isn't  
15 authorized to perform, so they will not be performing today.

16 And if they want to come find me after that and get done what  
17 they need to get done to be able to perform, that's fine, but I  
18 didn't have that issue that day, but if they are not at the  
19 briefing, they don't perform.

20 Q. Okay. So it's -- and please, correct any errors I have in my  
21 brain, is it then the FAA's responsibility to pull a performer if  
22 they don't attend a briefing or is that the responsible person's  
23 job, is that the air boss's job? Whose job is it if somebody  
24 doesn't sign in or attend the briefing, whose job is it to pull  
25 them?

1 A. A good question. My job is to make sure that everyone who's  
2 performing has the proper credentials. I'd have to look at our  
3 guidance, okay, who is the responsible person, the responsible  
4 person is responsible to make sure that everyone who is performing  
5 has submitted their credentials. So I would say it's kind of  
6 mutual, I would coordinate -- as the FAA, I can say no, you're not  
7 performing and they won't perform, it's pretty straightforward  
8 there, if they have not shown me the credentials.

9 So I'm going to coordinate through the responsible person  
10 because they're responsible for the waiver and responsible to make  
11 sure that everyone who is participating is in compliance with that  
12 waiver, that's -- I think it lists it in the special provisions,  
13 but we're going to work together on that one.

14 Q. All right. So you attend the briefing with the air boss, is  
15 that -- make sure I have that correct, right? You're in the  
16 briefing --

17 A. Yeah, I'm at the briefing, yes.

18 Q. Do you have any part in that briefing?

19 A. I'm just there to listen and make sure -- there is required  
20 items that have to be done during that safety briefing, that's in  
21 our guidance, so I'll kind of listen in on the brief and get a  
22 general idea, okay, what's going on, you know. Yeah, so I'm  
23 listening, make sure they cover those items and then I'm just  
24 there to also track down pilots afterwards, make sure everyone  
25 comes down. But no, it's -- the briefing is so everyone's on the



1 same page, right? So we've got emergency -- it's not just pilots,  
2 we've got the emergency crash, fire rescue, it gives us all a good  
3 feeling of okay, what aircraft do we have, is everyone on the same  
4 page, and are the required items covered.

5 Q. Okay. So kind of think back to the day of the event and that  
6 briefing, and I believe you said this was your fifth one for the  
7 season?

8 A. Fifth air show, yeah.

9 Q. Fifth air show for the season. How was that briefing  
10 compared to other briefings you'd seen that season, was it the  
11 same, covered everything, missed something, more detail? Kind of  
12 help me understand, compare what you've seen throughout that  
13 season.

14 A. Yeah. So I'll talk practice day and the day of. Day of, I  
15 coordinated with the air boss and my manager to be about 20  
16 minutes late, so I still came in and I coordinated, we had another  
17 guy there checking notes and I checked in with the air boss  
18 afterwards and confirmed okay, briefing's the same as the practice  
19 date, the only thing that had changed was weather, so that's the  
20 day of.

21 As far as typical briefing, to me, it was a typical briefing  
22 I'd heard before. This air show was a bit different than the  
23 previous ones, this is my first time working Wings Over Dallas and  
24 so this is what we would call a warbird air show, so it's a little  
25 bit different than what I've done before. As far as comparison to

1 other briefings that had been given, very similar format, I worked  
2 with the air boss previously, before, and it was a typical  
3 briefing going through the items that they were required to brief.  
4 The one thing that was different on this one from a lot of the  
5 other ones, most of the other air shows I've done, you typically  
6 just have kind of one act going at any given time, so you have an  
7 act go and they come back, act, go, you're kind of watching. The  
8 warbirds was a little bit different, there was the "Tora, Tora,  
9 Tora" act, was the first time I'd seen that, and that's an LOA  
10 act, we had multiple aircraft at the same time, so kind of getting  
11 my head around that.

12         And then they were briefing what I think he called the  
13 Arsenal of Democracy, where they had briefed very clearly this  
14 aircraft, this time they were going to be at this altitude, that  
15 was for what would've been the final act and that was a little bit  
16 different, to see that many aircraft up, but I don't know that  
17 that's not typical of a warbird. And so that's the only, the  
18 major difference; everything else was standard, what I'd seen  
19 before.

20 Q.    Okay, great. And forgive me, you just said something about  
21 there was altitudes given for the last run?

22 A.    Yeah, for the very -- very last act, I think what they were  
23 going to do is have the bombers and like all the different  
24 aircraft trying to fly over, the idea was to fly over at the same  
25 time and so they had gone in -- and I was there for that part of

1 the briefing, as well, on the -- on the day of, as well. And so  
2 they had coordinated a different altitude for each different  
3 structured aircraft, but that was for the last act. The accident  
4 happened before that act and so that was never -- that never  
5 occurred.

6 Q. Okay. Was that the only altitudes given during the briefing  
7 or were there other altitudes like okay, fighters, you guys will  
8 -- you know, here's your block altitude; bombers, here's your  
9 block altitude, whatever?

10 A. I don't recall any altitudes given prior to that. Typically,  
11 he would -- in past air shows, I've seen different sections break  
12 off together to do their own internal briefing, but I don't  
13 recall --

14 Q. Okay.

15 A. -- any others. Not for what was going on at that time.

16 Q. Okay. And no worries, I know it's been about a year ago, so  
17 I appreciate your recall you've gotten so far, it really has  
18 helped, so I appreciate that. So during the briefing, do they  
19 also brief if there's -- I'm always going to get the phrase wrong,  
20 but I'm going to call it passenger revenue flights occurring  
21 during the air show?

22 A. They did, they did talk about --

23 Q. Do they brief that at all?

24 A. Yeah, they did mention that because that was a little  
25 different on this air show, as well, I hadn't seen that in

1 previous air shows, and I had talked with another inspector who  
2 had worked this air show before, and the briefing that I recall  
3 from that one is that no revenue flights would happen during acts  
4 and so I remember the air boss saying if you're going to go out  
5 and do a revenue flight, you're going to be stuck out there until  
6 that act is over. And that is something that came up that --  
7 yeah. Yeah.

8 Q. For my education, what is defined as an act? Like, I assume  
9 "Tora, Tora" is an act --

10 A. Yeah.

11 Q. -- but is a flyby an act, is, you know, multiple airplanes in  
12 the same area an act? Kind of help me understand what is defined  
13 as an act.

14 A. I don't know that we have a definition defined for an act, so  
15 for me it's approved aircraft that have been approved to  
16 participate in this air show, you know, that have been ramp  
17 checked, because the ride aircraft we don't necessarily ramp check  
18 all of them; most of them had been ramped, but we don't  
19 necessarily consider them part of the act.

20 So I'm not looking for, really, any of the pilot certificates  
21 of the ride aircraft, the aircraft that are not performing in the  
22 show. And so for me, an act is any aircraft that is part of the  
23 show, whether they're straight and level, flying by or doing crazy  
24 aerobatics, they are part of the air show and I expected -- I  
25 expected that there would not be any ride aircraft at all

1 participating any time another act was going on.

2 Q. So I got to ask the tough question and I apologize, but I  
3 understand, and maybe I misunderstood, that there was a ride going  
4 on at the time of an act, near the time of the event. Did I  
5 understand that correct?

6 A. From what we saw on the pictures, as it came in, there was a  
7 -- I don't remember what type aircraft it was, it had like the old  
8 markings, it looked like it was part of -- it kind of even looked  
9 like it was part of the air show but, yeah, there is a picture of  
10 a ride craft landing during an act and that would not have been  
11 authorized.

12 Q. So was that -- maybe it's your opinion, I'll ask for your  
13 opinion, was that a surprise to you, in your opinion?

14 A. Looking back on the pictures, I was surprised to see that  
15 there. I didn't see it at the time, because when the accident --  
16 I did not see the actual collision occur, I was looking -- I  
17 remember looking straight out in front of me, so I must have been  
18 looking at one of the fighters.

19 Typically, as I'm sitting there, my concerns are okay, are  
20 the -- are they on the line that they need to be, are they at  
21 least 500 feet from the crowd, and so I didn't even realize,  
22 because obviously after that accident occurred, I didn't really  
23 even notice that other aircraft. And so looking back at the  
24 pictures, that was a surprise to me to see an aircraft on final  
25 while other airplanes were flying overhead. What we would look at

1 is nonessential personnel and essential personnel and it very  
2 clearly states that nonessential personnel stay outside of the  
3 aerobatic box. And so if there's a passenger in an aircraft, they  
4 are not essential personnel, they should not be anywhere near that  
5 box during that air show.

6 Q. Okay. And thanks, sorry to ask that kind of a question, I  
7 just kind of want to understand if that's something that you  
8 expected, didn't expect and all that, so I appreciate your answer  
9 on that. Let's fast forward just a little bit to the air show.  
10 Where are you typically located for air shows, are you meandering  
11 with the crowd, with the air boss? Kind help me understand where  
12 you, as the FAA IIC, is physically located.

13 A. Typically, I'm co-located with the air boss and on that day I  
14 was underneath the air boss, right there, he had like an air stair  
15 that he was using. Other air shows, we have a platform and  
16 typically, I'd be there. Some air shows, you know, just based on  
17 obstructions, I want to make sure that there are no nonessential  
18 personnel on the box.

19 So at Alliance, I might walk -- there's like a hangar that  
20 would obstruct my view from where other people could've been in  
21 the box, so like the Alliance air show I would leave the air boss  
22 stand just to kind of -- it could even be during like a single  
23 act, go take a look, all right, because I'll catch people in  
24 there, I'll catch pilots' wives and pilots' kids and stuff, it's  
25 constant "get out of the box" type thing.

1           And so I might walk away from the air boss in the interest of  
2 safety to kind of observe some things or if I'm taking a bathroom  
3 break or, you know, if it's an all-day thing, I might go grab a  
4 quick bite to eat in the area and kind of look at the crowds.  
5 Typically, most -- a lot of the day, I'm underneath or next to the  
6 air boss.

7 Q.    Okay.  And during the air show are you plugged in on the same  
8 frequency, are you plugged in with the air boss, in other words,  
9 or do you have any communication capability with the air show  
10 participants?

11 A.    No, that day I didn't have a radio with me, I was a plug-in.  
12 I don't talk to any of the pilots, I don't hear them, that's --  
13 that's the air boss's job, I don't have any experience as an air  
14 boss and that's their job to communicate with pilots.

15 Q.    So as the FAA IIC, you're not -- there's no requirement for  
16 you to be monitoring the frequency to, you know, do whatever you  
17 need to do, you know, to keep in touch with the air show that's  
18 going on?

19 A.    There's no requirement for me to talk to the pilots, no,  
20 that's -- like I said -- and I wouldn't want to, I don't have  
21 training as an air traffic controller or as an air boss, I don't  
22 have an LOA and so I would expect the air boss to do that.  And we  
23 do have some verbiage and guidance about having an extra radio for  
24 the IIC.  That day I did not have a radio.  Since then, I've  
25 started carrying a radio, but again, from our vantage point, most

1 of what I would see would happen after the fact. So if an  
2 aircraft is going to cross the 500-foot line in violation of, you  
3 know, of where they're supposed to be, I'm not going to see it  
4 until it happens, so by the time I even would be able to say  
5 something, it's -- it would not be part of my -- what I understand  
6 my job to be. I'm relying on the air boss to do their job, to do  
7 what they need to do with the aircraft because I don't -- I just  
8 don't have the training in that.

9 Q. Okay. If you saw something happen, whatever, do you have a  
10 way to communicate to the air boss? I mean, you said you were  
11 underneath him, so I assume he's up on the stand somewhere and  
12 you're on the ground, how do you communicate or do you ever have  
13 to communicate?

14 A. Yeah, I've communicated with them before. Typically, like --  
15 I'll give some examples. Rose City Airfest, you know, there was  
16 an aircraft that looked like it had kind of -- sometimes when you  
17 have really bad crosswinds, pilots can struggle a little bit and  
18 there was an aircraft that I felt like got a little bit over that  
19 line and with that same air boss, typically, by the -- typically,  
20 he sees it when I see it.

21 So I have that and in the future, where -- I'll look at him  
22 and he'll look back at me and he'll nod and he'll call them and  
23 tell them to make the adjustments. Thunder Over Cedar Creek, it's  
24 over a lake and so we constantly have boats that -- and people on  
25 jet skis that are trying to come into the box and so I'm looking



1 at that quite a bit and so I'm immediately going to -- typically,  
2 like for that one, I would talk to the fire rescue, who actually  
3 have radios to all the police officers in the boats and say hey,  
4 there's a boat coming this way, I need you to head it off. I try,  
5 I only communicate with the air boss, like if we need to break off  
6 something, so like on the Thunder Over Cedar Creek, we had a boat  
7 like go right in the middle of the box before the police even  
8 could get to them.

9 The A-10 was on its way, so I went over to the air boss and  
10 said hey, A-10's going to have to stop the show until this guy  
11 gets out of here. So that kind of stuff does happen, we'll stop  
12 the show temporarily and it will be me talking to the air boss  
13 right there for stuff that can be, you know, prevented for, like  
14 if it's going to be a recurring issue.

15 If there's something minor, if it's going to be a one-time  
16 thing, we do a debrief, we always meet after the show, we'll do a  
17 debrief on those items, but for something, if it's an act that I'm  
18 like okay, this could easily happen again right now, I'll  
19 immediately, you know, communicate with the air boss.

20 Q. Okay, perfect. My last little batch of questions, then I'm  
21 going to pass it on to Sabrina, because we've been going for a  
22 little while and you've got to be tired of talking to me, but my  
23 last little batch of questions is after the accident, what did you  
24 do?

25 A. So I was sitting there and the first thing -- I saw the

1 accident happen, the first thing I looked at was the air boss  
2 because he was up there, because we brief this, there's a couple  
3 things that are part of the emergency response plan and part of  
4 the briefing, they call it a "knock it off" and the air boss had  
5 briefed it in the safety briefing that day, if anything were to  
6 happen, we're going to call "knock it off," and so the two  
7 concerns that I had was, you know, is the air boss doing his job,  
8 calling the "knock it off" and our emergency personnel responded.

9       So there was a very, very brief pause, but he did a good job  
10 of getting the emergency personnel there, "roll the trucks, roll  
11 the trucks," I was watching him as he said that, and then I  
12 watched him as he called the "knock it off" because at this point  
13 I'm concerned for spectators on the ground and then I'm concerned  
14 for other aircraft still in the air and the air boss is  
15 communicating with him, he did, I thought, to be a good job  
16 getting the "knock it off" called.

17       And then from there, we just go with whatever is in line with  
18 the emergency response plan, and the emergency response plan  
19 called for someone to eventually pick me up near the air boss  
20 stand and to take me over to the command center. Now, that's what  
21 the emergency response plan called. So as far as what happened  
22 after that, there was already a preprogrammed recording and that  
23 was part of the emergency response plan, in the event of -- it  
24 could be anything, it could be inclement weather, it could be an  
25 accident, there was a preprogrammed audio that would go out to the

1 crowd to advise them what was going on, so that happened. And  
2 then my first action was to call our office manager and to get  
3 that going because at this point, there's -- while the emergency  
4 response is in play, there's really nothing for me to do, I would  
5 not go over to the accident scene at that point because I'm just  
6 going to be in the way, that's for the first responders to get in  
7 to -- ultimately, the first priority is to save lives and for them  
8 to react.

9       So I was watching all that to make sure that the -- you know,  
10 are the trucks rolling, they were, they were right there, very  
11 quickly. The first call I made was to our office manager, Luis  
12 Gonzales (ph.), just to say hey, this is what has occurred and  
13 from there we patched into the ROC, the Regional Operations  
14 Center, I'm not sure what -- Matt would know the name of that,  
15 it's the command center for all accidents because from there,  
16 that's what gets things rolling.

17       So we got that, they're asking me for information, I'm  
18 getting what I can at that point, still waiting near the air boss  
19 because the emergency response then said someone will come pick me  
20 up in a golf cart and I didn't expect it to happen immediately,  
21 and so I was on the phone with them coordinating that and they're  
22 coordinating whatever accident response needs to occur with the  
23 NTSB or doing what they need to do. From there, the office  
24 manager assigned me, initially, as the accident IIC since I was on  
25 scene. Typically, we would have a different IIC come into play,

1 eventually; that's going to take them a while to get there from  
2 their homes. So what happened after that, the golf cart came and  
3 picked me up, took me to the command center where I met with the  
4 different representatives of -- you know, fire, police, rescue.  
5 And so at that point, once we realized that their initial response  
6 was done, I took command as the FAA IIC and that's mainly  
7 preserving -- preserving the scene, kind of give instructions of  
8 what I needed to see done, photographing whatever they could  
9 because they hadn't an ability to photograph stuff.

10       Eventually, AVP-100, they assigned an IIC, Matt Rigsby there,  
11 and I started coordinating with him, but until he arrived, I had  
12 command of the scene and just started documenting what I could,  
13 taking pictures, making sure that everything was left undisturbed  
14 and that everyone pretty much stayed out of the area until --  
15 until NTSB and Matt Rigsby arrived. Once Matt Rigsby arrived, I  
16 turned over -- he became the IIC, I had them take my name and  
17 phone number off of everything at the command center and then the  
18 response continued under his guidance there.

19 Q.   Okay, perfect. And I know these emergency plans, you know,  
20 they're always put in place in hopes that they don't work, you  
21 know, aren't needed --

22 A.   Yeah.

23 Q.   -- but when they are, how did this one work, did it work as  
24 expected, were there areas that needed to be tweaked? You know,  
25 sounds like it was put into act, so let's -- you know, is there

1 something that needs to be done differently?

2 A. I mean, they've gone through a lot of their after action,  
3 I've not been a part of any of those after-action meetings just  
4 because of also I was tagged in as a party to the NTSB response  
5 and so I was very cautious not to share any other information for  
6 them. I thought the emergency response went really well, just  
7 that they actually sent a golf cart to me, they got me over to the  
8 command center, the fact that we had a command center was really  
9 impressive; that does not happen at every air show.

10 The coordination between all the different parties went well,  
11 I thought fire rescue and police worked well with me, as the FAA  
12 guy on the scene, you know, they were respectful and responsive to  
13 things I was asking them to do, cordoning off the scene.

14 They were right there when it happened, I mean, those trucks  
15 were there within 30 seconds or, you know, what it seemed. Of  
16 course, a lot was going on at that point. I thought the emergency  
17 response plan went really well in accordance with what was on  
18 paper and what they briefed and so I was -- I was pleased with the  
19 response to it.

20 Q. Okay, great. My last question before I pass off this round  
21 now to Sabrina, my last question is after the event, did you  
22 debrief with anybody or debrief anybody?

23 A. Did I debrief with anyone? I briefly talked -- let me see,  
24 Matt Rigsby, I would've talked to him because I was there until  
25 pretty late that night. The air boss was asking me if he needed

1 to stick around and I initially told him to stick around until  
2 Matt got there, you know, I did ask him what happened and his  
3 response, it's like I said, it's been a year, his response, from  
4 what I recall, is that the airplanes weren't supposed to be there,  
5 something like that, that's about all we talked about there. Who  
6 else did I debrief? We all got together, responsible person, we  
7 all met at the command center, as well, at that point, and decided  
8 okay, what's going on for the next day and the decision was made  
9 there's no air show the next day.

10 So there was that kind of small debrief, that was just kind  
11 of to discern, okay, what's going on next. After that, besides  
12 Matt Rigsby, I was kind of cautious who I chatted with about it  
13 because I was -- I came back the next day, ended up being on the  
14 ops team with the NTSB, mainly because I'm the air show kind of  
15 point of contact for our office, I've got the most experience at  
16 this point with air shows and so I didn't do much debriefing,  
17 outside of that working group, with anybody until well later on.

18 And even then, even later on, I was kind of cautious because  
19 I didn't want to share too much with any outside groups, I guess.  
20 So that's been a little bit of an interesting part of that. What  
21 else? But there were debriefs that went on but I was not a part  
22 of those as far as like the City of Dallas and all that kind of  
23 stuff, just because of my place, in this weird place and with the  
24 NTSB, as well.

25 MR. ETCHER: Okay, perfect. Well, I promised you that was my

1 last group of questions for this round, but before I pass it to  
2 Sabrina, we've been going about 50 minutes or so, do you need a  
3 bathroom break or a break of any kind or do you want to keep  
4 going? The choice is yours.

5 MR. SIMPSON: I'm good with whatever you all would like to  
6 do.

7 MR. ETCHER: Well, then I'm going to let you suffer through,  
8 I mean, educate Sabrina because she always asks the really good  
9 questions, so I will pass it over to Sabrina, thanks.

10 BY DR. WOODS:

11 Q. Thank you. I'm going to go backwards a little bit, and I  
12 hate to have you do that, but we try not to interrupt one another  
13 and so there are some things that Shawn had brought up earlier, so  
14 I just want to kind of go back and touch on a few extra questions  
15 I had.

16 He mentioned you being -- like how much it takes, how much  
17 energy and time it takes to collect all the information to clear a  
18 waiver for an air show and this in addition to your other duties.  
19 Have you ever been in a situation to where you've had to prepare  
20 for more than one air show at a time in addition to your other  
21 duties?

22 A. Not more than one air show. It is -- I mean, doing five air  
23 shows in a season was quite a bit, that last one, and I don't  
24 remember how much time I had to prepare for this one. You know,  
25 if I was ever sent to an air show that I didn't feel had enough

1 safety margin, I'd feel very confident and comfortable speaking  
2 up; I don't think I'd be forced into doing anything. But no, to  
3 answer your question, no, I have not had to prepare for more than  
4 one air show at a time while doing other duties.

5 Q. And seeing as to how it sounds, maybe five air shows in a  
6 season is normal for all of the inspectors in your FSDO, maybe  
7 not, it sounds like a lot. I recognize that you use the 8900 and  
8 you have that as your guidance, but being as seasoned as you are  
9 in this, is there anything that you collected in your own personal  
10 toolbox, like this is your personal arsenal of other tools that  
11 you have and if so, what are they?

12 A. Personal tools. I mean, I've got -- I mean, I've got notes  
13 from back when I was in training and really, every single time an  
14 air show comes up, I've got that guidance up and I use the  
15 National Aviation Events webpage, there's a webpage that has all  
16 -- all the special provisions and everything that goes into the  
17 waiver, I'll use previous waivers as a model just to see, you  
18 know, what's going on.

19 I always make sure that the guidance hasn't been updated and  
20 so, you know, I always make sure I update the guidance. The  
21 guidance I currently have is -- I mean, if you were to take a  
22 look, it's all marked up with comments and PDFs and it says,  
23 "start here" and then "this is what's required" and it's kind of  
24 my own checklist I'm going through. But yeah, there's so many  
25 details with it where I'm using that guidance as a template, I'm



1 using -- we have a FSDO checklist we go through, we've got our --  
2 I've got my folder of "to print," things to print and send out  
3 before air shows, so it's pretty well streamlined there, of here's  
4 all the documents that I want to send to the responsible person to  
5 get as much done beforehand, and then I've got my own checklist  
6 that I'm using that's -- it's on the national events page, the  
7 FSDO checklist. So between those things, it's mainly what I'm  
8 using outside of my own -- my own notes based on past experience.

9 Q. So you said that you go back and look at past waivers, we  
10 just recently learned that those are archived somewhere. Do you  
11 know, can you explain that archival process to me, how long do you  
12 guys -- how many do you keep, how long do you keep them for?

13 A. That would be under our -- whatever the FAA requirement is,  
14 I'd have to -- I'm not a hundred percent sure, I don't know if  
15 it's kept for a year or two years, there's a certain file system  
16 for how long those waivers are kept.

17 And then I might use different templates and so if I'm doing  
18 -- this was my first time doing Wings Over Dallas, but I've done  
19 like Thunder Over Cedar Creek, other air shows multiple times and  
20 so I'll keep some of those templates and then -- because the  
21 waiver itself is typically a really long Word document, let me  
22 just -- and so typically, the special provisions, the air show  
23 special provisions don't change; they can. The current list of  
24 special provisions is always published on the National Aviation  
25 Events page, so I'll use that initial template, that long Word

1 document that's however many pages, I'd have to look, and then  
2 I'll go through that and I'm changing dates, I'm changing times,  
3 and then I'm going through and double checking the published list  
4 of special and common provisions that are published by AFS-800 and  
5 then I'll double check if those line up with what I have and then  
6 updating names, so it makes it go a little bit quicker by having a  
7 lot of that ready to go and then verifying that everything is  
8 still all set up.

9 Give me one second to close my door here.

10 DR. WOODS: No problem.

11 (Pause.)

12 MR. SIMPSON: I'm working from home and I do have a small  
13 child and he just got back home with my wife, so I just wanted to  
14 lock the door and make sure they don't come in here, they can't --

15 MR. ETCHER: Understood.

16 MR. SIMPSON: Sorry. So yeah, so I do have templates that  
17 are helpful, which cut down on that time but it's still a process  
18 to go side-by-side comparison to make sure that everything in  
19 there is updated and they have changed; I have caught things that  
20 have changed, too.

21 BY DR. WOODS:

22 Q. And to be clear, did you develop those templates yourself or  
23 are they out somewhere that you can pull down, that's like this  
24 helpful website here?

25 A. So like all the special provisions in the air show, there's

1 common special provisions, there's air show specific, there could  
2 be something if you're doing a night air show, so those are all  
3 published, all those special provisions are published and from  
4 there they go into my -- the Word document. It's -- I don't know,  
5 I'm sure there's a published form in there, as well, that's  
6 probably a PDF, I just have one that's a little bit easier, a  
7 fillable one that's just a little bit easier to manipulate  
8 sometimes, that can be a challenge to manipulate it properly and  
9 so that's something that -- it's kind of been passed down, but I  
10 just make sure it complies with whatever that aviation events page  
11 puts out.

12 Q. Okay, so for the next few questions I'm going to rely on your  
13 experience. It sounds like you've not worked with this producer  
14 before, you had not worked -- prior to this event, you had not  
15 worked with Wings Over Dallas as a producer before, correct?

16 A. I had never worked with the Wings Over Dallas air show, no.  
17 This was my first time with Wings Over Dallas.

18 Q. So comparing to other producers of other air shows, how would  
19 you rate the experience? In layman's terms, I kind of have three  
20 categories and the categories are like "needs work," "there's some  
21 things they could've done better," versus "commensurate with  
22 everything you've experienced," or "they're above and beyond  
23 everything else you've experienced."

24 A. Can you define a producer, what do you mean when you say  
25 producer?

1 Q. The person who's producing the -- the group or the entity  
2 that's producing the air show, not the responsible person,  
3 specifically, but the person or the group that's producing the air  
4 show, in this case it would be Commemorative Air Force.

5 A. I would say it's on par with the other air shows I've worked.  
6 Let me see. They were pretty responsive in getting me what I  
7 needed, you know, as far as communication-wise, they were really  
8 good, because not all of them get me the pilot stuff and aircraft  
9 stuff in advance.

10 They were pretty organized with their list of who was going  
11 to be there and it was pretty clear that they had done this quite  
12 a few times. So over all, that was helpful and it's pretty on par  
13 with the other ones that have been going on for a while.

14 Q. Now moving to this air boss, because I know the air bosses  
15 can move around to multiple venues, had you worked with this air  
16 boss before? I think it -- I think you said you did, earlier.

17 A. I had worked with him at previous air shows, yes.

18 Q. So how would you rate your experiences with this air boss?

19 A. So outside of this air boss, I'm trying to think of what  
20 other air bosses I've worked with. I've only probably worked with  
21 one or two others, so it's hard to compare them. And so he was --  
22 everything, you know, per guidance, everything that I needed to  
23 see from him, I saw. I don't know that I could give you a great  
24 comparison with other air bosses just because I haven't worked  
25 with a ton of others outside of him, and the other shows that I've

1 worked with another air boss, that air show only had two aircraft,  
2 it was a small air show in the country, and so that's very  
3 different, right, than something like this and so I hadn't had any  
4 issues in the past with this air boss.

5 Q. So for the things that aren't captured in the guidance,  
6 things like interpersonal skills, interpersonal relationships, how  
7 did you get along with this air boss in all the times that you've  
8 interacted with him?

9 A. No, it was fine. We had -- he's professional, he was willing  
10 to -- if I saw something, he would typically -- like if I saw an  
11 aircraft cross the line before him -- he typically would catch it  
12 before me. If I ever mentioned something to him, he would relay  
13 it and so, you know, you tend to be pretty friendly and with a lot  
14 of the pilots and everything, he was kind of a more outgoing  
15 personality, if I were to look at personality traits. But he'd  
16 been in the industry for a while and all my previous experience  
17 with him had been nothing of concern.

18 Q. So moving forward to the air show itself and that morning  
19 briefing, Shawn talked with you over -- answered a lot of my  
20 questions about kind of what goes on, what the purpose of that  
21 briefing was, but again, the intangibles, how was the atmosphere,  
22 in your opinion, you know, was it -- were people paying attention,  
23 like what was the level of activity, what was the level of  
24 professionalism?

25 A. Yeah, I would say people were definitely paying attention. I

1 think the pilots take it seriously. He gave a standard brief, he  
2 would talk about -- you know, in all the other briefs I've heard,  
3 "if you see something unsafe, don't do it," you know, it's kind of  
4 how we always close it. But they go through the typical stuff,  
5 weather, everything, and no, I mean, people were quiet, attentive.  
6 Most of the briefings I would've been to, I mean, they're good  
7 about silencing their phones and that's something that's briefed  
8 beforehand.

9       And so it was a lot of people at that briefing, there was a  
10 lot more than -- probably the largest briefing I've attended for  
11 an air show as far as the number of people there. But no, it's  
12 quiet, people aren't talking, they're paying attention during the  
13 brief.

14 Q. You mentioned earlier that warbirds is kind of special, that  
15 you had not dealt specifically with them as part of a package  
16 before, correct?

17 A. That's correct, yeah.

18 Q. Is there any additional "above and beyond" guidance that's  
19 out there for dealing with these -- with this category of  
20 aircraft?

21 A. No, there is nothing specifically that talks about a warbird  
22 air -- we would use that terminology in the industry, I've heard  
23 other inspectors use it, a warbird air show, but there is no  
24 differentiation. The only thing we would have is, you know, an  
25 air show and then we'd have an air show with military performers,

1 so military jets, Blue Angels, your A-10, all the Air Force, that  
2 kind of stuff. So that's the only differentiation we would have,  
3 there's no differentiation for like a warbird air show.

4 Q. And granted, I understand that, unfortunately, an accident  
5 marred this air show process, but comparing another medium-sized  
6 air show that you've seen in the past to this one, did the  
7 execution of it differ at all or how did they differ, warbirds  
8 versus an air show that doesn't have warbirds in it?

9 A. So the air shows I've done besides this one would typically  
10 have one act at a time and so you'd have the one guy going up and  
11 doing aerobatics, then he would land, and then you'd have the next  
12 guy take off or maybe the other guy would take off and be out, out  
13 in the area until this guy was done landing, so it was very cut  
14 and dry of "this guy's performing, he's done, now this guy's  
15 performing."

16 Warbird was a little bit different, that you have more  
17 aircraft up, I would say like the "Tora, Tora, Tora," as an  
18 inspector, I don't know if -- if you know what I mean when I say  
19 the "Tora, Tora, Tora" act, right, it's a lot of airplanes that  
20 look like they're coming at each other and all that stuff; as an  
21 inspector, I was like wow, that's a lot of airplanes, but that  
22 does not happen in other air shows in that way. You might have  
23 other air shows where you have people doing formation aerobatics  
24 but again, it's like one group at a time and so the difference I  
25 would say with a warbird air show is you have different acts up,

1 who -- and again, they're not necessarily doing aerobatics, but  
2 you have different groups up doing things and that is different  
3 from all the other air shows I worked.

4 Q. So if there's no guidance specifically in the 8900 or any  
5 other guidance addressing that, from a safety standpoint, how do  
6 you prepare -- is there any way that you prepare differently? Is  
7 there anything extra that you're looking for, knowing that you're  
8 going into that kind of an air show versus an air show without  
9 warbirds?

10 A. When you say addressing that, what do you mean, addressing  
11 what?

12 Q. Is there anything that you look for differently, like hey, I  
13 got these warbirds, they're, you know, older legacy military  
14 aircraft, they're going to be -- they're not going to be the one  
15 show takes off and then lands, is there anything that -- just word  
16 of mouth or that you've learned that you should look for that  
17 isn't addressed in the guidance?

18 A. I don't think we would address anything differently, I mean,  
19 the main part I'm looking at, do the pilots hold the proper  
20 credentials, are the aircraft airworthy, you know, are the groups  
21 communicating, so you know, if they're flying in formation do they  
22 have a formation card, if they're not flying in formation, I don't  
23 know that there's anything that I would necessarily address  
24 differently, but that's just based on only -- only done -- I only  
25 did one air show with warbirds, so it's even hard to say and



1 that's -- once we start looking at policy, that kind of comes down  
2 from the policy division and I'm more on the ops side of enacting  
3 that policy.

4 Q. Understood. So from where you were located, I believe you  
5 said you were right underneath the air boss, did you feel you had  
6 a good vantage point of what was going on in the air box, were  
7 there any obstructions, how was your line of sight?

8 A. From where I was at, I was right underneath him, I mean, I  
9 had a decent line of sight. This box was a little bit different  
10 from other -- most boxes are a rectangle, right, this one kind of  
11 curved around and so for the aircraft, if they would've curved  
12 around, I wouldn't have been able to see the area well behind, but  
13 from my vantage point, for the acts that were going, I could see  
14 what I needed to see.

15 And again, I'm mainly looking for them, as they get close, to  
16 make sure they don't cross that line, that's what I'm looking for.  
17 Trying to spot an airplane way out in the distance or judge an  
18 altitude, that's not something that I'm even there to do.

19 Q. From your vantage point, and having attended the briefing and  
20 been part of the paperwork process, do you have an idea as to what  
21 the goal was at the time of the accident? What were the -- if  
22 everything had gone as it should have, perfectly, and there was no  
23 accident, what was the point there, what were they attempting to  
24 do?

25 A. I mean, I don't know that I could speak to that. So the air

1 boss is kind of controlling what's going on, and to say what was  
2 the goal, I mean, after the fact, we can see, listening to the  
3 audio and everything that happened, they were trying to do two  
4 flybys, have the -- have the fighters and then the bombers coming  
5 behind, but as far as like play by play, what's going on, I don't  
6 think that was specifically addressed in the briefing, "okay, at  
7 this moment, the fighters are going to come through here," I don't  
8 think that was necessarily briefed, to my recollection.

9 But as far as, you know, what's going on or who's coming  
10 when, you know, I have a schedule of events of what aircraft is  
11 going to be in the air, who's going to take off when, you know,  
12 when does this next act go, but as far as what's going on, I just  
13 don't have the expertise as an air boss to -- or even as a  
14 performer, I've never been an aerobatic performer, to say here's  
15 what the intention was, I think I'd have to leave that to the air  
16 boss to answer that question.

17 Q. And to be clear, so who is responsible for all of that? I  
18 use the word "choreography" because I'm a layman and I don't know  
19 what the proper word is, but who's responsible for that  
20 choreography that's going on in the air box, in the box?

21 A. Yeah, so you have the pilots who are doing what they're  
22 doing, then you have the air boss who's kind of the director.  
23 Again, I don't know all that goes into air boss training and how  
24 they define that, I'm not part of that guidance, that comes from a  
25 different division. I look at okay, do they have the proper

1 credentials. But as far as who's responsible, it's going to be  
2 between the pilots and the air boss, okay, what's going on at a  
3 given time.

4 Q. So moving to the accident has occurred, unfortunately -- I  
5 know that you were training somebody at this time. Was that  
6 person with you lockstep for all of the after-actions procedures  
7 or was there a time that you parted ways and he went somewhere  
8 else while you kept with -- working the accident portion?

9 A. So after the accident occurred?

10 Q. Um-hum.

11 A. Let's see. Right after the -- he was with me for that. I'd  
12 asked him to try to get some -- you know, if there were spectators  
13 that would have -- I knew we were going to have plenty of video, I  
14 wasn't worried. Typically, after an accident -- let's talk non-  
15 air show -- an accident, if I am an accident investigator, when I  
16 first arrive on scene, I'm seeing whatever witnesses are there  
17 because the aircraft isn't going to go anywhere, but people do, so  
18 I'm looking for witnesses and video.

19 This one I wasn't as concerned about witnesses and video  
20 because I knew we were going to have plenty, being an air show.  
21 So I did ask him hey, you know, get a couple people, make sure we  
22 get some -- I think get the contact information for the camera guy  
23 so we have some pictures. When the golf cart picked me up there  
24 wasn't room for him to be with me on that and so I went ahead and  
25 then he walked to the command center and then -- yeah, he was with

1 me for some of that part afterwards and then he ended up -- I  
2 think he departed, I think, before Matt Rigsby got there. He was  
3 not with me in the command trailer, he wasn't doing any of that  
4 part. Yeah.

5 Q. And I know you mentioned -- well, you touched on it a little  
6 bit when you were talking with Shawn, it seems like that  
7 transition between air show FAA IIC and now, all of a sudden, I'm  
8 transitioning to accident investigator, it sounds like it was  
9 fairly seamless for you, is that an accurate depiction?

10 A. It was. So even to do accident investigations, we have to  
11 have OJT for that, as well, right, so we also do aircraft accident  
12 investigations. So I'm a qualified -- we call them IICs,  
13 actually, for accidents, as well. So I was qualified for that, as  
14 well, and so that is still assigned from management and any kind  
15 of task we do is still assigned from management, so my first thing  
16 was yeah, call them, call the boss on the phone, what do you want  
17 to do, and it felt very, very seamless.

18 Again, we don't want to keep me necessarily as the IIC just  
19 because I'm also the air show IIC and so that was passed off to  
20 Matt Rigsby, but as far as, yeah, going from air show now to  
21 accident, it was quick and seamless.

22 Q. Going back to what you all have to do just as inspectors with  
23 all these head-ons, is it possible to have an inspector who's been  
24 thoroughly trained to be an air show IIC but perhaps has not been  
25 trained as an accident IIC?

1 A. Yeah.

2 Q. How do you -- I guess, how do you approach all of your  
3 training to be a full-up ground FSDO inspector?

4 A. So we've got something like, is it a hundred and 10 or a  
5 hundred and 15 OJT tasks that we do and all of those require Level  
6 1, 2, 3 and they're all documented on our -- we call it SAS, I  
7 forget what SAS stands for, it's all documented where you have to  
8 submit your Level 1 and get it signed by the trainer, Level 2  
9 signed by the trainer, and Level 3 signed by the trainer, it's all  
10 documented that way.

11 And so everything we do -- not everything, but the -- 90  
12 percent of the day-to-day common stuff or tasks, when I want to  
13 review a minimum equipment list, there's OJT for that. If I want  
14 to go issue this waiver, OJT. If I want to do surveillance at an  
15 air show, OJT. Everything is OJT associated, and guidance.

16 And so it would be possible to have an FAA IIC, who is  
17 qualified as an FAA air show IIC, not have OJT for accident  
18 investigation, I suppose that would be possible. And I would  
19 expect, if I had an air show accident, to have -- you know, if I'm  
20 qualified, I would respond right away but I would expect them to  
21 replace me just for a separate investigation to occur.

22 Q. And then kind of hinging on that, my last question is have  
23 you -- in your experience, have you ever had a situation to where  
24 you've had to go outside of your jurisdiction as a FSDO to go aid  
25 another FSDO in any of those capacities, is that something that

1 can even be done?

2 A. I assume it could be done. You'd have to ask, I don't know,  
3 I have never seen that. Our geographic area is quite large, we go  
4 north to Oklahoma, east to Louisiana border, south to Waco area,  
5 in the west to wherever the desert begins, you know, wherever  
6 Lubbock takes over, and so I wouldn't expect to be called for an  
7 accident outside of my jurisdiction and I haven't, but you'd have  
8 to ask, you know, management if they've had that happen before.

9 Q. What about an air show outside of your jurisdiction?

10 A. That, I've seen requests from other FSDOs requesting an IIC  
11 for air shows, certainly, that's very possible for -- if you have  
12 a FSDO who doesn't have enough qualified IICs for the air show,  
13 they would request an outside source from a different operation  
14 and we've had -- I've seen two different requests come through for  
15 that.

16 Q. So in that scenario, who is -- who's processing the  
17 paperwork?

18 A. I haven't done one. I would -- if I was going to be the ICC  
19 requested, I would process the paperwork and I would coordinate  
20 with the FSDO that needed that done, but I wouldn't want to --  
21 personally, as an IIC, I would want to see the paperwork before I  
22 just showed up and that's not going to happen, for me. But you  
23 have to ask, I don't know, it has not happened for me. I've seen  
24 the request come through and both of those involved issuing the  
25 certificate of waiver, the paperwork side, as well, but I don't

1 know if that's done everywhere.

2 Q. To your knowledge, is there anything prohibiting a situation  
3 where, let's say, a random FSDO, Van Nuys FSDO processes the  
4 paperwork but somebody from North Texas actually serves as an FAA  
5 IIC in an air show?

6 A. I'm not aware of that. There is some guidance that talks  
7 about if there's not an inspector available or what you would do  
8 and how you run that through, but I just haven't seen that  
9 situation, so I wouldn't have any knowledge of that.

10 DR. WOODS: Okay, fair enough. All right, thank you for  
11 that. I appreciate it, that's all I have.

12 Thank you, Shawn.

13 MR. ETCHER: Thanks, Sabrina.

14 Mr. Rigsby, sir, do you have any questions?

15 MR. RIGSBY: Just a couple. You guys have done -- covered  
16 every question that I had on my list, just about, so --

17 BY MR. RIGSBY:

18 Q. Back kind of to Sabrina's staffing issue, how many people in  
19 North Texas are air show IICs, Steve?

20 A. We've had some -- so like currently, as of like today?

21 Q. As of today, yeah.

22 A. Let me look at our inspectors, it would all be ops  
23 inspectors. We've recently had some inspectors move on. So let  
24 me look at my most recent list and see who is still here. All  
25 right, we've got myself, two, three, four, five, six for sure,

1 maybe a seventh that would've been recently trained. We have two  
2 other guys in training, so I would say we definitely have one,  
3 two, three, four, five, six for sure, maybe a seventh as of like  
4 today.

5 Q. Okay. And can they be ops inspectors or maintenance  
6 inspectors as an air show IIC?

7 A. It's only ops inspectors, as far as I know. I've never seen  
8 a maintenance inspector be an IIC and I think it would only be  
9 ops, I want to use that word "think" --

10 Q. Okay.

11 A. -- because I'm not a hundred percent sure, but I think they  
12 are all ops inspectors just because of what goes into -- into  
13 that. I'd have to look at the qualifications and the guidance.  
14 Let me see.

15 Q. How many ops inspectors is your office assigned?

16 A. As of now, as of today?

17 Q. Yeah. Actually, positions. Not the number, total number of  
18 inspectors, but how many your office is allowed.

19 A. I'd be fully speculating what I hear from the murmurings of  
20 other inspectors, so that would be a good question for management,  
21 I don't know how many that we have assigned. I know that we could  
22 use more, so if you know anybody.

23 Q. Okay. At that safety briefing, do you recall the air boss  
24 calling out any specific altitude separations or anything like  
25 that?



1 A. The only specific altitude separations I recall was the final  
2 act and that was really clear where they were going to stack, you  
3 know, the B-29, all these different multiple aircraft, and he  
4 titled that the "Arsenal of Democracy," I remember that, and there  
5 was very specific altitudes for what -- where each airplane would  
6 be for the very final act for everybody coming over at the same  
7 time. Prior to that, I don't recall any other -- any other  
8 altitudes briefed. But again, there may have been, but I don't  
9 recall.

10 Q. And as I recall, this -- is this the first Wings Over Dallas  
11 you worked?

12 A. This was the first time I'd ever worked Wings Over Dallas,  
13 yes.

14 Q. Do you have the ability to stop the air show if you see --

15 A. Yeah, if I see a major safety concern, I can go over to the  
16 responsible person or air boss and stop what's going on, and I've  
17 done that before, like I said, at Thunder Over Cedar Creek when we  
18 had a boat that was just very clearly well into the box and we  
19 weren't going to get him in time before the A-10 came back.

20 I went over to the air boss and said hey, we need to knock it  
21 off, and I think we even used the words "knock it off" and so he  
22 just vectored the A-10 out of the way, so that would be an  
23 example. When I see something that's clearly in the box, a small  
24 air show, again, a different air boss, we had some pilot who  
25 wanted to take their kid into the box because he was a -- so it

1 was a fireman, and I went over to the air boss and said hey, we're  
2 waiting until this guy gets out of the box. Same issue at  
3 Alliance air show, I had -- who was it over? It was the  
4 Thunderbirds, they wanted to bring some -- they wanted to bring  
5 some new recruits into the box right over the -- right over where  
6 the guys are going to be flying over.

7 Both the air boss and I actually had a little bit of a  
8 confrontation, "this act is not starting until these people leave  
9 the box." So I do have that authority of either hey, delay them  
10 or we're going to wait, so we can cross our arms and nothing can  
11 happen until this happens, so I do have that authority, yeah.

12 Q. Okay. How many air shows have you worked this year?

13 A. This year, I've only done one. I did one at the very  
14 beginning of the year and that's mainly because of availability.  
15 I think the July one, the two I normally work there, I was out on  
16 vacation, and the other ones, they've just been to different  
17 inspectors.

18 And I told them last year five was a lot and so I said let's  
19 share the load a little bit more this year. I also became a  
20 principle operations inspector this year, so that has additional  
21 demands and so it keeps me a little busier and so -- yeah, I've  
22 only done one this year.

23 Q. How many certificates do you manage individually?

24 A. Right now, I keep it -- it feels like that changes every --  
25 changes every so often. Right now I've got one, two, three, four

1 permanent 135 operators and two temps. I got four 137 operators,  
2 but they don't really take any of my time. I've got three 141  
3 operators, seven DPEs. I was the air show PSE and I still  
4 technically am, but I'm moving over to the DP focal, so I'll start  
5 taking over responsibilities for designees, so yeah.

6 Q. When you were -- were you on the job that Saturday of the  
7 accident, you were getting paid?

8 A. Yes.

9 Q. Okay. Can you work an air show on your own time?

10 A. No, it's -- all of that is management side.

11 MR. RIGSBY: Okay. Okay, thanks, Steve. No questions.

12 MR. SIMPSON: Okay.

13 MR. ETCHER: Thanks, Matt.

14 Mr. Heath, do you have any questions, sir?

15 BY MR. HEATH:

16 Q. Just a couple, Stave. Thanks for all the detail that you're  
17 providing, really, it does make things pretty clear and we've got  
18 a lot going on. So you talked about securing the physical part of  
19 the airport, make sure that that's good and conforms to what was  
20 planned ahead of time. You also mentioned looking at the  
21 qualifications for the performers and you talked about their  
22 certificates and you mentioned the SAC card, what is that SAC  
23 card?

24 A. A SAC card, it's a Statement of Aerobatic Competency, and so  
25 if someone wants to do aerobatics, they have to have a Statement

1 of Aerobatic Competency, so our office will issue SAC cards. What  
2 those typically look like is they'll go through ICAS and so if  
3 someone wants to have -- to do aerobatics and have a SAC card  
4 issued, it goes through ICAS. They have their own, what we call  
5 aces that will do the evaluations; those aces will make a  
6 recommendation through ICAS, Dan Hollowell is the name I see on  
7 there.

8       Those recommendations will be sent to the FSDO and for that,  
9 I'll do a SPAS check of the airman, just make sure that there's  
10 nothing concerning, no pending revocation or enforcement action or  
11 history and then pretty much as long as that ace has signed off on  
12 it, then I will -- I'll even provide an example card, this is what  
13 this person should be issued.

14       So I kind of just double check, I'm kind of the middleman to  
15 double check, okay, is everything in line here and then I'll issue  
16 a SAC card based on the recommendations from ICAS. Every once in  
17 a while I'll see somebody on the paperwork and I'll get  
18 clarification, like I just had one where the boxes didn't seem  
19 like they were all checked and we'll send it back and say hey, I  
20 need more information, but most of the time it's pretty well laid  
21 out from ICAS. International Council of Air Shows, ICAS.

22 Q.   Right. Okay, thank you. So then you're familiar with the  
23 card because it does come from the FAA, I didn't -- I didn't know  
24 who issued that, if it was ICAS or the FAA, based on ICAS  
25 recommendations. So it's not just a card, it has different levels

1 sort of like a pilot's license, you know, you can get commercial  
2 or private or ATP, different categories and that sort of thing.  
3 So there's restrictions on those SAC cards, also, is that right?

4 A. Yeah, there would be certain aircraft that are on there,  
5 there will be -- there will be certain expiration dates per  
6 aircraft. You can do -- there might be something for like single  
7 aerobatics, or solo aerobatics, I think they want to call it,  
8 versus formation aerobatics, all the -- there's different levels  
9 of things that they are authorized to do in the aerobatics realm.

10 I think they used to have circle the jumpers, they might have  
11 wing walkers -- I don't know, everything that's on there, there's  
12 a whole list of stuff, I could bring an example one up.

13 (Audio feedback.)

14 BY MR. HEATH:

15 Q. -- that's okay, I just -- who -- is there anybody that  
16 polices -- so you talked about you make sure that the ground is  
17 clear and that if anybody encroaches on the aerobatic box or the  
18 ground lines of safety and things like that, that you're kind of  
19 watching that during the air show.

20 Is there anybody that watches the performers themselves to  
21 ensure that they're not exceeding the requirements or the  
22 restrictions on their SAC cards? Or is it sort of -- I guess it  
23 could be self-policing, also, or the honor system, but I don't  
24 know how that works.

25 A. So when they first submit their documentation, yeah, you

1 know, that will be part of that form as what are you going to be  
2 doing, what kind of flying are you going to be doing, and it's  
3 pretty clear, you know, if I see a B-29, I'm not expecting to see  
4 a SAC card from the B-29 pilot, right? Or I start looking at the  
5 sporty aircraft doing aerobatics, you know, if it's a P-51,  
6 something that could do aerobatics, that's what I'm really -- I'll  
7 be looking and that's based on just experience, you know,  
8 experience with the type of aircraft.

9 But those are some of the questions as pilots are coming up,  
10 what type of show are you going to be doing and then making sure  
11 that they have the appropriate, you know, card or whatever to do  
12 that kind of thing. And so for the formation guys, I'm looking  
13 for their formation card, for the aerobatic acts, I'm looking for  
14 that kind of stuff.

15 I'm trying to remember, on this one, the aerobatics. I know  
16 we had the Trojan -- it was the Twisted Texan Trojan Flyers, I'm  
17 trying to remember who else was aerobatics. Yeah, we would just  
18 go through and double check. And that's -- yeah, it's asking  
19 people what are you going to be doing at this air show.

20 Q. Okay. Are you familiar with like the difference between  
21 standard formation maneuvering and dynamic maneuvering, do those  
22 ring a bell at all, do you ever get to that level of detail?

23 A. Yeah, that gets into the -- that's part of our guidance and  
24 it's even involved in the waiver where it starts talking about  
25 standard formation. There's a chart on that, that's in that

1 waiver that kind of defines everything. And I don't have it  
2 memorized just because it's been a while since I've gotten into  
3 that. Dynamic is something, it's like an over 60-degree pitch or  
4 something like that and then, what is it? Standard formation is,  
5 yeah, less than 45-degree pitch or -- yeah.

6 BY MR. HEATH:

7 Q. Yeah, it could be crossing maneuvers, formation, split-ups, I  
8 mean, there's a lot of things that get involved in that and I  
9 didn't -- I was just wondering if anybody -- if there's anybody  
10 that you would expect to police that sort of thing or again, if  
11 it's sort of on the honor system where the pilots know what  
12 they're supposed to do and comply with that, that's all.

13 It's not -- if you don't know the answer, it's not a big  
14 deal. You know, from my perspective, I'm interested in making  
15 sure that our pilots know what their responsibilities are, so I'm  
16 looking at it from that regard.

17 A. Yeah, that's going to be the aerobatic pilots that are doing  
18 that and then I'll be looking at their different cards, what  
19 they're doing, but they should know and it's in the -- it's very  
20 clearly spelled out in the waiver. If I even -- I've got the  
21 special provisions and each one has access to the waiver, they all  
22 say when they sign that that they are aware of everything they're  
23 doing. And there's a chart, it's Special Provision Number 6, 7?  
24 Six. And it has all -- there's a whole chart there. So your  
25 pilots, if they're an aerobatic pilot, they should know and if

1 they -- when they get their SAC card, that would be very clear  
2 with the ace what they're allowed to do and what they're not  
3 allowed to do. You know, whether if they're flying a 46-degree  
4 pitch versus 45, from my vantage point, it's going to be pretty  
5 difficult to tell that, you know.

6 MR. HEATH: Okay, thank you. Appreciate that. I don't have  
7 any other questions, I appreciate again all the detail you're  
8 providing and it's great, thank you.

9 MR. SIMPSON: Absolutely.

10 MR. ETCHER: Thanks, Bob.

11 Steve, breathe a sigh of relief, you've made it through Round  
12 1, we only have 16 more rounds to go. No, I'm just kidding. But  
13 we always have two rounds, the second round is always super quick,  
14 it's just usually follow-up questions, if you will, or other ones  
15 that popped into our head. Are you doing okay to continue or do  
16 you need a break?

17 MR. SIMPSON: No, I'm doing just fine.

18 BY MR. ETCHER:

19 Q. All right, perfect. Literally, you have given me so much  
20 information, I think it's all oozing out my brains now, but I do  
21 appreciate all the info. I have literally six questions left that  
22 came up in my brain, so sorry, they're going to be a little  
23 jumbled, there's probably no real rhyme or reason to them, but  
24 during the preparation for an air show, does the air show, I'll  
25 call it organizer, coordinator, whatever, do they do tabletop



1 exercises for their air show and if so, are you, as the FAA,  
2 involved with those?

3 A. It depends. So like with the military teams, they'll do a  
4 seasonal meeting prior with whoever's coming in. They will do  
5 tabletop exercises, I'm not necessarily always there for those.  
6 The main thing I'm looking at is they are supposed to do like a  
7 simulated emergency to show that they can get to a location within  
8 one minute and -- on an airfield.

9 And then there is some leeway in the guidance where that  
10 could be for various factors, a tabletop exercise, and so I think  
11 in this air show they did a tabletop exercise for the ERP going  
12 through stuff, and they sent me a copy of that and I have that.  
13 We elected not to do the actual dry run of the simulation,  
14 simulated emergency. A lot of air shows, I say "okay, air boss,  
15 call emergency" without anybody knowing, like during the practice  
16 day, because we want to see if the -- you know, if the fire  
17 department is suited up and if they can actually get there within  
18 a minute, right?

19 However, with the -- with this air show, the practice day was  
20 really rainy and due to the conditions, we were worried about a  
21 fire engine getting stuck or really mucking up stuff and then you  
22 also have the added risk of tracking mud onto the runway and  
23 taxiway after going into like the grass somewhere, or going over  
24 it, so we elected not to do that and so that was considered a  
25 tabletop exercise, just -- it was more of a check in the radio,

1 you know, check in on -- you know, make sure they responded  
2 immediately type stuff. But yeah, they did do a table-top  
3 exercise on this one for emergency stuff.

4 Q. Okay, perfect. And I know you said the day before was rainy,  
5 how was the weather the day of, from the other air shows you've  
6 done?

7 A. If I recall, I think it was a -- it was a little cooler out  
8 and I think it was a beautiful, clear day. I don't remember  
9 having any altitude restrictions or rain that day. Practice day  
10 was rainy, cancelled out, but the day of was fine; it was clear  
11 skies, if I remember correctly.

12 Q. Okay. And being clear skies, you have that big orange ball  
13 that, living up in the north, we don't always see in the winter,  
14 but that big orange ball called the sun, was that -- did that  
15 hinder any of your vision during the air show, was it -- you know,  
16 as you turned, did it hit you in the eyes and you couldn't see  
17 something?

18 A. I just don't recall, it's a year ago. I mean, I don't  
19 remember it being an issue, but I'm always wearing a hat and  
20 sunglasses just because of being out in the sun, but I don't  
21 recall.

22 Q. Okay, no problems. I know, it's been a year ago and it's --  
23 I couldn't even tell you what the weather was here yesterday, so  
24 no worries. I know you have said several times, when you were  
25 talking to me and Sabrina, that you have notes in your 8900, start

1 here --

2 A. Yeah.

3 Q. -- to help you. Do you share that with those that you train  
4 or others in your office or others within the FAA? You know,  
5 obviously, you got experience. Are you able to share that with  
6 others and how does that work?

7 A. Yeah, when I'm training, if I have a new person come in and I  
8 share my PDF that has all those little comments on the side and  
9 every single training I do, I always tell them make sure you're --  
10 you can save this, but before you use it, go into DRS, which is  
11 our system that houses all the current documents, make sure that  
12 that data top matches the current guidance before you use it, and  
13 that's in the training I do.

14 But I very much encourage people, download the PDF, mark it  
15 up, especially for air shows, because there's so much that goes  
16 on, right, you mentioned that before, and so I do share that with  
17 other inspectors with the caveat of make sure you have the most  
18 current guidance and it hasn't -- the one I have right now is from  
19 October 2020, it's current and, you know, I have to check as of  
20 today if I do have other air shows, but no, it's pretty current --

21 Q. Okay.

22 A. -- and I will share it.

23 Q. Perfect, thank you for that. At air shows there's planes in  
24 the air, lots of planes, in my -- is what I visualize. Have you  
25 ever been doing an air show where the air boss has some kind of an

1 electronic means, I'm going to say poor man's radar or whatever,  
2 to keep track of the planes that are in his -- in that airspace or  
3 is it strictly visual, keeping an eye on everybody?

4 A. I've never seen them have like a radar screen. I did one air  
5 show, the air show I did earlier in the year, there was a  
6 different air boss who had a screen, but that was mainly to look  
7 for encroaching traffic, non-air show traffic like TFR violations,  
8 but again, that's going to be data that's delayed, right?

9 I would never -- I have not seen it, I don't know what they  
10 do at Oshkosh, but I would be surprised to see something as  
11 sophisticated as a radar to do live tracking because they're not  
12 up in a control tower, I would be surprised to see that. I have  
13 not seen it.

14 Q. Okay. No, and that's --

15 A. I don't know.

16 Q. And that's perfect, you haven't seen it, it makes sense. So  
17 how --

18 A. Yeah, if it does exist, I'd be concerned about updated data,  
19 not using some like online, you know, ADSB tracking because I  
20 would be concerned about a 10-second delay, which is a big  
21 difference.

22 Q. So do air bosses, do they all like just have really good  
23 eyesight to keep track of everything, do you see them pull out  
24 binoculars? I know you've been to a lot, I'm just -- and you're  
25 not an air boss, I know, but you've been to a lot, I'm just trying

1 to figure out how people keep track of all this.

2 A. Yeah. I have not seen binoculars. The military guys -- so  
3 an air show with a military team like Blue Angels, they have their  
4 own people that take over and are the controllers, so the air boss  
5 no longer has control, right, it's the Blue Angels guy, they will  
6 have binoculars. I've seen those guys use them, but I don't know  
7 that I -- I don't recall ever seeing an air boss use binoculars  
8 because I wouldn't expect them to be up in a tower, it's just a  
9 different line of sight, so no, I have not seen it.

10 Q. Okay, perfect. An air boss produces a schedule of events in  
11 the morning briefing, right, and he -- I guess he gives it out or  
12 at least puts it up so everybody knows where they're going to be  
13 in a sequence, how detailed is that schedule of events?

14 A. It's not -- it typically just has what act and when they're  
15 going, so I always keep those and I upload them into our file  
16 afterwards. So typically, it will just have the start time and  
17 that's part of the briefing, it has to have a schedule of events,  
18 it's something that has to be passed out to everybody and they  
19 sync clocks and everything.

20 I'm trying to look at what the schedule of events looked for  
21 this one. Typically, it's a time and then this act, the time --  
22 it's pretty straightforward to have the frequencies on it, from  
23 what I've seen, but it's time based and what they're trying to do  
24 there is brief, okay, "hey, this is what time you're entering the  
25 box," so if you're coming from somewhere else or if you need to

1 take off or whatever, plan your time around that and they'll brief  
2 that, but it's pretty basic, it just has a time/act is what I  
3 normally see.

4 Q. And I apologize, you said it has its frequencies on it, are  
5 they using more than one frequency for an air show?

6 A. It depends. So you'll have maybe a primary frequency, you  
7 might have like a frequency if they're going to be going somewhere  
8 else, you know, like hey, if you're going to depart, here's  
9 another frequency. The one I have had the primary frequency and  
10 there's two other frequencies on it, I don't recall what those  
11 are, if those were backup or there were discrete frequencies.

12 They might have like a tower frequency as a backup, hey, you  
13 can't get a hold of me here, try me here. And so they'll just  
14 have hey, this is the one frequency we're all going to be talking  
15 on.

16 Q. Okay. And in that schedule of events, I know you said it's,  
17 you know, time/acts of here's when you're taking off, this act or  
18 whatever, is there any more detail like, you know, this act,  
19 you're going to take off at this time, you're going to fly out, do  
20 a 270 or -- I'm sorry, a dog bone back in, fly again, you're going  
21 to do four passes or whatever, is there any kind of detail like  
22 that or is it just strictly time/acts, here's your time slot,  
23 here's your act that's going up?

24 A. Yeah, from what I've seen in the past is this is what time  
25 you start performing, and so I haven't seen the detail of this is

1 what time we're taking off because that varies, right, and the air  
2 boss, I don't know that I would necessarily expect to know it. So  
3 some air shows, like over the water, like when I do the Thunder  
4 Over Cedar Creek, for example, they're coming from a different  
5 airport, sometimes two different airports.

6 So we'll all meet together at the airport that morning and it  
7 will be like I need you over the lake at this point and then  
8 they'll -- in the briefing, they'll have this is where you're  
9 going to hold, and there will be a map of I'm going to expect you  
10 to hold in this area until I call you in and so that will all be  
11 part of the briefing, but that won't be on the timesheet, no.

12 Q. Okay, perfect. And my last question, and then I'll let  
13 Sabrina go in case she has any, during an air show, you know, I  
14 know when you're on-air traffic control or pilots flying VFR, you  
15 know, separation, who's responsible for separation of aircraft.  
16 In an air show is there any regulation, any guidance, any --  
17 anything of who's responsible for separating aircraft during an  
18 air show, is there any guidance that you're aware of or any  
19 guidance that you can point to?

20 A. For separation of aircraft, that verbiage I have not seen.  
21 The only verbiage I could go back to is from our guidance and it  
22 says, "air boss has operational authority delegated by the  
23 responsible person." I'm just reading straight off our guidance  
24 because I suspect you might ask that question. Do you want me to  
25 read verbatim?

1 Q. Sure, go for it, that would be great.

2 A. This is what I can tell you about what the air boss's job is  
3 per our guidance, it says, "The individual who, under operational  
4 authority delegated to him or her by the responsible person, has  
5 primary responsibility for control of air show operations (does  
6 not include transit or non-participating aircraft) on the active  
7 taxiways, runways, and the air show demonstration area for  
8 coordination with the jurisdictional air traffic control facility  
9 and the IIC while a certificate of waiver and associated Class D  
10 NOTAMs or a temporary flight restriction is in effect.

11 Air bosses are responsible for the documentation of  
12 procedures between ATC and the air boss, establishing the  
13 transition of airspace control of participating and non-  
14 participating aircraft. The air boss is delegated the primary  
15 responsibility for preparation and presentation of a daily  
16 participant safety briefing." So that's verbatim of what the air  
17 boss's definition and responsibility is.

18 Q. And forgive me, I was listening to you as you were doing it  
19 and I don't hear anything in there that says the air boss, you  
20 have to keep airplanes separate, but am I missing -- I mean, I  
21 know they're responsible for the airspace, but that's about it,  
22 right? In your opinion.

23 A. I don't have any past experience with issuance of the air  
24 boss LOA, I don't know the guidance or what it takes to become air  
25 boss or the guidance of issuing -- we don't issue the LOAs for air



1 bosses out of our office, I just make sure they have the right  
2 credentials for the different air shows they're doing and so I  
3 would ask -- you know, I'd say, recommend, talk to AFS-800. It's  
4 one of those, you know, the people that actually issue LOAs,  
5 because I think they'd be able to answer that question, but for my  
6 guidance, I don't see anything that says anything about separation  
7 of aircraft.

8 MR. ETCHER: Okay, perfect. I promised you that was my last  
9 question, so let me ask Sabrina if she has any questions.

10 Ms. Sabrina.

11 BY DR. WOODS:

12 Q. Yeah, I just really have one question only because you  
13 mentioned earlier like you send off an e-mail to ICAS, what is  
14 your level of involvement or interaction with ICAS, is that -- do  
15 you guys interact with them on a routine basis or is it only just  
16 every once in a while?

17 A. Yeah, it's only -- so that was in regards to issuing of the  
18 Statement of Aerobatic Competency, that SAC card is what that  
19 comment was made in regards to. So no, I don't -- I don't  
20 correspond with ICAS hardly at all, it's only when we'll get a  
21 request in from our office, ICAS will send the request to our  
22 office management of hey, we have this airman, he's demonstrated  
23 aerobatic competency with one of our aces, we recommend for  
24 issuance of this SAC card. And then that's -- it's a letter and  
25 then the form and then an example card of what it should look like

1 and then we would issue it, send that card to the airman and ICAS,  
2 as they request to be copied in on that. But no, I don't interact  
3 with ICAS hardly at all, except for just looking at that paperwork  
4 that they submit.

5 Q. If you ever -- given that you don't get involved with the LOA  
6 process for an air boss, if you ever had a concern about an air  
7 boss, what would you do, who do you take that to?

8 A. We have an aviation event specialist, I mentioned them  
9 before, Eric Stout is ours for our office, assigned to our office.  
10 Anything to do with air shows that I'm uncertain of, I would go to  
11 him, so I would take it up to Eric Stout because he's in that  
12 division that -- and if he's not the person to deal with it, then  
13 he would point me in the right direction, but that is -- off the  
14 top of my head, that is who I would go to.

15 DR. WOODS: All right, yeah, that's -- I'm easy, that's it,  
16 that's all I have. Thanks, you've been great, I mean, you're very  
17 detailed in your answer and it fills in quite a few holes for us,  
18 thank you.

19 MR. SIMPSON: Absolutely.

20 MR. ETCHER: Thanks, Sabrina.

21 Mr. Rigsby.

22 MR. RIGSBY: Hey, Shawn.

23 Thanks, Steve, I really don't have any follow-up. You've  
24 answered plenty for us, so I thank you for that.

25 MR. ETCHER: All right, thank you.

1           And Mr. Heath, any last questions?

2           MR. HEATH: No, I don't have any other questions, Steve.  
3 Thank you very much, as I mentioned before, we appreciate your  
4 detail and clarity. Very good job, appreciate it.

5           BY MR. ETCHER:

6 Q.    You made it through all of us, so I appreciate it, just like  
7 they all said, thank you so much for the detail, the education you  
8 gave me. I know we went a little bit over, but I'm always fearful  
9 that -- you know, we ask a lot of questions, but we might have  
10 missed one and you're like man, if they just asked about this, it  
11 might help them. Is there anything you can think of or thought we  
12 were going to ask that we didn't that we should have?

13 A.    Nothing off the top of my head.

14           MR. ETCHER: Okay. Well, again, I thank you a ton, I can't  
15 thank you enough, but if you come up with something like oh, maybe  
16 you guys should look at this, I know your representative, he knows  
17 -- sadly, he knows how to get a hold of us, so does Mr. Rigsby.

18           Don't hesitate, reach out, let us know because, you know,  
19 everything we can do to keep this from happening again is our  
20 ultimate goal, so -- but with that, I will call this concluded at  
21 12:26 Central time and again, thank you so much.

22           MR. SIMPSON: Thank you.

23           MR. RIGSBY: Thanks, Steve.

24           (Whereupon, at 12:26 p.m., the interview concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION AT WINGS OVER  
DALLAS AIR SHOW AT THE DALLAS  
EXECUTIVE AIRPORT IN DALLAS,  
TEXAS ON NOVEMBER 12, 2022  
Interview of Steven Simpson

ACCIDENT NO.: CEN23MA034

PLACE: via Zoom videoconference

DATE: October 4, 2023

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



\_\_\_\_\_  
Karen D. Martini  
Transcriber

**FAA Inspector Jiminez Statement**

Mr. Rigsby,

The following is my account of the details of the mid-air collision accident on the airshow Wings Over Dallas on November 12, 2022.

I was the inspector in training surveillance on my 3<sup>rd</sup> airshow (per guidance to become an IIC of an airshow) with Inspector Stephen Simpson as the IIC of the event.

We were sat close by to the Air boss (Mr. Russell Royce) and I was looking south for the incoming traffic on the northbound, at this moment I saw the P-63 turning base to final at high speed towards the B-17 and impacted on the tail of the B-17, subsequently the rest of the B-17 impact in flames on the ground 2-3 seconds after.

Immediately I told Inspector Simpson what happen and he started the investigation protocol, meantime I was collecting all the information available at that moment for future investigation (pictures, load manifest, N numbers, etc).

First responders arrived at the scene almost immediately after the crash and extinguish the fire in a few minutes. All aircraft were diverted to alternates as per safety briefing and no further incidents were noticed.

After the scene was secure Inspector Simpson and I moved to the accident scene and started to take pictures of the debris.

I was released from the investigation by my office manager Mr. Lewis Gonzales at 17:30.

Please let me know if you need any assistance on my part.

Respectfully,

Miguel Angel Jimenez Perez  
FAA Aviation Safety Inspector

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

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FATAL COLLISION AT WINGS OVER  
DALLAS AIR SHOW AT THE DALLAS  
EXECUTIVE AIRPORT IN DALLAS, TEXAS  
ON NOVEMBER 12, 2022

Accident No.: CEN23MA034

\* \* \* \* \*

**Interview of: MIGUEL ANGEL JIMENEZ PEREZ, Inspector-in-Charge  
Trainee**

Federal Aviation Administration

via Zoom videoconference

Wednesday,  
October 4, 2023

APPEARANCES:

SHAWN ETCHER, Aviation Operational Factors Investigator  
National Transportation Safety Board

SABRINA WOODS, Aviation Human Performance Investigator  
National Transportation Safety Board

MATT RIGSBY, Air Safety Investigator  
Office of Accident Investigation and Prevention  
Federal Aviation Administration

BOB HEATH, Director of Operations  
Commemorative Air Force

MATT SMITH, Esq.  
Office of the Chief Counsel  
Federal Aviation Administration  
Representing Mr. Jimenez Perez

I N D E X

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I N T E R V I E W

(9:05 a.m.)

1  
2  
3 MR. ETCHER: Well, good morning, it is October 4th, it's 9:05  
4 Central time. My name is Shawn Etcher, I'm an operational factors  
5 investigator with the NTSB. We are here interviewing Mr. --  
6 Inspector Jimenez with the FAA on the Dallas mid-air event in  
7 hopes to be educated, I guess, and I'm the chairman of the  
8 operations group, which means I just kind of look at everything  
9 forward of the cockpit door. But thankfully, I don't have to know  
10 everything, so that's why I have some really great folks here to  
11 help me, I'll have them go around here just a second to introduce  
12 themselves, so you know who everybody is that will be talking with  
13 you.

14 Typically, with our investigations, we do have a party system  
15 where we have all these experts come in, we have folks on the  
16 NTSB, of course, we have folks from the FAA, and we have folks  
17 from the Commemorative Air Force here to bring their expertise in,  
18 as well, for you to educate, also. So I will go around the  
19 virtual room here and I'll start with Ms. Sabrina, if you'd  
20 introduce yourself.

21 DR. WOODS: Good morning, Inspector. I'm Dr. Sabrina Woods,  
22 I'm also with the National Transportation Safety Board. I'm a  
23 human performance investigator, so essentially what that means is  
24 that I look at all the different elements that affect how we're  
25 able to do our jobs and maybe some of the things that detract from

1 us being able to do our jobs well, and I often work with Shawn in  
2 these types of cases just because what we do together is pretty  
3 complementary to one another and again, we appreciate you being  
4 here to give us an idea as to the FAA piece on how to conduct an  
5 air show.

6 MR. ETCHER: Thanks, Sabrina.

7 And Mr. Rigsby.

8 MR. RIGSBY: Hey, Manny (ph.), good to see you again. Matt  
9 Rigsby with the FAA's Office of Accident Investigation, I ended up  
10 being the IIC for this accident for the FAA, so --

11 MR. ETCHER: Thanks, Matt.

12 And Mr. Heath, if you'd be so kind.

13 MR. HEATH: Sure. Good morning, my name is Bob Heath, I'm  
14 Director of Operations for the Commemorative Air Force.

15 MR. ETCHER: That is everybody that will be talking with you  
16 and asking questions today, so is there anybody you don't want  
17 involved with the education here, are you good with all of us?

18 MR. JIMENEZ: Absolutely, yes.

19 MR. ETCHER: All right, perfect. Now any time anybody talks  
20 to us, they are entitled to have a representative. Do you have a  
21 representative that you would like to participate today with you?

22 MR. JIMENEZ: I believe that Mr. Matthew --

23 MR. ETCHER: Okay.

24 MR. JIMENEZ: -- will be with me.

25 MR. ETCHER: All righty. And Mr. Smith, would you be so kind

1 for the recording to introduce yourself in your role?

2 MR. SMITH: Yes, good morning. Matt Smith with the FAA's  
3 Office of the Chief Counsel.

4 MR. ETCHER: All right, perfect. Thank you very much.

5 So today we're going to be using the recording here on Zoom  
6 to record the interview. The audio recording itself will be sent  
7 off to be transcribed; that transcript will come back, we'll  
8 correct any typographical errors, acronyms, things like that, that  
9 maybe the transcriptionist didn't get quite correct, we won't  
10 change any of your words itself. That transcript, then, will  
11 become part of our public docket when this case opens up, the  
12 audio portion will not, so you don't have to worry about hearing  
13 your name or your voice on, you know, the local news, if you will.  
14 So are you okay with us recording the interview?

15 MR. JIMENEZ: Absolutely, yes.

16 MR. ETCHER: Perfect, thanks. I have a few little rules, if  
17 you will, before we get started. Sometimes my brain thinks it has  
18 a really good question, but it doesn't really explain to my mouth  
19 how to ask it, so if I ask something that you don't quite  
20 understand, just ask for clarification, it's okay. I'd rather you  
21 understand what I'm asking and give me a good -- you know, help me  
22 understand better what I need to know, because if you give me an  
23 answer that I'm not quite understanding, I'm going to ask for  
24 clarification, so it's kind of a two-way street, if you will. If  
25 you need a break of any kind, whether it's to confer with counsel,

1 use the restroom, get more coffee, whatever, don't hesitate, just  
2 say so, happy to take breaks as often as we can. Not being there  
3 in person makes it a little bit more challenging to see if you  
4 really need a break, so don't hesitate, please feel free to speak  
5 up. And the most important question I always ask, most important  
6 rule I always have is if I ask something and you just don't know  
7 an answer, "I don't know" works perfect.

8 We like to deal with facts as much as we can; if you have an  
9 opinion, please, just let us know your opinion. Sometimes we'll  
10 even ask for your opinion, but just -- we like to make sure we can  
11 keep the difference between the facts and opinions as much as  
12 possible. All righty?

13 MR. JIMENEZ: Okay.

14 MR. ETCHER: Anyone have any questions before we get started?

15 (No response.)

16 MR. ETCHER: Seeing nothing, then let's get started.

17 INTERVIEW OF MIGUEL ANGEL JIMENEZ PEREZ

18 BY MR. ETCHER:

19 Q. Inspector, would you be so kind as to state your full name  
20 and then spell your last for us?

21 A. Sure. My name is Miguel Angel Jimenez Perez, Juliet-India-  
22 Mike-Echo-November-Echo-Zulu space Papa-Echo-Romeo-Echo-Zulu.

23 Q. Excellent, thank you. And we're going to be talking about  
24 the Dallas midair event, so on that day, what was your role with  
25 the FAA there?

1 A. I was the trainee to becoming a double I C for air shows,  
2 next year, because that air show was the last air show of the  
3 year.

4 Q. So you were a trainee, is this your first training event, had  
5 you been on other air shows prior?

6 A. That was my third one, yes.

7 Q. Okay, perfect. And kind of, if you will -- and I'll put my  
8 mic on mute, as well, just so you can talk -- but kind of walk me  
9 through what it takes to be an inspector with the FAA to do air  
10 shows, what kind of training do you have to go through? Kind of  
11 walk me through that, if you will.

12 A. Well, you need to do your OJTs, absolutely. Be participant  
13 in the whole process for three air shows. That means since we  
14 receive the letter on the 7711-2, all the way through check out  
15 the pilots, check out the aircrafts, make the waiver, et cetera,  
16 et cetera, the whole process according to guidance, and you need  
17 to do that three times in order to become a double I C for an air  
18 show or an aviation event.

19 Q. Okay. And are you paired up with an air show inspector that  
20 is trained on how to train or is it just --

21 A. Yes.

22 Q. -- paired up with any air show?

23 A. Oh, no, no, no, has to be double I C, yes.

24 Q. Okay.

25 A. Inspector-in-charge, so I was paired with Inspector Simpson

1 that time.

2 Q. Okay. Perfect. And about how far in advance did you know  
3 that you were going to be working as a trainee with the Wings Over  
4 Dallas event?

5 A. Oh, several weeks. It depends how fast the people from the  
6 air show turn the paperwork, how much workload we have to work on  
7 the air show, it depends on many factors. But normally, we are  
8 ready to roll maybe three weeks before the event, everything  
9 checked --

10 Q. Okay.

11 A. -- and everything good to go. Normally.

12 Q. So kind of think back to the Wings Over Dallas event, when  
13 did that whole process start, getting ready for the air show, for  
14 you? When did you get to be involved with it, was it just a few  
15 weeks prior, was it months prior to --

16 (Crosstalk)

17 MR. JIMENEZ: Oh, no, no, it was, it was months because I was  
18 a trainee and that will be my third one, so I was be heavily  
19 involved with Inspector Simpson on everything, so we just shared  
20 tasks just to make sure I understand the whole process and it was  
21 up to standards, obviously.

22 BY MR. ETCHER:

23 Q. Okay. Where is it that you get that information on how to do  
24 an air show, you know, what -- the process --

25 A. Oh, guidance.

1 Q. -- the forms?

2 A. Guidance.

3 Q. And what guidance?

4 A. Eighty-nine hundred dash one.

5 Q. Okay.

6 A. Yeah.

7 Q. All right. And as you were going through that process, that  
8 guidance, were you -- I don't know how to ask this in a non-weird  
9 way, but were you the lead on it, to walk it through, or was  
10 Inspector Simpson the lead that was showing you every step by step  
11 on what to do?

12 A. Well, in that case, it was basically he was look at me how to  
13 doing the process and make sure that I would follow guidance  
14 properly. If I make a mistake, he will correct me, et cetera, et  
15 cetera. So I was oversight by him because he was in charge.

16 Q. And I just want to make sure I understand it clearly enough,  
17 forgive me, it's early in the morning, not enough coffee in my  
18 system, but you were the one that was looking over all the  
19 paperwork, getting the process going and he was providing  
20 oversight --

21 A. Oh, he was --

22 Q. -- to you?

23 A. Yes.

24 Q. Okay.

25 A. We both doing paperwork together --

1 Q. Okay.

2 A. -- so yes. Because I want to make sure that I were under  
3 guidance and make up to the standards.

4 Q. Okay.

5 A. It's a lot of stuff involved in an air show and I don't want  
6 to make any mistakes.

7 Q. Are you also the one that issues the -- is it the letter of  
8 waiver for an air show?

9 A. I will participate on make it.

10 Q. Okay.

11 A. Inspector Simpson will check me out to make sure that I don't  
12 miss anything, but I believe that is our office manager who signs  
13 that.

14 Q. Okay. So what are you looking for when it comes to a letter  
15 of waiver, you know, kind of walk me through, what do you look at  
16 before you say yeah, here, boss, you know, here's a letter of  
17 waiver for an air show, what is it that you look at?

18 A. I look at guidance and how to fill out the waiver and make  
19 sure that the 7711-2 is properly fill out and if I have any kind  
20 of questions about or the timeline of the air show or how the box  
21 is designed or whatever, to make sure that I have all the  
22 information and talk to my instructor then to make sure I don't  
23 miss anything. And just follow guidance pretty much.

24 Q. So was there anything unique with the Wings Over Dallas that  
25 you had to get clarification on, that was in the guidance, wasn't



1 in the guidance? Kind of help me walk through that, if you will.

2 A. None that I recall, but it's been a year, so I don't -- you  
3 know. But I don't recall anything that was out of the  
4 extraordinary.

5 Q. Okay. Do you, as the FAA IIC or in this case, the IIC  
6 trainee, do you get to approve the maneuvers that the air shows  
7 do, do you work for the --

8 A. No.

9 Q. -- air bosses? Kind of help me understand, what do you  
10 approve of, what do you approve?

11 A. What they ask is to waive several waive-able regulations, I  
12 don't remember, but normally in these air shows, because they fly  
13 old aircrafts, these then can be waived like, I don't know, the  
14 seatbelts, because back in the days they don't have the seatbelts  
15 that we have now and things like that, nothing that is at least on  
16 -- on regulations of Part 91 regulations that you can waive and  
17 some others that -- ones there that you cannot waive.

18 So it's normally altitudes because in order to do their pass,  
19 they can, you know, fly altitude low, things like that, then  
20 seeing guidance and tell us that we can waive it. So we allow  
21 them to do some kind of aerobatics, for example, the use of the  
22 seatbelts, for some people don't do (indiscernible) after, things  
23 like that. Everything has to be done according to guidance.

24 Q. Okay. So let me just ask this real brief question, when you  
25 pushed the paperwork through to be signed for the letter of

1 waiver, everything was done at that point per the guidance and --

2 A. Absolutely, yes.

3 Q. Okay. I just wanted to make sure there was nothing hanging  
4 out there that you had --

5 A. Oh, no, no, no, no. No.

6 Q. Okay, perfect.

7 A. When we finish, everything is good to go.

8 Q. Okay. So now, if we could, walk me through kind of, I don't  
9 want to say the steps, I know you're looking at your guidance and  
10 everything, but from the time you know there's an air show until  
11 the day of the air show --

12 A. Um-hum.

13 Q. -- kind of walk me through, what is your role during that  
14 process? I know you dealt with the letter of waiver, but is there  
15 anything else that you do as part of that process up until the day  
16 of the air show?

17 A. Well, I check the e-mail that they send us and just do  
18 everything according to guidance, make sure that they fill out the  
19 7711-2 properly. If I have any kind of doubts or something  
20 doesn't align to guidance, I will ask whoever the organization or  
21 air show is and I talk to them, I say okay, what it is, I check  
22 all the measurements of the box, where the people will be, how far  
23 it will be, what the difference, the 500, the 1,000 line, it will  
24 be, I check out all the stuff and then when I have everything  
25 already checked out -- and that's my way, other inspector can do

1 other way, this is my way. I check out the pilots and the  
2 aircrafts, make sure that they've been checked during the year and  
3 just go which pilot it is, we check our list, it's been ground  
4 check, is not, and I sign and I look it up. The ones that they're  
5 not ground check, the ramp check on the day of the air show or the  
6 two days of the air show, so I make a list of that. I make a list  
7 of my pilots, check them out, look it up, the regulations that  
8 they want to be waived, if it's -- and normally, you know, they  
9 waive some regulations, look it up.

10 Then that regulation that can be waived according to guidance  
11 and then do the waiver of (indiscernible) from the air show, fill  
12 it out according to guidance and send it out, everything is fine,  
13 my FLM will check it out, make sure I don't make a mistake,  
14 either, and they go up the chain. And the day of the air show, we  
15 normally arrive early just to prepare everything. We attend the  
16 safety briefings. On the waivers in that particular case, there  
17 were pyrotechnics.

18 So it's a safety briefing on top of the safety briefing that  
19 we need to attend, as well the pyrotechnics one, and we try to,  
20 before the meeting, when everybody's there, try to advise the  
21 pilots of the aircrafts then not being checked yet and please come  
22 and tell us because today I have a bunch of aircrafts, we need to  
23 know, we need to spend a lot of time before we find them, to  
24 please let us know and we will check it. So we check out  
25 everything that is to be checked there that day and just, you

1 know, go every day to the safety briefings, the pyrotechnic  
2 briefings, all the maneuvers that they want to do, and when it's  
3 done, going to our post, wherever they want us to be, and enjoy  
4 the show, basically.

5 Q. All right, perfect. That's great, kind of helps me  
6 understand your guys' process because that's part of my -- the big  
7 hole in my head, if you will, when it comes to how that all works,  
8 so I appreciate you walking through that with me. I know you said  
9 you check out the pilots and the aircraft before the day of the  
10 air show and --

11 A. Yeah, on the day of the air show.

12 Q. On the day.

13 A. Yes.

14 Q. Okay.

15 A. Before they start to fly, in the morning --

16 Q. Okay.

17 A. -- before the meeting, yeah.

18 Q. So what do you look at on the pilots, just that they --  
19 they're current --

20 A. That they're current, yes, that they are current and they are  
21 -- all the paperwork is correct, and some of the aircrafts has  
22 LOAs to do tours, 91, and make sure they're okay, as well. We  
23 checking out that before going there because we know, we check  
24 that, as well. So that is before going to the day, the day that  
25 we going to the air show, we know exactly which aircraft we need

1 to check and we check our (indiscernible) LOAs or not, so we know  
2 exactly what it is.

3 Q. Okay. How far in advance did you -- and just kind of think  
4 back to Wings Over Dallas, how far in advance did you get a list  
5 of the pilots and a list of the aircraft?

6 A. Well, I -- they're pretty good, so normally we get it when  
7 they send the paperwork for that year, so they normally pretty  
8 good about it. So sometimes they don't know, they know what the  
9 plane will be but they don't know because sometimes there are  
10 several pilots flying the same aircrafts and they don't know which  
11 one will be actually flying the air show, but normally they're  
12 pretty good.

13 Q. All right.

14 A. Pretty good.

15 Q. All righty. And do you ever get the list of the air boss  
16 that's going to be in charge of the air --

17 A. Yes.

18 Q. -- you know, air bossing the show? What do you do --

19 A. Absolutely.

20 Q. -- with that information?

21 A. Is part of the package when they came, so we need to have an  
22 LOA of the air boss to make sure that the air boss is okay for --  
23 to doing the air show and is part of the package. So we check him  
24 out, we start later from the FAA stand, so it is correct and we  
25 proceed moving forward, but yes. I work with this air boss in the

1 year before, it was my first air show with the same air boss and  
2 quite likely the same people a year after, so I know them.

3 Q. So you had worked with this air boss about a year before or  
4 during that year?

5 A. Yeah, on the same, on the same -- Wings Over Dallas was my  
6 first air show, 2021, I believe it was, yes. I work with him.  
7 When I worked with him, I was a trainee, back then I didn't know  
8 much, but you know, I attend and I -- you know, just to get the  
9 taste of the air shows, but yes.

10 Q. Okay. So since you did Wings Over Dallas in 2021 and then  
11 you did Wings Over Dallas when the event occurred, how did your  
12 training work for you, do you see any differences between the 2021  
13 Wings Over Dallas --

14 A. Oh, absolutely.

15 Q. Like what?

16 A. Yeah, I didn't know nothing in 2021 and I do a lot more in  
17 2022. Yeah, it was very -- I was, you know, almost brand-new  
18 inspector right there, it was a lot of stuff to take in  
19 consideration and it was -- it was difficult, let's be honest, at  
20 first, when it was tough. But I have very good trainers, they  
21 walk me through and it was, you know, eye opening how many things  
22 needs to be working perfectly to put a show like that, so I enjoy  
23 very much. I did.

24 Q. Okay. So let's go up to the day of the event, Wings Over  
25 Dallas 2022, your third air show, I believe you said.

1 A. Yes.

2 Q. Okay. Kind of walk me through that day, when you got there,  
3 kind of just walk me through, let me be that fly on your shoulder,  
4 if you will, as you're walking through it and --

5 A. Okay.

6 Q. -- I just kind of want to learn what you're looking at.

7 A. And it's by memory, so you know --

8 Q. I understand.

9 A. -- I probably not be a hundred percent accurate. So we get  
10 in the morning and obviously, donuts and coffee, that's a must.  
11 Donuts and coffee has to be there. And at the moment we prepare  
12 everything that we need to prepare, which is the pilots to sign  
13 off, all the sign off pilots, we prepare our state there for the  
14 meeting, everything will be there, all the people will be there,  
15 we have a list of aircraft that will be there and basically, we  
16 wait until the safety meeting start.

17 And then just before the safety meeting start with everybody  
18 there, rather than prepare ourselves, which is what we do, guys,  
19 we need this, this, and this, guys, to come to our table and lead  
20 us to where is the aircrafts are and check them out. Also,  
21 relying on the pilots to come and sign because if they don't sign,  
22 you cannot participate in the air show, everybody good on that.  
23 In fact, the people are going to say hey, I will not be check this  
24 year, ground check, would you mind to do it, so you know, we will  
25 be able. Although, it wasn't the case that day because it was a

1 lot of aircrafts and we check out all of them and it was like  
2 seven, I believe, maybe not, but I think seven was not on check,  
3 so we will be able to do it. Also, the first day, I remember, we  
4 had about two -- all inspectors, maintenance inspectors help us  
5 out on the ramp check because at first it was raining and cold and  
6 it was very -- not good to fly that day. So we managed to check  
7 all the airplanes that we need to check.

8       So then they started the safety meeting, tell everybody what  
9 to do, all the safeties, the pyrotechnics come out, still there,  
10 and then when they finish, all the pilots gone, the ones that came  
11 a little late and don't sign off, they come in and sign off. And  
12 in the meantime they prepare, we're going on a ramp check, the  
13 aircrafts that were left. When is done there, double check if  
14 everything's correct, all the airplanes that need to be done is to  
15 be done, go back to our station, pack up everything and going to  
16 whatever place we are assigned to check out the air show.

17       In the meantime, we check it out on the -- all the fences and  
18 everything is already properly -- do, you know, all the  
19 surroundings of the air show just to make sure everything is okay  
20 according to whatever the act is and if something waivered, so --  
21 and from that point on, just enjoy the show.

22 Q.   Okay, perfect. Let's kind of back up just a little bit to  
23 the morning meeting, the briefing.

24 A.   Um-hum.

25 Q.   I know this was your third event --



1 A. Yes.

2 Q. -- that you were part of. That briefing, was it what you  
3 expected, was it -- I don't want to say lacking anything or did it  
4 far exceed your expectations? Kind of help me understand how you  
5 felt that briefing was to you.

6 A. Oh, it's very informative. We know what the briefing should  
7 have by guidance, so we just follow what is missing and what is  
8 not. Also, on the events, they will tell us what is the briefing  
9 about, so we know exactly what it was. This one was a little bit  
10 different because of the pyrotechnics, not many air shows have  
11 pyrotechnics, so we know that we just stay in the pyrotechnics  
12 safety briefing, as well, which is separate, and the safety  
13 briefing on the air show.

14 So it was interesting because I never see that before, the  
15 year before, it wasn't pyrotechnics, so this year it was, so it  
16 was interesting to see and spectacular to see after, that's for  
17 sure. But yes, we just follow all the -- I didn't feel that it  
18 wasn't missing anything.

19 Q. Did he brief everything that was required of him, then?

20 A. Yes.

21 Q. Okay.

22 A. According to guidance, yes.

23 Q. Okay. I want to ask for your opinion, if it's okay.

24 A. Okay.

25 Q. In your opinion, is the guidance requirement for briefings,

1 is it enough information to get all the -- to get everybody on the  
2 same page at the briefing or is there areas of that required  
3 briefing guidance that could be expanded on, given more  
4 information? Kind of -- what's your thought on that?

5 A. Well, guidance tell you what you need to talk about; how in  
6 depth or not, it depends on the air boss, so -- but also, the good  
7 thing about that is we are pilots, so if you say something and I  
8 say well, that's not -- you know, we can always say can you  
9 clarify that. So although guidance is not very specific on how to  
10 ask, we are there and if we think that that instruction is not or  
11 may lead to some kind of misunderstanding, we can always ask.

12 Q. Okay. Just for clarification, did you guys have to --

13 A. Yeah.

14 Q. -- ask for any clarification that day?

15 A. No. I don't remember that, no.

16 Q. Okay.

17 A. They are very -- they are very good, they're very thorough on  
18 that, on -- normally. I mean, the ones that may be very thorough,  
19 so yes.

20 Q. Okay. And where were you located during the air show, were  
21 you around the --

22 A. Just below -- just below the air boss, wherever the air boss  
23 work, the air boss was in a -- you know, this -- this stairs that  
24 you put in fairgrounds back in the days, so that was there, it was  
25 there and we are just below, it's a little parasol there for us.

1 Q. Okay.

2 A. It was hot that day, yeah.

3 Q. Were you guys on headsets during the air show?

4 A. Yes, I have a radio, then they give me the frequency, so I  
5 was listen whatever the air boss say.

6 Q. So let's talk about the communications during the air show.  
7 You were listening to it, was there any confusion during the air  
8 show in the communications, was it pretty straightforward, was it  
9 busy? Just kind of give me your impression.

10 A. Well, it's busy, obviously, because it was -- you know, it  
11 was a bunch of aircrafts doing that stuff, so it was busy, but I  
12 don't recall. It's always, you know, misunderstandings because,  
13 you know, people are people, but I don't see or I don't recall any  
14 safety issue communication and that say "holy," it happens, no.

15 But yeah, it was busy and some people step in each other's --  
16 you know, step in each other's radio communication and then they  
17 need to repeat again and "no, I tell you that way, not this way"  
18 because they talking at the same time. But no, it wasn't. In my  
19 opinion, what I recall, it wasn't any issue on that.

20 Q. Perfect. And I know, during the air show, there was a plane  
21 or two that had passengers on that came in and landed during the  
22 air show, do you recall if you were aware that that was going to  
23 happen in the briefing prior to or that it just happened?

24 A. I don't recall. I know that there will be passengers on the  
25 -- on tours and all this stuff, but I don't recall if they were in

1 that.

2 Q. Okay. Is that something that you have seen at other air  
3 shows where, we'll call them passenger flights --

4 A. Yeah. Tours, yes.

5 Q. -- whatever you want to call them, that occur during the air  
6 show --

7 A. Yeah.

8 Q. -- they land them? It happens?

9 A. Not during the air show, that I recall. They normally do it  
10 before or after; normally, after.

11 Q. Okay.

12 A. But it doesn't mean that they cannot do it during, so -- if  
13 it's a place for them to, you know, out of the -- whatever the air  
14 show is going on, on that point, but yes, I saw air tours or  
15 passenger in other air shows, yes.

16 Q. Okay. So there is no prohibition regulation-wise or in your  
17 all's guidance that prohibits passenger flights occurring during  
18 an air show?

19 A. That I recall?

20 Q. Yeah, that you can recall.

21 A. I'm not sure. I don't --

22 Q. Okay.

23 A. I'm not sure.

24 Q. Okay. And that's okay.

25 A. But I wasn't aware, I wasn't aware there were tours during

1 the air show, either. I don't --

2 Q. I know, it's been about a year ago, so --

3 A. Yeah, I'm sorry.

4 Q. -- I understand. Yeah. It's all good, no worries. Kind of  
5 step forward just a little bit, right around the accident  
6 sequence --

7 A. Okay.

8 Q. -- you know, when the accident occurred, were you in a  
9 position that you saw the accident or were you just --

10 A. Oh, yeah. I was just looking at it. Because it was the end  
11 of the air show, so all the train is World War II and all the  
12 planes come and you can see them, all of them, so you know, it's  
13 something, you know, it's just the climax of the air show and it's  
14 something. I mean, when you see that, you know, we do goose bump  
15 and all the stuff. So yes, I was looking forward to it and I was  
16 just looking at it, absolutely, yes.

17 Q. So was there anything that might be -- your opinion -- might  
18 be a fact, I'll let you decide, was there anything that looked out  
19 of the ordinary right before the accident occurred?

20 A. Yes.

21 Q. From your vantage point. What?

22 A. Yes. I see the P-63 coming too hot, I mean, too fast, coming  
23 way too fast and banking way too much, probably because he was way  
24 too fast, in my opinion. And just see the P-63, yes, the B-17 in  
25 front of my eyes, right there.

1 Q. Okay.

2 A. I was just facing them because, you know, I want to see the  
3 whole thing pass. Yes.

4 Q. And sorry to have you relive that moment, but I do appreciate  
5 your vantage point, it helps, so --

6 A. You don't want to see that, you don't want to see that.

7 Q. Yeah. I can imagine not. But after the event, you know --

8 A. Yes.

9 Q. -- what did you do? What was your responsibilities as an FAA  
10 IIC or IIC trainee?

11 A. Well, that thing, it was -- I was telling my trainer. At the  
12 beginning, like one second, we saw there was plan of the -- but it  
13 took me like, you know, a second to realize it cannot be, I mean,  
14 you cannot make an explosion in mid-air just to look good, so --  
15 and I just reached right away, I say, you know, Simpson, check it  
16 out, and he was just ecstatic. So he started the whole thing, he  
17 was the double I C, and we tried to, you know, collect as much  
18 information as we can at that point, but as you imagine, the air  
19 boss was talking to the tower and everyone was screaming.

20 The police start to evacuate the place, obviously, and we  
21 just -- I've never been in that situation, I just was, you know,  
22 following what my trainer does and asking do I need to do  
23 something, so he asked me to call our office manager and let him  
24 know there has been an accident, so that's what I did. And after  
25 that, it was just follow orders, you know, follow my trainer

1 because I wasn't, you know, in that situation before. Neither he,  
2 but you know, he was the double I C so he should, you know, he  
3 know what to do and I just follow him and try to help him out. As  
4 much as I can.

5 Q. Okay. Was there any kind of an emergency plan, emergency  
6 guidance in your guys' guidance for that --

7 A. Yes, always.

8 Q. -- kind of situation?

9 A. Always, yes.

10 Q. How did that work, in your opinion, did it work -- I don't  
11 want to say --

12 A. Well --

13 Q. -- seamlessly, but it --

14 A. -- absolutely.

15 Q. -- work well?

16 A. Yes. Unfortunately, or fortunately -- well, it was very  
17 close to one of the fire trucks positioned on the field, so they  
18 were there in literally a minute of the accident happen, like  
19 literally, they were just there. So it just -- it was  
20 fantastically. Unfortunately, because of the speed, there were  
21 debris on the highway just before the -- and just before the  
22 airport, so it took a little bit more for the police to just, you  
23 know, close that because there were big chunks of debris all over  
24 there, so yeah. So it's good it didn't take anybody on the ground  
25 because there were photographers on the ground, too, you know, for

1 the train, so thankfully.

2 Q. So was that emergency plan the air show's emergency plan, was  
3 that --

4 A. Yes.

5 Q. -- the FAA's emergency plan?

6 A. Oh, no, no, no, the air shows provide the emergency plan and  
7 to just follow, they tell us what they are, what you want to do,  
8 it's part of the safety briefing.

9 Q. Okay.

10 A. We would not approve an air show without an emergency plan,  
11 it's part of the guidance, guidance tell us what need to be in  
12 this briefing, what need to be -- and also it's been explained or  
13 at least the position, you cannot explain because each emergency  
14 is different, but they told us what it would be, what kind of  
15 things will be and things like that, and it was a truck, a fire  
16 truck.

17 MR. ETCHER: Okay, perfect. I know you've been talking with  
18 me for a good 35, 40 minutes, you've got to be tired of talking  
19 with me, so I'm going to pass you off to Ms. Sabrina, but before I  
20 do, do you need a break, do you need --

21 MR. JIMENEZ: Oh, I'm okay.

22 MR. ETCHER: You're good? All righty.

23 MR. JIMENEZ: Yes.

24 MR. ETCHER: So I'm going to pass it off to her, she always  
25 asks the really good questions and you know, hopefully my brain



1 can absorb some of this, but I appreciate what you've given me so  
2 far.

3 MR. JIMENEZ: Thank you very much, sir.

4 BY DR. WOODS:

5 Q. Thank you, Inspector Jimenez, so I hate to go backwards a  
6 bit, but it's kind of the nature of the beast when you go  
7 second --

8 A. Sure.

9 Q. -- just because Shawn asks some questions and it's like oh,  
10 he'll follow up, but of course, I don't want to interrupt him, so  
11 I'm going to take you back a little bit, just to the -- how you  
12 become an air show IIC, because I don't know about that process,  
13 is that something that all the inspectors do eventually, or is it  
14 something that you decide upon yourself that you want to do  
15 additionally and then you seek training, how does that process  
16 work?

17 A. It's part of our OJT, so all the inspector needs to be  
18 trained on that, yes.

19 Q. Okay. So everybody does it, okay.

20 A. Yeah.

21 Q. And then, do you have a jurisdiction for that or can you be  
22 sent to any air show out there in the NAS or do you only cover  
23 like air shows in your region, how does that work?

24 A. Oh, well, it covers all the air shows that the FSDO are -- on  
25 the jurisdiction of the FSDO. We don't go into another FSDO air

1 shows, no.

2 Q. Okay. So -- okay, so like if another, let's say an air show,  
3 I don't know, in Alaska, whatever, needs help, you couldn't go to  
4 that --

5 A. No, then Alaska will deal with that, yes.

6 Q. Okay. Okay. And then, I know you said a lot of it's -- you  
7 talked a lot about OJT, but is there -- there's -- so there's no  
8 classroom or online training that goes into becoming -- to having  
9 this specialty added onto being --

10 A. Well, it's not a specialty, it's part of your job.

11 Q. Okay.

12 A. As an inspector, you need to be able to oversight air shows  
13 or another thing is accident investigation, then turns out, that  
14 is, you know, in that case was collateral to the incident, there  
15 are several things that you need to be able to do that, as an  
16 inspector, regardless.

17 Q. But again, it's all OJT, no classroom time for that part?

18 A. No, it's just follow your inspector, sorry, your trainer and  
19 they will explain to you, as an OJT, how to do that stuff, yeah.  
20 And guidance, yeah.

21 Q. I know you said there's three, I guess, air shows you have to  
22 work, but after that and you're signed off, are there any  
23 recurrent or proficiency checks after the fact?

24 A. I don't think so. I cannot recall that, no. Once you're  
25 done, you know, it's the process the same. So I guess in the

1 recurrences, the air shows that you did -- and I assume, I don't  
2 know. Yeah.

3 Q. Okay. So --

4 A. But the process exactly the same to any air show. It doesn't  
5 matter how big or small the case, it's exactly the same.

6 Q. I know you said about seven weeks out for Wings Over Dallas,  
7 but how far in advance do you know what air show is going to be  
8 yours for the year? Is that something that you divide up amongst  
9 everybody in your FSDO?

10 A. Normally, the one I work on is the one that I will go to see  
11 it, normally, but it's physically different. In that case, that  
12 was my Level 3, my third one, although the OJT's already Level 3,  
13 but guidance says that once you sign off you need another three to  
14 be participant in the process in order to be a double I C, so that  
15 was my third one. Yes, I work on that and that's the one that I  
16 assist, yes, because I need it for my training. But I may work in  
17 someone and don't go.

18 Q. Okay.

19 A. Just do the paperwork, yes.

20 Q. That was actually one of my next questions, is it possible to  
21 prepare the waivers for an air show and then not be the IIC at the  
22 air show later?

23 A. Yes, is -- no, sometimes it's not enough people, yeah, to go  
24 to all the air shows.

25 Q. And then kind of the last question in the training track, if

1 you will, is do you ever have to prepare the paperwork for more  
2 than one air show at a time or do you foresee that --

3 A. No.

4 Q. -- possibly happening?

5 A. I never -- I never did that. It may happen, probably, but I  
6 don't think so because it's a very complex task, so I don't think  
7 that no one has the capacity to do two at the same time because  
8 there's too much going on. You may finish one and start another  
9 one the next day, I can see that, but at the same time, no, I  
10 don't think so.

11 Q. Okay.

12 A. Not that I see. And no on my -- on the Texas FSDO, no.

13 Q. When you're working these waivers, who is your primary point  
14 of contact on the air show side?

15 A. Oh, it's under 77-1 (sic), it will be the primary contact  
16 there. Is required to do. Basically, for me, if I have a  
17 question, to talk to someone there. So is part of the 7711-2.

18 Q. So for clarity's sake, explain what that is.

19 A. Oh, the seven -- 7711-2 is the application that the air show  
20 sends in order for us to make a waiver for them, they send  
21 application and I say okay, we have one who want to make an air  
22 show, this place, that is our box, that is our plan, that is our  
23 safety meeting, that's the guy in charge, that's the air boss LOA,  
24 it's like a package that they send us in order for us to consider  
25 making a waiver for them to do it. And everything is on guidance,

1 so guidance will tell you what kind of things you need to have in  
2 order to process the waiver. And one of the things that's in the  
3 Form 7711-2 is the name of the person in charge, just for us to --  
4 if we having a question or something, contact someone on  
5 organization to fix the problem or the issue or whatever it was.

6 Q. Do you happen to remember who that was for Wings Over Dallas?

7 A. No.

8 Q. That's fine, no worries.

9 A. Sorry.

10 Q. That's fine. So it's your third air show, Wings Over Dallas  
11 is a very big, very complex event, as you said.

12 A. Yeah.

13 Q. Can you give a high-level overview, if you remember, what  
14 their specific package entailed?

15 A. The package is the standard one, I mean, Commemorative Air  
16 Force is pretty good about this, they send us everything that we  
17 need, the box, the LOAs, all the -- the roster of the aircrafts,  
18 the safety briefing, I mean, they're pretty good. We never have a  
19 problem with that.

20 It was something a bit weird about the pyrotechnics, that's  
21 it. For me. It wasn't for Simpson, but for me, yes, because I  
22 never did one with -- I did one with pyrotechnics, but I never be  
23 the inspector working on that, so that was a really, you know --  
24 which it didn't turn out to be a big deal, either, but that's the  
25 only thing that it was out of the ordinary for me, the

1 pyrotechnics.

2 Q. So I guess let's go backwards a second, actually, outside of  
3 Wings Over Dallas, what other air shows have you had experience  
4 with, doing their paperwork?

5 A. Corsicana and Wings Over Dallas the year before.

6 Q. Okay. So Corsicana, you said. We're going to assume Wings  
7 Over Dallas was probably very similar. I don't know that other  
8 air show, so were they comparable in scope and scale or how  
9 does --

10 A. No, Corsicana, Corsicana was a lot smaller aircraft-wise,  
11 but, you know, the process is exactly the same, it doesn't matter  
12 how many aircrafts, the process is exactly the same, I mean, how  
13 process Corsicana and how process Wings Over Dallas is exactly the  
14 same.

15 Granted, Corsicana doesn't have pyrotechnics, that's fine,  
16 but -- and less aircraft, but the process is exactly the same for  
17 both, it doesn't matter if it's one aircraft, two, or 60 or  
18 doesn't matter, the process is the same.

19 Q. Okay. So you said that on the paperwork is designated who  
20 you're supposed to contact.

21 A. Yeah.

22 Q. How did you rate that experience, was it -- I guess, how did  
23 you rate that experience, did you get everything you needed in a  
24 timely manner or --

25 A. I believe --

1 (Crosstalk)

2 MR. JIMENEZ: I believe so, I believe so. But again, I  
3 cannot be a hundred percent sure, but it's always -- you know, on  
4 this big air show, there's always, as I say before, last-minute  
5 change on the pilot because one gets sick, another one to come,  
6 but other than that, the big picture, if we don't have everything  
7 we need we don't issue the waiver, it's just -- it's not according  
8 to guidance, so -- then nothing happens last day, maybe on the  
9 same day you say you know what, the guy that is here is not coming  
10 because he's sick, I'm the guy, okay, you sign the paper and  
11 that's fine, but that is things that we cannot control. But if we  
12 issue the waivers because we have all the info according to  
13 guidance.

14 BY DR. WOODS:

15 Q. Going back to that pre -- that morning brief, if you will,  
16 are you given the opportunity or is FAA given an opportunity to  
17 speak during that brief?

18 A. Oh, yeah. Everyone can speak on that briefing, even the  
19 pilots. Something, a maneuver they don't feel comfortable or  
20 something like that with the air bosses, they can discuss among  
21 themselves and yeah, it's very open safety briefing, yes.

22 Q. I guess more like, is there a designated spot where FAA  
23 always breaks at this point?

24 A. They always tell us at the end, yes, because nobody wants to  
25 talk to us. So at the end of the safety briefing -- we say at the

1 beginning, please, these people, come here because we need to ramp  
2 check your aircraft and we don't know where they park and at the  
3 end the air boss will always tell us hey, FAA, you want something  
4 else and we just say yes, exactly as in the beginning, please,  
5 these people, come here and stuff. But yes.

6 Q. Shawn asked you what was discussed in the brief, so we won't  
7 go back over that, but how would you describe the general  
8 atmosphere in the brief that morning and like the temperament of  
9 the people, were people paying attention --

10 A. Oh, yeah, yeah. Oh, it's -- it's the highlight, actually, of  
11 the air show. I mean, is a very chaotic kind of ordering, is kind  
12 of weird, because it seems like it ought to, but is also everybody  
13 knows. I mean, I was fascinated, everything was done when I go to  
14 one of these, it's fascinating to me. Because they know, they  
15 okay on "how about if we do that instead of that," "oh, okay,"  
16 "no, let's do that," "no, I cannot go because my nephew is sick  
17 and I cannot fly this one with you," and you know, things like  
18 that happens all the time, it's never as planned, all the time.

19 But, you know, they -- they're professionals, it's just the  
20 way it is, they are professionals and they've been doing that for  
21 many, many years and, you know, I got shocked (ph.), sometimes  
22 because, you know, they've been doing for 20 years, I've been  
23 doing this for two, so it's sometimes (indiscernible), but yes,  
24 it's -- you know, I like it, I very much like it. Very open, very  
25 safety orientated, yeah.



1 Q. I know you're just coming out of your OJT status with this,  
2 so you don't have years and years of experience to compare to, but  
3 you at least have the prior Wings Over Dallas to compare to.

4 A. Um-hum.

5 Q. Leaving that briefing, in your level of experience, did you  
6 have a clear understanding of what was about to happen in the air  
7 show box?

8 A. Oh, absolutely. In fact, we have a schedule of events so we  
9 know exactly which one is flying, what is flying, yes, absolutely.

10 Q. Okay.

11 A. We are aware of everything that is happening on the -- on the  
12 air show, yeah.

13 Q. Okay. And --

14 A. Actually, I follow it because I like it, so I follow it.  
15 Every time when something happen, you got to stick, so I know what  
16 is the next one.

17 Q. And being that you might not have the experience of several  
18 -- several years, but presumably you talk to other inspectors, is  
19 there ever a time where things don't go in accordance to what is  
20 on that sequence of events?

21 A. In my experience, no.

22 Q. Okay.

23 A. But I'm sure that in other more seasoned inspectors,  
24 probably. Because essentially, they are old aircrafts and  
25 sometimes they have maintenance issues and they are scheduled to

1 fly and they cannot fly for whatever reason, so they don't fly.  
2 We are aware of that just before and that's it, they don't fly.  
3 And yes, you know, this thing happens. Life happens, I guess, but  
4 yeah. But it's nothing like oh, we try to do that but we do  
5 something totally different, it's more like oh, the aircraft break  
6 down for whatever reason and we don't fly. It's never like oh,  
7 let's change this in the last hour, no.

8 It's more like oh, this air -- or trainer kind of cannot go  
9 because, you know, one of the wheels just pop up and we don't have  
10 a replacement, so we're not going to fly, okay, that cannot.  
11 Never something like oh, let's try to improvise in the air, never.  
12 We know exactly what it will be on the briefing. It's been  
13 briefed clearly for everyone to understand, even me.

14 Q. Given that what -- the sequence in which the accident  
15 occurred, describe to me, since I was not there, what the  
16 intention was. What was --

17 A. Oh, the --

18 Q. In a perfect world, if it happened like it was -- without an  
19 accident, like it was supposed to, what was supposed to happen?

20 A. Well, supposed to have all the aircrafts from World War II,  
21 you know, trainers, bombers, fighters, just fly in front of the  
22 spectators, that's it. And the spectators can see all of them  
23 flying at the same time, pretty much.

24 Q. Were there any maneuvers incorporated into that --

25 A. No, no.

1 Q. -- flight?

2 A. No. It just the plane fly in front of everyone.

3 Q. Can you tell me reference points of where, like for instance,  
4 the fighter aircraft were supposed to be in deference to the  
5 bomber aircraft?

6 A. From the top of my head, no. Back then, I'm pretty sure then  
7 we have something because they are -- this thing is very well  
8 prepared on choreograph because each aircraft fly at different  
9 airspeeds, you know, the bombers go a lot slower than the  
10 fighters, so they need to come, in order for all of them to see  
11 them properly, they need to come accordingly in their speeds, so  
12 -- but yes, it was just -- it was the end of the show, actually,  
13 just to pass through and that's it, the show ends.

14 But yeah, there wasn't any maneuvers other than a normal  
15 pass, that's it. Of all of them, you see the trainers, the  
16 bombers, the fighters, all together in formation just pass.

17 MR. SMITH: Sabrina, sorry to interrupt. I just want to  
18 clarify, I'm not sure if we've really established a foundation of  
19 if this was something that he's responsible for being aware of or  
20 knowing, maybe some of these questions might be just from his --  
21 you know, his recollection. I'm not sure if he had all of this  
22 knowledge prior. I just want to make sure he's not speaking on  
23 something that he -- it wasn't an official duty of his.

24 DR. WOODS: Understood. And that's actually my next  
25 question, that's actually my next question. I feel like you all

1 are looking at my notes.

2 BY DR. WOODS:

3 Q. Who is ultimately responsible, and I'm going to use the word  
4 choreography, I know that's not the word, but I'm a layman and  
5 that's the word that makes sense to me, who is ultimately  
6 responsible for the choreography that goes on in an air show in  
7 the air box?

8 A. Well, the air boss and the pilots both.

9 DR. WOODS: Okay, thank you.

10 And you're right. Sorry, Matt, I probably should have led  
11 with that, but that's a good question and it was next on my list  
12 to ask is who's responsible for that.

13 BY DR. WOODS:

14 Q. So moving to where you were -- I know Shawn asked you your  
15 position in relation to the air boss, it sounds like you were down  
16 below him on the ground?

17 A. Correct.

18 Q. Okay. And then how would you describe your line of sight,  
19 were you able to see everything being --

20 A. Oh, yeah.

21 Q. -- that you were on ground level or --

22 A. Oh, yeah, yeah, yeah. Absolutely.

23 Q. Okay. Were there any obstructions in your way, like  
24 somebody --

25 A. No.

1 Q. -- parked a big old trailer or something?

2 A. No.

3 Q. Okay. And then --

4 A. I was just on the other side of the barrier, so the public  
5 was on the other side, so I don't have any kind of obstruction at  
6 all, whatsoever.

7 Q. Okay. So you were on the side of the barrier that was closer  
8 to --

9 A. Yeah.

10 Q. -- the flight line versus the --

11 A. Yeah.

12 Q. -- audience?

13 A. Um-hum.

14 Q. And I know you had -- you said you had more or less direct  
15 access to the air boss, like if you saw something were you able to  
16 like yell up if it had happened, were you able to yell up, were  
17 you that close?

18 A. We have a radio --

19 Q. Oh.

20 A. -- so I can -- yeah.

21 Q. Pop on and say --

22 A. Yeah.

23 Q. -- what you've --

24 A. Yeah.

25 Q. Okay. I'm just trying to figure out logistics of where

1 everybody was --

2 A. Yeah.

3 Q. -- at the time.

4 A. But I was literally, probably, I don't know, 10 feet away  
5 from the air boss. I need to just climb the little stairs and  
6 that's it.

7 Q. Okay.

8 A. But I have my radio on me.

9 Q. And both you and the other inspector, also -- the other IIC  
10 also had a radio, as well, correct?

11 A. I do not know. I bring my own radio, so it's nothing that  
12 the FAA provide to you, it was my own radio, so --

13 Q. Okay, really just one more group of questions and that's  
14 going back to Shawn was asking you about those passenger rides and  
15 you said something that I thought was interesting, you said you  
16 were not aware of passenger rides taking place during the air  
17 show, is that something that the air show producers should have  
18 made you aware that they intended to happen?

19 A. Well, I guess. I really don't know.

20 Q. Okay, that's fine. I wasn't sure if that was something that  
21 they should've told you or maybe it was a last-minute thing that  
22 they changed and just nobody ever told you.

23 A. Oh, no. Normally, no, no. We know exactly which one has to  
24 operate or capabilities. Some people exercise it and some people  
25 doesn't.

1 Q. Okay.

2 A. Just because they can, they don't always use it for whatever  
3 reason.

4 Q. But if they are going to use it, should they tell you --

5 A. Oh, we know.

6 Q. -- the FAA IIC?

7 A. Oh, yes, they would tell us, yes.

8 Q. But in this case it sounds like they did not, is that  
9 correct?

10 A. Well, I know that some people were doing tours, but I didn't  
11 know when they're going to do the tours.

12 Q. Not to belabor the point, should you have been told when the  
13 tours were going to take place?

14 A. I don't recall any kind of guidance that tells me that they  
15 need to tell me, other than they can do it, but I can be wrong.

16 Q. Okay. No, that's fine. And again, I don't know how it works  
17 because I recognize that not everything is covered in the  
18 guidance.

19 A. For sure, if you do tours, you need to do an L-0 -- a 91 LOA,  
20 that's for sure. And everyone has it. Then you flying passenger  
21 safety or not is up to the person, but the ones when they fly,  
22 they tell us that's their tour.

23 Q. And so really, my last question, then, is -- I know you have  
24 8900 as guidance and I know that that's kind of your playbook of  
25 sorts, and you've been an inspector overall for about how long

1 now?

2 A. Four years.

3 Q. Okay. So four years, has there -- is there anything else  
4 that you built up in like your personal toolbox that you use to  
5 help make your job easier?

6 A. Yes, experience for other inspectors, absolutely. Because,  
7 you know, guidance is not always clear, unfortunately, and we need  
8 to -- if I don't understand, I talk to someone who know more than  
9 me and based on previous experience, it works fantastically. But  
10 yes, if I don't understand something or is not clear, I normally  
11 use another more seasoned inspector to -- or even my frontline  
12 manager to guide me to the right place to go.

13 Q. Do you get involved with the International Council of Air  
14 Shows at all?

15 A. No.

16 Q. ICAS.

17 A. No.

18 Q. Okay. And that's fine, I just wasn't sure. They're an  
19 organization that also provides like a repository of information  
20 and over -- you can't call them oversight, but guidance for air  
21 bosses and I wasn't sure if you guys collaborate at all on  
22 collecting information.

23 A. No.

24 DR. WOODS: All right.

25 MR. JIMENEZ: No me, that I'm aware of, no.



1 DR. WOODS: All right, that is all I have for now, Shawn,  
2 I'll punt it back to you to give it to somebody else.

3 MR. ETCHER: Thanks, Ms. Sabrina.

4 Mr. Rigsby, would you be so kind, if you have any questions?

5 MR. RIGSBY: Sure, just a couple.

6 BY MR. RIGSBY:

7 Q. Miguel, I don't recall, did you -- I know you're an inspector  
8 for the North Texas FSDO, what's your specialty, is it ops,  
9 maintenance?

10 A. Ops.

11 Q. Okay. And how many ops inspectors does North Texas have now?

12 A. Well, now, I mean, Orlando, so I don't know exactly how many  
13 they are in North Texas right now.

14 Q. Okay.

15 A. But back in my days, if you give me 30 seconds, I believe  
16 there were one, two, three, four, five -- seven, eight ops  
17 inspectors that I work with.

18 Q. Okay. Do you recall how many at North Texas were qualified  
19 for air shows?

20 A. I have no clue, sir.

21 Q. Okay.

22 A. No, no idea.

23 Q. And just to be clear, this is ancillary to your other duties,  
24 correct?

25 A. Correct.

1 Q. And can you volunteer to do the air shows?

2 A. Sure.

3 Q. Right, okay. At an air show, do you have or does -- your job  
4 as IIC, do you have any control of the operations as far as like  
5 during the performances and that type of thing?

6 A. No.

7 Q. Okay. On this particular event, on the tragic day a year ago  
8 almost now, you were the -- do you have an actual title other than  
9 trainee or there's no --

10 A. I was an Aviation Safety Inspector.

11 Q. Okay.

12 A. In training.

13 Q. In training.

14 A. On that particular task.

15 Q. Sure. Okay. Do you recall any other aircraft operating at  
16 the time of the accident? Like, was there another performance  
17 going on while this performance was going on? Or rides being  
18 given?

19 A. No, I do not.

20 MR. RIGSBY: I think that's all I have, Shawn.

21 MR. ETCHER: Thank you, sir.

22 Mr. Heath, do you have any questions, sir?

23 MR. HEATH: Yes, just a couple.

24 BY MR. HEATH:

25 Q. Thank you, Inspector, for being here. Of course, my interest

1 is in protecting our pilots and aircraft to prevent something like  
2 this in the future, so just -- we've talked -- you mentioned 8900  
3 and 8900.1 a couple times, what exactly is that?

4 A. That's our guidance to tell us, basically, how to proceed to  
5 issue or do our job.

6 Q. Okay. Is that applicable to everybody that flies in the air  
7 show or --

8 A. No, just to the FAA. It's our guidance, it's the guidance  
9 for inspectors, yes.

10 Q. Okay. And there's a lot in there, I know I've looked at it  
11 recently. I don't know, there's a lot to it. How much detail do  
12 you get into if you learn to be an aviation safety inspector? And  
13 so specifically, here's an example, would you know the difference  
14 between standard maneuvering and dynamic maneuvering? And this  
15 isn't just -- if you don't know, I mean, I can look it up, so --

16 A. No.

17 Q. Okay. So I guess, who -- since there are a lot of things in  
18 8900 that would be applicable to air shows and things that people  
19 should or shouldn't do, have to have certain qualifications, who  
20 do you expect to be able to supervise that and say "hey, you don't  
21 have the qualifications to be doing this," and give feedback to  
22 whoever, whether it's pilots, air boss, is that something that you  
23 would ever get involved in?

24 A. Well, I check out the qualifications of everyone that  
25 guidance allow me to and if they comply, if I have some kind of

1 doubt, I can always contact directly to the person or ask for  
2 clarification on my manager, yeah.

3 Q. Thanks. And I think it's already been touched on a little  
4 bit, but if you -- if you saw something that you didn't like in an  
5 air show, do you feel you have the authority to intervene and say  
6 stop this?

7 A. Oh, yeah.

8 Q. Okay.

9 A. I don't know if -- yeah, definitely. If it's unsafe, if it's  
10 unsafe on my point of view, I will intervene for sure, yes.

11 MR. HEATH: Okay. That's all I have. Thank you very much  
12 again, Inspector, for being here and helping us with this.

13 MR. JIMENEZ: A pleasure, thank you.

14 MR. ETCHER: Thanks, Bob.

15 Inspector, you doing okay? Round 2 is always quicker, but do  
16 you need a break, you doing all right?

17 MR. JIMENEZ: No, let's keep going.

18 MR. ETCHER: All right. I told you it's always quicker, so I  
19 only have like 36 pages of questions left.

20 MR. JIMENEZ: Oh, that's fine.

21 MR. ETCHER: No, just kidding. Yeah.

22 MR. JIMENEZ: Fantastic.

23 MR. ETCHER: Just kidding. I know you've really helped a lot  
24 to educate me so I can't thank you enough, you filled in a lot of  
25 areas that I didn't have a lot of understanding on, so thank you

1 for that.

2 BY MR. ETCHER:

3 Q. But one thing that I have learned during this is there's a  
4 lot of information you guys have to see that's accomplished, you  
5 know, you have your guidance that you have but then the air show  
6 provides you with a lot of paperwork.

7 A. Correct.

8 Q. Help me understand, I mean, you're busy, you're a busy  
9 person, you know, inspectors with the FAA always seem to be  
10 swamped. How do you keep track of all that as it comes in to make  
11 sure everything's done? Kind of educate me on that, would you,  
12 maybe it will help me with my caseload.

13 A. Well, 8900 has something that I'm very fond of, it's called  
14 Job Aids, so you have checklist that you can follow, so you know,  
15 it helps me immensely. So let's see then, you know, did you ask  
16 this stuff there, oh, I need to give you an update of the pilots  
17 in two days, I just click it and I know exactly what I left, so  
18 Job Aids are my friends, definitely, yes.

19 Q. Okay. Even with Job Aids, I have a feeling I would -- sadly,  
20 I'd probably let something fall through the cracks, if you will,  
21 I'd forget something. Do your Job Aids, are they set up in a way  
22 that you can't forget things?

23 A. It's kind of tough because, you know, guidance is pretty, as  
24 I say, generally specific, just to miss anything, so -- but the  
25 Job Sites (sic) helps you a lot to tracking a lot, so yeah.

1 Q. Okay. And on the day of an air show, whether it's this event  
2 or another one, your choice, you know, you've been sent a lot of  
3 paperwork, I assume. Do you have that printed off that you take  
4 with you or is that stuff already dealt with, you don't have to  
5 take it with you to an air show?

6 A. Well, that depends of each inspector. In my case, everything  
7 is digital, so I bring my laptop.

8 Q. Okay.

9 A. So everything is there. Just in case something happen or  
10 whatever, I can always access. But, you know, that's me. Some  
11 people rather print it out. I'm very conscious about that, so I  
12 bring my laptop, hook it up and that's it, yeah.

13 Q. Okay, perfect. On the day of the accident event, I know you  
14 said -- and forgive me if I put words in your mouth, so don't let  
15 me, but I believe you said the day before the weather wasn't  
16 conducive to allow an air show to happen --

17 A. Um-hum.

18 Q. -- the weather was bad. How was the weather the day of the  
19 accident?

20 A. Oh, perfect. It's Texas, you know. Snow on Monday; summer,  
21 Monday afternoon, yeah. It was -- honestly, was freezing, windy,  
22 it was horrible, horrible, and we be there ramping aircraft with  
23 another two maintenance guys that help us, it was horrible, it was  
24 cold and windy, but we need to do what we need to do. And the  
25 next day, it was fantastic. Clear skies, I mean it was perfect

1 for an air show, perfect. You cannot ask for better weather, with  
2 a light wind.

3 Q. And just for clarification, the day it was windy and cold  
4 and --

5 A. Nothing happens, yeah.

6 Q. But that was on -- was that the day before?

7 A. I believe it was the day before, yes.

8 Q. Okay. I just wanted to make sure it wasn't the morning of or  
9 something.

10 A. Oh, no, no, no, no, no.

11 Q. Okay.

12 A. No.

13 Q. Okay, perfect. Now, perfect day, nice weather and all for an  
14 air show.

15 A. Yeah.

16 Q. Where was the sun in relation to you, was it in your eyes,  
17 could you see everything clearly, just --

18 A. Oh, definitely.

19 Q. I just want to make sure there were no sun issues.

20 A. No, no, no, no. No, I see everything super clear, yes.

21 Q. Okay. And if you can kind of think back to the day of the  
22 air show, and if you don't know, remember, "I don't know" works,  
23 but was -- were there any altitudes given during the briefing or  
24 as part of the sequence of events on, you know, bombers will be  
25 between this altitude and this altitude, fighters are going to be

1 between these two altitudes, was there anything like that given?

2 A. Yes. It's always something like that, yes. Because of the  
3 different airspeeds of the different aircraft, so it has to be  
4 something like that, yes.

5 Q. Can you recall what those altitudes were? I know it's been a  
6 year ago, so I understand if you can't.

7 A. I'm sorry.

8 Q. No, no reason to be sorry, it's -- I can barely remember what  
9 I did yesterday, so you've remembered a lot from a year ago, so  
10 I'm impressed.

11 A. I mean, there's some things that, you know, strike your mind,  
12 so you know, these things, you know, I will never forget, but  
13 yeah, no.

14 Q. Okay.

15 A. I cannot help you on that, sir, I'm sorry.

16 Q. No, I appreciate it. Prior to the air show, did you -- you  
17 and the other inspector, did you guys do any tabletop exercises  
18 with the air show coordinators or whatever on what to expect, what  
19 can happen, how the air show is going to go, do you guys -- were  
20 you involved in any of that?

21 A. I don't recall. It may, but I don't recall.

22 Q. Okay. And that's okay, "I don't recall" works just as well  
23 as "I don't know," it's all good. I have two last questions and  
24 then -- I told you Round 2 is a lot quicker, so I'll pass it off  
25 after that.



1 A. No problem.

2 Q. But when Sabrina was talking, you said there was a schedule  
3 of events.

4 A. Yes, sir.

5 Q. So help me understand what that schedule of events was, is it  
6 the bombers, you guys take the runway at this time, you fly out,  
7 you turn this way, you do that, was it really scripted or was it  
8 just kind of time slots?

9 A. One is time slot, yes, so at 10:55 the trainers pass and it  
10 was brief what the trainers should do, you know, like two loops or  
11 three loops on the safety briefing, but it's more like, you know  
12 -- or "Tora, Tora, Tora," from that time to that time, so you know  
13 exactly what -- yes. On the briefing, yes.

14 Q. Okay.

15 A. But on the time that I have to check everything is just a  
16 timetable, yes.

17 Q. Okay. So think back to that, the briefing part, were the  
18 bombers and the fighters to fly beside each other, parallel to  
19 whatever was done, was that explained in the briefing, that, you  
20 know, as the last pass, I'm going to have the bombers on this line  
21 and --

22 A. Yes.

23 Q. -- the fighters on that line and that was all briefed?

24 A. Yes, sir.

25 Q. Okay. My very last question. I told you I only had two, but

1 I guess I lied, I had a third.

2 A. That's okay.

3 Q. Sabrina asked about headsets and being on the radios -- I  
4 did, too -- but then you said something that kind of piqued my  
5 interest, you said the FAA does not provide you with a radio, is  
6 that correct?

7 A. It was mine only, yes. I don't think that we have one for  
8 the air shows. It was my personal one.

9 Q. Okay. So do you recall --

10 A. I don't think it's -- I don't think it's required in guidance  
11 to us, listen to the air traffic, but I'm a geek, so --

12 Q. No, that was going to be my follow-up question to it, is  
13 there any guidance that requires you guys to have a radio?

14 A. I don't think so, I don't recall that, no.

15 Q. Okay, perfect. Well, I told you -- I'm sorry.

16 A. Saying that, all the inspectors that I went to the air shows  
17 has his own radio, so --

18 MR. ETCHER: Okay. All right, perfect. I think you've  
19 answered all my questions, I'm going to flick it to Sabrina to see  
20 if she has any, but I do appreciate it.

21 MR. JIMENEZ: Thank you very much.

22 MR. ETCHER: And Sabrina.

23 BY DR. WOODS:

24 Q. I really just have one question and that is so, in a perfect  
25 world, you get the package, you go through it, you issue the

1 waiver, the air show goes perfectly, then what happens to that  
2 information, is it stored somewhere, is there a sort of archival  
3 process --

4 A. Yes.

5 Q. -- so that maybe you can look back four years later and  
6 figure out how it went four years ago to compare to?

7 A. Yeah, it's archived on the FSDO, yeah.

8 Q. How long?

9 A. I have no clue.

10 Q. Okay. Is there any sort of requirement for you to keep those  
11 old waiver packages?

12 A. In the office, when I'm done with my job, I -- and this how  
13 this office works, because different office works differently. I  
14 send the package to my FLM, and is been stored in a hard drive, I  
15 believe --

16 Q. Okay.

17 A. -- for, I don't know, X amount of time. Electronically,  
18 yeah.

19 Q. So I get the electronic, so I was able to go out to EAA's Air  
20 Adventure, there was a big binder that that IIC was carrying  
21 around. In addition, he had a laptop, as well, like you said that  
22 you use, there's a good -- it was this big, I made jokes about it,  
23 this huge three-ring D binder. Do you use anything like that or  
24 do you just try to stick to all electronic?

25 A. All electronic, yes.

1 Q. Okay. But that is an option that you could do if you wanted?

2 A. Oh, yes. You can bring whatever you seems or deems necessary  
3 to help you out, yeah.

4 Q. Okay.

5 A. Some people bring out the guidance, they operate with that.

6 Q. Okay.

7 A. It's up to the inspector, yes.

8 Q. So would the -- even though there was an accident, would the  
9 waiver package for 2022 Wings Over Dallas, would that still be  
10 electronically on file at the North Texas FSDO?

11 A. I do not know.

12 Q. Okay.

13 A. Yes, I don't know.

14 Q. I wasn't sure, does it go to a special "other" category  
15 because an accident happened?

16 A. I do not know.

17 DR. WOODS: You don't know. Okay, that's fine. I can just  
18 -- we can follow up and ask of those folks. All right, yeah,  
19 that's it. I'm easy, that's all I have. Thank you, Shawn.

20 MR. ETCHER: Thanks, Ms. Sabrina.

21 Mr. Rigsby.

22 MR. RIGSBY: Hi, Miguel. I don't think I have anything else  
23 for you, Miguel.

24 MR. JIMENEZ: Okay.

25 MR. ETCHER: Thank you, sir.

1 Mr. Heath.

2 MR. HEATH: No, sir, I don't have anything. Really  
3 appreciate again your help today.

4 MR. JIMENEZ: Thank you, sir.

5 BY MR. ETCHER:

6 Q. Well, you made it through, we've asked you a ton of  
7 questions, I appreciate it. But as we always say, we're always  
8 afraid we could ask you a thousand questions but we missed the one  
9 really important question that you think we should've asked. Is  
10 there any question you can think of that would help us, point us,  
11 kind of give me better clarity, whichever it is, that we didn't  
12 ask that we should have?

13 A. Well, you were pretty thorough, let me say that, so I don't  
14 think that you missed anything. Good job on that, I grant you  
15 that, so yeah, I think that you covered everything.

16 MR. ETCHER: And I appreciate that, I always am afraid  
17 because this is an area I'm not an expert in, even close, I don't  
18 even pretend, but you have educated me so much. I know my brain  
19 can only absorb about a small percentage of what you taught me, so  
20 I am so glad we will have this so I can reference it later, so I  
21 can't thank you enough.

22 But with that, we will call this interview concluded at 10:25  
23 Central time and thank you so much.

24 MR. JIMENEZ: Thank you very much.

25 (Whereupon, at 10:25 a.m., the interview concluded.)

## CERTIFICATE

This is to certify that the attached proceeding before the  
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            FATAL COLLISION AT WINGS OVER  
                                 DALLAS AIR SHOW AT THE DALLAS  
                                 EXECUTIVE AIRPORT IN DALLAS,  
                                 TEXAS ON NOVEMBER 12, 2022  
                                 Interview of Miguel Angel Jimenez Perez

ACCIDENT NO.:                CEN23MA034

PLACE:                        via Zoom videoconference

DATE:                         October 4, 2023

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



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Karen D. Martini  
Transcriber