

FAA Reorganization and Change: Everything Changing or Nothing Changing?

The Aviation Symposium Webinar Series



Presenters



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Update - FAA Reauthorization

- 21st Century AIRR Act
- FAA Reauthorization Act Of 2017
- Disaster Tax Relief and Airport and Airway Extension Act of 2017 (180 day extension)
- Schuster still pushing for full House vote in October
- Call for Amendments on October 5
- Anticipate letting members vote on amendments on the floor of the House
- Over 150 submitted to date



21st Century AIRR Act - Privatization of ATC

- Create an independent, non-for-profit ATC service
- Why does the White House believe we need the service?
 - The current ATC System is obsolete
 - Need to remove ATC from the political and budget systems
 - Give access to capital markets
 - Have the ability to make market and service based decisions
 - To disconnect improvements from the federal procurement system
- Modeled after private ATC systems in Canada, Germany, Australia, New Zealand and the UK
- Calls for a three year transition period
- Provides administrator oversight changes to the fees charged for the service



21st Century AIRR Act - General Aviation (GA)

- Prohibits restrictions on access to airspace for GA
- GA exempted from paying user fees for ATC, but payments to the Airport Improvement Program remains in place
- Increases funding for airport improvement programs
- Maintains the Federal Contract Tower Program and current contracts to ensure no service disruptions
- Provides opportunities for more rural communities to participate in the program



21st Century AIRR Act - Noise Issues

- Administrator required to consider noise, dispersal headings or lateral track variations below 6,000 ft'
- Study on impact of overflight noise below 10,000 ft
- Noise mitigation pilot program
 - Requires up to 6 airports to participate
 - Requires up to \$2,500,000 committed for program
 - The goal is to develop best practices for reducing and mitigating noise
- Aircraft noise exposure
 - FAA is required to submit a report to Congress in two years on aircraft noise exposure and propose changes to 14 CFR 150 (Airport Noise Compatibility Planning)
- Community Involvement in NextGen for metroplexes
 - 180 days to review increased community involvement in performance based navigation



21st Century AIRR Act - Certification Reform

- Creation of Safety Oversight and Certification Advisory Committee
 - Recommendations of aircraft and flight standards certification processes, Implementation and oversight of safety management systems, risk-based oversight efforts, utilization of delegation and designation authorities, and regulatory interpretation standardization.
 - Includes the Administrator, aircraft and engine manufacturers, avionics and equipment manufacturers, labor organizations, GE operators, air carriers, business aviation operators, UAS manufacturers and operators.
 - To meet at least twice per year with meetings open to the public and provide rulemaking advice.
- Within 120 days of creation of the Committee, the FAA must establish performance objectives and metrics for aircraft certification
 - FAA is to increase accountability, eliminate delays, implement risk management principles and transparency
- Create Task Force on Flight Standards Reform



21st Century AIRR Act - Miscellaneous

- Flight attendant duty period and rest rules
 - If scheduled for a duty period of 14 hours or less they must have a rest period of at least 10 hours, which cannot be reduced under any circumstances
 - Within 90 days, every Part 121 carrier must submit to FAA for review and acceptance of a fatigue risk management plan for flight attendants
 - All plans must be accepted or rejected 1 year after enactment
- Cell Phone Ban
 - Required DOT to ban all cell phone use except for flight crew or flight attendant on duty or federal law enforcement officer. (Senate only permits DOT to conduct a rulemaking)
- Bumping
 - Makes it an unfair or deceptive trade practice to deplane a revenue passenger if he is travelling on a confirmed reservation
 - There is no maximum level of compensation a carrier may pay to a bumped passenger
 - The compensation levels of 14 CFR Part 250 are minimums that must be paid
 - Currently 200% (\$625 max) if alternate transportation offered, 400% (\$1,350 max)



FAA Reorganization – Flight Standards

- On August 20, AFS made organizational adjustments that will enable it to operate with greater accountability, better use of resources, and more readiness to adapt to change.
- The FAA expects the Flight Standards restructuring to yield benefits to both the agency and the U.S. aviation community.
- It will strengthen the organization's ability to keep pace with changes in the aviation industry, increase the Service's ability to derive maximum benefit from the fixed resources allocated to the agency, and make sure AFS employees develop and interpret regulations and policy consistently across the organization.



FAA Reorganization – Flight Standards

- Organizational changes include the elimination of regional AFS offices and the creation of four functional organizations within AFS: Air Carrier, General Aviation, Standards, and Foundational Business.
- The reorganizing of the four functional areas allows for a single point of accountability within each area, resulting in the removal of an additional level of coordination at the regional level and a more consistent and streamlined structure within AFS.



FAA Reorganization – Air Carrier Safety Assurance Office

- Provides all certification and oversight activities for aviation entities conducting operations under, or integrally related to, 14 CFR Part 121
- Ensures consistency and standardization in application of oversight activities
- Applies Risk-Based Decision Making (RBDM) for enhanced and focused utilization of certification and surveillance resources, and works across the Service to ensure stakeholder and public needs are proactively and expeditiously met
- Investigates accidents, incidents, and possible violations of 14 CFR and ensures compliance of operators' flight procedures, operating methods, airmen qualifications and proficiency, and aircraft maintenance conducted under, or integrally related to, 14 CFR Part 121



FAA Reorganization – Office of General Aviation Safety Assurance

- Oversight of 14 CFR Part 91 operations.
- Airman education.
- Compliance and enforcement.
- Oversight of Designee management.
- Aircraft accident and incident investigation.



FAA Reorganization – Office of Safety Standards

- The eight divisions of the Office of Safety Standards focus on the following areas:
 - Air carrier and air taxi operations, and the maintenance and alteration of aircraft
 - International agreements and certification and oversight for foreign entities, and determining operational suitability of aircraft
 - Operating airmen, general flight operations, UAS, and flight technologies associated with air traffic management, airspace requirements, and Instrument Flight Procedures (IFP)
- The Office of Safety Standards is responsible for the following:
 - Develops, implements, and tracks regulations, guidance, and directives
 - Works collaboratively and interdependently with other Service offices, divisions, and internal and external stakeholders to identify and create awareness of trends impacting aviation safety.



FAA Reorganization – Office of Foundational Business

- Provides human resource management, administrative, staffing, budget and logistical services to the entire Service
- Manages and directs all matters associated with the planning, programming, and implementation of the Aircraft Registration and Airmen Certification Programs
- Represents the quality control and assurance arm of the Service's Safety Management System (SMS) responsible for the application of safety management and quality management within the Service, and for identifying risks that transcend individual regulated entities, straddle multiple sectors of the industry, and/or rise to the level at which they require national or governmental attention
- Recruits and hires high-quality individuals for the Service and ensures their development is tailored to the individual and aligned to the needs of the Service.



FAA Reorganization – Flight Standards

Flight Standards Responsibilities Quick Reference Sheet

Use this Quick Reference Sheet to determine the office to contact with your policy issue or question. Look up your policy topic in the far left column. The right columns provide information of the appropriate office and their contact information. If your topic area is not listed, continue to contact the same office, as it has not changed with FFS.

If your issue or question relates to:	You will contact this office:	Phone
FOIA	AFB-100 Business Standards Division	(202) 267-8441
Aviation Security	AFB-400 Safety Risk Management Division	(202) 267-3705
Complaints (hotlines, whistleblower, congressional, Level 2 CSI)	AFB-400 Safety Risk Management Division	(202) 267-7976
Quality Management, quality control, QMS	AFB-400 Safety Risk Management Division	(410) 590-5364
Flight Standards Flight Program	AFB-500 Workforce Development Division	(703) 487-3900
Aircraft Registration	AFB-710 Aircraft Registration Branch	(866) 762-9434
Airmen Certification	AFB-720 Airmen Certification Branch	(866) 878-2498
International Flight Standards Office (IFO), DFW, LAX, MIA, NY	AFS-54 International Field Management Branch	(202) 267-0801
Air Carrier Operations (including Parts 119, 121, 135, 142)	AFS-200 Air Transportation Division	(202) 267-8166
Certificate Mergers/Acquisitions (including Parts 121, 135, 142)	AFS-200 Air Transportation Division	(202) 267-8166
Voluntary Programs (ASAP, VDRP)	AFS-200 Air Transportation Division	(202) 267-8166
Aircraft Maintenance topics and issues	AFS-300 Aircraft Maintenance Division	(202) 267-1675
Airport cases and operational evaluations	AFS-400 Flight Technologies and Procedures Division	(202) 267-8790
National Airspace and Air Traffic cases and evaluations	AFS-400 Flight Technologies and Procedures Division	(202) 267-8790
NextGen technologies approvals (including ILS approaches, Special Areas of Operation)	AFS-400 Flight Technologies and Procedures Division	(202) 267-8790
Special Instrument Approaches, Waivers to instrument procedures and criteria	AFS-400 Flight Technologies and Procedures Division	(202) 267-8790
Designees	AFS-600 Regulatory Support Division	(405) 954-4431
General Aviation Operations (including Parts 61, 91, 125, 133, 137, 141)	AFS-800 General Aviation & Commercial Division	(202) 267-1100
Aviation events & Aerobatic Practice Areas	AFS-800 General Aviation & Commercial Division	(202) 267-1100
Certification Services Oversight Process (CSOP)	AFS-900 Safety Analysis & Promotion Division	(703) 487-3900
Certificate Transfer Policy Issues	AFS-900 Safety Analysis & Promotion Division	(703) 487-3900
FAA Safety Team (FAAST)	AFS-900 Safety Analysis & Promotion Division	(703) 487-3900
National Program Guidelines (NPG)/RAMPS	AFS-900 Safety Analysis & Promotion Division	(703) 487-3900
Safety Analyses, Safety Management System (SMS)	AFS-900 Safety Analysis & Promotion Division	(703) 230-7664
Safety Assurance System (SAS) topics	AFS-900 Safety Analysis & Promotion Division	(703) 487-3900
Accidents	TBD	
Investigations and Enforcements	TBD	

If you are an operator and you would typically contact your flight standards office, continue to contact that same person/office.

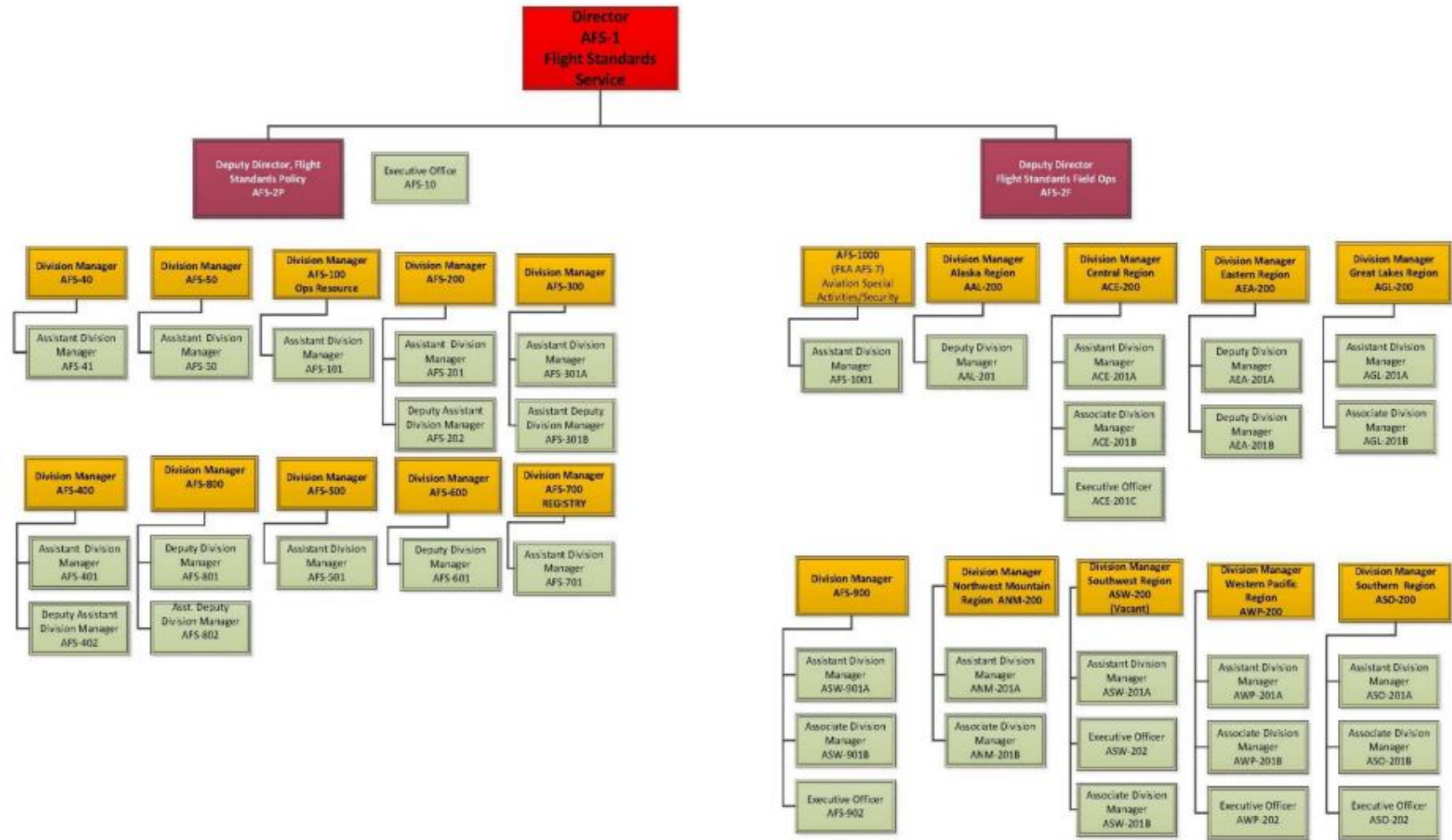


FAA Reorganization – Compliance and Enforcement

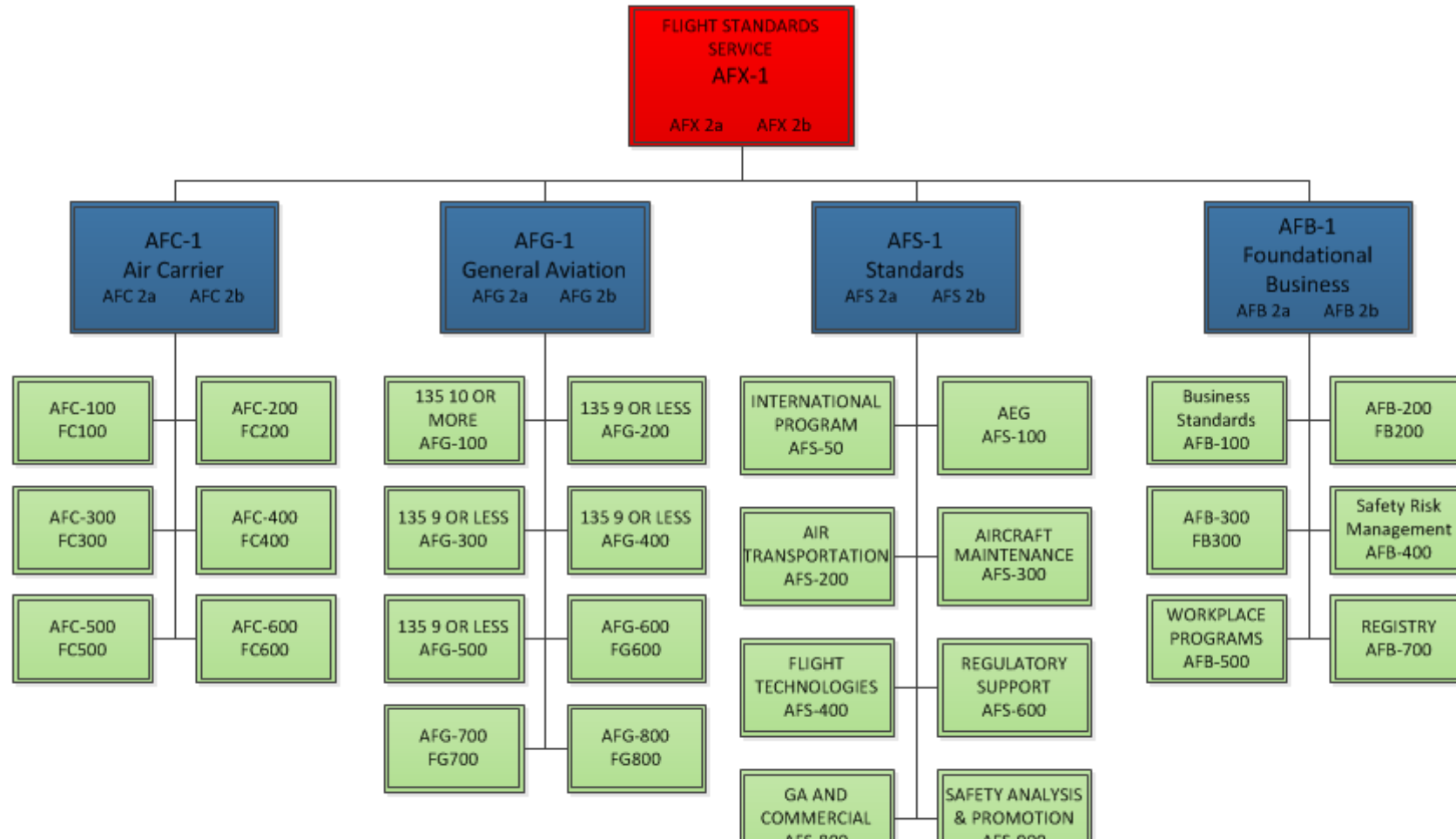
- FAA Order 8900.373 Change of Philosophy
- 8900.1 CHG 422, Guidance for Flight Standards Employees
 - **14-1-1-11 COMPLIANCE EXPECTATIONS FOR AFS EMPLOYEES.**
 - **E. Just Culture.** AFS must be fair, reasonable, and just. Inspectors must consider all circumstances relating to the facts and allegations. They must make a good faith effort to understand the position of the airman/organization and to communicate the agency's position in a timely manner. AFS must promote and implement a just safety culture approach. Errors must be identified, reported, and analyzed in a non-blaming manner so that appropriate remedial or system-wide corrective action can be taken based on the specific facts and circumstances of each case. **Inspectors must understand the difference between accountability, which accepts responsibility and looks forward, and blame, which focuses on punishment for what has already occurred. Key to a just safety culture is the ability to determine where the line should be drawn between blameless unsafe acts that can be effectively addressed through use of compliance tools and unacceptable behavior that requires use of enforcement action.**



AFS Reorganization – Old Structure



AFS Reorganization – New Structure



FAA Reorganization – AIR Realignment Schedule

- AIR realignment started July 23, 2017 to institutionalize the process improvements that are currently in progress
- Realignment moves AIR's existing local offices (ACOs, MIDOs, etc.) to align with AIR's functional divisions
- During realignment AIR's existing industry POCs will be retained to ensure seamless relationship management and to facilitate contact with the appropriate AIR employee
- AIR will continue to brief industry on implementation status and to solicit feedback
- As an outcome of realignment, AIR's directorate structure will cease to exist

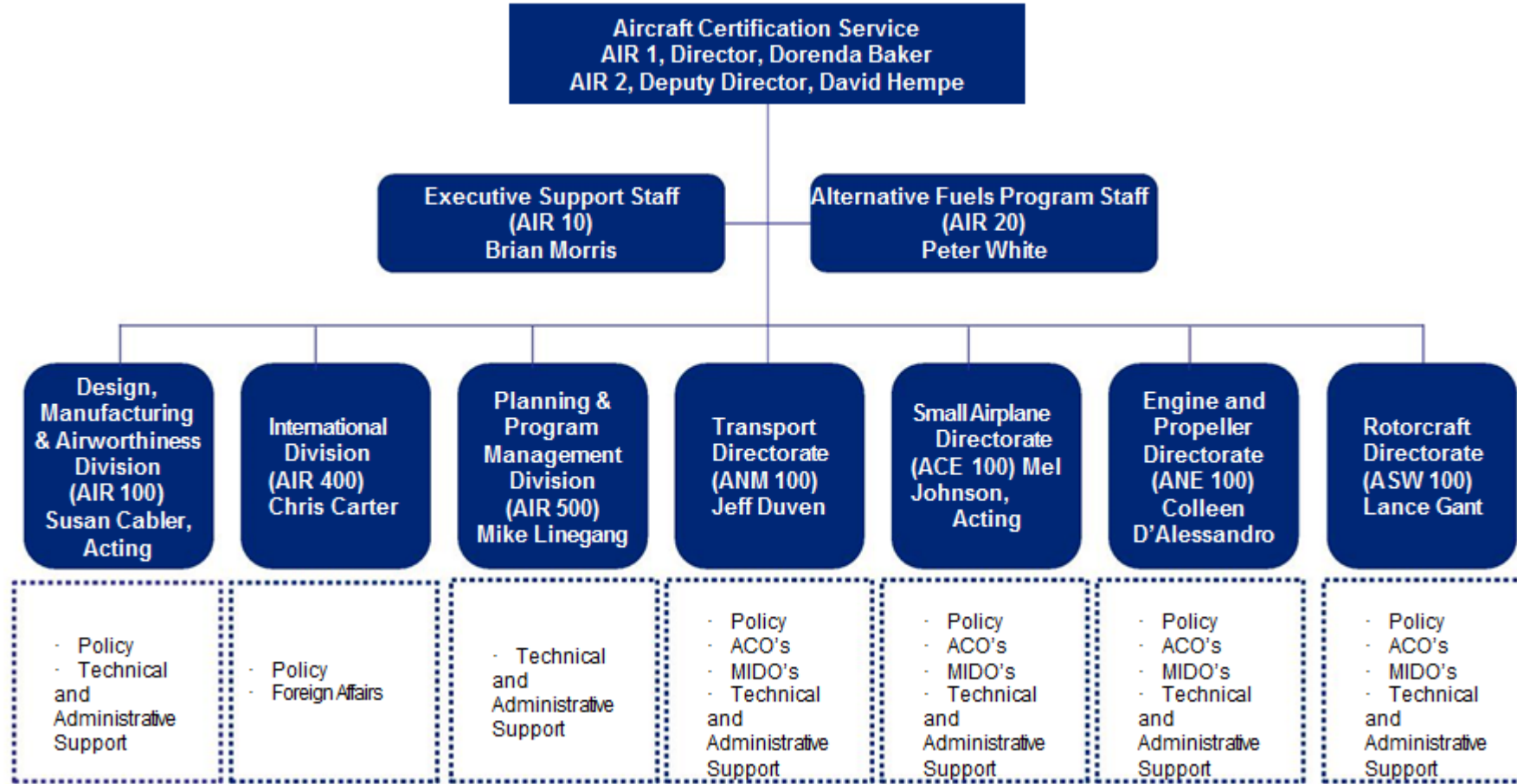


AIR Realignment - What does the FAA say are the benefits?

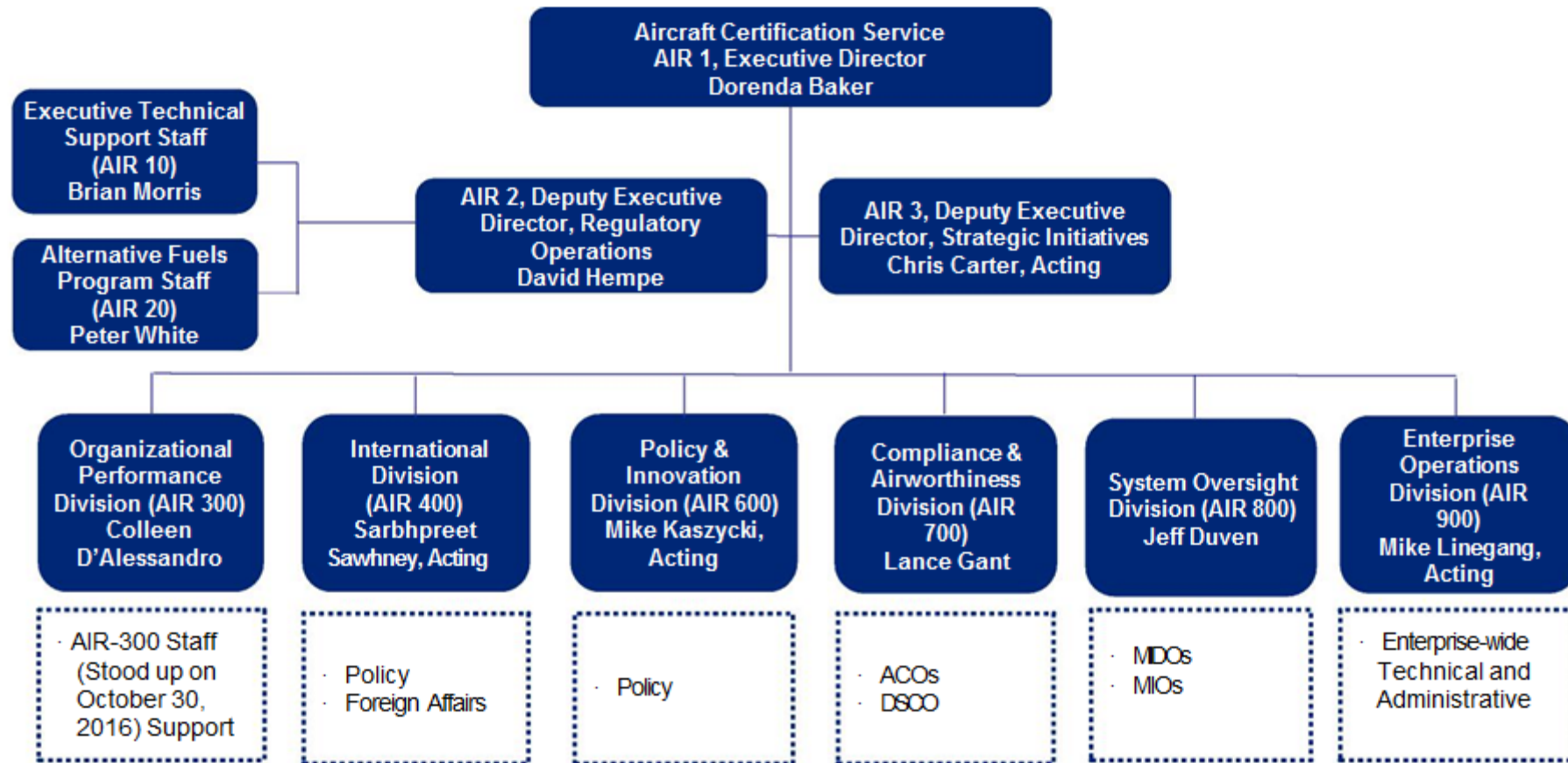
- **Agility and Adaptability** - Provides agility and adaptability to meet the challenges of the dynamic global aviation industry
- **Innovation** - Fosters innovation by engaging applicants/industry early to understand new concepts and ensure a viable path to compliance.
- **Streamlined Certification** - Facilitates early industry engagement and risk-based monitoring to eliminate unnecessary FAA involvement in the “critical path” during certification
- **Consistency and Standardization** - Improves consistency and standardization by establishing single functional lines for certification, standards, and system oversight
- **Metrics-Based Analysis** - Establishes business practices for utilizing metrics to determine efficacy of Industry/FAA associated with compliance and time to market
- **System Oversight** - Shifts focus from transactional compliance activities to system oversight and early involvement in standards development



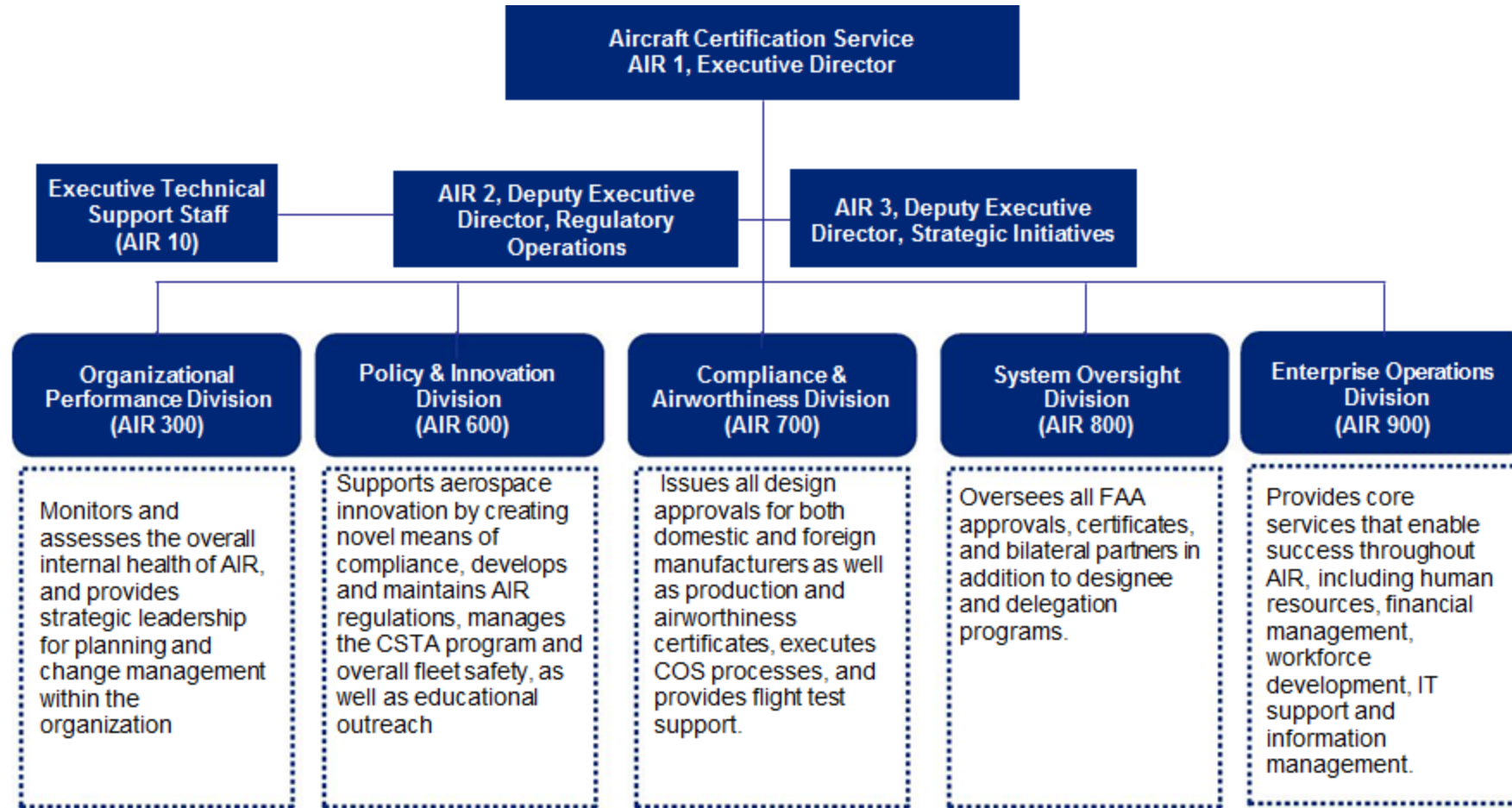
AIR Before the Organizational Change



After AIR Realignment – July 23, 2017



Functional Division State End



FAA Reorganization – Office of the Chief Counsel

- FAA Order GC 1100.170
- Principal Deputy Chief Counsel (AGC-2): Direction to the Enforcement and Regulations legal practice areas, chief legal strategist.
- Deputy Chief Counsel (AGC-3): Direction to the Acquisition and Fiscal Law and Airports and Environmental Law, International Law and Legislation legal practice areas
- Deputy Chief Counsel (AGC-4): Direction for the Employment Law, Litigation, Ethics, and Information Law practice areas

