



THE VIEW FROM WASHINGTON

BY RIC PERI

VICE PRESIDENT OF GOVERNMENT & INDUSTRY AFFAIRS FOR AEA

A Look Back — and a Look Forward

The December issue of *Avionics News* seems like a good time to take a few minutes to thank those who make our business possible: the Feds. To each of the members of the 41 countries' national aviation authorities that support AEA member companies worldwide, we hope this is a time of family, friends and faith. Enjoy the holiday season.

We routinely talk about the partnership our industry has with government, which enables us to introduce new technologies to the pilots who get to use them.

When we look at the new technologies of primary flight displays, WAAS and wireless technologies, none of these would be possible without the cooperative partnership between the industry designing and building these products, the shops selling and installing the technologies, and the agencies overseeing the safety and reliability of the technologies.

With the continued growth of the European Aviation Safety Agency, we are beginning to see many challenges similar to what we see in the United States with the Federal Aviation Administration. When we talk about the challenges of the partnership resulting from the huge bureaucratic jugh-

ernaut of the FAA, the challenges are not limited to one geographic area.

During the more than 15 years I have been in Washington, there is one constant: The agency is made up of well-meaning, passionate and committed people. Like most companies, not everyone is there for the same reason, but in general, they are really good people.

Whether you are with the FAA, TCCA, EASA, CASA or any of the other 29 authorities supporting our industry, thank you for your support, passion and, at times, patience throughout 2009.

Now for next year: How can we make 2010 better?

COMMUNICATIONS

Recently, I received a note from one of our members stating, after months of negotiations with its "new" inspector, the business finally received its "approved" manuals. The FAA "legalese" makes a distinction between "approved," "accepted" and "acceptable."

I'm sure when the FAA brings charges against a repair station for violations, the attorneys make a big deal about these differences. However, for the repair station need-

ing its manual "blessed" by its inspector, it truly is academic. The process is simply the same.

We went to great lengths during the rewrite of Part 145 to ensure the manuals were accepted rather than approved; however, those of us who worked on the Part 145 Aviation Rulemaking Advisory Committee failed.

Today, repair station manuals still are being wordsmithed, which the rewrite was supposed to stop. The manuals constantly are changed with every new inspector who has oversight of a repair station.

For next year, as we move forward with safety management systems, quality systems and air carrier training programs, the FAA needs to understand, for small businesses, the labor to develop, negotiate acceptability, manage and update manuals, and the label placed on its acceptability simply is academic: It has no bearing on the time and labor a shop would need to expend. The agency needs to understand it doesn't matter to the public — it is just as costly.

Back to communications. Regarding the member who recently received the shop's "approved" manuals, I asked if he was satisfied with the outcome, "Yes, I'm satisfied

Of course you need to read the regulations; however, when an inspector is not happy with the text of a manual, the inspector needs to be more specific about what is wrong and what it will take to make it right.

with the manual,” he said. “Once I understood what he was asking for, it all came together. We made the documents very simple and easy.”

Those are some powerful words to focus on in 2010: “Once I understood what he was asking for, it all came together.”

I also have received a number of calls from various international members who were struggling with international certifications and approvals. In almost every case, once we understood what they were asking for, it all came together.

As an industry, let’s try to better understand what our inspectors are trying to say. Don’t be afraid to say, “I don’t understand.” We can’t fix what we don’t understand. We must understand what we are being asked to do.

But it is a two-way street. The agency’s inspectors need to communicate better as well. Too often, our inspectors simply say, “Go read the regs.”

Of course you need to read the regulations; however, when an inspector is not happy with the text of a manual, the inspector needs to be more specific about what is wrong and what it will take to make it right. If an inspector is not satisfied with a manual, he must be specific about what needs to be changed — this constant “I’ll-know-it-when-it’s-right” attitude must stop.

Sometimes, I feel like I’m preaching to the choir when I talk about how to make the system better. The industry and agency personnel who take the time to read *Avionics News* and participate in AEA events usually are not the people who generate my phone calls. But if we are to have continuous im-

provement, we can’t ignore the episodic incidents. Oh no, this is starting to sound like SMS.

Actually, during the annual NBAA Meeting & Convention in October, FAA Administrator Randy Babbitt used the episodic incidents in the medical industry as an example of how capturing and analyzing incident data improved safety in the medical industry.

It seems to me, we have an elephant in the room we keep dancing around in complete denial that it exists. This elephant in the room is that co-worker who doesn’t communicate as well as he or she could and who isn’t interested in getting any better. Perhaps, this co-worker’s knowledge of the regulations isn’t quite what it should be and his or her unwillingness to engage in communications is a defense mechanism.

For continuous improvement, it’s going to take the other 90 percent of the office to help their co-worker admit these challenges.

Along with the elephant in the room, we also have a couple of challenges the FAA needs to step up and address. First, is the grounding of aircraft. This past year, there were a couple of incidents that created some opportunities for improvement.

In one instance, an FAA inspector clearly and properly questioned the airworthiness of an aircraft. The inspector had cause to question the aircraft and he followed acceptable practices. Then, the incident went south.

After the shop inspected the aircraft and verified it was airworthy, the problems began. In speaking to the operator, I advised him, once he had confirmed the aircraft indeed was airworthy, there was no reason

not to fly the aircraft. The inspector, on the other hand, made it clear to the operator the aircraft had better not be flown or the pilot might be cited — the inspector was not willing to accept he was wrong.

This falls in line with other cases in which A&Ps are “advised” by their inspectors, if they release an aircraft, they “might” receive a violation.

In these type of cases, there is never a paper trail — the intimidation is subtle enough to be a simple misunderstanding — and there is never any follow-up. But it is improper — and arguably illegal — taking of private property.

For the FAA headquarters, regions and districts, I offer this thought: When an inspector’s actions result in the grounding of an aircraft, the inspector should be required to “report” the grounding to his or her supervisor. If the aircraft is not returned-to-service within a week, the supervisor must “sign-off” on the action. Following a month of “grounding,” the regional manager must “sign-off” on the action. And, at the end of 90 days, if the aircraft still is not returned-to-service, the manager of the Flight Standards Division at FAA headquarters should “sign-off” on the action.

This reporting process should be based on direct and indirect groundings. For the individual inspector’s actions to result in the loss of utility of a million-dollar investment (in the original case) for more than 12 months without any accountability up the chain of command simply is not acceptable. Let’s improve this process in 2010.

Continued on page 56

THE VIEW FROM WASHINGTON

Continued from page 15

INTERPRETATIONS

Another area to target for 2010 is interpretation. For the past few years, FAA headquarters has made it clear there is only one FAA and there is only one policy — there are not individual regional or local policies. To this end, the FAA has been pretty good. But then, there are the natural interpretations of the printed word.

Currently, we are working on an issue in which an FAA engineer read a policy

and made a unilateral region-wide interpretation of the policy, which fundamentally shut down avionics installations in this region. For those installations that could get completed, the installation costs skyrocketed.

While this represents an extreme example of policy interpretation, the problem isn't limited to this or even limited to this year. The fact is, mostly we are challenged by individual interpretations.

I think the solution to this is twofold. First, we must understand there is no FAA policy requiring you to perform an action to which you do not have access.

When an inspector says you must do something because of a policy statement, you have the right — and, I would add, responsibility — to read and understand the policy. If the inspector says he or she cannot share the policy, beware — and call the FAA district office.

The other solution also comes from FAA headquarters. There is no policy or procedure for FAA inspectors to validate interpretations through normal internal channels. When an interpretation would result in a conflict of regulatory interpretation, the inspector should be able get an "official" answer from the policy division of FAA headquarters before it has a negative impact on the public.

If the local interpretation results in severe economic burden, chances are, there is something wrong. When the personal interpretation results in slowing down an initiative of the Administrator, chances are, it is wrong. When your district (or local) interpretation is unique to you, chances are, it is wrong — but quite normal. We all read words and interpret what we have read.

Doesn't at least one of the pro-business initiatives from FAA headquarters call for evaluation and interpretation of policy before it negatively impacts the customer?

The fact that the public must pay the price of inconsistent interpretations without an FAA internal process for interpretation and support before the utility of public property is taken simply is wrong. Let's change this in 2010.

As we — the industry and agencies together — look toward process improvements, let's all do what we can to make 2010 an improved year. □



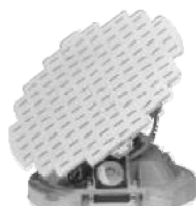
COMPONENT REPAIR

RADAR SERVICE

- Honeywell
- Rockwell/Collins
- Narco



IN-182A



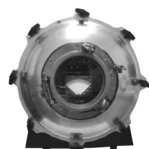
ART 2000/2100

Radar Capabilities:

- ART 2000/2100
- RDR – 130/160/1100/1200/1300/1400
- RDS – 81/82/84
- Primus – 30/40/100/150/200/300/400
- WXR – 200/250/300
- Weatherscout I & II
- KWX – 56/58



Temperature testing
-55°C to +70°C



Altitude Testing to
55,000 ft

3701 Hartsfield Rd
Tallahassee, FL 32303
(850) 575-4028
(850) 575-7441 fax
www.capitalavionics.com

- Aircraft Services
- Component Repair
- Test Equipment Sales

If you have comments or questions about this article, send e-mails to avionicsnews@aea.net.