ARSA Comments on FAA Standardization Delays

Today, the House Subcommittee on Aviation conducted a hearing titled "Review of FAA's Certification Process: Ensuring an Efficient, Effective, and Safe Process." The purpose of the hearing was to review progress the FAA has made in implementing provisions from the FAA Modernization and Reform Act of 2012 that require the agency to address inconsistencies with regulatory interpretations and streamline its certification process.

Specifically, Sec. 313 required the agency to convene an advisory panel to determine the root causes of the FAA Flight Standards Service's and Aircraft Certification Service's inconsistent interpretation of regulations and develop recommendations to standardize the application of aviation safety rules.

In its statement to the subcommittee, ARSA highlighted the report made by the advisory panel (Consistency of Regulatory Interpretation Aviation Rulemaking Committee) as well as the lack of progress in implementing the recommendations. An excerpt of ARSA's statement is below:

"Despite ARC 313's specific recommendation for a single source of regulatory compliance information that would include not only the regulation and its preamble, but also internal and external guidance (orders, handbooks, advisory circulars, legal interpretations, court decisions, etc.), the FAA's report to Congress merely "kicks the can down the road." The agency states that consolidation of its regulatory compliance information would be problematic due to lack of resources to sort through the existing information and eliminate duplicity and inconsistency. The FAA's wish to "study" methodologies and existing databases to determine which would be most compliant with the recommendation is an example of the agency overcomplicating an ongoing issue rather than seeking an immediate, medium- and long-term solution.

The industry cannot wait for the agency; ARSA has developed a simple excel spreadsheet to test a process of consistent issue resolution. That spreadsheet will be used in conjunction with the FAA's Consistency and Standardization Initiative to refine a regulatory compliance database capable of gathering readily available interpretative material as well as later-discovered information. By constant monitoring and updating, the library will continue to grow while inconsistent, duplicative and incorrect information is identified for change or elimination."

ARSA Vice President of Communications, Policy & Planning Eric R. Byer, who also co-chaired the Consistency of Regulatory Interpretation Aviation Rulemaking Committee, commented on the continuing delays by the FAA in implementing the advisory panel's recommendations via the association's blog.