



THE VIEW FROM WASHINGTON

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Why It's So Important to Ask 'Why?'

Growing up, I'm certain I caused most of my father's gray hair. I was a very inquisitive kid and would ask about the basis for nearly every decision he made. Then, I followed suit with a career in the military and continued to be inquisitive. Now, more

The bottom line is, we have a generation — the veterans generation — that interprets "why" as an unacceptable challenge to "senior" authority. We have a military culture in which orders are orders and asking "why" is tantamount to questioning authority. We have a

encountered a few situations that illustrate why it is so important to ask, "Why?"

Earlier this month, I received an e-mail from an FAA associate who commented about my column in the December 2009 *Avionics News* in which I wrote about the cost of random word-smithing by FAA inspectors.

I hate to tell you, but we are in painful agreement.

I wrote about the non-safety, non-critical revolving door of changes to the repair station manuals because one inspector does not like what his or her predecessor accepted. My FAA associate commented about the changes because of technical deficiencies that might previously have been overlooked.

First, let me point out, for every hour of administrative work at a typical small business, it takes nearly \$2,000 in sales to generate the revenue to pay for this non-productive time. For many small businesses, where the owner/operator wears multiple hats, this is an hour off from the technical bench, an hour away from sales or an hour not overseeing the business. Administrative time is not free.

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than five decades old, I still like to ask, "Why?"

The interesting thing is, my father, who was a career military man, the son of an Italian immigrant and born during the Great Depression, interpreted my "inquisitive mind" as a challenge to his authority. "How dare you question my decision!"

It was the same with the military: "Here are your orders — now get it done!" "Why?" "Are you questioning an order?" Nothing is a greater faux pas in the military than questioning an order. It is strictly interpreted as questioning authority. And, yes, I was chastised regularly for such unacceptable behavior.

"police" culture in which the law is the law and asking "why" is challenging an officer's authority. Truthfully, most people actually don't know the answer to "why;" they only know the rules.

For those in authority, I have one bit of advice: Get over it.

The Federal Aviation Regulations are performance-based standards to ensure aviation safety. Knowing and understanding the intended purpose of the regulations dictate we know "why," as well as the desired outcome of the standards. To provide a consistent, compliant product is the basis for designing our operations.

During the past few months, I have

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So, why are we making the changes? My associate said the repair station might have changed processes, or the guidance might have changed, or the repair station might have had a quality escape calling for better business procedures. These are all valid reasons for a change.

On the other hand, when an inspector simply does not like the wording and suggests alternative words without any substantial change in the meaning, yet demands immediate action, this an abuse of authority.

Asking “why” can help clarify the issue. By the way, the reasons for changes are not necessarily wrong, but how the changes are made will be different depending on the answers to “why.”

If you assume the first examples — those with a direct impact on safety — and the repair station manual does not conform to the regulations, by definition, the repair station manual is not acceptable to the Administrator. These changes should be corrected as soon as possible and certainly before the procedures in this portion of the repair station manual are used.

On the other hand, what happen when the grammar, language or procedures

aren't clear? These are not safety deficiencies; so, according to AC 145-9, the repair station manual is still “acceptable to the Administrator.”

14 CFR Section 145.207(a) requires a certificated repair station to “prepare and follow a repair station manual acceptable to the FAA.” Notice the key word here: “acceptable.” What does this mean?

FAA AC 145-9, “Guide for Developing and Evaluating Repair Station and Quality Control Manuals,” defines “acceptable” as “data that meets the requirements of the applicable regulations.”

FAA Order 8900.1, Volume 3, Chapter 1, defines the general process of approval or acceptance of certain operations, programs, documents, procedures, methods or systems. It states this process is an orderly method Flight Standards inspectors use to ensure such items meet regulatory standards and provide for safe operating practices.

The FAA specifically states, “Acceptance of an operator’s proposal may be accomplished by various means, including a letter, verbal acceptance or by taking no action, which indicates there is no FAA objection to the proposal.”

So, we ask “why?”

If the inspector has “recommendations” to make a manual more readable or easier to follow, the manual still is acceptable as written — because readability or ease of use is not regulatory. These recommendations can be accepted or rejected by the repair station. If the repair station accepts these recommendations, the repair station can choose to incorporate them with the next needed (safety noncompliance) upgrades.

Another situation I recently encountered also involved a repair station manual and a new inspector. The repair station contacted me about its new inspector who wanted some changes to the repair station manual. As you might imagine, I asked, “Why?” When given the standard “My inspector is wrong” answer, I again asked, “Why?”

After a few more whys, I finally got to some of the root-cause issues. The repair station operations had not changed; however, when it transitioned from the old manuals (pre-2003 timeframe) to the new repair station manual requirements, the repair station did not clearly define some of the processes the manual requires.

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Wi-Fi Summit at AEA Headquarters Brings Industry and Agencies Together

For the past seven years, I have received calls regarding the challenges of installing wireless technology in business aircraft. In January, the AEA hosted a Wi-Fi Summit at its headquarters in Lee's Summit, Mo., with the FAA, EASA, TCCA and industry. AEA members requested the meeting to convince the FAA it was being overly restrictive regarding the guidance and policy for installing wireless technologies in business aircraft.

A review of the issues and an update of the action items discussed during the Wi-Fi Summit will be presented on Wednesday, April 7, during the AEA International Convention & Trade Show at the Gaylord Palms Resort in Orlando, Fla. For more information, visit www.aea.net/convention.

The Wi-Fi Summit began on a typical note of "us versus them." However, as with all AEA meetings, everyone was treated with respect even though we have differing opinions. Industry was reasonably certain the FAA was treating general aviation and business aircraft with the same scrutiny it uses for large commercial aircraft with fully integrated computer-based aircraft systems.

The agencies presented their concerns and explained why the policy was written as it is, as well as why the policy requires the installer to go through so many steps to install what appears to be a relatively benign "radio." In general, and seriously minimized, the FAA is not as concerned about the "radio" of a Wi-Fi system as it is about the effect of the transmitting portable electronic devices (T-PED) on the aircraft when used as intended. While the Federal Communications Commission regulates T-PEDs, the high end of the allowable powerband could negatively impact the performance of critical and required installed avionics systems. Therefore, the FAA is more concerned about the hundreds of different T-PEDs we carry around with us rather than the dozen or so fixed systems.

14 CFR 91.21 does empower an operator to make decisions regarding portable electronics devices, but have you actually looked at the rule? The regulation, §91.21(a), states, "No person may operate, nor may any operator or pilot in command of an aircraft allow the operation of any portable electronic device on any aircraft while it is operated under IFR." The rule does allow for exception: Paragraph 91.21(b) (5) allows for the use of "any other portable electronic device that the operator of the aircraft has determined will not cause interference with the navigation or communications system of the aircraft on which it is to be used."

FAA advisory circular AC 91.21-1B provides information regarding the validation and acceptance of T-PEDS. According to the AC, "The current edition of RTCA/DO-294 identifies a process for airlines to make a determination of acceptable use of T-PEDs. The determination of an interfering effect caused by a particular device on the navigation and communications system of the aircraft on which it is to be used or operated must, in case of an aircraft operated by the holder of an air carrier certificate or other operating certificate, be made by that operator (such as the certificate holder)." The AC continues with guidance to non-airline operators: "In all other cases, a determination must be made by the operator and/or by the pilot-in-command. In some cases, the determination may be based on operational tests conducted by the operator without the need for sophisticated testing equipment."

Once we understood why the FAA was concerned about wireless technologies, we could come together to develop strategies to modernize the policy and recommend specific guidance materials.

The presentation from the Wi-Fi Summit can be viewed at www.aea.net/governmentaffairs. □

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The AEA Repair Station Manual transition guide defined what areas needed to be addressed, but the AEA intentionally did not define "how" you would run your business.

By asking "why," we discovered the manual contained "what" the regulations defined, but it did not adequately describe "how" the repair station's operations would ensure compliance with the regulations.

Once we got through this exercise of asking "why," correcting the identified deficiencies was easy. Why was the current manual deficient? Why did the inspector want the changes? Why did the repair station think it was in compliance? By asking these questions, we were able to correct the manual and make it "acceptable to the Administrator."

In the performance-based industry in which we operate, knowing "why" is a critical step for understanding the requirements so we can educate our customers and define how we can develop our processes to meet the intended purpose of the regulations.

"Why" is a good question to ask. □

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



AEA President Paula Derks addresses the capacity crowd for the first Wi-Fi Summit in January at AEA Headquarters in Missouri.