

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Public Announcement

The U.S. Department of Transportation (DOT), Office of the Secretary of Transportation, told the public of this Future of Aviation Advisory Committee (FAAC) Aviation Safety Subcommittee meeting in a Federal Register notice published September 17, 2010 (75 FR 180).

Subcommittee Members in Attendance

Name	Affiliation(s)	
Nicole W. Piasecki (<i>Subcommittee Chair</i>)	Vice President, Business Development	Boeing Commercial Airplanes (Boeing)
David Barger	President and Chief Executive Officer	JetBlue Airways Corporation (JetBlue)
John M. Conley	International Administrative Vice President and Air Transport Division Director	Transport Workers Union of America (TWU), American Federation of Labor and Congress of Industrial Organizations (AFL–CIO)
Daniel Grace	Safety Manager, Flight Operations	Cessna
Robert L. Lekites	President	United Parcel Service Airlines (UPS)
William J. McGee	Travel and Aviation Consultant	Consumers Union

Other Officials Present

Name	Affiliation(s)	
Tony Fazio	Designated Federal Official (DFO)	Federal Aviation Administration (FAA)

Other Persons Present

Name	Affiliation(s)	
Patty Clark	PANY/NJ	
John Donnelly	TWU	
Paul Feldman	GAMA	
Christa Fornarotto	DOT	
Jeff Goodell	JetBlue	
Sarah Gragg	DOT Office of Inspector General	
Katie Hamlin	PAI Consulting	
Tom Hendricks	Air Transport Association of America, Inc.	

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Name	Affiliation(s)
Karen Lee	UPS
Brian McCullough	FAA
Steve Predmore	JetBlue
Corky Townsend	Boeing
David Traynham	Boeing
Jerry Wright	ALPA
Jerry Yates	TWU

BACKGROUND AND WELCOMING REMARKS

This is the record of the third meeting of the Aviation Safety Subcommittee of the FAAC, a Federal advisory committee formed pursuant to and subject to the requirements of the Federal Advisory Committee Act (FACA). The meeting took place via teleconference.

Ms. Nicole Piasecki, Subcommittee Chair, Boeing, called the meeting to order at 2:05 p.m. She thanked the subcommittee members and members of the public for taking time to attend the teleconference. Ms. Piasecki stated the meeting's objective was to ensure the subcommittee's draft paper covering issue areas identified for potential presentation to the FAAC included all of the discussion points from the past two subcommittee meetings. She commented the draft is a very solid beginning to the report that will be finalized before the next subcommittee meeting in October 2010.

Mr. Tony Fazio, DFO, read the formal statement required under FACA and then turned the meeting back over to Ms. Piasecki to open substantive discussion.

DISCUSSION

Ms. Piasecki asked Mr. David Traynham, Boeing, to describe expectations for the subcommittee. Mr. Traynham stated the next meeting will be in Seattle, Washington, on Tuesday, October 19, 2010. He noted the full FAAC will meet October 20, 2010 in Los Angeles, California, and again on December 15, 2010, in Washington, DC. He stated Secretary Ray LaHood, DOT, will attend the meeting on December 15, 2010. Mr. Traynham explained the plan to finalize the Aviation Safety Subcommittee's problem/challenge areas for potential action by the Secretary of Transportation between October 20, 2010, and December 15, 2010.

Ms. Piasecki highlighted the need to have a comprehensive set of notes and list of safety priorities to bring to the full FAAC meeting in December. She suggested reviewing the draft by item beginning with comments. Ms. Piasecki stated Mr. William McGee, Consumers Union, would present information on child safety seats and outsourced maintenance. She mentioned, Mr. Steve Predmore, JetBlue, will attend a meeting on Notices to Airmen (NOTAM) in early October 2010 and suggested highlighting improvements to the NOTAM system after the industry meeting in October 2010. Mr. Predmore agreed.

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Ms. Piasecki asked for subcommittee edits, comments, and if the draft was representative of the subcommittee's dialogue and agreement. Mr. Traynham clarified that the draft distributed on September 24, 2010, is about strategic issues. Mr. David Barger, JetBlue, commented the subcommittee is well advanced in background and issues and has made significant progress in contrast to other subcommittees who have had to overcome challenges with controversy. He commented on the unity in the area of safety. Mr. Barger informed the subcommittee he was asked to chair the Next Generation Air Transportation System (NextGen) Advisory Committee. He explained that for this draft, the subcommittee is well placed in terms of NextGen. Mr. Barger noted there may be additional input from the work of the NextGen Advisory Committee to add to the subcommittee's draft before the October 19, 2010, meeting.

Ms. Piasecki called for further comments on NextGen and Enhanced Safety Performance, problem/challenge No. 3. Mr. McGee stated everything in the draft pertaining to NextGen looks good. He commented on how NextGen is a core issue to other subcommittees and questioned the appropriate placement of the issue. Ms. Piasecki asked Ms. Christa Fornarotto, DOT, for her input. Ms. Fornarotto stated for the subcommittee to stay within their purview and wait for discussion from the FAAC meeting on October 20, 2010. Ms. Piasecki questioned if the subcommittee should mention the risk associated with transitioning from one system to another. Mr. Traynham responded yes.

Mr. Bob Lekites, UPS, noted his agreement with Mr. Barger that the subcommittee is working well. He noted that he and Ms. Karen Lee, UPS, reviewed the draft and agreed the problem/challenge and solutions are generic. Mr. Lekites noted his concern with the discussion about technology, the advance analysis tools, and supporting activity. He commented on how there is a lot to be done and stated his belief that Mr. Barger is the right person to bring the message to the industry and other parties. Mr. Lekites stated the subcommittee may have missed a point but has covered NextGen overall.

Mr. John Conley, TWU, commented on the focus from different entities with respect to NextGen. He noted the stakeholders are well represented to discuss the safety aspects. He questioned whether the Aviation Safety Subcommittee's input will be redundant. Mr. Conley noted how, intuitively, NextGen will make a system that is already safe even safer. Mr. Barger noted his agreement with Mr. Conley. Mr. Conley explained his concern that the subcommittee is focusing on an area that is already the subject of focus for other groups. Mr. Barger suggested it may be advantageous for him to give an overview to the FAAC as the chair of the NextGen Advisory Committee. The subcommittee agreed that it may be a good use of time to discuss this topic during the meeting October 20, 2010. Mr. Barger affirmed Mr. Conley's comment that it is not necessary for all five subcommittees to report on NextGen. Ms. Fornarotto agreed to take the comments to the DOT and see if NextGen can be worked into the agenda for the full FAAC meeting October 20, 2010.

Ms. Piasecki asked for further background comments. Mr. Dan Grace, Cessna, asked to discuss problem/challenge No. 4, Expanding Sources of Voluntary Safety Data. He noted it would be beneficial to tie some of the issues in problem/challenge No. 4 with those in problem/challenge No. 1, Legal Protection for Voluntary Safety Data, for General Aviation (GA).

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Mr. Grace noted the only program for GA is the Aviation Safety Reporting System (ASRS). He mentioned that the safety reporting systems are not the same as parts 121 and 135 of Title 14, Code of Federal Regulations (14 CFR). Mr. Traynham noted that he received some suggested language from the National Business Aviation Association regarding this issue. Ms. Piasecki noted the importance of the GA voice among subcommittee members and confirmed the need to link issues from problem/challenge No. 4 and problem/challenge No. 1. She affirmed the subcommittee will work on refining the language for the draft. Ms. Piasecki encouraged input. Mr. Traynham requested all comment submissions to be written exactly how they should be reflected in the report. Mr. Predmore asked Mr. Grace if legal protection includes enforcement protection for the GA community or is it covered through ASRS. Mr. Grace agreed to take the action to get input and work out the issue.

Ms. Piasecki reviewed the draft issues. She began with problem/challenge No. 1. She commented on how the issue is relatively straightforward but noted the need to refine the language. Ms. Piasecki called for input and encouraged sending information to Mr. Traynham. Mr. Traynham explained the need to determine facts around what legally expanding protection means and the appropriate placement of the issue. Ms. Piasecki moved on to problem/challenge No. 2, Analytic Capabilities for Safety Data and Information. She reinforced Mr. Traynham's comment that further work will be required to flush these issues out. Ms. Piasecki skipped to problem/challenge No. 5, Identification of Safety Priorities. She commented on how the section is relatively straightforward. Ms. Piasecki explained that the DOT invited the subcommittee to set priorities and have leadership communicate the issues publicly. She asserted the subcommittee will continue to develop the draft and thanked everyone for their work.

Mandating Child Safety Restraints on Commercial Aircraft — William McGee

Ms. Piasecki asked Mr. McGee to give a presentation to the subcommittee on child restraint systems. See attachment. Mr. McGee noted that Mr. Traynham distributed the PowerPoint presentation on September 24, 2010. He commented on the absence of debate regarding child restraint systems and the safest methods for children under 2 years old to travel safely on commercial aircraft. Mr. McGee noted that any remaining topics of debate surround policy issues. He stated the National Transportation Safety Board (NTSB) wanted the FAA to mandate child restraint systems in 1990 and commented on the long history. Ms. Piasecki asked if there is an economic evaluation of child restraint systems. Mr. McGee responded yes, and the position is that mandatory child restraint systems would incur a cost burden on some families that would cause those families to travel by ground instead of flying. He explained the assumption that the mandate would endanger those families by forcing them to travel by automobile, which is statistically more dangerous than traveling by airplane.

Mr. Fazio stated that he can make the FAA analysis available on the docket. Mr. Traynham recommended using the subcommittee distribution list. Mr. McGee referred to slide 9, which addresses the economic analysis. He explained how he determined undetermined factors. Mr. McGee stated the growth of low-cost air carriers has made flying comparable in price to traveling by land. He posed the question of the percentage of routes where it would be impossible or inconvenient to drive. Mr. McGee explained from the scientific side, the FAA has asserted that the safest way is for the child to travel in a child restraint system instead of on a parent's lap. Mr. McGee noted that infants seated on a parent's lap have been injured or killed in otherwise survivable instances.

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Mr. McGee highlighted two other key factors on slide 23. He noted there is a new generation of FAA-approved safety harnesses. Mr. McGee explained how dual certification standards have changed the availability of approved restraint harnesses. He further explained how most logistical problems have been eradicated. Mr. McGee noted most child restraint systems can be interchangeable between cars and airplanes. Mr. McGee reiterated that there is little to debate about the science but noted the absence of consensus surrounding the policy issue.

Ms. Piasecki opened the floor for questions. She acknowledged the scientific aspect but highlighted the economic challenge. Mr. Fazio stated the real issue is elasticity in demand. He noted the economic analysis has not been updated and mentioned the FAA may update the analysis for the upcoming NTSB meeting. Mr. Conley asked for clarification on dual certification. Mr. McGee clarified that child restraint systems were not compatible with airplanes and automobiles. He stated there are now child restraint systems that can be used in both automobiles and airplanes. Mr. McGee noted there are labels on child restraint systems indicating whether it is compatible for travel in both automobiles and airplanes.

Mr. Barger commented the child restraint systems is a great topic but does not know where it fits in the scope of the subcommittee report. Ms. Piasecki agreed and stated the need for further perspective. She referred to the list of the tactical issues. Ms. Piasecki suggested using the meeting on October 19, 2010, to address and determine whether to include child restraint systems. Mr. McGee noted his appreciation for the comment and acknowledged how the other subcommittees have struggled with whether to include certain issues. He commented how other subcommittees have had to determine a list of secondary issues. Mr. McGee noted there is no intention to diminish the impact of any of the issues. He posed the idea of being able to broaden these proposals to include secondary issues.

Mr. Traynham offered to assemble a group including Mr. McGee, Mr. Tom Hendricks, ATA, and representatives from the Office of Accident Investigation and Prevention (specifically the Safety Analytical Services Division) to convene a meeting before October 19, 2010, to identify knowledge and question gaps. Ms. Piasecki thanked Mr. Traynham and reminded the subcommittee of the public NTSB meeting on December 9, 2010. She highlighted one of the topics for the meeting is child passenger safety. Mr. Traynham and Mr. McGee agreed with the need to meet and refine the debate regarding child restraint systems.

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

FAA Oversight of Outsourced Maintenance — William McGee

Mr. McGee gave a presentation to the subcommittee on FAA Oversight of Outsourced Maintenance. See attachment. He noted it is a complex issue and referred to the PowerPoint presentation for more information. Mr. McGee stressed the topic is oversight. He explained the issue involves one level of safety as it applies to maintenance. Mr. McGee noted outsourcing maintenance is a hot button issue. He emphasized the issue is about the FAA providing one level of oversight and one level of safety for all work in and out of the United States. Mr. McGee said his presentation details the concerns of a variety of U.S. Government agencies about the FAA's resources and ability to maintain one level of safety and oversight. He noted the dramatic changes in the industry that have imposed strains on FAA resources. Mr. McGee commented on the FAA changes in budget and staffing. He expressed his opinion that budgetary challenges should not be allowed to interfere with proper oversight of contract maintenance facilities.

Mr. McGee opened the floor for questions. Mr. Fazio corrected the information on the foreign repair station slide. He explained that the slide reflects two standards (international and domestic). Mr. Fazio asserted that there is only one standard, which is 14 CFR part 145. He noted that the FAA has issued a notice of proposed rulemaking on foreign repair stations. Mr. McGee noted the slide was provided by the Labor and World-class Workforce Subcommittee. Mr. Lekites said the Labor and World-class Workforce Subcommittee has discussed outsourced maintenance and determined that it might call for a new subcommittee. He further noted that FAA oversight may not be a fit for the Aviation Safety Subcommittee either. Ms. Piasecki acknowledged there might not be a defined safety problem. She further acknowledged the issue may need to be addressed by the Labor and World-class Workforce Subcommittee.

Mr. Conley said the oversight poses a safety hazard, not a workforce challenge. Mr. McGee noted the labor issues are industry staffing and explained the Aviation Safety Subcommittee discusses FAA staffing. He asserted the ultimate question is if there are enough inspectors to oversee safety. Mr. McGee stated that frontline inspectors have commented on the scarcity of resources. He further stated this it is not within the Aviation Safety Subcommittee mandate to determine FAA workforce or staffing. Mr. McGee noted the bigger issue is whether the FAA has adequate resources to provide one level of safety for an industry that has undergone many changes. He posed the question of whether the FAA is able to provide the same level of oversight as when oversight was accomplished in-house.

Mr. Barger indicated that the Labor and World-class Workforce Subcommittee has not reached consensus on the issue of outsourced maintenance. He suggested it might be appropriate for the list of tactical issues. Mr. Barger noted that we may not reach agreement on this item. He noted the need for the Aviation Safety Subcommittee to raise the issue to the Labor and World-class Workforce Subcommittee. There was a discussion of whether the topic of outsourced maintenance was a safety or labor issue.

Future of Aviation Advisory Committee
Aviation Safety Subcommittee
Record of Meeting
September 28, 2010
Teleconference

Mr. Fazio offered to gather information on the FAA's testimony to help address the issues of child restraint systems and outsourced maintenance. Ms. Piasecki acknowledged there is no consensus on whether the two issues are safety priorities. She welcomed the information from Mr. Fazio clarifying the FAA's position. Mr. Fazio noted there is pending language to address these issues in the FAA Reauthorization Bill. He further noted the date of release is unknown. Ms. Piasecki acknowledged both are complex issues and highlighting either as safety issues is premature. She stated the issues will be left to a vote during the meeting on October 19, 2010. Mr. McGee said he looks forward to receiving the information from Mr. Fazio and promised to forward any further information he receives regarding the two issues. He acknowledged these could be issues of significant disagreement and agreed with Mr. Conley to not prematurely identify the issues as Labor and World-class Workforce Subcommittee priorities.

Ms. Piasecki noted the Aviation Safety Subcommittee is committed to one standard of safety and commented on the difficulty in overcoming challenges and dynamics in a global industry. She thanked Mr. McGee for his presentations.

CLOSING REMARKS/NEXT MEETING


Ms. Piasecki thanked the attendees for their participation and encouraged further feedback. She stated the next meeting will be October 19, 2010, in Seattle, Washington, from 9 a.m. to 12 p.m. Pacific Standard Time. Mr. Traynham announced that he will distribute meeting transportation and logistics information to the subcommittee.

ADJOURNMENT

Mr. Piasecki solicited a motion for adjournment. On motion, duly seconded and approved by the majority of the subcommittee members present, the meeting was adjourned.

The meeting adjourned at 3:15 p.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Approved by: 
Tony Fazio, Designated Federal Official

Dated: December 13, 2010