



November 1, 2012

Mr. John Allen
Director, FAA Flight Standards Service
Federal Aviation Administration
800 Independence, Ave, SE
Washington, DC 20591

Mr. Allen:

The signatory associations listed below represent a significant number of the businesses, aircraft owners, operators and pilots that make general aviation the vital component of our national economy that it is. Many of our members rely upon the services of designees as part of their regular course of business or at multiple times during their flying lives. We wish to express to you our concern with the Federal Aviation Administration's (FAA) draft order; Designee Management Policy. This draft policy was posted on the FAA website on August 31, 2012, and a 30- day public comment period was opened. To our knowledge, no *Federal Register* notices were published regarding the availability of this document for public comment, nor does there appear to have been any specific outreach to designees informing them of the existence of this document. A vast majority of our industry was unaware of the release of this document until late September, at which time a 60-day comment period extension was requested. The FAA subsequently granted a 30-day extension of the comment period to November 1, 2012.

Based upon the summary contained in the opening of the draft policy, *"This Order represents a consolidation of existing policies across the following Office of Aviation Safety (AVS) lines of business: Aircraft Certification Service (AIR), Flight Standards Service (AFS) and the Office of Aerospace Medicine (AAM),"* we expected our review of this approximately 500-page document to be a simple check to ensure that no unintended changes of policy were made in the process of consolidation. However, what we have discovered is that this draft policy appears to institute significant changes to the way the FAA manages the various designee programs. We are also surprised to see that this policy is based upon a yet to be developed software system and that the FAA expects that during our review and comment we will *"accept references to [this software system's] functionality at face value."*

During previous public appearances, you have expressed your view that the FAA, in light of budgetary challenges, needs to "make greater use of designees" and that "improved use of designees ... will be critical to the FAA's ability to support certification of new entrants for [general] aviation." We concur with your assessment of the value of the FAA designee program

and therefore are bringing these concerns regarding the content and distribution of this draft order to your attention.

Our preliminary review of the content of the draft order indicates that its enactment may well lead to a reduction in the number of available designees across all lines of business as well as an additional administrative workload being placed upon all designees and FAA managing staff. We are further concerned that these changes could serve to prolong the economic adversity currently felt by the industry and prolong the economic recovery many hope is in our near future. This early assessment is based upon the increase in administrative workload posed by such items as required pre-approvals and post-activity reports for each and every certification activity a designee performs. When coupled with the formula that the draft order employs for determining need for additional designees and the FAA's ability to manage new designees, it is highly likely we will see a decrease in the overall number of designees. We are alarmed by the criteria that are included or excluded when determining whether a "need" for additional designees exist, such as stating that there may not be a need for additional Training Center Examiners (TCE) if students at a training center receive testing within seven days, or that a request from an air operator or agency **may not** be considered as an indication of need for an additional designee.

Our evaluation and comment on this document is, unfortunately, incomplete due to the size of the document, the absence of a record of changes from existing policy, and lack of information regarding the operation of the yet to be developed Designee Management System. Our review has also been hampered by the limited time for review and the overall ignorance, due in part to the lack of a formal *Federal Register* notice of the existence of these proposed changes. Only through active involvement of the entire industry, including current and former FAA designees, can comprehensive and effective comments be constructed. We share your vision of the current and future value of the FAA designee program and therefore request that further action on this document be ceased and that a *Federal Register* notice announcing its availability for public comment be published, which should include a 90-day public comment period. Such actions will encourage the involvement of those individuals with significant knowledge regarding the factors that have led to the success of the designee program and keen understanding of where it can be improved.

We appreciate your work to ensure the success and growth of the FAA designee program and support your vision. We also agree that FAA internal policies and procedures regarding the management of designees are vital to achieving that vision. We believe that wider distribution and sufficient time to review such a comprehensive document will allow industry the opportunity to provide vital feedback that will be invaluable as the FAA continues to enhance the efficiency and success of the designee program.

Thank you for your consideration of this request.



Eric Byer
Vice President, Government & Industry Affairs
National Air Transportation Association



Ed Scott
Executive Director
United States Parachute Association



Robert E. Hackman
Vice President, Regulatory Affairs
Aircraft Owners and Pilots Association



Douglas C. Macnair
Vice President, Government Relations
Experimental Aircraft Association



Douglas Carr
Vice President, Safety, Security & Operations
National Business Aviation Association



Richard Peri
Vice President, Government and Industry Affairs
Aircraft Electronics Association



Jason Blair
Executive Director
National Association of Flight Instructors