

Part of the Solution

The benefits of cooperation
between government and industry
and among government entities



Synopsis

- Miami Air realized, during implementation of its Safety Management System (SMS), the importance and benefits of cooperation between the Federal Aviation Administration (FAA) and airline industry in writing and application of regulations.
- Miami Air's also discovered shortcomings as its SMS matured, relating to cooperation among different government entities.

Miami Air's experience

- FAA, for many years, has given members of the aviation industry the ability to make comments to proposed regulation via Notice of Proposed Rule Making, as well as proposed changes to Operation Specification templates and Advisory Circulars

Miami Air's experience

- Benefits:
 - Subject matter experts from large and small airlines, both charter and scheduled, as well as organizations such as National Air Charter Association, encourage FAA to consider the variety of operations and the impact of a regulation on the industry BEFORE enactment.
 - This method of adding to, or revising regulations in advance makes it easier for industry to comply more effectively with new rules.

SMS and the whole thing

- Industry is now familiar with basic requirements of SMS regarding risk assessment, policy and procedures, safety assurance and safety promotion
- SMS requires, amongst other things, that airlines assess interfaces and impact of changes:
 - Within departments/procedures of the airline
 - Between industry and vendors
 - Between industry and FAA

Do as I say, not as I do...

- But if SMS principals are accepted worldwide by industry, and civil aviation authorities have made them legally required, why aren't the government entities that create those regulations using SMS themselves?
- Non-cooperation and non-coordination among government agencies seems to be accepted as the norm, with no sense of urgency for a resolution among all parties.

Airline industry example

- **Situation:** TSA puts out a new rule that contradicts US Customs' existing rule.
- Miami Air puts effort & money into figuring out how to comply with both rules, knowing that they will only be able to comply with Customs or TSA, not both, exposing Miami Air to \$\$\$ fines.
- Miami Air confronts TSA about their new rule, explaining how it contradicts US Custom's rule.
- **End result:** It will probably take years and much more effort to *MAYBE* convince either agency to make changes. Non-compliance = \$\$\$ penalty.

Real world example: Passenger Manifests during an ACMI subservice operation

- **TSA:** Passenger manifest vetting/submission is the responsibility of the aircraft operator.
 - Definition of aircraft operator: whoever owns/flies the metal. No definition or acknowledgment for term ACMI.
- **US Customs:** Passenger manifest vetting/submission is the responsibility of whoever has the landing rights (whoever owns the customs bond).
 - Definition of aircraft operator: whoever markets the flight.

It's not rocket science...

- All three entities (Operator, TSA, Customs) are in agreement about the ultimate goal of VETTING PASSENGERS to prevent known bad guys from getting on board a flight.
- Need better liaison between agencies and perhaps updated guidance to allow for it. Liaison between agencies is either ineffective or nonexistent. The intent becomes blurry!
- Industry perception is that there is zero cooperation between agencies.

Part of the solution

- For SMS to work, a cultural change is required, which will take years and consistent effort so that the change permeates throughout all the levels of each agency.
- Somehow, someway, someone has to take the first step to start the cultural change. Perhaps a good starting point would be to set a common language.
- Industry will undoubtedly continue to do its part. The hope is that the different governing organizations do theirs.

And so, in conclusion: The End

