

# **WAI Conference—February 2010**

## **Orlando, Florida**

**Current Federal Aviation Administration (FAA)  
Enforcement Trends:  
How to Protect Your Business and Certificate**

**Harry Schaefer**



**PAI Headquarters**  
4900 Seminary Road Suite 360  
Alexandria, Virginia 22311  
Tel. +1 703.931.3131  
Fax +1 703.931.3113

# Current Increased Enforcement, Audits, and Hearings

- Revocations and criminal indictments
- Regional versus mainline carriers
- FAA oversight of air carriers
- Outsourcing of airline maintenance
- Airframe and powerplant mechanic (A&P) schools
- Maintenance and training problems with Title 14, Federal Regulations (14 CFR) part 91, 121, and 135 operators
- Special Enforcement and Investigative Team
- Increase in number of whistleblowers

# Areas of Increased Enforcement

- Airworthiness directive (AD) compliance and Alternative Methods of Compliance (AMOCs)
- Maintenance records
- Aircraft logbooks
- Pilot training records
- Part 91 and 135 operations
- Source of parts
- Designated Airworthiness Representatives (DARs)
- Oversight of schools

# Status of FAA Suspected Unapproved Parts (SUP) Program

- Flight Standards Service (AFS) is still investigating SUP issues.
- Updated guidance for improper maintenance issues versus SUPs has been issued.
- SUP training course is active.
- Unapproved Parts Notifications (UPNs) still being issued.
- Aircraft Certification Service (AIR) versus AFS.
- Inspectors tend to pick the low-hanging fruit, only look at paperwork, and lack understanding of traceability requirements.

## FAA Revocations for FY 07–FY 09

- **AFS–Total: 812**
  - Aircraft/Operations - 91 (Part 135 = 76)
  - Pilot Certifications - 548
  - Schools - 4
  - Repair Stations - 15
  - A&Ps - 73
  - Maintenance Issues - 81
  - Letter of Correction - 6,704*
- **AIR–Total: 0**
  - Letter of Correction - 986*

# FAA Inspector Authority

- The FAA has the legal authority to investigate any entity for violations of 14 CFR regardless of where they occur.
- Certificated versus non-certificated.
- Initiate case and investigate.
- Obtain assistance.
- Collect evidence and conduct interviews.
- Make determination.
- Prepare enforcement and investigative report.

# Protecting Your Certificate

- Know what regulations apply to you.
- What areas did the FAA review on the last visit?
- Properly prepare for visit if pre-notified.
- What to do if problems are found—**Do not argue.**
- Conduct internal review of all paperwork, parts, and processes related to issue(s)—**Know what you are dealing with upfront.**
- Use as opportunity to present your facts and/or documentation, if appropriate.
- Keep detailed notes/records.

# Internal Compliance Reviews

- Research regulations for changes.
- Research public websites for information.
- Identify potential non-compliance or problem areas.
- Consider using snapshot approach.
- Have employees review areas they are not responsible for.
- Roll up results and **take corrective action.**
- Consider using outside source for review.
- Consider self disclosure.

**Thank You.**

**Questions?**