



THE DEPUTY SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

March 15, 2002

The Honorable Elaine Kaplan
Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW, Suite 300
Washington, DC 20036-4505

Dear Ms. Kaplan:

Thank you for your December 13, 2001, letter (OSC File No. DI-01-1273) to Secretary Mineta requesting an investigation into the allegations provided by Mr. Charles W. Lund, Aviation Safety Inspector, Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT). Secretary Mineta is traveling, and in his absence, I am transmitting the FAA's report on its investigation of this matter. We appreciate the opportunity to address your concerns that Mr. Lund disclosed information revealing a substantial and specific danger to public health and safety. In this regard, as you are aware, the FAA and DOT have the strongest possible commitment to aviation safety.

According to your letter, Mr. Lund alleges that FAA aviation safety inspectors were unable to conduct safety oversight of U.S. air carriers flying to Russia because they could not obtain multiple-entry visas. Enclosed is the Report of Findings on this allegation, which addresses the requirements set forth in 5 U.S.C. section 1213(d).

I am happy to report that FAA inspectors are now receiving one-year multiple-entry visas routinely from Russia and have been for over a year. There is no limitation placed on the number of multiple-entry visas for inspectors.

As a brief overview, the investigation, conducted from the FAA's Office of International Aviation, revealed that the FAA addressed on many occasions the difficulty its inspectors experienced obtaining multiple-entry visas pursuant to the United States/Russia Bilateral Air Transport Agreement. For example, it was a matter highlighted in the October 1994 Russian Civil Aviation System Safety Evaluation. In 1996, the FAA worked with the Department of State Russia Desk to reach a resolution of the issue. The issue was again raised in the forum of the Russian American Flight Standards Working Group in July 1998, November 1999, September 2000, and May 2001. It also was brought to the attention of the head of the Federal Aviation Authority of Russia in a hand-delivered letter in September 1998 and raised by the U.S. Department of State on several occasions during their Bilateral Air Transport Agreement negotiations.

As these efforts indicate, the FAA placed much importance on resolving the difficulty its inspectors experienced in obtaining multiple-entry visas from Russia, working persistently, and ultimately successfully, through various venues to establish an efficient process for obtaining the visas. Moreover, during that time, the FAA was able to maintain adequate safety oversight of U.S. carriers operating into Russia because FAA inspectors were able to obtain single-entry visas and, after a lengthy process, were also able to receive some multiple-entry visas and perform geographic surveillance of U.S. carriers.

If I can provide further information or assistance, please feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Michael Jackson". The signature is written in a cursive style with a large, prominent "M" and "J".

Michael P. Jackson

Enclosure

REPORT OF FINDINGS

This report of findings addresses the requirements set forth in 5 U.S.C. section 1213(d).

1. A summary of the information with respect to which the investigation was initiated;

The investigation into Charles Lund's allegations was initiated as a result of your December 13, 2001, letter, which was received on January 11, 2002. The agency's investigation was based on the summary of the information disclosed to you as outlined in your correspondence.

2. A description of the conduct of the investigation;

Personnel in the FAA's Office of International Aviation reviewed files relating to the multiple-entry visa issue, the October 1994 Russian Civil Aviation System Safety Evaluation, and the minutes from all of the Russian American Flight Standards Working Group meetings.

3. A summary of any evidence obtained from the investigation;

(a) The U.S./Russia Bilateral Air Transport Agreement requires the United States and Russia to provide multiple-entry visas to safety inspectors from each country. See Article 5, page 5, enclosed for review.

(b) Finding 18 in the October 1994 Russian Civil Aviation System Safety Evaluation, excerpted copy enclosed, states that "Both DAT [Department of Air Transport now State Civil Aviation Authority (SCAA)] and FAA inspectors continue to experience difficulty obtaining multiple entry visas for inspectors who conduct en route inspections of their respective flag air carriers operating in Russia and the US." The corresponding recommendation states that "DAT and FAA should coordinate reciprocal agreements between their respective governments to provide the multiple entry visas necessary to accomplish aviation oversight requirements of both countries."

(c) The issue of multiple-entry visas was raised in the forum of the Russian American Flight Standards Working Group four times:

(1) In July 1998 (St. Petersburg), the Federal Aviation Authority of Russia (FAAR) was working with the Ministry of Foreign Affairs to resolve the issue. It was also noted in the minutes of the meeting that Dick Gordon stressed the importance of this issue and suggested that it would be brought to the attention of the Ambassador.

(2) In November 1999 (Washington, D.C.), the FAAR stated that it had sent a letter to the Ministry of Foreign Affairs requesting action on this issue but that it had not yet received any response. The FAAR agreed to do everything that it could to resolve the issue quickly. Additionally, the FAA took an action item to draft a letter from the Deputy Director, Flight Standards Service, to Mr. Evgeny Nikolievich Lobachev, Head of Airline

Certification and General Aviation, Federal Air Transport Service of Russia, including the names and passport information of all inspectors needing multiple-entry visas (this letter was sent on December 21, 1999).

(3) In September 2000 (Magadan), it was noted that the six FAA inspectors whose names had been sent to Mr. Lobachev were told that they could obtain multiple-entry visas. However, it was noted that there was still a need for a process to obtain these visas in a timely manner. An action item was taken for the FAA and FAAR to work together to develop this process.

(4) In May 2001 (Anchorage), it was noted that all of the multiple-entry visas that had been requested since the last meeting were granted but that the process still needed some fine-tuning. The FAA presented a paper to the SCAA laying out a formal process. The SCAA agreed to follow this process, and the FAA has had no problems obtaining visas for over a year now.

(d) In addition to pursuing this issue through the Russian American Flight Standards Working Group meetings, the FAA has also actively tried to seek resolution through a variety of other means. Some examples include:

(1) In 1996, the FAA worked with the U.S. Department of State Russia Desk to reach a resolution on this issue. At that time, the Russia Desk worked with both the Russian Embassy in Washington, D.C., and the Ministry of Foreign Affairs. The Russia Desk stated that it believed it had reached a resolution to the problem and provided the FAA with a process to follow for making applications. After this point, we believe that one round of multiple-entry visas was issued.

(2) In June 1998, Mr. Lund sent out an e-mail stating that he felt the multiple-entry visa issue was a critical problem. In this e-mail, he cited an incident with Alaska Airlines (an aborted takeoff in Yuzhno-Sakhalinsk following an engine compressor failure from ingestion of new tar repairs to an active runway by a DC-9 traveling at 90 knots--with no notice to the airline that runway repairs were underway). Mr. Lund stated that he felt that had the FAA been able to conduct adequate and appropriate safety inspections and surveillance the conditions leading to this incident may have been observed and corrected and the incident avoided. This e-mail from Mr. Lund was taken seriously, and the matter was raised to the U.S. Department of State. Personnel at the U.S. Department of State suggested that the FAA write a letter to the head of the FAAR highlighting the issue and asking for assistance.

(3) In September 1998, the Director of International Aviation and the Director of the Flight Standards Service had a meeting with the head of the FAAR (Gennady Zaitsev) in which they hand-delivered the letter suggested in the above point and had a discussion about how to resolve the multiple-entry visa issue. At that time, Mr. Zaitsev promised his support in gaining a quick resolution to this issue.

(4) The U.S. Department of State on several occasions during their Bilateral Air Transport Agreement negotiations has also raised the issue.

4. A listing of any violation or apparent violation of law, rule or regulation;

The review of the files concerning multiple-entry visas did not disclose any apparent violation of law, rule or regulation on the part of the FAA.

5. A description of any action taken or planned as a result of the investigation.

Since the FAA and SCAA agreed to a formal process, there have been no problems obtaining multiple-entry visas; and therefore, no further action is planned. This issue will be brought up at the yearly Russian American Flight Standards Working Group meetings to ensure that the process is still working well.

6. Are there any dollar savings or projected savings and any management initiatives that may result from this review?

We do not foresee any.

ARTICLE 5

Application of Laws

1. While entering, within, or leaving the territory of one Party, its laws and regulations relating to the operation and navigation of aircraft shall be complied with by the other Party's airlines.

2. While entering, within, or leaving the territory of one Party, its laws and regulations relating to the admission to or departure from its territory of passengers, crew, cargo, or aircraft (including regulations relating to entry, clearance, aviation security, immigration, passports, customs, and quarantine or, in the case of mail, postal regulations) shall be complied with by or on behalf of such passengers, crew, cargo, or aircraft of the other Party's airlines.

3. [Subject to Annex 4(II),] the Parties shall grant, without limitation, in advance, and with a validity of at least twenty four months, visas for all aircraft crews and cabin crews of each designated airline operating the scheduled services. These visas shall be valid for any number of flights into and out of the territory of the other Party during the period of their validity.

4. [Subject to Annex 4(II),] the Parties shall grant in advance visas of appropriate duration and scope for the aircraft crews and cabin crews of each designated airline operating charter air services.

* 5. The Parties shall grant, without limitation, in advance, and with a validity of at least twelve months, visas for airline personnel of designated airlines stationed at points on the agreed routes within the territory of the other Party, and the government officials of the other Party involved in civil aviation. These visas shall be valid for any number of visits into and out of the territory of the other Party during the period of their validity.

6. Each Party shall assist the other in obtaining copies of the relevant laws and regulations referred to in this Article.

civil air code. That distinction has blurred since the break up of the former Soviet Union; however, the airlines seem to continue to be part of the regulatory system in terms of responsibility for oversight and surveillance of their own activities. The problem may be solved by a decree of the Russian Federation that establishes joint stock companies, allowing for subsequent privatization of a number of State airlines including Russian International Airlines (the old Aeroflot). This will create a better situation for the division of flight safety control and airline economic management activities.

Recommendation: DAT and Aeroflot should be separated by law and procedures established for designating airline personnel to accomplish certain certification work by DAT order. DAT should have legal authority equal to their responsibility under the law and should be the sole authority for certification, compliance, and enforcement decisions. The economic fitness assessment responsibility should be removed from DAT, thereby focusing DAT's responsibility solely on aviation safety.

Finding 17: Airlines do not maintain adequate operational control over their international flights.

Within Russia, operational control is exercised by either ROSAERONAVIGATSIYA or some other air traffic control facility at the airport of departure. The process is as follows: 1) ATC assures that a departing aircraft has a maintenance release; that all crew members have received a medical clearance; that the departure, destination, and alternate airports are adequate for the particular aircraft; and that the flight crew has received a meteorological briefing. 2) ATC provides a certificated navigator⁸ to review the flight plan and the fuel plan with the flight crew. 3) An ATC employed navigator and the airline Captain must each sign off that the flight can be safely conducted (if either the ATC employed navigator or the Captain do not agree that the flight can be safely conducted the flight release will not be issued). 5) The ATC Aerodrome Dispatch Point reviews all preceding flight crew paper work and, if satisfactory, will advise the crew to proceed to the aircraft. 6) The Aerodrome Dispatch Point then advises the ATC airport control tower that they may issue take-off clearance to the aircraft upon request. ATC will not issue a take-off clearance until all parts of the Russian mandated operational control procedures have been completed. 7) ATC provides "airline company" flight following for all Russian airlines within Russia.

Outside of Russia, however, this system of operational control is exercised differently and with fewer verification procedures. When a Russian airline operates abroad, the pilot-in-command is authorized to make the determinations concerning the flight's safety. None of the second person reviews or concurrences are required; the pilot-in-command is authorized to dispatch himself.

Recommendation: Standards should be developed for licensing airline dispatcher personnel and requiring that all airlines maintain operational control of their aircraft operations worldwide.

Finding 18: Both DAT and FAA inspectors continue to experience difficulty obtaining multiple entry visas for inspectors who conduct en route inspections of their respective flag air carriers operating in Russia and the U.S.

Both DAT and FAA inspectors responsible for operational oversight of their respective flag air carriers require multiple entry visas to accomplish their work programs.

Recommendation: DAT and FAA should coordinate reciprocal agreements between their respective governments to provide the multiple entry visas necessary to accomplish aviation oversight requirements of both countries.

⁸ The ATC navigator is a full time ATC employee who works in the ATC dispatch center at each airport in Russia. This person does not fly for any Russian airlines.



U.S. Department
of Transportation

**Federal Aviation
Administration**

U.S. OFFICE OF
SPECIAL COUNSEL
1730 M STREET, N.W., SUITE 300
WASHINGTON, D.C. 20036-4505

800 Independence Ave., S.W.
Washington, D.C. 20591

DEC 13 2002

Catherine A. McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File NO. DI-01-1273

Dear Ms. McMullen:

Enclosed you will find a partial supplement to the March 15, 2002 report submitted on the referenced disclosure issue.

I want to emphasize, however, that the Flight Standards Service at the Federal Aviation Administration (FAA) does not agree with any statement in the enclosed supplement that indicates the absence of multiple entry visas resulted in inadequate safety oversight of U. S. carriers that flew into Russia. Flight Standards was able to meet its international safety oversight obligations by using established inspection protocols with both single and multiple entry visas.

Additionally, within 60 days Flight Standards Service will provide an explanation of its international oversight obligations as they relate to this matter. We expect that this explanation will provide your office with a better understanding of FAA's international safety oversight responsibilities as they pertain to U. S. carriers. In the meantime, we are providing the enclosed partial supplement.

If you have any questions regarding this matter, please call me on 202-366-4099.

Sincerely,

Jerome M. Mellody
Assistant Chief Counsel
Personnel and Labor Law
Office of the Chief Counsel

Enclosure

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

REPORT OF INVESTIGATION

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FILE NO. ANM20030004

A

Subject
Charles LUND

U.S. Department of Transportation
FEDERAL AVIATION ADMINISTRATION

REPORT
OF
INVESTIGATION

Security & Investigations

Type of Case
Employee (11)

Case No.
ANM20030004

Office of Origin
ANM-700

Reference
Verbal Request for Investigative Assistance

Report Made By
Special Agent Tom L. Caven

ALLEGATION:

It is alleged that the FAA's inability to obtain multiple entry visas for travel to Russia, for Aviation Safety Inspectors, has had a negative impact on the congressionally mandated safety inspections of FAR Part 121 and 135 Air Carriers providing revenue generating service. It is further alleged that FAA ASI Charles LUND is the individual mostly responsible for this failure.

CITATIONS:

Special Inquiry

SUMMARY OF FINDINGS:

he investigation confirmed a definite problem in obtaining multiple entry visas for AAL Aviation Safety Inspector's travel to Eastern Russia. That situation contributed to Flight Standards' being prevented from properly completing congressionally mandated aviation safety inspection requirements. In addition, the investigation found that Charles LUND appears to have been a hard working and dedicated employee, who has been unfairly vilified for these resultant problems.

Distribution
ANM-700 (1)
ASI-200 (1)

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Approved

James R. Vanderpool
James R. Vanderpool, Manager
Security & Investigations Division, ANM-700

TLC

Date of Report

10/24/02

Status

Closed

This report is the property of the Federal Aviation Administration, and its contents are intended for official use only. Access to this report is to be limited to those persons whose official duties require it. Any unauthorized disclosure of its contents is a violation of Agency Order 1600.15D.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SECURITY & INVESTIGATIONS

ACTS:

The investigation found that congress mandated certain requirements to the Flight Standards Division for conducting inspections of air carriers operating on FAR Part 121 and 135 certificates, or any operation that generates revenue. As an example, the inspection requirements include Ramp Inspections, Cockpit Enroute Inspections, Contract Maintenance Facilities, Line Station Operations, Refueling Operations and De-Icing Operations. All the required tasks are found in the ASI Handbook and each discipline identifies the purpose for the inspection and instructs the ASI as to which publication to review in order to determine compliance standards. Any deficiencies found in the inspection process would be identified according to the FAR Operating Certificate, FAA Order or Regulation, as applicable.....Exhibit 1.

On October 3, 2002, John DUNCAN, current AAL Flight Standards Division Manager was contacted. DUNCAN expressed surprise this issue was being revisited and advised that obtaining visas to Russia had been a problem, but was not currently. According to DUNCAN, the situation had actually corrected itself because no U.S. carriers are currently flying to the Russian Far East. He stated that a few years ago, Larry DALRYMPLE, an Aviation Safety Inspector at the Fairbanks Office, had been requested to look into the visa issue and provide a report of his findings. DUNCAN provided a Faxed copy of DALRYMPLE's report. (NOTE: The Faxed copy did not include attachments as referenced). In reviewing the document DALRYMPLE indicates, among other issues, that he was asked to determine if the failure to obtain visas impacted Flight Standards congressional mandate to assure safe flight operations by U.S. carriers into Russia? The culmination of that report tends to agree with LUND's assertions, that aviation safety did suffer. It is also important to note that personnel, who initially believed Charles LUND was somehow at fault, now believe the problem rested elsewhere and far beyond his ability to control..Exhibit 2.

On October 10, 2002, Charles LUND was contacted at his residence Anchorage, Alaska. He was subsequently contacted several additional times for comments. LUND, essentially, provided the following information. He states that the multiple entry visa problem first came to light as early as 1989. He firmly believes that the lack of timely issued multiple entry visas (created insufficient FSDO surveillance inspections.) LUND states that he believed then, and now, that Flight Standards should have ordered a halt of U.S. flights into Eastern Russia until the visa problem could be straightened out. He stated that it was a miracle no lives were lost. As an example, he cited a specific incident whereby Alaska Airlines almost crashed during take-off from a Russian airport. According to LUND, in May 1998, or 1999, an MD-80, while attempting takeoff, ingested into the engines a massive amount of loose tar from the runway. He states that one of the engines failed completely and the pilots were barely able to stop the aircraft prior to running off the end of the runway. LUND states that he later discussed the incident with the pilots who told him that if the aircraft had lifted-off at the moment of engine failure, would have unquestionably caused the aircraft to crash. He attributed this air safety situation to the fact that the AST's had been unable to adequately perform surveillance. He then stated his belief that it was absolute luck that no aircraft crashed during this lack of surveillance oversight. He identified Richard GORDON, former AAL FSDO Manager, as the individual who should have ordered the U.S. carriers to cease all flights to Eastern Russia until the visa problem was corrected.

Interviewed/Reviewed On _____, At _____

By Special Agent Thomas L. Caven, File No. ANM20030004

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SECURITY & INVESTIGATIONS

He added, that he has no animosity towards GORDON and believes GORDON probably would have received no backing from Washington if he had made such a controversial decision. LUND said the visa problem and aviation safety concerns were submitted all the way through the chain-of-command to Administrator GARVEY. He offered his opinion of the person he believes is most responsible for failing to obtain the multiple entry visas. He identified that person as Dennis COOPER, FAA Representative to Russia. LUND believes COOPER totally ignored the seriousness of the aviation safety aspect and never placed the issue at the top of his priority list. To illustrate COOPER's attitude, he described a particular statement COOPER made during a 3-way telephone conference call. The call included LUND, COOPER and Charlene DERRY, head of the Anchorage FAA International Office. He recalls that COOPER was in Moscow during this call, while both he and DERRY were attempted to convince him of the urgency in obtaining the visas. He states that COOPER was becoming increasingly agitated and then suddenly blurted out...look, I've got more important issues than this safety stuff. I'm trying to sell American products here! LUND reiterated that COOPER never cooperated or placed any importance on the visa issue. Turning to the Michael JACKSON letter dated March 15, 2002, LUND stated that he was familiar with the document. He states that he was told the JACKSON letter was prepared following a collaboration between John DUNCAN, Dennis COOPER and unknown personnel in the Washington International Office. LUND believes that a significant amount of the information in that letter was excerpted from LUND's correspondence to various people during the period of time in question. He believes the letter is a smoke screen intended to cover the backsides of those who knew aviation safety was an issue and did nothing to correct it. He concluded his comments by advising that not only has Flight Standards been unable to complete aviation safety requirements, but Civil Aviation Security also suffered. He explained that his contacts in security told him they also have been unable to obtain visas, which has resulted in their inability to travel to Russia in order to properly conduct "Point of Departure Inspections" on FAR Part 129 carriers flying into the United States. Because of this LUND believes aviation safety is still being compromised. He mentioned a letter he had written to Frank MCCABE, head of the Washington International Office. (NOTE: He provided a copy of the letter by Fax.) It is dated June 10, 1998, and clearly outlines his concern for aviation safety and the visa problems. LUND advised that this letter went totally unanswered.....Exhibit 3

On October 15, 2002, Richard GORDON was contacted at his residence Panama City, Florida. GORDON, who is currently retired, was the former FSDO Division Manager at the Alaska Region, from 1993 to 1997. He, essentially, provided the following comments. States that Eastern Russia was his "domain to oversee". According to his recollection, in approximately 1995, or 1996, the FSDO found that U.S. Carriers were flying into Russia and there was immediately a concern for aviation safety. He states that at the time LUND was his International Program Manager and he instructed LUND to initiate the process of obtaining visas from the Russians and to facilitate the Russians ability to obtain U.S. visas. Visas for the Russians were quickly obtained; however, obtaining visas from the Russians turned out to be very difficult. He states that LUND worked hard on that project and the two of them even traveled to Moscow to address the problem. Although the Russians continually promised the visas, they simply did not materialize. During the interview GORDON expressed his own concern about the safety ramifications of not being able to properly conduct inspections.

Interviewed/Reviewed On _____, At _____
By Special Agent Thomas L. Caven _____, File No. ANM20030004

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SECURITY & INVESTIGATIONS

ates that in approximately 1997 he was reassigned to Washington as Chairman of the FAA/Russia Working Group, and John DUNCAN became the AAL Flight Standards Division Manager. According to GORDON, DUNCAN did not seem to share the same concern for aviation safety and displayed no desire for the immediacy of obtaining visas for his inspectors. He states that he even elevated those concerns all the way up to Administrator GARVEY. In 1998, he attended an ICAO meeting in Montreal, and at GARVEY's direction, he was accompanied by David TRANEM, Assistant Administrator for Policy Planning and International Aviation. He states that they met with the Russian Administrator and discussed the visa issue. The Russian Administrator, as the Russians had many times before, promised visas within 90 days. He states that they still never materialized. In response to a direct question as to why no order was issued to the Air Carriers to cease all flights into Russia until the visa problem was corrected? GORDON answered by saying that Flight Standards had no indication that the air carriers were operating in an unsafe manner. He went on to clarify by stating that because the inspections of the air carriers, here in the U.S., had not resulted in safety concerns, they could reasonably assume the operation inside Russia would also be safe. GORDON did admit; however, that safety remained a concern and an unanswered question. He was aware of the Alaska Airlines MD-80 that nearly crashed while attempting take-off from a Russian airport. In that regard GORDON explained that it wasn't necessarily the U.S. air carrier, but the Russian ground operations that gave them concern. He then added, that Alaska came very close to crashing that aircraft with 150 people on board. His description of LUND as an employee is an individual that worked hard, took his job seriously and operated with integrity. He further added that LUND was a good employee, described him as a straight shooter, and, believes LUND's concern for air safety was well placed. GORDON advises that he took his and LUND's concerns to the International Office in Washington, as well as voicing them to his own supervisor, Tom ACARDI. He states that he never received direction as to how to address the air safety issue. He said that he, and DUNCAN who succeeded him as FSDO manager, would have been hard pressed to shut down the Russian flights because, as he stated, "there weren't any accidents". He further advised that if he had issued an order for the flights to cease, the airlines would have immediately complained to Senator STEVENS that they were being economically deprived from making a living. He states that such an order would have been absolute political suicide, certainly for a manager at his level. He concluded by saying that its unfortunate Charles LUND has been vilified or held responsible for any of this situation. He stated that these issues were far above LUND's level to control and speculated that because LUND had been so outspoken, he may have become an easy target for others to blame.

Interviewed/Reviewed On _____

At _____

By _____

Special Agent Thomas L. Caven

File No. _____

ANM20030004

B

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SECURITY & INVESTIGATIONS

INDEX OF EXHIBITS

- 1) Congressionally mandated Flight Standards Surveillance/Inspection Tasks.
- 2) Larry DALRYMPLE Investigation Report, dated 12/10/99.
- 3) Charles LUND letter to Frank MCCABE.

Interviewed/Reviewed On _____, At _____

Special Agent Thomas L. Caven _____, File No. ANM20030004

1

TASK: 2.3.2 CONDUCT A FAR PART 121 RAMP INSPECTION												
Function: 2.0 Surveillance/Inspection												
Duty: 2.3 Air Operator Surveillance												
Core: N					Frequency: TBD				Delay Tolerance: H			
PTRS Tracking					Time: TBD				Type of Work: N			
					Criticality: TBD				Job Aid: Y			
					Complexity: TBD							
1622	3627	5627			Specialty							
					S	O	M	E	F	A	C	T
						P	P			P	P	A

Legal References:

- 49 USC 1346 (305), Fostering of Air Commerce
- 49 USC 1354 (313), Other Powers and Duties of the Administrator
- 49 USC 1425 (605), Maintenance of Equipment in Air Transportation
- 49 USC 1429 (609), Amendment, Suspension, and Revocation of Certificates
- 49 USC 1482 (1002), Complaints to, and Investigations by the Administrator and the Board

Purpose:

To determine if a FAR Part 121 Operator is in compliance with applicable regulations and approved procedures

Significant Interfaces:

- Reporting Inspector
- Certificate Holder
- Certificate Holding District Office
- Flight Standards District Office

Procedural Guidance:

- FAR Part 61, Certification: Pilot and Flight Instructor
- FAR Part 63, Certification: Flight Crew Members Other Than Pilots
- FAR Part 67, Medical Standards and Certification
- FAR Part 91, General Operating and Flight Rules
- FAR Part 121, Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft
- Order 8130.20, Registration Requirements for the Airworthiness Certification of U.S. Civil Aircraft
- Order 8300.10, Airworthiness Inspector's Handbook

Order 8400.10, Air Transportation Operations Inspector's Handbook
Order 8400.10, Air Carrier Operations Bulletin 8-89-1
AC 121-24A, Passenger Safety Information Briefing and Briefing
Cards

(continued)

AC 25.785-I, Flight Attendant Seat Requirements

Forms:

FAA Form 8000-36, PTRS Transmittal Form

FAA Form 8000-39, Air Operations Area Identification Card

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 OPEN PTRS FILE</p> <p>K: Program Tracking and Reporting Subsystem Procedures Manual</p> <p>K: Order 8400.1, Vol. 6, Chap. 1, Sec. 1</p> <p>K: Order 8400.1, Vol. 6, Chap. 1, Sec. 2</p> <p>K: Order 8400.1, Vol. 6, Chap. 2</p>	O,M,A,C,T	OJT, CBI, COR
<p>2 INSPECT AIRMAN DOCUMENTS</p> <p>K: FAR Part 61.3(a)</p> <p>K: FAR Part 61.3(b)</p> <p>K: FAR Part 61.3(c)</p> <p>K: FAR Part 63.3(a)</p> <p>K: FAR Part 63.3(b)</p> <p>K: FAR Part 121, Subpart O</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2, Para. 127</p>	O,M,A	OJT, CBI
<p>3 INSPECT FLIGHT CREWMEMBERS PROFESSIONAL EQUIPMENT</p> <p>K: FAR Part 121.137(b)</p> <p>K: FAR Part 121.549(a)</p> <p>K: FAR Part 121.549(b)</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2, Para. 127</p>	O,M,A	OJT, CBI
<p>4 INSPECT CABIN CREWMEMBERS PROFESSIONAL EQUIPMENT</p> <p>K: FAR Part 121.137(b)</p>	O,M,A,C	OJT, CBI
<p>5 EVALUATE CREWMEMBERS CONDITION</p> <p>K: FAR Part 91.17</p> <p>K: Order 8700.1, Vol. 2, Chap. 56, Sec. 1, Para. 15</p> <p>K: Order 8700.1, Vol. 2, Chap. 44, Sec. 3</p>	O,M,A,C	OJT, CBI

<p>6 OBSERVE AND EVALUATE FLIGHT CREWMEMBERS IN THE PERFORMANCE OF THEIR DUTIES</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2, Para. 127</p>	<p>O,M,A,C</p>	<p>OJT, CBI</p>
<p>7 OBSERVE AND EVALUATE CABIN CREWMEMBERS IN THE PERFORMANCE OF THEIR DUTIES</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2, Para. 127</p>	<p>O,M,A,C</p>	<p>OJT, CBI</p>
<p>8 INSPECT AIRCRAFT DOCUMENTS</p> <p>K: FAR Part 21, Subpart H</p> <p>K: FAR Part 91.203</p> <p>K: FAR Part 91, Subpart E</p> <p>K: Order 8300.10, Vol. 3, Chap. 3, Sec. 1, Para. 9</p> <p>K: Order 8300.10, Vol. 3, Chap. 3, Sec. 1, Para. 11</p> <p>K: Order 8300.10, Vol. 3, Chap. 3, Sec. 2, Para. 5E</p> <p>K: Order 8700.10, Vol. 2, Chap. 56, Sec. 2, Para. 5G</p> <p>K: Order 8700.10, Vol. 2, Chap. 56, Sec. 2, Para. 5H</p> <p>K: Order 8700.10, Vol. 2, Chap. 56, Sec. 2, Para. 5I</p>	<p>O,M,A,C</p>	<p>OJT, CBI</p>
<p>8.1 INSPECT AIRCRAFT REGISTRATION CERTIFICATE</p> <p>K: FAR Part 91.2.3</p> <p>K: FAR Part 121.153</p>		
<p>8.2 INSPECT LOAD MANIFEST</p> <p>K: FAR Part 121.665</p> <p>K: FAR Part 121.693</p> <p>K: FAR Part 121.695</p> <p>K: FAR Part 121.697</p>		
<p>8.3 INSPECT DISPATCH RELEASE</p> <p>K: FAR Part 121.687</p>		

K: FAR Part 121.689

K: FAR Part 121.695

K: FAR Part 121.697

8.4 INSPECT AIRCRAFT MAINTENANCE LOG

K: FAR Part 121.627

K: FAR Part 121.701

K: FAR Part 121.709

K: FAR Part 121.369

K: FAR Part 121.628

K: Order 8300.10, Vol. 3, Chap. 3, Para.
5A(1)

9 INSPECT AIRCRAFT'S INTERIOR CONDITION

O,M,A,C

OJT, CBI

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2,
Para. 127C

K: Order 8300.10, Vol. 3, Chap. 3, Sec. 1,
Para. 13

K: Order 8300.10, Vol. 3, Chap. 1, Para. 5F

K: Order 8300.10, Vol. 3, Chap. 1, Fig. 1-1

9.1 Inspect aircraft for required equipment

K: FAR Part 121, Subpart K

9.2 Inspect emergency equipment

K: FAR Part 25.851

K: FAR Part 25.1415

K: FAR Part 25.1421

K: FAR Part 25.1561

K: FAR Part 91.513

K: FAR Part 121.309

K: FAR Part 121.310

K: FAR Part 121.311

K: FAR Part 121.313

K: FAR Part 121, Appendix A

9.3 Inspect required placards and signs

K: FAR Part 25.791

K: FAR Part 25.1541
 K: FAR Part 25.1561
 K: FAR Part 91.203
 K: FAR Part 121.310
 K: FAR Part 121.313
 K: FAR Part 121.317
 K: Air Carrier Operations Bulletin 8-89-1

9.4 Inspect lavatory and galley

K: FAR Part 25.787
 K: FAR Part 25.789
 K: FAR Part 25.791
 K: FAR Part 25.793
 K: FAR Part 25.854
 K: FAR Part 121.308
 K: FAR Part 121.317
 K: FAR Part 121.287

9.5 Inspect flight attendants station

K: FAR Part 25.785
 K: FAR Part 91.521
 K: FAR Part 121.310
 K: FAR Part 121.311
 K: FAR Part 121.318
 K: FAR Part 121.319
 K: FAR Part 121.340

10 INSPECT AIRCRAFT'S EXTERIOR CONDITION

K: Order 8300.10, Vol. 3, Chap. 3, Sec. 2,
 Para. 5C
 K: Order 8300.10, Vol. 3, Chap. 1, Fig. 1.2

O,M,A

OJT, CBI

11 INSPECT SERVICING AND MAINTENANCE INSPECTION
 AREAS

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2,
 Para. 127D

O,M,A

OJT, CBI

12 INSPECT RAMP AND GATE CONDITION AND ACTIVITY

O,M,A,C

OJT, CBI

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2, Para. 127E		
13 IDENTIFY DISCREPANCIES FOUND IN THE INSPECTION	O,M,A,C	OJT, CBI
K: Order 8300.10, Vol. 3, Chap. 3, Sec. 2, Para. 5I		
14 DEBRIEF THE OPERATOR	O,M,A,C	OJT, CBI
K: Order 8300.10, Vol. 3, Chap. 3, Para. 17B		
15 IF THE INSPECTION RESULTS ARE UNSATISFACTORY	O,M,A,C	OJT, CBI
15.1 Issue an aircraft conditions notice, if required		
K: Order 8300.10, Vol. 2, Chap. 142		
15.2 Prohibit the operation of the aircraft by the pilot, if required		
K: 8700.1, Vol. 2, Chap. 44, Sec. 3, Para. 3D		
15.3 Conduct an investigation to determine compliance		
K: Order 8300.10, Vol. 2, Chap. 213		
K: Order 8700.1, Vol. 2, Chap. 182		
16 DOCUMENT THE RAMP INSPECTION	O,M,A,C	OJT, CBI
16.1 File inspection results in the district office		
K: Order 8300.10, Vol. 3, Chap. 3, Sec. 2, Para. 7A		
16.2 Update the Vital Information Subsystem File		
K: Order 1380.51, Para. 4a		
16.3 Close PTRS record		
K: Order 1380.51, Para. 4a		

TASK: 2.3.4 CONDUCT A FAR PART 121 COCKPIT EN ROUTE INSPECTION

Function: 2.0 Surveillance/Inspection

Duty: 2.3 Air Operator Surveillance

Core: N	Frequency: TBD	Delay Tolerance: H
PTRS Tracking	Time: TBD	Type of Work: N
	Criticality: TBD	Job Aid: Y
	Complexity: TBD	

1624	3629	5629			Specialty								
					S	O	M	E	F	A	C	T	
					S	P	P	P	P	P	P	P	A

Legal References:

- 49 USC 1346 (305), Fostering of Air Commerce
- 49 USC 1354 (313), Other Powers and Duties of the Administrator
- 49 USC 1429 (609), Amendment Suspension, and Revocation of Certificates
- 49 USC 1482 (1002), Complaints to and Investigations by the Administrator and the Board

Purpose:

To determine compliance with the Federal Aviation Regulations approved procedures, company policy, and accepted practices

Significant Interfaces:

- Reporting Inspector
- Flight Standards District Office
- Certificate Holding District Office
- Certificate Holder
- Airman

Procedural Guidance:

- FAR Part 61, Certification: Pilot and Flight Instructor
- FAR Part 121, Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft
- Order 8300.10, Airworthiness Inspector's Handbook
- Order 8400.10, Air Transportation Operations Inspector's Handbook
- Order 8700.1, General Aviation Operations Inspector's Handbook
- Order 8000.75, Aviation Safety Inspection Procedures

Forms:

FAA Form 8000-36, PTRS Transmittal Form
FAA Form 8430.13, Request for Access to Aircraft

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 DETERMINE THE NEED FOR THIS INSPECTION</p> <p>K: FAR Part 121.548</p> <p>K: Order 1380.51, Chap. 4a</p> <p>K: Order 8000.75, Para. 6</p> <p>K: Order 8300.10, Vol. 3, Chap. 4, Sec. 1, Para. 7A</p> <p>K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5A</p> <p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 1</p> <p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2</p>	<p>O,M,E,F,A ,C,T</p>	<p>RES, OJT</p>
<p>2 PREPARE FOR THE INSPECTION</p> <p>2.1 Review the office file</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165A</p> <p>2.2 Review Integrated Safety Information Subsystem (ISIS) data</p> <p>K: Best Source: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165A</p> <p>2.3 Review the Operator's General Operations Manual</p> <p>K: Best Source: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165A</p> <p>2.4 Review Operations Specifications</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165A</p> <p>2.5 Schedule en route inspection with operator</p> <p>K: Order 8000.75, Para. 15</p> <p>K: Order 8300.10, Vol. 3, Sec. 2, Para. 5B</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165</p>	<p>O,M,E,F,A ,C,T</p>	<p>RES, OJT</p>

2.6 Complete FAA Form 8430-13

K: Order 8000.75, Para. 15

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 1, Para. 9

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5B

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165E

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165C

3 INSPECT FLIGHT CREW DOCUMENTS

O, M, E, F, A RES, OJT

3.1 Inspect airman certificates

K: FAR Part 61.3(a)

K: FAR Part 61.3(c)

K: FAR Part 61.3(e)

K: FAR Part 63.3

K: FAR Part 121.437

K: FAR Part 121.453

K: FAR Part 121.387

K: FAR Part 121.389

K: FAR Part 121.383

3.2 Knowledges continued

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(a)

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(b)

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(c)

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165E

3.3 Inspect airman Medical Certificates

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 165E

K: FAR Part 61.3(c)

K: FAR Part 61.23

- K: FAR Part 121.383(b)
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(c)
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(a)
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5H(b)

3.4 Inspect crewmembers required publications

- K: FAR Part 121,136(b)
- K: Order 8400.10, Vol. 6, Chap. 2, Fig. 6.2.4.1

4 INSPECT AIRCRAFT DOCUMENTS

O,M,E,F,A RES, OJT

4.1 Inspect aircraft registration

- K: FAR Part 91.203(a) (2)
- K: FAR Part 121.153(a)

4.2 Inspect Aircraft Airworthiness Certificate

- K: FAR Part 91.203(a) (1)
- K: FAR Part 91.203(b)

4.3 Inspect aircraft maintenance record

- K: FAR Part 121.701
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5E
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 1, Para. 11A
- K: Order 8300.10, Vol. 3, Chap. 4, Sec. 1, Para. 17

4.4 Aircraft Flight Manual

- K: FAR Part 121.141

4.5 Inspect dispatch and flight release documents

- K: FAR Part 121.689
- K: FAR Part 121.687
- K: FAR Part 121.693
- K: FAR Part 121.709

K: Order 8400.10, Vol. 3, Chap. 2, Para. 167B		
K: FAR Part 121.663		
K: FAR Part 121.665		
K: FAR Part 121.697		
K: FAR Part 121.695		
K: Order 8400.10, Vol. 3, Chap. 6, Sec. 2, Para. 1185		
4.6 Inspect maintenance release		
K: Order 8300.10, Vol. 3, Chap. 2, Para. 5E(1)		
5 INSPECT AIRCRAFT EQUIPMENT	O,M,E,A	RES, OJT
5.1 Inspect cockpit voice recorder		
K: Order 8300.10, Vol. 3, Chap. 143		
5.2 Inspect flight data recorder		
K: Order 8300.10, Vol. 3, Chap. 142		
6 INSPECT AIRCRAFT CABIN EQUIPMENT	O,M,E,A,C	RES, OJT
K: Order 8000.75, Para. 13		
7 INSPECT AIRCRAFT EMERGENCY EQUIPMENT	O,M,E,F,A ,C	RES, OJT
K: Order 8000.75, Para. 13(b)		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Fig. 6.2.4.1		
8 OBSERVE AND EVALUATE FLIGHT OPERATIONS	O,M,E,F,A	RES, OJT
K: Order 8300.10, Vol. 3, Sec. 1, Para. 11D		
K: Order 8300.10, Vol. 3, Sec. 2, Para. 5I		
K: Order 8400.10, Vol. 6, Chap. 2, Fig. 6.4.2.1		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 167B		
K: Enroute inspection job aid, Order 8300.10, Vol. 3, Chap. 1, Fig. 1-1, 1-2		
8.1 Interior inspection		
K: Interior inspection guidelines, Order 8300.10, Vol. 3, Chap. 1, Fig. 1-1		

K: Order 8400.10, Vol. 6, Chap. 2, Para. 167B(1)		
8.2 Exterior inspection		
K: Exterior Inspections Guidelines, Order 8300.10, Vol. 3, Chap. 1, Fig. 1-2		
K: Order 8400.10, Vol. 6, Chap. 2, Para. 167B(1)		
8.3 Crewmembers		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 163A		
8.4 Airport/heliport		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 163C		
8.5 ATC/Airspace		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 163D		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 163C		
9 OBSERVE AND EVALUATE OTHER OPERATIONS	O, M, E, A, C	RES, OJT
K: Order 8000.75, Para. 13		
10 DETERMINE THE RESULTS OF THE INSPECTION	O, M, E, F, A, C	RES, OJT
K: Best Source: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5J		
K: Order 8400.10, Vol. 6, Chap. 4, Sec. 4, Para. 5G(1)		
11 DEBRIEF CREWMEMBERS	O, M, E, F, A, C	RES, OJT
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 167D(1)		
K: Order 8300.10, Vol. 2, Chap. 4, Sec. 2, Para. 5J		
12 IF THE RESULT OF THE INSPECTION IS UNSATISFACTORY	O, M, E, F, A, C	RES, OJT
12.1 Advise the Principle Operations Inspection		

K: Order 8300.10, Vol. 2, Chap. 4, Sec. 2, Para. 5J(2)

12.2 Conduct an investigation to determine compliance

K: Order 8700.1, Vol. 2, Chap. 182

12.3 Conduct an enforcement investigation

K: Order 2150.3A, Chap. 4

13 DOCUMENT THE INSPECTION

O,M,E,F,A RES, OJT
,C,T

13.1 Schedule a follow-up inspection

K: Order 8300.10, Vol. 3, Chap. 6, Sec. 2, Para. 7B

13.2 File inspection documents in the office file

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2. Para. 7C

13.3 Inform the certificate holding district office of the inspection results

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5J(2)

13.4 Validate the Vital Information Subsystem (VIS)

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 7C

13.5 Close the PTRS record

K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 7A

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 4, Para. 167D

TASK: 2.3.25 INSPECT A FAR PART 121 OPERATOR'S CONTRACT MAINTENANCE FACILITY												
Function: 2.0 Surveillance/Inspection												
Duty: 2.3 Air Operator Surveillance												
PTRS Tracking					Frequency: TBD			Delay Tolerance: H				
3640	5640				Time: TBD			Type of Work: N				
					Criticality: TBD			Job Aid: N				
					Complexity: TBD							
					Specialty							
					S	O	M	E	F	A	C	T
							P	S		P		A

Legal References:

- 49 USC 1346 (305), Fostering of Air Commerce
- 49 USC 1354 (313), Other Powers and Duties of the Administrator
- 49 USC 1429 (609), Amendment, Suspension, and Revocation of Certificates
- 49 USC 1482 (1002), Complaints to, and Investigations by the Administrator and the Board

Purpose:

To ensure a Contract Maintenance Facility meets the regulatory requirements of FAR Part 121

Significant Interfaces:

- Reporting Inspector
- Flight Standards District Office
- Certificate Holding District Office
- Certificate Holder
- Operator

Procedural Guidance:

- FAR Part 121, Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft
- FAR Part 145, Repair Stations
- Order 8300.10, Airworthiness Inspector's Handbook
- Order 8400.10, Air Transportation Operations Inspector's Handbook

Forms:

FAA Form 8000-36, PTRS Transmittal Form

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 DETERMINE THE NEED FOR THIS INSPECTION/SURVEILLANCE</p> <p>K: Order 1380.51, Para. 5(a)</p> <p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 1</p> <p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2</p>	M,A,T	RES, OJT
<p>2 REVIEW THE FAR PART 121 CERTIFICATE HOLDER'S DOCUMENTS</p> <p>2.1 Review operations specifications</p> <p style="padding-left: 20px;">K: Order 8300.10, Vol. 2, Chap. 69, Sec. 1, Para. 5E</p> <p>2.2 Review the operator's manual</p> <p style="padding-left: 20px;">K: Order 8300.10, Vol. 2, Chap. 69, Sec. 1, Para. 5B(3)</p> <p>2.3 Review contractual arrangements between the certificate holder and the contract maintenance facility</p> <p style="padding-left: 20px;">K: Order 8300.10, Vol. 3, Chap. 134, Sec. 1, Para. 5A(1)</p> <p>2.4 Review the regulatory requirements</p> <p style="padding-left: 20px;">K: FAR Part 121.365(a)</p> <p style="padding-left: 20px;">K: FAR Part 121.365(b)</p> <p style="padding-left: 20px;">K: FAR Part 121.365(c)</p> <p style="padding-left: 20px;">K: FAR Part 121.371</p> <p style="padding-left: 20px;">K: FAR Part 121.375</p> <p style="padding-left: 20px;">K: FAR Part 121.377</p> <p style="padding-left: 20px;">K: FAR Part 121.378</p> <p style="padding-left: 20px;">K: FAR Part 121.379</p> <p style="padding-left: 20px;">K: FAR Part 145.2</p> <p style="padding-left: 20px;">K: Order 8400.10, Vol. 2, Chap. 69, Sec. 1, Para. 5B</p> <p>2.5 Knowledges continued</p> <p style="padding-left: 20px;">K: Order 8400.10, Vol. 2, Chap. 69, Sec. 1, Para. 5D</p>	M,A	RES, OJT

K: Order 8400.10, Vol. 2, Chap. 69, Sec. 2, Para. 5C

3 IDENTIFY THE CONTRACT MAINTENANCE FACILITY TO BE INSPECTED

M,A,T

RES, OJT

K: Order 8300.10, Vol. 2, Chap. 69, Sec. 1, Para. 5D

K: Order 8300.10. Vol. 2, Chap. 69, Sec. 2, Para. 5C

4 PLAN AND INITIATE INSPECTION OF THE CONTRACT MAINTENANCE FACILITY

4.1 Determine District Office having responsibility for the contract maintenance facility

K: Order 8300.10, Vol. 2, Chap. 69, Sec. 1, Para. 5D

4.2 Review District Office files for the contract maintenance facility

K: Order 8300.10, Vol. 2, Chap. 69, Sec. 1, Para. 5B

4.3 Determine FAA certificates and ratings held by the contract maintenance facility

K: Order 8300.10, Vol. 3, Chap. 134, Sec. 1, Para. 7

4.4 Schedule inspection with the contract maintenance facility

K: Order 8300.10, Vol. 2, Chap. 69, Sec. 2, Para. 1B

5 INSPECT THE CONTRACT MAINTENANCE FACILITY

M,A

RES, OJT

5.1 Evaluate the contractor's qualifications

K: Order 8300.10, Vol. 3, Chap. 134, Sec. 2, Para. 5A

5.2 Inspect contractor's library

K: Order 8300.10, Vol. 3, Chap. 134, Sec. 2, Para. 5B

5.3 Inspect contractor's records related to the specific FAR Part 121 certificate holder

<p>K: Order 8300.10, Vol. 3, Chap. 134, Sec. 2, Para. 5C</p>		
<p>5.4 Inspect contractor's quality control system</p>		
<p>K: Order 8300.10, Vol. 3, Chap. 134, Sec. 2, Para. 5D</p>		
<p>5.5 Inspect contractor's maintenance department</p>		
<p>K: Order 8300.10, Vol. 3, Chap. 134, Sec. 2, Para. 5E</p>		
<p>6 DEBRIEF THE CONTRACTOR FACILITY PERSONNEL</p>	<p>M,A</p>	<p>RES, OJT</p>
<p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2, Para. 7B</p>		
<p>7 DOCUMENT THE INSPECTION</p>	<p>M,A,T</p>	<p>RES, OJT</p>
<p>7.1 Advise the Certificate Holding District Office of the inspection results</p>		
<p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2, Para. 5F</p>		
<p>7.2 File supporting paperwork in the district office file</p>		
<p>K: Order 8300.20, Vol. 3, Chap. 134, Sec. 2, Para. 7C</p>		
<p>7.3 Close PTRS Record</p>		
<p>K: Order 1380.51, Para. 4a</p>		
<p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2</p>		
<p>8 CONDUCT FOLLOW-ON ACTIVITIES</p>	<p>M,A,T,</p>	<p>RES, OJT</p>
<p>8.1 Schedule follow-up surveillance</p>		
<p>K: Order 8300.10, Vol. 6, Chap. 1, Sec. 2, Para. 333</p>		
<p>8.2 Conduct an investigation to determine compliance</p>		
<p>K: Order 8700.1, Vol. 2, Chap. 182</p>		
<p>8.3 Initiate an enforcement investigation</p>		
<p>K: Order 2150.3A, Chap. 4</p>		

TASK: 2.3.29 INSPECT A FAR 121 OPERATOR'S REFUELING FACILITY													
Function: 2.0 Surveillance/Inspection													
Duty: 2.3 Air Operator Surveillance													
PTRS Tracking					Frequency: TBD				Delay Tolerance: H				
3638					Time: TBD				Type of Work: N				
					Criticality: TBD				Job Aid: N				
					Complexity: TBD								
					Specialty								
					S	O	M	E	F	A	C	T	
							P			P		A	

Legal References:

- 49 USC 1346 (305), Fostering of Air Commerce
- 49 USC 1354 (313), Other Powers and Duties of the Administrator
- 49 USC 1421 (601), General Safety Powers and Duties
- 49 USC 1482 (1002), Complaints to and Investigations by the Administrator and the Board

Purpose:

To inspect a FAR Part 121 operator's refueling facility

Significant Interfaces:

- Operator
- Flight Standards District Office
- Certificate Management Branch
- Reporting Inspector

Procedural Guidance:

- FAR Part 121, Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft
- Order 8300.10, Airworthiness Inspector's Handbook
- AC 00-34, Aircraft Ground Handling and Servicing
- AC 20-20, Flammability of Jet Fuel
- AC 20-43, Aircraft Fuel Control
- AC 150-5239, Aircraft Fuel Storage, Handling, and Dispensing on Airports
- AC 150/5210-5, Painting, Marking, and Lighting of Vehicles Used on an Airport
- NFPA Publication No. 10, Standards for Portable Fire Extinguishers
- NFPA Publication No. 30, Flammable and Combustible Liquid Code
- NFPA Publication No. 70, National Electric Code

NFPA Publication No. 77, Static Electricity
NFPA Publication No. 385, Tank Vehicles for Flammable and
Combustible Liquids
NFPA Publication No. 407, Aircraft Fuel Servicing

(continued)

NFPA Publication No. 410, Standard on Aircraft Maintenance
NFPA Publication No. 415, Aircraft Fueling Ramp Drainage
API Safe Practices in Bulk Plant Operations,
API Bulletin 1500, Storage and Handling of Aviation Fuels at Airports
API Bulletin 1529, Aviation Fueling Hose
API Bulletin 1542, Aviation Fuels Identification and Airport
Equipment marking and Color Coding, 3rd Edition
API Bulletin 1581, Specification and Procedures for jet Fuel
Filter/Separators

Forms:

FAA Form 8000-36, PTRS Transmittal Form

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 DETERMINE THE NEED FOR THIS INSPECTION</p> <p>K: FAR Part 121.81(a)</p> <p>K: Order 1380.51, Para. 4a</p> <p>K: Order 8300.10, Vol. 3, Chap. 135, Sec. 1, Para. 1</p>	M,A,T	RES, OJT
<p>2 PREPARE FOR THE INSPECTION</p> <p>K: AC 150/5230-4</p> <p>2.1 Open PTRS Record</p> <p>K: Order 8300.10, Vol. 3, Chap. 135, Sec. 2, Para. 1</p> <p>2.2 Review operator's refueling manual</p> <p>K: Order 8300.10, Vol. 2, Chap. 227, Sec. 1, Para. 5</p> <p>2.3 Schedule Inspection with Operator</p> <p>K: Order 8300.10, Vol. 2, Chap. 135, Sec. 2, Para. 1B</p>	M,A	RES, OJT
<p>3 INSPECT THE CERTIFICATE HOLDER'S REFUELING FACILITIES AND OPERATIONS</p> <p>3.1 Inspect training records</p> <p>K: FAR Part 121.135(b)(18)</p> <p>K: Order 8300.10, Vol. 3, Chap. 135, Sec. 2, Para. 5A(1)</p> <p>K: order 8300.10, Vol. 2, Chap. 227, Sec. 2, Para. 5B(1)</p> <p>K: AC 00-34A, Para. 9</p> <p>K: AC 150/5230-4, Para. 2d</p> <p>K: National Fire Protection Association Pamphlet 407</p> <p>3.2 Inspect quality control and record keeping procedures</p> <p>K: FAR Part 121.135(b)1(18)</p> <p>K: Order 8300.10, Vol. 3, Chap. 135, Sec. 1, Para. 5</p>	M,A	RES, OJT

K: AC 150/5230-4, Appen. 6, Para. 2f

K: AC 150/5230-4, Appen. 6, Para. 3b

3.3 Inspect operator's refueling facility

K: FAR Part 121.105

K: FAR Part 121.123

K: FAR Part 135(b)(16)

K: FAR Part 121.135(b)(18)

K: AC 150/5230-4, Appen. 6, Para. 2f

K: AC 150/5230-4, Appen. 6, Para. 3b

K: ATA specifications 103, Chap. 1-5

K: ATA specifications 103, Chap. 1-6

3.4 Inspect fuel for contamination

K: FAR Part 121.135(b)(18)

K: Best Source: Order 8300.9, Chap. 6,
Sec. 30, Para. 2040

K: AC 150-5230-4, Para. 9

K: AC 150-5230-4, Para. 10

K: AC 150-5230-4, Para. 11

K: AC 150-5230-4, Para. 13

K: AC 150-5230-4, Para. 14

K: AC 150-5230-4, Appen. 6, Para. 2f

K: AC 150-5230-4, Appen. 6, Para. 3b

K: ATA specifications 103, Chap. 2

K: ATA specifications 103, Chap. 3

K: ATA specifications 103, Chap. 4

K: ATA specifications 103, Chap. 5

K: ATA specifications 103, Chap. 6

K: ATA specifications 103, Chap. 7

K: ATA specifications 103, Chap. 204

3.5 Observe aircraft refueling operations

K: FAR Part 121.135(b)(18)

K: Order 8300.10, Vol. 3, Chap. 135,
Para. 5B

K: AC 150/5230-4, Para. 17

4 DEBRIEF THE OPERATOR

M,A

RES, OJT

K: Order 8300.10, Vol. 3, Chap. 135, Sec. 2,
para. 5C

K: Order 8300.10, Vol. 3, Chap. 135, Sec. 2,
para. 7B

K: order 8400.10, Vol. 6, Chap. 2, Sec. 1,
Para. 107E

5 DOCUMENT THE INSPECTION

M,A,T

RES, OJT

5.1 Advise the certificate holding district
office of the inspection results

K: Order 8300.10, Vol. 3, Chap. 135, Sec.
1, Para. 5A

5.2 Close PTRS Record

K: Order 8300.10, Vol. 3, Chap. 135,
Para. 7A

TASK: 2.3.34 INSPECT A FAR PART 121 OPERATOR'S DE-ICING PROGRAM												
Function: 2.0 Surveillance/Inspection												
Duty: 2.3 Air Operator Surveillance												
PTRS Tracking					Frequency: TBD				Delay Tolerance: H			
1637	3625		5625		Time: TBD				Type of Work: N			
					Criticality: TBD				Job Aid: N			
					Complexity: TBD							
					Specialty							
					S	O	M	E	F	A	C	T
						P	P			P		A

Legal References:

49 USC 1425. (605), Maintenance of Equipment in Air Transportation

Purpose:

To determine compliance of a FAR Part 121 Operator's De-Icing program with the Federal Aviation Regulations, approved procedures, company policy, and accepted practices

Significant Interfaces:

Reporting Inspector
 Flight Standards District Office
 Certificate Holding District Office
 Certificate Holder
 Airman

Procedural Guidance:

Order 8300.10, Airworthiness Inspector's Handbook
 Order 8400.10, Air Transportation Operations Inspector's Handbook
 AC 20-117, Hazards Following Ground Deicing and Ground Operations in Condition Conducive to Aircraft Icing
 FSAT 93-03, Air Carrier deicing/anti-icing surveillance and reporting requirements

Forms:

FAA Form 8000-36, PTRS Transmittal Form

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 DETERMINE THE NEED FOR THIS INSPECTION</p> <p>K: Order 1380.51, Para. 4a</p> <p>K: FSAT 93-03, Para. 3</p>	O,M,A,T	RES, OJT
<p>2 PREPARE FOR THE INSPECTION</p> <p>2.1 Review the Certificate Holder's Operations Specifications</p> <p>K: FAR Part 121.629(c)</p> <p>K: FAR Part 121.629(d)</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107A</p> <p>2.2 Review the Certificate Holder's Manual</p> <p>K: FAR Part 121.135(b) (14)</p> <p>K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5F(4)</p> <p>K: Order 8300.10, Vol. 3, Chap. 132, Sec. 2, Para. 5E(4)</p> <p>K: Order 8300.10, Vol. 3, Chap. 133 Sec. 2, Para. 5F(4)</p> <p>2.3 Review the office file for the Certificate Holder</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107A</p> <p>2.4 Review the Integrated Safety Information Subsystem (ISIS) for the Certificate Holder</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107A</p> <p>2.5 Review training requirements for the Certificate Holder's personnel</p> <p>K: FAR Part 121.629(c) (2)</p> <p>K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5F(4)</p> <p>2.6 Review the airport de-icing plan</p> <p>K: FSAT 93-03, Para. 3B</p>	O,M,A	RES, OJT

K: FSAT 93-03, Para. 3D		
3 OBSERVE AND EVALUATE THE CERTIFICATE HOLDER'S DE-ICING ACTIVITIES	O,M,A	RES, OJT
K: FSAT 93-03, Para. 3C		
K: FSAT 93-03, Para. 3E		
3.1 Inspect the storage and usage of deicing materials		
K: FAR Part 121.135(b)(14)		
K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5F(4)		
3.2 Inspect maintenance and operation of the deicing dispensing equipment		
K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5F(4)		
4 OBSERVE AND EVALUATE THE CERTIFICATE HOLDER'S DE-ICING/ANTI-ICING TRAINING PROGRAM	O,M,A	RES, OJT
K: FSAT 93-03, Para. 3C		
5 DETERMINE THE RESULTS OF THE INSPECTION	O,M,A	RES, OJT
K: Order 8300.10, Vol. 3, Chap. 36, Sec. 2, Para. 5D		
K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5"O"		
K: Order 8400.10, Vol. 6, Chap. 1, Para. 11		
5.1 Advise the Certificate Holding District Office if the results are unsatisfactory		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107E		
5.2 Initiate enforcement action if required		
K: Order 2150.3A, Chap. 4		
K: Order 8300.10, Vol. 2, Chap. 213, Para. 7		
K: Order 8300.10, Vol. 2, Chap. 215, Para. 5		
K: Order 8400.10, Vol. 6, Chap. 1, Sec. 1, Para. 5E		

<p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107E</p>	<p>O,M,A</p>	<p>RES, OJT</p>
<p>6 DEBRIEF THE OPERATOR</p>		
<p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 1, Para. 107E</p>		
<p>7 DOCUMENT THE INSPECTION</p>	<p>O,M,A</p>	<p>RES, OJT</p>
<p>K: FSAT 93-03, Para. 4</p>		
<p>K: FSAT 93-03, Attach. 2</p>		
<p>7.1 Close PTRS Record</p>		
<p>K: Order 1380.51, Para. 4a</p>		
<p>8 SCHEDULE FOLLOW-UP ACTIVITIES</p>	<p>O,M,A</p>	<p>RES, OJT</p>
<p>8.1 Evaluate corrective action</p>		
<p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 1, Para. 5E</p>		
<p>8.2 Resolve any potential or unsatisfactory opinion codes</p>		
<p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2, Para. 39</p>		

TASK: 2.3.21 INSPECT A FAR PART 121 OPERATOR LINE STATION

Function: 2.0 Surveillance/Inspection

Duty: 2.3 Air Operator Surveillance

PTRS Tracking					Frequency: TBD			Delay Tolerance: H				
1617	3621	5621			Time: TBD			Type of Work: N				
					Criticality: TBD			Job Aid: Y				
					Complexity: TBD							
					Specialty							
					S	O	M	E	F	A	C	T
						P	P			S	S	A

Legal References:

- 49 USC 1346 (305), Fostering of Air Commerce
- 49 USC 1354 (313), Other Powers and Duties of the Administrator
- 49 USC 1429 (609), Amendment, Suspension, and Revocation of Certificates
- 49 USC 1482 (1002), Complaints to, and Investigations by the Administrator and the Board

Purpose:

To conduct an inspection of an operator's line station to determine compliance with the Federal Aviation Regulations

Significant Interfaces:

Operator
Certificate Holding District Office

Procedural Guidance:

- FAR 121
- CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT
- Order 1380.51, 11-08-89, AFS-530
- PROGRAM TRACKING AND REPORTING SUBSYSTEM
- Order 2150.3
- COMPLIANCE AND ENFORCEMENT PROGRAM
- Order 8300.10
- AIRWORTHINESS INSPECTOR'S HANDBOOK
- Order 8400.10
- AIR TRANSPORTATION OPERATIONS INSPECTOR'S HANDBOOK

Forms:

Steps, Sub-Steps & Knowledge	Specialty	Recommend Training
<p>1 DETERMINE THE NEED FOR THE INSPECTION/ SURVEILLANCE</p> <p>K: FAR Part 121.73</p> <p>K: FAR Part 121.81</p> <p>K: FAR Part 121.548</p> <p>K: Order 8300.10, Vol. 3, Chap. 133</p> <p>K: Order 8400.10, Vol. 6, Chap. 1, Sec. 1, Para. 9</p>	O,M,A,C,T	RES, OJT, CBI
<p>2 PREPARE FOR THE INSPECTION</p> <p>2.1 Schedule and Plan the Inspection</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 321</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 323</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 325</p> <p>2.2 Review Operator's office files</p> <p>K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5A</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 323</p> <p>2.3 Condcut Operator inbriefing</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 325</p>	O,M,A,C	RES, OJT
<p>3 REVIEW AND EVALUATE OPERATOR'S DOCUMENTS</p> <p>K: FAR Part 121, Subpart Y</p> <p>K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5B</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 327</p> <p>3.1 Review and evaluate weight and balance information</p> <p>K: FAR Part 121.45(b)</p> <p>K: FAR Part 121.133(b)</p>	O,M,A,C	RES, OJT

- K: FAR Part 121.153(b)
- K: FAR Part 121.175
- K: FAR Part 121.697
- K: Order 8300.10, Vol. 2, Chap. 74
- K: Order 8300.10, Vol. 2, Chap. 75
- K: Order 8400.10, Vol. 3, Chap. 15, Sec. 3, Para. 2133
- K: AC 91.23
- K: AC 120.27B

3.2 Review and evaluate the Minimum Equipment List

- K: FAR Part 121, Subpart V
- K: FAR Part 121.628
- K: Order 8300.10, Vol. 2, Chap. 63, Sec. 2, Para. E3

4 REVIEW AND EVALUATE OPERATOR'S OPERATIONS DOCUMENTS

M,A

RES, OJT

- K: FAR Part 121, Subpart V
- K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 327

4.1 Review and evaluate Flight Crewmember Certificates

- K: FAR Part 61.3
- K: FAR Part 61.23
- K: FAR Part 63.3
- K: FAR Part 65.51
- K: FAR Part 121.437

4.2 Review and evaluate Flight Crewmember Crew and Duty Times

- K: FAR Part 121, Subpart P
- K: FAR Part 121, Subpart Q
- K: FAR Part 121, Subpart R
- K: FAR Part 121, Subpart S

4.3 Review and evaluate General Operations
Manuals

K: FAR Part 121, Subpart G

K: Order 8400.10, Vol. 6, Chap. 2, Sec.
6, Para. 205

K: Order 8400.10, Vol. 6, Chap. 2, Sec.
6, Para. 207

4.4 Review and evaluate Operations Training
Manuals

K: FAR Part 121, Subpart N

4.5 Review and evaluate Aircraft Flight
Manuals

K: FAR Part 121.133

K: FAR Part 121.141

4.6 Review and evaluate Hazardous Materials
Program

K: FAR Part 121.433(a)

4.7 Review and evaluate Trip Records

K: FAR Part 121, Subpart V

K: Order 8400.10, Vol. 6, Chap. 2, Sec.
11, Para. 327

5 REVIEW AND EVALUATE OPERATOR'S MAINTENANCE
RECORDS

O,M,A

RES, OJT

5.1 Review and evaluate Aircraft Records

K: FAR Part 121.380

K: FAR Part 121.701

K: FAR Part 121.703

K: FAR Part 121.705

K: FAR Part 121.707

K: FAR Part 121.709

5.2 Review and evaluate General Maintenance
Manual

K: FAR Part 121.133

K: FAR Part 121.135

K: FAR Part 121.380

5.3 Review and evaluate Maintenance Training Records

K: FAR Part 121.133(b) (15)

K: FAR Part 121.375

K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5E

5.4 Review and evaluate Calibration Records

K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5F2

5.5 Review and evaluate Department Records

K: FAR Part 121.133(b) (19)

K: FAR Part 121.367

K: FAR Part 121.371

K: FAR Part 121.399

K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5G

5.6 Review and evaluate Technical Reference Manuals

K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5G

6 EVALUATE OPERATOR'S OPERATIONS ORGANIZATION

O,M,A,C

RES, OJT

6.1 Evaluate Flight Crewmember Training

K: FAR Part 121, Subpart N

K: FAR Part 121, Subpart O

6.2 Evaluate Management Personnel

K: FAR Part 121.61

6.3 Evaluate Flight Following/Flight Dispatch Department

K: FAR Part 121, Subpart P

K: FAR Part 121, Subpart U

K: FAR Part 121.395

K: FAR Part 121.711

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 17

K: Order 8400.10, Vol. 3, Chap. 15, Sec. 3, Para. 2135

6.4 Evaluate Check Airman

K: FAR Part 121.401(a)(4)

K: FAR Part 121.411

K: FAR Part 121.413

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 8, Para. 259

7 EVALUATE OPERATOR'S MAINTENANCE ORGANIZATION

O,M,A,C

RES, OJT

7.1 Evaluate Management Personnel

K: FAR Part 121.59(a)(3)

K: FAR Part 121.59(a)(5)

K: FAR Part 121.61(c)

K: FAR Part 121.61(d)

K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5D

K: Order 8400.10, Vol. 6, Chap. 1, Sec. 2, Para. 43

7.2 Evaluate Inspection Department

K: FAR Part 121.133(b)(19)

K: FAR Part 121.367

K: FAR Part 121.399

K: FAR Part 121.371

7.3 Evaluate Reliability Department

K: FAR Part 121.371

K: Order 8300.10, Vol. 3, Chap. 38

7.4 Evaluate Continuing Analysis and Surveillance Department

K: FAR Part 121.373

K: Order 8300.10, Vol. 3, Chap. 38

7.5 Evaluate Maintenance Training

K: FAR Part 121.375

K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 5E

<p>8 INSPECT AND EVALUATE OPERATOR'S MAINTENANCE FACILITIES</p> <p>K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 5F</p> <p>8.1 Inspect and evaluate Housing</p> <p>K:</p> <p>8.2 Inspect and evaluate Tools and Equipment</p> <p>K:</p>	O,M,A	RES, OJT
<p>9 INSPECT AND EVALUATE OPERATOR'S AIRCRAFT</p> <p>K: FAR Part 121, Subpart H</p> <p>K: FAR Part 121.81</p> <p>K: Order 8300.10, Vol. 3, Chap. 1</p> <p>K: Order 8300.10, Vol. 3, Chap. 2</p> <p>K: Order 8300.10, Vol. 3, chap. 133, Sec. 2, Para. 5H</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 2</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Fig. 6.2.2.1</p>	O,M,A	RES, OJT
<p>10 REVIEW AND EVALUATE CONTRACTUAL ARRANGEMENTS</p> <p>K: FAR Part 121.371(d)</p> <p>K: Order 8300.10, Vol. 2, Chap. 69</p>	O,M,A	RES, OJT
<p>11 EVALUATE RESULTS OF THE INSPECTION</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 331</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 333</p>	O,M,A,C	RES, OJT
<p>12 DEBRIEF THE OPERATOR</p> <p>K: Order 8300.10, Vol. 3, Chap. 131, Sec. 2, Para. 7D</p> <p>K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 329</p>	O,M,A,C	RES, OJT
<p>13 DOCUMENT THE INSPECTION</p> <p>K: Order 1380.51, para. 4a</p> <p>K: Order 8300.10, Vol. 3, Chap. 133, SEC. 2, Para. 7C</p>	O,M,A,C,T	RES, OJT

K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 331		
14 SEND LETTER TO OPERATOR OR CERTIFICATE HOLDING DISTRICT OFFICE CONFIRMING INSPECTION RESULTS	O,M,A	RES, OJT
K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, para. 329C		
K: Order 8400.10, Vol. 6, Chap. 2, Sec. 11, para. 329C		
15 FOLLOW-UP ON ANY UNSATISFACTORY ITEMS	O,M,A	RES, OJT
K: Order 8300.10, Vol. 3, Chap. 133, Sec. 2, Para. 9		
K: Orddr 8400.10, Vol. 6, Chap. 2, Sec. 11, Para. 333		
15.1 Coordinate with Principal Inspectors		
K: Order 8300.10, Vol. 3, Chap. 4, Sec. 2, Para. 5J(2)		
15.2 Conduct an Investigation to Determine Compliance		
K: Order 8700.1, Vol. 2, Chap. 182		
15.3 Initiate Enforcement Action		
K: Order 2150.3A, Chap. 4		

2



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Fairbanks Flight Standards District
Office 01
6450 Airport Way, Suite 2
Fairbanks, AK 99709
Phone: (907)474-0276
Fax: (907)474-0494

Subject: **INFORMATION:** Multiple Entry Visas for Russia

Date: December 10, 1999

From: Manager, AL-FSDO-01

Reply to
Attn. of:

To: Manager, Flight Standards Division, AAL-200

On November 30, 1999, AAL-201, Kent Adams, called me and requested assistance gathering some facts about obtaining visas, both single and multiple entry, into Russia for Aviation Safety Inspectors. He wanted me to find out what, if any, problems the Agency was having in obtaining single entry and multiple entry visas for Russia and if there were problems, was the inability to obtain those visas impacting the Flight Standards congressional mandate to assure safe flight operations by U.S. carriers into Russia.

Bering Air, Inc., of Nome, Alaska, was the first Alaskan carrier to express an interest in providing a charter service to eastern USSR (prior to the break up of the USSR). In the late 1980's, personnel of the Fairbanks FSDO became aware that Mr. Rowe, the President and CEO of Bering Air, Inc., had been making FAR Part 91 flights to Providenya on the east coast of Russia. Mr. Rowe had befriended the Mayor and other city officials in Providenya and apparently was not having any problem obtaining visas for FAR Part 91 flights in and out of that city. In approximately 1988, Mr. Rowe requested Operations Specifications for charter operations to Providenya and other locations in eastern USSR. It was at this point that our difficulties in obtaining visas for our Aviation Safety Inspectors commenced. Tom Westhall was AAL-200, and Al Crook was the Fairbanks FSDO Manager.

There was an approximately one to two year period of time when we were merely trying to obtain information about airports and services in that part of Russia. Mr. Tom Stuckey was then AAL-200, Tom Accardi was AFS-1, and Chuck Lund started acquiring more international coordination duties for Flight Standards in Alaska. In the meantime, Bering Air, Inc., continued to make FAR Part 91 flights into Providenya and had perfected the necessary coordination for landing, service, fuel, and streamlined the visa process for their passengers; however, we had advised Mr. Rowe that we would not issue Operations Specifications until a validation flight test to Providenya was completed with an Inspector from the Fairbanks FSDO. At this point, Mr. Rowe offered to obtain the necessary visa for our Inspectors, so that he could get his Operations Specifications. That offer was declined, as office and regional management felt that visas for our government passports needed to be obtained through official government channels via an invitation from a government official in Russia. Ultimately, a single trip visa was obtained for a Fairbanks FSDO Inspector for the validation flight test, but it was always felt that Mr. Rowe was working behind the scenes to make certain that visa was issued; by then Mr. Rowe had many contacts in Russia. The validation flight test was completed and Bering Air, Inc., was issued Operations Specifications for charter flights to Providenya only.

Around this same time, or shortly after, the Operations Specifications issuance, Mr. Lund was appointed as the International Program Coordinator for the Alaskan Region and had also established many contacts, both within the FAA, Flight Standards, and in Russia. Mr. Lund; Dick Gordon, the Anchorage FSDO Manager; Tom Stuckey, AAL-200; Al Crook, the Manager of the Fairbanks FSDO; and the Alaskan Region Regional Administrator had all made trips to Russia: some to Moscow to meet with high level officials and others to eastern Russia via Bering Air, Inc. Additionally, Tom Stuckey, Dick Gordon, Chuck Lund, and a contingent of Russian officials visited the Fairbanks FSDO in an attempt to streamline the visa process.

In the meantime, Bering Air, Inc., continued to develop their contacts with officials throughout Russia and also continued to request, officially, the authorization to serve several more points in eastern Russia. Mr. Lund and Mr. Gordon continued to make trips to Russia with other U.S. government officials and continued to develop relationships within Russia, but multiple entry visas were never obtained, as mentioned, except in rare cases. Impact on the Fairbanks FSDO and Bering Air, Inc., was dramatic. The Fairbanks FSDO personnel continued to request visas for surveillance of the Bering Air operations to Providenya and occasionally a single entry visa was approved. In one case, a 14-day visa for a single trip was approved and arrived at the Fairbanks FSDO the day it expired. More often than not, when a visa was approved, it had no relationship to a particular charter flight that Bering Air was planning to make. For instance, a visa would be obtained for a Fairbanks FSDO Inspector, who would then travel to Nome, Alaska, and due to weather, a hang up in passport, or a visa for a Bering Air passenger, or a canceled charter flight, the inspector was unable to get on the Bering Air flight. Within a day or two, the Inspector's visa would expire and Bering Air would then depart Nome, Alaska, for Providenya. This has proven to be a 12 to 15 year, very frustrating experience for personnel of Fairbanks FSDO, as well as Mr. Lund.

To further add insult to injury, Bering Air recently requested the authority to serve Anadyr, Russia. Russian and U.S. FAA officials had conducted airport surveys and everything was in place for them to get that authority, but the Fairbanks FSDO personnel still needed to conduct validation flight tests to Anadyr. A visa was requested and approved in less than 15 days. Undoubtedly, one reason is that Mr. Rowe was also influencing Russian officials for the approval of that visa, so he could serve that additional destination. The validation flight test was completed approximately two weeks ago. In the 12 to 15 year period that Bering Air has been serving eastern Russia, Fairbanks FSDO personnel managed to get a visa, charter flight, weather, etc., together on only four occasions, and two of those were validation flight tests.

In the 1990-1993 time frame, there were many diplomatic efforts going on, many involving Mr. Gordon and Mr. Lund, to develop a U.S./Russia Bilateral Air Transport Agreement. That agreement was ultimately signed by both sides in London on May 21, 1993, and one of the pieces within that agreement was that the U.S. and Russia would grant, without limitation, multiple entry visas for Aviation Safety Inspectors for the oversight of U.S. carriers wanting to serve Russia and for Aeroflot, who wanted to provide service to the U.S. (Attachment 1) The U.S. immediately complied with that provision of that Bilateral Agreement and began issuing multiple entry visas to aviation officials from Russia, and still does so to this day. Unfortunately, except in very limited cases, the Russian officials did not reciprocate.

In the meantime, Dick Gordon, AAL-200, and Chuck Lund continued making trips to Russia, assisting them with their aviation program; even as the Russian Federation was going through major turmoil and break up. They continued to push for multiple entry visas for Inspectors throughout the nation and continued to try to improve relations with the Russians, so that we could conduct more surveillance on U.S. carriers operating in Russia. Multiple entry Russian visas, except in rare cases, were still not being allowed.

In June 1992, Alaska Airlines made a move into the Russian market and started serving Magadan and Khabarovsk with scheduled passenger service on DC-9 aircraft. That service ended in late 1998; at which point Alaska Airlines was serving six destinations in Russia as far west as Vladivostok. Dennis Harn, the current Principal Operations Inspector for Alaska Airlines, was an Inspector in the Alaska Airlines certificate management unit during the time that Alaska Airlines was serving Russia. I spoke with Mr. Harn and asked about their experiences with visas and the impact on their surveillance program on Alaska Airlines operations in Russia. Mr. Harn said that they were requesting their visas for validation flights and normal surveillance through Chuck Lund in Alaska. He said that during that 1992 to 1998 time frame, it was an extremely frustrating experiencing, and that just a handful of single trip visas had been approved and a majority of those were for the validation flights for new airports in Russia that Alaska Airlines wanted to serve. Mr. Harn felt that our lack of having multiple entry visas, which would allow us to conduct surveillance on the flights as we chose and not when the Russians chose, definitely had an impact on the oversight responsibility for that U.S. carrier serving Russia. He said that at no time were personnel in that certificate management unit comfortable with the amount of surveillance being conducted on Alaska Airlines in Russia. Mr. Harn recalled five occasions in the three year period of time, that single trip visas were granted. I queried the SPAS data and noted that between 1992 and September 1998, four combination enroute, station facility type inspections were conducted on Alaska Airlines in Russia at the various locations that Alaska Airlines served.

Mr. Lund confirmed that during the time Alaska Airlines was going to Russia, he felt extremely frustrated in his attempts to acquire visas for the Inspectors. He said that on more than one occasion he had calls from the irate Managers of the Northwest Mountain Region, the Seattle FSDO, and Mary Rose Diefenderfer, the Alaska Airlines POI. They would complain about their inability to obtain visas to conduct the necessary surveillance in Russia.

I spoke with Stanley Roberts, Manager of the New York International Field Office (IFO). Even though the IFO has no oversight responsibility for U.S. carriers serving Russia, Mr. Roberts felt that their inability to get multiple entry visas definitely had an impact on the FAA's safety responsibilities. An example he used was a FAR Part 129 carrier named TransAero, that they were trying to conduct surveillance on their operations in Russia. He indicated that they repeatedly tried to get both single and multiple entry visas to conduct surveillance and were never successful. The only place where the surveillance could be conducted was in Frankfurt, Germany. Likewise, the only time that they can conduct surveillance on the Russian carriers coming into the U.S. is here in the U.S. He said that they generally do not have any problem getting multiple entry visas for any other locations, except Russia.

In late 1997, another Alaska carrier, Reeve Aleutian Airways, Inc., decided to commence service to Russia using Boeing 727 aircraft. I spoke with Mr. Bruce Walker, the supervisor for the unit in the Anchorage FSDO that has certificate responsibility for Reeve Aleutian Airways, about Reeve's Russian operation. Mr. Walker said that ever since Reeve started their Russian operation, they have not been successful in getting single trip visas, let alone multiple trip visas, going through our agency (Mr. Lund). He indicated that he has pretty much given up on trying to get visas at all through the government system for the oversight of the Reeve operation in Russia. Mr. Walker said that he has been trying to get single trip visas for Principal Maintenance Inspector Stanley Rauk and Principal Operations Inspector Larry Lybarger through Mr. Lund for over a year and has not been successful. I told Mr. Walker that I had queried SPAS and noted that Operations Inspector David Lucher had conducted an enroute inspection on Reeve in 1997, and that since then, Avionics Inspector John Harrington had conducted enroutes to Russia on Reeve in early 1998 and early 1999. Mr. Walker said that David Lucher's visa was obtained by Reeve Aleutian personnel and not through government sources and that Mr. Harrington currently held a valid three year multiple entry visa, good from February 1998 through February 2000. Mr.

Walker said that Mr. Harrington's multiple visit visa was obtained through Reeve Aleutian personnel also. When I asked Mr. Walker how it was that Reeve personnel had the ability to get visas on such short notice; he indicated that Reeve was listing the Inspectors as crewmembers. He said that, additionally, they had a Russian on their staff and excellent sources in Russia for obtaining visas on very short notice. Mr. Walker felt that it was better that we obtained our visas through the carrier when we needed them to get the surveillance completed, rather than get no visas at all going through official sources. He said that this process had been approved by the former Office Manager, Ike Borgen.

It was very apparent that the issue of visas, both single and multiple entry was a very emotional one for Mr. Walker. He indicated that he felt that his principals for Reeve and he specifically were being discriminated against by Mr. Lund. The impression I got was that he felt that Mr. Lund and the entire process of getting visas through official channels was a huge road block to completing our safety oversight mission in Russia. He felt very strongly that we were not accomplishing our safety mission regarding the U.S. carriers traveling to Russia because of our inability to obtain multiple entry visas.

I also spoke with Mr. George McCament, the Supervisor for the Geographic Unit at the Anchorage FSDO. Mr. McCament had a unique perspective in that he too experienced a great amount of frustration in trying to obtain visas for Russia for his inspectors and then served in a detail position working with Mr. Lund for a period of time. In Mr. McCament's own words, he said that he "blamed Chuck Lund for this (the inability to obtain multiple entry visas), until I worked down in the international area at the Regional Office and then discovered that it wasn't Chuck's fault, it was higher than Chuck..." Mr. McCament indicated that it is an extremely frustrating situation. He said that they had carriers coming through Anchorage on their way to Russia and that, even though we (the Alaskan Region) had geographic responsibility for eastern Russia, we could not get visas to do surveillance on those carriers in Russia, and at one point, he finally gave up trying to get single trip visas and implied that apparently headquarters personnel did not think it was important enough to conduct that surveillance, or they would have put more pressure on the Russians to obtain those visas.

During the course of this study, I met with Mr. Brian Staurseth, who is currently an Inspector in the Anchorage FSDO. Mr. Staurseth also has a unique perspective on this whole situation. He was an Operations Inspector in the Fairbanks FSDO during a period of time that they were trying to obtain multiple entry and single entry visas for surveillance of Bering Air in Russia. Subsequently, Mr. Staurseth served an approximately two and one-half year detail working with Mr. Lund in the international program and is now back as a Principal Operations Inspector in the Anchorage FSDO. Mr. Staurseth also just returned from a joint U.S.-Russia aviation meeting in Washington, DC, and one of the topics on the agenda for that meeting was multiple entry visas for Inspectors to conduct surveillance of U.S. carriers operating in Russia.

Mr. Staurseth discussed, both he and Mr. Lund's great amount of frustration in trying to obtain multiple entry visas. He discussed the U.S. and Russia Bilateral Agreement and the fact that the U.S. has been freely giving the Russians three-year multiple entry visas, and that they have not reciprocated. As he pointed out, we are occasionally successful at getting single entry visas, but the problem with those on multiple leg flights in Russia is that the Inspector cannot get off the aircraft, except at the last point, and therefore cannot conduct station facility inspections, fueling inspections, etc., at stations along the route of flight in Russia. We discussed Mr. Walker's frustrations in obtaining visas to do surveillance on Reeve operations and their inability to obtain a visa for Mr. Rauk and Mr. Lybarger. Mr. Staurseth felt that the problem in those two cases was that their visa request was to cross several regions in Russia and that Russia is divided into 22 regions (versus our nine regions in the U.S.) and that any time an Inspector requests to cross regions, the request must go through the Ministry of Foreign Affairs. It was their (his and

Chuck's) experience that the Ministry of Foreign Affairs generally holds up those requests for extended periods of time. Mr. Staurseth also restated something that we had noticed at the Fairbanks FSDO and something that I relearned during this inquiry, and that is that any time a carrier has contacts in Russia and is applying pressure to the Russian government to get an Inspector there for validation tests, the visa process seems to go much quicker.

I asked Mr. Staurseth about the multiple entry visa that Inspector Harrington of the Anchorage FSDO now holds. He shook his head and said that it was a "crewmember visa", issued through Reeve and that we (the Agency) were taking a great amount of risk by allowing an Inspector to travel in Russia on that visa. It was his opinion that if anything were to happen in Russia while traveling on that visa, the Inspector could be arrested as a spy. He said additionally, that Chuck Lund holds a multiple entry visa, but he thought it expired about a month ago.

I told Mr. Staurseth that, during the course of this inquiry, I had encountered at least one person who felt that there had been some discrimination by Mr. Lund in acquiring visas and that perhaps Mr. Lund was part of the reason that the Agency was encountering problems in acquiring even single entry visas. Mr. Staurseth said that he didn't feel that was the case. He said that Chuck has spent the last ten years immersed in international operations, primarily in Russia, and had established good contacts in Russia for acquiring the invitation for our Inspectors required to get a visa through the official channels. Mr. Staurseth felt that, at least part of our difficulties in obtaining visas from the Russians through our official channels, was because of a poor relationship that Flight Standards seems to have with the FAA senior representative in Moscow, Dennis Cooper (AEU-MOW). He said that he understood the poor relationship started when Tom Accardi was AFS-1 and Dick Gordon was AAL-200, at about the time shortly after the signing of the Bilateral Agreement with Russia. What he had heard was that the Bilateral Agreement mandated that each side would give free unlimited multiple entry visas; that Flight Standards continued to insist that the Russians honor their agreement, for not only unlimited visas, but for visas at no charge. He said that some of the other divisions seem to have no problem getting visas, even multiple entry visas once the fees are paid. Additionally, Mr. Staurseth felt that there was a strained relationship between Mr. Cooper and Mr. Lund, which was probably not helping our case any.

Mr. Staurseth and I discussed the advantages and/or disadvantages of obtaining visas through official channels versus through a carrier. FAA Order 1600.25D discusses passports and visas, but does not specifically address the requirements to obtain a Russian visa; however, there are several documents, both official and unofficial, from both Russia and the U.S., available to Flight Standards personnel that indicate certain procedures and documents necessary or required to obtain a visa for government travel to Russia (Attachments 2, 3, and 4). These documents include, but are not limited to the Visa Application, a copy of the government passport, a copy of an official Letter of Invitation from a Russian FAA authority, three passport photographs, a return-prepaid mailing envelope, and a money order for a certain amount depending on the amount of time in advance that you have requested the visa for (the shorter the lead time, the more money you must send). As Mr. Staurseth explained, the Russian Ministry of Foreign Affairs wants to know anytime there is a U.S. Government Official, traveling on a government visa, within their country; hence, one of the reasons for applying for the visa through government channels. Undoubtedly, this is one of the reasons it takes so long to get an official Russian visa. The most recent Russian visa that any Inspector in the Alaskan Region obtained was for Mr. Bob Wesner, for a validation flight on Bering Air. That visa was obtained in approximately 15 days time, once the application was sent to the Russian Consulate in Seattle, Washington, through Mr. Lund.

Regarding Mr. Walker's obtaining Russian visas for his Inspectors through the carrier (Reeve Aleutian Airways), one might say that Mr. Walker should be applauded for "drawing outside the box" in his attempt to oversee flight operations for his assigned carriers in Russia; however,

there could be many hazards to this operation also. I discussed this scenario with U.S. Customs Officials at Fairbanks International Airport and learned what I had already been told by several others during this inquiry. If an Inspector was traveling on a "crewmember visa" on a U.S. carrier in Russia, and nothing unusual were to happen during the flight and the Inspector did not get off the aircraft, then we in fact could accomplish our safety oversight mission in a timely fashion with no apparent adverse effects. However, where the rub apparently is if something unusual were to happen: i.e. accident, incident, newsworthy event, inspector illness, or if for some reason the true purpose of the Inspector being on the aircraft in Russia were to come to light of the Russian government officials, the consequences could be anything from a slap on the wrist to imprisonment for the FAA Inspector.

I spoke at length with Mr. Lund and asked him about many of these issues. He confirmed many of the dates, events, and personnel involvement for the meetings and issues mentioned in this report. He said that it has been extremely frustrating fighting this visa issue for the last ten years and that he has shared the frustration and anger express by Division and Office Managers and Principal Inspectors.

Mr. Lund's perception is that the issue of multiple entry visas and our inability to conduct the necessary surveillance in Russia is not of great concern to AAL-200, headquarters personnel, the Administrator, AIA personnel, and/or Mr. Cooper. He said that at every opportunity he and Mr. Gordon tried to make it an agenda item in meetings with the Russians, both in the U.S. and in Moscow.

He said that, most recently (October 1999), he was contacted by Chris Sharp of AIA, who asked Chuck if he had agenda items for an upcoming meeting with the new Russian Aviation Administrator (equivalent to our FAA Administrator), the U.S. FAA Administrator, and Mr. Nick Lacey, AFS-1. Chuck told them that the #1 issue was multiple entry visas for the Inspectors. He said that he later heard that the issue did not come up at those meetings.

Mr. Lund said that similar circumstances led him to send the memo on November 24, 1999, regarding the multiple entry visas. In the past couple of weeks he said that Dennis Cooper has been gathering information for an agenda for a Russian/American Flight Standards Working Group Meeting that was held in Washington, DC, November 30 through December 3, 1999. He said that Mr. Cooper repeatedly refused to place that issue on the agenda and told Mr. Lund that he wanted "real issues" to work on.

Reflecting on all of the information gathered during this study leaves me with several overriding thoughts/issues. First, I recommend that the Region, if not Headquarters, should establish strict guidance regarding the application process for official government travel, by Inspectors, to Russia. Although there is plenty of guidance from the Russian Consulates on this subject, the "letter of the law" is not being followed in all cases, and has the potential to cause great embarrassment to the Agency.

Secondly, I feel that the Agency's inability to obtain multiple entry visas to Russia for its Inspectors, definitely has, and continues to impact our congressionally mandated safety oversight of U.S. carriers providing passenger and/or cargo service to Russia. I believe this message needs to be conveyed to the highest levels of the Agency and actions taken immediately to obtain the necessary visas.


Larry E. Dalrymple

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~~-CONFIDENTIAL-CONFIDENTIAL-CONFIDENTIAL-CONFIDENTIAL-~~

June 10, 1998

Frank,

This memo is to confirm the telcom we had this morning.

The time has come for Flight Standards (and possibly Security) to look seriously at the safety (and security) problems associated with being unable to obtain Russian Multiple Entry Official Visas. Without a Russian multiple entry Visa we cannot meet our responsibilities of providing safety oversight in the Russian Far East (RFE). I do not believe we should ignore the fact that we have U S air carriers presently conducting flight operations in the RFE that we cannot adequately inspect and surveil without a multiple entry Visa. It should be noted that it is difficult, but not impossible, to surveil a U S air carrier who only makes a single stop in Russia and then departs the country. However, it is impossible to provide adequate safety oversight to a U S carrier who makes multiple stops in Russia (e.g. Alaska Airlines, Recve Aleutian Airlines)

We recently had a significant safety incident with an Alaska Airlines flight operating a RFE multi-stop flight. Alaska Airlines, it's passengers and crew were, in my opinion, very lucky. With a very minor change of circumstances this could have been a fatal accident! Had we been able to conduct adequate and appropriate safety inspections and surveillance the conditions leading to this incident may well have been observed and corrected and the incident avoided.

The type of Visas we need should meet the following criteria:

1. Official Visa (not business or tourist visa)
2. Multiple Entry (no limit on the number of entries during the valid period)
3. Valid for three (3) years
4. Issued without charge, cost or fees

We (in the FAA) have written letters of invitation, facilitated, clarified and assisted in expediting the issuance of Official, Multiple Entry, three (3) year, no fee, cost or charge Visas to Federal Aviation Authority of Russia (FAAR) Directors, Administrators, Flight Standards, Security, Air Traffic, and other aviation safety and security related personnel over the last eight years. There is verbiage in the past and present U S Bilateral Air Transport Agreement that either implies, suggests, or states that aviation safety and security personnel of both our countries will be issued these Visas We have received promises of help to resolve this issue from many FAAR officials. We have been told the problem lies in many different Russian bureaucratic offices but most focus on the Ministry of Foreign Affairs. Frankly, I don't care where the problem lies or why. What I care about is getting it fixed right NOW! I need help. If I could do it myself it would have been done long ago!

You asked for specifics of why an Aviation Safety Inspector cannot perform the full range of their oversight inspection and surveillance activities when conducting an enroute inspection on a multi-stop Russian Far East flight. Let me provide an example.

An Inspector WITH A SINGLE ENTRY VISA departs Anchorage, Alaska on an Alaska Airlines scheduled passenger flight. This flight is scheduled to make five stops on a two day trip through the RFE with a return to Anchorage at the end of the second day.

The first day the Inspector WITH A SINGLE ENTRY VISA flies from Anchorage to Magadan to Khabarovsk to Vladivostok. He spends the night in Vladivostok. The following day he flies from Vladivostok to Yuzhno Sakhalinsk to Petropavlovsk-Kamchatskiy to Anchorage.

The Inspector WITH A SINGLE ENTRY VISA can perform ALL his ON BOARD THE AIRCRAFT duties and responsibilities throughout all flight segments. He CANNOT PERFORM ANY OF HIS GROUND (OFF THE AIRCRAFT) duties and responsibilities except at Vladivostok where the aircraft spends the night. The Inspector is, in fact, using his SINGLE ENTRY VISA the one and only time he can to deplane the aircraft and reboard it the following morning. During the time he is deplaning at night and reboarding in the morning he can perform all his ground inspection and surveillance duties and responsibilities. At the other four (4) enroute stops he is prohibited from deplaning the aircraft by the Russian Immigration Service and the Russian Border Guards. These government officials physically prevent him from leaving the aircraft! This obviously prevents him from performing any and all of his ground inspection and surveillance duties and responsibilities that are a critical part of our safety oversight.

The Inspector's ground inspection duties and responsibilities include (but are not limited to) the following:

1. Observing enroute stop walk-around inspections performed by the flight crew at each stop. (preflight)
2. Observing ground servicing including fueling, lavatory servicing, unloading and loading baggage and cargo, any necessary maintenance or repairs, and operation of ground vehicles around the aircraft at each stop. These activities are performed by a variety of company, airport, and/or contract employees depending on the airport.
3. Observing the flight crew receive weather and notam reports and their review of the reports at each stop.
4. Observing and listening to the flight crew receive verbal briefings from the company, weather service, and airport personnel at each stop.
5. Observing the computation of weight and balance data and reviewing it for accuracy at each stop.
6. Inspecting the airline's station facility at each airport.
7. Inspecting that FAA required manuals at the station facility are current at each airport.
8. General surveillance for both safety hazards and the presence of hazardous materials at each airport.

It appears we have several options to resolve this safety problem:

1. Revise the Bilateral Air Transport Agreement presently being negotiated to insert clear non-controversial language that clearly states that each country agrees to promptly and expeditiously issue Official, three (3) year, Multiple Entry Visa's to Inspector personnel at no cost.
2. Have our Department of State (DOS) issue a letter to the Russian Ministry of Foreign Affairs (MFA) clearly and unequivocally stating our requirements, with a clear explanation of the reasons for our requirements. Further, emphasizing our and the Russians' responsibilities under ICAO for each country to provide safety oversight of their country's air carriers worldwide operations. Stress that the Russian Government is preventing us from meeting our ICAO safety responsibilities.
3. Immediately, cease issuing, Multiple-Entry US Visas to Russian FAAR inspectors (We need to be very careful because many Russian FAAR Inspectors have U S crewmember Visas)
4. Cancel or change to single entry all present Multiple-Entry US Visas issued to Russian FAAR personnel (not just Inspectors) when they next clear INS inbound to the US.
5. Immediately charge Quid Pro Quo fees to FAAR Inspectors applying for US Visas
6. Require the FAAR to provide a list of all their personnel who they would like to have issued Visas in the future with a justification for each person.
7. Immediately prohibit all FAA personnel except designated Flight Standards personnel from issuing letters of invitation to any and all FAAR Flight Standards personnel to insure they are issued for valid business purposes only. Similar procedures should be developed for the other FAA straight-line organizations. Presently, we have Russian FAAR and ATC personnel who have "party and shopping" Multiple-Entry Visas under the guise of official business.
8. Reissue Ops specs to US air carriers modifying their operating authorities to single airport flights into Russia. Again Quid Pro Quo would appropriately require us to modify Russian Ops specs to single airport authorizations too. We should note that under the present Bilateral Air Transport Agreement this will limit Russian air carriers who originate flights in the RFE to fly no further than Anchorage. (No Seattle, San Francisco, or Los Angeles flights would be permitted)
9. Do nothing until there is an accident.
10. Do nothing even after there is an accident.

What other options do we have?? I'm open to suggestions!

WE NEED TO RESOLVE THIS SAFETY PROBLEM!!!! I recommend implementing options # 1 and 2 immediately. There are significant problems with the other options both from a safety and/or political viewpoint. But, we may need to look at other options if we are not successful very soon! I hope this meets your request. Please let me know your thoughts and what actions are taken.

Regards, Chuck



U.S. Department
of Transportation
**Federal Aviation
Administration**

U.S. OFFICE OF
SPECIAL COUNSEL

800 Independence Ave., S.W.
Washington, D.C. 20591

FEB 13 2003

Catherine A. McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Re: OSC File NO. DI-01-1273

Dear Ms. McMullen:

Enclosed you will find the Federal Aviation Administration's (FAA) Flight Standards Service's Report on International Safety Oversight Responsibilities, with attachments. You will recall that in my December 13, 2002, letter regarding the referenced matter, I indicated that the FAA's Flight Standards Service would provide an explanation of the FAA's international safety oversight obligations as they relate to the referenced matter. As indicated in my December 13 letter, we expect this Report will provide your office with a better understanding of FAA's international safety oversight responsibilities as they pertain to U. S. carriers.

Also, you had asked whether FAA inspectors actually have received multiple-entry visas. The Flight Standards Service's Division Manager in Alaska has indicated that over the last two years several FAA inspectors have received multiple-entry visas.

I hope you find this information helpful.

If you have any questions regarding this matter, please call me on 202-366-4099.

Sincerely,

Jerome M. Mellody
Assistant Chief Counsel
Personnel and Labor Law
Office of the Chief Counsel

Enclosure

**Federal Aviation Administration (FAA)
Flight Standards Service**

Report on International Safety Oversight Responsibilities

February 12, 2003

FAA Oversight Responsibilities for International Operations:

Under the Convention on International Civil Aviation (the Chicago Convention), the FAA has responsibility for the safety oversight of international operations when the United States (U.S.) is:

1. The State of the Operator conducting the operation, or
2. The State of Registry of the aircraft involved in the operation.

The scope of the FAA's oversight responsibilities in a given situation will depend on whether it is acting in its capacity as one or both of these jurisdictions.

State of the Operator. The initial safety certification and continuing oversight of air carriers is vested in the State of the operator under Annex 6, Part I to the Chicago Convention. Under the standards of Annex 6, an air carrier may not conduct commercial air transport operations unless it has been issued an Air Operator Certificate (AOC) by the State of the operator that contains the terms and conditions for the operation. The issuance of an AOC depends upon a demonstrated capability by the operator to conduct proposed operations in accordance with the terms and conditions established by the State of the operator. The continued validity of the AOC depends on the operator's ongoing compliance with those standards under the supervision of the State of the operator. Accordingly, to meet its responsibilities, the State of the operator must establish a certification, surveillance and enforcement system designed to ensure the operator's compliance with the applicable operations standards.

The FAA meets its State of the Operator responsibilities for U.S. air carriers by certifying and overseeing the operations of those air carriers under 14 Code of Federal Regulations Parts 119 and 121. The FAA's surveillance of the international operations of U.S. air carriers consists of scheduled and random enroute and line station inspections. As with the domestic operations of U.S. air carriers, the FAA actually inspects only a very small percentage of the total operations. Travel by FAA aviation safety inspectors outside the United States to conduct safety oversight and surveillance of the international operations of U.S. air carriers is subject to the approval by 1) the United States Department of State based on its applicable regulations and, 2) the foreign country to be visited. When safety concerns are appropriately raised, the FAA may suspend, amend or revoke the authority of a U.S. air carrier to operate outside of the U.S. if the safety concerns cannot be resolved.

Because general aviation operators under 14 CFR part 135 such as the operators referenced by Mr. Lund are not issued Air Operator Certificates, the FAA does not have any State of the Operator responsibilities for those operators.

State of Registry. Under the Chicago Convention, an aircraft has the nationality of the State in which it is registered, and cannot be simultaneously registered in more than one State. The State of Registry is responsible for issuing 1) a certificate of airworthiness to each aircraft on its registry, and 2) certificates of competency and licenses for the crewmembers of those aircraft. The requirements established by the State of Registry for the airworthiness certification of a particular aircraft or for the licensing of an individual crewmember of that aircraft apply regardless of the operator or the location of the operation. A State of Registry also is responsible for requiring that each aircraft on its registry complies with the operating regulations of another country when it is being operated in that country, and for taking appropriate enforcement action when there is a violation of those operating regulations.

The FAA normally does not travel outside the U.S. to conduct surveillance activities on the airworthiness of U.S.-registered aircraft or the qualifications of their crewmembers except in conjunction with the oversight of 1) a FAA-certificated foreign repair station, 2) U.S. air carrier operating overseas, or 3) a foreign air carrier that operates U.S.-registered aircraft. The FAA does not directly provide oversight to determine that U.S.-registered aircraft are operated in compliance with foreign operating regulations; such surveillance is the responsibility of the host state as described below.

Host State Responsibilities. The responsibilities of the State where an operation occurs are based on the complete and exclusive sovereignty each State has over the airspace above its territory. In the exercise of this sovereignty, a State may promulgate, oversee and enforce entry, departure, and operating regulations for aircraft in its territorial airspace. Sovereign States also may search aircraft from other States and inspect required certificates and other documents upon landing or prior to departure.

Under this system a State, e.g., the Russia Federation (Russia), is responsible for overseeing compliance by all air carriers and general aviation operators with the operating regulations for its airspace and airports. Russia may report violations back to the State of Registry or the State of the Operator for enforcement action, or take enforcement action itself.

Review of Inspections and Surveillance Reports and Operator Responsibilities

The FAA Flight Standards Service conducted a review of inspection and surveillance reports for U.S. scheduled air carrier operators operating in Russia for the last ten years. This review revealed that no significant safety surveillance issues were identified during this period. The June 4, 1998, Alaska Airlines incident at UUUS Yuzhno-sakhalinsk, Russia, referenced by Mr. Lund was properly investigated by the Russian Authorities in meeting their international obligations. The Russian authorities worked with the appropriate FAA officials to address and resolve pertinent safety issues. It is important to note that the airport condition is the responsibility of the Contracting State (Russia). In addition, an FAA aviation safety inspector does not have the authority or obligation to conduct an airport runway inspection in Russia. It is also noted that the Operator such as Alaska Airlines is responsible to ascertain that an airport is properly equipped and adequate for the proposed operation, considering such items as size, surface, obstructions, facilities, public protection, lighting, navigational and communications aid, and Air Traffic Control under 14 CFR part 121.97. The FAA is not directly responsible as the

State of the Operator but does have responsible for confirming that the Operator has systems and procedures in place to ensure compliance at foreign airports.

Russian Federation Obligations under ICAO as a Contracting State

As described above, a State has complete and exclusive sovereignty over the airspace above its territory. In addition, every State that is a signatory to the Chicago Convention is obligated to provide for the safe and efficient operations of aircraft within its airspace. Some of the general obligations include ensuring provisions for the transient general aviation and commercial air transport operations and the timely correction of safety deficiencies with respect to these obligations. Examples of include:

1. Airports
2. Navigation aids
3. Charting and instrument approach minima
4. Weather reporting
5. Air traffic control
6. Search and rescue
7. Aviation security

Obtaining Visas to Conduct Official Business Outside the U.S.

Travel by FAA employees to Russia to conduct official business requires three levels of approval. The first level of approval occurs within the FAA. As with all travel, official travel to foreign countries requires written permission in the form of a travel authorization. In addition, an FAA employee must obtain specific FAA permission to travel to a foreign country using FAA Form 1500.1, Official Foreign Travel Arrangements. When the reason for the travel is adequately justified and the FAA has sufficient resources to support the trip, permission for foreign travel is rarely denied.

The next level of approval required for official travel outside the U.S. occurs at the Department of State. Since the U.S. Ambassador to a foreign country is responsible for all U.S. Government employees who are in that country on official business, the U.S. embassy must approval the travel. The request for embassy approval is submitted via an official cable stating the purpose and duration of the trip and the names of all employees who will be traveling. Approval by the embassy is typically documented in a cable back to the FAA. As a general rule, the U.S. Embassy in Russia has approved most FAA travel to Russia when our employees have followed the proper procedures and otherwise has been very supportive of the FAA's activities in Russia.

The third level of approval is controlled by the foreign country itself. Many countries (including Russia) require some or all travelers obtain a visa before entering the country. A visa documents consent by the country to enter the country and is issued pursuant to procedures adopted by the country. The visa can be issued for either a single entry or multiple entries into the country. Russia formerly issued only single-entry visas to FAA employees, which did complicate the scheduling of enroute inspections of U.S. carriers operating into Russia. When FAA employees

have followed the required procedures, Russia has not declined to issue single entry visas. Most recently, Russia has been issuing FAA employee's multiple-entry visas.

Over the past several years, the FAA aviation safety inspectors who have traveled to Russia on official business include employees from the New York International field Office (IFO), Frankfurt IFO, Flight Standards Eastern Regional Division, Flight Standards Alaska Regional Division, and FAA Headquarters in Washington, DC. The working relationship of FAA and its counterparts in Russia has been both cooperative and productive.

Guidance for Aviation Safety Inspectors Conducting Surveillance Outside the U.S.

Because travel by FAA employees to a foreign country can occur only with the approval of the country and the U.S. Embassy, the FAA expects those employees to adhere to a high standard of conduct. In addition to following FAA procedures for surveillance activities, aviation safety inspectors must conduct themselves diplomatically, professionally and ethically. These individuals are guests in the foreign country and represent the U.S. Government to its government and citizens. All FAA employees on foreign travel are expected to comply with the procedures imposed by the responsible U.S. Embassy and the laws of the country visited. Adhering to such high standards of conduct 1) improves an employee's ability to achieve the purpose of the travel, and 2) enhances the international image and prestige of the employee. More generally, it enhances the image and prestige of the FAA as a Federal agency.

Conclusion

In summary, the FAA has provided adequate safety oversight of US carriers operating in Russia within its ICAO obligations and statutory safety requirements. Furthermore, the travel of FAA aviation safety inspectors to foreign countries must be conducted in compliance with the requirements of the 1) destination country, 2) U.S, Department of State requirements, and 3) appropriate FAA travel authorizations.

Attachments:

1. ICAO Excerpts Articles 1,3,6,12, 29,31,32,33 to the ICAO Convention
2. ICAO Excerpt Annex 6 Operation of Aircraft
3. ICAO Excerpt Document 9734 Safety Oversight Manual
4. FAA Visa Process and Forms - Russia
5. FAA Travel Overview Policy and Procedures

Contracting State Obligations

Article 1

Sovereignty

The contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory.

Article 3

Civil and state aircraft

- a) This Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft.
- b) Aircraft used in military, customs and police services shall be deemed to be state aircraft.
- c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.

Article 6

Scheduled air services

No scheduled international air service may be operated over or into the territory of a contracting State, except with the special permission or other authorization of that State, and in accordance with the terms of such permission or authorization.

Article 12

Rules of the air

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each contracting State undertakes to insure the prosecution of all persons violating the regulations applicable.

CONDITIONS TO BE FULFILLED WITH RESPECT TO AIRCRAFT

Article 29

Documents carried in aircraft

Every aircraft of a contracting State, engaged in international navigation, shall carry the following documents in conformity with the conditions prescribed in this Convention:

- a) Its certificate of registration;
- b) Its certificate of airworthiness;
- c) The appropriate licenses for each member of the crew;
- d) Its journey log book;
- e) If it is equipped with radio apparatus, the aircraft radio station license;
- f) If it carries passengers, a list of their names and places of embarkation and destination;
- g) If it carries cargo, a manifest and detailed declarations of the cargo.

Article 31

Certificates of airworthiness

Every aircraft engaged in international navigation shall be

provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

Article 32

Licenses of personnel

a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State.

Article 33

Recognition of certificates and licenses

Certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the requirements under which such certificates or licences were issued or rendered valid are equal to or above the minimum standards which may be established from time to time pursuant to this Convention.

ICAO ANNEX 6 — PART I 7 5/11/98

CHAPTER 4. FLIGHT OPERATIONS

4.1 Operating facilities

4.1.1 An operator shall ensure that a flight will not be commenced unless it has been ascertained by every reasonable means available that the ground and/or water facilities available and directly required on such flight, for the safe operation of the aeroplane and the protection of the passengers, are adequate for the type of operation under which the flight is to be conducted and are adequately operated for this purpose.

Note.— “Reasonable means” in this Standard is intended to denote the use, at the point of departure, of information available to the operator either through official information published by the aeronautical information services or readily obtainable from other sources.

4.1.2 An operator shall ensure that any inadequacy of facilities observed in the course of operations is reported to the authority responsible for them, without undue delay.

4.1.3 Subject to their published conditions of use, aerodromes and their facilities shall be kept continuously available for flight operations during their published hours of operations, irrespective of weather conditions.

4.2 Operational certification and supervision

4.2.1 The air operator certificate

4.2.1.1 An operator shall not engage in commercial air transport operations unless in possession of a valid air operator certificate or equivalent document issued by the State of the Operator.

4.2.1.2 The air operator certificate or equivalent document shall authorize the operator to conduct commercial air transport operations in accordance with such conditions and limitations as may be specified.

4.2.1.3 The issue of an air operator certificate or equivalent document by the State of the Operator shall be

dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations, training programme and maintenance arrangements consistent with the nature and extent of the operations specified.

Note.— Attachment F contains guidance on the issue of an air operator certificate.

4.2.1.4 The continued validity of an air operator certificate or equivalent document shall depend upon the operator maintaining the requirements of 4.2.1.3 under the supervision of the State of the Operator.

4.2.1.5 The air operator certificate or equivalent document shall contain at least the following:

- a) operator's identification (name, location);
- b) date of issue and period of validity;
- c) description of the types of operations authorized;
- d) the type(s) of aircraft authorized for use; and
- e) authorized areas of operation or routes.

4.2.1.6 The State of the Operator shall establish a system for both the certification and the continued surveillance of the operator to ensure that the required standards of operations established in 4.2 are maintained.

4.2.2 Operations manual

4.2.2.1 An operator shall provide, for the use and guidance of operations personnel concerned, an operations manual in accordance with Appendix 2. The operations manual shall be amended or revised as is necessary to ensure that the information contained therein is kept up to date. All such amendments or revisions shall be issued to all personnel that are required to use this manual.

4.2.2.2 The State of the Operator shall establish a requirement for the operator to provide a copy of the operations manual together with all amendments and/or revisions, for review and acceptance and, where required, approval. The operator shall incorporate in the operations manual such mandatory material as the State of the Operator may require.

Note 1.— Requirements for the content of an operations manual are provided in Appendix 2.

Note 2.— Specific items in the operations manual require the approval of the State of the Operator in accordance with the Standards in 4.2.7, 6.1.2, 9.3.1 and 12.4.

4.2.3 Operating instructions — general

4.2.3.1 An operator shall ensure that all operations personnel are properly instructed in their particular duties and ***Annex 6 — Operation of Aircraft Part I*** responsibilities and the relationship of such duties to the operation as a whole.

4.2.3.2 An aeroplane shall not be taxied on the movement area of an aerodrome unless the person at the controls:

- a) has been duly authorized by the operator or a designated agent;
- b) is fully competent to taxi the aeroplane;
- c) is qualified to use the radio telephone; and
- d) has received instruction from a competent person in respect of aerodrome layout, routes, signs, marking, lights, air traffic control (ATC) signals and instructions, phraseology and procedures, and is able to conform to the operational standards required for safe aeroplane movement at the aerodrome.

4.2.3.3 Recommendation.— *The operator should issue operating instructions and provide information on aeroplane climb performance with all engines operating to enable the pilot-in-command to determine the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique. This information should be included in the operations manual.*

minimum flight altitudes have been established by the State flown over or the responsible State, provided that they shall not be less than those established by that State.

4.2.6.2 An operator shall specify the method by which it is intended to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established by the State flown over or the responsible State, and shall include this method in the operations manual. The minimum flight altitudes determined in accordance with the above method shall not be lower than specified in Annex 2.

4.2.6.3 Recommendation.— *The method for establishing the minimum flight altitudes should be approved by the State of the Operator.*

4.2.6.4 Recommendation.— *The State of the Operator should approve such method only after careful consideration of the probable effects of the following factors on the safety of the operation in question:*

- a) the accuracy and reliability with which the position of the aeroplane can be determined;*
- b) the inaccuracies in the indications of the altimeters used;*

SAFETY OVERSIGHT MANUAL

(Doc 9734-AN/959)

Part A

The Establishment and Management of a State's Safety Oversight System

FIRST EDITION — 1999



FOREWORD

This manual outlines the duties and responsibilities of ICAO Contracting States with respect to aviation safety oversight. The manual is directed at high-level Government decision-makers, as it highlights States' obligations as signatories of the Convention on International Civil Aviation signed at Chicago on 7 December 1944, and provides information and guidance on the establishment of a State's safety oversight system which may be required to fulfil those obligations.

The manual confines itself to the parameters of a Contracting State's overall safety oversight responsibilities, emphasizing the State's commitment to aviation safety in respect of personnel licensing, operations of aircraft and airworthiness of aircraft. The critical elements of safety oversight presented in this manual include primary aviation legislation, specific operating regulations, civil aviation administration structure and safety oversight functions, provision of technical guidance, recruitment of qualified technical personnel, licensing and certification obligations, continued surveillance obligations and the resolution of safety issues.

In accordance with the Convention, a State has complete and exclusive sovereignty over the airspace above its territory. Nevertheless, on adhering to the Convention, States agree on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner. The safe and orderly development of international civil aviation requires that all civil aviation operations be conducted under internationally accepted minimum operating standards, procedures and practices. That States must collaborate to the highest degree to

achieve standardization and harmonization in regulations, rules, standards, procedures and practices are thus, a requirement of the Convention (Article 12 and 37). It also follows that a Contracting State should establish and implement a system that enables it to satisfactorily discharge its international obligations and responsibilities to develop and conduct civil aviation in a safe and orderly manner.

Implementation of International Standards and Recommended Practices by an ICAO Contracting State must normally be effected under the rule of law promulgated in that State. Thus, as a first step towards discharging its obligations and responsibilities, a State will require an enactment of a legislative framework referred to as the primary aviation legislation. This legislative framework provides for the development and promulgation of air navigation regulations consistent with its acceptance of the provisions of the Annexes to the Chicago Convention and for the establishment of a State entity, namely a Civil Aviation Authority. This legislative framework also addresses the necessary powers to ensure compliance with these provisions. In the development of its primary aviation legislation, the State has the option of adopting provisions which will govern its role in the implementation of the operational regulations.

This manual has been prepared by the Safety Oversight Audit Unit with the assistance of the Safety Oversight Study Group. ICAO would like to acknowledge the contribution received from the Study Group members, States, international organizations and individual experts who have provided support, advice and input for this manual.

Doc
9234

Chapter 2

SAFETY OVERSIGHT: AN OBLIGATION

2.1 SAFETY OVERSIGHT CONCEPT AND DEFINITION

"... Civil aviation has been swept up in the wave of commercialization, globalization and transnationalization, with implications for safety and security that have to be addressed. Regulation of safety and security is, under the Chicago Convention, the responsibility of individual States; as ownership and operation of airlines, airports and air traffic control devolve from governments and cross-border involvement becomes more common, the need for seamless co-ordination beyond national and regional borders becomes even more fundamental."

Dr. Assad Kotaite
*Foreword to the ICAO
Strategic Plan (1997)*

2.1.1 Safety oversight is defined as a function by means of which States ensure effective implementation of the safety-related Standards and Recommended Practices and associated procedures contained in the Annexes to the Convention on International Civil Aviation and related ICAO documents. Safety oversight also ensures that the national aviation industry provides a safety level equal to, or better than, that defined by the SARPs. As such, an individual State's responsibility for safety oversight is the foundation upon which safe global aircraft operations are built. Lack of appropriate safety oversight in one Contracting State therefore threatens the health of international civil aircraft operation.

2.1.2 In 1992, during the twenty-ninth ICAO Assembly, a concern was raised on the apparent inability of some Contracting States to carry out their safety oversight functions. Major reasons cited for this included lack of a regulatory framework and lack of technical and financial resources to carry out the minimum requirements of the Chicago Convention. As a result, the Assembly adopted Resolution A29-13: *Improvement of Safety Oversight*, reaffirming individual State's responsibility for safety oversight as one of the tenets of the Convention and calling on Contracting States to reaffirm their safety oversight obligations, especially the important safety provisions contained in Annexes 1 and 6 to the Chicago Convention.

2.1.3 The Assembly Resolution, by reaffirming individual State's responsibilities, re-established the obligations of States for safety oversight over the whole spectrum of civil aircraft operation in their State and also of aircraft registered in their State but operating in other Contracting States. A State's responsibilities cannot be underestimated in this regard as safety oversight is a major obligation whose implementation ensures the continued safety and regularity of international air transport.

2.2 OVERVIEW OF ICAO CONTRACTING STATES' RESPONSIBILITIES

2.2.1 The majority of the articles of the Chicago Convention establish the privileges and obligations of all Contracting States and provide for the adoption of International Standards and Recommended Practices regulating international air transport. The Convention accepts the fundamental principle that every State has complete and exclusive sovereignty over the airspace above and within its territory.

2.2.2 For the past five decades, the main technical achievement of ICAO has been the agreement of its Contracting States on the necessary level of standardization for the safe, efficient and regular operation of air services. This standardization has been achieved primarily through the adoption of Annexes to the Chicago Convention, containing specifications known as International Standards and Recommended Practices (abbreviated as "SARPs"). The eighteen Annexes adopted to date cover the entire spectrum of civil aviation operations.

2.2.3 Article 37 of the Chicago Convention provides that States must collaborate in securing the highest practical degree of uniformity in regulations, standards, procedures and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation. To this end, ICAO has adopted SARPs dealing with practically all activities concerning the operation of an aircraft. However, it is the integration of such SARPs in the national regulations and practices of Contracting States and their timely implementation that will ultimately achieve safety and regularity of aircraft operations worldwide.

2.2.4 Through the provision of national regulations, States are expected to implement and enforce SARPs contained in the Annexes to the Convention. Article 12 of the Chicago Convention is very clear in this respect. It states that *"Each Contracting State undertakes to adopt measures to insure that every aircraft flying or manoeuvring within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each Contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention"*. Further, the Article states that *"Each Contracting State undertakes to insure the prosecution of all persons violating the regulations applicable"*. These and other related articles enshrine State responsibilities for safety oversight in the Convention and leave no doubt as to a Contracting State's responsibility for control and supervision of all its aviation activities.

2.3 OVERVIEW OF STATES' SAFETY OVERSIGHT OBLIGATIONS

2.3.1 Nature of Contracting State responsibilities

2.3.1.1 A State's responsibility under the Convention includes the licensing of operational personnel, the certification of aircraft, air operators and maintenance organizations, and control and supervision of licensed personnel, certified products and approved organizations. Ensuring that this responsibility is carried out in the most effective manner is fundamental to the health of aircraft operations throughout the world.

2.3.1.2 This responsibility is enshrined in several Articles of the Convention. For example, Article 31 requires the State of Registry to issue a certificate of airworthiness or validate a certificate of airworthiness issued by another Contracting State for every aircraft engaged in international air navigation. In Article 32, the same State is charged with issuing certificates of competency and licences or validating such certificates or licences issued by other Contracting States to the pilot of every aircraft and to other members of the operating crew of every aircraft engaged in international navigation. The basis of these obligations is the desire to promote and conduct safe and regular aircraft operations through the development and implementation of internationally acceptable certificating and licensing processes. Furthermore, this process is extended to domestic operations to ensure the overall safety of aircraft operation wherever it takes place.

2.3.2 General obligations of a Contracting State

2.3.2.1 When permitting or undertaking aviation activities, the State incurs certain obligations under the Chicago Convention and its Annexes. For example, every State that is a signatory to the Convention is obligated to provide for the safe and efficient operations of aircraft within its airspace. Some of the general obligations include ensuring provisions for transient general aviation and commercial air transport operations such as adequate:

- airports;
- navigation aids;
- charting and instrument approach minima;
- weather reporting;
- air traffic control;
- search and rescue;
- aviation security; and
- timely correction of safety deficiencies with respect to these obligations.

2.3.2.2 Each of these obligations will require consideration of the critical elements of a safety oversight system to ensure that the State's system is appropriate to the complexity of its aviation community.

2.3.3 State of Registry specific obligations

The act of registering an aircraft may not, by itself, be a safety issue. However, this action imposes on the State of Registry several Convention obligations which directly relate to the safety of the aviation system as a whole. Thus, on registering an aircraft, a State of Registry is obligated to:

- a) determine whether the airworthiness of the aircraft meets minimum established Standards;
- b) issue or validate the airworthiness certificate for the aircraft;
- c) ensure the continuing airworthiness of the aircraft regardless of where it is operated in the world;
- d) determine that the personnel performing maintenance work on the aircraft meet minimum experience, knowledge and skill requirements;
- e) issue or validate maintenance personnel certificates;
- f) determine that the flight crew operating the aircraft meet minimum experience, knowledge and skill requirements to safely operate the aircraft;

- g) issue or validate the flight crew with licences and/or ratings as appropriate;
- h) verify that the aircraft and personnel related with its operation continue to meet the conditions which were required for the initial issue of certificates and licences; and
- i) take timely and appropriate actions to correct all deficiencies that are found with respect to the maintenance of the aircraft and its operation by the flight crews.

2.3.4 State of the Operator specific obligations

2.3.4.1 The State of the Operator is responsible for issuing the Air Operator Certificate, or equivalent document, required by Annex 6. This responsibility entails the control and supervision of the aircraft operation-related activities of all aircraft operators in the State. The responsibility also confers several specific Convention obligations to the State of the Operator. Thus, a State of the Operator is obligated to:

- a) ensure the adequacy of the air operator's ability to provide safe and efficient operations prior to the initiation of international flight operations;
- b) ensure the air operator's ability to conduct operations with respect to the original certification criteria on a continuing basis; and
- c) take timely and necessary actions to resolve safety issues that are found with respect to the maintenance of aircraft, flight operations, and other air operator responsibilities, including the actions of the operator's personnel.

2.3.4.2 When determining the adequacy of the system as a whole, the State of the Operator should consider the critical elements of a safety oversight system and the complexity of the operations conducted.

2.3.5 Air operator responsibilities

2.3.5.1 The operator is responsible for the safe, regular and efficient conduct of aircraft operations, wherever they may occur, and for compliance with any laws or regulations which the State of the Operator and the State where the aircraft is operating may promulgate. In the event that an operator utilizes an aircraft registered in a State other than the State of the Operator, it will also need to comply with

relevant laws and regulations promulgated in the State of Registry. These laws and regulations, which are the means by which the State implements the provisions of the Annexes, are not in themselves sufficient to provide the operator with comprehensive and detailed instructions on which to base an operation. The responsibility for the development of operating instructions necessary for the safety of an operation must therefore rest with the operator.

2.3.5.2 Operating instructions must not conflict with the laws and regulations of the State of the Operator or those of other States into or over which operations are conducted. The primary means used by an operator to promulgate these operating instructions is the operations manual, which should be presented to the CAA as part of the documents to be evaluated prior to the certification of an air operator.

2.4 BALANCED APPROACH TO CONTROL AND SUPERVISION

2.4.1 In order to discharge its responsibility, each State should enact a basic aviation law which will provide for the development and promulgation of a code of air navigation rules and regulations which should be consistent with the provisions of the Annexes to the Convention. In the development of this code, the State has the option of adopting provisions which will govern its role in the implementation of the operational regulations; this may range from a stringent regulatory presence to a passive role.

2.4.2 In a stringent regulatory role, close day-to-day involvement in industry direction and control of activities would be carried out by the State through an inspection organization. In a passive role, the State would intervene only to institute proceedings or investigatory action in the case of a violation of the regulations.

2.4.3 A State exercising a passive role relies almost completely on the industry's technical competence and commitment to safety. The industry becomes responsible for both the interpretation and the implementation of the regulations, thus becoming essentially self-regulating. The State is not in a good position to assess the adherence of the industry to the regulations, other than by knowledge acquired fortuitously or in the course of accident or incident investigation. Such a system would not enable the State to exercise the necessary preventive and corrective responsibilities required under the Convention.

2.4.4 States should also avoid the opposite extreme. The State safety oversight system should not be so rigorous as to amount to a complete domination and dictation of the

conduct of operations. Such a system creates an environment where the industry is not empowered with the responsibility and self-sufficiency for safe operations. This can undermine the morale of the industry's personnel, and result in a lowering of safety standards. It is also cost-prohibitive for the State to maintain the large enforcement organization required to sustain this level of oversight.

2.4.5 In practice, neither of these extremes is compatible with the objective of a well-balanced division between the State and the aviation community. The public interest would best be served by a balanced approach, where both the State and the aviation community have responsibilities for the safe and efficient conduct of their functions.

2.4.6 A balanced safety oversight system is one in which both the State and the aviation community share responsibility for the safe, regular and efficient conduct of civil aviation activities. This relationship is established in the primary aviation legislation and aviation regulations, and put into practice as a matter of policy and methodology of the CAA. The characteristics of an effective State safety oversight system include:

- a) a well balanced allocation of responsibility between the State and the industry for the safety of air navigation;
- b) economic justification within the resources of the State;
- c) maintaining continued State supervision of the activities of operators without unduly inhibiting their effective direction and control of their own organization; and
- d) the cultivation and maintenance of harmonious relationships between the State and the industry.

2.4.7 States need to carefully consider the public interest in establishing the various safety oversight functions and to ensure that a proper system of checks and balances is maintained. The State should retain effective control of important inspection functions. Such functions cannot be delegated; otherwise, aviation personnel, maintenance organizations, general aviation, commercial operators, etc., will in effect be regulating themselves and will not be effectively monitored by CAA Inspectors.

2.4.8 The aviation industry has the overall responsibility for preserving safe, regular and efficient aircraft operations and maintenance, aviation personnel training and aircraft and aviation equipment manufacture. Some States may share some of the responsibility for monitoring internal safety standards with organizations (operators, approved maintenance organizations, manufacturers, etc.) which have

been found to be reliable and to act responsibly. The objective of a safe and orderly civil aviation system cannot be attained unless each designated member of the aviation industry is prepared to readily accept the implications of this policy, including that of committing the necessary resources to its implementation. Crucial to the confidence that the CAA may place in organizations and to the associated freedom and flexibility it can give, is that the organizations establish an adequate quality system which must be reviewed and approved by the CAA.

2.4.9 In those States where the State is both the regulatory authority and an operator, manufacturer or maintenance organization, the requirements of the Convention will be met, and public interest be best served, by clear separation of authority and responsibility between the State operating agency and the State regulatory authority. The certification and continuing surveillance procedures should be followed as though the operating agency was a non-government entity.

2.5 STATE COMMITMENT TO AVIATION SAFETY

2.5.1 Over the years, ICAO and its Contracting States have collaborated to develop uniform SARPs and procedures that ensure the implementation of the principles and arrangements agreed upon by the founding members of ICAO in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically. United by a common cause and common commitment, ICAO and the Contracting States have been able to confront crucial issues and, to a great degree, overcome the challenges encountered. Through the years, however, the challenges faced by State civil aviation authorities have increased in number and complexity. This has in turn required that State commitment to aviation safety increase at the same rate.

2.5.2 There are a number of forces at work which underline the importance of a renewed commitment and political will on the part of Governments:

- a) there is an increased involvement of non-traditional sectors in civil aviation, necessitating a significantly increased attention to matter of aviation safety within the context of wider policy initiatives;
- b) there is increasing globalization of civil aviation itself, exemplified by foreign and multinational ownership and alliances of airlines, joint marketing

3.2.3 Adhering to the Convention requires a State, without exception, to fulfil the requirements of the Articles of the Convention and the associated Annex provisions in international operations. Implementation of the requirements contained in the ninety-six Articles of the Convention and the hundreds of Annex provisions requires that States' own aviation laws and regulations be built on a solid national legislation foundation at par with all other national codes legislated by the sovereign State. For example, in order to prosecute a person for violating a specific aviation regulation, it is essential that the State legislate that violation of civil aviation regulations is punishable in accordance with the national penal code or other penal legislation. Thus, by inference, all Convention Articles referring to a State's aviation laws and regulations require the State to promulgate primary aviation legislation to serve as the legal basis for the establishment of a civil aviation organization responsible for all aviation activities in the State.

3.2.4 Ideally, primary aviation legislation should contain provisions to enable the government and its administration to actively supervise and regulate civil aviation activities, notably the qualifications and competency of aviation personnel (issuance, validation, renewal, suspension or cancellation of licences and certificates of competency as appropriate), airworthiness of aircraft (registration; issue/validation of Type Certificates; issue, renewal or validation of Certificates of Airworthiness; airworthiness directives; approval of design, manufacturing and maintenance organizations as appropriate; etc.) and operations of aircraft (issue, renewal, suspension of Air Operator Certificate). There should also be provisions for the establishment of a Civil Aviation Authority responsible for the above and including a personnel licensing system, an operations inspection organization and an airworthiness organization (airworthiness inspection division and airworthiness engineering division, as appropriate).

3.2.5 Primary aviation legislation is the key to effective safety oversight by the State. The establishment of a Civil Aviation Authority, the extent of its authority and empowerment and that of its Director must be based on the solid foundation of a legal document legislated at the highest possible level of rule-making in the State.

3.3 SPECIFIC OPERATING REGULATIONS

Note.—Throughout this manual, the term "regulations" is used in a generic sense to include what may be variously considered by States as rules, edicts, directives, orders, etc. The specific status given to a regulation when it is applied within the State and the penalty assigned in the event of

non-compliance are matters for the judgement of individual States, taking into account their responsibilities under the Convention.

3.3.1 General requirements

3.3.1.1 The State laws and regulations should be in conformity with the Annexes to the Chicago Convention. The Annex provisions are designed to provide the minimum requirements to be met by all Contracting States, regardless of the size and complexity of their civil aviation operation. The individual States are then responsible to develop equivalent regulations and rules containing sufficient details to ensure that satisfactory compliance will result in the desired level of safety.

3.3.1.2 Annexes 1, 6 and 8 to the Chicago Convention, which specify international requirements covering personnel licensing, aircraft operations and airworthiness of aircraft, respectively, set out SARPs in order to achieve uniformity and to facilitate incorporation into national regulations. Licensing and certification of personnel, air operators and aircraft maintenance organizations are governed by a State's own laws and regulations. In discharging its responsibilities in this respect, however, the State has an obligation to collaborate in securing the highest practicable degree of uniformity in regulations, Standards, procedures and practices, as required by Article 37 of the Convention.

3.3.1.3 The Annexes provide a clear presentation of the broad international specifications for licensing and certificating, as applicable, agreed upon by Contracting States. For this reason, many specifications are not given in enough detail for the day-to-day handling of licensing, certificating, supervising and controlling matters. In some parts of the Annexes, it is left to States to decide on the details which form part of the requirements provided for in the Annexes. Because of this, it is inevitable that States implement the provisions of the Annexes in different ways but, in general, with the same ends in view. Thus, legislative systems naturally vary and amendments to existing regulations and orders can be carried out more quickly in some States than in others. It is certainly convenient if a State's aviation legislation can be expressed in a form that will allow for easy and fast amendment of the technical details contained in that legislation.

3.3.2 Adapting or adopting regulations from other States

3.3.2.1 A Contracting State always has the option of adopting another Contracting State's regulations to meet their requirements for regulations. Even though the

valid" is achieved only if the requirements under which such certificates or licences were issued are equal to or above the minimum Standards which may be established from time to time pursuant to the Convention.

3.7.4 The requirements for certificates and licences other than those for an aircraft airworthiness and the operating crew are contained in Article 37 of the Chicago Convention and Annexes 1 and 6. Article 37 commissions ICAO to adopt and amend from time to time, as may be necessary, International Standards and Recommended Practices which include those dealing with the licensing of operating and mechanical personnel. Annex 1 provides for the licensing of aircraft maintenance technicians, air traffic controllers, flight operations officers/flight dispatchers and aeronautical radio operators. Related requirements are found in Annex 6, Part I.

3.7.5 The specific requirements for the certification of an air operator are provided for in Chapter 4, paragraph 4.2.1 of Annex 6, Part I. In brief, paragraph 4.2.1 requires that an operator shall not engage in commercial air transport operations unless it is in possession of a valid air operator certificate or equivalent document issued by the State of the Operator.

3.7.6 These and many other articles and paragraphs of the Chicago Convention and its Annexes require that ICAO Contracting States issue or validate licences and certificates. This requirement in turn obligates States to establish, manage and supervise a system of licensing and certificating of personnel, equipment, air operators, maintenance organizations, etc., in order to comply with international obligations and responsibilities for a safe and orderly international air navigation system.

3.8 CONTINUED SURVEILLANCE OBLIGATIONS

3.8.1 An ICAO Contracting State's obligation and responsibility for a safe and orderly international aircraft operation system does not end with the issuance of a licence or certificate. Maintenance of continued safe operations demands that a State also establish a system of ensuring continuing professional competency of licence/rating holders, continuing validity of certificates of airworthiness, continuing capacity to maintain a safe and regular operation by air operators and continuing capacity to properly maintain aircraft by approved maintenance organizations. Authority for this continuing process should be contained in the provisions of the basic aviation law of the State.

3.8.2 Paragraph 1.2.5.1 of Annex 1 states that "a Contracting State, having issued a licence, shall ensure that the privileges granted by that licence, or by related ratings, are not exercised unless the holder maintains competency and meets the requirements for recent experience established by that State." This requirement, of course, demands that Contracting States establish a system of continued control and supervision to ensure continued safe aircraft operation.

3.8.3 The continued validity of an air operator certificate and, by extension, a certificate or an equivalent document issued to a maintenance organization is dependent on the operator or organization maintaining the requirements established for its issuance. This is clearly provided for in paragraphs 4.2.1.4 and 8.7.1.3 of Annex 6, Part I and thus ties this continued validity to the supervision of the State of the Operator.

3.8.4 Under the basic aviation law of the State and the operating regulations and rules promulgated thereunder, the CAA should be given the authority and responsibility to conduct inspections, to grant, suspend, revoke or terminate licences and certificates and, in the case of an air operator certificate, to amend the corresponding operations specifications. Additionally, the CAA should have the authority and responsibility for exercising continuing surveillance over such operations to ensure that accepted safety practices and proper procedures that will promote safety in operations are maintained. To achieve this objective, the CAA, and more specifically the technical personnel, must continuously monitor operations conducted by holders of licences and/or certificates as applicable.

3.8.5 Required surveillance and the related inspections should be planned and conducted by CAA technical personnel responsible for personnel licensing, aircraft operations and airworthiness of aircraft as appropriate. All CAA technical personnel authorized to ensure the maintenance of competency and to conduct surveillance must possess appropriate credentials identifying them as technical experts employed by the CAA having the right to unhindered access to inspect aircraft and facilities.

3.8.6 The surveillance function should be accomplished on a continuing basis, performed at specified times or intervals or conducted in conjunction with the renewal of a licence or certificate. Scheduled inspections must be augmented by a periodic random inspection of all facets of the operation. In the case of an air operator or a maintenance organization, regardless of the method used for surveillance, all significant aspects of the operator's or organization's procedures and practices should be evaluated

and appropriate inspections conducted at least once in every twelve-month period.

3.8.7 Throughout all phases of the surveillance programme, the standards of the operator or maintenance organization's capability and competence should be equal to or exceed those required at the time of original certification. Accordingly, CAA technical personnel conducting surveillance and related inspections should carry out such activities in a thorough manner and require the operator or maintenance organization to convincingly demonstrate that operations or maintenance are being conducted in accordance with the requirements of the certificate issued, the related operations/maintenance specifications, the operator manuals, maintenance control manuals and appropriate civil aviation regulations and that, as a consequence, the authority granted with the initial issuance of the certificate should continue.

3.8.8 In summary, the surveillance and inspection programme should provide a comprehensive and conclusive assessment of the maintenance of competency of licence and rating holders, and of the continuing competence of operators and maintenance organizations. Moreover, in the case of air operators and maintenance organizations, the associated inspection reports should indicate whether the inspection and surveillance system and procedures employed by the CAA are effective in determining the operator's or maintenance organization's competence, record of compliance and overall capability.

3.9 RESOLUTION OF SAFETY ISSUES

3.9.1 The resolution of safety issues is a critical element at the core of all safety oversight activities. A good safety oversight system will provide for the follow-up and resolution of all safety issues identified during certification and surveillance activities and the investigation of accidents, incidents and complaints. The process should be multi-level, with a range of actions depending on the potential safety impact and mitigating circumstances. Persons evaluating this process will expect to find that all safety issues identified were resolved in a timely, consistent manner.

3.9.2 Unsatisfactory conditions noted by the CAA technical experts during the licensing or certifying process should immediately be brought to the attention of the applicant for corrective action. In the case of deficiencies or weaknesses discovered during a licensing process, an opportunity should be provided for the applicant to remedy the problem, and the applicant should be given an

opportunity to try again. In the case of certifying an air operator or maintenance organization, again, an opportunity should be provided for the applicant to remedy any deficiencies affecting the safety of the operation before any further flights are undertaken or maintenance work is commenced. All discrepancies and items of non-compliance must be corrected or resolved to the satisfaction of the CAA technical expert and the CAA prior to the commencement of any service.

3.9.3 When, in the course of the operator's or maintenance organization's surveillance programme, deficiencies are observed, the cause should be determined, prompt corrective action taken and appropriate follow-up initiated to determine the effectiveness of the corrective action. Additional inspections should be conducted whenever problems in particular areas repeatedly recur.

3.9.4 Should the surveillance and inspection programme and related inspection reports reveal that the certificate holder has failed or is unable to meet or maintain the required Standards for certification or the conditions specified in the certificate or related operations specifications, the CAA technical expert primarily responsible for the surveillance of the operation must promptly advise the operator of the deficiency observed and the remedial action required to be taken within a specified time. If the operator does not correct the deficiency when required, the CAA technical expert should immediately inform the DGCA with a recommendation that the certificate holder's privileges be temporarily or permanently withdrawn or restricted. If, after careful review of all circumstances involved and necessary co-ordination and consultation within the CAA, there is agreement on the need to suspend or revoke the certificate holder's privileges, the CAA should officially inform the certificate holder in writing summarizing both the proposed action and the reasons for it. When a certificate is cancelled or revoked for any reason, the certificate holder must promptly return it to the issuing official.

3.9.5 In a properly established and managed certifying and surveillance system, analysis of the various inspection reports will indicate a pattern of weaknesses or deficiencies, if such weaknesses or deficiencies exist, and will often also identify causes and possible remedies. The CAA, which has a legal responsibility for safety, must be satisfied that an operator is competent to conduct safe operations. Therefore, the CAA must rely heavily on the inspection reports and the recommendations of its technical experts.

3.9.6 In view of the increasing complexity of modern operating techniques, aircraft and equipment, there is a continuing need to review the scope of inspections and

NOTE: FOREIGN VISA REQUIREMENTS COULD CHANGE AT ANY TIME WITHOUT NOTIFICATION. PLEASE CONTACT ONE OF THE LISTED AGENTS AT (202)955-0184 FOR LATEST CHANGES.

ALL PROCESSING TIMES ARE MINIMUM TIMES. AT LEAST TWO EXTRA DAYS SHOULD BE ADDED FOR ALL SUBMISSIONS TO THE FOREIGN SERVICE LOUGE.

ALL REQUIREMENTS ARE FOR DIP AND OFF PPTS.

PLEASE READ BEFORE APPLYING FOR VISA

INSTRUCTIONS FOR APPLICATION OF VISAS – UPDATED EVERY 60 DAYS

ALL REQUEST(S) FOR VISA SERVICES REQUIRE A LETTER OF AUTHORIZATION/MEMO ON DEPARTMENT LETTERHEAD ADDRESSED TO THE SPECIAL ISSUANCE AGENCY –

TO THE ATTN: ONE OF THE FOLLOWING:

**MS. BARBARA M CHESMAN – DIRECTOR, SPECIAL ISSUANCE AGENCY
MS. CAROL GONET – CHIEF, DIPLOMATIC TRAVEL BRANCH
DARRYL GRAY/DERRICK BRANCH/RYLAND JONES/CHRIS PRESSEY – VISA SERVICES**

AUTHORIZATION/MEMO MUST INCLUDE ALL PARTICULARS OF APPLICANT IN COMPLIANCE WITH ATTACHED VISA

ALL INFORMATION ON AUTHORIZATION/MEMO MUST BE CONSISTENT WITH INFORMATION ON VISA FORM(S)

(ALL CITIES LISTED ARE EMBASSY POSITION(S) REFER TO “KEY OFFICERS OF FOREIGN SERVICE POSTS” MANUAL FOR CONSULATE, CONSULATES GENERAL, LIAISON OFFICES, ETC.

ALL PASSPORTS MUST HAVE MINIMUM 6 MONTHS VALIDITY, UNLESS OTHERWISE STATED

~~DO NOT!!!~~ REPEAT ~~DO NOT!!!~~ SUBMIT PROTECTIVE COVERS ON PPTS FOR VISA PURPOSES THEY HAVE TO BE REMOVED FROM PPT BEFORE SUBMITTING FOR VISA & MAY BE DAMAGED OR LOST

DIPLOMAT/US GOVERNMENT EMPLOYEE/CIVIL SERVANT ETC. – CAN ONLY BE USED IF THERE ARE TWO (2) SPACES FOR TITLES – IF USED WILL DELAY PROCESSING, AS CONTACT MUST BE NOTIFIED TO PROVIDE SPECIFIC TITLE FOR ALL ASSIGNMENTS – PLEASE USE “DIPLOMATIC TITLE” (IF ANY)

PLEASE BE SURE ZIP CODES ARE SUPPLIED FOR ALL VISA APPLICATIONS REQUIRING ADDRESSES

PLEASE INCLUDE PHONE #'S WHERE APPLICABLE

PLEASE BE SURE ALL INFORMATION IS FULLY COMPLETED ON VISA APPLICATION FORM(S) – OMISSION OF INFORMATION WILL DELAY PROCESSING

WITH THE EXCEPTION OF THE FOLLOWING COUNTRIES, VISAS ARE OBTAINED ONE MONTH PRIOR TO DEPARTURE: NIGERIA/YUGOSLAVIA/VIETNAM (PROVIDED VISAS DO NOT: EXPIRE WITHIN 30 DAYS/NEED TO BE USED WITHIN CERTAIN TIME FRAME AND TIME PERMITS:

THANK YOU FOR YOUR COOPERATION

07/12/01

RUSSIA/TAJIKISTAN

#'S CORRESPOND TO ITEMS ON SAMPLE VISA FORM - (NOT TO BE SUBMITTED TO EMBASSY)

DIPLOMATIC PPT 1 FORM + COPY 1 PHOTO
OFFICIAL PPT 1 FORM + COPY 3 PHOTOS
REGULAR PPT 1 FORM + COPY 3 PHOTOS

RUSSIA 7 DAYS
(MOSCOW)
(SIG/TP)
939-8907/1318
FAX 483-7579

- EMBASSY OF THE RUSSIAN FEDERATION (HAS FORMATTED LETTER)
2641 TUNLAW ROAD, NW 9-12:30 PICK UPS @ 4:00
- 1) (NATIONALITY - US etc.)
 - 2) (PREVIOUS CITIZENSHIP ?)
 - 4/5) (DAY/MON/YR - (M-F)
 - 6) (BUSINESS - PLEASURE?)
 - 7) (US EMBASSY ? CONSULATE GENERAL?)
 - 8) (MOSCOW/ST. PETERSBURG etc.)
 - 9) (DAY/MON/YR - BE SPECIFIC, VISA ISSUED FOR EXACT DATES, TDY)
 - 10) (DIPLOMAT O.K. FOR DIP PPT / GOV'T EMP O.K. OFF PPT)
 - 11) (NEED ACTUAL JOB TITLE FOR SPONSOR - DEPENDENT OK FOR DEP)
 - 12) (NEED STATE)
 - 13/14) (PPT # /EXP DATE MOYR)
 - 15) (FOR MARRIED/DIVORCED FEMALES ONLY / MALE APPS - OMIT)
 - 16) (TRAVELLING OR NOT !! 1ST NAME O.K. IF "NONE" SO STATE)
 - 17) (YES? MOYR MOST RECENT!! VISIT - NO? "NONE")
 - 18) (EITHER/OR NONE)
 - 19/20) SPONSOR - EMPLOYED BY ?- DEPENDENTS HOME ADDRESS/PHONE#)
 - 21/22) (HOME ADDRESS & PHONE #)
 - 23) (APPLIES IF ASSIGNED)
 - 24) (PLEASE SIGN, ORIGINAL SIG)

(SUBMIT SIGNED COPY ALL PPTS)
(NO H/C-NEED CCC/ MAY APPLY WITHOUT & FAX OR BRING IN LATER)
(PPT MUST BE VALID MIN 6 MOS)
(DO NOT PHYSICALLY SUBMIT OFF/REG PPTS)

SAME VISA FORM USED FOR FOLLOWING CITIES:

AMEMB	MOSCOW
AMCONGEN	ST. PETERSBURG
AMCONGEN	VLADIVOSTOK
AMCONGEN	YEKATERINBURG
AMCONGEN	DUSHANBE

LETTER OF INVITATION NEEDED FOR CITIES NOT LISTED ABOVE

LETTER OF INVITATION DOES NOT INSURE THE ISSUANCE OF OTHER CITIES

WITH LETTER OF INVITATION, VISA REQUEST MAY BE "HAND CARRIED" DIRECTLY TO
BUSINESS WINDOW @ RUSSIAN CONSULATE

FOR ALL "HAND CARRY" REQUESTS, RUSSIAN CONSULATE MUST BE CONTACTED, NOT THE
SPECIAL ISSUANCE AGENCY (SIA)

Questionnaire
ВИЗОВАЯ АНКЕТА

Place
 Photograph
 here

Full answers to all questions must be typed or printed in black ink in the designated spaces for completion of the form. Писать четко, обязательно чернилами или в печатном виде в предназначенных для заполнения графах.	Nationality		Национальность	
	Present Citizenship / If you ever had Soviet or Russian citizenship, when and why did you lose it?		Гражданство / Если Вы имели советское или российское гражданство, то когда и в связи с чем его утратили?	
	Surname (in Capital Letters)		Фамилия (прописными буквами)	
	First and Middle Names		Имя, отчество	
	Day, Month, Year of Birth	<input type="text"/> <input type="text"/> <input type="text"/>	Sex	<input type="text"/>
	Purpose of Trip	Business <input type="checkbox"/> Pleasure <input type="checkbox"/>	Цель поездки	Бизнес <input type="checkbox"/> Туризм <input type="checkbox"/>
	Department or organizations to be visited. Tourist group index and Travel Agency Reference No.		В какое учреждение. № тургруппы и туристский референс-номер	
	Destinations (cities)		Маршрут следования (в пункты)	
	Date of Entry	<input type="text"/> <input type="text"/> <input type="text"/>	Date of Departure	<input type="text"/> <input type="text"/> <input type="text"/>
	Profession	Профессия		
	Position	Должность		
	Place of Birth / If born in USSR or Russia, when and where did you emigrate?		Место рождения / Если Вы родились в СССР или России, то куда и когда эмигрировали?	
	Passport No.	Expiration Date:	Паспорт №	Годен до:
	Maiden name	Девичья фамилия		
	Spouse's name	Фамилия мужа/жены		
Dates of previous visits To USSR or Russia		Даты Ваших поездок в СССР или Россию		
Do you have medical coverage valid in Russia? (check one):		Official Medical Protection Plan Purchased <input type="checkbox"/> Paid by Host <input type="checkbox"/>		
Place of work or study, address (Место работы)		Office Tel. No. (Рабочий тел.)		
Permanent Address (Адрес постоянного места жительства)		Home Tel. No. (Домашний тел.)		
	Surname Фамилия	First Name, Patronymic Имя Отчество. Имена	Date of Birth Дата рождения	Permanent Address Адрес местожительства
Children under 16 traveling with you Дети до 16 лет, следующие с Вами				
Relatives in Russia former USSR родственники в России				

I declare that data given in this Questionnaire are correct and comprehensive.
 Я заявляю, что все данные, указанные в анкете, являются правильными и полными.

Date:
 Дата: _____

Signature:
 Подпись: _____

ARTICLE 5Application of Laws

1. While entering, within, or leaving the territory of one Party, its laws and regulations relating to the operation and navigation of aircraft shall be complied with by the other Party's airlines.
2. While entering, within, or leaving the territory of one Party, its laws and regulations relating to the admission or departure from its territory of passengers, crew, cargo or aircraft (including regulations relating to entry, clearance, aviation security, immigration, passports, customs, and quarantine or, in the case of mail, postal regulations) shall be complied with by or on behalf of such passengers, crew, cargo, or aircraft of the other Party's airlines.
3. [Subject to Annex 4(II),] the Parties shall grant, without limitation, in advance, and with a validity of at least two to four months, visas for all aircraft crews and cabin crews of each designated airline operating the scheduled services. These visas shall be valid for any number of flights into and out of the territory of the other Party during the period of their validity.
4. [Subject to Annex 4(II),] the Parties shall grant in advance visas of appropriate duration and scope for the aircraft crews and cabin crews of each designated airline operating charter air services.
5. The Parties shall grant, without limitation, in advance and with a validity of at least twelve months, visas for airline personnel of designated airlines stationed at points on the agreed routes within the territory of the other Party and the government officials of the other Party involved in civil aviation. These visas shall be valid for any number of visits into and out of the territory of the other Party during the period of their validity.
6. Each Party shall assist the other in obtaining copies of the relevant laws and regulations referred to in this Article.

Proposed Procedures for Obtaining Multiple-Entry Visas for US FAA and Russian SCAA Safety Inspectors

To Obtain a Russian Multiple-Entry Visa:

For Inspectors with Official US Government (Red) Passports

1. A letter is prepared by the Federal Aviation Administration (FAA), Office of International Aviation, Russian Country Specialist, AIA-300 to the Director of Flight Standards, State Civil Aviation Authority of Russia (SCAA), requesting visa support for FAA safety inspectors to receive Russian multiple-entry visas. The inspectors office must provide the following information on each inspector seeking a multiple-entry visa to the Russian Country Specialist, AIA-300: full name; inspector position; US carrier assignment or other long term mission assignment; date of birth; place of birth; passport number; passport issue date; place of passport issue; and passport expiration date. Additionally, a copy of the inspectors' official government passports and inspector credentials must be attached. **NOTE: FAA inspectors on official business must travel on an official US Government Passport (Red).**
2. After receiving the letter, the SCAA prepares the necessary paperwork to officially request multiple-entry visas for the safety inspectors listed in the above letter. The SCAA delivers the necessary paperwork to the Russian Ministry of Foreign Affairs.
3. The Ministry of Foreign Affairs provides the SCAA with a telex number, which must be referenced for the FAA safety inspectors to receive their multiple-entry visas. The telex will be delivered to the Russian Consulate in Washington, DC, in approximately 21 days after application is received. This telex number, and the date when the telex will be sent, is then provided to the FAA Moscow office who will notify the requesting FAA office and the Russian Country Specialist, AIA-300.
4. Then the FAA safety inspectors seeking multiple-entry visas must provide a completed visa application form, a copy of the face page of their passport, and three passport photos to the FAA Office of International Aviation, AIA-300 Russian Country Specialist.
5. The FAA Office of International Aviation processes the visa requests through the Russian Consulate in Washington, DC. The typical processing time for multiple-entry visas is one to two weeks with a processing fee of \$50 (current price subject to change). Visas may be expedited for an additional fee. Inspectors should plan for a total of 45 days to complete the entire process.



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Overview of Travel Process

[International Topics](#)

There are six steps to follow to prepare for official foreign travel:

1. **Determine whether travel is routine or non-routine.** Each traveler is responsible determining whether his/her travel is routine or non-routine. See [Section 2](#).
2. **Submit the appropriate travel package.** Procedures are outlined in [Section 3](#).
3. **Obtain an official passport. Obtain a visa, if necessary.** See [Section 4](#).
4. **Obtain country clearance from the U.S. Embassy in country or countries to be** See [Section 5](#).
5. **Complete a security briefing.** A security briefing is required for each FAA employ to his/her departure for any foreign country on official business, unless he/she has a briefing within 12 months of the date of departure. Supervisors are responsible fo ensuring that their employees planning international travel have met this requireme [order](#) containing this requirement is available online.
6. **Verify that travel is approved.** Each traveler is responsible for ensuring that his or travel has been approved by the appropriate officials, prior to departure. Under no circumstances should an FAA employee depart without official approval. Should an employee travel without official approval, he or she may be liable for expenses incl during the travel.

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Travel Approval Packages

[International Topics](#)

For **routine travel**, follow procedures determined by your line of business (LOB) or staff. Each LOB is responsible for devising its own approval procedures for routine travel of its employees. The Office of International Aviation (AIA) does not coordinate routine travel of non-AIA employees.

For **non-routine travel**, the traveler submits a travel package to AIA for official approval. If from more than one organization are traveling to the same event, a lead office must be chosen to submit one travel package for all travelers.

1. Types of Travel Packages

There are three types of travel packages:

The first type is prepared for non-routine travel of 1-6 people below the level of Associate/Administrator. The Administrator is the approval authority for this type of package. This package contains a travel memorandum and [FAA Forms 1500.1](#) for each traveler. An example is given at [Attachment 1](#).

The second type is prepared for non-routine travel of 7 or more people, or travel of Associate/Administrator. The DOT Chief of Staff is the approval authority for this type of package. This package also contains a travel memorandum and [FAA Forms 1500.1](#) for each traveler. An example is given at [Attachment 2](#).

Exception: For travel to Canada or Mexico by groups of any size or level below the Administrator and Deputy Administrator, the approval authority is the Administrator and the format at [Attachment 1](#).

The third type is prepared for all travel by the Administrator and Deputy Administrator. This package is the same as the second in that it contains a memorandum to the DOT Chief of Staff and forms 1500.1 for each traveler. The one difference is that this type of package also contains a memorandum to the National Security Council. An example is given at [Attachment 3](#).

2. Preparing the Travel Package (refer to Attachments 1-3)

A. Travel Memorandum

The traveler or lead office prepares a memorandum with the following information:

- **Dates of travel:**
- **Event:** The name of the event.
- **Purpose:** A short explanation of the purpose of the trip.

- **Delegation duties:** A justification for each traveler, describing why he or she is par delegation and the functions for which he or she will be responsible during the cour trip.
- **Location:**
- **Cost per person:**
- **History:** Has the FAA attended this event in the past? If so, how many people wen
- **Point of Contact:** The sponsoring Associate/Assistant Administrator

For packages that must be approved by the Chief of Staff, also include the following:

- **Foreign Travel Plan:** Was this event included in the FAA's annual Travel Plan? (S Section 11.)

B. Form 1500.1:

All foreign travel packages must include an FAA Form 1500.1 for each traveler. Each trav responsible for getting his/her supervisor's and Associate/Assistant Administrator's signat the Form 1500.1 and submitting the signed form to the person preparing the travel packag

This form must include a detailed justification of the purpose of the trip. The justification or 1500.1 should match the one in the memorandum.

The forms must have the following signature blocks at the bottom:

Block 19 -- immediate supervisor
 Part IV -- traveler's Associate/Assistant Administrator
 Part V--Director of International Aviation
 Part VI --Administrator

Examples of completed Forms 1500.1 are included in Attachments 1-3 (see above for link

C. NSC Letter (Administrator and Deputy Administrator travel only):

For travel by the Administrator or Deputy Administrator, the office preparing the package a prepares a letter from OST to the National Security Council. The letter is addressed to the to the President for National Security Affairs, and must be on Office of the Secretary letter The letter should include a list of the delegation, the purpose of travel and a daily itinerary Attachment 3 for an example of a package which includes this letter.

3. Transmitting the Package to AIA within specified deadline

When the package is complete, the traveler or lead office then forwards it (including the tr memorandum coordinated through Associate/Assistant Administrator level, all signed form and--for Administrator and the Deputy Administrator--the NSC letter), to the AIA Foreign T Specialist. AIA will review the package and then submit it to API-1 and AOA for approval.

For travel that requires the Administrator's approval, the completed package is due to AIA **calendar days** prior to the start of travel.

For travel that requires the Chief of Staff's approval, the completed package is due to AIA **calendar days** prior to the start of travel.

Travel packages not received within these timeframes are subject to disapproval.

4. Notification of Approval

AIA will track the package through the rest of the coordination process both within FAA and notify the originating office once the travel is approved or disapproved. Under no circumstances should an FAA employee travel without official approval from the appropriate authority. Should an FAA employee travel without official approval, he or she may be liable for costs incurred during the travel.

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

OFFICIAL FOREIGN TRAVEL
ARRANGEMENTS

INSTRUCTIONS: This is NOT a Passport Application.
See Official Foreign Travel Arrangements, Order 1500.2C.
Complete and forward the original and four copies through channels to
approving official to AIA-10.

PART 1 - EMPLOYEE DATA

APPLICANT	1. NAME (FIRST, MIDDLE, LAST)	2. DATE OF BIRTH (MO, DAY, YR.)	3. PLACE OF BIRTH (CITY AND STATE)		
	4. OFFICIAL POSITION			5. OFFICE SYMBOL	6. TELEPHONE NO.
	7. OFFICE/SERVICE/REGION		8. DIVISION	9. BRANCH	
FAMILY MEMBERS WHO WILL TRAVEL	10. NAME (FIRST, MIDDLE, LAST)	11. DATE OF BIRTH (MO, DAY, YR.)	12. PLACE OF BIRTH (CITY & STATE)		

PART II - REQUEST FOR PASSPORT AND VISA SERVICE

13. THIS REQUEST IS FOR		14. CURRENT OR FORMER PASSPORT		15. FILED FOR NEW PASSPORT	
ISSUANCE OF NEW PASSPORT		NONE-OR	NO.	MO, DAY, YEAR	CITY AND STATE
REVALIDATION OF EXISTING PASSPORT		IN MY POSSESSION			
VISA SERVICE					
16. ITINERARY				17. MAIL PASSPORT TO	
COUNTRY	ARRIVAL DATE	DEPARTURE DATE	TRANSPORTATION MODE		

PART III - REQUEST FOR APPROVAL OF TRAVEL

19. REQUESTING OFFICER (ADEQUATE TRAVEL FUNDS ARE AVAILABLE)			SIGNATURE AND TITLE			DATE
--	--	--	---------------------	--	--	------

PART IV - RECOMMENDATION

PART V - RECOMMENDATION

PART VI - APPROVAL ACTION

APPROVAL	DATE	APPROVAL	DATE	APPROVED	DATE
DISAPPROVAL		DISAPPROVAL		DISAPPROVED	
Signature and Title		Signature and Title		Signature and Title	



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Definition

Each FAA employee traveling abroad on official business must request clearance from the Embassy in their destination country or countries before departing on travel. This process as getting "country clearance."

To obtain country clearance, the traveler must complete the following steps:

1. Review all special considerations listed below.
2. Properly prepare the country clearance request cable.
3. Transmit the cable to the appropriate embassies.
4. If you do not receive a reply to the country clearance request from an embassy representative within 7 days, contact AIA.

1. Special Considerations

A. Travel to Countries with Travel Warnings: Country clearances to countries for which Department has issued [Travel Warnings](#) must be coordinated in advance with the Department State in Washington, DC, prior to transmission. When planning a trip to one of these countries contact the [AIA desk officer](#) in charge of that country and he or she will coordinate the country clearance with State Department.

B. Travel to "Minimize" Countries: Country clearance requests for travel to countries that the State Department designates as "minimize" countries must be both coordinated with and approved by the State Department. As of May 2002, these countries include Afghanistan and Tajikistan. When traveling to one of these countries, contact the appropriate [AIA desk officer](#) who will work with you to coordinate the country clearance.

C. Travel to Taiwan, Israel or Cuba: See [Section 6](#). Clearances for these countries are prepared in much the same way as described below, but require some specific language and specific transmittal procedures that are given in Section 6.

2. Preparing a Country Clearance Request cable

Use this [template](#) and replace the highlighted portions of the document with the correct information for your trip.

An explanation of the eleven standard elements of a country clearance request follows.

"TO" address: This is the name of the embassy in the destination country or countries. Use [of embassies](#) by country to determine the location of the embassy to be addressed.

"INFO" addresses: These are addresses of offices that should receive an information copy of the request. Always include the Department of State (SEC:STATE WASH DC) and the FAA's (FAA:INTL)

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Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591

For content feedback and suggestions:
Email us at 9-AWA-AIA-COMMENTS@FAA.Gov
For Technical issues:
Email us at: 9-AWA-AIA-TECHNICAL@FAA.Gov

