

ENLIGHTENED Oversight



In July, the U.S. Federal Aviation Administration (FAA) electronically released a short, but intriguing, document labeled Order 8000.373, effective June 26, 2015. The order sets forth the FAA's compliance philosophy as the "overarching guidance for implementing the FAA's strategic safety oversight approach to meet the challenges of today's rapidly changing aerospace system." The order applies to the compliance and enforcement programs and activities of all FAA offices that have regulatory responsibilities.

The compliance philosophy notes that FAA establishes regulatory standards to ensure safe operations in the National Airspace System and recognizes that "FAA's safety system is largely based on, and dependent upon, voluntary compliance with these regulatory standards." To promote safety and compliance, FAA is implementing safety management system constructs based on comprehensive data sharing between FAA and the aviation community, the agency said. To foster an open and transparent exchange of data, "the FAA believes that its compliance philosophy, supported by an established safety culture, is instrumental in ensuring both compliance with regulations and the identification of hazards and management of risk."

FAA's philosophy is that when deviations from regulatory standards do occur, the agency's goal is to use the *most effective means* to return an individual or organization to full compliance and prevent recurrence (emphasis added). What

I think is most important is that FAA clearly points out that the *most effective means* may not be enforcement in all cases.

"The FAA recognizes that some deviations arise from factors such as flawed procedures, simple mistakes, lack of understanding, or diminished skills," the philosophy document says. "The agency believes that deviations of this nature can most effectively be corrected through root cause analysis and training, education or other appropriate improvements to procedures or training programs for regulated entities."

Of course, FAA goes on to say essentially that it still will bring enforcement action, and even legal action, when necessary, but I think the message is clear: While enforcement is an option, FAA is not only giving its workforce more tools to achieve compliance but also encouraging the use of those tools to enhance safety.

I expect we'll hear more on this subject in the weeks and months ahead, but FAA deserves kudos for this important step.

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