

GWBAA News

Greater Washington Business Aviation Association, Inc.

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TSA "Closes" Airport; Update on FAA Guidance and Security; GWBAA Golf Outing A Success

Welcome to the November issue of the GWBAA News.

TSA Closes Washington Area Airport:

The Transportation Security Administration (TSA) on November 1, 2005 informed Potomac Airfield – one of three small general aviation airports in the Washington area that operate under special post-9/11 security regulations – that its security program has been suspended, effectively closing down operations. TSA spokesman Darrin Kayser stated: "The airport was told it is not in compliance with its approved security plan," and went on to say: "We had told them they were not meeting certain criteria, and then did a spot check over the weekend, and found they are still not in compliance." About 90 airplanes are on the ground at the airport. 400 pilots have passed the necessary security procedures to operate in and out of the airfield. Reading between the lines, it seems that Potomac Airport management and TSA had a disagreement over how best to secure operations in and out of the airfield. In any event, this past weekend the people with airplanes based at Potomac were scheduled to be "flushed out" so they can base their aircraft somewhere else while the differences are ironed out (we hope). We're not familiar with how the dispute reached this point, but hope that there are some reasonable people on both sides of the issue that are willing to work through the differences. Again, if this action stands, it will set a very bad precedent! For more information regarding Potomac Airfield, including aircraft relocation plans contact TSA program manager Dirk Ahle at (571) 227-1898.

FAA Extends Deadline for ADIZ Comments:

Transportation Secretary Norman Mineta has directed the FAA to extend by 90 days the period for comments on FAA's proposal to make permanent the Washington, D.C., Air Defense Identification Zone (ADIZ). In addition, Mineta directed the FAA to hold a public meeting on the proposal. Comments about the proposal – which is available online at http://dmses.dot.gov/docimages/pdf92/341297_web.pdf - can be filed in docket FAA-2003-17005 using any one of the following methods: the DOT docket website <http://dms.dot.gov>; the Government-wide rulemaking website www.regulations.gov; mail or hand delivery (Monday through Friday between 9am and 5pm) to the DOT Docket Management Facility, 400 Seventh Street SW, Nassif Building, Room PL-401, Washington, D.C. 20590; or fax at (202) 493-2251. As details about the public meeting become available, GWBAA will post them at <http://www.gwbaa.com>.

Earlier this month, Bob Blouin submitted comments on behalf of GWBAA regarding the FAA's proposal. The association came down on the side of not supporting the FAA's proposed rule. If it were to be finalized, it would set a very bad precedent. Being from Chicago, Blouin can't help but think that "hizonor-the-mayor-for-life" Daley would then call for a "me too" ADIZ

over Chicago, and then it would just be a matter of time until all the other big-city mayors – as well as special interests start shouting “ME TOO”. We just can’t let that happen!

FAA Issues Guidance on Wet Leasing Arrangements:

Federal regulations currently prohibit an air carrier from “wet leasing” an aircraft (i.e., leasing an aircraft and crew) from an individual or entity that is not itself authorized to engage in common carriage. In October, the FAA released a notice (available online at <http://dmses.dot.gov/docimages/p82/360648.pdf>) which sets forth specific guidance as to what arrangements it understands to be permitted and what arrangements it understands to be prohibited, including a list of eight issues that FAA suggests carriers take into account in evaluating whether an arrangement meets FAA requirements.

Comments on the proposal are due on November 25, and can be filed in docket FAA–2005–22765 through the DOT docket website at <http://dms.dot.gov>; the Government-wide rulemaking website at <http://www.regulations.gov>; mail or hand delivery (Monday through Friday between 9am and 5pm) at the DOT Docket Management Facility, 400 Seventh Street SW, Nassif Building, Room PL–401, Washington, D.C. 20590; or fax at (202) 493-2251.

In a related development, in October DOT issued a consent order assessing a \$100,000 fine against BlueStarJets, LLC, which DOT alleges had procured air transportation for its clients from uncertified entities and also had misrepresented itself to be an air carrier. The order provides that half of the fine will be forgiven if BlueStarJets does not commit any other violations in the next year. As you may recall, BlueStarJets came to public attention after a flight it arranged aborted a takeoff and skidded off the runway at Teterboro Airport last February. In its defense, BlueStarJets argued that the operator, Platinum Jet Management, Inc., had represented that it had Part 135 authority, although in fact it did not.

Rescheduled Golf Tournament A Success:

Attendance at the re-scheduled golf event on November 2 was very good! With over forty in attendance all reported a fine day for a round of golf and some very good networking. The weather cooperated with sunshine and blue skies enjoyed throughout the day. It was hard to believe this course was under water not too long ago, on the original date.

GWBAA's President, Bob Blouin was on hand to welcome everyone and to thank them for "hanging in there" for the re-scheduled event. Most of the golfers appreciated a "warm up" round of golf just before the NBAA convention this week in Orlando!

Many thanks to all our sponsors. The Welsch Aviation breakfast, Bombardier's beverage cart and Gulfstream's lunch were appreciated by all in attendance. Also, FlightWorks, Corporate Jet Sales, NextFlight and NBAA were wonderful to sponsor the specialty holes. Rounding out the sponsors were ARINC Direct, Wiley Rein & Fielding LLP, Zuckert, Scutt, Rasenberger, LLP, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Signature Flight Support, NBAA (again), Welsch Aviation (again), Phaneuf Associates, Inc., AVCARD, Piedmont Hawthorne, Key Equipment Finance and West Advocacy, all with hole sponsorships

FAA Admits That the D.C. ADIZ Does Not Have a 2,000-Mile Radius:

Last month, we reported that an Arizona pilot, Dale Mooneyham, recently received a letter from the FAA alleging that he had operated an aircraft inside the ADIZ without a discrete

transponder code or communicating with ATC – despite the fact that at the time Mooneyham and his aircraft were approximately 2,000 miles away, and had the receipts and tower tapes to prove it. The website AVweb.com now reports that the FAA has conceded that it transposed figures in the offending aircraft's N-number, but hasn't apologized to Mooneyham, or explained how it will prevent this kind of error from ensnaring pilots again. For more details, visit <http://www.avweb.com/eletter/archives/avflash/499-full.html#190863>.

From the President:

Late last month, we witnessed the re-opening of KDCA to business aviation operators. The "hoops" you must jump through to serve the airport are a bit onerous, but it's a start. It's also an indication that the new leadership at TSA/DHS (there has been a revolving door there for four years) are willing to talk about access.

Some good news came earlier this month when President Bush signed into law a homeland security spending bill that included language encouraging the TSA to move forward on development of the Transportation Security Administration Access Certificate (TSAAC), a voluntary security program. The House approved the TSAAC language earlier this year as part of a report accompanying the homeland security-funding bill for FY06. The text speaks positively about the TSAAC program, encourages the TSA to move forward with its development and instructs the Agency to report back to Congress in January 2006 on plans to enhance or implement the TSAAC.

Some might ask why TSAAC is important. Well, we all remember when we were grounded after September 11, 2001, and later watched the airlines return to the skies pretty darn quickly. As the system started to be restored, guess who was last? The idea behind support for TSAAC is - let's not have that happen again if, God forbid, the system goes down ... for whatever security reason. The next time, all security-qualified TSAAC operators will deserve to get back in the air at the same time as the air carriers. If they don't, it will send the message that we are not as "secure" as the airlines - and we all know that is just not true. TSAAC will demonstrate to the politicos that we have been doing something for the last four years; we have increased awareness; we have tightened our already very secure flight departments; and we have codified it all with TSAAC.

Now it is up to NBAA to start a fresh cycle of TSAAC training and to document the fact that those who are TSAAC holders are "security qualified" and should be afforded the same access as airlines when it comes to airspace restrictions like TFRs. January 2006 is right around the corner - let's all hope the training is underway and benefits are well documented and in place by then.

GWBAA Offers Two New Online Benefits:

We are continuing to receive member information for the GWBAA electronic membership directory. As announced earlier, this additional service to the membership is being offered at no additional cost. Also, you may have your company website linked to www.gwbaa.com! GWBAA now offers its members the opportunity to post their logos with contact information in a new section of the GWBAA website entitled "Member Directory" – <http://www.gwbaa.com/directory.html>. If you would like to post your company information please contact Bob Blouin via email at info@gwbaa.com.

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Upcoming Business Aviation Events:

- November 8-10, 2005: NBAA Annual Meeting and Convention in Orlando. For more information, visit <http://web.nbaa.org/public/cs/amc/2005>.
- June 8, 2006: NBAA has announced that it will hold a regional forum at Dulles for the greater Washington, DC area; GWBAA will post further details as they become available from NBAA.
- July 6-8, 2006: The World Airline Historical Society will hold its 30th Anniversary Collectibles Show in Tysons Corner, Virginia; this should be an interesting opportunity to both socialize and add to one's stock of memorabilia. For more information, visit <http://www.ai2006.com>.

GWBAA Contacts:

Send any ideas or comments for future newsletters or for GWBAA in general to info@gwbaa.com or any of the following people:

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GWBAA's success and ability to make a difference depends on the breadth of its support and your participation.

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