

October 7, 2002

Docket Management System  
U. S. Department of Transportation  
Room 401  
400 Seventh Street, S.W.  
Washington, DC 20590-0001

These comments are provided in response to the Federal Aviation Administration (FAA) Flight Operational Quality Assurance (FOQA) Program, Notice of Proposed Order, Docket Number FAA-2002-13237, September 5, 2002, Designating Information as Protected from Disclosure.

The Air Line Pilots Association, International agrees that information provided to the FAA from an FAA approved Flight Operational Quality Assurance Program should be protected from public disclosure in accordance with 14 CFR Part 193.

14 CFR 13.401 is the Federal Aviation Rule relating to the operation of Flight Operational Quality Assurance Programs. Contained in this rule is a requirement for operators to submit aggregate data to the FAA. There is an accompanying definition of "Aggregate FOQA data" as well as a definition of "FOQA data." Since there is a requirement to submit "Aggregate FOQA data" and there is no requirement to submit "FOQA data," we believe that the references in the proposed order to the submission of "FOQA data" to the FAA and the use of "FOQA data" by the FAA for the production of reports should be removed from the following paragraphs:

**Paragraph Title: Description of the proposed information sharing program:**

The third sentence should read as follows: "FOQA aggregate data, including reports prepared by an individual operator, based on that operator's FOQA data, or reports prepared by the FAA based on an individual operator's aggregate FOQA data pursuant to an FAA approved FOQA program, can be used by the FAA to monitor national trends in flight operations .....,."

**Paragraph Title: Proposed Findings:** (3) the ninth sentence should read, "The FAA finds that reports prepared by an individual operator, or by the FAA, based on analysis of the individuals aggregate data .....,."

(4) The first sentence should read, "The FAA finds that withholding aggregate FOQA data provided to the FAA from an approved FOQA program .....,."

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(6) The second sentence should read, “Any aggregate FOQA data that is shared with the FAA will be distinguished .....

These changes would bring this proposed notice into conformance with the existing FOQA Rule, as well as insuring that the FAA has access to the necessary aggregate FOQA information to enhance aviation safety.

Sincerely,

A handwritten signature in cursive script, appearing to read "John O'Brien".

John O'Brien  
Director, Engineering and  
Air Safety Department