

1999-6001

FAA-99-600 1

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Date: 9/26/99 11:35 PM
Sender: <eviair@entelchile.net>
To: 9-NPRM-CMTS
Priority: Normal
Subject: Comments to 14 CFR Part 193

1999 SEP 28 A 10: 53

Dear Sir/Madam,

The undersigned would like to thank the FAA for giving him the opportunity to participate in the rulemaking process.

With regard to Part 193 to Title 14, Code of Federal Regulations, it can be stated

that withholding voluntarily-submitted information from public disclosure constitutes

a key factor in keeping a flow of information that would not be obtained otherwise.

Therefore, such efforts need to be praised and fostered on behalf of aviation safety.

However, some remarks might be made on the content of 14 CFR Part 193.

Given that anonymity constitutes the greatest guarantee that can be granted to

reporters, it might be provided that all personal information of those submitting in-

formation would not only be de-identified but also codified through pseudonyms or

other means for further use.

As you must know, the Aviation Safety Reporting System set forth by NASA re-

quired the strip of the form whereon the provider of information indicated its name

and address to be removed upon arrival, and due assurances were given under

14 CFR 91.57 that such information would not be made available.

Therefore, the provisions included in Section 193.7 on disclosure of information

pose doubts on whether further voluntary submission of data might be eventually

inhibited.

On the other hand, it might be taken into account that disclosure could take place

indirectly or implicitly by means of the submission of a letter of investigation to the

alleged offender, whenever there might not be any other way (other than participation

of the reporter) through which the FAA might have gotten to know about the offense.

Such scenarios may also be taken into consideration so as to protect providers.

Furthermore, the need for anonymity would not match proposed 193.7(a)(2) under

which the FAA would disclose information to a design or production approval holder.

Should such need arise, the identity of the reporter should be kept in secrecy and

the holder or any other person receiving the information be necessarily required to

refrain from disclosing it.

Once again, let me thank you for letting me express an opinion on the subject and participate in the rulemaking process.

With best regards,

Eugenio Villar

Attorney at Law

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