



NATIONAL TRANSPORTATION SAFETY BOARD

Office of Aviation Safety
Washington, D.C. 20594

February 2, 2015

Attachment 8 – FAA Responses

OPERATIONAL FACTORS

DCA13MA081

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A. Response 13-362



**Federal Aviation
Administration**

Memorandum

Date: NOV 19 2013
To: Director, Accident Investigation and Prevention, AVP-1
ATTN: Manager, Accident Investigation Division, AVP-100
From: John S. Duncan, Director, Flight Standards Service, AFS-1 [REDACTED]
Prepared by: Leslie H. Smith, Manager, Air Transportation Division, AFS-200
Subject: NTSB Information Request 13-362 dated 5/12/2013

The following information was requested by the NTSB.

1. Request Part 121 (or applicable Part) Certification and experience requirements for the position of Loadmaster.

Title 14 Code of Federal Regulations (14 CFR) part 121 or other does not define the term "loadmaster."

2. Request Part 121 (or applicable Part) Duty Time and Rest requirements for the position of Loadmaster.

There are no duty and rest limits for the position of loadmaster.

3. Request list of Part 121 operators who utilize the services of a Loadmaster.

The position of "loadmaster" is not a certificated position as defined with 14 CFR part 121. The FAA does not track the position of "loadmaster" or similar duty position.

4. Request FAA evaluation standards for the position of Loadmaster.

FAA evaluation standards apply to certificated airmen. As previously mentioned, the position of loadmaster is not certificated.

B. Response 13-622



**Federal Aviation
Administration**

Memorandum

Date: NOV 04 2013

To: Director of Accident Investigation and Prevention, AVP-1
Attn: Kim Burtch, AVP-100

From: John Duncan, Director, Flight Standards Service, AFS-1 [REDACTED]

Prepared by: Jeffrey Cupp, AFS-140 with input from John Barbagallo, AFS-050 and
Greg Kirkland, AFS-900

Subject: NTSB Accident/Incident Investigation Support Request 13.622

The following is our response to NTSB Accident/Incident Investigation Support Request 13.622 regarding National Airlines B747-400 accident that occurred on Bagram Air Force Base, Afghanistan on April 29, 2013

NTSB: Request description of the process the FAA uses to schedule ATOS enroute surveillance on a Part 121 operator in Afghanistan.

FAA Response: Inspectors conduct routine surveillance (aka "performance assessments") to confirm that an air carrier's operating systems produce intended results in accordance with the policies and procedures detailed in FAA Order 8900.1. The normal planning process is to develop a risk-based data collection plan. Specific information about the conduct of enroute inspections is also detailed in FAA Order 8900.1.

Inspectors conduct ATOS performance assessments (PAs) to confirm an air carrier's operating systems produce intended results, including mitigation or control of hazards and associated risks. ATOS uses time-based PAs to detect latent, systemic failures that may occur due to subtle environmental changes. PA schedules are also adjustable based on known risks or safety priorities.

Depending on the element's criticality, assessments are automatically scheduled to occur every 6 months (High criticality), 1 year (Medium criticality), or 3 years (Low criticality). The evaluation of Airman Duties / Flight Deck Procedures is a high criticality item and thus automatically scheduled for evaluation every six months.

While there is not a specific process for Afghanistan, when traveling to a foreign country the FAA inspector conducting the enroute surveillance must comply with both State Department requirements and the requirements of the country to which they are traveling. The FAA Office

for Policy, International Affairs, & Environment has a web site that has all of the travel requirements that the FAA Inspector must comply with and provides contacts, web links for important information provided by other agencies, and some of the forms required for their travel.

https://employees.faa.gov/org/staffoffices/apl/international_travel/guidelines/

NTSB: Request history and correspondence between the FAA and Department of State regarding FAA requests to conduct enroute inspections into Afghanistan on National Airlines, outcome of those requests and reasons provided, if denied.

FAA Response: Normally we do not clear ATOS enroute inspections through the State Department. The State Department is notified by FAA through the country clearance process. A country clearance request is required to be sent and a response received prior to each international trip. The request describes the purpose of the intended trip and the itinerary of the traveller. The State Department makes a determination to approve or disapprove the trip via the country clearance request. The reason we contacted the State Department directly in this case (see email attachment) was because the trip involved travel into a war zone. Additionally, this call was made before a country clearance request was submitted. Attached is an e mail we received from State. It was as a result of an inquiry we made by AFS after a CMO inspector requested to perform an enroute inspection to Afghanistan.

NTSB: Request contact information of the Department of State official FAA uses to coordinate enroute inspection requests into Afghanistan.

FAA Response: We do not normally coordinate through the State Department aside from the process described above.

Attachment



To:
 Cc:
 Bcc:
 Subject: Re: *Confidential: Re: National Airlines Surveillance Afghanistan
 From: Michael J Zenkovich/ASW/FAA - Monday 08/19/2013 07:02 PM

Archive:

This message is being viewed in an archive.

Michael J Zenkovich
 Deputy Director
 Flight Standards Service

John Barbagallo Ok, I think we beat this to death already 08/19/2013 05:59 PM CDT

From: John Barbagallo
 To: Roy Barnett
 Cc: Emily A White; James E Gardner; John S Duncan; Luciano Lucero; Martin Polomski; Michael J Zenkovich; Robe
 Date: 08/19/2013 05:59 PM CDT
 Subject: Re: *Confidential: Re: National Airlines Surveillance Afghanistan

~~Ok, I think we beat this to death already~~

Roy Barnett John, I just received a phone call from Ms. Eliz... 08/19/2013 04:28 PM EDT

From: Roy Barnett
 To: John Barbagallo
 Cc: Emily A White; James E Gardner; John S Duncan; Luciano Lucero; Martin Polomski; Michael J Zenkovich; Robe
 Date: 08/19/2013 04:28 PM EDT
 Subject: Re: *Confidential: Re: National Airlines Surveillance Afghanistan

John,

I just received a phone call from Ms. Elizabeth Lawrence who is the Economic/Civil Aviation Officer for Afghanistan at State Department. She advised me that there is a travel restriction for all government personnel currently in Afghanistan and she is willing to send me a copy of the restriction if we need it.

Moreover, Ms. Lawrence (202 647 4895) does not recommend ASI's travel to Afghanistan at all, at the present time; given the deteriorating security situation there. She reiterated that it would have to be extenuating circumstances and full State Department security (armored vehicle travel etc.) in country which is now problematic and costly for travel at the airports we gave as airports we wanted to visit.

She suggested that we reach out to Mel Cintron for further guidance on this issue.

Best Regards,

Roy

Roy D. Barnett
 Flight Standards Service
 International Programs and Policy Division, AFS-50
 AFS-52 Branch Manager, 202 385 8141

John Barbagallo So Mike, should this be turned off as well? Coul... 08/19/2013 04:13:37 PM