

Advocacy Recommends That FAA Consider Cost, Alternatives to Washington, DC Area Special Flight Rules

On February 6, 2006, the U.S. Small Business Administration's Office of Advocacy (Advocacy) submitted comments to the Federal Aviation Administration (FAA) on the FAA's *Proposed Washington, DC Metropolitan Area Special Flight Rules Area Rule*. (70 Fed. Reg. 45250; August 4, 2005). FAA's proposed rule would essentially codify current flight restrictions for certain aircraft operating in the Washington, DC Metropolitan Area that were adopted in the wake of the terrorist attacks of September 11, 2001.

FAA's proposed rule would create a special flight rules area (SFRA) around Washington, DC and impose flight operation requirements on aircraft operations within that area. These provisions would generally require aircraft operators to: 1) file and activate a flight plan before entering (or re-entering) the restricted area; 2) maintain two-way radio communication with air traffic control; and 3) obtain and display a discrete transponder code while operating within the area. The FAA has concluded that while these restrictions are likely to cause considerable burdens to both air traffic control and the aviation industry within the affected area, they are needed for security reasons.

A complete copy of Advocacy's letter to FAA is available at www.sba.gov/advo/laws/comments/.

- Advocacy is concerned that FAA's small business regulatory flexibility analysis understates the cost and impact of the proposed rule on small aviation businesses within the affected area (such as other small airports, aerial survey firms, flight schools, air charter operations, air tour operators, etc.). Advocacy recommends that FAA revise its economic analysis to include these other small entities.
- While FAA considered several alternatives to its proposed rule, various small business aviation groups have asked FAA to consider others as well. These include separate requirements for lighter and slower airplanes, the establishment of designated flight corridors in and around the area, and the establishment of increasingly rigorous airspace zones as one gets closer to the capital. Advocacy suggested that FAA use the comment process to obtain more data and publish additional alternatives for comment prior to finalizing the rule.

For more information about FAA's Proposed Washington, DC Metropolitan Area Special Flight Rules Area rule, please visit Advocacy's Web page at www.sba.gov/advo or contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 or bruce.lundegren@sba.gov.