

**FSANA Response to
The Petition of Republic Airways Inc., for Exemption from 14 C.F.R. 61.160 (a)
May 31, 2022**

The Flight School Association of North America (FSANA) is fully opposed to the Republic Airways Inc., hereinafter referred to as Republic, petition for Exemption from C.F.R. 61.160 (a). February 12, 2009, Colgan Air flight 3407 crashed while on approach to Buffalo, New York killing all 49 people onboard and one on the ground. The subsequent investigation by the NTSB revealed several potential problems that affected airline safety. They determined that the probable cause of the accident was the captain's inappropriate response to the activation of the stick shaker, which led to an aerodynamic stall from which the airplane did not recover.

Contributing to the accident were (1) the flight crew's failure to monitor airspeed in relation to the rising position of the low-speed cue, (2) the flight crew's failure to adhere to sterile cockpit procedures, (3) the captain's failure to effectively manage the flight, and (4) Colgan Air's inadequate procedures for airspeed selection and management during approaches in icing conditions. The co-pilot was sick, inexperienced in icing situations by her own admission and fatigued from getting to work.

As a result of this accident, congress passed the 2010 Airline Safety and Federal Aviation Administration Extension Act. Among other things, the Act increased the flight time necessary to obtain an ATP certificate to 1,500 hours under most circumstances. The Act also increased the training requirements for the ATP certificate. It required each pilot on board to have an ATP certificate. The duty day was reduced from 16 hours to 14 hours with required rest.

In the two decades leading up to the Colgan crash, there were 1,186 deaths on U.S-based airlines in the United States. Since the Colgan crash in 2009 and the above changes being implemented, only

two deaths have occurred in the United States on U.S.-based passenger airlines. This remarkable safety record speaks for itself. Some argue that other countries have lower times than the United States for a First Officer. While that statistic is true, their safety record does not match that of the United States.

FSANA is absolute in its opposition to the petition for exemption being requested by Republic. Since this request has become public, Captain Sullenberger and the ALPA have also come out against the exemption. A FSANA recent survey sent to industry indicated that 78% of the respondents were opposed to Republic's petition.

The families of those killed in the Colgan crash bitterly oppose this petition as well. We do NOT feel the program presented by Republic would be an asset to the industry at large. Rather, we feel it will ultimately hurt the industry. Republic makes many claims in the petition that we feel misrepresents the core of its proposal and the effects it will have on the aviation industry.

Throughout the proposal, Republic claims their rigorous program and curriculum will have a similar structure to the military-based pathway that allows a reduction to 750 hours to obtain an R-ATP certificate. They go as far to say, "This Program will exceed the safety standards of the military R-ATP." They even claim that their program will cover EQP material that "No military flight training or aviation university covers." A tremendous amount of effort goes into the Republic petition to highlight how "similar" to military training their program is by comparison. FSANA believes that the Republic proposal does not meet the same standards as United States military aviators training.

The Republic/LIFT comparison of "Military Like Pilot Training" is a stretch. It should be noted that most military aviators have already attended and received a four-year degree from a university. In most cases they have already obtained their private pilot certificate. Military recruits often have the added responsibility and pressures of ROTC in addition to their college work and flight training. Military aviator training is designed to weed out candidates that do not perform to the highest standard and is vigorously maintained. The Republic petition states it "Prefers a two- or four-year degree." Most military recruits attend some type of Basic Military Training (BMT). This is NOT found in the Republic petition.

Military flight candidates are exposed to much more than the traditional pilot and instructor certificates most airline pilots ultimately receive from the FAA. For instance, they must master numerous aerobatics maneuvers and upset recovery training prior to solo. Pilot candidates must master not only knowledge topics, but how to brief those topics prior to flight to maximize training. Formation and low-level navigation training provides advanced concepts to build airmanship and situational awareness. Pilot Trainees go through the same training twice. Most times beginning in a T-6 then transitioning to the T-1 or T-38. Civilian training cannot duplicate this training.

The RAND Corporation released a report in 2019 examining the cost of training pilots on various U.S. Air Force platforms. The methodology focused on several criteria such as operating and support costs, fixed and variable costs as well as costs per flying hour across the whole pilot syllabus. The resulting estimates were very high across all of the platforms analyzed. The cost of training a basic qualified fighter pilot adds up to an estimated \$5.6 million for an F-16 pilot, \$10.17 million for an F-35A pilot and \$10.9 million for an F-22 pilot.

Training costs are also steep for pilots aiming to fly ground attack aircraft and bombers. While training an A-10 pilot comes to an estimated \$5.96 million, total costs for becoming qualified on the \$2.1 billion B-2 Spirit stealth bomber come to an estimated \$9.89 million. By comparison, the cost of training pilots on the Air Force's transport aircraft are lower with the C-130J estimated at \$2.47 million per pilot and the C-17 estimated at \$1.1 million per pilot. (Forbes Business, [Niall McCarthy](#), April 9, 2019) That is a far cry from the estimated cost of \$204,000 that Republic invests in an airline recruit.

Although aircraft such as the Diamond DA40 NG and the DA42-VI are extremely nice and well-equipped aircraft, they are NOT a T6 with top speeds of 320 MPH without an autopilot. Many light training aircraft successfully used by 14 C.F.R Part 61 and Part 141, Hereinafter referred to as Part 61 or Part 141 respectively, schools have synthetic vision, flight directors, autopilots, and many are being built with FADEC single lever controls, the Cirrus SR22 among them. Throughout aviation history, pilots have reached the airlines having flown trainers built by a variety of different manufactures and they have had very successful careers.

The discipline, character, integrity, teamwork, leadership, self-reliance, duty and honor taught and received by our military are unparalleled by any other organizations in the world and cannot be duplicated no matter the rhetoric presented. The United States military has successfully trained the militaries of many countries around the world. It has always been known as being the best! It would be a fantasy for Republic to think they could match or exceed the training, safety and resources put into such training by the Federal government in regards to military training received by military recruits. A book could be written detailing why this proposed petition and our nation's Military training are different.

For the reason stated above, the very foundation of the Republic petition request is flawed to its core and should be denied.

Republic states in its petition request their program will "Align with existing R-ATP regulations." This program seems to integrate many aspects of Republic's SOP and philosophy into the Lift Academy's curriculum. From the early days of CFI training, a candidate is taught about the law of primacy in regards to learning. Although this program may benefit Republic, it would instill the "Republic way" into candidates initially and could hinder future training by other carriers. They state, "The Program includes pilot certification and training through supervised flight hours and centers specifically on training them to become Part 121 air carrier transport category pilots."

One reference is made concerning holding candidates to ACS standards. However, much is written in the proposal discussing its innovation, modification, its benefit to Republic and the Part 121 industry at large, and the adaptability of the program. The program is written "Specifically for Part 121." They discuss, "Regular testing, flight training and gating items." Currently the FAA has no Part 121 ACS or PTS standards for such training. This petition appears to be Republic's attempt at creating their own standards under the guise that it will "exceed" that of the FAA. They are not seeking a small reduction in the number of hours to obtain an R-ATP, they are seeking a one-half reduction from 1,500 hours to 750 hours. FSANA opposes such reduction on the grounds this proposal goes beyond that of a typical exemption and appears to be an attempt to drastically change R-ATP training to an unverified, unproven and unapproved methodology for the benefit of a single carrier.

The petition for exemption requested by Republic has much to say about, “diversity, equity, and inclusion.” The 2021 pilot statistics from the FAA list 720,605 pilot including 250,197 student pilots. Women pilots are listed at 64,979 or 9.0172% of total pilots. ATP pilots make up 163,934 pilots. Women make up 4.6957% of those pilots. Blacks/African Americans make up 3.9% of ATP pilots. Asians make up 2.5% of ATP pilots. Latino/Hispanics make up 6.1% of ATP pilots. LGBT pilots in the airlines make up about 12% of ATP pilots. Diversity among ATP pilots are at 17.1957% currently. Although these numbers are growing annually, they are growing at a slow pace.

The goal of every Part 61, Part 141, and university flight school in America should be to see an increase in diversity, equity, and inclusion. However, selecting people just on this basis, to the exclusion of skill and aptitude, is not a benefit to the industry. Every effort should be made to recruit from a more diverse pilot demographic. FSANA does not feel this waiver will improve those numbers significantly. It is our belief that the industry at large should do a better job in marketing to a more diverse potential pilot group. A working group made up of the aviation industry may be able to help advance this cause.

FSANA recognized that financing for career flight training students was the number one reason why more people did not begin their education toward a pilot career. To that end, FSANA will be announcing the re-opening of the flight school accreditation program. This program when approved by the U.S. Department of Education will allow accredited flight schools to enroll students who have borrowed money from the U.S. Department of Education Title IV loan program. This will also include student eligibility for Pell grants.

FSANA, while strongly supporting a more diverse, equity, and inclusive cockpit, opposes this waiver on a claim of more diversity, equity, and inclusivity without proof with factual data. The claim of such is not enough reason to approve an exemption hoping for better results that could be obtained with industry working together under the current R-ATP and ATP programs. Recruiting a more diverse pilot community is a goal that cannot compromise aviation safety. They are both important efforts, but safety should not be reduced to meet a goal of diversity in our pilot population. The same safety standards need to be held of all aviators.

The exemption being requested by Republic contains many features that are already included in Part 61 and Part141 schools. Accelerated flight training at its core is “Rigorous and demanding” no matter which part of the regulation a candidate trains under. Student selection and marketing to underserved and diverse groups can be done by any school. The emphasis on monitoring, evaluating, and testing candidates can be rigorously implemented by any school. Additional courses of study can be added to any TCO. A set of online courses within itself does not set the standards for a waiver. Dispatching aircraft and scheduling is a part of most flight schools in America. Most flight schools have FOM and SOP in use by their personnel.

Many schools have an SMS program and others use NASA reporting and the report obtained from NASA to teach students. Flight schools across America have passenger, taxi, departure/takeoff, arrival, approach and landing briefings. EFB’s are in use by most every flight student regardless of where they train. Most schools use a grading scale or ACS evaluation standard. Checklist usages for the various stages of flight or emergencies have existed since the early days of aviation. Most schools teach callouts as a part of their training methods. Part 61 and Part141 have provided pilots to the airlines successfully for years. The accident rates referred to previously prove the success.

Many schools have a variety of aviation camps, FSANA Aero Camps, community events, STEM programs in local high schools, CAP participation, and encourage events and groups like AOPA, EAA, UAA, NAFI, SAFE, Flight Sim Expo, NIFA competitions, Oshkosh and Sun n Fun. No waiver is necessary for their implementation. FSANA opposes an exemption to Republic considering many of these features already exist and require no exemption.

The petition of exemption states, “To make airline pilot career opportunities more accessible for qualified individuals from underrepresented groups...” Republic states they need the waiver to “Provide exceptional opportunities for underrepresented groups.” Further, they state, “Current professional pilot pathways to reach an ATP are effective. However, they have also created barriers to individuals from underserved areas and underrepresented groups.” It is stated in the proposal, “This Program will support aspiring aviators from underserved communities and diverse backgrounds to pursue careers in aviation.” “Republic is making this more accessible through community outreach initiatives and financial support.” Discussion is held that states, “Republic R-

ATP Program provides a cost-effective means to flight training that is accessible to a large pool of candidates including those from underrepresented minority groups.”

We can agree that flight training is expensive; however, many opportunities to finance such training or receive aid through scholarships, grants, VA loans, and other student loans are available to all groups, including the underserved and underrepresented. Republic states these costs can be “Prohibitive for many, particularly aspiring pilots from underserved communities. A four-year degree program is stated as costing in excess of “\$200,000 plus another \$40,000 for housing cost.” A survey of the top tier aviation schools in America shows tuition, housing, and flight training to average \$137,202.25 to complete. Statistics prove those with a degree succeed at a higher rate than their counterparts without a degree. Republic states, “Students are employed through Command Experience after approximately 14 months.” Most Part 61 and Part 141 schools can offer employment after just 250 hours or less in some cases. Most reach their 1,500-hour requirement in 10-18 months. This affords many individuals from underrepresented and underrepresented groups the ability to gain employment and begin repaying financial aid received sooner than the Republic Program. They also reach the Part 121 platform faster than the Republic proposal. Most “socioeconomically disadvantaged groups” can receive free tuition at most colleges through government aid. It is a well know belief in the business world that most people succeed better and reach higher grounds when they have an investment in their pursuit. Tuition reimbursement, subsidy assistance, scholarships, loan, grant, assistance are available to most any student of any school.

The Republic Program is not cheaper. They “pay” their students to train. However, they can only exercise their Airmen privileges “Solely at Republic and to ensure a rigorous environment and comparative data review.” Republic’s program seems self-centered with its own flight interest at the heart of it all. What options exist for a departure if the mutual relationship deteriorates? Industry already has many options for assistance. We feel it is more of a marketing and outreach issue. Although FSANA encourages marketing of future ATP pilots and uncovering financial assistance to help underserving and underrepresented groups, we oppose the exemption request based upon the data and logic presented.

Republic states, “Historical first-time total pass rates for LIFT students on DPE check rides are above the national average.” It would be expected that they would have a higher than national

average on DPE pass rates. They state their private pilot pass rate as 93% compared to national average of 78%. Commercial pilots are listed as 96% compared with a national average of 79%. It is not an accurate comparison to compare their rates to every CFI in the country Part 61 and Part 141 alike. How many exams are we comparing? No data was given.

A more accurate comparison would be between them and other Part 141 schools and Part 61 schools that are run like a Part 141. They also have self-examination authority issued by the FAA. They state on their website, “We have a greater level of quality control over the entire testing process to ensure consistency for all our exams.” The same could be said of the data submitted for the pass rates on knowledge test. They state, “LIFT students graduate with an average of over 300 hours.” Most Part 141 schools are 230 hours and Part 61 schools are around 250 hours. If longer time in training makes you more qualified, then the 1,500 rule should stand. Republic states, “Compared to non-LIFT graduates, LIFT Academy graduates tend to outperform their counterparts.” Many times in the proposal they state, “Data is not yet available.”

How do you prove a claim without data? Their chart shows only a 2% difference. Data could be skewed in many circumstances when you are seeking a waiver. FSANA does not believe based on this data alone the waiver should be granted.

Republic states, “While already efficient through the use of a low fuel burning engines in our training environment, the Republic R-ATP Program will further cut the carbon consumed by transferring training to ground-based advanced training devices providing equal or better learning experiences while also eliminating half the amount of carbon required through pilots out building time in unproductive flying.” Many schools use these aircraft. Many training aircraft built by Cessna, Piper, Beech and others have been converted with modern avionics and have a low fuel burn. If the FAA would approve, the carbon footprint of any school could be lowered with the use of modern simulators. Republic seems to believe they are the only ones that care about the environment and that is not true. FSANA believes many schools work to reduce their carbon footprint and does not believe this alone is justification for an exemption.

Republic states, “This is a narrowly tailored exemption would be in the public interest, would have no adverse impact on safety, and will provide a higher level of safety.” It is the belief of FSANA

that this exemption will have a negative impact on safety and will lower the safety standards of a law that has proven results. It is NOT an “equivalent level of safety “currently provided by law.” Therefore, we feel it will NOT be in the public interest.

“Safety from day one” is the goal of every flight school in America. Republic states, “Sluggish industry progress toward diversification of cockpit participation calls for a renewed industry-wide commitment to diversity, equity, and inclusion. This is clearly a broken pipeline.” This is listed as a public interest reason for why a waiver should be granted. Although we agree the aviation industry can and should improve diversification in cockpit, this within itself is not a reason to grant an exemption.

Rather, industry should work together to fill this gap. Many references are made to being as safe as or safer than current programs with little to no data to support those statements. Republic lists eight core competencies for professional pilots approved by ICAO, IATA, and the IFALPA. These eight principles are taught by most every flight school in America in each of their courses. No other real safety measures are discussed other than to say they intend to be safe. They seem to indicate that unsafe practices will be caught as students move through the gates. Currently, unsafe practices are caught during stage checks and check rides. The contents of the program presented for exemption does not warrant such a move by the FAA. Schools across America provide “Safe and competent pilots” to airlines continually. Schools evaluate their programs, methods, results, value and safety constantly.

A school, such a LIFT, can do a great job teaching their students and instilling core safety values. However, even good students can make bad decisions. Success in learning does not always result in safety. Safety is often learned through experience. Republic states its willingness to submit to a “Proof of concept.” Without an independent person or body controlling the data; skewed or the manipulation of data could occur and make it untrustworthy. We also feel the FAA resources available will not allow for the oversight needed to test a new program with limited or overstated benefits. FSANA opposes the petition of exemption on the bases that the submitted program is not in the public interest, will not improve safety and will have a negative impact on safety.

FSANA believes this exemption would desecrate the flight training industry. First, it would remove many CFIs from active duty and put them in the Part 121 world at a faster pace. Initially, this may be an asset considering the current pilot shortage. However, it would ultimately cause a tremendous bottle neck due to a lack of qualified people to teach replacement CFIs. It would make it near impossible to keep up with the pace that would be needed. Second, it would leave limited time to truly evaluate in its entirety future pilots. Pilots mature, improve skills and judgment, grow in knowledge, become more of a team player, and become more proficient over time. Third, Republic states, “Granting this petition will promote and serve the public interest because it may allow other Part 121 air carriers to offer a similar program, subject to implementing a similar rigorous, structured, and comprehensive curriculum and program.” This within itself would lead to the destruction of many large and small flight schools across America. It would cause job loss by school owners, staff, mechanics, and FBO personnel. It would lead to less competition in the industry. Forth, we owe it to the memories of the passengers and crew of Colgan 3407 to leave a law in place that has obviously saved lives. Fifth, Republic states, “We believe these documents show industry support for the type of program we will establish under our requested exemption.” As alluded to earlier, surveys, industry leaders, individuals and groups that have come out against this proposal are growing daily. Sixth, it does have the potential to negatively impact safety. History is our strongest advocate for leaving this rule in place. FSANA opposes this petition of exemption based on the facts contained herein.

Finally, industry should work together to continue its improvement of aviation safety, diversifying our cockpits through marketing and outreach to all groups and communities, improving the environment, and improving our methods of teaching the future generations of pilots. This can be done as further collaboration takes place with the appropriate stakeholders. These goals can be reached without making an exemption to a law that has saved lives.