

January 30, 2012

Ms. Kathryn Thomson
Chief Counsel
Federal Aviation Administration
800 Independence Ave. SW
Washington, DC 20591

Dear Ms. Thomson:

Congratulations on your appointment as the new FAA Chief Counsel. The FAA and NBAA have made great strides together over the past several years toward improving many regulatory aspects of business aviation and we look forward to continuing that positive track record with you and your team.

Unfortunately, a relatively new issue requires us to raise your awareness of a recent FAA interpretation that is the source of significant concern for business aviation. On January 20, 2012, the FAA released an interpretation regarding rest periods for unaugmented flights conducted under FAR Part 91. We believe that this interpretation will have a direct, negative effect on aviation safety.

Years of research conducted by NASA and independent sleep experts has shown that, when used as part of a broader safety program, controlled rest effectively reduces the occurrence of "micro-sleeps" that can affect pilots during the most critical phases of flight, approach and landing.

We would like the opportunity to discuss this issue with you and your staff as soon as reasonably possible to identify a path forward, balancing the regulation, as written and interpreted, with aviation safety. Among many possible solutions, we would like to discuss creating an effective date for this interpretation and review current guidance related to defining a physiological need.

I'll follow up with your office by Friday, February 3 to discuss getting together very soon. I look forward to hearing from you.

Sincerely,



Ed Bolen
President & CEO

cc: Peggy Gilligan, Associate Administrator for Aviation Safety
John Allen, Director, Flight Standards Service