November 3, 2008

Docket Operations, M-30
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building Ground Floor, Room W12-140
Washington, DC 20590-0001

Re: Docket Number FAA-2007-29305 - Automatic Dependent Surveillance--Broadcast (ADS-B) Out Performance Requirements to Support Air Traffic Control (ATC) Service; Reopening of Comment Period

To whom it may concern:

EAA (Experimental Aircraft Association) is the world leader in recreational aviation. With an international membership of 160,000 people in more than 112 nations, EAA brings together aviation enthusiasts, pilots and aircraft owners who are dedicated to the continued growth of aviation, the preservation of its history and a commitment to aviation's future. EAA programs, activities and events are known throughout the world for *Preserving* the heritage of aviation, *Promoting* access to flight, *Protecting* the right to fly, *Preparing* the future of aviation, and of our *Passion* for aviation safety and education.

EAA supports the recommendations of the ADS-B Aviation Rulemaking Committee (ARC) as outlined in their report dated September 26, 2008 and believes that the proposed changes to the FAA's ADS-B implementation plan would help address some of our original comments to docket.

The FAA has long held that ADS-B represents a significant cornerstone of the air traffic modernization program designed to enhance the capacity and efficiency of the ATC system and proposes mandatory equipage of ADS-B "out" technology by the year 2020. However, in our view there is no identifiable benefit to general aviation of this technology as it was planned to be implemented by the FAA. Worse, it represents a very expensive technological requirement simply to maintain the airspace access provided by existing transponders in general aviation aircraft today. Most offensively, the Mode A transponders in use today would continue to be carried and maintained in addition to the newly required ADS-B equipment even though the technology could be replaced if ADS-B was properly implemented for general aviation.

EAA has long held that if the FAA constructed its modernization plan in such a manner as to provide benefits to the general aviation community through enhanced safety and information services provided by ADS-B and data link that owners and operators of personal and recreational aircraft would have an incentive to install ADS-B on their own accord prior to any necessary regulatory deadline. We have also maintained that the technical standards for ADS-B were

overly rigid and robust driving the complexity and cost of ADS-B equipment beyond the reach of light general aviation aircraft, particularly those that operate predominantly or exclusively under VFR operations. We believe that the ARC recommendations have improved this situation and urge the FAA to accept and act on these recommendations by folding them into the NextGen plan.

EAA still has strong concerns for the future of those thousands of aircraft that cannot accommodate the installation of ADS-B by virtue of their design due to restrictions in weight carrying capacity, electrical system capacity (if any), or instrument panel space. It remains one of EAA's highest priorities that we ensure continued access to the National Airspace System for these aircraft under any air traffic modernization scheme.

It has been estimated that the financial impact on the general aviation community of the ADS-B requirements could be as much as $3.5 billion, which represents a staggering sum for an industry whose numbers are made up primarily of working individuals. It is imperative that the FAA handle air traffic modernization in a manner that provides clear benefits to personal and recreational fliers or the community will have no choice but vehemently to oppose the introduction of ADS-B. It is clear that the technology can and should provide significant safety improvements and situational awareness through enhanced information products in the cockpit such as weather, traffic, airspace, and other safety and efficiency-related data. However, as we stated in our comments to the original docket, none of these opportunities were seized by the FAA in its implementation plan, and thus for general aviation, ADS-B represents all cost and no benefit. However, the recommendations of the ARC go a long way toward addressing these concerns and we believe they should be adopted by the FAA in total.

EAA appreciates the opportunity to comment on the ARC recommendations and commends the members of the ARC for their hard work and carefully considered positions. We stand ready to assist the agency in any manner necessary to ensure an orderly and successful transition to the NextGen for general aviation, particularly for those aircraft that will not, or cannot, carry many of the newly proposed technologies.

For more information, please contact Doug Macnair, EAA Vice President Government Relations at 410-226-5526 or dmacnair@eaa.org.

Respectfully,

Randy Hansen
Government Relations Director