



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

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CHG 1

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SUBJ: Regulatory Consistency Communication Board (RCCB)

This Federal Aviation Administration (FAA) order establishes the Regulatory Consistency Communication Board (RCCB) within the Aircraft Certification Service (AIR) and Flight Standards Service (FS) and defines how the RCCB operates.

A handwritten signature in blue ink, appearing to read "A. Bahrami", is written over a light blue rectangular background.

Ali Bahrami
Associate Administrator, Aviation Safety

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CHAPTER 1. GENERAL INFORMATION

- 1.1 Purpose of This Order.** This order establishes the Regulatory Consistency Communication Board (RCCB) within the Flight Standards Service (FS) and the Aircraft Certification Service (AIR). This order contains guidance that is administrative in nature.
- 1.2 Audience.** All All FS, AIR, and Office of the Chief Counsel's (AGC) Regulations Division (AGC-200) employees.
- 1.3 Where You Can Find This Order.** You can find this order on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices, or through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Individuals outside the FAA can find this order on the FAA's website at <http://fsims.faa.gov>, <http://rgl.faa.gov>, or http://www.faa.gov/regulations_policies/orders_notices.
- 1.4 Effective Date and Duration.** The RCCB is effective upon signature of this order. It will remain in effect until canceled by the Associate Administrator for Aviation Safety (AVS-1).
- 1.5 Background.** On February 14, 2012, the President signed the FAA Modernization and Reform Act of 2012 (the Act), Public Law 112-95. Pursuant to section 313 of the Act, the FAA chartered the Consistency of Regulatory Interpretation Aviation Rulemaking Committee (ARC). The ARC created a forum for the U.S. aviation community to assess, determine the root causes of, and provide recommendations to reduce inconsistent interpretation and application of regulations. One of the ARC's recommendations was that the FAA should establish an RCCB comprised of representatives from FS, AIR, and AGC to provide clarification to internal and external stakeholders on questions related to the application of regulations.

CHAPTER 2. PURPOSE AND RESPONSIBILITIES

- 2.1 Purpose.** The RCCB provides a collaborative environment where FS, AIR, and AGC representatives discuss, clarify, and provide resolutions to complex issues involving inconsistencies brought forward by internal and external stakeholders. The intent of the RCCB is to promote an agile organization and resolve issues with durable decisions. RCCB activities will directly support the principles of consistency, interdependence, and critical thinking expected to be employed by the workforce.
- 2.2 Appropriate Issues.** Issues brought to the RCCB must involve regulations and policies overseen by FS or AIR and include an inconsistency in how regulatory requirements are described or applied. The RCCB will focus on addressing inconsistencies within or between these services that require input from more than one policy division, service, line of business, or an international Civil Aviation Authority (CAA). Examples of issues that may be worked through the RCCB are inconsistencies between regulations and guidance documents, or inconsistencies in the application of regulations or policies.
- 2.2.1 Review of Issues Submitted.** The RCCB chair reviews all issues submitted. However, issues of inconsistency that do not require input from multiple policy offices will not be addressed through the full RCCB process. For example, if a question brought to the RCCB can be answered by a single policy division or office (e.g., the Aircraft Maintenance Division) the RCCB may remand the issue to that single office for a response.
- 2.2.2 Tracking Issues.** The RCCB will track issues remanded to a single office to ensure they are addressed. Each office must address and respond to issues remanded to them by the RCCB. Each office will provide an initial response to the submitter within 15 working days of receipt of the issue. Each office must also provide a copy of that initial response and the disposition of each issue to the RCCB via the RCCB email box. If the issue was submitted anonymously without an email address, no initial response is required.
- Note:** Issues within FS that require input from multiple policy offices and/or AGC must go through the RCCB.
- 2.3 Other FAA Processes.** The RCCB is not a replacement for other processes currently available to internal and external stakeholders. The RCCB will not accept submissions that should be directed to other FAA programs, processes, or initiatives for action. On a time permitting basis, the RCCB may direct the submitter to the appropriate path for resolution. Examples of other programs and processes include a petition for exemption, petition for rulemaking, request for legal interpretation, FAA hotline report, or submissions to the Consistency and Standardization Initiative, Whistleblower Program, or the FSIMS Librarian. The RCCB will not track the outcome of issues referred to these programs.
- 2.4 Participants.** The RCCB consists of a chair, liaison, and points of contact (POC). The POCs are from each FS and AIR policy office, each Aircraft Evaluation Group (AEG),

and AGC-200. The RCCB also includes subject matter experts (SME) to support resolution of the issues.

2.4.1 Chair. The RCCB chair is the facilitator for the RCCB and is appointed by agreement between the Executive Director of Flight Standards Service (AFX-1) and the Director of Aircraft Certification Service (AIR-1). The chair monitors the RCCB inbox and determines (with input from the liaison, AGC, and RCCB POCs, as appropriate) if the RCCB will accept an issue. The chair then routes accepted items to the appropriate POCs in FS, AIR, and AGC.

2.4.1.1 The chair facilitates RCCB meetings and coordinates the documentation of the outcome of RCCB issues. The chair provides direction on policy decisions and facilitates assignment of work to the RCCB POCs through the appropriate managers within the service, which may include changes to guidance documents. The chair is responsible for briefing AFX-1, AIR-1, and AGC-200 or their representatives on the status and outcome of RCCB issues.

2.4.1.2 The chair will help ensure RCCB issues do not stall during the resolution process. The RCCB will provide an estimated resolution time to the submitter within 45 working days from the date of their submission as described in paragraph 4.1.3. The chair will help ensure the estimated resolution date is met. If required, the RCCB chair will elevate issues to AFX-1, AIR-1, and AGC-200 to ensure these issues are given the proper resources to meet the agreed upon deadline.

2.4.2 AIR or FS Liaison. Functionally, the liaison is very similar to a vice chair and is appointed by the respective service executive director or director. The liaison brings organizational knowledge of their service to help assign RCCB issues to the correct area within their service. The liaison may also act as the main interface with the executive director/director of the service, keeping them informed of RCCB issues and relaying key policy decisions to the RCCB. Like the chair, the liaison can facilitate assignment of work through the appropriate managers within the service (if applicable).

Note: There is only one liaison on the RCCB. The liaison and chair will not be from the same service. For example, if the chair is from FS, the liaison will be from AIR, and vice versa.

2.4.3 Points of Contact (POC). In addition to the chair, the RCCB consists of POCs from each FS and AIR policy office at the deputy assistant manager level or above, each AEG at the manager level or above, and AGC-200.

2.4.3.1 POCs at this level within the organization are necessary to ensure the RCCB is comprised of individuals with decision-making authority for their respective areas. POCs will be responsible for identifying and tasking any SMEs within their divisions/offices who are needed to fully address the regulatory and policy questions raised.

2.4.3.2 POCs are responsible for producing the content that the RCCB will use to document resolution of issues. POCs are also responsible for assisting in the coordination of RCCB documents within their respective division, service, or office.

2.4.4 Subject Matter Experts (SME). POCs within FS, AIR, and AGC are responsible for identifying and providing SME support as necessary to facilitate a resolution to issues accepted by the RCCB.

2.5 **Working Collaboratively.** RCCB participants will review issues in a collaborative environment. Adjudicating issues brought to the RCCB may result in changes to existing guidance, creation of new guidance, or rulemaking action. In these events, the Office of Primary Responsibility (OPR) for this policy will take the lead on these guidance changes and/or rulemaking activities. The OPR is responsible for adopting any agreed upon actions regarding the resolution of issues by the RCCB.

2.6 **Accountability.** Stakeholders expect resolution of issues brought to the RCCB. Due to the complex nature of issues accepted by the RCCB, resolution may require dedicated resources. The RCCB chair and FS, AIR, and AGC POCs working on RCCB issues are accountable to provide clear and consistent answers in an appropriate amount of time. This timeframe will be based on several factors, including complexity and safety risk.

2.7 **Line of Business Responsibilities.** The success of the RCCB will depend on the full participation of the RCCB chair and POCs. To facilitate this success, FS, AIR, and AGC are responsible for the following:

2.7.1 Appointing POCs. FS, AIR, and AGC-200 will appoint POCs to participate in and support the RCCB.

2.7.1.1 **FS Responsibilities.** Each FS policy division and AEG will appoint a POC. POCs from each policy division will be at the division manager level. POCs from the AEG will be at the manager level or above. Representatives can be appointed with approval of AFX-1. Additionally, AFX-1 will appoint an FS liaison who can facilitate assignment of work through the appropriate managers within the service, if AIR chairs the RCCB.

2.7.1.2 **AIR Responsibilities.** Each AIR policy office will appoint a POC at the assistant division manager level or above. Additionally, AIR-1 will appoint an AIR liaison who can facilitate assignment of work through the appropriate manager within the service, if FS chairs the RCCB.

2.7.1.3 **AGC Responsibilities.** AGC-200 will appoint a representative to serve as the AGC POC.

2.7.2 Attendance at Meetings. The services will ensure attendance as required at each RCCB meeting. POCs may attend the meetings in person, by conference call, or other means approved by the RCCB chair.

- 2.7.3** SME Support. SMEs are necessary to provide information or answer questions related to the issue being addressed. POCs must identify and provide necessary SME support.
- 2.8** **Meetings**. Because there is no way to predict the timing or topic of incoming RCCB issues, meetings will be held ad hoc. The RCCB chair will work with the POCs to determine which service, division, etc., needs to participate in each meeting based on the topics/issues being discussed.
- 2.8.1** Required Attendance. If a POC is called to an RCCB meeting, attendance is required. If a POC cannot attend a meeting, the POC must notify the chair. The chair will decide if it is appropriate for the POC to appoint a representative or to reschedule the meeting.
- 2.8.1.1** Required attendees include:
- The RCCB chair or a representative.
 - The FS POCs or their representatives for policy divisions and AEGs.
 - The AIR POCs or their representatives for the policy office.
 - The AIR or FS liaison, or their representative, as appropriate.
 - The AGC-200 POC, or representative, along with any additional managers identified to support the discussion and final decision of the RCCB.

CHAPTER 3. ISSUE SUBMISSION

3.1 Submitting Issues. Any internal or external stakeholder can submit issues to the RCCB. Issues submitted to the RCCB must:

1. Involve regulations or policies within AIR or FS; and
2. Outline an inconsistency in how regulatory requirements are described or applied.

3.2 Means of Submission. The submission process will vary based on the submitter's relationship to the FAA.

3.2.1 External Stakeholders. To facilitate review of issues submitted and help ensure the RCCB has all the necessary information surrounding the inconsistency, the FAA created an electronic submission form. See Appendix A for the location of the form. Initial submissions from external stakeholders must be submitted online through this form.

3.2.1.1 The form allows users to submit issues anonymously. Anonymous submission has limitations, including restricting the RCCB's ability to ask follow-on and clarifying questions. Additionally, it will not be possible to notify anonymous submitters if the issue they raised met the criteria of an RCCB issue.

3.2.1.2 The initial means of contacting the RCCB is through the submission form. Follow-up conversations may be initiated by the RCCB via email or telephone, if the submitter chooses to provide such information.

3.2.2 Internal Stakeholders. Internal stakeholders have the option of submitting an initial issue to the RCCB through the form described above or via an email submitted to the RCCB email box. See Appendix A for the minimum information the email must include. The RCCB may initiate follow-up conversations with the submitter via email or telephone.

3.2.2.1 Email submissions to the RCCB must be sent from an FAA.gov email address. If an internal stakeholder wants to submit an issue anonymously, they must use the online form.

CHAPTER 4. PROCESS TIMEFRAMES

- 4.1 Process Timeframes.** In order to meet the needs of stakeholders, the RCCB is committed to responding to RCCB issues in a timely, consistent, and appropriate manner.
- 4.1.1 Within 5 Working Days of Submission.** The RCCB will provide an acknowledgement of receipt via the website or an email to the submitter. Submissions must include an email address to receive an acknowledgement.
- 4.1.2 Within 15 Working Days of Receipt of a Submission.** The RCCB will respond via email to the submitter if the issue will be worked by the full RCCB or will be remanded to a single program office for action. If the submission falls outside the scope of the RCCB, the RCCB chair may direct the submitter to a more appropriate process for resolution, on a time permitting basis.
- 4.1.2.1** In cases where the RCCB has to request additional information before making a decision on whether to accept an issue, the 15-working day timeframe begins once the RCCB has received all the additional information.
- 4.1.3 Within 45 Working Days of Receipt of a Submission.** For issues being worked by the full RCCB (see paragraph 2.2), the RCCB will provide an update on the status of the issue to the submitter. Due to the anticipated complexity of RCCB issues, a resolution within this 45-day timeframe may not be possible. The RCCB will communicate an estimated time for resolution in this email. The estimated time to address the issue will be based on many factors including the apparent risk the issue poses and operational impact on certificate holders. The RCCB chair and affected POCs will concur on the timeframe.
- 4.1.3.1** For the purposes of providing an estimated date of resolution, resolution is the publication of a memo outlining the actions the FAA took to address the inconsistency. Therefore, the estimated time for providing a resolution will include:
1. The time to review the issue, identifying any inconsistencies;
 2. Identification of policy documents that may need amendment;
 3. Publication of those documents (if applicable); and
 4. The time to draft and coordinate a memo.
- 4.1.3.2** The RCCB may provide updates to the submitter during this process. These updates may include actions the FAA has taken to address the issue ahead of the publication of the memo from the RCCB.
- 4.1.4 Every 60 Working Days.** The RCCB chair will provide an update to AFX-1, AIR-1, and AGC-200 on the status of issues. This will include the status and disposition of all issues being worked by the full RCCB and those remanded to a single office, along with any other items submitted. The intent of this briefing is to assist standardization across offices to promote broader consistency.

CHAPTER 5. POST RESOLUTION ACTIONS

5.1 Availability of Information. Transparency adds clarity and accountability to a system. As stated in a Presidential Memorandum for the Heads of Executive Departments and Agencies, published January 21, 2009, on the subject of Transparency and Open Government, “[t]ransparency promotes accountability and provides information for citizens about what their Government is doing.”

5.1.1 Documentation of RCCB Resolutions. The RCCB is committed to transparency regarding resolution of issues. Information regarding the final resolution of issues by the RCCB will be made available to stakeholders. Memos documenting the final resolution of issues worked by the full RCCB will be available to the public online. These memos will be signed by AFX-1, AIR-1, and AGC-200, as appropriate.

Note: Issues received by the RCCB that were remanded to a single program office will receive a response via email from the program office.

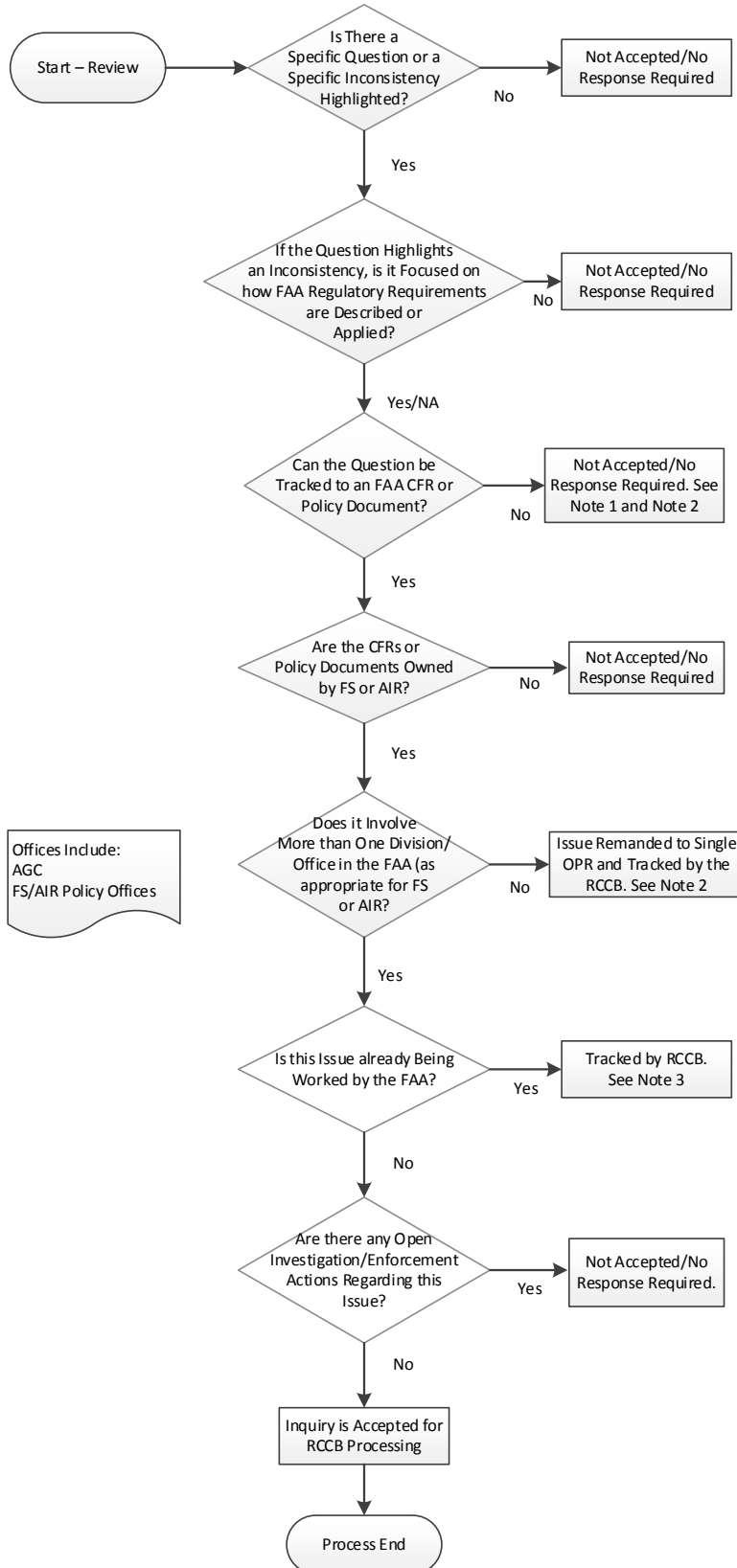
5.1.1.1 RCCB memos are not policy documents. These memos will serve only to document the actions taken by the RCCB to address an issue. For example, if FAA Order 8900.1 changed due to an RCCB issue, the RCCB memo will discuss that change. However, stakeholders must still refer to current guidance for decision-making support (and not the RCCB memo).

5.2 Performance Monitoring and Measurement. The Office of Aviation Safety (AVS) will follow its Quality Management System (QMS) guidelines to monitor both the effectiveness and efficiency of this order. The performance of the RCCB will be assessed through the collection of various QMS metrics based on the requirements contained within the order. The RCCB will also use a feedback loop as one of the QMS metrics to further measure the effectiveness of the RCCB process and to ensure that the RCCB’s desired outcomes are reached and sustained.

APPENDIX A. ADMINISTRATION INFORMATION

- A.1 Electronic Submission Form.** The electronic submission form is available at https://www.faa.gov/regulations_policies/faa_regulations/rccb/.
- A.2 Guide for Emailing the RCCB.** Emails sent to the RCCB by internal stakeholders must include:
- A.2.1 Contact Information:** Submitter name, FAA email address, FAA phone number.
- A.2.2 Details About the Inconsistency:**
1. A clear statement or description of the inconsistency (including specific reference to any Code of Federal Regulations (CFR) or guidance documents involved);
 2. Background information on the issue to include the type of certificate holders involved (e.g., 14 CFR part 145 certificate holders), and FAA offices involved to date (if any);
 3. A chronology of major events leading up to the RCCB submission including any action the FAA has already taken;
 4. How you became aware of the issue;
 5. Current issues caused by the inconsistency; and
 6. Specific question(s) that should be addressed by the RCCB.
- A.3 RCCB Email Address.** The RCCB email address is 9-AVS-RCCB@FAA.GOV (only for internal stakeholder submissions from an FAA.gov email address).
- A.4 Location of RCCB Memos.** Final RCCB memos are located in FSIMS under Publications/Other Documents/RCCB. You may also use this link: <http://fsims.faa.gov/PICResults.aspx?mode=Publication&doctype=Other>.
- A.5 Information Update.** For your convenience, FAA Form 1320-19, Directive Feedback Information, is included at the end of this order to note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this order. When forwarding your comments to the originating office for consideration, please provide a complete explanation of why the suggested change is necessary.

APPENDIX B. CHECKS FOR RCCB ACCEPTANCE OR TRACKING (REMAND)



Offices Include:
AGC
FS/AIR Policy Offices

NOTE 1: The RCCB may apply this question liberally. For example, questions on basic certification requirements, applying for alternate means of compliance, finding a designated examiner, etc., should be viewed as based in a CFR.

NOTE 2: If the issue can be handled or clarified by another FAA program or initiative, or if it asked a question on a general topic not handled by the RCCB, then no response is required. Redirects to other FAA programs and initiatives may be done on a time permitting basis. Examples of other FAA programs or initiatives include:

- Petition for Rulemaking or Exemption
- Request for a Legal Interpretation
- Consistency and Standardization Initiative
- Safety Complaint
- Whistleblower Protection Program
- Aviation Consumer Protection
- Freedom of Information Act Request

NOTE 3: If this is an FS only issue and involves a question from the field and multiple policy offices or a single policy office and AGC are required for a response, it must be worked by the RCCB.

Directive Feedback Information

Please submit any written comments or recommendation for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Order 8000.70 CHG 1, Regulatory Consistency Communication Board (RCCB)

To: Flight Standards Directives Management Officer, AFB-120 Directives Mailbox
(9-AWA-AFB-120-Directives@faa.gov)

(Please check all appropriate line items)

An error (procedural or typographical) has been noted in paragraph _____ on page _____ .

Recommend paragraph _____ on page _____ be changed as follows: *(attach separate sheet if necessary)*

In a future change to this order, please cover the following subject:
(briefly describe what you want added)

Other comments:

I would like to discuss the above. Please contact me.

Submitted by:

Date:

Telephone Number:

Routing Symbol: