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The Honourable John Rockefeller
Senate Aviation Sub-Committee
Washington DC

Dear Senator Rockefeller,

FAA RE-AUTHORISATION BILL: FOREIGN REPAIR STATIONS

I am writing in my capacity as Chairman of the Aviation Assembly, an informal grouping of 34 aviation attaches based in embassies in Washington DC*, plus the Delegation of the European Community. We have been following closely progress on the above bill, in particular a proposed amendment on the issue of foreign repair stations. The governments represented by the members of the Aviation Assembly have grave concerns over the implications for an amendment put forward by Senator McCaskill.

There are two aspects of this amendment that give rise to our concern. The first would require the FAA to inspect each of the 600 or so foreign repair stations twice a year. Several of our members have either a bilateral agreement in place or one close to signature with the United States Government. A common feature of these international agreements is the mutual recognition of standards achieved by our respective Civil Aviation authorities, allowing the certification of stations in their own country to be recognised by the other government. If the legislation that emerges contains the requirement to, in effect, abandon this mutual recognition, then I believe that these existing and tentative government-to-government agreements will be fatally undermined. In addition, the cost of inspections in the 1300-odd US repair stations that multiple non-US authorities will need to conduct within the United States would place a significant economic burden on US airlines.

* Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Denmark, Finland, France, Germany, Greece, Indonesia, Iceland, Ireland, Italy, Japan, Korea, Luxembourg, Malaysia, Malta, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Singapore, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom

Perhaps even more worrying is the proposal that the FAA should conduct compulsory drug and alcohol testing on employees of foreign repair stations. In a number of countries represented by the Aviation Assembly, such testing is contrary to national law. The effect would be to exclude US aircraft from such repair stations. I recognise that such an outcome may indeed be the objective of some, but I do not believe such a result, if fully understood, would be welcomed by all.

Might it be possible to envisage a way forward that took into account the mutual recognition between the US and many foreign governments represented here by the members of the Aviation Assembly, both in terms of the inspection provision and on the question of drug and alcohol testing? Whilst I fully appreciate that not every foreign repair station may be up to the standard of the US, where such a bilateral agreement is in place I believe it underpins the confidence both governments have in the appropriate standards of safety and security at such repair facilities.

It is of course entirely a matter for Congress as to what the language of the bill might contain. It is not for the Aviation Assembly or anyone else to try and dictate terms. However, we do have serious concerns and very much hope that you and others would take those into account when reaching your collective decision.

I am copying this letter to Senators Inouye and McCaskill.

Yours sincerely,

Clive Wright
Chairman, Aviation Assembly