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April 16, 2008

The Honorable John D. Rockefeller IV, M.C.
Chairman
Senate Aviation, Operations, Safety, and
Security Subcommittee
427 Hart Senate Office Building
Washington, DC 20510

The Honorable Kay Bailey Hutchison, M.C.
Ranking Member
Senate Aviation, Operations, Safety, and
Security Subcommittee
427 Hart Senate Office Building
Washington, DC 20510

The Honorable James Oberstar, M.C.
Chairman
House Transportation and Infrastructure
Committee
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable John Mica, M.C.
Ranking Member
House Transportation and Infrastructure
Committee
2163 Rayburn House Office Building
Washington, DC 20515

VIA FAX

Re: Recent Hearings on Aviation Safety

Dear Chairmen Rockefeller and Oberstar; and Ranking Members Hutchison and Mica:

We listened with interest and increasing concern during the April 3 and 10 hearings on aviation safety and oversight.

ARSA and its members are committed to upholding the highest levels of safety in aviation maintenance and share many of the ongoing concerns regarding oversight. However, we urge the committee to proceed with caution before condemning programs that were clearly abused.

The aviation industry as well as the ARSA membership is comprised mostly of small businesses that are heavily regulated by the Federal Aviation Administration (FAA) as well as other agencies. It is a technically complex industry, where workers are continuously trained and processes evaluated to ensure and improve performance and safety. Our standards are equal to the work done in-house by commercial air carriers; indeed, all maintenance facilities working for commercial carriers are required by law to follow the carrier's program.

However equal standards do not mean equal treatment; inspectors change, and opinions vary as to how compliance with the regulations is achieved. Our very survival depends upon knowing the regulations and complying with them. It is ultimately the certificate holder's responsibility to ensure that it has accomplished its work properly and in accordance with the regulations found in Title 14 Code of Federal Regulations.

There are two programs in place to ensure that policy does not replace strict compliance with law and regulation. The first is unfortunately called the Customer Service Initiative (CSI). This program is based upon the FAA's own enforcement regulations and guidelines (found in Order 2150.3B). I can assure you that the program does not ensure "customer satisfaction", nor is it

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meant to have inspectors removed. Rather it provides a means for businesses to report to the FAA when differences of policy and interpretation cannot be resolved and ensure that the regulations are being followed on both sides. If the actual CSI procedures are followed, then the program proves to be beneficial to the agency as well as the regulated parties.

This program is used not just by airlines, but by maintenance facilities, individuals, and other FAA-regulated entities. We request that committee members ensure that the entire program and its purpose are clearly reviewed and vetted before attempting to modify it based on incidents where it was abused.

Another program used by our businesses is the Voluntary Disclosure program. The purpose of this is to allow a regulated entity to report potential violations of regulations and to ensure corrective action is implemented. Again the requirements for this program are strict; Advisory Circular (AC) 00-58A details the reporting and follow-up procedures. The program does not exist for violations to be wiped away. Rather it allows businesses to own up to mistakes, and work with the FAA towards a full investigation of why it happened, and take steps to ensure that it does not happen again.

Unfortunately, when the rules and guidance are not followed, the tendency is to change the rules, rather than punish those who did not follow the requirements. Please do not make the mistake of punishing the aviation community based on those individuals who took unfair advantage of non-professional relationships. We can assure you that in our industry, relationships with the FAA are far from "cozy" and programs such as these ensure that we are treated fairly.

Thank you for your time, and I would be happy to address any further questions you might have.

Respectfully submitted,

A handwritten signature in black ink that reads "David H. Latimer". The signature is written in a cursive, flowing style.

David Latimer, President
Aeronautical Repair Station Association

cc: All Senate Aviation Subcommittee Members and House Transportation and Infrastructure Committee members