

July 8, 2008

Sent via: Fax

The Honorable Daniel Inouye  
Chairman  
Senate Committee on Commerce, Science, and  
Transportation  
508 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Bennie Thompson  
Chairman  
House Committee on Homeland Security  
311 Cannon House Office Building  
Washington, DC 20515

The Honorable Ted Stevens  
Vice Chairman  
Senate Committee on Commerce, Science, and  
Transportation  
508 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Peter King  
Ranking Member  
House Committee on Homeland Security  
311 Cannon House Office Building  
Washington, DC 20515

RE: Urging Swift Action to Protect the Aviation Industry from the Consequences of TSA Inaction

Dear Chairmen Inouye and Thompson, Vice Chairman Stevens and Ranking Member King:

We are writing to request your assistance to prevent the aviation industry from being punished for the Transportation Security Administration's (TSA) failure to comply with recent congressional directives regarding aviation repair station security. The undersigned remain committed to the safety and security of our repair stations abroad.

Section 1616 of the "9/11 Commission Recommendation Act of 2007" (P.L. 110-53) and Sec. 611 of VISION 100 (the 2003 Federal Aviation Administration (FAA) reauthorization law) (P.L. 108-176) required the TSA to promulgate repair station security rules. Under those laws, if the TSA does not issue a final rule by **Aug. 3, 2008**, the FAA will be prohibited from issuing new certificates to foreign repair stations. Although there is an exception for certificate renewals and applications in process, the law will have unintended and negative consequences for U.S. companies seeking to expand operations overseas.

Foreign repair stations are an integral part of the international aviation industry. U.S. and foreign airlines, charter companies and general aviation operators, as well as aircraft manufacturers located around the world, depend on maintenance facilities for everything from repairing aircraft and components to maintaining supply chains. Aircraft manufacturers and U.S. maintenance, repair and overhaul companies establish overseas repair stations to service foreign customers and U.S.-based operators (airlines, charter companies and general aviation) who are operating internationally. Preventing the certification of new foreign repair stations will undermine the ability of these U.S. companies to participate in the global market and add to the woes plaguing the domestic aviation industry.

**On May 13, TSA Administrator Kip Hawley testified before the Senate Commerce, Science and Transportation Committee that a final rule will not be issued by the Aug. 3, 2008 deadline.** Indeed, it appears that the TSA will be hard pressed to issue a Notice of Proposed Rulemaking by that date.

Messrs. Inouye, Thompson, Stevens and King

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We understand Congress' frustration at the executive branch's failure to comply with law. However, punishing U.S. aviation companies and workers (who have no power to compel TSA action) will not expedite the rulemaking process. The undersigned organizations therefore respectfully urge you to either eliminate or extend for one year the statutory prohibition on new foreign repair station certificates.

Thank you for your consideration of our comments. We look forward to working with you and your staff to ensure that proper action is taken in this area. Please direct any inquiries regarding this issue to Aeronautical Repair Station Association Manager of Government Affairs Matt Hallett ([matt@arsa.org](mailto:matt@arsa.org) or 703.739.9543).

Sincerely,

Aeronautical Repair Station Association  
Aerospace Industries Association  
The Boeing Company  
Bombardier  
Cargo Airline Association  
Dassault Falcon Jet Corporation  
Fortner Engineering  
General Aviation Manufacturers Association  
GE Aviation  
Goodrich Corporation  
Hawker Beechcraft Corporation  
Honeywell  
International Air Transport Association  
Bernd Kowalewski, President & CEO, Lufthansa Technik North America  
Meggitt USA  
National Air Carrier Association  
The NORDAM Group  
Regional Airline Association  
Rockwell Collins  
TIMCO Aviation Services

CC:

All members, Senate Committee on Commerce, Science, and Transportation

All members, House Committee on Homeland Security

Senate Committee on Homeland Security Chairman Lieberman, Ranking Member Collins

House Committee on Transportation and Infrastructure Chairman Oberstar, Ranking Member Mica