

## Sarah Says

### President's message

By Dr. Hans-Jürgen Loss, President, Aeronautical Repair Station Association and Vice President, Quality Management Lufthansa Technik

**Editor's Note:** ARSA President Hanno Loss provided ARSA members with an overview of the Association's recent activities and goals in remarks delivered at the 2012 Annual Repair Symposium's Membership Meeting and Breakfast. The following is the text of Dr. Loss' prepared remarks.



I am privileged to be the president of this great organization. It is an honor, on behalf of the [board of directors](#), to update you on the State of the Association.

This past year was a big one for the Association.

ARSA's [legislative program](#) continues to grow and increase the industry's visibility on Capitol Hill. Last month, the Association scored a major victory when, after four years and 23 extensions, a new FAA reauthorization bill was finally signed into law.

This Association was an integral part of that process. The final legislation contained many changes suggested by ARSA, which helped ensure bilateral agreements are respected and our industry continues to grow and prosper. Overall, the final bill is a major improvement over previous legislative proposals and [strikes the right balance](#) among safety, oversight, and operational freedom.

The Association also launched a campaign to [lift the ban](#) on new foreign repair station certificates. As many of you know, since Aug. 3, 2008, the FAA has been prohibited from certifying new foreign repair stations until the Transportation Security Administration (TSA) issues a final repair station security rule. Rather than wait for TSA to issue the rule, ARSA is asking Congress to immediately lift the ban and stop punishing industry for government inaction.

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## **Sarah Says, continued**

While aviation issues are ARSA's primary focus, the Association also worked to promote [pro-growth](#) tax policies. Last fall, ARSA scored a major victory when Congress [repealed](#) the three percent government contractor withholding tax that was scheduled to take effect in 2013. The tax would have required those doing business with the government to make an interest free loan to the U.S. Treasury.

These successes would not have been possible without an active and engaged [membership](#). This past year, members sent 60 letters to Congress through ARSA's grassroots website [ARSAAction.org](#). Several companies hosted members of Congress at their facility, ARSA's political action committee geared up for what will be its most successful fundraising cycle since the PAC's inception, and Legislative Day saw 55 members storm Capitol Hill and hold meetings with members of Congress.

On the regulatory front, ARSA continues to make frequent contact with aviation authorities on a range of issues.

At the beginning of 2011, ARSA sought a solution to issues arising from maintenance performed on high pressure cylinders removed from aircraft. The Association suggested that the FAA issue a limited specialized service rating for repair stations approved to perform maintenance to pressure cylinders under Title 49.

In the spring, the Association [solicited verification](#) from the FAA that fabrication is not maintenance and persons producing a part are not required to be on a repair station's list of contract maintenance providers.

This past summer, ARSA submitted comments to the proposed interpretation of [duty and rest provisions](#) for maintenance personnel. The Association argued that the FAA's interpretation impermissibly created a de facto new duty time regulation and therefore circumvented the rulemaking process. The request for public comments was a direct result of ARSA's December 2010 letter requesting withdrawal of the interpretation.

ARSA's continued participation on the aviation rulemaking committee influenced the FAA's request for public comment on a [proposed airworthiness directive interpretation](#). ARSA's [comments](#), filed in June, asked the FAA to focus on the need for clear and concise ADs to ensure they are understandable to the person performing the required action.

In the fall, ARSA [petitioned](#) the FAA for clarification on multiple part identification and questioning the FAA's issuance of parts manufacturer approval for consumables. While the agency has yet to respond to the PMA letter, FAA Aircraft Maintenance Division Manager Steve Douglas pledged to review agency policy and guidance regarding part identification when more than one number is applied to a part at production.



**the hotline** is the monthly publication of the Aeronautical Repair Station Association (ARSA), the not-for-profit international trade association for certificated repair stations. For a membership application, please call 703 739 9543 or visit [www.arsa.org](http://www.arsa.org).

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Most recently, ARSA [submitted comments](#) to an FAA draft policy statement regarding design approval holder restrictions for use and distribution of instructions for continued airworthiness.

We continue to work with EASA and the FAA on the new bilateral aviation safety agreement between the U.S. and the European Community and the accompanying [Maintenance Annex Guidance](#) (MAG) and Technical Implementation Procedures. Thanks to open dialogue between industry and government, the MAG's first revision helps ensure that an FAA non-recommendation for an EASA certification renewal does not automatically result in an emergency revocation of a repair station's EASA certificate.

The Association's weekly publication, *The Dispatch*, garnered 380 new subscribers this past year and ARSA is now an active social media participant on [Facebook](#) and [Twitter](#), where it hopes to further engage both membership and the media.

The team's big project for the coming year is giving ARSA.org a much needed facelift. The new site will ensure easier navigation and allow the Association to incorporate new features that will increase efficiencies and member benefits.

This past year, the Association drastically increased its public relations activities thanks to resources provided by the [Positive Publicity Campaign](#) (PPC). The campaign creates favorable impressions and opinions about the industry; this in turn ensures policymakers reject proposals that add unnecessary regulatory oversight, drive up costs of doing business, or make it more difficult for repair stations to serve customers. It also ensures that media hears of our industry's positive contributions to civil aviation.

So far this year member companies have contributed more than \$131,000 to the campaign; their support has given ARSA staff access to a media database that will ensure we're getting our message to the right people. In 2011, PPC supporters helped fund the distribution of 21 press releases and allowed the Association to vigorously respond to 16 negative stories.

The newly-established PR committee, chaired by Chromalloy's VP Marketing and Corporate Communications Andrew Farrant, ensures PPC funds are properly allocated. The committee-approved strategic plan dictates that PPC resources will be used to update industry economic data, which is critical to understanding how harmful regulations and legislation affect jobs and the economy.

The membership department is increasing the Association's exposure and its [member benefits](#).

This past year ARSA hosted 74 attendees at outreach meetings in Oklahoma, Kansas and Washington state, and spoke at numerous industry events including the EASA/FAA International Aviation Safety Conference, MRO Americas, Aviation Maintenance Magazine's PMA Summit, and the Airline Purchasing & Maintenance Expo.

The Association also brought on a new [preferred provider](#), Component Control to provide member discounts for MRO business management software.

The [Aviation Alliance Insurance Risk Retention Group](#), a homogeneous assembly of independent companies, writes commercial liability insurance exclusively for ARSA members in 39 states with approval pending in 11 more. The insurance company is currently owned by 100 of the leading independent U.S. repair stations and has generated 42 new ARSA members since its inception.

Recently, ARSA's long-awaited regulatory [online training](#) project held its first class. The series of courses focus on the sale, purchase, inspection and stocking of aircraft parts; the next classes are scheduled for April 24 and 25. Visit ARSA's website to [register](#).

Thanks to your participation, ARSA recently conducted two successful surveys. The audit survey will help us address the burdensome issue of constant, overlapping, and duplicative repair station audits and the membership survey imparted valuable information which will help ensure ARSA continues to

adequately serve its members. While results to the latter are still being analyzed, key findings suggest respondents are optimistic about economic prospects in the coming year, with 65 percent saying they expect their business and markets to grow and more than 60 percent of respondents said they plan to add personnel in 2012. When asked to name the biggest long-term threat to the aviation maintenance industry, respondents overwhelmingly cited over-regulation and government intrusion.

As ARSA's President, I pledge to ensure the Association continues to push the envelope. I thank the [ARSA staff](#) for their continual hard work on our behalf. It is truly a special organization, one dedicated to the progress of our industry, and I am proud to play such a key role. With that, I look forward to seeing everyone at next year's [Symposium](#), scheduled for March 20-22, 2013.

**Members of the Association** may display the Member Web Badge on their company Web site. Contact [arsa@arsa.org](mailto:arsa@arsa.org) for information.



## Legal Briefs

### Aircraft Parts: Receiving, Inspecting, Stocking

By Craig Fabian, ARSA Vice President of Regulatory Affairs & Assistant General Counsel

**Editor's note:** The January 2012 legal brief should have stated that intentional falsification has three elements: (1) a false representation (2) in reference to a material fact (3) made with knowledge of its falsity. The article mistakenly stated that intentional falsification includes an intent to deceive, which is incorrect (intent to deceive is an element of fraud). We apologize for the error.

This article follows prior Legal Briefs that discussed regulations impacting the sale and purchase of parts. As a reminder, these articles coincide with ARSA's newly-released online regulatory training; the next courses are scheduled for April 24-25, 2012.

Previously, we covered: 1) the rules applicable to the sale of civil aviation articles, which prohibit sellers from lying or misleading someone about the airworthiness or acceptability of a part for installation on a type certificated product; and 2) the fact that there is nothing directly applicable to the purchase of civil aviation articles in Title 14 Code of Federal Regulations (14 CFR), and the need for purchasers to consider the design, production, operation and maintenance rules to ensure they are able to use the parts.

For repair stations, the regulations require a quality control system that includes incoming "inspections" to ensure acceptable quality. Essentially, that means each article received for stock or installation needs to be examined to determine whether it meets an approved design and is in a condition for safe operation. This is the time to discover and resolve any discrepancies.

Although the term "inspection" is used, in practice, separate steps for "receipt" followed by "inspection" may take place. The "receipt" would entail verifying that the shipment was delivered properly, received in good shape with correct paperwork, and that the requirements of the purchase order are satisfied. The "receipt" is a commercial exercise, unless the commercial documentation is used to show that an article is capable of being stocked or installed on a type certificated product. When the word "inspect" is used, the FAA will look for an inspector, who must have knowledge of the regulations, inspection methods and tools, and be able to use the equipment to ensure airworthiness. Additionally, s/he must be able to read, write, and understand English and be listed on the repair station's roster. In particular, the inspector needs to know the regulations regarding documentation for new and maintained parts and must be aware of technical requirements for the article. The inspector should be able to handle questions from the FAA and customers with confidence. Ultimately, whether a company's "receipt" and "inspection" are the same or separate processes, the system should ensure that airworthiness is determined before stocking or installing an article.

For further discussion on this issue, be sure to read this month's "A Member Asked." Additionally, ARSA's online training provides a far more in-depth discussion of the regulatory and practical business aspects of this subject. We look forward to your participation!



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## **Regulatory Lookout**

### **FAA issues InFO on Service Difficulty Reports**

The FAA has released guidance clarifying the regulatory requirement for filing Service Difficulty Reports under 14 CFR § 121.703.

Section 121.703 requires certificate holders to file reports with the FAA on the occurrence or detection of certain failures, malfunctions or defects within 96 hours. The rule does not specifically address the reporting timeframe for defects discovered on aircraft that are out of service due to scheduled maintenance lasting more than 72 hours.

The FAA guidance, an "Information for Operators" bulletin ([InFO 12005](#)) released Feb. 15, 2012, states that 14 CFR § 121.703 reporting requirements are met so long as all repairs on an aircraft out of service for more than 72 hours are reported within 96 hours after the aircraft is approved for return to service. This clarification should resolve industry confusion resulting from different FAA opinions on the reporting timeframe for aircraft in heavy check.

### **Court upholds NLRB posting requirement**

A new poster will (probably) be coming soon to a company wall near you.

On March 2, the U.S. District Court for the District of Columbia ruled ([Docket No. 11-1629](#)) that the National Labor Relations Board (NLRB) has authority under the National Labor Relations Act (NLRA) to require most private sector employers to post workplace notices informing employees of their rights under the NLRA. Several business organizations, including the [Coalition for a Democratic Workplace](#) (CDW), of which ARSA is a member, challenged the rule and its enforcement provisions.

The Court found that Congress did not preclude the NLRB from requiring employers to post workplace notices informing employees of their labor rights. Nor does this mandate violate an employer's First Amendment right as compelled speech, according to the Court.

However, the Court invalidated enforcement sanctions in the rule. First, the NLRB does not have any authority to "make a blanket advance determination that an employer's failure to post [the notice] will always constitute an unfair labor practice." Instead, the NLRB must make a specific finding based on the evidence and circumstances in an individual case that the failure to post actually interferes with employee rights under the NLRA.

Second, the NLRB has no authority to extend the time period (generally six months) set by Congress for filing unfair labor practice charges against an employer simply because the employer has not posted the notice.

Finally, the Court declared “valid” a part of the rule that allows the NLRB to consider an employer’s willful refusal to comply with posting requirements as evidence of unlawful motive. In the Court’s opinion, the complaint brought by the CDW and others did not “specifically challenge” this provision.

Both sides will likely appeal this divided ruling. The effective date for compliance with the rule, originally November 14, 2011, has been postponed to April 30, 2012 pending court review. In the meantime, more information, including the poster (in more than 20 languages), is available [here](#).

## Supreme Court ruling enhances judicial scrutiny of regulators

The Supreme Court ruled in favor of property owners in a case with important implications for regulated industries and parties. The Court’s ruling recognizes the fundamental right of judicial protection from regulatory overreach.

At issue in [Sackett v. Environmental Protection Agency](#) (EPA) was a compliance order issued to an Idaho couple building a house on property deemed by EPA to include wetlands. The order stated that the couple violated the Clean Water Act by filling in a portion of their lot and demanded the Sacketts restore the site. EPA subsequently denied the Sackett’s request for a hearing to challenge the order. The Sacketts sued EPA, alleging a denial of their property rights without due process in violation of the Fifth Amendment. Two lower courts [determined](#) that even though EPA refused to hold a hearing to reconsider the matter, the order was not a final agency action subject to judicial review and the Sacketts had no basis to sue the agency.

But, in a unanimous decision issued March 21, the Supreme Court sided with the Sacketts. Writing for the Court, Justice Antonin Scalia concluded that “the compliance order in this case is final agency action for which there is no adequate remedy.”

While the [decision](#) is an important victory for the Sacketts, their case is still far from resolved. Effectively, the Supreme Court’s decision starts the litigation all over again. The difference this time is that the lower courts now have explicit authority to scrutinize and, as appropriate, overturn, EPA’s order.

“In the final analysis, the case is one small step for the Sacketts and an important leap for property owners and others seeking to harness an out of control federal bureaucracy,” said ARSA Executive Vice President Christian A. Klein.

### Support ARSA’s Positive Publicity Campaign

It’s no secret; the contract maintenance industry suffers from an image problem. Years of baseless attacks have created a hostile media environment, and worse yet, has blinded some lawmakers and portions of the public to the benefits of aviation contract maintenance.

ARSA’s [Positive Publicity Campaign](#) (PPC) confronts these challenges; its message is clear: repair stations make air travel safer, create air carrier efficiencies, contribute to the economy, and generate jobs.

PPC resources support industry economic impact studies, defend the industry in the national media, and monitor media coverage. All industry stakeholders are asked to support the campaign through a financial contribution. Make your [pledge](#) today!

## FAA releases final ICA policy

On March 29, the FAA released a policy statement ([PS-AIR-21.50-01](#)) concerning inappropriate restrictions by design approval holders (DAH) on the use and availability on Instructions for Continued Airworthiness (ICA).

The FAA's final policy notes that it is inappropriate for DAH to place limitation on the use of its ICA between the product owner and the maintenance provider. Therefore, the agency states that it will not accept restrictive statements or terms in ICA documents that limit the appropriate availability or use of the ICA where the FAA has determined the ICA are acceptable for maintaining a DAH's product with FAA-approved replacement parts, articles, or materials installed.

Examples of language that would be unacceptable under the FAA policy include:

- Requiring the owner/operator to only install DAH-produced or authorized replacement parts, articles, appliances, or materials.
- Requiring that alterations or repairs must be provided or otherwise authorized by the DAH.
- Requiring the use of only maintenance providers or other persons authorized by the DAH to implement the ICA.
- Establishing, or attempting to establish, any restriction on the owner/operator to disclose or provide the ICA to persons authorized by the FAA to implement the ICA.

## ***ARSA Online: Train to Gain – Registration Open***

Out of practice on the real aviation regulations? Stay in top shape with ARSA online training courses!

Registration is open for ARSA's **April 24 & 25** online live classes on the regulations versus commercial obligations in civil aviation parts sales, purchases, receipt and stocking by a 14 CFR part 145 repair station.

Click [here](#) to review the courses and to register. Hurry – only 30 seats are available for each class!

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## **Michael Huerta nominated as FAA administrator**

On March 27, President Obama [announced](#) his intent to nominate Michael Huerta as FAA administrator.

Huerta is currently deputy administrator of the FAA and has been serving as acting administrator since December 2011; he first came to the FAA upon his confirmation by the Senate as deputy administrator in June 2010.

Huerta has a range of experience in the transportation industry, serving as group president of the Transportation Solutions Group at Affiliated Computer Services before joining the FAA. He was also managing director of transportation communications for the 2002 Olympic Winter Games in Salt Lake City. Huerta previously worked in government as chief of staff of the Department of Transportation (DOT) from 1997-1998 and as associate deputy secretary in the Office of Intermodalsim at the DOT from 1992-1997.

ARSA congratulates Huerta on his nomination and looks forward to working with him to advance the interests of the aviation maintenance industry while ensuring an unwavering commitment to safety.

## Petition for rulemaking seeks to alter incorporation of materials by reference

As posted in the Federal Register on February 27, 2012, the Office of the Federal Register (OFR) received a petition requesting [changes to the regulations](#) governing the approval of [agency requests to incorporate material by reference](#) into the Code of Federal Regulations. Such practice is especially relevant to the current issuance of Airworthiness Directives (AD), and frequent FAA incorporation of manufacturer service information by reference in ADs.

Essentially, the petition asks the OFR to amend its regulations to better define “reasonably available” and “class of persons affected.”

On March 22, the OFR extended the [comment](#) on this petition through June 1, 2012, and noted that late comments will not be accepted.

### Final Documents/Your Two Cents

**“Final Documents”**: This list includes Federal Register (FR) publications such as final rules, Advisory Circulars (ACs), policy statements and related material of interest to ARSA members. For proposals opened for public comment, see **“Your Two Cents.”** The date shown is the date of FR publication or other official release.

**“Your Two Cents”**: This is your chance to provide input on rules and policies that will affect you. Agencies must provide the public notice and an opportunity for comment before their rules or policies change. Your input matters. Comments should be received before the indicated due date; however, agencies often consider comments they receive before drafting of the final document begins.

**“Final Documents”** and **“Your Two Cents”** are available at <http://www.arsa.org/FDYTC>.

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### A Member Asked

By Sarah MacLeod, ARSA Executive Director

**Q:** I have a question concerning some flanges we purchased for installation on a Boeing 757 duct assembly. The flanges are new from the OEM and were purchased through their largest authorized US distributor. I contacted the quality manager for the distributor because the flanges were received without an 8130-3. When I asked for an 8130-3, I was told that they did not possess a PMA or direct ship authority from Boeing and therefore an 8130-3 was not going to be provided.

I then asked how I could install the flanges on a type certificated product, and was told that it was possible due to the fact the flanges were marked with the Boeing part number, which is referenced in the CMM. He went on to say that he sells these same flanges to other repair stations, airlines, and even Boeing. I asked if someone had previously raised this question and he said “no.”

I am now totally confused. I still don’t understand how they can sell these flanges with a Boeing part number etched on them without some form of authorization from Boeing. I also don’t understand how



the distributor can sell them with full knowledge that we intend to install them on a type certificate product without an 8130-3 or direct ship authority from Boeing.

Can you or someone in your organization shed some light on this subject? Your input would be most appreciated.

**A:** Ironies abound in the 14 CFR provisions.

Since earlier this year, 14 CFR § 21.9 has stated:

(a) If a person knows, or should know, that a replacement or modification article is reasonably likely to be installed on a type-certificated product, the person may not produce that article unless it is—(1) Produced under a type certificate; (2) Produced under an FAA production approval; (3) A standard part (such as a nut or bolt) manufactured in compliance with a government or established industry specification; (4) A commercial part as defined in §21.1 of this part; (5) Produced by an owner or operator for maintaining or altering that owner or operator's product; or (6) Fabricated by an appropriately rated certificate holder with a quality system, and consumed in the repair or alteration of a product or article in accordance with part 43 of this chapter.

(b) Except as provided in paragraphs (a)(1) through (a)(2) of this section, a person who produces a replacement or modification article for sale may not represent that part as suitable for installation on a type-certificated product.

(c) Except as provided in paragraphs (a)(1) through (a)(2) of this section, a person may not sell or represent an article as suitable for installation on an aircraft type-certificated under §§21.25(a)(2) or 21.27 unless that article—(1) Was declared surplus by the U.S. Armed Forces, and (2) Was intended for use on that aircraft model by the U.S. Armed Forces.

You are therefore correct with respect to the SALE of the civil aviation article. This is particularly true since 14 CFR part 3 controls the sale and it states:

**§ 3.1 Applicability.**

(a) This part applies to any person who makes a record regarding: (1) A type-certificated product, or (2) A product, part, appliance or material that may be used on a type-certificated product.

(b) Section 3.5(b) does not apply to records made under part 43 of this chapter.

**§ 3.5 Statements about products, parts, appliances and materials.**

(a) *Definitions.* The following terms will have the stated meanings when used in this section:

*Airworthy* means the aircraft conforms to its type design and is in a condition for safe operation.

*Product* means an aircraft, aircraft engine, or aircraft propeller.

*Record* means any writing, drawing, map, recording, tape, film, photograph or other documentary material by which information is preserved or conveyed in any format, including, but not limited to, paper, microfilm, identification plates, stamped marks, bar codes or electronic format, and can either be separate from, attached to or inscribed on any product, part, appliance or material.

(b) *Prohibition against fraudulent and intentionally false statements.* When conveying information related to an advertisement or sales transaction, no person may make or cause to be made:

(1) Any fraudulent or intentionally false statement in any record about the airworthiness of a type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(2) Any fraudulent or intentionally false reproduction or alteration of any record about the airworthiness of any type-certificated product, or the acceptability of any product, part, appliance, or material for installation on a type-certificated product.

(c) *Prohibition against intentionally misleading statements.* (1) When conveying information related to an advertisement or sales transaction, no person may make, or cause to be made, a material representation that a type-certificated product is airworthy, or that a product, part, appliance, or material is acceptable for installation on a type-certificated product in any record if that representation is likely to mislead a consumer acting reasonably under the circumstances.

(2) When conveying information related to an advertisement or sales transaction, no person may make, or cause to be made, through the omission of material information, a representation that a type-certificated product is airworthy, or that a product, part, appliance, or material is acceptable for installation on a type-certificated product in any record if that representation is likely to mislead a consumer acting reasonably under the circumstances.

(d) The provisions of §3.5(b) and §3.5(c) shall not apply if a person can show that the product is airworthy or that the product, part, appliance or material is acceptable for installation on a type-certificated product.

We would agree that “the OEM” needs some authority to PRODUCE the part and the “seller” (both the OEM and the distributor) must be able to establish that the part meets the appropriate design and production TECHNICAL requirements to claim it “eligible for installation”.

Now, as to your “authority” to install the part. That is found in section 43.13(b) which requires you to use replacement articles of “such a quality” as to return the article to at least its original condition. ARSA has always taken that to mean that the part number matches the requirements of the maintenance data and a related Illustrated Parts Catalog. So, ironically, your “authority” to install can be based upon the representations of the “seller” since it is prohibited from making misleading statements about the parts eligibility for installation. Even more ironic, it may be perfectly acceptable under part 3, but you will note that section 21.9(b) prohibits anyone but a design or production approval holder from claiming an article is “suitable for installation”!

The facts of the matter are that you must be able to make a reasonable business and technical determination that the article is eligible for installation; that can be based upon maintenance data (section 43.13(a)), including the IPC, service bulletins and other information (see AC 20.62 latest revision). Producers are SUPPOSED to have an approval from the FAA or another PAH; sellers are prohibited from lying or misleading persons about civil aviation articles in sales or advertising records; claiming something is a particular part number in a sales document and/or on the part is a record.

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## More on rights of Veterans with Disabilities

By Jonathan W. Yarbrough <[jyarbrough@constangy.com](mailto:jyarbrough@constangy.com)>. Constangy, Brooks & Smith, LLC, 80 Peachtree Rd., Ste. 208, Asheville, NC 28803-3160. © Copyright 2012 Jonathan W. Yarbrough ALL RIGHTS RESERVED

*Jonathan is experienced in representing employers in employment law issues; his pragmatic approach can also help keep relationships with employees from becoming difficult. Please contact him for questions regarding employment relationships.*

The Equal Employment Opportunity Commission recently issued two revised publications which address the rights of Veterans with Disabilities under the Americans with Disabilities Act: [Veterans and the Americans with Disabilities Act \(ADA\): A Guide for Employers](#), and [Understanding Your Employment Rights Under the Americans with Disabilities Act \(ADA\): A Guide for Veterans](#).

The *Guide for Employers* addresses the protections afforded to veterans with disabilities under Title I of the ADA. Title I prohibits an employer from treating an applicant or employee unfavorably in all aspects of employment – including hiring, promotions, job assignments, training, termination, and any other terms, conditions, and privileges of employment because he has a disability, a history for having a disability, or because the employer regards him as having a disability. For example, “an employer may

not refuse to hire a veteran based on assumptions about a veteran's ability to do a job in light of the fact that the veteran has a disability rating from the U.S. Department of Veterans Affairs (VA)."

The publication also notes that under the Americans with Disabilities Act Amendments Act ("ADAAA"), it is now easier to establish that a veteran is an individual with a disability, that is, a person who has a physical or mental impairment that substantially limits one or more major life activities. Under the ADAAA a "major life activity" now includes not only activities such as walking, seeing, or hearing, but also major bodily functions such as functions of the brain and neurological system. Furthermore, the determination of whether an impairment substantially limits a major life activity must be made without regard to any mitigating measures. Finally, impairments that are episodic or in remission are considered disabilities if they would be substantially limiting when active.

Having first discussed the basic requirements for determining whether a veteran qualifies as disabled under the ADAAA, the publication then addresses several distinct features of the Act as it applies to veterans.

### Affirmative Action

An employer may ask if an applicant is a "disabled veteran" for affirmative action purposes if the employer is:

- undertaking affirmative action because of a federal, state, or local law which requires affirmative action; or,
- voluntarily using the information to benefit individuals with disabilities.

Employers may also ask organizations that help find employment for veterans with disabilities whether they have suitable applicants for particular jobs.

If the employer chooses to ask a veteran to self-identify, the employer must indicate clearly and conspicuously on any written questionnaire that:

- the information requested is intended for use only in connection with its affirmative action obligations or its voluntary affirmative action efforts; and,
- the specific information is being requested on a voluntary basis and will be kept confidential.

Finally, the information collected for affirmative action purposes must be kept separate from the application to ensure its confidentiality.

### Preference in Hiring

Private employers may, but are not required to, give preference in hiring to a veteran with a disability. However, the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) requires that a business with a federal contract or subcontract in the amount of \$25,000 or more take affirmative action to employ veterans with disabilities.

### Additional issues addressed in the publication include:

- Specific steps an employer may take to recruit and hire veterans with disabilities;
- The types of reasonable accommodations veterans with disabilities may need for the application process;
- How the employer knows when a veteran with a disability needs an accommodation; and,
- How the Uniformed Services Employment and Reemployment Rights Act (USERRA) differs from the ADA.

## Active Learning and Long-Term Recruiting Strategies

By Raymond Thompson <[raymond.thompson@wmich.edu](mailto:raymond.thompson@wmich.edu)>. Western Michigan University, College of Aviation, 237 N. Helmer Rd., Battle Creek, MI 49037 © Copyright 2012 Raymond Thompson ALL RIGHTS RESERVED.

Raymond Thompson is president of the Aviation Technical Education Council and associate dean of the College of Aviation at Western Michigan University. A long-time mechanic and commercial pilot, he has been involved in technician education in the U.S. and Middle East since 1983.

**Editor's Note:** This is the third in a series of articles from Mr. Thompson in which he provides information on supporting aviation maintenance technician schools (AMTS) and the next generation of mechanics.

To effectively recruit students, AMTS must adapt to the facts: flexibility in developing long-term strategies for cultivating student interest is essential.

Given the ever-expanding field of options and activities competing for student's attention, one major change in recruiting practices has been an investment in long-term recruiting strategies. It is not uncommon for schools to begin outreach to students in grades five through eight. To be truly successful, schools are starting even earlier, launching efforts targeting students in the third grade!

So, why the early outreach? Recruiting is a process of relationship building. Getting students interested in and committed to building a career in any industry is no different from any other relationship. It takes time to bear fruit. While it is unlikely that a fourth grader can comprehend the complexities of our industry, planting the seeds at an early age is critical to getting students to recognize the opportunities in the aviation maintenance field. Students in these earlier grades are sponges, if properly introduced to a subject; they will develop a lifetime-interest.

To develop interest, however, requires more than a single visit or static demonstration. Successful recruiting strategies consist of multiple touch-points and active learning. Having students make a paper airplane will generate interests in ways no lecture could ever match. Providing enrichment opportunities in science, technology, engineering, and mathematics (STEM) education at an early age is critical to developing and keeping student interest.

In middle school, we work with classroom teachers, afterschool programs, camps, and weekend activities to feed an interest in STEM activities of increasing sophistication. Aviation themes are excellent to teach math and science and provide a great segue to discussions about careers that take advantage of STEM skills. For example, my institution partners with several local middle schools to develop and operate an aviation and rocket club. Students meet twice a week after school for six weeks to build and fly airplanes, rockets, and blimps. We include testing and analysis using a variety of shareware and NASA software so students design, build, and test their creations. Many schools offer similar activities so middle school students maintain interest in STEM. It is important to maintain contact with students through follow-up visits and programs. One-off programming does not promote long-term interest and has little impact.

Hands-on, interactive programs are essential to building student interest. The research is clear: many young women and minorities lose interest in STEM by high school, even when they have excelled in these subjects during middle school.

The key to ensuring continued interest is active learning. Programs must include activities where the student can see, touch, feel, and do; the initiatives must begin at early ages to cut through the din of modern society.

By the time students reach high school, the message can focus more specifically on aviation maintenance careers and opportunities. Most young people, and the public at large, don't know the breadth of aviation maintenance careers, the options for professional enhancement and upward movement, and depth of technical knowledge required. These issues are addressed through publications and direct interactions with prospective students.

With the older age group, the relationship between the student and the school becomes more personal. Often it begins with an inquiry or visit; follow-up is critical to making a student feel wanted and ensure a good match between the student and AMTS culture.

Successful recruiting programs adapt messages to the media of target audiences in cultivating relationships. Over the past three years, we have dramatically increased initial contact, and subsequent communications, using Facebook, Twitter, and text messaging. The [Pew Research Center](#) found that teenagers increasingly communicate through text messages and short electronic media; email and phone communication is falling in popularity. We have student ambassadors who use these instant media on a regular basis to provide updates and answer questions about the institution, program, scholarships, and upcoming events.

In summary, generating and building career interest is a long-term investment. ARSA and its members are in a unique position to work with your local schools and community to craft a message that attracts students with the necessary skills to become part of your workforce. Participation in ARSA's [Positive Publicity Campaign](#) is another way to help on a national level.

Upcoming articles will talk more specifically about opportunities for aviation professionals and companies to have a direct impact at the local level on the next generation of aviation maintenance technicians.

## **ARSA Action**

### **FAA Associate Administrator for Aviation Safety delivers keynote**

On March 15, FAA Associate Administrator for Aviation Safety Peggy Gilligan returned to the ARSA Symposium and kicked off the 2012 Symposium with the keynote address. Gilligan's remarks centered on how the FAA's interpretation of its mandate from the recently approved FAA Modernization and Reform Act ([Public Law No. 112-95](#)).

Gilligan noted that within the four-year \$63 billion bill, congressional appropriators flat lined aviation funding through 2015. However, the law does not provide guaranteed funding for the FAA, congressional appropriators still must provide yearly funding. While lawmakers have shown a solid commitment to the FAA's safety mission, given the strong sentiment to cut federal spending on Capitol Hill, the agency is not taking its funding for granted.

In discussing the importance of the law for repair stations, Gilligan commended ARSA and the maintenance industry for its commitment to educating congress about proposed provisions that could have detrimentally affected repair stations. The inspection regime established by the new law will allow the FAA to take advantage of a highly skilled inspector workforce in the European Union and the U.S. by upholding shared inspections under the bilateral aviation safety agreement between the two authorities. The FAA does not foresee the new law creating new inspection requirements.

On drug and alcohol testing, Gilligan stated that the law requires the FAA to create an inspection regime for testing repair station employees outside of the U.S.. While the law contained measures designed to protect international sovereignty, the FAA is faced with instituting an inspection regime in foreign nations, an area where the Department of Transportation did not previously have the authority to do so. As this is

a new requirement, the FAA is working with the Secretary of State to define the parameters of the program and is working with lawmakers to ensure that congressional intent is satisfied.

The new FAA law requires the agency to submit 30 new reports to Congress and imposes 12 new rulemakings. Given the agency's flat budget, the FAA will have to prioritize its resources to meet its congressional obligation.

Another concern Gilligan noted is the failure of the congressional supercommittee to arrive at a solution to the nation's budget crises last summer. If the automatic cuts mandated by the supercommittee's failure are to manifest, the FAA will see approximately 8 1/2 to 10 percent of its budget cut. The nation's aviation authority is trying to plan how it would deal with any such funding reduction.

While she noted that not all members of Congress understand the critical role that the maintenance community plays in aviation, Gilligan admonished those in attendance to continue to reach out and educate the public and lawmakers about the industry's important contributions to the national economy.

In her closing remarks, Gilligan underscored the importance of the FAA and industry working together to promote safety. "All aviation stakeholders must come together to ensure that the American public continues to enjoy the safest form of travel ever made," said Gilligan.

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The ATA e-Business Program is pleased to announce the latest revision of Spec 2300, Data Exchange Standard for Flight Operations (Revision 2011.2). Spec 2300 provides a concise set of information standards

and guidelines for the management, configuration and interchange of flight operations technical data.

The specification is designed to enable the cost-effective and efficient exchange of digital flight operations data between information providers and information users. This revision completes the initially defined scope for Spec 2300 and now covers all of the following types of data supporting the FCOM, MMEL/MEL, AFM and QRH:

- Approval
- Dispatch
- Front
- Limitations
- Matter
- Performance
- Procedures
- Publication Module
- Substantiation
- Systems Description

To purchase a copy, please visit the [publications store](#).

If you are not a member of the ATA e-Business Program and would like to gain unlimited access to Spec 2300 and all related e-business specifications, join the [ATA e-Business Program](#). More information on ATA e-Business is available at <http://www.ataebiz.org/home>

## ARSA wraps up another successful Symposium

ARSA's 2012 Symposium, held March 15-16, was one the Association's most successful to date. More than 150 aviation maintenance professionals from around the globe gathered just outside of Washington in Arlington, Va. for two days of networking and professional education.

### Day One – March 15

The event kicked-off with a keynote address from FAA Associate Administer for Aviation Safety Peggy Gilligan ([see related story](#)), followed by a briefing by ARSA Managing Director & General Counsel Marshall S. Filler and ARSA Executive Vice President Christian A. Klein on the [Association's activities over the past year](#). From advocating on the Hill and working with regulators, to enhancing ARSA member services through new offerings such as [ARSA University online training courses](#), the Association made great strides this past year on behalf of its members.

FAA Aircraft Maintenance Division Manager Steve Douglas, European Aviation Safety Agency (EASA) Approval and Standardization Directorate Continuing Airworthiness Organizations Manager Karl Specht, and Australia Civil Aviation Safety Authority (CASA) Standards Development & Future Technology Division Manager Nicholas Ward, presented news and updates from their respective agencies on a panel moderated by ARSA Executive Director Sarah MacLeod.

Douglas provided updates on FAA maintenance division personnel changes and highlighted the ongoing progress between the U.S. and the EU to implement the bilateral aviation safety agreement (BASA) while minimizing disruption to aircraft maintenance activities. Douglas also highlighted rulemakings in-work, including a revision to part 145, which has been withdrawn for further evaluation, and the repair station security rule (the agency, like the rest of the world, is waiting for action and guidance from the Transportation Security Administration (TSA)). Douglas then discussed various policy and guidance updates including an FAA Order and job aid concerning major repair and alterations.

Specht briefed attendees on EASA organization changes and rulemaking activities. These include changes to parts 147, 66, and 145 and EASA task 145.017, to clarify requirements and guidance on the evaluation of component suppliers. Specht discussed confusion that has arisen over FAA/EASA component release certifications and reminded EASA-certificated companies of new requirements in the maintenance annex guidance (MAG). EASA and the FAA continue to work on MAG implementation. "Teething problems" remain; the first [MAG revision](#) seeks to clarify these issues.

Ward presented an overview of Australian aviation regulations, the CASA structure, and recent changes to aviation maintenance requirements in the land down under. Most notably, Australia's new part 145 took effect on June 27, 2011. The new mandates, based on EASA part 145, introduce a uniform set of requirements. The transition period lasts until June 2013; at that time, all organizations maintaining aircraft and components for regular public transport operations must be CASR part 145 approved.

After the maintenance panel, attendees heard from CASA, EASA, and FAA regulators on certification issues.

Ward again represented CASA and spoke about the regulatory framework governing certification. Under the new CASA regulatory scheme, CASR part 21 subpart M replaces the Civil Aviation Regulations (CARS). While the old CARS still have force, any future changes must meet the new requirements. Design approvers are responsible for the tests necessary to approve design, but approval holders are responsible for providing instructions for continuing airworthiness (ICA) and flight manual supplements.

Following Ward's presentation EASA Certification Deputy Director Frederic Copigneaux and FAA Aircraft Certification Service Director Dorenda Baker delivered a joint presentation, illustrating the administrations' increased efforts to work hand-in-hand on certification matters.

Baker provided an update on aircraft certification service (AIR) budgets and staffing and FAA reauthorization provisions that will affect AIR moving forward. She also provided an update on the project sequencing standard operating procedure (SOP) that was published for comment in October 2011. Baker acknowledged criticisms that the agency has not been transparent on this project and pledged that the FAA would work to improve openness going forward. She then gave an overview of parts 21 and 23 rulemaking updates before moving into a discussion of the U.S./EU safety agreement and the role of the Bilateral Oversight Board.

Copigneaux discussed Certification Oversight Board (COB) efforts within the confines of managing the BASA's technical implementation procedures (TIP). Copigneaux noted that the agencies are working on the TIP's second revision, which would allow acceptance of supplemental type certificates for multiple models while clarifying part marking requirements.



After a lunch break, where several attendees who had given [ARSA PAC prior solicitation consent](#) were treated to a PAC luncheon ([see related story](#)), the “Attract, Train, and Retain” session provided an overview of the technical workforce shortage facing the aviation maintenance industry.

Spartan College of Aeronautics & Technology Vice President of Education Ryan Goertzen, Aviation Technician Education Council President Raymond Thompson (also a contributing author for *the hotline* ([see related story](#)), and Black Aerospace Professionals Board Member Michael Young discussed how industry can work together to attract the next generation of workers. Panelists and attendees had a frank and open discussion about what programs are out there and how companies can get involved in their communities to create interest in aviation maintenance.

Following their presentation, National Skills Coalition Senior Policy Analyst Kermit Kaleba spoke about the coalition’s efforts to close the skills gap between American workforce supply and demand.

The day’s final session featured a discussion of the [long-awaited TSA repair station security rule](#) with TSA Acting General Aviation Manager Kerwin Wilson and ARSA Vice President of Legislative Affairs Daniel Fisher. The TSA is aware of the negative economic impact that the ban is having on the aviation industry, Wilson said, and ARSA’s [letter](#) to TSA Administrator John Pistole late last year gave the issue priority within the agency. While unable to go into details about the rulemaking’s status, Wilson said the agency is committed to a [fourth quarter 2012 target date](#) and encouraged industry to continue to push TSA.

That evening Symposium attendees enjoyed a fun-filled Casino Night and St. Patrick’s Day celebration, sponsored by ARSA’s [newest preferred provider](#), [Component Control](#), which offers MRO logistics software.

## **Day 2 – March 16**

The second day of the symposium kicked off with a hearty breakfast, sponsored by [Spirit AeroSystems](#), where ARSA President and Lufthansa Technik Vice President, Quality Management Hanno Loss delivered the State of the Association ([see related story](#)).

After hearing from President Loss, the day’s sessions began with a presentation from MacLeod and Filler on part 21 regulatory compliance burdens. The panel featured a lively discussion amongst attendees on the scope of recordkeeping requirements and the intricacies of compliance.

The Symposium wound down with a session highlighting regulatory issues impacting the relationship between repair stations and their customers. Moderated by MacLeod, panelists included former Timco President Ron Utecht, Atlas Air Vice President, Technical Operations Mark Swearingin, and Washington Aviation Group President Jason Dickstein. The panelists stressed the need for the aviation maintenance community to work in concert to simplify compliance issues and reduce duplicative requirements. ARSA’s MacLeod pledged to work with airlines and maintenance providers to develop a pilot program to help improve air carrier maintenance programs (e.g., RII, etc.).

## **Giles presented with Leo Weston Award**

Former FAA Aircraft Maintenance Division Manager Carol E. Giles, was presented with the Association’s 2012 Leo Weston Award. Giles is the first female recipient of the award and has more than 32 years of aviation experience. While at the FAA she was a friend of the Association, helping to promulgate realistic regulation and ensure standard enforcement.

The Leo Weston award honors an instrumental figure in the birth of ARSA. First bestowed to Weston himself in 2005, the award honors individuals who embody Weston’s commitment to aviation safety and the success of the industry.

## **Mark Your Calendars**

Thank you to all Symposium attendees, [sponsors](#), and speakers who ensured a successful event! Please mark your calendar for next year's Symposium, which will take place on March 20-22, 2013 at the Ritz-Carlton in Arlington, Va. To view pictures from the 2012 Symposium click [here](#).

## **Symposium luncheon highlights value of ARSA PAC**

### ***2012 political program is in high gear***

With the White House and control of the House and Senate up for grabs, ARSA is taking great strides to significantly strengthen its political program and wield greater impact on the outcome of the 2012 elections.

During the ARSA symposium, more than 30 members attended an invitation-only luncheon for those who have provided the Association with [prior solicitation consent](#). Attendees had the opportunity to hear about the Association's political strategy and learn how ARSA PAC ensures that the industry speaks with a single, loud voice in the elections.

"The bottom line is that what happens on Capitol Hill impacts your company," ARSA Executive Vice President Christian Klein said. "Aviation maintenance professionals need to become engaged and help decide who's calling the shots at both ends of Pennsylvania Avenue."

ARSA PAC supports candidates of both parties who understand the important role that maintenance plays in civil aviation and who will respect your ability to operate free from undue government interference and overly burdensome regulations.

"The FAA reauthorization battle showed the industry who our friends are," ARSA Vice President of Legislative Affairs Daniel Fisher said. "Repair stations need to step up and support those that stood by our side."

ARSA PAC provides a number of ways for aviation maintenance leaders to impact the political process. The centerpiece of the Association's political strategy is ARSA's ImPACt 2012 program, which allows members to deliver ARSA PAC checks directly to candidates in competitive districts.

This year's goal is to establish ARSA PAC as a multi-candidate PAC, which requires 51 individual donors. Multi-candidate status would allow ARSA PAC to contribute as much as \$5,000 to candidates for each election, enabling ARSA to have greater impact in the election process. We're halfway there, with 26 individuals contributing to ARSA PAC since its inception in 2005.

Federal election laws require ARSA members to provide [solicitation consent](#) before ARSA PAC can provide more details about its activities. Only executives and owners of ARSA member companies that have given solicitation consent may contribute to ARSA PAC and learn the details of ARSA's political action.

[Provide ARSA PAC solicitation consent](#) so you can join your fellow industry leaders! If you have questions about ARSA PAC, please contact ARSA Communications Manager [Josh Pudnos](#) at 703 739 9543.

### **2012 ARSA PAC Contributors**

#### **Capitol Club (\$1,000)**

Bill Perdue, SONICO, Inc.

#### **Washington Team (\$500)**

Gary Fortner, Fortner Engineering

Lynn Fortner, Fortner Engineering

Bill Rathmanner, Aero Design Services, Inc.

**145 Club (\$145)**

Jose Eduartez, AIRS, Inc.

Gary Jordan, Jordan Propeller Services, Inc.

Jennifer Weinbrecht, Component Repair Technologies, Inc.

## **Final chance: ARSA audits survey closing soon, make your voice heard!**

ARSA's 2012 audits [survey](#) is up and running, but not for long. The survey, measuring the impacts of a never-ending cycle of audits, is closing on Friday, April 13 at 8 p.m.

This important survey will help ARSA address the untenable reality of the overly burdensome audit regime facing certificated repair stations. The survey seeks answers to questions that will help ARSA better represent industry interests and deliver first class service.

After an outstanding response from ARSA members in late February and early March, the Association expanded the survey to the entire aviation maintenance industry. The reopening provides an additional opportunity for repair stations to share their story.

Conducted in tandem with an FAA project seeking to measure and quantify the audit impact on repair stations, ARSA will submit the results to the FAA for comparison and validation with the agency's own research on the issue.

ARSA asks that only one representative from each company respond; answers are anonymous.

To complete the survey visit, <https://www.surveymonkey.com/s/ARSAAudit>.

For more information or details, please contact ARSA Vice President of Quality [Paul Hawthorne](#) at 703 739 9543.

## **ARSA presents industry views at FAA regional manager's meeting**

On Feb. 28, ARSA delivered a presentation, "[Collaboration with the FAA from an industry perspective](#)," at the FAA regional managers meeting in Arlington, Va.

The event offered an opportunity for the Association to share industry concerns and to promote understanding between the regulators and regulated. ARSA's Executive Director Sarah MacLeod and Vice President of Regulatory Affairs & Assistant General Counsel Craig Fabian represented the Association.

"Participation in an event such as this helps establish cooperative dialogue between the FAA and repair stations. Sharing industry concerns and hearing agency feedback helps the Association work more effectively with the FAA to improve harmony between rules and guidance, which ultimately promotes compliance and fosters cooperation," said MacLeod.

MacLeod and Fabian discussed a variety of issues, stressing the need for greater standardization not only within the FAA, but from industry as well. They also highlighted the need for improved communication "stovepipes" within to reduce misunderstandings and duplicative action.

## ARSA's MacLeod delivers remarks at MRO Americas

ARSA's Executive Director Sarah MacLeod spoke at the [Engine MRO Forum](#) and [MRO Americas](#) in Dallas, the aviation maintenance industry's premier North American tradeshow hosted by [Aviation Week](#).

On April 3, MacLeod spoke at the [Engine MRO Forum](#) on the regulatory and compliance environment in engine maintenance. Gil DaCosta, of the FAA's flight standard Services Boston Aircraft Evaluation Group, joined MacLeod in her presentation. The duo discussed new regulations, guidance, policy, and international agreements affecting engine maintenance operations. MacLeod and DaCosta's presentation before the panel is available [here](#).

On April 4, MacLeod moderated the [MRO Americas](#) panel "Regulations Aren't Just for the Airlines: How Rule Changes Affect MROs." Panelists included Mark Rodu managing director, quality and technical programs at US Airways; Steve Douglas, manager, aircraft maintenance division (AFS-300), FAA; and Jason Dickstein, president, Modification and Replacement Parts Association.

For information on events where ARSA staff will be speaking, please be sure to visit the [upcoming engagements](#) section of ARSA's website.

### ARSA Members Getting Members Program

There is no better advertisement than a satisfied customer. Members are the best people to get others to join, and we have made it simple—use the information below and get another company to join ARSA and save!

[Here is a letter](#) to use — place it on your letterhead and send it to all your maintenance providers.

Information about ARSA to include in your letter along with an application for membership [may be found here](#). Be sure to include your name on the application so that you can obtain the monetary incentive.

- For each membership referred by an existing member in good standing, the referring member will receive a credit of 10% of the applicant's dues on its forthcoming member renewal.
- The applicant must clearly indicate on its application the name of the member company that referred it for membership.
- The applicant must pay its membership dues before credit is applied to the referring member.

Questions? Contact Jennifer Goodwin at 703 739 9543 or via [email](#).

### Positive Publicity Corner

## Your PR Committee, Working for You!

*By Jason Langford, ARSA director of communications*

The Positive Publicity Campaign (PPC) quantifies the benefits provided by contract aviation maintenance and shares the industry's story with various audiences. The campaign is governed by the PPC Public Relations (PR) Committee, made up of the most ardent supporters and those in the best position to convey the good word—ARSA members.

The committee meets quarterly to guide research projects and is currently working to create a speaker's bureau of respected industry leaders to serve as third party spokespeople. Additionally, bi-monthly management are held with members of ARSA staff and the committee chair.

The following aviation professional volunteers guide ARSA's advocacy efforts and direct campaign resources—

<u>Name</u>	<u>Company</u>	<u>Title</u>
Andrew Farrant—Chairman	Chromalloy	Vice President, Marketing & Corporate Communications
Kip Blakely	TIMCO	Vice President Sales & Marketing
Summit Chan	HAECO	Commercial Director
Cathy Gedvilas	Chromalloy	Director, Corporate Communications
Bernd Habel	Lufthansa Technik	Director Corporate Communications
Peggy Hain	Southwest Airlines	Director of Quality
Klaus Lemmer	MTU Maintenance Hannover	Director of Quality Management
Jack Turnbull	Delta Tech Ops	Vice President, Sales & Marketing
Paul Belisle	HEICO	Vice President, Marketing

ARSA would like to thank committee members for donating their time and energy to ensure our industry's voice is heard loud and clear.

If you would like to have your company represented on ARSA's PR committee, [pledge your PPC support today](#) or contact ARSA Director of Communications [Jason Langford](#) at 703 739 9543.

## **Positive Publicity**

*As part of ARSA's ongoing [Positive Publicity Campaign \(PPC\)](#), the association is actively working to enhance the media's understanding of our \$50 billion industry and its vital importance to global civil aviation. To accomplish this goal, ARSA monitors media coverage about aviation maintenance to spread the word about the valuable role repair stations provide their communities in jobs, economic opportunities, and community involvement. These are some of this month's top stories highlighting the industry's contributions.*

[MRO Profile: Marana Aerospace Solutions \(AIN\)](#)

[Panel chosen to boost state's aerospace economy \(Las Vegas Review Journal\)](#)

[Lufthansa Technik receives 2012 Transport News awards as best maintenance, repair, and overhaul company of the year \(Zawya.com\)](#)

[Aviation supports 56 million jobs, report says \(Reuters\)](#)

[Big crowd expected for Premier Aviation job fair \(The Windsor Star\)](#)

[PCC aviation technology program turns out employment-ready workers \(Inside Tucson Business\)](#)

[GSO Aviation relocating, adding jobs \(WSET-TV\)](#)

[Duluth Regional gaining reputation as 'aviation hub' \(Northland's News Center\)](#)

[Mechanics check out employer \(Tulsa World\)](#)

[Aircraft maintenance business flies into Sioux City, Iowa airport \(Sioux City Journal\)](#)

[How to excite the next generation \(Aviation Week\)](#)

## **ARSA on the Hill**

*By Daniel Fisher, ARSA Vice President of Legislative Affairs*

In March, ARSA's legislative team focused on preparing for and executing a successful Legislative Day ([see related story](#)). The Association continued to educate members about TSA's failure to finalize repair station security regulations and the need for Congress to permit certification of new foreign repair stations.

Members of ARSA's legislative team were present at the [Aero Club of Washington](#) luncheon to hear Charles F. Bolden, Jr., administrator of the National Aeronautics & Space Administration, speak about the agency's priorities and the potential of commercial space travel.

With the balance of power at stake in November, ARSA's political program is gearing up to have a substantial impact on the coming elections. Aviation maintenance leaders are encouraged to learn more about the Association's [Political Action Committee](#) (PAC), invite lawmakers and candidates to [visit repair stations](#), and get involved in the political process by attending events for local elected officials and candidates. We are standing by to assist in getting the aviation maintenance industry more involved.

## **Bills on the Hill**

### **Legislative Day a storming success**

On March 14, ARSA held its 2012 Legislative Day as scores of attendees stormed Capitol Hill to educate lawmakers about the aviation maintenance industry and the impact repair stations have on communities throughout the country.

The program kicked off with remarks by ARSA Government Affairs Committee Chairman David Albert, vice president of external affairs at Chromalloy, about how to effectively engage in the legislative process. Following his presentation, Albert introduced House Aviation Subcommittee Republican Staff Director & Senior Counsel Aviation Holly Woodruff Lyons, who updated Legislative Day attendees on the future of aviation policy on Capitol Hill post-FAA reauthorization.

After ARSA's legislative team conducted a briefing on the industry's policy priorities and best practices for meeting with congressional offices, members boarded buses to Capitol Hill. Over the course of the day, attendees held meetings with more than 25 lawmakers and staffers. This year's Legislative Day also featured the ARSA "War Room," a home-base for members to share intelligence, ask questions, resupply materials, and enjoy a catered buffet lunch sponsored by [Sonico, Inc.](#)

"Legislative Day allows attendees to connect with their representatives and educate policymakers about the industry. Lawmakers hear from ARSA's legislative team regularly. But for them to actually meet face-to-face with constituent business leaders is invaluable," said ARSA Vice President of Legislative Affairs Daniel Fisher.

If you couldn't make it this year, mark your calendars for next year's Legislative Day, March 20, 2013. In the meantime, help support ARSA's advocacy efforts by visiting [ARSAaction.org](#) and sending a note your lawmakers supporting the Association's legislative priorities.

Special thanks to [Segers Aero Corporation](#) for sponsoring the Legislative Day breakfast and to [Aircraft Electric Motors](#) for providing congressional directories. To lock in sponsorships for next year's Legislative Day contact [Keith Mendenhall](#) at 703 739 9543.

## ARSA Legislative Leadership Award commends Rep. Tom Petri

On Legislative Day, ARSA recognized House Aviation Subcommittee Chairman Tom Petri (R-Wis.) with its Legislative Leadership Award for his exceptional work in securing enactment of the FAA Modernization & Reform Act and for being a great friend of the aviation maintenance industry. Woodruff Lyons accepted the award on Petri's behalf.

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## What does the new FAA law mean for you?

Now that Congress enacted a multiyear FAA reauthorization law, what does it mean for you?

The legislation, which authorizes \$15.9 billion annually for the agency through 2015, strikes the right balance between safety, oversight, and operational freedom for repair stations. However, it doesn't mean the law is without consequences for maintenance providers, manufacturers, air carriers, and aircraft parts distributors.

ARSA has gone through every line of the new law and pulled out what it believes could have the most impact on your company.

ARSA's detailed analysis of the maintenance provisions of the FAA Modernization & Reform Act is available [here](#).

ARSA's analysis of key provisions of the FAA Modernization & Reform Act that could impact the broader aviation community is available [here](#).

## Senate aviation leaders press DHS on security rule

On March 29, Senate [aviation leaders delivered a letter](#) to Department of Homeland Security Secretary Janet Napolitano, urging [completion of repair station security rules](#) to "address the economic consequences of government inaction to industry."

The letter was signed by Senate Commerce, Science, & Transportation Committee Chairman John D. Rockefeller (D-W.Va.), ranking member Kay Bailey Hutchison (R-Texas), and Aviation Subcommittee Chairman John Thune (R-S.D.).

Since August 2008, the Transportation Security Administration's (TSA) failure to finalize repair station security rules has prohibited the FAA from certificating new foreign repair stations. Congress first mandated TSA create the rules in 2003. An [informal survey](#) conducted by ARSA last fall detailed the economic impact the foreign repair station certification ban is having on aerospace companies.

In a [reply](#) to [ARSA's November 2011 letter](#) noting the ban's negative consequences for the aviation industry, TSA Administrator John Pistole said the agency hoped to finalize repair station security rules during the fourth quarter of 2012. The senators requested that DHS expedite the rule and complete it before that date.

ARSA commends the senators for their leadership in urging TSA to finalize the repair station security rules. However, the Association believes industry has been waiting too long and that Congress should affirmatively “lift the ban” on foreign repair station certificates in light of TSA’s inaction.

To learn more about ARSA’s “[Lift the Ban](#)” campaign please contact ARSA’s Vice President of Legislative Affairs [Daniel Fisher](#).

## **Bill to permanently repeal estate tax introduced in Senate**

Sen. John Thune (R-S.D.) recently introduced legislation ([S. 2242](#)) to permanently repeal the federal estate tax. The Death Tax Repeal Permanency Act, which has 32 co-sponsors, mirrors bi-partisan House legislation ([H.R. 1259](#)) that has more than 200 supporters.

In addition to scrapping the estate tax, provisions designed to promote small businesses in both the Senate and House bills include:

- Repealing the generation skipping transfer (GST) taxes;
- Permanently setting the gift tax exemption at \$5 million; and,
- Protecting families from high capital gains taxes on inherited estates.

In 2012, the tax is at a 35 percent rate with a \$5 million exemption. However, without action, the estate tax will jump to pre-2001 levels (55 percent rate and \$1 million exemption). Congress should resolve the uncertainty surrounding the estate tax (preferably through permanent repeal) so that family businesses do not continue to incur massive planning and insurance costs as the tax fluctuates from year to year.

ARSA supports efforts like Sen. Thune’s legislation to bring long-term solutions to the estate tax and foster small business growth.

## **Aviation Groups Aim to Repeal Onerous Fuel Fraud Measure**

A coalition of aviation industry associations are seeking repeal of an unnecessary and onerous fuel fraud provision that places an unreasonable burden on business owners, deprives the Airport Airway Trust Fund of much needed revenues, and raises costs for noncommercial jet fuel users.

At issue is a measure included in the nation’s last long-term surface transportation law that required taxes on noncommercial aviation jet fuel be collected at the highway diesel fuel rate (2.5 cents higher than the aviation jet fuel tax).

While the law permits noncommercial jet fuel suppliers to file claims with the IRS to reimburse the cost difference, due to the substantial administrative burdens this places on providers, many simply choose to forego the paperwork hassle and pass the cost to consumers.

The law not only raises consumer costs, it also permanently deprives the Airport & Airways Trust Fund of \$50 million annually, as the collected tax remains in the Highway Trust Fund and is only transferred to the aviation account if the fuel supplier submits a refund application.

The provision was implemented due to unfounded worries that highway users were using aviation jet fuel to avoid paying higher taxes; an illogical concern given that aviation fuel is more expensive than diesel and can cause substantial harm to diesel engines, providing no incentive to engage in such practices.

ARSA supports efforts to repeal this onerous tax and encourages its members to do the same. Please visit [www.ARSAaction.org](http://www.ARSAaction.org) to urge your lawmakers’ support for this matter.



## Depreciation bonus extensions introduced in House, Senate

Rep. Patrick Tiberi (R-Ohio) and Sen. Debbie Stabenow (D-Mich.), along with a bipartisan group of lawmakers, have introduced legislation ([H.R. 4196/S. 2240](#)) to extend 100 percent depreciation bonus through 2012.

The bills are similar to the depreciation bonus language passed by the House during the payroll tax cut extension debate at the end of 2011.

The legislation brings companies several benefits, including:

- Extending 100 percent depreciation bonus through 2012;
- Removing restrictions to allow more corporate Alternative Minimum Tax credits for capital reinvestment that would otherwise qualify for the depreciation bonus; and,
- Allowing companies that use the “percentage of completion” accounting method to take advantage of the depreciation bonus.

While there is a growing base of bipartisan support on Capitol Hill for extending the depreciation bonus, it is critical that you add your voice to those supporting this important investment incentive. Visit [ARSAaction.org](#) to urge your lawmakers to co-sponsor this legislation.

### *Have you seen these candidates?*

Throughout the election season, *the hotline* will introduce readers to the candidates running in some of the most critical Senate campaigns; this month we focus on Virginia. While the state has not held its primary contest, it is widely expected that former Democratic Gov. Tim Kaine will face off against former Republican Sen. George Allen to succeed retiring Sen. Jim Webb.

#### **Gov. Tim Kaine (D-Va.)**



Gov. Tim Kaine is a Democrat running for Senate in Virginia.

Kaine began his career as a practicing attorney in Richmond. In 1994, he was elected to the Richmond City Council, prior to being chosen as the city's mayor in 1998. In 2001, Kaine won election to be Virginia's lieutenant governor before being tapped by voters to serve as the commonwealth's governor. Following his term as Virginia's top elected official, Kaine was appointed by President Obama to serve as the chairman of the Democratic National Committee from 2009 to 2011.

Kaine is a graduate of the University of Missouri and Harvard Law School. Kaine lives with his wife, Anne, in Richmond. They have three children.

Tim Kaine's campaign headquarters:

Kaine for Virginia  
PO Box 12307  
Richmond, VA 23241  
804 359 7100  
<http://www.kaineforva.com>

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## Sen. George Allen (R-Va.)



Sen. George Allen is a Republican running for Senate in Virginia.

Allen began his political career in the Virginia House of Delegates, where he served from 1982 until 1991, before he was chosen in a special election to represent Virginia's 7th Congressional District in the U.S. House. In 1994, Virginians elected Allen as the commonwealth's governor. In 2001, he won a seat in the U.S. Senate and served one term.

Allen is a graduate of the University of Virginia and the University of Virginia School of Law. Allen lives with his wife, Susan, in Mount Vernon. They have three children.

George Allen's campaign headquarters:

George Allen for U.S. Senate  
2819 North Parham Road, Suite 210  
Henrico, VA 23294  
804 726 2012  
<http://www.georgeallen.com>

For more information about these and other candidates, visit [www.ARSAAction.org](http://www.ARSAAction.org).

## International News

### Ethiopia signs bilateral agreements to expand aviation services

The Ethiopian Civil Aviation Authority (ECAA) recently signed bilateral air transport agreements with several nations including Cyprus, Sweden, Denmark, Norway, Switzerland, and the Czech Republic.

In addition to the new bilateral agreements, the ECAA also announced modifications to its existing agreements with Malawi and Israel. According to ECAA Head of Promotions and Public Relations Ahmend Hassen, agreements are also in the works with Slovenia, Jamaica, India, Cameroon, Poland, and Iceland.

In other news, the Ethiopian Aviation Academy in Addis Ababa, run by Ethiopia Airlines, announced that it recently graduated a class of 67 aviation maintenance technicians. As the African aviation market is expected to expand over the next several years, the country hopes to position itself as a gateway to African markets and is growing its workforce to meet expected demand.

### International Roundup

**Editor's Note:** In order to provide more international coverage, the ARSA presents a monthly roundup of world events pertaining to the industry.

[Asian Business Aviation Association is making progress fixing the region's problems](#) (AIN Online)

[European aviation industry warns EU ETS situation is 'intolerable'](#) (Air Transport World)

[Dallas Airmotive Singapore Regional Turbine Center receives CAAS certification](#) (BlueSky)

[Nexus extends flight support network into India](#) (AIN Online)

[Ethiopia: Nation graduates aviation maintenance technicians, marketing, cabin crew](#) (allAfrica.com)

[Qantas says maintenance will stay in Australia](#) (*AviationPros.com*)

[ATR opens training center in Africa](#) (*Air Transport World*)

[Eurocopter predicts growth in Chinese helicopter market](#) (*AIN Online*)

[Budget to boost aviation, MRO sector, says expert](#) (*IBN Live*)

[Turkish Technic Eyes Global MRO Joint Ventures](#) (*Air Transport World*)

## **Member Spotlight**

### **Able Engineering & Component Services, Phoenix, AZ**

When Able Engineering opened shop in 1982, its business centered on piece processing of turbine engine components for original equipment manufacturers. Since then, the company learned to use core processes to repair worn and damaged components and grew its repair base to over 4,000 proprietary FAA-approved repairs applicable to over 800 individual components. Today, the company hand picks its customers and provides component overhaul service to many of the world's largest and most successful operators.

Able Engineering's mission is to "reduce aircraft operating costs by providing resourceful component repair, overhaul, and approved replacement parts solutions." Keeping with the mission, and providing alternative maintenance solutions and great service to its customers, has solidified the company's reputation as one of the unique problem solvers in the industry.

For more information on visit <http://www.ableengineering.com/>.

*Are you an ARSA member who would like to be in the "Member Spotlight?" If so, please contact Keith Mendenhall <[Keith.Mendenhall@arsa.org](mailto:Keith.Mendenhall@arsa.org)>.*

## **Welcome New Members**

[Aeroframe Airepairs](#), Memphis, TN

[American Turbo Systems](#), Tucson, AZ

[Carolina Aviation Technical Services \(CAT\)](#), Statesville, NC

[Carpe Diem Aviation Services of Missouri, Inc.](#), Joplin, MO

[Georgetown Instrument Services](#), Taylor, TX

[Keystone Aerospace, Inc.](#), Hot Springs, AR

[Magellan Aerospace Turbine Services, LLC](#), Glendale, AZ

[Southwest Airmotive Corp.](#), Eloy, AZ

[The Zee Company, Inc.](#), San Antonio, TX

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**2012**  
**Annual Repair Symposium**

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# ARSA Regulatory Compliance Training—Questions

**Editor's Note:** Questions 1 and 2 in the regulatory compliance training questions for the [February 29, 2012](#) issue of *the hotline* should have stated that work performed at an earlier date must have been "satisfactorily performed." ARSA apologizes for the omission.

**Part 1: General Comprehension**

**Level 1: For anyone working in aviation**

## § 65.83 Recent experience requirements.

A certificated mechanic may not exercise the privileges of his certificate and rating unless, within the preceding 24 months—

- (a) The Administrator has found that he is able to do that work; or
- (b) He has, for at least 6 months—
  - (1) Served as a mechanic under his certificate and rating;
  - (2) Technically supervised other mechanics;
  - (3) Supervised, in an executive capacity, the maintenance or alteration of aircraft; or
  - (4) Been engaged in any combination of paragraph (b) (1), (2), or (3) of this section.

<p><b>Question 1:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as a manager supervising the maintenance and alteration of aircraft for 6 months during the last 2 years.</p>	<p><b>Question 2:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as a manager supervising the maintenance and alteration of aircraft for the past 2 months after leaving the industry to work as a mechanic for an amusement park for the past 5 years.</p>
<p>A—True. B—False.</p>	<p>A—True. B—False.</p>

<p><b>Question 3:</b> A certificated mechanic can exercise the privileges of his certificate and rating if, within the last 2 years, he technically supervised other mechanics for 3 months, and served as a mechanic under his certificate and rating for an additional 3 months.</p>	<p><b>Question 4:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as an auto technician at a car dealership for the past 2 years.</p>
<p>A—True. B—False.</p>	<p>A—True. B—False.</p>

Name \_\_\_\_\_  
Clearly Print the Name of the Person Taking the Test

Date \_\_\_\_\_  
Date Test was Completed

Score \_\_\_\_\_  
Enter as x (number correct) of y (number of questions)

Hours \_\_\_\_\_  
Time Credited for Test

Approved by \_\_\_\_\_  
Signature of Supervisor or Person Administering Test

# ARSA Regulatory Compliance Training—Answers

Correct answers are in **bold**

**Part 1:** Definitions and abbreviations

**Level 1:** For anyone working in aviation

## § 65.83 Recent experience requirements.

A certificated mechanic may not exercise the privileges of his certificate and rating unless, within the preceding 24 months—

- (a) The Administrator has found that he is able to do that work; or
- (b) He has, for at least 6 months—
  - (1) Served as a mechanic under his certificate and rating;
  - (2) Technically supervised other mechanics;
  - (3) Supervised, in an executive capacity, the maintenance or alteration of aircraft; or
  - (4) Been engaged in any combination of paragraph (b) (1), (2), or (3) of this section.

<p><b>Question 1:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as a manager supervising the maintenance and alteration of aircraft for 6 months during the last 2 years.</p>	<p><b>Question 2:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as a manager supervising the maintenance and alteration of aircraft for the past 2 months after leaving the industry to work as a mechanic for an amusement park for the past 5 years.</p>
<p><b>A—True. (Correct answer; see (b)(3))</b> B—False.</p>	<p>A—True. <b>B—False. (Correct answer; the certificated mechanic must have supervised for at least 6 months within the past 2 years to satisfy (b)(3))</b></p>
<p><b>Question 3:</b> A certificated mechanic can exercise the privileges of his certificate and rating if, within the last 2 years, he technically supervised other mechanics for 3 months served as a mechanic under his certificate and rating for 3 months.</p>	<p><b>Question 4:</b> A certificated mechanic can exercise the privileges of his certificate and rating if he worked as an auto technician at a car dealership for the past 2 years.</p>
<p><b>A—True. (Correct answer; see (b)(4))</b> B—False.</p>	<p>A—True. <b>B—False. (Correct answer; the recent experience requirement is not met)</b></p>