



Aeronautical Repair Station Association

since 1984

the hotline

December 2013

Latest News

Sarah Says: A Glance Back

As we enter 2014, the association takes the opportunity to review the most visible contributions to its members' continued viability during the past year.

Major regulatory victories for the industry included a Federal Aviation Administration (FAA) [clarification](#) that a maintenance provider may restore missing part information and the [withdrawal](#) of a maintenance duty time legal interpretation.

The association also obtained an [FAA letter](#) confirming that part-specific training is not required and secured the FAA's [concurrence](#) with the association's [contention](#) that the agency could not prohibit early compliance with Order 8130.21H (i.e., use of the revised Form 8130-3 before its Feb. 1, 2014 effective date).

The association's most important purpose is to advocate for fair, clear, concise, and consistent rulemakings. To that end, ARSA submitted substantive comments to the proposed FAA [air carrier contract maintenance requirements](#) (see March 13 [comments](#)), a European Aviation Safety Agency (EASA) Notice of Proposed Amendment that would incorporate safety management system requirements into EASA part 145 (see May 22 [comments](#)), and FAA [draft order 8300.X](#) which provides guidance on the approval of technical data associated with major repairs or alterations (see June 9 [comments](#)).

ARSA continued its quest to ensure good governance when it [requested](#) objective evidence to support an FAA proposed airworthiness directive. The request, and its subsequent [comments](#), pointed out that the proposal lacked elements for compliance with the most basic rulemaking requirements, the Small Business Regulatory Enforcement Fairness Act and the Regulatory Flexibility Act. The association also [urged](#) the Small Business Administration to weigh in.

ARSA furthered its mission to make maintenance manuals available to maintenance providers with a [letter](#) to European Parliament members commending recent inquiries to the European Commission. ARSA Vice President for Legislative Affairs Daniel Fisher detailed the fact that regulatory bodies weren't enforcing their own regulations which require design approval holders make instructions for continuing airworthiness available, particularly when repair stations are required to follow them.

In March, ARSA held its Annual Repair Symposium and Legislative Day. Kicking off the event, industry representatives visited 32 congressional representatives including Senate Aviation Subcommittee Ranking Member Kelly Ayotte (R-N.H.). The Symposium ended on a high note with FAA Administrator Michael Huerta speaking on the important role ARSA plays and lauding the maintenance community for its contribution to aviation safety. ([Register](#) now for the 2014 ARSA Symposium, being held March 19-21.)

ARSA continued to exercise its legislative muscle by submitting a [statement](#) to the House Subcommittee on Aviation regarding inconsistent agency regulatory interpretation. ARSA highlighted its involvement with the Consistency of Regulatory Interpretation Aviation Rulemaking Committee and the lack of agency response to the committee's [recommendations](#).

The association was unrelenting in urging lawmakers to lift the FAA foreign repair station certification ban to stop the industry from being penalized by government inaction. Simultaneously, ARSA engaged Capitol Hill allies to pressure the Office of Management & Budget, Transportation Security Administration, and the Department of Homeland Security at every opportunity to finalize repair stations security rules. Additionally, ARSA secured repair station participation on the Aviation Security Advisory Committee, which has been proposed in the Aviation Stakeholders Participation Act. The bill passed the House and companion legislation was introduced in the Senate (also including repair stations as committee members).

Finally, ARSA made good on past promises to provide online training courses and webinars (more information at <http://arsa.org/training-2/online-training/>), expanded its [affiliate programs](#) to include drug and alcohol testing services, held member outreach meetings across the U.S., and introduced the [ARSA Blog](#) and avmro.arsa.org, a one-stop shop for information about the aviation maintenance industry.

As we press on in the New Year, the association will continue to fight the good fight. Indeed, we encourage members to review and comment on the recently released "[ARSA 20/20](#)," a strategic plan that details future advocacy and program development. We look forward to working with industry and our membership to ensure continued industry growth and success in 2014.

Register for 2014 Annual Repair Symposium

On March 19-21, ARSA will hold its Legislative Day on Capitol Hill and Annual Repair Symposium in Arlington, Va. Join aviation professionals from around the world to connect with officials from the FAA and other aviation authorities, as well as key members of Congress and your colleagues in the industry.

The Symposium will include a variety of sessions designed to help you stay compliant with up-to-date regulations. Legislative Day informs you about critical issues in Washington and provides the opportunity to arrange Capitol Hill meetings with your representatives, senators, and congressional staff.

[Register](#) today for this exciting opportunity to gain valuable intelligence on what's happening in our industry!

If you are interested in becoming a sponsor for either Legislative Day or the 2014 Symposium, [click here for sponsorship opportunities](#) or contact [Jennifer Kitching](#).



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.

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Different Year, More of the Same

As 2013 came to an end, the aviation maintenance industry is once again left in limbo as repair station security rules aren't finalized and the prohibition on FAA certification of new foreign repair stations endures.

Despite the rules having been mandated by Congress over ten years ago and multiple promises to complete them (the most recent by Administrator John Pistole at a March 15, 2013, hearing where he said the rules "should be" completed by year's end) the Transportation Security Administration (TSA) has failed to finalize the regulations. ARSA's efforts on Capitol Hill have been effective in raising the visibility of the issue among lawmakers and pressuring the TSA, the Office of Management & Budget (OMB) and the Department of Homeland Security (DHS) to complete the rules. However, it's time for lawmakers to take the next step and lift the ban on new FAA foreign repair station certifications.

ARSA has been working with lawmakers representing districts and states consisting of impacted companies; a legislative solution is in the works. However, Congress needs to continue hearing from constituents about the issue. To weigh-in with your representatives use [ARSA's online grassroots action tool](#). It's not too late to get involved!

New Guidance Available

In response to concerns that the Federal Aviation Administration (FAA) aviation safety inspectors were not uniformly auditing repair stations, standardized checklists have been developed. These documents are not being used by the FAA workforce yet, but will be officially introduced in the near future. It behooves repair stations to incorporate the concepts into their own quality systems to ensure successful audit results. The checklists reference the applicable regulations and internal FAA guidance for research and applicability.

The checklists are available to the public here: http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afs/afs300/ under AFS-300 Job Aids; Part 145 Repair Station Checklists.

ARSA is reviewing the material for correct regulatory references, consistency, and uniformity; members are encouraged to review and provide comments to the association for transmission to the agency.



The Customs Agent's Always Right?

Customs duties are tariffs or taxes imposed on goods when transported across international borders. According to the Customs and Border Patrol, the purpose is "to protect each country's economy, residents, jobs, environment, etc., by controlling the flow of goods, especially restrictive and prohibited goods, into and out of the country."

The government claims duties are for the public good; however, we all know the primary reason for their existence—revenue. While tariffs and taxes won't go away, ARSA members are increasingly complaining about interactions with customs and freight forwarders, resulting in increased expenses and time wasted.

Is your company having problems dealing with customs? Did you have difficulties, but switched freight forwarders, and reduced costs and time spent on importing and exporting? Does your company have a "best practice" for navigating the customs process? If so, ARSA would like to hear your story. Please email ARSA Vice President of Legislative Affairs Daniel Fisher (daniel.fisher@arsa.org).

ARSA Joins CRI ARC Letter

After a [memorandum](#) dictating the cancellation of all “unofficial” guidance issued by policy offices in the Federal Aviation Administration was revealed, ARSA [joined](#) other industry representatives on Dec. 18 in a letter asking for a withdrawal or delay of the directive until a comprehensive manner of gathering, reviewing, and coordinating policy vis-à-vis the regulations is developed.

The Consistency of Regulatory Interpretation Aviation Rulemaking Committee (CRI ARC), of which ARSA is a member, did [recommend](#) consolidation of all guidance and policy relating to specific regulations. However, it did not anticipate the cancellation of all outstanding information in the carte blanche manner outlined in the Dec. 3 memorandum.

In the meantime, the association is developing a methodology for gathering any and all documents explaining or interpreting regulations for inclusion in a database that can be searched by 14 CFR reference to aid the agency in its collection and consolidation efforts. If any member has documents from the FAA relating to regulatory compliance, please forward to the association at arsa@arsa.org for inclusion in its library.

Senate ASAC Bill Includes Repair Stations

On Dec. 11, Sen. Jon Tester (D-Mont.) introduced the Aviation Security Stakeholder Participation Act ([S. 1804](#)), companion legislation to H.R. 1204 which overwhelmingly passed the U.S. House of Representatives on Dec. 3.

S. 1804 enables the aviation industry to offer greater feedback on the development and implementation of Transportation Security Administration (TSA) policies, programs, rulemakings, and security directives by establishing an Aviation Security Advisory Committee (ASAC) within the agency. The ASAC would provide recommendations to TSA on ways to remove redundancies and apply a more targeted approach to improving the security of our nation’s aviation network.

In the House, ARSA’s legislative team worked with Rep. Richard Hudson (R-N.C.) on an [amendment](#) including repair stations as participants on the advisory panel. Consequently, S. 1804 lists “aeronautical repair stations” as ASAC members along with representatives from labor unions, manufacturers, air carriers, and passenger advocacy groups.

Stay tuned as the Aviation Security Stakeholders Participation Act is considered in the Senate.



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ARSA: Johnson Must Make Repair Station Security Rules Immediate Priority

Christian A. Klein, executive vice president of the Aeronautical Repair Station Association (ARSA), issued the following statement in response to the Senate confirmation of Jeh Johnson as secretary of the U.S. Department of Homeland Security:

“ARSA applauds the Senate’s bipartisan confirmation of Jeh Johnson. As the first order of business, we look forward to Secretary Johnson finalizing the repair station security rule, which is now nine years overdue,” said Christian A. Klein, ARSA executive vice president. “Aviation maintenance companies are losing millions of dollars in potential revenues because the FAA is prohibited from certificating new foreign repair stations until the security rule is finalized. The government should be nurturing small and medium-sized aviation maintenance companies, not obstructing their ability to compete internationally.”

Budget Deal Increases Security Fee

On Dec. 12, the U.S. House of Representatives approved the [Bipartisan Budget Act of 2013](#) in strong bipartisan fashion, 332-94. The bill now heads to the Senate as lawmakers try to prevent a new round of automatic spending cuts known as sequestration and preempt a last-minute fight over funding priorities for the new year.

Negotiated by Budget Committee Chairs Rep. Paul Ryan (R-Wis.) and Sen. Patty Murray (D-Wash.), the legislation sets spending at \$1.012 trillion for the current fiscal year (FY) and \$1.014 trillion next year, lifting \$45 billion in automatic cuts and increasing discretionary spending through FY 2014. Over the next ten years, the Congressional Budget Office [estimates](#) the bill would reduce the federal deficit by \$85 billion largely through an extension of automatic cuts for two more years—2022 and 2023—beyond the period during which sequestration will apply under current law.

The deal would significantly and negatively impact the aviation industry and its customers by hiking the 9/11 Passenger Security Tax, which ARSA and other industry groups have previously opposed. The increase would nearly double the current fee passengers pay per flight and is expected to generate \$12.6 billion in revenues over ten years, largely at the expense of travelers.

On Nov. 20, ARSA joined seven other industry associations in a [letter](#) to House and Senate Budget Committee Chairmen Paul Ryan (R-Wis.) and Patty Murray (D-Wash.) opposing a fee increase in the budget deal. The letter urged Murray and Ryan not to offset the next round of sequestration (the automatic spending cuts from the Budget Control Act of 2011), scheduled for Jan. 15, 2014, by taxing the traveling public, the aviation industry, and those that rely on air travel for conducting business.

The Senate is expected to take up the legislation this week where it is unclear whether enough Republicans will side with Democrats to approve the bill. Stay tuned to ARSA as the story develops.

ARSA Condemns FAA Overreach

On Dec. 11, ARSA [warned](#) the Federal Aviation Administration (FAA) today that its disregard of basic requirements for promulgating a safety regulation required an immediate withdrawal of a notice of proposed rulemaking.

The [proposed Airworthiness Directive](#) (AD) requires the inspection and replacement of cylinders used on certain engines manufactured by Continental Motors, Inc. ARSA’s comments rebuke the FAA for ignoring mandates contained in its airworthiness standards and Airworthiness Directives Manual, as well as the Administrative Procedure Act, Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, and the agency’s own internal guidance and policies regarding those laws.

“The agency’s failure to provide objective, substantiated engineering data and to complete an accurate analysis regarding the economic impact of the AD merits the immediate withdrawal of the proposal,” said Daniel Fisher, ARSA’s vice president of legislative affairs. “The FAA has made a mockery of the rulemaking process and Congress should take a close look at the agency’s actions.”

ARSA’s comments detail the FAA’s failure to comply with congressional mandates and internal guidelines by not providing the correct technical data and economic impact analysis in its proposal. The association includes industry economic data detailing the detrimental impact the AD will have on the aviation sector and small businesses.

“Due to the heavily regulated nature of the aviation industry, ARSA members are negatively impacted when government agencies fail to comply with basic requirements,” Fisher said. “When small entities are involved, the repercussions from improper government action are even greater.”

ARSA’s comments are available at <http://arsa.org/wp-content/uploads/2013/12/ARSA-FAA-2012-0002Comments-20131211.pdf>.

ARSA, TeamSAI Join Forces to Measure Industry Impact

On Dec. 6, ARSA announced a new strategic partnership with TeamSAI, an aviation consulting firm specializing in strategic, tactical and operational management solutions. The new relationship will combine ARSA’s industry knowledge and policy expertise with TeamSAI’s data-driven forecasting to create regular, high quality economic analyses of the global aviation maintenance sector.

“The association is excited to join forces with an industry leader like TeamSAI,” ARSA Executive Vice President Christian Klein said. “Working together, we’ll provide critical information to make our members more effective managers and leaders. We’ll also help lawmakers, regulators, journalists, and voters better understand the economic consequences of policy decisions.”

Among other things, the ARSA-TeamSAI partnership will produce regular reports detailing the maintenance industry’s economic and employment impact on a state-by-state basis and balance of trade.

To view ARSA’s most recent study on global aviation maintenance, visit <http://arsa.org/news-media/economic-data/>.

Foreign Repair Station Drug Testing Rule at OMB

On Dec. 5, the Office of Management and Budget is reviewing a proposed rule from the Federal Aviation Administration that will impact foreign repair stations. The [abstract](#) states:

“This rulemaking is required by the FAA Modernization and Reauthorization Act of 2012. It would require controlled substance testing of some employees working in repair stations located outside the United States. The intended effect is to increase participation by companies outside of the United States in testing of employees who perform safety critical functions and testing standards similar to those used in the repair stations located in the United States. This action is necessary to increase the level of safety of the flying public.”

An OMB review usually takes 30 to 60 days, after which the rule can be returned to the agency for further action or for posting as a notice of proposed rulemaking in the *Federal Register*. Rest assured the association will keep close tabs on this action.

FAA Responds to ARSA Concerns on Order 8130.21H

On Dec. 2, the Federal Aviation Administration (FAA) responded to a [letter](#) ARSA sent on Nov. 19, concerning the prohibition on early compliance of FAA Order 8130.21H, specifically the ability to use the revised FAA Form 8130-3 before its Feb. 1, 2014 effective date. (See previous [story](#)).

In its [response](#), the FAA concurred with ARSA's assessment that early compliance is in the best interest of the industry, including early use of revised FAA Form 8130-3. The FAA is notifying all field officers of this decision.

Blogs

Moving On...

By Eric R. Byer, ARSA vice president of communications, policy and planning

Recently, I accepted the president and COO position at the National Association of Chemical Distributors (NACD), an organization that represents nearly 300 small, medium-sized and large businesses.

While my tenure at Obadal, Filler, MacLeod & Klein (OFMK—the law firm that manages ARSA) has been short, it has been rewarding for both me and the organizations and companies represented. I was able to use my experience and expertise to develop important policy and membership initiatives, improve the organization's programs, solidify communication procedures and implement a long-term strategic plan. These endeavors broadened my knowledge and ensured the law firm's and ARSA's future success. I am proud to have been part of the team that represents important segments of the transportation community.

While I have had many opportunities and responsibilities here at OFMK, leading an association has been a career ambition that had to be accepted. Be assured that the team representing the worldwide maintenance industry remains rock-solid.

I wish all ARSA members the very best.

To read ARSA's other blog posts, be sure to visit <http://blog.arsa.org/>.

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ARSA on the Hill

By Daniel Fisher, ARSA vice president of legislative affairs

In December, ARSA's legislative team began turning its focus to the new congressional session.

At the top of the legislative agenda remains the lift the ban campaign. Another year passing without the repair station security rule and the foreign repair station certification ban in place is unacceptable. In consultation with ARSA, the industry's Capitol Hill allies are preparing a legislative solution for early in 2014.

The New Year also brings preparations for the next FAA reauthorization process. Congressional leadership is starting to lay the groundwork for the next FAA bill and ARSA is in the early stages of formulating proposals for the legislation. Is there an issue the association should address in the reauthorization bill? Let us know at arsa@arsa.org.

It's also time for ARSA PAC to lift off for the mid-term elections. The industry's success on Capitol Hill depends upon ensuring our biggest supporters have the campaign resources to successfully return to Congress. We are implementing a PAC strategy that focuses on the key races and supporting lawmakers who have demonstrated leadership on the industry's top priorities. Ensuring our friends get through an increasingly difficult primary process is a crucial aspect of our plan. In order to learn more about ARSA PAC, please provide your [solicitation consent](#) today!

In December, ARSA delivered PAC support to Rep. Steve Daines (R-Mont.). A member of the House Transportation & Infrastructure Committee (including the Aviation Subcommittee) and the House Homeland Security Committee, Daines is the frontrunner to succeed retiring Sen. Max Baucus (D-Mont.) as Montana's next senator.

Regulatory Outlook

MAG Change 3 – What You Need to Know

On Nov. 27, 2013, the [third revision](#) to the Maintenance Annex Guidance (MAG) was released. A document highlighting the revisions is available [here](#).

The MAG, originally issued on May 3, 2011, provides detailed guidance for FAA-certificated repair stations located in the U.S. to obtain an EASA certificate (and visa-versa) under the [U.S./EU Aviation Safety Agreement](#). The guidance contains three sections addressing regulatory authorities, U.S.-based repair stations, and EU-based approved maintenance organizations. The [first revision](#) was signed on Jan. 10, 2012, and the [second revision](#) is dated Oct. 31, 2012.

EASA-certificated U.S.-based repair stations must ensure implementation of all required changes by Feb. 25, 2013 (90 days from the MAG Change 3 effective date). The most notable changes, some of which may require an update to the repair station's EASA supplement, include—

- A statement that a repair station cannot exercise EASA approval privileges after the EASA certificate expires. If the repair station supplement does not have such a statement, a change should be instituted.

Failure to submit a renewal package for more than three months after the EASA certificate expiration date will result in an automatic certificate revocation and require the organization to obtain a new certificate through the initial certification process (see MAG page 75).

Bottom line, repair stations should submit renewal packages to the FAA six months prior to the EASA certificate expiration to ensure a timely renewal and avoid revocation.

- A statement that MAG changes must be implemented within 90 days of the revision publication date (see MAG page 88).

This may be addressed by amending the EASA supplement to include the following sentence in the revision process section: "Applicable MAG changes will be incorporated, and a revision to this Supplement issued, within 90 days of the MAG change publish date."

- Clarification of work away procedures to coincide with sample EASA supplement language in Appendix A with the notation that the procedures are not applicable to line stations (see MAG page 83).

- Acceptance of EASA Form 1 triple maintenance release for used components to certify compliance with FAA, EASA, and TCCA requirements (see MAG page 96). If the EASA supplement and/or repair station quality manual does not contemplate the additional language, initiate an amendment to either or both.

If your repair station is taking advantage of this capability, a change to the supplement explaining how it will be accomplished should be submitted.

- Inclusion of FAA authorized line maintenance locations (stations) under the EASA certificate (excluding those located in EU member states as listed in the Safety Agreement, Appendix 2, Annex 2) (see MAG page 105).

If your supplement does not include authorized line maintenance locations, a change should be submitted.

Notable MAG revisions directed at the aviation authorities include—

- Notation recommending that the repair station renewal package be submitted six months before the company's EASA certificate expires, but no later than 30 days before expiration (see MAG page 32). *While this is directed to the agency, a repair station needs to accomplish its requirements for renewal to ensure the FAA conducts the necessary review in a timely manner.*
- Requirement that the FAA recommendation package for both initial and renewal applications include a copy of a repair station profile information listing ratings, personnel, FAA information, and outstanding investigations (see MAG page 76).
- Clarification that the FAA will advise EASA of any Level 1 findings (as newly defined on MAG page 23) or regulatory compliance failures that *would* result in an enforcement action through use of EASA Form 9 (see MAG page 76).

ARSA staff is reviewing the [ARSA model EASA supplement](#), designed for U.S.-based repair stations currently holding or working to obtain EASA Part-145 approval, and will notify past purchasers of suggested revisions to ensure continued compliance with the MAG.

Comprehending English

Under [Title 14 of the Code of Federal Register \(14 CFR\) part 145](#), certain repair station employees must either be certificated under part 65 as a mechanic or repairman or be able to understand, read, and write English.

For repair stations located in the United States, supervisors and persons authorized to approve work for return to service must be either mechanics or repairmen under part 65. That means the individual will have to read, write, speak and understand English. Additionally, all inspectors must be able to understand, read and write English. For repair stations located outside the United States, supervisors, inspectors and persons authorized to approve work for return to service must be able understand, read and write English. The relevant regulations are 14 CFR §§ [145.153](#), [145.155](#), and [145.157](#).

The Federal Aviation Administration (FAA) does not include the standards for what constitutes understanding, reading, and writing English in the rule. However, [Advisory Circular \(AC\) 60-28A](#) covers English language requirements for airmen, which includes mechanics and repairmen, and therefore provides guidance for all repair station personnel who must establish comprehension of English.

On Dec. 12, 2013, the FAA issued AC 60-28A, which cancelled and replaced AC 60-28 CHG 1. The AC provides guidance on the English language requirements for airmen under 14 CFR parts 61, 63, and 65. AC 60-28A Appendix 1 contains the standards that the FAA adopted from the proficiency scale established by International Civil Aviation Organization (ICAO) [Document 9835](#) (*Manual on the Implementation of ICAO Language Proficiency Requirements*). ICAO established six proficiency levels that range from Pre-elementary (Level 1) to Expert (Level 6). The FAA's standards and AC 60-28A guidance correlate to the Operational level (Level 4).

AC 60-28A Personnel

As stated above, individuals must meet language requirements to receive airman certification. 14 CFR part 61 applies to pilots, flight instructors, and ground instructors. Part 63 applies to flight engineers and navigators. Part 65 varies slightly and contains stricter requirements for some positions. For example, under § 65.33(c), air traffic controllers must show they can read, write, understand and speak English and, further, be able to speak without accent or impediment that would interfere with radio conversations. Under §§ 65.71(a)(2) and 65.101(a)(6), mechanics and repairmen who do not meet the basic requirements will receive a certificate that is valid only outside of the United States.

AC 60-28A Basic Criteria

The FAA evaluates airmen certificate applicants on six English language criteria: (1) pronunciation; (2) structure; (3) vocabulary; (4) fluency; (5) comprehension; and (6) interactions.

The **pronunciation** standard assumes that the applicant has a dialect or accent that is intelligible to the aeronautical community and that the applicant's first language influences pronunciation, stress, rhythm, and intonation but only sometimes interferes with ease of understanding.

To meet **structure** standards, applicants must employ grammatical structures and sentence patterns appropriate to relevant tasks in a creative and well-controlled manner. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.

An applicant's **vocabulary** range and accuracy must be sufficient to communicate effectively on common, concrete, and work-related topics. In unusual or unexpected circumstances, the applicant should be able to paraphrase.

A **fluent** applicant is able to produce stretches of language at an appropriate tempo and while an occasional loss of fluency during transition from rehearsed or formulaic speech to spontaneous interaction is acceptable, this loss may not prevent effective communication. The applicant can make limited use of verbal fillers so long as they are not distracting.

Comprehension by the applicant means s/he is mostly accurate on common, concrete, and work-related topics when the dialect, accent, or variety used is sufficiently intelligible. Comprehension may be slower or require clarification when there is a linguistic or situational complication or an unexpected turn of events.

To meet **interaction** standards, responses by the applicant are mostly immediate, appropriate, and informative. The applicant initiates and maintains exchanges even when dealing with an unexpected turn of events. The applicant deals adequately with apparent misunderstandings by checking, confirming, or clarifying.

Applying AC 60-28A and ICAO Standards to Repair Stations

Unfortunately, there is no AC comparable to 60-28A that applies the English language requirements directly to repair stations. However, AC 60-28A and the underlying ICAO Document 9835 can provide a starting point for developing training and testing standards to ensure non-part 65 certificate holders in a repair station appropriately "understand, read, and write English."

An excellent way to ensure these personnel meet this standard is onsite, individual testing, both written and verbal, during the hiring process. Online testing conducted off-site opens the possibility of third-party assistance and inhibits an accurate verbal component.

Stay tuned as ARSA develops materials for repair stations to use in personnel hiring, training, and testing.

Final Documents/Your Two Cents

This list includes Federal Register publications, such as final rules, Advisory Circulars, and policy statements, as well as proposed rules and policies of interest to ARSA members. *Read more at* <http://arsa.org/wp-content/uploads/2014/01/hlDec13-FDYTC-20140109.pdf>.

Quality Time

Editor's note: The views and opinions expressed by contributing authors do not necessarily state or reflect those of ARSA, and shall not be used for endorsement purposes.

Farewell to the Hotline

By [Jonathan W. Yarborough](#), Constangy, Brooks & Smith, LLC, 80 Peachtree Rd., Ste. 208, Asheville, NC 28803-3160. © 2013 Jonathan W. Yarborough ALL RIGHTS RESERVED.

After many years of columns, this will be my last. I have enjoyed providing content to *the hotline* and I hope you have taken away some nuggets of information that have assisted you with your employees or helped avoid a lawsuit.

I thought I would use this last column to share a few thoughts about the state of employment law in 2014.

First, EEOC charges are at all time highs. Be forewarned. Be proactive. We love clients who pick up the phone after the charge or lawsuit is filed. Instead, pick up the phone and seek advice as the situation is unfolding.

Second, we are seeing an increase in union activity and election wins. As we say in my business, employers often get the union they deserve. Conduct a periodic review of your employment practices. Ask your employees how they are doing. Actually have an open door practice, not just a policy with a closed door.

Third, take the time to review your job descriptions, personnel policies, employee manuals, and other employment-related documents. I cannot tell you how many times I have been involved in client matters, particularly ADA issues, and have reviewed job descriptions that were last updated ten or more years prior. Technology changes, job duties change. Make sure your policies change too.

Fourth, keep up with social media issues related to your employees. The technology is changing faster than the law. Myspace, anyone? But, under the current makeup of the NLRB, employers are at a disadvantage when dealing with employees griping online about you, your supervisors, and the like. Be aware and informed; don't have a knee jerk reaction, otherwise you may well have a complaint of unfair labor practices.

Finally, don't be a stranger. I am happy to continue to assist with any labor and employment issues that may arise. I can be reached at yarborough@constangy.com, and feel free to follow me on Twitter @JWYarborough.

Best wishes for 2014 and beyond. Farewell.



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companies, fixed base operators, aircraft completion centers, airlines, MRO facilities and part distribution / redistribution companies. Quantum is installed in over 50 countries and can be deployed as a single-site or multinational solution.

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New Year – Click Refresh on Your Contract Forms

By [Steven E. Pazar](#), Attorney at Law, 11 Carriage House Lane, Boxford, Massachusetts 01921. © 2013 Steven E. Pazar ALL RIGHTS RESERVED.

Steven is a counselor to businesses operating in high-risk industries, including aviation. He provides templates, tools, and training to improve contracting efficiency, close deals faster, and control costs.

How long has it been since you have had a hard look at your standard contract forms? Have you really considered your commercial terms in light of their use in practice? When was the last time you assessed the implications of recent case law or changes in state and federal regulations? Are your current insurance coverages and limits reflected in your documents?

With the new calendar year, review and refresh your contract forms and templates, particularly if it has been several years since a fresh, independent read of your working forms.

An independent review can:

- Accelerate contract negotiations by addressing concerns raised by your customers. If you are seeing the same comments over and over again from customers (or potential customers), consider making some adjustments to your templates to streamline the negotiation process.
- Spot errors, typos, and confusing or ambiguous text. Being too close to a document hinders the identification of obvious issues that can be easily remedied as part of a refreshed template.
- Ensure your insurance coverage and limits are appropriate. These are likely renewed each year; a good review of your contract forms will include a check with your risk manager, broker or underwriters.
- Keep your templates abreast of new or updated laws and regulations, as well as recent case law. Just like the standard of care for professional or manufacturing practice, the law is not static; old forms tend to reflect old practices.

“It sounds like a lot of work. How do I get a good review in a prompt, cost effective manner?” It’s not hard or costly if you use a simple plan:

- (1) Gather your standard contractual forms and templates, in an electronic form (if they are not in electronic format, scan them!).
- (2) Check aviation regulations for required elements (repair station must have certain language in contracts with maintenance vendors, such as required drug and alcohol testing, quality requirements and information)
- (3) Pull together written comments or mark-ups received from customers during negotiations – both the initial comments and the final executed agreement.
- (4) Identify errors, typos, inconsistencies and common comments.
- (5) Ask your legal counsel and risk manager to review the documents for clarity and substance.
- (6) Prepare a draft update for consideration by management.
- (7) Ask your insurance broker or underwriter for a final check on insurance issues.
- (8) Prepare an updated revision for use.
- (9) Update management and staff on the revisions and use of the forms and templates.

Your contracts are a reflection of your company’s philosophy, culture, and sophistication. Old, outdated documents present an old, outdated image. Updated forms and templates reflect current trends and business practices. In the end you will improve your company’s contracting practices and close more deals faster.

Membership

Member Spotlight: Jet Center Medford, Medford, Ore.

Jet Center Medford first opened in 1967, growing into a strong and successful family owned business in the decades that followed. Forty-six years later, the company continues to serve the needs of its customers by providing outstanding aircraft management, aircraft maintenance, and parts, avionics, and aircraft sales and service.

Jet Center Medford is located at the Rogue Valley International-Medford Airport and is an independent fixed base operator and Federal Aviation Administration part 145 certificated repair station. The maintenance

provider offers a variety of services including MRO, avionics upgrades, and aircraft sales and storage. Additionally, the repair station has Cessna and Cirrus factory-authorized maintenance personnel and boasts capabilities for all brands of jets, turboprops, and piston aircraft.

An ARSA member since 2006, Jet Center Medford's General Manager Gary Hudnall currently serves on the association's Board of Directors as treasurer.

For more information, visit <http://jetcentermedford.com/>.

Are you an ARSA member who would like to be in the "Member Spotlight?" If so, please contact Matt McKinney at matthew.mckinney@arsa.org.



Have You Seen This Person?

Each month, *the hotline* spotlights key regulatory, legislative, and business leaders making important contributions to the aviation industry. This month we look at Deborah Hersman, chairwoman of the National Transportation Safety Board.

Deborah Hersman, chairwoman of the National Transportation Safety Board



Deborah Hersman is currently serving her third term as chairwoman of the National Transportation Safety Board (NTSB). She was first appointed to the board in 2004, and in 2009 President Obama appointed her chairwoman, making her the youngest person ever to lead the transportation body. During her tenure, Hersman has made increasing safety across multiple transportation modes a top priority.

Prior to her current role, Hersman was a senior advisor to the U.S. Senate Committee on Commerce, Science & Transportation and acted as a key player in the passage of many transportation and safety related pieces of legislation.

In 1992, Hersman graduated from Virginia Tech with a Bachelor of Arts in Political Science and in International Studies. In 1999, she received her Masters of Science in Conflict Analysis from George Mason University.



A Member Asked...

Q: Can a repair shop use its own custom-made label instead of the original equipment manufacturer identification plate listed in the illustrated parts catalog?

A: According to a [letter](#) from the FAA Flight Standards Service Aircraft Maintenance Division (AFS-300), and the updated advisory circular (AC) on this subject, a maintenance provider can re-identify the part during Title 14 Code of Federal Regulations (CFR) part 43 operations. Review the information provided on this subject in [AC 43-213A](#).

Obviously, following the AC is an acceptable procedure; whether the local inspector finds it so is a different matter altogether. I would suggest you write a polite letter to the individual pointing out the agency has indeed found repair station re-identification an acceptable practice. While, you acknowledge that the agency recommends contacting the manufacturer (see paragraph 6.c.2 of the AC), the FAA does not require that action.

Indeed, except in limited circumstances, no part marking is even required (see paragraphs 6.a.(1)(a)-(c) of the AC and 14 CFR part 45). If the inspector has a particular regulation s/he think is applicable, ask her/him to let you know so you may address that specific issue.



The International Aerospace Quality Group (IAQG) is a cooperative global organization that brings aviation, space and defense companies together to deliver more value at all levels of the supply chain. The Americas Aerospace Quality Group (AAQG) is a cooperative organization within the aerospace industry in the Americas (including North, Central and South Americas). Its processes are established in a set of agreed, documented, operational procedures.

For more information, [please click here!](#)

Check Out ARSA's Library of Recorded Webinars and Online Training Classes

ARSA is pleased to announce that recorded online training classes and webinars are now available for member purchase. Check back often as courses will be continually added. *Read more at <http://arsa.org/training-2/online-training/>.*

Take Advantage of ARSA's Members Getting Members Program, Get 10% Off on Membership Dues

The best form of advertising is word of mouth. Use the [Members Getting Members Toolkit](#) to recruit an ARSA member and your company will receive a discounted membership rate for your next membership term. *Get more information at <http://arsa.org/membership/members-getting-members/>.*

Target Your Message: Advertise Today in ARSA's Newsletters and Website!

ARSA recently updated its menu of advertising opportunities for [arsa.org](#), **the hotline** and the *ARSA Dispatch*. Take advantage of these great opportunities today to showcase your company, a new product or event. *For more information go to <http://arsa.org/advertise/>.*

Exhibit, Sponsor the 2014 Repair Symposium

As the maintenance industry's top event devoted exclusively to regulatory compliance, the ARSA Symposium attracts a highly qualified professional audience. Use this opportunity to promote your company while showing support for ARSA. *Get more information at <http://arsa.org/news-media/events/arsa-symposium/arsa-annual-repair-symposium-sponsorship/>.*

AVMRO

Aviation Maintenance Resource Site Takes Flight

Addressing the need for a single hub of information about the aviation maintenance industry, ARSA recently announced the launch of www.avmro.arsa.org (AVMRO). *Get more information at <http://arsa.org/aviation-maintenance-resource-site-takes-flight/>*

AVMRO Industry Roundup

ARSA monitors media coverage on aviation maintenance to spread the word about the valuable role repair stations play in their communities by providing jobs and economic opportunities and in civic engagement. These are some of this month's top stories highlighting the industry's contributions.

[Clearwater High to Offer Aviation Academy](#) (*The Tampa Tribune*)

[FAA Honors Mountain Aviation Mechanic for Decades of Work](#) (*Denver Journal*)

[AMTSociety Executive Director Selected as ATEC Industry Board Member](#) (*AviationPros*)

[New Company Formed at Airport](#) (*Record Courier*)

[First Ph.D. Students Graduate from Embry-Riddle Programs](#) (*Rotor*)

[Liberty University School of Aeronautics to Launch Affiliate Program in Newport News](#) (*Digital Journal*)

[LAN Airline Plans Miami Maintenance Hub](#) (*Miami Today News*)

[West Star Aviation Moves Ahead with Paint Shop at GJT](#) (*AIN Online*)

[110th Anniversary of Wright Brothers' First Flight](#) (*Digitriad*)

[ST Aerospace Mobile Expanding to Pensacola](#) (*All Alabama*)

[Pratt & Whitney Opens F100 Engine Overhaul Center](#) (*UPI*)

[New Aircraft Maintenance Facility to Bring 200 Jobs to Enterprise](#) (*Dothan First*)

International News

International Roundup

To provide more international coverage, ARSA presents a monthly roundup of world events pertaining to the industry:

[Avcom Expands Russian MRO Network with Siberian Base](#) (AIN Online)

[Boeing to Expand Aviation Training in Russia](#) (Wall Street Journal)

[Jet Aviation Singapore and Air Transport Training College Sign Training Deal](#) (AIN Online)

[UTair Selects Swiss AviationSoftware to Provide MRO Software Solutions](#) (Air Transport News)

[Malaysia Poised for Growth in Maintenance Demand](#) (AIN Online)

[RUAG Aviation Opens New Helicopter Facility in Sion, Switzerland](#) (AviTrader)

[FL Technics to Launch Line Stations in Ukraine, Georgia, and Libya](#) (AIN Online)

[PPG Aerospace Expands Operations in Japan](#) (AviTrader)

[Gulfstream Beijing Service Center Marks First Year](#) (AIN Online)

[Bell Helicopter Expands Singapore Service Inspection](#) (AIN Online)

Welcome New Members

[CAVOK](#), Keller, Texas

Regulatory Compliance Training

[Test your knowledge on §145.103 Ratings.](#)

Upcoming Events

[AMT Society IA Renewal Training Seminar](#)
(Sarah MacLeod presenting) – Oklahoma City, Okla. – Jan. 27, 2014

[AVM Summit, Europe](#) – London, U.K. – Jan. 21-22, 2014

[MRO Middle East](#) – Dubai, U.A.E. – Feb. 5-6, 2014

[AMT Society IA Renewal Training Seminar](#)

(Sarah MacLeod presenting) – Kansas City, Mo. – Feb. 12, 2014

[AMT Society IA Renewal Training Seminar](#)
(Sarah MacLeod presenting) – Aurora, Colo. – March 5, 2014

[ARSA Annual Repair Symposium and Legislative Fly-In](#) – March 19-21, 2014



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