

ARSA to SBA: FAA Ignored Small Business Protections

On Sept. 26, ARSA [urged](#) Small Business Administration (SBA) Chief Counsel for Advocacy Winslow Sargeant to request the immediate withdrawal of a Federal Aviation Administration (FAA) proposed Airworthiness Directive (AD) regarding the replacement of certain cylinder assemblies.

Specifically, ARSA asked Sargeant to address the FAA's disregard of congressional mandates in the Regulatory Flexibility Act (RFA), which require federal agencies to assess the small business impact of proposed rules and provide a factual statement (based on proper analysis) if it determines there will not be a significant effect.

Regarding this particular rulemaking, the agency underestimated the compliance costs by failing to determine the actual number of engines impacted, labor rates, and price for replacement items. The rudimentary economic data provided by the agency is inadequate, inaccurate, and unsubstantiated. There is also no doubt the FAA's proposal exclusively impacts small businesses; in fact, merely having the NPRM in the public realm is impairing such entities.

Agencies shouldn't be permitted to blatantly run afoul of the law without repercussion. If the FAA continues to get away with inaccurately assessing the small business impact of proposed rules, the entire industry will feel the consequences. ARSA contends the FAA should withdraw the proposed rule until it can include the correct economic material required by the RFA.

To view the comparison between the industry's and the FAA's regulatory evaluation of the proposed rule, visit <http://arsa.org/wp-content/uploads/2015/07/UpdatedRegulatoryEvaluation-20130926.pdf>

The comment period was recently [extended](#) to Dec. 11. To submit a comment to the *Federal Register* visit <http://www.regulations.gov/#!submitComment;D=FAA-2012-0002-0027>.

Urge your lawmakers to hold the FAA accountable for not following congressional mandates to protect small businesses at ARSAaction.org.

Watch for unfolding updates on ARSA.org and in the weekly *ARSA Dispatch*.