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September 26, 2019

The Honorable Rick Larsen
Chairman
Aviation Subcommittee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Garrett Graves
Ranking Member
Aviation Subcommittee
U.S. House of Representatives
Washington, D.C. 20515

ARSA STATEMENT FOR AVIATION SUBCOMMITTEE HEARING: “A WORK IN PROGRESS: IMPLEMENTATION OF THE FAA REAUTHORIZATION ACT OF 2018”

Dear Chairman Larsen and Ranking Member Graves:

The Aeronautical Repair Station Association (ARSA) appreciates today’s hearing to review the Federal Aviation Administration’s (FAA) implementation of the FAA Reauthorization Act of 2018 (Pub. L. No. 115-254) (“the act” or “the law”). ARSA is the trade association for the global aviation maintenance industry, which employs more than 288,000 Americans in all 50 states and contributes more than \$50 billion each year to the U.S. economy. A state-by-state overview of the industry’s employment and economic impact is available at arsa.org/news-media/economic-data.

While ARSA’s core members are companies certificated by the FAA and other safety regulators to perform work on civil aviation products and articles, our membership also includes manufacturers, airlines, industry service providers, educators and others with an interest the regulatory and legislative issues affecting the maintenance sector.

The act contained many important provisions designed to address workforce challenges confronting both the FAA and the aviation industry. We recognize that the new law gave the FAA a sizeable “to-do” list, that considerable time was wasted by this year’s government shutdown and that the agency is navigating both leadership changes and an important and high-profile safety-related investigation. However, it is imperative that Congress keep pressure on to make workforce development a sustainable priority.

While ARSA considers several provisions in the FAA law related to certification and oversight to be significant, we have chosen to focus these comments on workforce issues because neither the agency nor the industry can function effectively without well-trained and capable employees. For that reason, we urge holistic approaches to workforce issues as you consider implementation of individual parts of the new law as well previously existing policies. ARSA considers the following to be among the act’s most important workforce-related provisions.

Aviation Technician and Pilot Workforce Grant Programs

[Sec. 625](#) of the act directs the Department of Transportation (DOT) to establish grant programs for recruiting and training aviation maintenance technicians and pilots. The programs enjoy broad, bipartisan support on Capitol Hill and throughout the industry. A letter to House appropriators in support of including full funding in the FY 2020 Transportation, Housing and Urban Development and Related Agencies (T-HUD) appropriations bill was signed by 50 House members, including more than 20 from the House Aviation Subcommittee. [S. 2506](#), the 115th Congress Senate bill that formed the basis for the technician program, attracted [25 cosponsors](#)

representing both parties. [More than 40 national and state level aviation organizations](#) are involved in the coalition to secure funding for the new grant programs.

The technician and pilot grant programs are each authorized at \$5 million per year for fiscal years 2019 to 2023. Full funding for both programs is included in the House version of the FY 2020 T-HUD bill. The Senate's T-HUD bill, as reported by committee last week, would provide a combined \$5 million for both programs.

The coalition ARSA is leading sent a letter to Transportation Secretary Elaine Chao and Office of Management and Budget Director Mick Mulvaney in February urging the administration to seek full funding as part of the president's budget. The [response we received from the FAA](#) was disappointing. Although the agency said it was "fully supportive" of Sec. 625 and "committed to implementing the provisions of [the act] addressing the aviation workforce shortages", the letter noted the FAA was incorporating the grant programs into its 2021 work plan and budget.

That implementation delay is unacceptable given the current impact of the technician shortage and predictions that it is only going to get worse. More than two-thirds of U.S. companies responding to [ARSA's 2019 member survey](#) reported vacant technician positions, a total of 4,615 openings. Those empty positions have real consequences: increasing time to complete work, driving up overtime and training costs and preventing new business development. Based on that data, ARSA projects the technician shortage is costing the U.S. aviation maintenance industry \$118.416 million per month (\$1.421 billion per year) in lost economic opportunity while well-paying jobs in a growing, high-tech global industry remain vacant.

Underscoring the long-term challenge, [the Aviation Technician Education Council projects](#) that the mechanic population will decrease five percent in the next 15 years and that new entrants make up just two percent of the technician workforce annually, while 30 percent is at or near retirement age. Similarly, [Boeing recently projected](#) that North America will require 193,000 new technicians over the next 20 years.

Since the federal government cannot solve the problem, the Sec. 625 grant program confronts this challenge by incentivizing collaboration among businesses, labor organizations, schools and state and local governmental entities. We urge the subcommittee to request the agency rapidly implement the programs so that grant applications can be received in the current calendar year and grants can be awarded in early 2020. Each day of inaction represents a lost opportunity to collectively confront a problem with major consequences for the nation's aviation system.

Enhancing the Value of Repairman Certificates

[Sec. 582](#) of the act directs FAA administrator to task the agency's Aviation Rulemaking Advisory Committee (ARAC) with "making recommendations with respect to the regulatory and policy changes...to allow a repairman certificate issued under section 65.101 of title 14, Code of Federal Regulations, to be portable from one employing certificate holder to another." The law states that the administrator must take appropriate action within one year of receiving the recommendations.

Under current regulations ([14 CFR part 65, subpart E](#)), individuals employed by an FAA-certificated repair station or air carrier may apply for and obtain a repairman certificate allowing

him or her to supervise and/or approve for return to service the maintenance, preventive maintenance, or alteration of civil aviation aircraft or aircraft components. The repairman certificate differs from the airframe and/or powerplant (A&P) mechanic certificate issued under [part 65, subpart D](#) in that it only qualifies the individual to work under an existing repair station or air carrier certificate, whereas an A&P mechanic can perform, supervise and approve work under his or her own authority.

When the repairman leaves the employ of the repair station or air carrier, the certificate must be surrendered and the individual and the new employer must reapply. These requirements undermine labor mobility, create unnecessary regulatory burdens for the individual and employer, and are an inefficient use of agency resources because regulators must process new applications each time a qualified individual changes jobs. Making repairman certificates portable would enhance the value of the credential and encourage more individuals to seek it.

It is important to note that ARSA is not proposing to alter the requirement that repairmen must work under an employing certificate holder's quality system, nor to eliminate the requirement that repair stations and air carriers ensure the individual be qualified to exercise the privileges of the repairman certificate by being capable of performing any tasks assigned.

ARSA is disappointed that almost a year after enactment, the task has not been assigned to ARAC. We appreciate that the FAA is working to fulfill many complex directives; however, the purpose of ARAC is leverage stakeholder expertise to help support the agency's safety and oversight mission. Assigning tasks to ARAC consumes comparatively few resources and puts the onus on ARAC members to initially fulfill FAA's obligation under the act. We hope the subcommittee will urge the agency to expeditiously initiate this task.

FAA Safety Workforce Training

[Sec. 231 of the act](#) directs Administrator to review and revise the agency's safety workforce training strategy to ensure, *inter alia*, that it "seeks knowledge-sharing opportunities between the FAA and the aviation industry in new technologies, equipment and systems, best practices, and other areas of interest related to safety oversight".

ARSA views this provision of the act as a significant opportunity to improve FAA operations. Our members are constantly frustrated by a lack of understanding within the FAA's own workforce about the plain meaning of regulations. This lack of basic knowledge leads to inconsistency between rules and guidance and in enforcement from inspector to inspector and region to region. That, in turn, undermines efficiency, compliance and confidence.

In addition to creating opportunities for a better-trained FAA workforce, if properly implemented, Sec. 231 could also enhance industry access to FAA training so that regulators and certificate holders are trained to the same standards. In furtherance of this effort, ARSA has [urged](#) the executive directors of the Flight Standards and Aircraft Certification Services to develop criteria for determining whether FAA Academy training will be accessible to non-FAA attendees. ARSA has also [recommended](#) that the FAA accept external training providers to facilitate the knowledge sharing between the agency and industry contemplated by the act.

We urge the subcommittee to make improving FAA workforce training an ongoing priority.

Updating Technician Education Standards

[Sec. 624\(a\)](#) directs the FAA to issue a final rule with 180 days of enactment to modernize the schools certificated by the FAA under [14 CFR part 147](#) to train aviation mechanics. [Sec. 624\(b\)](#) further directs the agency to coordinate with stakeholders to develop and publish guidance or model curricula for AMT schools “to ensure workforce readiness for industry needs.”

Part 147 desperately needs updating and this provision enjoyed broad industry support. Frankly, it is unconscionable that curricula designed to train mechanics for jobs in the rapidly evolving aviation sector are five decades old. These ossified, out-of-date standards make it more difficult for educators to teach, for students to learn and for businesses to find capable workers. Indeed, [a recent ARSA survey](#) found that it takes repair stations an average of nine months to make a technician educated by a part 147 school a profitable employee (with some ARSA members saying that it takes as long as two years).

In furtherance of the act’s directive, FAA issued a [Supplemental Notice of Proposed Rulemaking](#) (SNPRM) related to its part 147 rulemaking on April 16, 2019. However, as reflected by [industry comments on the SNPRM that ARSA joined](#), the FAA’s proposal to update the rules falls far short of needs. ARSA and its allies are asking the agency to reconsider its overly prescriptive policies, to adopt an outcomes-based approach for dual enrollment programs and to give deference to Department of Education requirements in matters concerning the quality of education.

We encourage the subcommittee to ensure that FAA rapidly complies with Congress’s mandate to update part 147 to reflect 21st century industry needs and learning tools.

Workforce-Related GAO Reports

We were pleased that the act requested several Government Accountability Office (GAO) reports on workforce issues. Specifically:

- [Sec. 232](#) directs GAO to assess FAA Office of Aviation Safety workforce and training needs, including reviewing “safety inspector and aviation safety engineer hiring, training, and recurrent training requirements” and ways FAA can work with industry and labor to establish knowledge sharing opportunities.
- [Sec. 567](#) directs GAO to study, *inter alia*, FAA’s long-term workforce and training needs, skills and qualifications needed by FAA workforce, and opportunities for knowledge sharing between FAA and industry.
- [Sec. 622](#) directs GAO to study, *inter alia*, the current and future supply of aviation and aerospace workers, factors and barriers influencing supply, best practices for recruitment and retention.
- [Sec. 624\(e\)](#) directs GAO to conduct a study on maintenance industry technical workers, including analysis of Standard Occupational Classification system, Federal employment classification, impact of regulations, recommendations on how FAA regs and policies could be improved, ways to improve coordination between business, schools and government, resources for training.

Since enactment, ARSA, its members and allies have been contacted by GAO personnel involved in these and other reports. We look forward to their completion, seeing what insights they provide into FAA and industry workforce issues and working with the subcommittee to use the information to shape future policy.

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Workforce-Related Stakeholder Panels

[Sec. 602 of the act](#) directs Administrator to establish a Youth Access to American Jobs in Aviation Task Force. Similarly, [Sec. 612](#) directs the Administrator to establish a Women in Aviation Advisory Board. ARSA believes that both initiatives will help identify opportunities to grow the aviation workforce and looks forward to engaging with the agency and other industry stakeholders to make them successful.

Conclusion

If properly implemented, the new FAA law will do much to position the agency to better oversee the growing, global aviation industry. We look forward to continuing to work with the subcommittee's members and staff on bipartisan basis to fulfill the law's objectives.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Klein', written in a cursive style.

Christian A. Klein
Executive Vice President

c.c. All members of the House Transportation & Infrastructure Committee