



121 North Henry Street  
Alexandria, VA 22314-2903  
T: 703 739 9543 F: 703 739 9488  
arsa@arsa.org www.arsa.org

February 24, 2014

BY E-MAIL TO: john.sammon@dhs.gov  
Original by Certified Mail  
Return receipt requested  
Receipt number 7012 2920 0001 1065 7838

Mr. John Sammon  
Assistant Administrator  
Office of Security Policy and Industry Engagement  
Transportation Security Administration  
601 12<sup>th</sup> Street S.  
Arlington, VA 22202-4202

RE: Aircraft Repair Station Security Rule  
(Docket No. TSA-2004-17131; 49 CFR part 1554)  
Repair Station Responsibility—Transfer from Owner/Operator

Dear Mr. Sammon:

The Aeronautical Repair Station Association (ARSA) is concerned about the Transportation Security Administration's (TSA) initial guidance on when a Federal Aviation Administration (FAA)-certificated repair station is responsible for large aircraft under the new security rules. Specifically, during an industry stakeholders call on February 10, TSA indicated that a repair station is responsible for all large aircraft "on its ramp or property." This ignores TSA-mandated aircraft owner/operator responsibilities, which creates conflicting security requirements.

Under current law, each aircraft operator's security program must include methods to prevent unauthorized access to aircraft (see, 49 CFR § 1544.225(b)).<sup>1</sup> In chapter 12 (Aircraft Searches and Area Security) of TSA's Aircraft Operator Standard Security Program manual, the agency makes clear that operators are responsible for security and control of their aircraft until turned over to another party (such as a repair station). Mandating that repair stations assume responsibility over aircraft that have not been turned over to them contradicts existing TSA requirements and practices.

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<sup>1</sup> Section 1544.225 provides as follows:

Each aircraft operator must use the procedures included, and the facilities and equipment described, in its security program to perform the following control functions with respect to each aircraft operation:

- (a) Prevent unauthorized access to areas controlled by the aircraft operator under an exclusive area agreement in accordance with § 1542.111 of this chapter.
- (b) Prevent unauthorized access to each aircraft.
- (c) Conduct a security inspection of each aircraft before placing it into passenger operations if access has not been controlled in accordance with the aircraft operator security program and as otherwise required in the security program.

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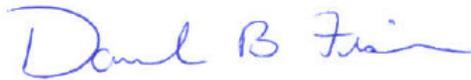
RE: Aircraft Repair Station Security Rule (Docket No. TSA–2004–17131; 49 CFR part 1554)  
Repair Station Dominion and Control—Transfer from Owner/Operator

To place a regulatory burden on a repair station that lacks any control or dominion over an aircraft is unreasonable, since it contradicts current regulatory language and interpretations.

To establish consistency among and between persons subject to the TSA's regulations, the agency should ensure the repair station's security responsibilities under 49 CFR part 1554 begin when the owner/operator has turned over dominion and control of the aircraft to that certificate holder. This would be evidenced by the repair station opening a work order under its repair station certificate or by moving the aircraft into its hangar.

We look forward to a prompt response and continued dialogue to ensure an integrated implementation and compliance posture regarding TSA's new repair station security requirements.

Sincerely,



Daniel B. Fisher  
Vice President of Legislative Affairs

cc: Zach Carder, Engagement Manager – General Aviation, Transportation Security Administration, [zach.carder@tsa.dhs.gov](mailto:zach.carder@tsa.dhs.gov)