



Sarah Says

Why We Can't Be Friends

By Sarah MacLeod, Executive Director

The association filed an amicus curiae brief with the federal Court of Appeals for the District of Columbia Circuit this month. The definition of amicus in English is “impartial advisor” and the Latin translation of amicus curiae is “friend of the court”. ARSA does not involve itself in “legal” issues for individual members of the association. It has and will continue to provide guidance to state and federal courts on appropriate interpretation of aviation safety regulations when the issues are germane to the entire aviation maintenance industry.

In the AeroBearing matter, the NTSB (with the help of the FAA, thank you very much) took the position that the FAA Form 8130-3, i.e., the maintenance release, was falsified because it was not a “complete set of maintenance records.” Thus, the Board upheld the falsification accusation based upon omission of “important maintenance information.”

For the FAA to agree with such a basic misunderstanding of the difference between maintenance records and maintenance releases is inexcusable. The agency certainly knows about and has endorsed the use of “yellow tags” as maintenance releases; a document that barely has enough room for a one- or two-word description of work performed. It also wrote part 145, which clearly distinguishes between the maintenance record required by part 43 and a maintenance release that must be provided to the owner of the article worked on.

The final determination of the Board is particularly frightening since it is painfully clear there was no attempt to actually read section [145.219](#), even though the repair station was accused of falsification under part 145, not part 43. Maybe these nuances are too much for the Board, but they are certainly not above the knowledge of the FAA. ARSA is hopeful that the federal court judges will force both agencies to recognize the plain language of part 145 with respect to falsification by omission on a FAA Form 8130-3.

The fact that the case made it to the appellate level puts the FAA’s “compliance philosophy” under strong suspicion. When one reads the original “complaint” from the administrator through the administrative law judge’s opinion to the NTSB’s final order, it becomes increasingly clear that the FAA did not want the facts to get in the way of its revocation decision. The motivation behind ARSA’s amicus brief is to bring the agency back to the table – it should follow its own philosophy and comply with the rules it wrote, interprets and enforces on a daily basis. It should stop bringing “legal enforcement” actions when discussion and understanding are the most appropriate avenues for resolution.

Unless and until that happens, it is easy to see why we can’t be friends.

ARSA Works

What ARSA Has Done Lately – Third Quarter 2018

Each quarter ARSA's executive team reports to the [board of directors](#) about the association's broad efforts on behalf of the industry. Step into a board member's shoes and review the "operations report" to see a sampling of what was going on between July and September 2018:

Meetings

- July 3: Sarah and Brett met with ATEC to discuss potential collaborative efforts on workforce development.
- July 17: Christian attended the Transportation Security Administration (TSA) Aviation Security Advisory Committee (ASAC) meeting.
- July 17: Sarah met with representatives from FAA-AIR to discuss changes to Order 8130-21.
- July 18: Sarah met with representatives from FAA-AFS to discuss handling of repair specifications; sent suggested changes to guidance.
- July 21: Team ARSA hosted association and FAA colleagues at the annual City Boy Farms Farm Day.
- July 24: Christian met with George McElwee, lobbyist for the Aviation Mechanics Fraternal Association.
- July 24: Marshall participated in an industry telecon to prepare for the Maintenance Management Team meeting in Brasilia scheduled for November 8-9.
- July 25: Team ARSA hosted FAA Senior Advisor to the Acting and Deputy Administrator David Balloff at ARSA's offices.
- July 31: Marshall led the telecon of the Safety Oversight and Certification (SOC) Aviation Rulemaking Committee (ARC), Flight Standards (AFS) Integration Working Group.
- August 7: Marshall participated in an industry telecon to prepare for the MMT meeting in Brasilia scheduled for November 8-9
- August 13: Christian and Sarah met with ARSA Government Affairs Chairman Josh Krotec (First Aviation) at ARSA's offices.
- August 15: Brett, Christian and Sarah met with researchers from McKinsey conducting a workforce study for the FAA.
- August 22: Sarah met with AFX-1 and Tim Shaver in regular review of activities.
- August 23: Sarah hosted Boeing Director of Engineering & Regulatory Affairs at ARSA's offices.
- August 24: Christian and Sarah participated in an ARSA-coordinated meeting with HEICO, First Aviation and Delta with Department of Defense personnel at the Pentagon to discuss DoD's acceptance of FAA approvals for commercial derivative aircraft.
- August 27: Sarah continued regular meetings with A4A on (a) rewriting AC 120-77 and requesting relief from lavatory door ashtrays.
- August 28: Marshall led the telecon of the SOC ARC AFS Integration Working Group.
- September 4: Sarah met with David Hempt (AIR) to discuss ongoing activities.
- September 4: Sarah participated in AIR briefing with other industry representatives on significant issues being worked by that division of the FAA.
- September 5: Sarah and Brett participated in a telephone conference with GAO on Air Force maintainer workforce issues.

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- September 6: Christian attended the U.S. Chamber of Commerce’s Transportation Infrastructure & Logistics Committee meeting and briefed attendees on ARSA’s workforce legislation.
- September 7: Marshall participated in an industry telecon to prepare for the MMT meeting in Brasilia scheduled for November 8-9.
- September 10: Marshall, Sarah, Christian and Brett hosted EASA U.S. Representative Thomas Mickler at ARSA’s offices.
- September 11: Christian hosted representatives from the Department of Commerce International Trade Administration at ARSA’s offices.
- September 12: Christian attended A4A’s Commercial Aviation Industry Summit.
- September 13: Christian attended the TSA ASAC meeting.
- September 13: Brett attended the FAA’s Pilot Mechanic Supply Symposium and presented as a panelist.
- September 17: Christian presented at the Aviation Council of Pennsylvania annual meeting in Scranton, Pa.
- September 18: Christian and Brett hosted a luncheon for ARSA corporate member Washington, D.C. representatives at the Army & Navy Club.
- September 19: Christian and Brett participated in a teleconference with Jim Grunewald, co-chairman of the American Chamber of Commerce of Thailand’s Aerospace Council.
- September 24: Sarah finished work on both the A4A issues relating to lavatory doors and rewrite of AC 120-77, including a cover letter to that document.
- September 27: Sarah and Brett reviewed draft AIR guidance for accepting training programs and providers with John Yoo and Angelique Berry.
- September 28: Christian and Sarah coordinated a conference call with allied organizations to discuss regulatory priorities in advance of Oct. 11 ARSA Board meeting.

Regulatory

- [Assisted](#) ICAO/UN effort to collect industry input on halon emissions.
- [Received confirmation](#) from the FAA it would finalize and publish the industry-produced draft advisory circular providing “guidance for using remote connectivity technology and tools.” Sarah continued work with agency to refine guidance.
- Inquired with Flight Standards Office of Safety Standards regarding status of Notice 8900.429 to assist with member question, [then reported on the agency’s release](#) of N 8900.479 and explanation of repair station’s authority to inspect new articles received without documentation required by MAG change 6.
- [Released](#) a repair station security fact sheet – and recirculated existing compliance checklist and training session – as public resource in response to SEA-TAC unauthorized flight.
- [Filed](#) a comment with the U.S. Small Business Administration National Ombudsman’s office urging it to review the FAA’s inconsistent enforcement of rules relating to availability of maintenance manuals.
- [Developed](#) a toolkit to assist individual companies in filing independent comments with the SBA national ombudsman.
- [Publicized](#), at request of AIR, October and November agency-instructed training sessions at the Singapore Aviation Academy that have available seats for industry.
- Finished two projects with A4A—
 - Rewrite of AC 120-77 with cover letter
 - Requested relief from lavatory door ashtrays

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- Worked with FAA to straighten out understanding of the use of repair specifications; commented on AIR draft “guidance” on the subject. Helped member regarding the “requirement” to have a limited specialized service rating in order to use a repair specification.

Legislative

See "[ARSA on the Hill](#)" for the most-recent "box score" of FAA bill provisions.

- Succeeded in including ARSA objectives in FAA bill (see table above) and preventing anti-repair station regulatory mandates.
 - Facilitated [coalition letter signed by 29 leading aviation organizations](#) to Senate Commerce Committee leadership urging grant program be included in Senate FAA bill.
 - Grew coalition in support of grant program to 36 organizations (including ARSA): Aerospace Industries Association; Aerospace Maintenance Council; Aircraft Electronics Association; Aircraft Mechanics Fraternal Association; Aircraft Owners and Pilots Association; Airlines for America; American Association of Airport Executives; Arkansas Aerospace and Defense Alliance; Association of Women in Aviation Maintenance; Aviation Council of Pennsylvania; Aviation Suppliers Association; Aviation Technician Education Council; Cargo Airline Association; Coalition of Airline Pilots Associations; Colorado Agricultural Aviation Association; Colorado Aviation Business Association; General Aviation Manufacturers Association; Greater Miami Aviation Association; Helicopter Association International; International Air Transport Association; International Brotherhood of Teamsters; Minnesota Business Aviation Association; Modification and Replacement Parts Association; National Air Carrier Association; National Air Transportation Association; National Association of State Aviation Officials; National Business Aviation Association; National League of Cities; Ohio Aviation Association; Professional Aviation Maintenance Association; Regional Air Cargo Carriers Association; Regional Airline Association; South Florida Aviation Maintenance Council; Virginia Aviation Business Association; and Westchester Aircraft Maintenance Association.
 - Conducted and coordinated outreach to congressional offices to build support for H.R. 5701 and S. 2506:
[caption id="attachment_13586" align="alignright" width="300"]
ARSA VP of Communications Brett Levanto testifies before a September hearing of the House Small Business Committee's Subcommittee on Contracting and Workforce. [/caption]
 - 2506 has 26 sponsors: Blumenthal, Richard (D-CT); Cantwell, Maria (D-WA); Capito, Shelley Moore (R-WV); Cortez Masto, Catherine (D-NV); Duckworth, Tammy (D-IL); Hassan, Margaret Wood (D-NH); Hatch, Orrin G. (R-UT); Heitkamp, Heidi (D-ND); Heller, Dean (R-NV); Hoeven, John (R-ND); Inhofe, James (R-OK); Jones, Doug (D-AL); King, Angus (I-ME); Klobuchar, Amy (D-MN); McCaskill, Claire (D-MO); Moran, Jerry (R-KS); Peters, Gary C. (D-MI); Portman, Rob (R-OH); Roberts, Pat (R-KS); Rounds, Mike (R-SD); Stabenow, Debbie (D-MI); Sullivan, Dan (R-AK); Udall, Tom (D-NM); Van Hollen, Chris (D-MD); Wicker, Roger F. (R-MS); Young, Todd C. (R-IN).



- R. 5701 has 21 sponsors: Bilirakis, Gus M. (R-FL-12); Brownley, Julia (D-CA-26); Budd, Ted (R-NC-13); Bustos, Cheri (D-IL-17); Cartwright, Matt (D-PA-17); Correa, J. Luis (D-CA-46); DeLauro, Rosa L. (D-CT-3); Esty, Elizabeth (D-CT-5); Graves, Sam (R-MO-6); Hill, French (R-AR-2); Himes, James A. (D-CT-4); Joyce, David (R-OH-14); Larsen, Rick (D-WA-2); Lawrence, Brenda L. (D-MI-14); Lieu, Ted (D-CA-33); Lipinski, Daniel (D-IL-3); Marshall, Roger (R-KS-1); Rokita, Todd (D-IN-4); Mullin, Markwayne (R-OK-2); Nolan, Richard M. (D-MN-8); Poliquin, Bruce (R-ME-2).
- Sarah and Christian met with staff from the Senate Appropriations Committee and Sen. Dan Sullivan’s (R-AK) office on August 15 to explore opportunities to use congressional oversight to bring more consistency to FAA operations specifications issuance.
- Brett testified on behalf of ARSA at [a September 26 House Small Business Committee subcommittee hearing on aviation workforce shortages](#).
- Christian attended PAC fundraiser for Rep. Sam Graves (R-MO) on September 27 (\$1,000) and meeting and greets for Anthony Brindisi (D-NY) and Greg Stanton (D-TX) on September 12.
- Scheduled ARSA PAC check delivery meeting for Rep. Carlos Curbelo (R-FL) on November 2 at HEICO in Miami (\$1,000).

Regulatory “Logical Distinctions” in ARSA Amicus Brief

On Oct. 22, ARSA filed an [amicus brief](#) to the U.S. Court of Appeals for the District of Columbia Circuit to support the “plain language of the minimum standards of the aviation safety regulations and the intent of those rules.”

The brief urged the court to reverse a [National Transportation Safety Board Order](#) revoking the repair station certificate of AeroBearings, L.L.C. The order alleged falsification of multiple maintenance releases based on incomplete information in block 12 of [FAA Form 8130-3](#). During the original proceedings, the inspector agreed there was no false or incorrect information in this block on any of questioned forms; the entries were simply incomplete.

ARSA’s brief educates the court on the FAA’s “logical distinction between a complete maintenance record and a maintenance release (i.e., the approval for return to service [on FAA Form 8130-3]).” While information that should be included in a complete maintenance record had been omitted from the forms, its inclusion on those documents is not required by parts [43](#) or [145](#). Even more important, section [145.219\(b\)](#), specifically requires repair stations to “provide a copy of the maintenance release to the owner or operator of the article on which the maintenance, preventive maintenance, or alteration was performed.” Explaining the difference and noting the “voluminous” nature of complete maintenance records, ARSA explained that: “The agency understands and accepts that a maintenance release is not the complete record required by 14 CFR § [43.9](#).”

The original complaint against AeroBearings also questioned the use of specialized equipment for which the company did not possess the original engineering data. ARSA highlighted the difference between

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maintenance data – the “how to” instructions regarding the performance of work – and the data used in developing equipment or tooling.

“The regulations are silent as to what makes equipment ‘special’ or ‘acceptable to’ the agency; however, the equipment or tooling must operate in the same fashion and achieve the same results as that recommended by the manufacturer,” the association said. “Once the showing is made that the equipment or apparatus achieves the appropriate result, there are no regulations that require retention of the data or recording of the demonstration used to make the showing.”

Based on this plain reading of the rules, ARSA urged reversal of the NTSB’s order. The entire brief, which provides a thorough overview of the aviation regulatory structure regarding maintenance, preventive maintenance and alteration, can be accessed by [clicking here](#).

AeroBearings was an ARSA member during the time period at issue in the Order, but the association did not participate in the legal enforcement process.

Input Needed – International Maintenance Workforce Survey

The [International Air Transport Association \(IATA\)](#) is surveying the international maintenance industry on the challenge of attracting, selecting and retaining technicians. IATA has asked ARSA to assist in publicizing the survey in order to ensure broadest-possible industry participation.



This survey was developed by IATA to create a benchmark on the global aviation maintenance skills shortage. It collects insight on different recruitment and retention strategies among and between maintainers and operators. Responses

will be put into the larger context of worldwide fleet and market expansion and will add to the growing narrative surrounding the next generation of aviation professionals; the data will assist industry stakeholders in developing a coherent human capital strategy.

Help ARSA and IATA gather this important information by either completing the survey or ensuring the appropriate person in your organization gets access to it. Be sure to include IATA Head of Engineering & Maintenance Thomas Fodor ([email](#)) in any correspondence regarding the survey (and contact Fodor with any questions). Your input will be kept confidential and the information will only be used for a summary report, a copy of which will be provided to all participants.

To get started, visit www.surveymonkey.com/r/technicianskillsshortage.

The survey's original deadline has been extended. Submissions are now due by Wednesday, Nov. 14.

ARSA Works

To see more updates related to the aviation technical workforce, including policymaking, events and the industry-wide success related to workforce issues through the FAA reauthorization process in the United States, visit arsa.org/technical-workforce-development and arsa.org/faa-reauthorization-2018.

Board, Ally and Regulator Face Time

On Oct. 11, ARSA welcomed its [board of directors](#) to Washington, D.C. for an afternoon of aviation industry meetings.

Co-hosted by the [General Aviation Manufacturers Association \(GAMA\)](#) at its Washington, D.C. headquarters, the event included a series of roundtable discussions among and between association allies and FAA personnel. Participants discussed legislative initiatives, regulatory issues and ways to improve government oversight that support safety standards in conjunction with business interests.

After a two-hour industry-only strategy session, the group welcomed Rick Domingo, FAA Flight Standards Service executive director, and Christ Carter, deputy executive director for strategic initiatives of the agency's Aircraft Certification Service. Domingo and Carter were joined by David Balloff, a senior advisor to Acting Administrator Dan Elwell focused on industry engagement and outreach, and Rolandos Lazaris, executive officer of the Aircraft Maintenance Division.

The FAA representatives provided a quick overview of ongoing initiatives within the agency, then discussed its work and strategic focus in the context of the industry's needs. ARSA's executive team, board members and industry allies used the time to seek opportunities for the aviation community to help improve oversight, meet mutual goals and improve the business environment.

"Industry pays twice when the FAA isn't strong," said ARSA Executive Director Sarah MacLeod, explaining why certificate holders – and those representing them – have a vested interest in supporting aviation safety regulators. MacLeod's point was that aviation businesses must invest in regulatory compliance regardless of agency effectiveness, but suffer additional costs from unclear rules, inconsistent guidance and unpredictable oversight predicated on the whims of unevenly-managed inspectors.

The association managed the event in conjunction with the board's 2018 Annual Meeting to emphasize the overarching strategy for broad industry engagement and leadership. Having built a reliable coalition on regulatory and legislative matters, ARSA will continue to provide venues through which the industry can regularly collaborate.

In addition to ARSA, GAMA and FAA representatives, the following groups were represented at the meeting:

[Aerospace Industries Association](#)
[Aircraft Electronics Association](#)
[Airlines for America](#)
[Aviation Suppliers Association](#)

[Aviation Technician Education Council](#)
[Modification and Replacement Parts Association](#)
[National Air Carrier Association](#)

Legal Briefs

Editor's note: This material is provided as a service to association members for educational and informational purposes only. It does not constitute legal or professional advice and is not privileged or confidential.

Why an Amicus?

By Christian A. Klein, Executive Vice President

As reported elsewhere in this month's *hotline*, on Oct. 22, ARSA filed an [amicus curiae brief](#) with the U.S. Court of Appeals for the District of Columbia Circuit in the case of *Kornitzky Group, LLC v. Elwell*. The case involves the revocation of a repair station certificate based, among other things, on alleged record falsification pursuant to 14 C.F.R. [145.12\(a\)](#).

What is an amicus brief? Why did ARSA file one?

Amicus curiae literally means, "friend of the court". The tradition of parties not involved in the litigation submitting briefs to help educate the court on a point of fact or law dates back to Roman times. In the modern legal system, which is based on the will of the people, the amicus brief provides an avenue for the public to help influence judicial decision-making. This is a key point because one case can bind future courts and have precedential impact on the rest of us.

In recent years, amicus briefs have become increasingly important policy advocacy tools. [According to researchers at the College of William & Mary](#), 800 briefs are filed with the Supreme Court each term and some high-profile cases receive more than 100. The number has increased by more than 800 percent since the 1950s and almost doubled since 1995. In addition to those – like ARSA's – related to underlying matters of law, briefs are also frequently filed urging review of a lower court decision.

Although ARSA doesn't get involved in individual enforcement actions involving members, the association files amicus briefs in cases that have the potential to negatively impact the regulatory or legal environment in which repair stations operate.

The Kornitzky case was an appeal from an NTSB decision reinstating revocation of a repair station certificate (an NTSB administrative law judge had earlier found insufficient evidence from the FAA to support the revocation).

The association saw the risk that the U.S. Court of Appeals for the D.C. Circuit's decision could change the standards set forth in the plain language of 14 CFR parts [43](#) and [145](#) regarding maintenance records. Additionally, the NTSB decision confused the meaning and application of "technical data" that must be available when maintenance, preventive maintenance and alteration actions are being performed. ARSA was concerned that the NTSB's reasoning – if upheld by the court – would upend the carefully crafted regulatory scheme implemented by the FAA and international civil aviation safety authorities around the world. The association decided to get involved.

Legal Briefs

Preparing an amicus brief is no small feat. Aside from researching and drafting the legal argument, there's complexity associated with filing. The association must obtain consent to file from either the court or from both parties (in this case, the FAA and the petitioner gave consent). Court rules are also very specific as to content and format. Among other things, briefs must include certifications about the submitter, tables of contents and authorities, glossaries and an appendix containing all the laws and rules cited. The brief is filed through an online system that delivers it to the court as well as the parties involved. Oral arguments in the case have not yet been scheduled, so it's unclear when the court will ultimately rule on the matter.

ARSA's amicus filing underscores the association's zealous commitment to improving the regulatory climate for its members. To quote from our brief, "To allow legal decisions to be based upon 'opinions' of individual government agency representatives without firm, reasoned and articulated support from both the regulations and guidance material based upon the plain language and meaning of those documents flies in the face of the United States being a nation of laws, not men."

Filing the brief might have been a lot of work for our small staff – basically a full week of investment from the legal team of ARSA's management firm [Obadal, Filler, MacLeod & Klein, P.L.C.](#) – but we're proud to represent the industry and stand up for its principles.

To see the last time ARSA submitted an amicus brief in support of an industry-wide issue, visit arsa.org/am-amicus.

ARSA on the Hill

FAA Bill Signed, Sealed and Done (for Now)

By Christian A. Klein, Executive Vice President

ARSA’s FAA reauthorization campaign came to a successful close on Oct. 5 when President Trump signed the [FAA Reauthorization Act of 2018 \(H.R. 302\)](#) into law. Over the course of an aggressive lobbying effort during the past two years, ARSA prevented anti-repair station language from creeping into the bill, ensured the maintenance sector was represented on the various new oversight and advisory bodies and turned the process into a vehicle to address the maintenance industry technician shortage.

ARSA FAA Bill Amendment Box Score			
ARSA Recommendation	In House Bill (H.R. 4)	In Senate Bill (S. 1405)	In Final Bill (H.R. 302 as amended)
Add “aviation maintenance” to stakeholders on new Certification & Oversight Advisory Committee	Yes – Amendment by Rep. Hank Johnson (D-Ga.) adopted by voice vote	Yes – Amendment by Sen. Jim Inhofe (R-Okla.) adopted by voice vote	Yes
Ask FAA to explore making repairman certificates portable	No	Yes – Amendment by Sen. Jim Inhofe (R-Okla.) adopted by voice vote	Yes
Direct FAA to undertake rulemaking to reinstate voluntary surrender of repair station certificates	No	Yes – Amendment by Sen. Jim Inhofe (R-Okla.) adopted by voice vote	No
Direct GAO to study causes, effects, and solutions to aviation technician shortage	Yes – Amendment by Rep. Cheri Bustos (D-Ill.) adopted by voice vote	No	Yes
Create \$5 million per year/five-year grant program to support aviation maintenance workforce development initiatives	No – Amendment by Rep. Hank Johnson (D-Ga.) withdrawn in committee. Reps. Sam Graves (R-Missouri), Dan Lipinski (D-Ill.), Markwayne Mullin (R-Okla.) and Brenda Lawrence (D-Mich) introduced H.R. 5701 on May 8, 2018.	No – Sen. Jim Inhofe (R-Okla.), Richard Blumenthal (D-Conn.), Jerry Moran (R-Kan.) and Maria Cantwell (D-Wash.) introduced S. 2506 on March 7, 2018. Included in chairman’s mark of bill post-markup.	Yes

ARSA on the Hill

ARSA Made Workforce Front and Center

On the workforce front, [Sec. 625](#) includes the new grant program proposed by ARSA that has the potential of providing up to \$5 million per year to support maintenance workforce development activities. [Sec. 624](#) of the bill directs FAA to update and modernize 14 CFR part 147 (the rule governing aviation technician schools) and, as suggested by ARSA, directs the Government Accountability Office to study ways to address the aviation skills gap. [Sec. 582](#) of the bill, also based on an ARSA recommendation, tasks FAA's Aviation Rulemaking Advisory Committee with improving repairman certificates with an eye towards recognizing skills utilized by repair stations and encouraging more people to seek the credential.

Hundreds of Provisions Touch All Parts of Aviation

Although ARSA was focused on a handful of important provisions for members, it's worth noting some of (because there isn't space to list them all!) the other issues addressed by the bill. From a macro standpoint, the bill sets FAA's operations and airport construction budget for the next five years. At the micro level, there are hundreds of provisions dealing with everything from airport noise abatement, lactation rooms in airport terminals, and small airport recycling plans to aircraft certification and flight standards reform, FAA workforce training, acceptance of foreign airworthiness directives, aircraft cockpit displays, emergency medical equipment on passenger aircraft, and aircraft air quality. Not surprisingly, there are many provisions with the potential to impact the maintenance and manufacturing sector. To see ARSA's breakdown of the most important provisions, [click here](#).

The bill also includes entire titles on unmanned aircraft systems, FAA research and development activities and airline customer service improvements. Finally, because it was considered "must pass", the FAA bill became a vehicle for other legislation related and unrelated to aviation, including reauthorization of the National Transportation Safety Board and Transportation Security Administration and disaster recovery and reform.

The scale of the bill is an important reminder about Congress' significant role in shaping aviation policy. With reauthorization complete, ARSA's focus will shift to implementing the new law, getting money appropriated for key programs (e.g., workforce development grants) and ensuring that Congress continues to fulfill its FAA oversight obligations. The bottom line: The FAA bill is done, but there's A LOT of work to do and ARSA members must remain engaged.

Shifting to the Elections

The FAA bill was completed just in time for ARSA to shift its focus to the 2018 congressional elections. With control of Congress hanging in the balance, the association is encouraging members to shore up relations on both sides of the aisle.

ARSA on the Hill

In late October, two ARSA member companies hosted local congressional candidates to enhance visibility of the industry and present ARSA PAC checks. Rep. Ted Budd (R-N.C.) visited HAECO Americas on Oct. 29 ([see related article in this edition](#)). On the other side of the country, EXTEC in Gilbert, Arizona hosted former Phoenix Mayor Greg Stanton on Oct. 31. Stanton is pro-business Democrat running to fill a House seat vacated by one of the state's U.S. Senate candidates. HEICO is hosting a meeting for Miami ARSA members with Rep. Carlos Curbelo (R-Fla.), a member of the powerful House Ways & Means Committee, on Nov. 2.

When it comes to engaging with elected officials, the association practices what it preaches. ARSA Vice President of Communications Brett Levanto and I met with Rep. Don Beyer (D-Va.), the congressman for ARSA's headquarters, on Oct. 30. As the owner of a successful auto dealership, Beyer understands the technician shortage all too well and, because of his business background, is poised to be an important player on tax and regulatory issues if the Democrats retake the House.



Larry Shiembob, EXTEC general manager (right) talks with candidate Greg Stanton during an Oct. facility visit.



Shiembob and Stanton discuss maintenance-related matters as Joel Goudreau (left), Pierre Alexander (black shirt, seated) and Reid Selover look on.

Although elections are almost over, that doesn't mean you shouldn't host a facility visit (see the "[Constituents Matter](#)" series, wrapping up in this month's edition). Engagement is an ongoing process and ARSA is standing by to help coordinate meetings with lawmakers – whether newly elected or long-time incumbents – to help them understand what your company does and ways you contribute to the economy and aviation safety.



ARSA on the Hill

Move DOT and Congress to AMT Grant Program Action

ARSA, its members and allies successfully lobbied for an "historic victory" through this year's [FAA reauthorization process](#). That victory included the authorization of a five-year pilot program that will provide annual grants of up to \$500,000 to business or unions, schools and governmental entities that partner to pursue creative ways to recruit and retain new aviation maintenance technicians.

The policy work is far from complete. The Department of Transportation must now initiate the program and Congress must appropriate the money necessary to provide the grants, which could be available by the end of 2019 if industry moves quickly to encourage action.



The association is already continuing its leadership of aviation-industry stakeholders to keep the process moving. To support the effort, ARSA members should take action now in order to keep DOT and Congress on track and be ready to take advantage of grant money once its available:

- (1) Begin having conversations with other community stakeholders to lay the foundation for a joint application, thinking creatively about ways to could use the federal money.
- (2) Contact the members of Congress who supported the program to thank them and urge them to work with DOT to initiate the program and with their colleagues in Congress to appropriate the necessary funds.

For resources to help – ARSA has done the legwork already – visit the Workforce Legislation Action Center (linked below). Be sure to bookmark this page, as it will be used to share current information and provide further instructions for industry action as this grassroots advocacy effort develops.

arsa.org/legislative/grant-program-action-center

HAECO Americas Educates Congress through Facility Visit

On Oct. 29, ARSA presented U.S. Representative Ted Budd with an ARSA Political Action Committee (ARSA PAC) contribution in support of his reelection campaign. [ARSA President David Latimer](#), the association's senior volunteer leader, delivered the contribution at the [HAECO Americas](#) headquarters in Greensboro, North Carolina, which is located in Budd's district.

Rep. Budd was one of the first members of Congress to sponsor a bipartisan plan to pilot an AMT workforce grant program through this year's FAA reauthorization bill. The successful effort to authorize the program was a signature achievement of the association and attracted support from more than 30 aviation industry groups and co-sponsorship from dozens of senators and representatives.

ARSA on the Hill



From left to right: David Latimer, ARSA President & HAECO SVP of Regulatory Compliance, Radar Nelson, HAECO GSO General Manager, Rep Budd,, Todd Walker, HAECO Special Services General Manager, Jim Clarke, HAECO VP of Planning and Performance.

Following the presentation, a round table discussion addressed current hiring needs and how the AMT program can help alleviate the workforce shortage. A tour of the facility enabled Budd to see firsthand the challenges a major MRO faces in day-to-day operations.

Personal engagement with elected officials is not a political tactic, it's a necessary practice for survival in a highly-technical, heavily-regulated industry. No matter what the results of this year's midterm elections, the 116th Congress – which arrives in

Washington next January – will have a lot to learn about the aviation maintenance community.

Get active and learn how ARSA can support your facility in educating policy makers about the value of maintenance and what it needs to thrive – and keep the world safely in flight. Contact [ARSA Executive Vice President Christian A. Klein](#) for more information.

Have you hosted a member of Congress, statewide elected official or local government representative at your facility? Tell [ARSA Vice President of Communications Brett Levanto](#) all about it and help him share your good example.

Constituents Matter – In the Voting Booth

Editor's Note: This is the fourth part in a series on active political engagement. If you have not read the first three installments, navigate using the links below:

[Constituents Matter – Congressional State/District Offices](#)

[Constituents Matter – Town Hall Meetings](#)

[Constituents Matter – Facility Visits](#)

The U.S. election cycle – which began almost immediately after President Trump's surprise victory in 2016 and has burned hot along ideological lines for most of that time – is coming to a close. On Nov. 6, Americans will go to the polls. Every seat in the House and 35 in the Senate are up for election, though not all of them are competitive.

ARSA on the Hill

Plenty of outlets of varying pedigree have invested plenty in analyzing races and projecting outcomes. The storylines are familiar: Republicans defend against a “blue wave” of Democratic momentum (supposedly) as the sides spar over immigration, the economy and a host of other issues.

If you want predictions there are plenty of resources. ARSA will wait and see as far as the outcomes are concerned, but regardless of what the political map looks like on Nov. 7, it’s important to get out the vote for whomever you support. Beyond the national elections, citizens will elect governors, state house officials and others in addition to deciding the fate of countless ballot measures and referenda. Adding your voice to those decisions is an essentially American activity.

It’s also a practical one. The winners of this year’s election will weigh heavily on the next two years of national and local policymaking. As members of a regulated industry, it’s vital to try to select the leaders who will best represent your professional interests.

If you haven’t voted already – early and absentee voting have been underway in most states for weeks – make sure you’re prepared. Visit <https://www.usa.gov/how-to-vote> to make sure you’re prepared.

No matter what happens this election, ARSA will be ready to show a new wave of members of Congress that the world can’t fly without us.

[Click here to learn more about ARSA’s efforts on – and off of – the Hill.](#)

Regulatory Update

U.S. and Canada Sign New MIP

The FAA and Transport Canada Civil Aviation (TCCA) recently signed [revised Maintenance Implementation Procedures](#) (MIP) pursuant to the U.S.-Canada bilateral aviation safety agreement (BASA) that took effect in 2000. The new MIP was signed on Sept. 17, 2018 and enters into force 60 days later (Nov. 16).

The MIP outlines the terms and conditions under which the FAA and TCCA can accept each other's inspections and evaluations of FAA-certificated repair stations, TCCA approved maintenance organizations (AMOs), FAA-certificated airframe and powerplant (A&P) mechanics and TCCA-licensed aircraft maintenance engineers. It utilizes a new format that is consistent with more recent maintenance agreements such as the Maintenance Annex Guidance (MAG) between the FAA and European Aviation Safety Agency.

The biggest change in the new U.S.-Canada MIP is that, *when authorized by TCCA*, FAA-certificated repair stations *outside the United States* may perform maintenance and modifications on certain aeronautical products under TCCA's regulatory control. Sec. B-4 of the MIP states that this privilege does not apply to "complete aircraft" (i.e., it applies to engines, propellers, and sub-components installed on aircraft, engines, propellers and appliances) and explains the criteria TCCA will use to grant authorization, viz., that the FAA-certificated foreign repair station:

- Is located in a country that does not have a maintenance agreement with TCCA;
- Does not hold a TCCA foreign AMO approval; and
- Is recommended by the original equipment manufacturer (OEM); or
- If the repair station is not recommended by the OEM, the maintenance must not be available in Canada.

The agreement retains the requirement that repair stations in the United States performing work on Canadian-registered *aircraft* operated in commercial service have a Canadian supplement in their FAA-accepted repair station manual describing certain special conditions (Sec. B-3). A parallel requirement applies to TCCA AMOs in Canada performing work on U.S.-registered aircraft in commercial service (Sec. C-3). Although the MIP does not require a supplement for U.S.-based repair stations that work on articles other than complete aircraft in commercial service, there are requirements those entities must follow. (ARSA developed a cross reference matrix to help members comply with the MIP, which will be updated in the near future based on the adjusted requirements.)

Other items of note:

- When specialized work (maintenance tasks set out in Schedule II of [CAR 571 .04](#)) is performed in the United States on Canadian-registered *aircraft*, the work must be performed under a Part 145 repair station certificate (i.e., it cannot be performed under an FAA A&P certificate). (Sec. B-1.2(b) and B-2.2(d)).

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- When maintenance performed by FAA repair stations on Canadian-registered *aircraft operated in commercial service* affects flight or fuel controls, an independent check will be required (Sec. B-3.2(i)).
- Part 145 repair stations performing maintenance on Canadian-registered *aircraft in commercial service* must now have procedures for incorporating the air operator's Safety Management System (Sec. B-3.2(o)).
- A clarifying change is needed to the major repair and major alteration technical data provisions so they are consistent with the FAA-TCCA Implementation Procedures for Airworthiness. The agencies are planning to incorporate new text into the MIP before it enters into force.

As ARSA continues to evaluate the MIP and prepare additional guidance, affected repair stations and mechanics need to [review the new agreement](#) to ensure they fully understand their responsibilities.

For more on MIPs, see [FAA Order 8000.85C](#) ("FAA Program for the Establishment of a MIP Under the Provisions of a BASA").

White House Releases Updated Rulemaking Priorities

In October, the Trump administration updated its [2018 Unified Agenda of Regulatory and Deregulatory Actions](#) for the fall. Overall, the White House has maintained its commitment to improving regulatory effectiveness and removing administrative burdens by advancing the president's regulatory reform initiatives.

"The agenda recognizes that reform will take time and require rigorous analysis, public input, and careful consideration of legal requirements," the Office of Information and Regulatory Affairs said in its documentation of the Fall Agenda. "To this end, the agenda provides greater information and transparency about regulatory actions proposed by agencies."

The Department of Transportation's preamble describes its guidance principles as safety, innovation, enabling infrastructure investment and reducing unnecessary burdens: "These priorities are grounded in our national interest in maintaining U.S. global leadership in safety, innovation, and economic growth. To accomplish our regulatory goals, we must create a regulatory environment that fosters growth in new and innovative industries without burdening them with unnecessary restrictions."

The agenda is a basic statement of interest, not a strict blueprint for action. Many issues appear regularly under an agency's area of interest without making any actual progress. For example, [foreign drug & alcohol testing requirements](#) and [rules governing aviation maintenance technician schools](#) have been on every agenda for years and – for better or worse – remain unmoved.

Still, reviewing the government's stated rulemaking priorities is useful. You can explore the complete plan by visiting www.reginfo.gov/public/do/eAgendaMain. The following table contains the rulemaking actions included under the FAA:

Regulatory Update

Status	Title	#
Prerule Stage	Applying the Flight, Duty, and Rest Rules of 14 CFR Part 135 to Tail-End Ferry Operations (FAA Reauthorization)	2120-AK26
Prerule Stage	Safe and Secure Operations of Small Unmanned Aircraft Systems	2120-AL26
Proposed Rule Stage	System Safety Assessment	2120-AJ99
Proposed Rule Stage	Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States	2120-AK09
Proposed Rule Stage	Applying the Flight, Duty, and Rest Requirements to Ferry Flights That Follow Domestic, Flag, or Supplemental All-Cargo Operations (Reauthorization)	2120-AK22
Proposed Rule Stage	Pilot Records Database (HR 5900)	2120-AK31
Proposed Rule Stage	Interior Parts and Components Fire Protection for Transport Category Airplanes	2120-AK34
Proposed Rule Stage	Aircraft Registration and Airmen Certification Fees	2120-AK37
Proposed Rule Stage	Aviation Maintenance Technician Schools (AMTS)	2120-AK48
Proposed Rule Stage	Requirements to File Notice of Construction of Meteorological Evaluation Towers and Other Renewable Energy Projects	2120-AK77
Proposed Rule Stage	Medium Flocking Bird Test at Climb Condition	2120-AK83
Proposed Rule Stage	Operations of Small Unmanned Aircraft Over People	2120-AK85
Proposed Rule Stage	Yaw Maneuver Conditions--Rudder Reversals (formerly Vertical Stabilizer Loads for Transport Category Airplanes)	2120-AK89
Proposed Rule Stage	Severe Weather Detection Equipment Requirements for Helicopter Air Ambulance Operations	2120-AK94
Proposed Rule Stage	Fatigue Risk Management Programs (FRMP)	2120-AK98
Proposed Rule Stage	Update to Investigative and Enforcement Procedures (Part 13 Update)	2120-AL00
Proposed Rule Stage	Security Disqualification Update	2120-AL04
Proposed Rule Stage	Removal of the Date Restriction for Flight Training in Experimental Light Sport Aircraft (E-LSA))	2120-AL09
Proposed Rule Stage	Foreign Civil Aviation Authority Certifying Statement for Type Validation Projects (TVP)	2120-AL10
Proposed	Decompression Criteria for Interior Compartments	2120-

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Rule Stage		AL11
Proposed Rule Stage	Check Pilot Medical	2120-AL12
Proposed Rule Stage	Alternative Methods of Compliance (AMOC)	2120-AL13
Proposed Rule Stage	Flight Simulation Training Device Usage in Training Programs	2120-AL14
Proposed Rule Stage	High Elevation Airport Operations	2120-AL15
Proposed Rule Stage	Updates to Clarify and Streamline Commercial Space Transportation Regulations	2120-AL17
Proposed Rule Stage	U.S. Commercial Space Launch Competitiveness Act Incorporation	2120-AL19
Proposed Rule Stage	Single-engine Turbine-powered Aircraft Inspection Program Modernization	2120-AL20
Proposed Rule Stage	Air Carrier Definitions (Part 110 and 119)	2120-AL21
Proposed Rule Stage	Commuter and On-Demand Carriers and Training Center Harmonization	2120-AL24
Proposed Rule Stage	Removal of the Expiration Date on a Flight Instructor Certificate	2120-AL25
Proposed Rule Stage	Domestic Noise Certification of Supersonic Aircraft	2120-AL29
Proposed Rule Stage	Special Flight Authorizations for Supersonic Aircraft	2120-AL30
Proposed Rule Stage	Remote Identification of Unmanned Aircraft Systems	2120-AL31
Proposed Rule Stage	UAS Flight Restrictions Near Critical Infrastructure Facilities	2120-AL33
Proposed Rule Stage	Manual Distribution and Availability	2120-AL35
Proposed Rule Stage	Updating Manual Requirements to Accommodate Technology	2120-AL36
Final Rule Stage	Airport Safety Management System	2120-AJ38
Final Rule Stage	Pilot Professional Development	2120-AJ87
Final Rule Stage	Miscellaneous Rotorcraft Regulations	2120-AK80
Final Rule	Registration and Marking Requirements for Small Unmanned Aircraft	2120-

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Stage		AK82
Final Rule Stage	Use of ADS-B in Support of Reduced Vertical Separation Minimum (RVSM) Operations (RVSM ADS-B)	2120-AK87
Final Rule Stage	Recognition of Pilot in Command Experience in the Military and in Part 121 Air Carrier Operations	2120-AL03
Final Rule Stage	Extension of the Prohibition against Certain Flights in the Baghdad (ORBB) Flight Information Region (FIR)	2120-AL06
Final Rule Stage	Revision of ADS-B Out Requirements	2120-AL16
Final Rule Stage	Removal of Training Requirements for an Airline Transport Pilot Certificate Issued Concurrently With a Single-Engine Airplane Type Rating	2120-AL23
Final Rule Stage	External Marking Requirement for Small Unmanned Aircraft	2120-AL32
Final Rule Stage	Extension of the Prohibition Against Certain Flights in the Damascus Flight Information Region (FIR) (OSTT)	2120-AL38
Final Rule Stage	Amendment of the Prohibition Against Certain Flights in the Simferopol Flight Information Region (FIR) (UKFV) and Dnipropetrovsk Flight Information Region (FIR) (UKDV)	2120-AL39
Final Rule Stage	Prohibition Against Certain Flights in the Tripoli Flight Information Region (FIR) (HLLL)	2120-AL40

UK CAA Briefs U.S. Industry on Brexit

On Oct. 17, representatives from the United Kingdom's [Civil Aviation Authority \(UK CAA\)](#) briefed ARSA and other aviation organizations on efforts to minimize the disruptive impact of the UK's scheduled March 29, 2019 exit from the European Union (EU). To access a PDF copy of the presentation, [click here](#).



In addition to a detailed overview of various Brexit scenarios, the presentation provided links to resources, including the Q&A page established by the UK CAA and EASA (on the last slide).

As described in the presentation, UK regulators are working with counterparts in the United States, Canada and Brazil to update bilateral aviation safety agreements to prevent disruption for industry should the UK not join EASA after Brexit. The UK is also preparing Brexit legislation to, among other things, adopt current EASA

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regulations and recognize EASA approvals and certificates. However, UK aviation businesses in particular still face significant uncertainty.

To stay on top of relevant Brexit updates and access key resources, visit (and bookmark) ARSA's Brexit Issue Page: arsa.org/regulatory/easa/brexit.

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. [To view the list, click here.](#)

Training

Preparing for, Receiving & Responding to an LOI or NPCP

During the week of Dec. 17, the regulatory training team will present three live online sessions building on the association's "dealing with the government" resources to provide applied skills in managing letters of investigation and notices of proposed civil penalties. This process begins before an official letter or notice is received – a process known around ARSA as "prophylactic lawyering."

After the Audit and Before the LOI

Date & Time: Dec. 18, 2018 at 1:00 p.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session reviews the regulations, policies and procedures that generate letters of investigation and the best methods for responding to governmental questions.

[Click here to register.](#)

Receiving & Responding to an LOI

Date & Time: Dec. 19, 2018 at 1:00 p.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session reviews the regulations, policies and procedures that generate letters of investigation and the best methods for responding to letters of investigation.

[Click here to register.](#)

Receiving & Responding to an NPCP

Date & Time: Dec. 20, 2018 at 1:00 p.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session reviews the regulations, policies and procedures that generate letters of investigation and the best methods for responding to notices of proposed civil penalty.

[Click here to register.](#)

[***Click here to purchase all three "prophylactic lawyering" sessions together and save.***](#)

Registration for an ARSA-provided training session includes:

- *Unlimited access for 90 days to the recording made available after the live session is complete.*
- *A copy of the presentation and all reference material with links to relevant resources and citations.*
- *A certificate upon completion of the class, as well as any test material.*

The association's training program is provided through [Obadal, Filler, MacLeod & Klein, P.L.C.](#), the firm that manages ARSA. To go directly to OFM&K's online training portal, visit [PotomaLaw.inreachce.com](#). To learn more about the association's training program and see course availability, visit [arsa.org/training](#).

Training



Three Sessions on Human Factors

During the week of Dec. 17, the regulatory training team will present three live online sessions introducing key aspects of human factors in aviation maintenance:

Human Factors in Context

Date & Time: Dec. 18, 2018 at 11:00 a.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session provides a general introduction to “human factors” and puts their consideration into an aviation context. It reviews the general definitions and key components of human factors understanding and reviews the rules and guidance on the subject from various aviation regulatory and oversight organizations.

[Click here to register.](#)

The Dirty Dozen – Human Factors Overview

Date & Time: Dec. 19, 2018 at 11:00 a.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session introduces the “Dirty Dozen,” 12 common factors that impact human performance. It discusses these in the context of the aviation maintenance industry, describes how they lead to problems, suggests ways to mitigate consequences and explains how all 12 are interconnected.

[Click here to register.](#)

The Dirty Dozen In Depth – Communication

Date & Time: Dec. 20, 2018 at 11:00 a.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This course discusses communication in the aviation maintenance environment, factors that can interfere with communication and ways to mitigate those factors.

[Click here to register.](#)

[Click here to purchase all human factors content together and save.](#)

The association will continue to expand its human factors-related session offerings in 2019.



Training

Part Marking

On Dec. 17, the regulatory training team will present a live online session introducing key requirements of 14 CFR part [45, Identification and Registration Marking](#):

Date & Time: Dec. 17, 2018 at 1:00 p.m. EST

Instructors: Sarah MacLeod, Christian A. Klein & Brett Levanto

Description: This session outlines the basic rules for aviation part marking and identification and reviews applicable guidance as it pertains specifically to the re-identification of parts while performing maintenance.

[Click here to register.](#)

HELI-EXPO 2019: School's In Session and Online

On March 4, 2019, ARSA's great regulatory minds will be at [HAI HELI-EXPO 2019](#) in Atlanta, Georgia.

Marshall S. Filler and Sarah MacLeod, the association's foremost experts in regulatory compliance (and managing members of the firm of [Obadal, Filler, MacLeod & Klein, P.L.C.](#)) will lead a pair of [professional education courses](#):



Public Aircraft

Monday, March 4 | 8:00 a.m. - 12:00 p.m.

This course provides instruction on the statutory provisions and FAA guidance governing public aircraft operations (PAO), including the basic requirements for operating a public aircraft (including unmanned aircraft systems), what constitutes an eligible governmental function, and the practical implications of using the same aircraft to conduct both civil and public operations.

Regulatory Comprehension for Maintenance

Monday, March 4 | 1:00 p.m. - 5:00 p.m.

This session covers the FAA's organization, authority, and process for promulgating rules, and then walks through the general requirements in 14 CFR to explain how its various components link together in a "regulatory chain" that must be understood by aviation businesses. Topics specific to maintenance include Part 43 maintenance, preventive maintenance, rebuilding, and alteration; Part 65, subpart D mechanics (certification); Part 65, subpart E repairmen (certification); and Part 145 repair stations.

[For more information and to register, click here.](#)

Training

Though Filler and MacLeod are known for their zealous advocacy on behalf of maintenance organizations, their long experience with compliance issues makes these kinds of training and information sessions substantially valuable to any aviation professional.

If You Won't Be in Atlanta

Much of the material presented by MacLeod and Filler at HELI EXPO is available through ARSA's online training program. To review the library of available courses and register for immediate access to on-demand sessions, [click here](#) or see the specific classes below.

Public Aircraft

This course provides instruction on the statutory provisions and FAA guidance governing public aircraft operations. It covers the basic requirements for an aircraft to be operated as a public aircraft, what constitutes an eligible governmental function, and the practical implications of using the same aircraft to conduct both civil and public operations.

[Click here to see ARSA's package of public aircraft sessions.](#)

Regulatory Comprehension for Maintenance

This course covers the FAA's authority, process for promulgating rules, and organization, then walks through the general requirements in Title 14 of the Code of Federal Regulations to explain how its various components are linked together in a "regulatory chain" that must be comprehended by aviation businesses.

[Click here to see ARSA's "soup to nuts" session on part 145.](#)

Drug & Alcohol Testing Programs: Regulatory Basics to Business Needs

This course reviews the drug and alcohol testing requirements in Titles 14 and 49 of the Code of Federal Regulations (CFRs). It will also provide guidance on setting up these programs, including instruction on how safety sensitive functions are defined, as well as information about avoiding many common testing program mistakes that can subject companies to enforcement action.

[Click here to see the ARSA Training series on D&A Testing Programs](#)

Building a Positive Relationship with the Government

This session provides a road map for building a positive relationship with civil aviation authorities. It begins by describing the rules that should always be considered when engaging with aviation safety regulators, then provides instruction on how to introduce your company and maintain consistent contact — not just when there's a problem.

[Click here to see ARSA's multiple bundles of sessions related to government agencies and engagement.](#)

Training

Best Practices in Maintenance Recordkeeping

This session explores the regulatory responsibilities of creating and maintaining maintenance records. It will help participants to define:

- Regulatory responsibilities of the operator versus the maintenance provider in creating and maintaining maintenance records
- How obligations can be shifted by contract but not under aviation safety regulations
- Maintenance recordkeeping regulations, the documents essential to making airworthiness determinations.

[Click here to see ARSA's session on recordkeeping for mechanics.](#)

Regulatory Compliance Training

Test your knowledge of 14 CFR § 65.87 - Powerplant rating; additional privileges.

[Click here to download the training sheet.](#)

Online Training Calendar

Title	Date	Time	Registration
Part Marking – Part 45 and More	12/17/18	1:00 p.m. EST	Click here.
Human Factors in Context	12/18/18	11:00 a.m. EST	Click here.
After the Audit and Before the LOI	12/18/18	1:00 p.m. EST	Click here.
The Dirty Dozen – Human Factors Overview	12/19/18	11:00 a.m. EST	Click here.
Receiving & Responding to an LOI	12/19/18	1:00 p.m. EST	Click here.
The Dirty Dozen In Depth – Communication	12/20/18	11:00 a.m. EST	Click here.
Receiving & Responding to an NPCP	12/20/18	1:00 p.m. EST	Click here.

Membership

HAECO Americas' Latimer Returns to ARSA Presidency

The ARSA board of directors has elected David Latimer as ARSA's new president, the association's senior volunteer leadership position. Latimer is senior vice president of regulatory compliance for [HAECO Americas](#), a Greensboro, North Carolina-based provider of maintenance services for both civil customers and government contracts.



Latimer was elected during the board's annual meeting on Oct. 12 following [a day of industry roundtables](#) in Washington, D.C. through which board members collaborated with ARSA's executive team, aviation allies and government officials.

Latimer has more than 40 years' experience in the aviation industry and more than two decades in quality control and assurance. He is responsible for HAECO Americas' compliance with aviation safety rules in addition to environmental, workplace and other regulatory requirements. He began his career with the company, which at the time was TIMCO Aviation Services, as vice president of quality in 1998 after its acquisition of AeroCorp. He first joined ARSA's board in 2004 and has served in multiple officer roles during his tenure, including formerly as president.

ARSA's [board of directors](#) represents a broad range of international maintenance interests. Board members direct the association's work to best serve the aviation community. Considering his long experience and deep commitment to the association, Latimer will provide steady guidance to the executive team throughout the coming year. Basil Barimo, ARSA's 2018 president and chief operating officer of [AerSale](#), completed his board service and will continue his support of ARSA as part of the thriving Florida aerospace community.

"David is the perfect example of what a committed aviation maintenance professional can achieve," said Executive Director Sarah MacLeod. "He is a technician who 'made good' on his skills and potential, becoming a respected industry leader who has long been integral to the association. We will use his presidency to celebrate the upward mobility available to highly-skilled individuals entering the aviation maintenance industry."

During the meeting, Ian Cheyne, chief technical and regulatory officer of [Dallas Airmotive](#), was elected ARSA's vice president and Gary Fortner, vice president of engineering and quality control for [Fortner Engineering](#), became the association's treasurer. Latimer, Cheyne and Fortner will each serve one year terms.

"I've taken advantage of ARSA's value for years," Latimer said of his service to the association. "ARSA has something very special: a strong group of knowledgeable professionals serving the worldwide

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maintenance industry. For the next year we will ensure the association's voice is heard throughout the international maintenance industry."

AMS Update – Free Member Publications

Through its publications, ARSA regularly turns its experience and expertise into value for its members. Countless maintenance providers have achieved certification or maintained compliance with the rules with the help of the association's model manuals and supplements (which are available to members at discounted prices through the [online store](#)).



There are a number of resources – advisory documents, compliance forms, business templates and engagement tools – that ARSA makes available free to its members (and only to its members). These publications were developed to meet the specific needs of aircraft maintenance providers...and they are all immediately available for download through the new online portal.

To download yours:

- (1) Visit arsa.member365.com.
- (2) Log into the online portal. If you do not know your login information, use the "Forgot Password" link, which will generate a new password if your email account is associated with a member contact.
- (3) On your dashboard, find and click "Workspaces" on the top menu bar (right beneath the word "repair" in the ARSA logo).
- (4) In the new page you will see workspace categories. Under the category "ARSA Members," select "Publications: Tools for ARSA Members."
- (5) Follow the instructions on the main workspace page to browse, select and download files.

ARSA will continue to improve its use of the system, and you can help. Please send comments and queries to the association through Ask ARSA on your dashboard or [click here](#).

Welcome Back – Renewing Members

ARSA's members give the association life – its work on behalf of the maintenance community depends on the commitment of these organizations. Here's to the companies that renewed their support of the association in October:

[AE&C Services, LLC](#), R02, 2017

[Aero Design Services, Inc.](#), Affil, 2000

[Aero Instruments & Avionics, Inc.](#), R04, 1991

[Aero-Marine Technologies, Inc.](#), R01, 2001

[Aeronautical Technology, Inc. dba Precision Aero Technology](#), R03, 1993

[Aircraft Ducting Repair, Inc.](#), R03, 2002

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[Aircraft Inspection Services, Inc.](#), R01, 2013
[Airframe Components by Williams, Inc.](#), R02, 2003
[Ameron Global Product Support](#), R02, 2004
[Aviation Repair Solutions, Inc.](#), R02, 2006
Calvin Taff Electronics, Inc., R01, 2003
[Columbia Helicopters, Inc.](#), R05, 1998
[Commercial Jet, Inc.](#), R04, 2010
[CorpAir Supply Company, Inc. dba AVMATS Component](#), R02, 2001
[Corporate Service Supply & Manufacturing](#), R01, 2016
[Cross-Check Aviation](#), R02, 2003
[Curtiss Wright Controls, Inc.](#), R03, 2012
Dassault Falcon Jet do Brasil, R002, 2010
[Dassault Falcon Jet-Wilmington Corp.](#), R05, 2002
[EMC Aerospace Inc. dba Velocity Aerospace-NMB, Inc.](#), R03, 2010
[ETI, Inc.](#), R02, 1999
[EuroTec Vertical Flight Solutions, LLC](#), R02, 2004
[Exotic Metals Forming Co., LLC](#), Assoc, 2004
[First Class Air Repair](#), R02, 2016
Flight Deck Specialists, Inc., R01, 2002
[Global Parts Aero Services](#), R01, 2012
[Gulf Aerospace, Inc.](#), R02, 2005
[Gulfstream Aerospace Corporation](#), Corp, 1999
[HAECO Americas, Corp](#), 2000
[HarcoSemco](#), R04, 1998
IBM Flight Operations, Assoc, 1997
[Intrepid Aerospace, Inc.](#), R02, 2016
[JET Aircraft Maintenance, Inc.](#), R04, 1997
[Jordan Propeller Service, Inc.](#), R02, 2002
[Kellstrom Repair Services, Inc.](#), R02, 2016
[KLM Royal Dutch Airlines-Engineering & Maintenance](#), Assoc, 2010
[Linear Motion LLC dba Thomson Aerospace & Defense](#), R01, 2010
[Midway Aerospace](#), R02, 2004
[Midwest Turbine Services, LLC](#), R01, 2015
[Millennium International](#), R02, 2013
[Nampa Valley Helicopters, Inc.](#), R02, 1993
[NAS Component Maintenance, Inc.](#), R01, 2011
[Ni-Cad Systems, Inc.](#), R01, 2012
[Palm Beach Aircraft Propeller, Inc.](#), R02, 2001
[Rapco Fleet Support, Inc.](#), R01, 2008
[Regional Avionics Repair, LLC](#), R01, 2006
[Rotron, Inc. dba Ametek Rotron](#), R02, 2016

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[S Tec Corporation](#), R02, 2016
[SAI Flight Support Company](#), R02, 2000
[SIA Engineering Company, Ltd.](#), R05, 2019
[Soniq Aerospace, LP](#), R01, 2016
[Team Aerospace, Inc.](#), R01, 2005
[Tech-Aire Instruments, Inc.](#), R02, 2012
[Tennessee Aircraft Company, Inc.](#), R01, 2012
[The Barden Corporation \(Schaeffler Aerospace\)](#), R02, 2012
[Trace Aviation](#), R02, 2017
[Turbine Standard, Ltd.](#), R03, 2003
[Unipak Aviation, LLC](#), R02, 2003

Quick Question – Current Maintenance Data

Repair stations can help ARSA with its ongoing effort to make sense out of the rules governing maintenance data availability and currency. Take a minute to complete this month's "quick question" regarding issues stemming from the requirements of 14 CFR § [145.109\(d\)](#).

To submit your answer, visit arsa.org/qq-mxdata.

For more information about this or any other question, contact Brett Levanto (brett.levanto@arsa.org).

[Click here to see what questions have been asked and answered...and keep a lookout for more.](#)

A Member Asked...

Q: My question concerns maintenance tool (test equipment) equivalency. 14 CFR § [145.109\(c\)](#) states, "the equipment, tools, and material must be those recommended by the manufacturer of the article or must be at least equivalent to those recommended by the manufacturer and acceptable to the FAA."

As with most statements, I realize there is more to it than that, so I looked at [8900.1, Volume 6, Chapter 9 \(Part 145 Inspections\), Section 9: Inspect a Part 145 Repair Station's Tools and Equipment](#). The specific question I have is does the FAA (i.e., the inspector) or the repair station determine and or approve equivalency?

It appears to me that the controlling language, when it comes to this question is Paragraph 5 (b): "Designated Engineering Representatives (DER) may not approve or determine equivalency of tooling and test equipment. Neither the FAA nor a DER may approve equipment or test apparatus. The FAA and DERs may only make a finding that the functional equivalency for special equipment or test apparatus is acceptable. It is important to emphasize that the repair station, not the FAA, bears the burden of demonstrating equivalency."

The difficulty I'm having with the above quoted statement is that sentence 1 and 2 indicate the FAA does not determine equivalency. Sentence 3 would suggest the FAA does. Am I reading this correctly? Is

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there other controlling language? In short, can my PMI reject our engineering department's equivalency report or require a certain format and content? Also, how does 8900.1, Volume 6, Chapter 10 Section 20 affect this (if at all)?

A: The bottom line is the certificate holder is the person responsible for using "equivalent" tooling.

The determination of equivalency is based upon the "results" -- does the use of tool or equipment equate to the same "result" as that recommended by the manufacturer? If the certificate holder has a documented evaluation of the development and application of the substitute tool and/or process, the agency would have to "prove" that the result was unacceptable.

Editor's note: Member questions may now be submitted through the inquiry system run through ARSA's new online member portal. Members can use their portal access to submit inquiries by logging in through arsa.member365.com/sharingnetwork.

Resources

ARSA strives to provide resources to educate the general public about the work of the association's member organizations; should you need to provide a quick reference or introductory overview to the global MRO industry, please utilize AVMRO.ARSA.org.

[Brexit Resource Page \(Updated\)](#) On June 23, 2016, citizens of the United Kingdom voted to withdraw from the European Union in a national referendum. This page is provided as a resource for the aviation maintenance community regarding transition negotiations between the British government and the European Commission.

[Careers In Aviation Maintenance](#) Every year, more people are flying. The expansion of the global middle class and improvements in technology have opened aviation markets – for passengers and cargo – to a broader public than ever before. As the the flying public gets larger, more men and women are desperately needed to keep the world safely in flight.

[Quick Question Archive](#) See what ARSA has asked and what's been answered and participate in the conversation about what's going on in the aviation maintenance world.

[AVMRO Industry Roundup](#) ARSA monitors media coverage on aviation maintenance to spread the word about the valuable role repair stations play globally by providing jobs and economic opportunities and in civic engagement. These are some of this month's top stories highlighting the industry's contributions. You can explore these stories through [ARSA's Dispatch news portal](#).

Industry Calendar

[MRO Asia-Pacific](#) – Singapore – November 6-8

[World Aviation Safety Summit](#) – Dubai, UAE – December 11-12, 2018

[MRO Latin America](#) – Cancun, Mexico – January 16-17, 2019

[Aero-Engines Americas](#) – Dallas, Texas – January 29-30, 2019

[MRO Middle East](#) – Dubai, UAE – February 11-12, 2019

[MRO Southeast Asia](#) – Kuala Lumpur – March 6-7, 2019

[ATEC Annual Conference](#) – Wichita, Kansas – March 17-20, 2019

[ARSA Annual Conference](#) – Washington, D.C. – March 19-22, 2019

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