

ARSA: The Voice of Aviation Maintenance 118th Congress, First Session Legislative Priorities

ARSA is the eyes, ears, and voice of the aviation maintenance industry in the halls of Congress. The association's legislative efforts complement its regulatory expertise as our team tirelessly fights for repair station interests on Capitol Hill. With Federal Aviation Administration (FAA) reauthorization looming, ARSA's 2023 policy agenda is focused on challenges with FAA oversight and the industry's long-standing technician shortage.

Our top priority is ensuring that aviation policy is based on facts, not fear. New laws and regulations should genuinely improve safety, not micromanage or undermine industry competitiveness. We pursue this and ARSA's other policy objectives by engaging lawmakers in our nation's capital and their home states, encouraging grassroots action and involvement by ARSA members, raising the legislative and regulatory profile of the aviation maintenance industry, offering technical and legal expertise to analyze and respond to government actions, and promoting the industry's benefits and safety record among key audiences.

To download a PDF of ARSA's detailed FAA reauthorization priorities as sent to Congress on Feb. 28, 2023, [click here](#).

FAA REAUTHORIZATION PRIORITIES

Regulatory

ARSA members regularly complain that front line FAA personnel in local offices selectively enforce rules, apply them inconsistently or incorrectly, and demand compliance with agency guidance that conflicts with or exceeds regulatory requirements. At headquarters, agency leaders (many of whom are in "acting" positions) are slow to respond to industry recommendations to improve policy (if they respond at all), thus undermining the growth, efficiency, and global competitiveness of the rapidly evolving U.S. aviation industry. While the FAA may once have been respected as "the gold standard" of aviation regulation, that status is in serious jeopardy as foreign Civil Aviation Authorities (CAA) benefit from better trained personnel, consistent leadership, a global perspective, and a more internally consistent regulatory framework. ARSA therefore recommends the FAA reauthorization bill do the following:

- **Enhance Aviation Rulemaking and Exemption Due Process** (as proposed in the PLANE Act § [104](#)) by improving agency responsiveness to industry stakeholder petitions for rule changes and exemptions.
- **Require timely resolution of investigations** so "stale" letters of investigation sent to certificate holders do not hang as a cloud over their companies and careers for years.
- **Restore the right of repair stations to unilaterally surrender their certificates** (as proposed in the PLANE Act § [601](#)) when businesses close, merge, etc. to improve due process given the lack of FAA procedures for accepting surrendered certificates.
- **Enhance international cooperation between the FAA and other CAAs** by amending 14 CFR part 43 to allow the FAA to accept certificates/approvals issued by other CAAs if those CAAs accept FAA certificates pursuant to a bilateral aviation safety agreement.
- **Enhance access to maintenance data** by directing FAA to task the Aviation Rulemaking Advisory Committee (ARAC) to review current rules and policy related to instructions of continued airworthiness (ICA, aka "maintenance manuals") and recommend guidance and/or regulatory changes to enhance ICA access for aircraft owners, maintainers, and others.
- **End misapplication of FAA guidance** by confirming that unless a course of conduct is specifically prohibited by the regulations, the agency must allow it and by prohibiting the agency from enforcing guidance not supported by a specific law or regulation.
- **Limit reversal of agency approvals** issued to a certificate holder without the express written consent of the executive director of FAA's Flight Standards Service and/or Aircraft Certification Service, as applicable, or their delegees.
- **Clarify supplemental type certificate requirements** by tasking the agency to explain the differences between a major alteration that introduces a major change in type design under 14 CFR § 21.113(b) and a major alteration that does not require an Supplemental Type Certificate.

- **Maintain current foreign repair station oversight regime** by rejecting legislation to impose unnecessary, new mandates on FAA certificated repair stations outside the United States and potentially subjecting U.S. facilities to foreign retaliation.

Workforce

For the last decade, a shortage of maintenance technicians and pilots has undermined the efficiency of the aviation system. The crisis shows no signs of abating and will likely worsen as the industry grows. According to the consulting firm Oliver Wyman's recently-released [Global Fleet and MRO Market Forecast 2023-2033](#):

[T]he most vexing challenges for aviation were widespread labor shortages across every sector of aviation and in most regions. In North America, the industry is facing two potentially severe shortfalls in the ranks of [commercial airline pilots](#) and [aircraft mechanics](#). By our analysis, the supply gaps already amount to 18 percent of the total pilot workforce in 2023 and 14 percent of aviation mechanics. The outlook is for those deficits to grow or at least linger through 2033. The gap in the number of pilots needed and those available has already led to reductions in service to less popular and more rural destinations and has hit regional airlines hardest.

Oliver Wyman's findings are consistent with the preliminary results of ARSA's 2023 member survey, in which 80 percent of respondents to-date expect their revenues and markets to grow in 2023, 89 percent intend to add positions and hire new workers this year, and 77 percent identified difficulty finding and retaining technical talent as a significant threat to their company's profitability, revenue, or workforce forecast. As such, ARSA recommends the workforce title of the FAA reauthorization bill do the following:

- **Expand and enhance the maintenance technician and pilot workforce development grant programs created by Sec. 625 of the 2018 FAA law** by increasing funding to *at least* \$20 million for each grant program and making changes to expand eligibility and improve implementation.
- **Improve the transition of military maintenance professionals to civil aviation** by directing FAA to create a military competency examination similar to that for military pilots and to fast track repairman certificate applications for individuals with military technical experience applicable to aviation maintenance (even those from non-aviation specialties) but insufficient to qualify for "full" mechanic certification.
- **Create a National Center for the Advancement of Aviation** (as proposed in the 117th Congress in H.R. [3482](#)) to facilitate collaboration and cooperation between aviation and aerospace stakeholders to support and promote civil and military aviation and aerospace careers.
- **Improve federal coordination and data collection by creating an interagency aviation workforce working group** comprised of representatives from the FAA and Departments of Transportation, Labor, and Education to identify data gaps and ways to improve government data collection and analysis, including expanding FAA U.S. Civil Airmen Statistics as recommended by the Women in Aviation Advisory Board.
- **Reduce barriers to entry** by directing a rulemaking to amend part 65 to allow mechanic certificate applicants to sit for the general knowledge test prior to meeting those experience requirements if they have completed the appropriate curriculum in conjunction with a high school program.

DEPARTMENT OF DEFENSE (DOD) CONTRACT IMPROVEMENT

DoD can save hundreds of millions – if not billions – of dollars by more widely adopting commercial best practices. Doing so will reduce aircraft maintenance costs, improve readiness, reduce bureaucratic duplication, and expand government contracting opportunities for small and medium companies. Among other things, Congress should include language in the FY 2024 National Defense Authorization Act (NDAA) to compel DoD to improve competition for maintenance on civilian derivative aircraft by more-readily accepting FAA approvals (e.g., Parts Manufacturer Approval (PMA) parts and Designated Engineering Representative (DER) repairs) and by improving access to the technical data required to maintain aircraft purchased by DoD.

To learn more about the aviation maintenance industry, its economic impact in your state, and/or ARSA's policy agenda go to [arsa.org](#) or contact ARSA Executive Vice President Christian Klein at 703.739.9543 or christian.klein@arsa.org.

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