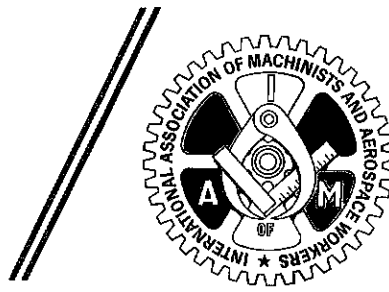


**International
Association of
Machinists and
Aerospace Workers**



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OFFICE OF THE GENERAL VICE PRESIDENT

November 19, 2012

The Honorable Michael P. Huerta
Acting Administrator
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591

RE: Repair Stations, Docket No. FAA-2006-26408, Notice No. 12-03

Dear Acting Administrator Huerta:

On behalf of the International Association of Machinists and Aerospace Workers (IAM), I am pleased to submit comments in response to the Federal Aviation Administration's (FAA) Notice of Proposed Rulemaking (NPRM) which seeks to reform the rules governing aircraft repair stations certified under Part 145. At the outset, the IAM endorses and wishes to associate with the separate comments filed by the Transportation Trades Department, AFL-CIO (TTD), an organization with which we have partnered in seeking federal policy solutions to what has become a severe epidemic of aircraft maintenance outsourcing by U.S. air carriers.

For more than 25 years the IAM has been a vocal critic of federal repair station regulations for two main reasons: 1) They create dangerous incentives for U.S. air carriers to outsource maintenance to poorly regulated facilities abroad that fail to meet the same rigid FAA safety requirements imposed on work performed on U.S. soil; and 2) They have resulted in the loss of thousands of high-skill, middle class U.S. mechanic jobs at most U.S. airlines.

While we will not reiterate the comprehensive views embodied in the TTD's comments we will summarize a few key areas.

First, the IAM agrees with the FAA that it is time to upgrade current regulations to reflect the reality of today's marketplace where more than 70 percent of aircraft heavy maintenance is outsourced and more than one-fourth farmed-out overseas. A byproduct of this stunning growth in outsourcing has been the increased use of non-certified repair facilities that often evade the FAA's inspection and oversight regime.

Second, we are concerned that this NPRM fails to require mechanics at foreign repair stations to undergo drug and alcohol testing as mandated in section 308(d) of the FAA reauthorization signed into law earlier this year. In this legislation, Congress explicitly mandates that the FAA issue a proposed rule to implement the new drug and alcohol requirement within one year of enactment, or less than three months from today. We urge the FAA to use this NPRM to end the longstanding double standard in federal regulations that has forced mechanics in America to operate under completely different rules than those who work overseas. This is not only a critical safety loophole that must be closed, but it has also forced U.S. airline mechanics to compete on an un-level playing field. We urge you to amend this NPRM to reflect the updated statutory drug and alcohol testing requirements.

Third, we support measures that would give the FAA authority to deny repair station certification to those who are unfit to operate repair facilities. We endorse proposed section 145.1051(e), which ensures that the agency can deny part 145 certificates to bad actors that have previously seen a certificate revoked, and to individuals whose conduct was linked to the revocation of a facility's certificate. This is a common sense reform that should remain in the final rule.

Fourth, the IAM supports section 145.1163, which updates training requirements. We concur with the FAA's view that all repair facilities must commit to high-level training programs that ensure their workforce possesses the skills and knowledge necessary to carry-out safety-sensitive maintenance work. For too long, lax and inconsistent regulations combined with poor training regimes have lowered the bar on air safety and failed to ensure that only the most qualified aviation mechanics perform sensitive aircraft maintenance.

Fifth, we agree with TTD that the NPRM fails to close an important regulatory loophole, which today means that repair station supervisors based abroad are not meeting the same part 65 certification requirements as supervisors based in America. This double standard compromises safety and makes no sense in an era where more and more work is being outsourced. We join TTD in offering a solution to this discrepancy and urge the FAA to adopt it as part of the final rule.

Sixth, the IAM has long expressed concern over the role of foreign aviation authorities in the certification process and oversight of repair stations. As a general principle we have always questioned the wisdom of "outsourcing" U.S. government aviation safety oversight to a foreign government authority. Under current rules, the FAA can issue a certification to foreign repair facilities based upon findings by a foreign civil aviation authority that the facility complies with FAA requirements. This regime is limited to facilities in countries with which the FAA has signed a bilateral aviation safety agreement, or BASA. The NPRM would continue and in fact expand the flawed policy of allowing civil aviation authorities to certify repair stations and to do so in a way that is not adequately defined. We urge the FAA to withdraw this policy change and to reconsider the current approach.

Seventh, we are concerned that the FAA is still failing to restrict the subcontracting of maintenance work to non-certificated facilities despite the fact that Congress attempted to address this concern in section 319 of the latest FAA reauthorization. While this proposed rule requires the certificated station to provide oversight, it must also ensure that any work sent to non-certified facilities also receives direct

supervision and is otherwise consistent with section 319. We urge the FAA to make this change in the final rule.

Throughout much of our nation's aviation history, IAM-represented mechanics have been at the forefront of setting the gold standard in aircraft maintenance. Our members were the early pioneers who made it possible decades ago for Americans to travel the nation, and indeed the world, knowing that skilled U.S. mechanics were assuring the airworthiness of aircraft. This standard is at risk as outsourcing of critical safety-sensitive aircraft repairs has become the operating norm in an environment where air carriers "forum shop" for cheap labor costs and lax regulations.

It is up to the FAA to close loopholes in current aviation safety regulations that have created perverse incentives for air carriers to outsource a larger percentage of their aircraft maintenance functions overseas. This NPRM represents an important next step in updating FAA regulations, but we strongly urge you to adopt the changes offered by the IAM and TTD in this proceeding.

Thank you for allowing us the opportunity to offer our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Sito Pantoja". The signature is fluid and cursive, with the first name "Sito" and last name "Pantoja" clearly distinguishable.

Sito Pantoja

GENERAL VICE PRESIDENT