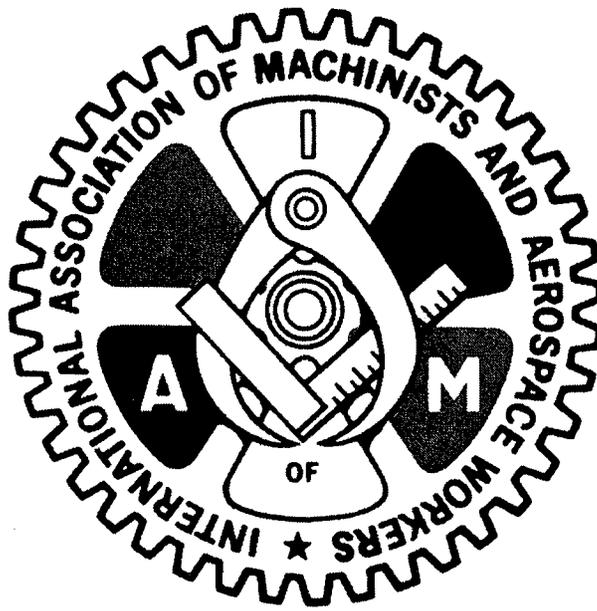


**U.S. House of Representatives
Committee on Homeland Security
Subcommittee on Transportation Security
and Infrastructure Protection**

**“Is the Flying Public Protected?
An Assessment of Security at Foreign Repair Stations”
November 18, 2009**



**Testimony of
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Robert Roach, Jr., General Vice President of Transportation
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Before the
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Thank you Chairman Thompson, Subcommittee Chairwoman Jackson-Lee, and members of this Committee for the opportunity to speak to you today. My name is Robert Roach, Jr., General Vice President of Transportation for the International Association of Machinists and Aerospace Workers (IAM). I am appearing at the request of International President R. Thomas Buffenbarger. The Machinists Union is the largest aviation union in North America, representing 180,000 airline and aerospace workers in almost every classification, including mechanics, flight attendants, ramp service workers, passenger service employees and production workers.

Each year U.S. airlines increase their use of overseas aircraft repair facilities. As a result, major airlines have closed U.S. maintenance bases leaving thousands of people out of work, and in the case of United Airlines closing its Indianapolis maintenance facility, taxpayers on the hook for the construction bill.

I don't know of anyone who has ever said that maintenance is outsourced to overseas facilities to improve safety. The true reason is undeniable – airlines send maintenance work overseas because they can get the minimum maintenance performed for the least amount of money. Although an airline may experience immediate cost savings from sending maintenance work overseas, the long-term cost to our nation can be devastating. There has never been room for error in the aviation industry.

I have been asked to discuss the security aspect of overseas maintenance operations, but a discussion of facility security must include their personnel, maintenance track record and FAA oversight.

The first step in securing an aircraft is restricting the people who have access to it. Technicians working at U.S.-based aircraft maintenance facilities are required to undergo FBI criminal background checks. In fact, technicians with a criminal infraction that is in no way indicative to being a potential security risk can be rejected for an airport security pass, thereby denying them employment.

However, neither the FAA nor the airlines require people working at overseas facilities to undergo criminal background checks. No security clearance is required. U.S. airlines contract with overseas facilities that do not vet their employees, yet allows them unfettered access to the most critical parts of an aircraft.

There is no way for the FAA or individual airlines to know if the person performing critical safety maintenance on U.S. aircraft at overseas facilities are qualified technicians or al Qaeda operatives. This is not as far fetched as it sounds, as an al Qaeda member was employed at a Singapore repair station that performed maintenance in U.S. aircraft at the time he was arrested in 2001. In the U.S., passengers go through more stringent security checks than the people overseas repair stations hire to maintain our aircraft.

Pre-employment and ongoing random drug and alcohol testing is another employment requirement for U.S. aircraft technicians. The reason behind this is clear – we don't want impaired people maintaining our aircraft. It makes no sense that the FAA does not require the same of people working at overseas repair stations.

English is the language of aviation. Pilots and air traffic controllers at all major international airports are required to speak English for safety reasons. Aircraft maintenance manuals, which technicians are required to have with them when making repairs, are printed in English. But personnel at overseas repair stations are not required to read English, creating a major safety problem. Imagine how difficult it is repair a machine as complex as a modern jet aircraft with instructions written in a language you do not understand.

IAM members regularly report aircraft returning from heavy maintenance performed overseas return with dangerous malfunctions. Recently, US Airways aircraft 444, a 737-400, had heavy maintenance performed in El Salvador. It returned with its engine indication wires crossed. This meant that if there was an emergency in the number 1 engine there would have been an indication in the cockpit that the problem was with the number 2 engine. If the pilots shut down the number 2 engine thinking the problem was there, it would have left the aircraft with only one engine operating – the one with the malfunction. This potentially catastrophic mistake was corrected by US Airways mechanics in Tampa on September 30, 2009. Pilots are trained to trust their instruments. When the instruments lie, the lives of everyone on board are at risk.

On October 1, 2009, a warning light in the cockpit of US Airways aircraft number 0316 indicated the forward entry door was open at an altitude of 1,000 feet. When IAM mechanics investigated they found an El Salvador repair station left modeling clay covering the door's open/close sensor target. Another US Airways aircraft recently lost pressure because the same El Salvador repair station installed a door snubber backwards. Both aircraft had been deemed airworthy by the repair stations in EL Salvador.

Additionally, if overseas repair stations do not have the same strict oversight as domestic facilities, we cannot know if the parts they install are genuine FAA and manufacturer approved parts, or inferior bogus parts. This problem has been growing in recent years.

The system is broken, and we look toward Congress to fix it.

There are no uniform requirements for securing overseas facilities where U.S. aircraft are maintained. Securing the aircraft means securing the facility. Access to U.S. aircraft operating areas is strictly controlled by local, state and the federal requirements. But the measures enacted in the U.S. to secure our aircraft do not apply when they are sent overseas. Major maintenance checks performed overseas sometimes last for weeks, providing ample opportunity for sabotage or the planting of contraband.

The terrorist bombing of a Pan Am 747 over Scotland was the result of an altitude-sensitive bomb placed aboard the aircraft on an earlier leg of the flight. It is not hard to imagine how a similar device can be hidden on an aircraft that has been stripped for heavy maintenance in an unsecure facility by unknown personnel.

Additionally, illegal drugs have been smuggled into this country hidden onboard aircraft bound for the U.S. If that can happen, a bomb or other weapon can similarly be placed onboard an aircraft for retrieval by accomplices in flight or on the ground.

Airlines can utilize both FAA certified and non-certified facilities to perform maintenance. The FAA's oversight of overseas certified repair stations is insufficient to ensure compliance with what limited regulations there are. On-site visits are few and far-between. When an FAA inspector does plan to visit an overseas facility, the visit is announced months in advance, allowing the facility to prepare for the inspection. This is in contrast to the unannounced inspections of U.S. repair stations.

While oversight of FAA certified stations is inadequate, regulation of non-certified stations is non-existent. A December 2005 DOT Inspector General report¹ found that non-certificated facilities operate without the same regulatory requirements as certificated repair stations and operate with no limit on the type or scope of work they can perform. The report also verified that the FAA does not monitor the maintenance performed at non-certificated facilities and the air carriers' training and oversight of these facilities are inadequate. The report further revealed that the FAA did not know the extent of maintenance performed at non-certificated repair facilities.

¹ DOT Inspector General Report *Air Carriers' Use of Non-Certificated Repair Facilities*, December 15, 2005 (AV-2006-031)

U.S. airlines have increased their outsourced maintenance from 29 percent in 2000 to 45 percent today² with much of it going overseas. But FAA oversight has not kept pace, jeopardizing our aviation system.

Conclusion

Since 9/11 we have tightened up the physical security at U.S. airports and required airline employees to pass stringent background checks. But allowing U.S. aircraft to be maintained at unsecure facilities by unqualified, and often unknown, personnel creates a gaping hole in the security of our air transportation system.

The lowest cost, not the highest safety standards, is the driving force when airlines choose maintenance repair stations. The Machinists Union believes there should be only one level of safety and security – the highest - for U.S. aircraft, regardless of where they are maintained.

Having strict requirements for U.S. operations is meaningless if they can be avoided by an airline flying their planes to another country with lesser requirements and little or no FAA oversight. Less oversight means less money. If overseas repair stations and their employees cannot meet the same requirements as the airlines' U.S.-based operations, Congress should mandate that work be performed within our borders where there is more FAA regulation and oversight.

Thank you. I look forward to your questions.

² Bureau of Transportation Statistics, *Change in Passenger Airline Maintenance Employees Per Aircraft and Percent of Maintenance Spending Outsourced* 2007-2008*, http://www.bts.gov/press_releases/2009/bts026_09/html/bts026_09.html