



**International Brotherhood of Teamsters**

Testimony Before The

**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**

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**Submitted by  
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Madam Chairman, Ranking Member Dent, and Members of the Subcommittee:

Thank you for the opportunity to testify today on this vital issue of security at foreign repair stations. My name is Chris Moore, and I am Chairman of the Teamsters Aircraft Mechanics Coalition. I hold an A and P license and have been a mechanic at the Continental Airlines IAH facility since 1986.

The Teamsters Union Airline Division represents more than 43,000 airline employees, including 18,500 mechanics across 10 airlines, customer service agents, reservationists, simulator technicians, ramp agents, stock clerks, dispatch personnel, flight attendants and pilots. As such, our members are very concerned about the maintenance and repair of aircraft that they and their families fly on every day. The rapid growth of foreign repair stations can be partly attributed to the economic turmoil that has embroiled the airlines in the last decade.

The United States airline industry has been in a constant state of financial turmoil since the fall of 2000, when the decline in the technology industry caused a precipitous decline in business travel demand. The September 11, 2001 terrorist attacks greatly exacerbated the industry's financial troubles, as airlines incurred significant losses resulting from the temporary shutdown of the nation's airspace and passengers' apprehension about flying following the attacks.

Congress sought to alleviate the airline industry financial crisis shortly after the September 11 attacks, when it passed the Air Transportation Safety and System Stabilization Act, Pub. L. No. 107-42, 115 Stat. 230 (2001). Through that statute, Congress provided \$5 billion in direct emergency assistance/grants to compensate air carriers for their losses stemming from the attacks. Congress also authorized the Department of Transportation to reimburse air carriers for increases in their insurance premiums and provided billions of additional dollars for loan guarantees.

Nevertheless, in the wake of record high fuel prices earlier this year and the Depression-era crash of the nation's financial markets, the airline industry is still in economic tatters, and is projected to lose \$5.2 billion this year. Despite passenger capacity reductions and recent cuts in fuel costs, the

turbulent economic markets may continue to wreak havoc upon and potentially further destabilize the industry.

While Congress has provided significant public assistance to the airline industry over the last several years and may have to provide even more next year, many of the carriers that benefited from such taxpayer assistance have increasingly outsourced critical airline maintenance jobs to foreign repair stations. Indeed, according to the DOT Inspector General's September 30, 2008 report on the outsourcing of aircraft maintenance, airlines have more than doubled the amount of repairs and heavy maintenance work they outsource, from 34% in 2003 to 71% in 2007.

This huge increase in outsourcing of aircraft maintenance is alarming for a number of safety, security and economic reasons. First, the Federal Aviation Administration simply is not equipped to audit the work that is performed at foreign repair stations with the same level of intensity as they can within our borders. Second, the outsourcing of aircraft maintenance to foreign repair stations has set in motion a dynamic in which workers in developing nations will do what is required of them in order to stay employed, thus diminishing the safety and security of the flying public. My testimony today will concentrate on the security issues involving this increasing use of foreign repair stations in providing maintenance and repairs to U.S. aircraft.

Foreign repair stations are not held to the same security standards as domestic repair stations. Despite several mandates by Congress - the earliest of which dated to 2003 - to establish a security standard for repair stations and audit foreign stations, the Transportation Security Administration (TSA) has yet to issue a proposed rule. Foreign repair stations, certificated by the FAA, are covered by FAR Part 145, as are domestic repair stations, but critical exceptions are made in personnel and security standards. Airline-owned maintenance bases are held to the most stringent standards under Part 121 of the Federal Aviation Regulations. Mechanics employed directly by airlines are subject to drug and alcohol testing and criminal background checks as a condition of employment; their hours of work are regulated by duty-time limitations; and most must hold an FAA repairman certificate or an Airframe and/or Powerplant (A&P) certificate. No person deemed a terrorist threat by the TSA may hold any type of certificate.

Even if some foreign facilities claim they background check their workers and utilize a drug and alcohol testing protocol, those programs can only be as good as their government's systems allow. For example, in the case of Mexican truck drivers being permitted to travel beyond the currently permitted commercial zones, the United States has required that Mexican truck drivers be subject to a random drug testing program just as U.S. drivers are. While this was first proposed in 1995, to date, there is no lab in Mexico that has been certified to test these specimens. The Department of Transportation's Inspector General, in several audit reports, has continually cited chain of custody problems as well. One might argue that drug and alcohol testing is a pure safety issue, as it deals with the possibility of faulty workmanship due to impairment, but in countries where drug cartels are prevalent, the use of drugs may speak volumes about the vulnerability of a person working at a foreign repair station.

In the matter of issuing Free and Secure Trade (FAST) credentials to Mexican drivers to take advantage of that program, the TSA, not the Mexican government, conducts the background checks on those drivers. Does the Mexican Government lack the capability and or the databases to do so? Canada conducts its own background checks for the FAST program. While the Teamsters Union strongly supports a background check for workers at foreign repair stations who provide maintenance or repair services on U.S. aircraft, we are equally concerned about the process for doing so.

I recently had the opportunity to visit a Maintenance Repair Overhaul (MRO) facility in a developing economy. That facility is Aeroman, located at the El Salvador International Airport, about 30 miles south of the city of San Salvador. It is surrounded by a tropical rain forest. According to FAA data, Aeroman employs a total of 1200 people, including 712 non-certificated mechanics and 167 certified mechanics. The mechanics reportedly hold Salvadoran licenses that are recognized by the European Union Safety Agency. As you may know, one of the Teamsters' major concerns regarding the foreign outsourcing of aircraft maintenance is that the work is being done in facilities located in developing nations where security, safety and quality standards are lax and inadequately enforced. Aeroman's facility definitely fits this description.

In June of this year Southwest Airlines made the decision to offshore four lines of heavy maintenance to the Aeroman facility in El Salvador. Southwest airlines is known for its good employee relations and in that spirit invited all of the labor unions that represent workers at the airline to send a representative to El Salvador for the "Validation Flight". As Chairman of the TAMC, I was asked to represent the Teamsters Union on the trip. Once in country we split in to a couple of groups. I stayed with the maintenance reps and toured the facility while the others went to the US Embassy to work out the logistics of Southwest's new venture. I was a bit taken aback by the fact that we were required to travel with an armed escort and that there were armed guards patrolling outside many of the businesses in town. This raises serious questions in my mind about the security in this Central American country.

We spent approximately 12 hours at the airport over a two-day period. We were given a tour of the facility that allowed us to walk through an aircraft that was in work, although no one was working it at the time and it was completely gutted. Throughout the tour of the facility, we were escorted by a representative of Aeroman. This made it difficult to approach the workers to ask them questions about their working conditions and to obtain their perspectives.

My overall impression of the operation is that Aeroman is a large "Line Maintenance" operation and not the overhaul facility it is portrayed to be. If you walk the floor at the United Airlines SFO base you will understand what a true MRO should look like. Although Aeroman claims to have machining, sheet metal fabrication and composite repair, what they actually have is limited capability in these areas. In fact if you read their repair station certificate, it states that they only have limited capability in these areas. For instance, the machine shop I was shown had only two milling machines, a lathe and the odd saw here and there. The sheet metal shop consisted of about 10 bending, rolling and shearing machines located on the mezzanine between two tail docks in one of the hangars, essentially on the floor. The emergency evacuation slide shop is an empty room! The composite repair area is much the same. Aeroman and its airline customers would have you believe that this is a first class MRO. That was not my observation. So the question begs to be asked - what else is an exaggeration? When the Aeroman representative was asked about drug testing the answer came back, absolutely. Where is the oversight? At Continental the specimen is collected on site and FAA drug abatement protocol is followed to the

letter. To what standards are foreign MRO's being held? On the subject of background checks, in a country that has very little infrastructure, how can you validate a background check? Again, where is the oversight and what procedures are followed?

The only security I saw was at the gate coming into the facility where we traded our ID for a visitor badge. There was a guard shack manned by armed guards. There was no electronic card reader to verify that even the escort badges were valid. In the United States, the escort must have a valid ID in order to bring visitors onto the facility. You must pass the background check to obtain this badge. In Houston, the background check to obtain your security clearance goes back to age 16. The airport is surrounded by a perimeter fence of chain link with barbed wire and/or razor wire topping it. It is, from the looks of it, rather dated. I could only see the fence in areas that I toured and along the highway. It does not appear to be patrolled, as there is no access area cut around the outside of the fence as you have in the U.S. During my two days on the property, I never observed any perimeter patrols.

My concern is this. Aviation safety and security are built on layer upon layer of redundancy. We are seeing those layers being removed one by one. Is there real control over who is actually working on our aircraft in a developing economy? When the aircraft is stripped bare and there are literally thousands of places where explosives or other contraband can be hidden, are we willing to take that chance? The average wage in El Salvador is \$350.00 US. An Aeroman mechanic can make as much as \$1200.00 US per month. What will a man or woman do to keep this job? Witness the NPR report by Dan Zwerdling on Aeroman that ran in October 2009, where he reported that an Aeroman mechanic was forced by his supervisor to install the wrong fasteners in a critical part of the aircraft structure. These Hy-Shear fasteners are designed to fail under stress, thus protecting the actual structure from failure. This speaks volumes about how easily these workers can be manipulated. El Salvador is a country where the Mexican drug cartel can bug not only the presidential offices but also his personal residence. The U.S. Drug Enforcement Agency is woefully undermanned – only one agent for the entire country at the time of my visit. What kind of pressure can the cartel bring to bear on one of these workers if they decide to make a point to the U.S. by destroying an aircraft once it is back in service in U.S. airspace?

While touring the facility, the DEA and local police did a narcotics and explosives K-9 sweep of the Southwest Airlines aircraft that was our transportation back to the states. The dogs belonged to the local police force, and it was not stated what type of training the dogs or handlers received. Southwest officials advised me this would happen with all of their aircraft prior to those planes returning to the United States. Again, as is the case with representations that were made regarding background checks and drug testing, I have no way of verifying the accuracy of this statement as there is no rule in place to mandate it. It is significant to note that Aeroman claims that Southwest Airlines is the first of their customers to request such searches and tests. Even if this is true, Aeroman's comment underscores and validates the Teamsters Union's argument that maintenance work outsourced to foreign countries raises serious safety concerns because the work is not subject to the same stringent safety and security standards and oversight that apply in the United States. (It should be noted that at the time of my visit, US Airways had four aircraft in various stages of overhaul and Jet Blue had one). To my knowledge, none of those airlines conducts the drug and explosives sweep as Southwest Airlines had done, before returning planes to the U.S.

Finally, the only way to ensure security is to raise the standard of any foreign repair station to that of the U.S. regardless of any trade agreements. Regulations to ensure the security of foreign repair stations, to every extent possible, should closely mirror the standards established in 49 CFR Chapter XII that govern air carriers and airports, regarding worker background checks, access to aircraft and facility perimeter security. Worker security awareness training should also be part of a required security plan submitted to the Department of Homeland Security and the Federal Aviation Administration for approval. Those agencies should work closely together to eliminate overlapping inspections, but should ensure that both safety and security inspections are carried out at least twice yearly without notice given to the facility. There must be "24/7/365" oversight available. That would require coordinated deployment of FAA / TSA / DEA manpower in such a way that inspections can be performed and records checked with the "no notice" capability.

At least 21 non-certificated repair stations in foreign countries have been identified by DOT's Inspector General as performing maintenance "critical to the airworthiness of the aircraft." Because of the level of work involved, those facilities should fall under the same security requirements as

certificated foreign repair stations. Foreign repair stations receive work from both U.S. and other foreign-owned airlines. If regulations applying drug and alcohol testing and background checks would apply only to workers who service U.S. aircraft, then access rules need to be developed within the facility to segregate those workers from others who may be on the property.

U.S. aviation safety is recognized as the best in the world. We should not allow any further degradation of that proud and expected record in a quest to shore up the bottom line or increase profits. Aviation security and safety is not about money; it is about preventing accidents, protecting the flying public and saving lives.

Thank you again for the opportunity to express our views on this important issue of security of foreign repair stations. I am pleased to answer any questions you may have.