

July 26, 2002

Docket Management System,  
U.S. Department of Transportation  
Docket Number FAA-2002-11301  
Room Plaza 401, 400 Seventh Street, SW.  
Washington, DC 20590-0001.

Subject: Proposed Rule: Antidrug and Alcohol Misuse Prevention Programs for Aviation Personnel

Gentlemen/Madam:

The Regional Airline Association (RAA) has reviewed the proposed rule and comments on the proposed rule. The RAA has identified several areas where the proposed rule may be revised to better address the concerns of the industry.

**RAA requests that Appendix I, Section II, Definitions be revised as follows:**

Delete the phrase "and performing work within the scope of employment with the contractor" from the last sentence in the definition of "Employee".

~~The RAA is not requesting any changes to the definition of "Employee" in Appendix I, Section II, Definitions. The RAA is only requesting that the phrase "and performing work within the scope of employment with the contractor" be deleted from the last sentence of the definition.~~

~~When the RAA comments on the proposed rule, it will identify the specific changes that it is requesting. The RAA is not requesting any changes to the definition of "Employee" in Appendix I, Section II, Definitions.~~

~~When the RAA comments on the proposed rule, it will identify the specific changes that it is requesting. The RAA is not requesting any changes to the definition of "Employee" in Appendix I, Section II, Definitions.~~

"An employee is a person who is employed by the FAA and is performing work within the scope of employment with the FAA." "An employee is a person who is employed by the FAA and is performing work within the scope of employment with the FAA."

You are requested to delete the phrase "and performing work within the scope of employment with the contractor" from the last sentence of the definition of "Employee" in Appendix I, Section II, Definitions.

"An employee is a person who is employed by the FAA and is performing work within the scope of employment with the FAA." "An employee is a person who is employed by the FAA and is performing work within the scope of employment with the FAA."

**RAA requests that the current Appendix I, Section III, *Employees Who must be Tested*, language be retained.**

~~You are requested to delete the phrase "and performing work within the scope of employment with the contractor" from the last sentence of the definition of "Employee" in Appendix I, Section II, Definitions.~~

~~When the RAA comments on the proposed rule, it will identify the specific changes that it is requesting. The RAA is not requesting any changes to the definition of "Employee" in Appendix I, Section II, Definitions.~~

You are requested to delete the phrase "and performing work within the scope of employment with the contractor" from the last sentence of the definition of "Employee" in Appendix I, Section II, Definitions.

~~You are requested to delete the phrase "and performing work within the scope of employment with the contractor" from the last sentence of the definition of "Employee" in Appendix I, Section II, Definitions.~~

**RAA requests that current Appendix I, Section V, Paragraph A, *Pre-employment Testing*, language be retained.**

Your proposal is a key component of our efforts to improve our business and the industry.

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**RAA requests that Appendix I, Section V, Paragraph D, sub-paragraph 2 be deleted.**

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**RAA requests changes to the proposal for Option 1/Option 2 for Section IX, *Implementing an Antidrug or an Alcohol Misuse Prevention Program*.**

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**RAA requests similar changes to Appendix J**

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**RAA requests that the cost-benefit analysis account for costs associated with extending the regulations to subcontractors “at any tier” and to employees “regardless of the degree of supervision”.**

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RAA encourages comments from you. Consider the comments and those submitted by individual RAA members appreciated.

Sincerely,

David Lotterer  
Vice President - Technical Services

Attachment A

<b>Company</b>	<b>City, State</b>
Aeromar *	Mexico City, DF
Air Canada Jazz*	Enfield, Nova Scotia, Canada
AirNet Systems	Columbus, OH
Air Serv	Redlands, CA
Air Wisconsin	Appleton, WI
Allegheny	Middletown, PA

Alpine Aviation	Provo, UT
American Eagle	Dallas, TX
Atlantic Coast Airlines	Dulles, VA
Atlantic Southeast (ASA)	Atlanta, GA
Big Sky Airlines	Billings, MT
Boston-Maine Airways	Portsmouth, NH
Cape Air	Hyannis, MA
CCAIR	Charlotte, NC
Chautauqua Airlines	Indianapolis, IN
Chicago Express	Chicago, Il.
Colgan Air	Manassas, VA
Comair	Cincinnati, OH
CommutAir	Plattsburgh, NY
Continental Express	Houston, TX
Corporate Air	Billings, MT
Corporate Airlines	Smyrna, TN
Delta Connection, Inc.	Atlanta, GA
Empire Airlines	Coeur d'Alene, ID
ERA Aviation	Anchorage, AS
Executive Airlines	Farmingdale, NY
Federal Express	Memphis, TN
Grand Canyon	Grand Canyon, AZ
Great Lakes Aviation	Bloomington, MN
Great Plains Airlines	Columbia, MO
Gulfstream Int'l	Miami Springs, FL
Horizon Air	Seattle, WA
IBC Airways	Miami, FL
Island (Aloha) Air	Honolulu, HI
Lookout Mtn Airlines	Chattanooga, TN
Lynx Air International	Fort Lauderdale, FL
Mesaba	Minneapolis, MN
Midway Airlines	RDU Int'l Airport, NC
National Airlines	Las Vegas, NV
New England Airlines	Westerly, RI
North-South Airways	Atlanta, GA
Pace Airlines	Winston-Salem, NC
Piedmont Airlines	Salisbury, MD
Pinnacle Airlines	Memphis, TN
PSA Airlines	Vandalia, OH
Salmon Air	Salmon, ID
Scenic Airlines	N. Las Vegas, NV
Seaborne Airlines	US Virgin Islands
Shuttle America	Windsor Locks, CT
Skyway Airlines	Oak Creek WI
Skywest	St. George, UT

Sunworld Int'l Airlines  
Trans States  
Virginia Airways  
Walker's Int'l

Ft. Mitchell, KY  
St. Louis, MO  
Chesapeake, VA  
Ft. Lauderdale, FL

\* foreign based air carrier