



International Civil Aviation Organization (ICAO)

Where did the FAR's Come From?

By Phil Fountain

After World War II, it was soon recognized that there was a need to regulate aviation around the world. In the United States, pilots are taught aviation weather, regulations, procedures, etc. and do not really understand where the FAR's and AIM's came from other than the FAA.

In actuality, they do come from the FAA but there is a process that the FAA must go through in enacting its regulations and procedures. The FAA's process must follow the policies and procedures enacted by the Chicago Convention and controlled by the ICAO headquartered in Montreal, Canada. There is one caveat that the FAA or any other state can use in enacting its policies and procedures, which are to file a difference with ICAO that is published in the IFIM (International Flight Information Manager) found at https://www.faa.gov/air_traffic/publications/ifim/. It is the responsibility of all flight crews to check the differences when flying into international airspace.

You may find the following history, from the ICAO web site, interesting.

History

The consequence of the studies initiated by the US and subsequent consultations between the Major Allies was that the US government extended an invitation to 55 States or authorities to attend, in November 1944, an International Civil Aviation Conference in Chicago. Fifty-four States attended this Conference. At the end of which a Convention on International Civil Aviation was signed by 32 States, setting up the permanent International Civil Aviation Organization (ICAO) as a means to secure international co-operation and the highest possible degree of uniformity in regulations and standards, procedures and organisation regarding civil aviation matters. At the same time the International Services Transit Agreement and the International Air Transport Agreement were signed.

The most important work accomplished by the Chicago Conference was in the technical field because the Conference laid the foundation for a set of rules and regulations regarding air navigation as a whole which brought safety in flying a great step forward and paved the way for the application of a common air navigation system throughout the world.

Because of the inevitable delays in the ratification of the Convention, the Conference had

signed an Interim Agreement, which foresaw the creation of a Provisional International Organization of a technical and advisory nature with the purpose of collaboration in the field of international civil aviation (PICAO). This Organization was in operation from August 1945 to April 1947 when the permanent ICAO came into being. Its seat was in Montreal, Canada and in 1947 the change from PICAO to ICAO was little more than a formality.

From the very assumption of activities of PICAO/ICAO, it was realised that the work of the Secretariat, especially in the technical field, would have to cover two major activities:

- those which covered generally applicable rules and regulations concerning training and licensing of aeronautical personnel both in the air and on the ground, communication systems and procedures, rules for the air and air traffic control systems and practices, airworthiness requirements for aircraft engaged in international air navigation as well as their registration and identification, aeronautical meteorology and maps and charts. For obvious reasons, these aspects required uniformity on a world-wide scale if truly international air navigation was to become a possibility. Activities in these fields had therefore to be handled by a central agency, i.e. ICAO headquarters, if local deviations or separate developments were to be avoided;
- those concerning the practical application of air navigation services and facilities by States and their co-ordinated implementation in specific areas where operating conditions and other relevant parameters were comparable.

To meet the latter objective it was agreed to sub-divide the surface of the earth into a number of "regions" within which distinct and specific air navigation problems of a similar nature existed.

- A typical example of this process is illustrated by a comparison of the so-called "North Atlantic Region (NAT)", where the primary problems concern long-range overseas navigation,
- with the "European-Mediterranean region (EUR)" where the co-ordination of trans-European operations with domestic and short-range international traffic constitutes the major problem.

Once the regions created, it was necessary to provide bodies which were able to assist States in the resolution of their specific "regional" problems and it was agreed that this could best be



achieved by the creation of a number of Regional Offices which were to be located either in the Region they served or, if more than one Region was to be served by such an Office, as close as possible to the Region concerned.

As a consequence of the above ICAO adopted the concept of Regions and Regional Offices on the understanding that any regional activities could only be undertaken provided they did not conflict with the world-wide activities of the Organization. However, it was also recognised that such activities could vary from Region to Region taking into account the general economic, technical or social environment of the Region concerned.

International Business Aviation Council

By Phil Fountain

Most EAA members are not involved in business aviation but it may be interesting to understand how the migration of Safety Management Systems (SMS) are being phased into aviation and may well affect the private pilot. The FAA is developing standard SMS's for the part 121 and 135 operations first and then develop an SMS for the corporate part 91 operators. The International Business Aviation Council, about 10 years ago developed an SMS called IS-BAO (International Standard for Business Aircraft Operations) which is intended primarily for company operated aircraft. There will be a point in the near future where an SMS will be required for operators to fly into international airspace.

The following is a bio of the organization IBAC, which is a collection of the NBAA types from around the world that manages the IS-BAO program. IBAC is also headquartered in Montreal, Canada.

IBAC

The International Business Aviation Council (IBAC) is a Council of business aviation associations from around the world. Governance is established through the IBAC Governing Board, with representation from each of the Member Associations. The Board meets twice per year to establish business aviation policies and priority activities for the industry. Ongoing activity of the Council is managed by an IBAC Secretariat consisting of the Director General, assisted by a staff of experienced specialty managers responsible for ICAO Liaison, Safety Standards, Regulatory Affairs and Office Management.

IBAC represents the interests of business aviation worldwide. IBAC is an International Non-

Governmental Organization (INGO) with permanent observer status with the International Civil Aviation Organization (ICAO), the UN Specialized Agency for aviation matters. IBAC's Secretariat is based in the ICAO headquarters building in Montreal Canada. IBAC, in coordination with Member Associations, also produces material of direct value to flight departments, such as the International Standard for Business Aircraft Operations (IS-BAO), Safety Management Tool Kit, SMS eLearning training and the Aircrew Identification Card.

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President's Corner



Daryl Lueck, EAA Chapter 838 President

I've had a long time to think about this first pass at the President's Corner and there are a few items I wanted to cover.

The first is a big Thank You to Eric Wolf for his contributions as President for the last 4 years. Most of the Chapter Members don't know the amount of work that Eric contributed to keeping the Chapter going. Not only did he do the "normal" administration functions, i.e.; running the Board meetings, run-

ning the Chapter meetings and signing the numerous documents that need to be completed, but he also took on many other activities because we didn't have anyone else to cover them! Leading numerous events such as the Tri-Motor visit and Christmas Party.

Our Chapter has never been in better shape, from a building and financial perspective. Thank you again Eric.

I'd also like to thank several others, at the risk of missing many, but I think these people need to be recognized as well. Steve Jenkins is our Chapter Treasurer. I don't even know how many years he's been doing it, but it's been a while. He took over from Jim Hantschel, who will hold the record for a long time. So thank you Steve who continues to provide our Chapter with his financial wisdom and help.

Steve Myers has been our Foundation President since the position was created many years ago. His leadership, through some very tight times has helped us tremendously. Steve will be stepping down from this Foundation position and we'll miss him terribly.

Now, what's next? As I've said, our Chapter is in the best shape physically and financially. We have a new roof, new gate entrance, new paint and new furnaces. All of those items needed to be repaired or renovated. I'd like to work on getting more enjoyment and use out of our facility. More EAA events, more flying events and more outside events (rentals \$). We have an exceptional facility, I think the best Chapter facility in all of EAA land. Let's get the word out!

Membership. We have excellent monthly programs. Why don't we have more people attending? It seems to be the same core group of people. Let's set a goal of doubling our Monthly

meeting attendance. We have approximately 120 members on our roster, let's get the word out to them about our activities. Let's also see if we can't grow that number up a bit too. We've been holding at 120 for a while now. Invite your friends to attend a meeting even if they're not airplane nutz..... we can turn them into one!

I'm looking forward to working with all of you as the Chapter President.

Blue Skies.

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Fasten Your Seat Belts Please

By Seán G. Dwyer

Desperate times call for desperate measures, and that includes waiving some rules. On November 8, 2013 Typhoon Yolanda literally wiped some towns off the face of the Earth in the Philippines. The USAF played a role in evacuating many thousands of the people from the devastated areas, including one record breaking flight in an Air Force Boeing C-17 from Tacloban City, Leyte to Manila.

plane's capacity "spaced out" far below its max gross weight.

The giant 4-engine C-17 can carry US Army vehicles in two side by side rows and the M-1 Battle Tank. Three Bradley Infantry-Fighting vehicles, which each weigh 30 tons, constitute one load.

The C-17 in question was from Hickham Air Force Base. Photo is from the USAF.



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675 passengers were crammed into every available place on the giant airplane and there were few complaints. According to the Boeing website the C-17 Globemaster III can carry a payload of 160,000 lbs, refuel, fly 2,400 miles, and land on a small 3,000 foot unpaved runway. If each passenger weighed the FAA standard weight of 170 lbs, the total weight of the people would have been just under 115,000 lbs, and they were not going anywhere that far. So the



In the Recent News

December 24, 2013

By Elizabeth A Tennyson

The past year has not been an easy one for general aviation. The slow pace of economic growth, government spending cuts, and state efforts to find new revenue sources are just some of the issues that have plagued GA in the form of user fee proposals, tax increase plans, and cuts to vital services.

But AOPA has fought back, and won! AOPA's advocacy efforts have paid off with record support in Congress, tax cuts in the states, a new law supporting aircraft certification reform, the FAA's withdrawal of its sleep apnea policy, and other significant gains.

GA community fights sleep apnea policy

FAA puts controversial sleep apnea policy on hold. The agency will open discussions on the policy with industry stakeholders in January. The most recent victory is also the issue that raised the most ire among pilots—the FAA's sleep apnea policy. AOPA received hundreds of member comments when the FAA said it would require sleep apnea testing for any pilot with a body mass index (BMI) of 40 or higher. Over time, the agency planned to expand the mandatory testing to any pilot with a BMI of 30 or higher. But on Dec. 19, the FAA suddenly reversed course, announcing that it would not pursue the policy and would, instead, open discussions with stakeholders to find better ways to address concerns about sleep disorders.

The decision was announced in a phone call to AOPA and followed intense outcry from the aviation community. AOPA had been among the most vocal critics of the plan, and AOPA President Mark Baker had discussed the issue during a meeting with FAA Administrator Michael Huerta just one day before the agency said it would withdraw the policy. Baker had previously sent a letter to Huerta asking that the policy be withdrawn or that the FAA go through the rulemaking process. Congress had also registered its opposition by introducing a bill that would require the FAA to use the rulemaking process before implementing any new policy on sleep disorders.

That bill originated with members of the House General Aviation Caucus—a group that, with the Senate General Aviation Caucus, provided unflinching support for GA. This year was a milestone for both caucuses and by the end of 2013, more than half the House had joined, bringing membership to a record 236. In the Senate, too, support was strong with a record

41 members.

Congress steps in to back GA

Early in 2013, when user fees were once again rumored to be in the president's budget, AOPA turned to Congress for help. GA caucus members responded, leading the opposition that resulted in 223 House members signing a letter declaring they would not support user fees for GA.

Control towerA few months later, when sequestration budget cuts led the FAA to threaten closure of 149 contract towers at GA airports without a full evaluation of the consequences, AOPA again looked to Congress for decisive action. Caucus members stepped in, supporting legislation that gave the FAA needed funding and flexibility to keep the towers open.

Aircraft certification reform was another big issue in 2013, and once again GA caucus members provided support. With a goal of changing the aircraft certification process to provide "twice the safety at half the cost," an aviation rulemaking committee (ARC) set out to reform Part 23 certification rules. As a member of the ARC, AOPA helped develop recommendations that will make it easier and more affordable to upgrade existing aircraft and, ultimately, to bring innovative designs to market. That effort received critical support from lawmakers who passed the Small Airplane Revitalization Act, which was signed into law just before Thanksgiving. The Small Airplane Revitalization Act gives the FAA until December of 2015 to make the recommended reforms, establishing both the importance and urgency of overhauling the

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X-47B UCA Under Way

If this does not get today's kids all juiced up nothing will.

Northrop Grumman's X-47B unmanned combat air system demonstrates how to successfully takeoff and land from the deck of a moving aircraft carrier.

This is amazing, technology sometimes just boggles my mind. I hope the video comes through for you. First stealth fighter to take off and land on a carrier! "Unmanned stealth fighter, that is."

Neat... makes you proud! Go Navy

www.youtube.com/embed/WC8U5_4lo2c?feature=player_embedded

Cockpit Concepts

Scud Running

By Robert M. Jenny

December 5, 2013

Aviation Safety Connection

Go to: <http://aviation.org>

As we experience the wonders of flying, a few things become indelibly imprinted in our minds. During advanced flight training in the Navy, one of my instructors excelled at air-to-air gunnery, aerobatics and other types of precision flying. He was a patient teacher, enjoyed discussing every maneuver and shared every detail related to his proven abilities. Well, we all have our strengths and weaknesses and this young but experienced pilot confessed he did not like instrument flying.

One weekend this instructor pilot flew solo from home base in Texas destined for California. His fighter plane was found crashed into a mountainside along his intended line of flight. As I

recall, it was daylight when he crashed, the conditions VMC but there were low clouds (scud) in the mountainous regions. Apparently he took one chance too many. Exuberance, confidence, and a sense of invulnerability all came into play, I'm sure.

Knowing and respecting this more senior pilot made this accident and loss all the more personal. A tough way to gain a lesson learned—long before the term CFIT was coined. But what was that lesson learned? Then it was to respect the physical environment and the necessity for instrument proficiency. (Luckily, I always enjoyed the challenge of instrument flying.) Now, it's a bit deeper, and I use the Leadership Diamond¹ when looking any situation, accident or incident.

What was his VISION for the flight. Did he foresee the challenges to be met in order to achieve his mission. Was the REALITY of low-level navigation in marginal weather conditions reasonably considered? Did this VISION/REALITY polarity produce the required caution to develop reasonable options? Apparently and tragically not, particularly when these options included instrument flight. And what were the guiding ETHICS? Alone with little risk to anyone else, I doubt he (or any of us for that matter) considered the consequences of his actions in great detail. But the pain and suffering of family and friends had to be acute and lasting. Little was to be gained, much was lost. Yes, he had the COURAGE to succeed, to achieve his mission, but in the end we come to understand that this confidence was misplaced.

Scud running is one example of high risk behavior. There are many others. In the end it is personal leadership that makes the difference. The fundamental strategies—Vision, Courage, Reality, Ethics—must be in tension and in balance if we are to be successful and safe pilots.

NBAA

AirMail System

So I was forwarded the following message this morning. I vaguely remember seeing a few discussions sometime back...has anyone seen any recent news on this or even experienced it?

Yet another example of the Obama administration trampling our constitutional rights, this



time in the context of increasingly frequent warrantless stops and searches of private aircraft on domestic trips. The administration has been stonewalling Congress on why this is happening, on whose orders, and on what authority. Most recently the Department of Homeland security has moved to make records of these stops exempt from the Freedom of Information Act, and seal them from public view. Here is the story from APOPA Online:

<http://www.aopa.org/News-and-Video/All-News/2013/December/4/senators-demand-answers-from-dhs-cbp.aspx?CMP=ADV:1>

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House Addresses FAA Sleep Apnea Policy

The U.S. House of Representatives has created a bill that would require the FAA to open a public comment period and apply normal rulemaking procedures before imposing new policy regarding pilot girth, medical testing, and sleep apnea. AOPA and EAA reacted to the announced policy with strongly worded letters “demanding” that it be suspended. They argued that the policy addresses a problem that exceeds the Federal Flight Surgeon’s mandate, could add a financial burden to the pilot community, and hasn’t been proven to exist. AOPA Thursday expressed its support for the House’s legislation and added some choice words.

AOPA president Mark Baker said, “The policy change is arbitrary and capricious and doesn’t make sense given the data.” AOPA says that a review of ten years worth of general aviation accident data “found no cases in which sleep apnea was a causal or contributing factor.” The policy itself specifies that pilots or controllers with a body mass index of 40 or greater be automatically referred to a medical specialist. AOPA argues that the policy will add to a 55,000-case backlog of special issuance medicals and collectively cost pilots anywhere from \$99 million to \$347 million in new medical fees. As written, the House legislation ensures that any new or revised requirement be adopted “pursuant to rulemaking proceeding.” Each sponsoring member of the House is a member of the General Aviation Caucus.

FAASafety

How’s the Weather??

Notice Number: NOTC5091

Weather is an important aspect of any flight.

Pilots must know and understand all weather associated with their flight, both as a preflight action and as the flight progresses.

Fortunately, there are many new sources of aviation weather to help pilots. Providers are now making weather data available in the cockpit and on many smart devices. These include government and private weather providers and most have explanations of how their products work on their associated websites. The FAA cannot recommend what weather provider a pilot should use but does stress that pilots must validate that whatever weather provider they choose bases its weather data on official government weather data.

Once the weather data is collected, pilots need a strategy to integrate the weather information into their planning and go-no-go decision making before and during flight.

To improve these weather related skills, all pilots are invited to take the FAASafety’s new online course - “Aviation Weather Data – A Targeted Approach”. The course can be found on FAASafety.gov (ALC-322) at the following link:

https://www.faasafety.gov/gslac/ALC/course_catalog.aspx

Want to learn more?

General Aviation Pilot’s Guide to Preflight Weather Planning, Weather Self-Briefings, and Weather Decision Making

http://www.faa.gov/pilots/safety/media/ga_weather_decision_making.pdf

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Who Is To blame?

Notice Number: NOTC5107

“Blame” or “Understand”... the Choice is Yours

Its morning and you are heading to work. You notice a car dodging and weaving recklessly in and out of traffic, cutting people off left and right. Your immediate reaction is to focus on the behavior. What a jerk! When perhaps there is more to the story.

Fundamental Attribution Error is an unjustified tendency to assume the guy you see speeding down the highway is a nut, and should not be allowed to drive because he is stupid, rather than ask why the person is behaving that way.

This bias may cause us to blame people for actions that are unintended, and difficult to avoid.



We may characterize these people as silly, thoughtless, incompetent, or reckless, when in truth, it could be the complex, confusing, or stressful context of the situation that influenced them to take the action and make a mistake.

In the case of the weaving car above, perhaps the driver is avoiding a loose car part in the road, or a bad pothole, a road hazard you may hit if you are not careful!

When reading an accident report relating to incorrect or improper maintenance, what do we assume? Was the mechanic a bad mechanic? If you say yes, then the learning is over. After all, a good mechanic would never make a bad judgment call. On the other hand, if you assume that the mechanic is skilled, and has good judgment, then the question becomes, "What might have influenced this good mechanic to act in such a way that it caused an accident?" At that point, you will be investigating factors that might cause you to make that same mistake.

Once we place blame on a person, concentrating on the "who," we often stop looking for the underlying reasons and miss the opportunity to learn the "why". The question "why" deals with influences. Understanding these influences is such a subtle task that blaming will overpower understanding. Underlying reasons often sound like excuses, deflecting blame, or refusing to take responsibility. When learning of maintenance errors, you need to suspend your judgment long enough to understand the "why." This will point you to the situational influence that prompted the mistake, and will allow you to understand what might trip you up.

Your personal learning begins when you understand how the situation influenced the mechanic to make a mistake.

National FAA Safety Team

Small Plane Revitalization Plan Signed Into Law

On November 27, 2013, President Obama signed into law the Small Airplane Revitalization Act (SARA). The bill gives the FAA until Dec. 15, 2015, to issue a final rule that advances the safety and continued development of small airplanes by adopting changes to 14 CFR part 23. Among the objectives of the future rule are to (1) establish a regulatory regime for small airplanes that will improve safety and reduce the regulatory cost burden for the FAA and the aviation industry, (2) establish broad, outcome-driven safety objectives that will spur innovation and technology adoption, (3) replace current, prescriptive requirements under part 23 with performance-based regulations, and (4) use consensus standards to clarify how the safety objectives of part 23 may be met using specific designs and technologies. To view the bill, go to: www.govtrack.us/congress/bills/113/hr1848/text.

Airman Testing Web Page Updated

The Airman Testing Standards Branch of the FAA's Regulatory Support Division launched a new web page that streamlines the process of getting information regarding airman testing. Some of the site's features include:

- A "What's New and Upcoming in Airman Testing" section;
- A "Submit an Airman Knowledge Test Question" button;
- A "Questions & Answer" section; and,
- A "Contact Us" button

The site (http://www.faa.gov/training_testing/testing/) also includes a subscription feature which will notify you anytime there is an update to a handbook or the practical test standards.

The Basics of Buying a Bird

How great would it be to buy that new airplane for the holidays? If you're in the market for buying a new or used aircraft, be sure to have a look at Sabrina Woods' article "From Aeronca to Zenair: The Basics of Buying a Bird" on page 18 of the Nov/Dec 2013 issue of FAA Safety Briefing. It is chock full of helpful tips to guide you during the buying process. Find it online at http://www.faa.gov/news/safety_briefing/.

Searching for that Last Minute Holiday Gift?

Then consider signing up that pilot or mechanic on your holiday shopping list for a free digital subscription to FAA Safety Briefing. Just go to http://www.faa.gov/news/safety_briefing/ and click the green subscribe link at the top of the page. You'll be directed to enter contact and email information into the GovDelivery system which manages the subscription and provides reminder emails whenever a new issue is published.

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FAAST Blast — Week of Dec 23 – Dec 29, 2013

Notice Number: NOTC5108

QR Codes Enhance AeroNav Charts

Beginning with the October 17, 2013, print cycle, all AeroNav charting products began to feature Quick Response (QR) codes that points pilots to additional flight information



Racine EAA Chapter 838

NOTAMS

Meetings

Third Thursday's 7:00 pm

Social 6:30 pm

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Volume XXVI Issue 1

www.Eaa838.Org

sources. QR codes are the special box-shaped barcodes that, with the aid of a smartphone, can be scanned and have you directed to a specific website or email address. According to Eric Freed, FAA Enroute and Visual Charts Group Manager, "Each QR code will direct the pilot to a series of web-links that will provide easier access to important/updated flight information to be used during the flight planning process." These include Notices to Airmen (NOTAMs), Temporary Flight Restrictions (TFRs), and chart update bulletins. Check out this time- and space-saving tool on your next flight and as an aside, if, in the course of planning or executing your flight path, you happen to notice a wind turbine farm on your route, be sure to maintain a safe distance and beware of the potential hazard for shedding ice!

AD Revised for Various Aircraft with Wing Lift Struts

Last week, the FAA issued a revision to Airworthiness Directive (AD) 99-01-05 that affects certain aircraft with wing lift struts and requires inspection and replacement procedures for corroded/cracked wing lift strut forks. The revised AD clarifies the FAA's intent of required actions if the seal on a sealed wing lift strut is ever improperly broken. The AD is effective January 14, 2014, and can be viewed here: <http://go.usa.gov/ZDJ4>.

Airman Testing Reform Update

You may have heard about the Airman Certification Standards (ACS) project, but do you know what it's all about? How about its effect on the Practical Test Standards (PTS), or airman training requirements? To learn more about the collaborative efforts behind the ACS and its potential impact on you as an airman (or airman-in-training), see the special two-page Q&A on page 15 of the November/December 2013 issue (www.faa.gov/news/safety_briefing/) of FAA Safety Briefing magazine.

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Racine EAA Chapter 838

The People

Meetings

Third Thursday's 7:00 pm

Social 6:30 pm

January 2014

Volume XXVI Issue 1

www.Eaa838.Org

Welcome

New Chapter Members

Rebecca Schmitt	September 2013
Robert Clarke	August 2013
Bill Myers	June 2013
Bill Schalk	June 2013
Michael Ratchford	May 2013
Merritt Adams	Feb 2013
Michael Arts	Feb 2013

EAA Chapter Distribution

Chapter 18	Milwaukee
Chapter 217	Kenosha
Chapter 414	Waukegan
Explorer Post 218	Racine
Steve Hedges	AOPA

Sean's Answer

Monthly Meetings

Boards Meetings	Second Thursdays	7:00 pm
Chapter Meetings	Third Thursdays	
	Social Meeting	6:30 pm
		7:00 pm
Shop Night	Every Monday	7:00 pm
Explorer Post 218	Second Thursdays	7:00 pm
	Fourth Thursdays	7:00 pm
Young Eagles	Second Saturday	9:00 am
	(March - November)	

Upcoming Meetings & Speakers

Jan 16 th	Harold Mester	History of Mitchell Airport
Feb 20 st		
Mar 21 st	Dave Mann	History of Battan Airport
Apr 17 th		
May 15 th		
Jun 19 th		
Jul 17 th		
Aug 14 th		
Sep 18 th		
Oct 16 th		
Nov 20 th		

Officers

President	Daryl Lueck	414-333-4228
Vice President	-----	
Secretary	Tracy Miller	847-420-5098
Treasurer	Steve Jenkins	262-681-2491
Foundation	Steve Myers	262-681-2528

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Ken Sack	262-554-9714
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Committee Chairpersons

Programs	Rick Goebel	M 262-886-4171
Monday Shop	Jerry Bovitz	262-639-8583
Librarian	Eddy Huffman	262-639-8301
Membership	Ken Sack	262-554-9714
Newsletter		
Publisher	Phil Fountain	M 414-803-5357
Young Eagles	Tracy Miller	847-420-5098
	Chapter Building	262-634-7575