

117TH CONGRESS  
2D SESSION

# H. R. 7321

To amend title 49, United States Code, to require certain air carriers to provide reports with respect to maintenance, preventive maintenance, or alterations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2022

Mr. DEFAZIO (for himself, Mr. BACON, Ms. BROWNLEY, Mr. FITZPATRICK, Mr. GARAMENDI, Mr. GARCÍA of Illinois, Mr. KATKO, Ms. MALLIOTAKIS, Mr. MCKINLEY, Ms. NORTON, Mr. PAPPAS, Mr. SIRES, Mr. SMITH of New Jersey, and Mr. VAN DREW) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to require certain air carriers to provide reports with respect to maintenance, preventive maintenance, or alterations, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe Aircraft Mainte-  
5       nance Standards Act”.

6       **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that—

1           (1) the safety of the United States aviation sys-  
2           tem requires the highest standards for aircraft main-  
3           tenance, repair, and overhaul work;

4           (2) the safety of aircraft operated by United  
5           States air carriers should not be dependent on the  
6           location where maintenance, repair, and overhaul  
7           work is performed; and

8           (3) the Federal Aviation Administration must  
9           fully enforce its standards for maintenance, repair,  
10          and overhaul work at every facility, whether in the  
11          United States or abroad, where such work is per-  
12          formed on aircraft operated by United States air  
13          carriers.

14 **SEC. 3. OVERSIGHT OF REPAIR STATIONS LOCATED OUT-**  
15 **SIDE THE UNITED STATES.**

16          (a) IN GENERAL.—Section 44733 of title 49, United  
17 States Code, is amended—

18           (1) in the heading by striking “**Inspection**”  
19           and inserting “**Oversight**”;

20           (2) in subsection (e)—

21                (A) by inserting “, without prior notice,”  
22                after “annually”; and

23                (B) by striking the last sentence and in-  
24                serting “The Administrator may carry out an-  
25                nounced or unannounced inspections in addition

1 to the annual unannounced inspection required  
2 under this subsection based on identified  
3 risks.”;

4 (3) by redesignating subsection (g) as sub-  
5 section (k); and

6 (4) by inserting after subsection (f) the fol-  
7 lowing:

8 “(g) DATA ANALYSIS.—

9 “(1) IN GENERAL.—An air carrier conducting  
10 operations under part 121 of title 14, Code of Fed-  
11 eral Regulations, shall provide to the responsible  
12 Flight Standards office of the Administration, not  
13 later than the last day of each calendar month, a re-  
14 port containing the information described in para-  
15 graph (2) with respect to maintenance, preventive  
16 maintenance, or alteration of an aircraft that is per-  
17 formed during the preceding calendar month.

18 “(2) INFORMATION REQUIRED.—A report under  
19 paragraph (1) shall contain the following informa-  
20 tion:

21 “(A) The location where any maintenance,  
22 preventive maintenance, or alteration was per-  
23 formed outside the United States.

24 “(B) A description of the work performed  
25 at each such location.

1           “(C) The date of completion of the work  
2 performed at each such location.

3           “(D) The total man-hours associated with  
4 completing the work performed at each such lo-  
5 cation.

6           “(E) A list of all failures, malfunctions, or  
7 defects affecting the safe operation of an air-  
8 craft identified by the air carrier as requiring  
9 corrective action after return to service, orga-  
10 nized by reference to aircraft registration num-  
11 ber.

12           “(F) The certificate number of the person  
13 approving an aircraft, or a powerplant or part,  
14 for return to service following completion of the  
15 work performed at each such location.

16           “(3) UPDATES.—Not later than 180 days after  
17 the date on which an aircraft returns to service, an  
18 air carrier shall update the information described in  
19 paragraph (2)(E) with respect to any failure, mal-  
20 function, or defect discovered by the air carrier fol-  
21 lowing return to service during such period.

22           “(4) ANALYSIS.—The Administrator shall—

23           “(A) analyze reports submitted under  
24 paragraph (1) of this subsection and sections  
25 121.703, 121.705, 121.707, and 145.221 of

1 title 14, Code of Federal Regulations, or any  
2 successor provisions, to detect safety issues as-  
3 sociated with maintenance, preventive mainte-  
4 nance, and alterations performed outside the  
5 United States; and

6 “(B) require appropriate actions in re-  
7 sponse to such reports.

8 “(h) ANNUAL REPORTING REQUIREMENT.—

9 “(1) IN GENERAL.—Not later than 1 year after  
10 the date of enactment of this subsection, and annu-  
11 ally thereafter, each air carrier conducting oper-  
12 ations under part 121 of title 14, Code of Federal  
13 Regulations, shall upload to the online repository de-  
14 scribed in paragraph (2) a report containing—

15 “(A) a minimum of 1 year of heavy main-  
16 tenance work history for each aircraft (orga-  
17 nized by reference to aircraft registration num-  
18 ber) that conducted operations under such part  
19 121 during the previous calendar year;

20 “(B) the percentage and total number of  
21 mechanics carrying out maintenance, preventive  
22 maintenance, or alterations on aircraft for the  
23 air carrier during the previous year who are  
24 employees and who are not employees of the air  
25 carrier;

1           “(C) the percentage and total number of  
2 mechanics certified under part 65 of such title  
3 carrying out maintenance, preventive maintenance,  
4 or alterations on aircraft for the air carrier during the previous year who are based and  
5 who are not based in the United States;  
6

7           “(D) the percentage and total number of  
8 mechanics, regardless of certification, carrying  
9 out maintenance, preventive maintenance, or alterations on aircraft for the air carrier during  
10 the previous year who are based and who are  
11 not based in the United States;  
12

13           “(E) the percentage and total number of  
14 mechanics carrying out maintenance, preventive  
15 maintenance, or alterations on aircraft for the  
16 air carrier during the previous year who are  
17 certified under part 65 of such title and who  
18 are not certified under part 65 of such title;

19           “(F) other information to be provided by  
20 the air carrier regarding maintenance, safety,  
21 and the aircraft fleet of the carrier that is of  
22 interest to the traveling public, as determined  
23 appropriate by the Administrator;

24           “(G) all locations where aircraft in the  
25 fleet of such air carrier have undergone heavy

1 maintenance work in the past 3 years, listed by  
2 total man-hours; and

3 “(H) all locations where heavy mainte-  
4 nance work on an aircraft may be carried out  
5 for the air carrier under an existing contract.

6 “(2) ONLINE REPOSITORY.—The Administrator  
7 shall establish an online repository for information  
8 submitted under paragraph (1) that allows an air  
9 carrier to electronically upload the data required to  
10 be submitted under such paragraph.

11 “(i) INTERNATIONAL STANDARDS FOR SAFETY  
12 OVERSIGHT OF CIVIL AVIATION.—

13 “(1) APPLICATIONS AND REQUESTS FOR RE-  
14 NEWAL.—

15 “(A) IN GENERAL.—The Administrator  
16 may not approve any application or request for  
17 renewal under part 145 of title 14, Code of  
18 Federal Regulations, from a person located or  
19 headquartered in a country that the Adminis-  
20 tration, through the International Aviation  
21 Safety Assessment program, has classified as  
22 Category 2.

23 “(B) MAINTENANCE IMPLEMENTATION  
24 PROCEDURES AGREEMENT.—The Administrator  
25 may elect not to enter into a maintenance im-

1           plementation procedures agreement with a  
2           country that the Administrator has classified as  
3           Category 2 to the extent the Administrator de-  
4           termines is necessary to comply with the re-  
5           quirements of this subsection.

6           “(2) CONTINUED HEAVY MAINTENANCE  
7           WORK.—No air carrier conducting operations under  
8           part 121 of title 14, Code of Federal Regulations,  
9           may contract for heavy maintenance work with a  
10          person located or headquartered in a country that  
11          the Administration, through the International Avia-  
12          tion Safety Assessment program, has classified as  
13          Category 2.

14          “(j) MINIMUM QUALIFICATIONS FOR MECHANICS  
15          AND OTHERS WORKING ON U.S.-REGISTERED AIR-  
16          CRAFT.—

17                 “(1) IN GENERAL.—Not later than 1 year after  
18                 the date of enactment of this subsection, the Admin-  
19                 istrator shall require that, at each covered repair  
20                 station—

21                         “(A) all supervisory personnel are appro-  
22                         priately certificated as a mechanic or repairman  
23                         under part 65 of title 14, Code of Federal Reg-  
24                         ulations;



1           “(B) all personnel authorized to approve  
2           an article for return to service are appropriately  
3           certificated as a mechanic or repairman under  
4           part 65 of such title; and

5           “(C) all personnel performing required in-  
6           spections under part 145 of such title are ap-  
7           propriately certificated as a mechanic or repair-  
8           man under part 65 of such title.

9           “(2) PHYSICAL PRESENCE.—Not later than 1  
10          year after the date of enactment of this subsection,  
11          the Administrator shall require that any individual  
12          who is responsible for authorization of return of an  
13          article to service or who is directly in charge of  
14          maintenance, preventive maintenance, or alterations  
15          performed on aircraft operated under part 121 of  
16          title 14, Code of Federal Regulations—

17                 “(A) be physically present near the aircraft  
18                 and available for consultation while work is  
19                 being performed; or

20                 “(B) personally perform the work.”.

21          (b) DEFINITION OF COVERED REPAIR STATION.—

22                 (1) IN GENERAL.—Section 44733(k) of title 49,  
23          United States Code (as redesignated by this sec-  
24          tion), is amended—

1 (A) by redesignating paragraphs (1)  
2 through (3) as paragraphs (2) through (4); and

3 (B) by inserting before paragraph (2), as  
4 so redesignated, the following:

5 “(1) COVERED REPAIR STATION.—The term  
6 ‘covered repair station’ means a facility that—

7 “(A) is located outside the United States;

8 “(B) is certificated under part 145 of title  
9 14, Code of Federal Regulations; and

10 “(C) performs maintenance, preventive  
11 maintenance, or alterations of aircraft, includ-  
12 ing powerplants and parts of such aircraft, op-  
13 erated under part 121 of title 14, Code of Fed-  
14 eral Regulations.”.

15 (2) TECHNICAL AMENDMENT.—Section  
16 44733(a)(3) of title 49, United States Code, is  
17 amended by striking “covered part 145 repair sta-  
18 tions” and inserting “part 145 repair stations”.

19 (c) CONFORMING AMENDMENTS.—The analysis for  
20 chapter 447 of title 49, United States Code, is amended  
21 by striking the item relating to section 44733 and insert-  
22 ing the following:

“44733. Oversight of repair stations located outside the United States.”.

23 **SEC. 4. MORATORIUM.**

24 (a) MORATORIUM ON ISSUANCE OF PART 145 CER-  
25 TIFICATE.—Beginning on the date that is 1 year after the

1 date of enactment of this Act, the Administrator may not  
2 issue any new certificate under part 145 of title 14, Code  
3 of Federal Regulations, with respect to a facility located  
4 outside the United States until—

5 (1) the final rule required under section  
6 2112(b) of the FAA Extension, Safety, and Security  
7 Act of 2016 (Public Law 114–190) has been issued;

8 (2) the Administrator has issued the final rule  
9 required under subsection (b); and

10 (3) any regulatory changes required by this Act  
11 or the amendments made by this Act have been im-  
12 plemented.

13 (b) FINAL RULE ON ASSESSMENT REQUIREMENT.—  
14 With respect to any employee not covered under the re-  
15 quirements of section 1554.101 of title 49, Code of Fed-  
16 eral Regulations, the Administrator shall issue a final rule  
17 that requires a covered repair station to confirm that any  
18 such employee has successfully completed an assessment  
19 commensurate with a security threat assessment described  
20 in subpart C of part 1540 of such title.

21 **SEC. 5. DEFINITIONS.**

22 In this Act:

23 (1) ADMINISTRATOR.—The term “Adminis-  
24 trator” means the Administrator of the Federal  
25 Aviation Administration.

1           (2) COVERED REPAIR STATION.—The term  
2 “covered repair station” means a facility that—  
3           (A) is located outside the United States;  
4           (B) is certificated under part 145 of title  
5 14, Code of Federal Regulations; and  
6           (C) performs maintenance, preventive  
7 maintenance, or alterations of aircraft, includ-  
8 ing powerplants and parts of such aircraft, op-  
9 erated under part 121 of title 14, Code of Fed-  
10 eral Regulations.

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