

# Union Calendar No. 381

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7321

[Report No. 117-506]

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

SEPTEMBER 28, 2022

Additional sponsors: Ms. CHU, Mr. CLEAVER, Mr. SOTO, Mr. JOYCE of Ohio, Mr. WELCH, Ms. BARRAGÁN, Mr. NADLER, Mr. PAYNE, Mr. GARBARINO, Ms. CRAIG, and Ms. PORTER

SEPTEMBER 28, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on March 31, 2022]

# **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 **SEC. 1. SHORT TITLE.**

4        *This Act may be cited as the “Global Aircraft Mainte-*  
5 *nance Safety Improvement Act”.*

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

7        *It is the sense of Congress that—*

8            *(1) the safety of the global aviation system re-*  
9 *quires the highest standards for aircraft maintenance,*  
10 *repair, and overhaul work;*

11           *(2) the safety of aircraft operated by United*  
12 *States air carriers should not be dependent on the lo-*  
13 *cation where maintenance, repair, and overhaul work*  
14 *is performed; and*

15           *(3) the Federal Aviation Administration must*  
16 *fully enforce, in a manner consistent with United*  
17 *States obligations under international agreements,*  
18 *Federal Aviation Administration standards for main-*  
19 *tenance, repair, and overhaul work at every facility,*  
20 *whether in the United States or abroad, where such*  
21 *work is performed on aircraft operated by United*  
22 *States air carriers.*

1 **SEC. 3. FAA OVERSIGHT OF REPAIR STATIONS LOCATED**  
2 **OUTSIDE THE UNITED STATES.**

3 (a) *IN GENERAL.*—Section 44733 of title 49, United  
4 States Code, is amended—

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

7 (2) in subsection (e)—

8 (A) by inserting “, without prior notice to  
9 such repair stations,” after “annually”;

10 (B) by inserting “and the applicable laws of  
11 the country in which a repair station is located”  
12 after “international agreements”; and

13 (C) by striking the last sentence and insert-  
14 ing “The Administrator may carry out an-  
15 nounced or unannounced inspections in addition  
16 to the annual unannounced inspection required  
17 under this subsection based on identified risks  
18 and in a manner consistent with United States  
19 obligations under international agreements and  
20 with the applicable laws of the country in which  
21 a repair station is located.”;

22 (3) by redesignating subsection (g) as subsection  
23 (j); and

24 (4) by inserting after subsection (f) the following:  
25 “(g) *DATA ANALYSIS.*—

1           “(1) *IN GENERAL.*—An air carrier conducting  
2           operations under part 121 of title 14, Code of Federal  
3           Regulations, shall provide to the appropriate office of  
4           the Administration, not later than every year, a re-  
5           port containing the information described in para-  
6           graph (2) with respect to heavy maintenance work on  
7           aircraft (including on-wing aircraft engines) per-  
8           formed in the preceding year.

9           “(2) *INFORMATION REQUIRED.*—A report under  
10          paragraph (1) shall contain the following informa-  
11          tion:

12                 “(A) *The location where any heavy mainte-*  
13                 *nance work on aircraft (including on-wing air-*  
14                 *craft engines) was performed outside the United*  
15                 *States.*

16                 “(B) *A description of the work performed at*  
17                 *each such location.*

18                 “(C) *The date of completion of the work*  
19                 *performed at each such location.*

20                 “(D) *A list of all failures, malfunctions, or*  
21                 *defects affecting the safe operation of such air-*  
22                 *craft identified by the air carrier within 30 days*  
23                 *after the date on which an aircraft is returned*  
24                 *to service, organized by reference to aircraft reg-*  
25                 *istration number, that—*

1                   “(i) requires corrective action after the  
2                   aircraft is approved to return to service;  
3                   and

4                   “(ii) results from the work performed  
5                   on such aircraft.

6                   “(E) The certificate number of the person  
7                   approving such aircraft or aircraft engine, for  
8                   return to service following completion of the  
9                   work performed at each such location.

10                  “(3) ANALYSIS.—The Administrator of the Fed-  
11                  eral Aviation Administration shall—

12                   “(A) analyze information made available  
13                   under paragraph (1) of this subsection and sec-  
14                   tions 121.703, 121.705, 121.707, and 145.221 of  
15                   title 14, Code of Federal Regulations, or any suc-  
16                   cessor provisions, to detect safety issues associ-  
17                   ated with heavy maintenance work on aircraft  
18                   (including on-wing aircraft engines) performed  
19                   outside the United States; and

20                   “(B) require appropriate actions in re-  
21                   sponse.

22                  “(4) CONFIDENTIALITY.—Information made  
23                  available under paragraph (1) shall be subject to the  
24                  same protections given to voluntarily-provided safety  
25                  or security related information under section 40123.

1       “(h) *APPLICATIONS AND REQUESTS FOR RENEWAL.*—

2               “(1) *IN GENERAL.*—*The Administrator may not*  
3 *approve any new application under part 145 of title*  
4 *14, Code of Federal Regulations, from a person lo-*  
5 *cated or headquartered in a country that the Admin-*  
6 *istration, through the International Aviation Safety*  
7 *Assessment program, has classified as Category 2.*

8               “(2) *MAINTENANCE IMPLEMENTATION PROCE-*  
9 *DURES AGREEMENT.*—*The Administrator may elect*  
10 *not to enter into a new maintenance implementation*  
11 *procedures agreement with a country classified as*  
12 *Category 2, for as long as that country remains clas-*  
13 *sified as Category 2, if the Administrator determines*  
14 *that doing so is necessary to comply with the require-*  
15 *ments of this subsection.*

16               “(3) *CONTINUED HEAVY MAINTENANCE WORK.*—  
17 *No air carrier conducting operations under part 121*  
18 *of title 14, Code of Federal Regulations, may enter*  
19 *into a new contract for heavy maintenance work with*  
20 *a person located or headquartered in a country that*  
21 *the Administration, through the International Avia-*  
22 *tion Safety Assessment program, has classified as*  
23 *Category 2, for as long as such country remains clas-*  
24 *sified as Category 2.*

1       “(i) *MINIMUM QUALIFICATIONS FOR MECHANICS AND*  
2 *OTHERS WORKING ON U.S. REGISTERED AIRCRAFT.—*

3               “(1) *IN GENERAL.—Not later than 1 year after*  
4 *the date of enactment of this subsection, the Adminis-*  
5 *trator shall require that, at each covered repair sta-*  
6 *tion—*

7                       “(A) *all supervisory personnel are appro-*  
8 *priately certificated as a mechanic or repairman*  
9 *under part 65 of title 14, Code of Federal Regu-*  
10 *lations, or under an equivalent certification or*  
11 *licensing regime, as determined by the Adminis-*  
12 *trator; and*

13                       “(B) *all personnel authorized to approve an*  
14 *article for return to service are appropriately*  
15 *certificated as a mechanic or repairman under*  
16 *part 65 of such title, or under an equivalent cer-*  
17 *tification or licensing regime, as determined by*  
18 *the Administrator.*

19               “(2) *AVAILABLE FOR CONSULTATION.—Not later*  
20 *than 1 year after the date of enactment of this sub-*  
21 *section, the Administrator shall require any indi-*  
22 *vidual who is responsible for authorization of return*  
23 *of an article to service or who is directly in charge*  
24 *of aircraft (including on-wing aircraft engine) main-*  
25 *tenance performed on aircraft operated under part*



1       121 of title 14, Code of Federal Regulations, be avail-  
2       able for consultation while work is being performed.”.

3       (b) *DEFINITION OF COVERED REPAIR STATION.*—

4               (1) *IN GENERAL.*—Section 44733(j) of title 49,  
5       United States Code (as redesignated by this section),  
6       is amended—

7                       (A) by redesignating paragraphs (1)  
8       through (3) as paragraphs (2) through (4), re-  
9       spectively; and

10                      (B) by inserting before paragraph (2), as so  
11       redesignated, the following:

12                      “(1) *COVERED REPAIR STATION.*—The term ‘cov-  
13       ered repair station’ means a facility that—

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

15                               “(B) is certificated under part 145 of title  
16       14, Code of Federal Regulations; and

17                               “(C) performs heavy maintenance work on  
18       aircraft (including on-wing aircraft engines) op-  
19       erated under part 121 of title 14, Code of Fed-  
20       eral Regulations.”.

21               (2)       *TECHNICAL        AMENDMENT.*—Section  
22       44733(a)(3) of title 49, United States Code, is amend-  
23       ed by striking “covered part 145 repair stations” and  
24       inserting “part 145 repair stations”.

1           (c) *CONFORMING AMENDMENTS.*—*The analysis for*  
 2 *chapter 447 of title 49, United States Code, is amended by*  
 3 *striking the item relating to section 44733 and inserting*  
 4 *the following:*

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

5   **SEC. 4. INTERNATIONAL STANDARDS FOR SAFETY OVER-**  
 6                           **SIGHT OF FOREIGN REPAIR STATIONS.**

7           (a) *FOREIGN REPAIR STATION WORKING GROUP.*—  
 8 *Not later than 60 days after the date of enactment of this*  
 9 *Act, the Administrator shall convene a foreign repair sta-*  
 10 *tion working group with other civil aviation authorities*  
 11 *(hereinafter referred to as “repair station working group”)*  
 12 *to conduct a review of the certification and oversight of for-*  
 13 *ign repair stations and to identify any future enhance-*  
 14 *ments that might be appropriate to strengthen oversight of*  
 15 *such repair stations.*

16           (b) *COMPOSITION OF THE REPAIR STATION WORKING*  
 17 *GROUP.*—*The repair station working group shall consist*  
 18 *of—*

19                   (1) *technical representatives from the FAA; and*

20                   (2) *such other civil aviation authorities or inter-*  
 21 *national intergovernmental aviation safety organiza-*  
 22 *tions as the Administrator shall invite that are will-*  
 23 *ing to participate, including—*

24                           (A) *civil aviation authorities responsible for*  
 25                           *certificating foreign repair stations; and*

1                   (B) *civil aviation authorities of countries in*  
2                   *which foreign repair stations are located.*

3           (c) *CONSULTATION.*—*In conducting the review under*  
4 *this section, the repair station working group shall, as ap-*  
5 *propriate, consult with relevant experts and stakeholders.*

6           (d) *RECOMMENDATIONS.*—*The repair station working*  
7 *group shall make recommendations with respect to any fu-*  
8 *ture enhancements that might be appropriate to—*

9                   (1) *strengthen oversight of foreign repair sta-*  
10 *tions; and*

11                   (2) *better leverage the resources of other civil*  
12 *aviation authorities to conduct such oversight.*

13           (e) *REPORTS.*—

14                   (1) *REPAIR STATION WORKING GROUP RE-*  
15 *PORT.*—*Not later than 1 year after the date of the*  
16 *first meeting of the repair station working group, the*  
17 *repair station working group shall submit to the Ad-*  
18 *ministrator a report containing the findings of the re-*  
19 *view and each recommendation made under sub-*  
20 *section (d).*

21                   (2) *FAA REPORTS.*—

22                   (A) *TRANSMISSION OF REPAIR STATION*  
23 *WORKING GROUP REPORT.*—*The Administrator*  
24 *shall submit to the Committee on Transportation*  
25 *and Infrastructure of the House of Representa-*

1           *tives, and the Committee on Commerce, Science,*  
2           *and Transportation of the Senate the report re-*  
3           *quired under paragraph (1) as soon as is prac-*  
4           *ticable after the receipt of such report.*

5           *(B) FAA REPORT TO CONGRESS.—Not later*  
6           *than 45 days after receipt of the Report under*  
7           *paragraph (1), the Administrator shall submit to*  
8           *the Committee on Transportation and Infra-*  
9           *structure of the House of Representatives, and*  
10          *the Committee on Commerce, Science, and*  
11          *Transportation of the Senate a report con-*  
12          *taining—*

13                 *(i) a statement of whether the Admin-*  
14                 *istrator concurs or does not concur with*  
15                 *each recommendation contained in the re-*  
16                 *port required under paragraph (1);*

17                 *(ii) for any recommendation with*  
18                 *which the Administrator does not concur, a*  
19                 *detailed explanation as to why the Admin-*  
20                 *istrator does not concur;*

21                 *(iii) a plan to implement each rec-*  
22                 *ommendation related to FAA oversight of*  
23                 *foreign repair stations contained in such re-*  
24                 *port with which the Administrator concurs;*  
25                 *and*

1                   (iv) a plan to work with the inter-  
2                   national community to implement the rec-  
3                   ommendations applicable to both the FAA  
4                   as well as other civil aviation authorities.

5           (f) *TERMINATION.*—The repair station working group  
6 shall terminate on the earlier of the date of submission of  
7 the report under subsection (e)(1) or on the date that is  
8 2 years after the repair station working group is commis-  
9 sioned under subsection (a).

10          (g) *DEFINITION OF FOREIGN REPAIR STATION.*—In  
11 this section, the term “foreign repair station” means a re-  
12 pair station located outside of the territory of the country  
13 of the civil aviation authority which certificated the repair  
14 station, including repair stations certified under part 145  
15 of title 14, Code of Federal Regulations, which are located  
16 outside the United States and the territories of the United  
17 States.

18 **SEC. 5. ALCOHOL AND DRUG TESTING AND BACKGROUND**

19                   **CHECKS.**

20          (a) *IN GENERAL.*—Beginning on the date that is 24  
21 months after the date of enactment of this Act, the Adminis-  
22 trator may not approve or authorize international travel  
23 for any employee of the Federal Aviation Administration  
24 until a final rule carrying out the requirements of sub-  
25 section (b) of section 2112 of the FAA Extension, Safety,

1 *and Security Act of 2016 (Public Law 114–190) have been*  
2 *published in the Federal Register.*

3 (b) *RULEMAKING ON ASSESSMENT REQUIREMENT.*—  
4 *With respect to any employee not covered under the require-*  
5 *ments of section 1554.101 of title 49, Code of Federal Regu-*  
6 *lations, the Administrator shall initiate a rulemaking that*  
7 *requires a covered repair station to confirm that any such*  
8 *employee has successfully completed an assessment commen-*  
9 *surate with a security threat assessment described in sub-*  
10 *part C of part 1540 of such title.*

11 (c) *EXCEPTIONS.*—*The prohibition in subsection (a)*  
12 *shall not apply to international travel that is determined*  
13 *by the Administrator on an individual by individual basis*  
14 *to be—*

15 (1) *exclusively for the purpose of conducting a*  
16 *safety inspection;*

17 (2) *directly related to aviation safety standards,*  
18 *certification, and oversight; or*

19 (3) *vital to the national interests of the United*  
20 *States.*

21 (d) *NON-DELEGATION AND REPORTING.*—*For any de-*  
22 *termination to make an exception based on the criteria in*  
23 *paragraph (2) or (3) of subsection (c), the Administrator—*

24 (1) *may not delegate the authority to make such*  
25 *a determination to any other individual; and*

1           (2) shall report to the Committee on Transpor-  
2           tation and Infrastructure of the House of Representa-  
3           tives and the Committee on Commerce, Science, and  
4           Transportation of the Senate not later than 3 days  
5           after making each determination under subsection  
6           (c)—

7                   (A) the name of the individual approved or  
8                   authorized to travel internationally;

9                   (B) the location to which the individual is  
10                  traveling;

11                  (C) a detailed explanation of why the Ad-  
12                  ministrators has determined the travel is—

13                          (i) directly related to aviation safety  
14                          standards, certification, and oversight; or

15                          (ii) vital to the national interests of  
16                          the United States; and

17                  (D) a detailed description of the status of  
18                  the rulemakings described in subsection (a).

19 **SEC. 6. DEFINITIONS.**

20           *In this Act:*

21                   (1) *FAA.*—The term “FAA” means the Federal  
22                   Aviation Administration.

23                   (2) *ADMINISTRATOR.*—The term “Adminis-  
24                   trator” means the Administrator of the FAA.

1           (3) *COVERED REPAIR STATION.*—*The term “cov-*  
2 *ered 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 heavy maintenance work on*  
7 *aircraft (including on-wing aircraft engines),*  
8 *operated under part 121 of title 14, Code of Fed-*  
9 *eral Regulations.*





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