

**Suspend the Rules and Pass the Bill, H. R. 7321, With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text)**

117TH CONGRESS
2^D 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.

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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Global Aircraft Main-
3 tenance Safety Improvement Act”.

4 **SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) the safety of the global aviation system re-
7 quires the highest standards for aircraft mainte-
8 nance, repair, and overhaul work;

9 (2) the safety of aircraft operated by United
10 States air carriers should not be dependent on the
11 location where maintenance, repair, and overhaul
12 work is performed; and

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

21 **SEC. 3. FAA OVERSIGHT OF REPAIR STATIONS LOCATED**
22 **OUTSIDE THE UNITED STATES.**

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

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

1 (2) in subsection (e)—

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

4 (B) by inserting “and the applicable laws
5 of the country in which a repair station is lo-
6 cated” after “international agreements”; and

7 (C) by striking the last sentence and in-
8 serting “The Administrator may carry out an-
9 nounced or unannounced inspections in addition
10 to the annual unannounced inspection required
11 under this subsection based on identified risks
12 and in a manner consistent with United States
13 obligations under international agreements and
14 with the applicable laws of the country in which
15 a repair station is located.”;

16 (3) by redesignating subsection (g) as sub-
17 section (j); and

18 (4) by inserting after subsection (f) the fol-
19 lowing:

20 “(g) DATA ANALYSIS.—

21 “(1) IN GENERAL.—An air carrier conducting
22 operations under part 121 of title 14, Code of Fed-
23 eral Regulations, shall, if applicable, provide to the
24 appropriate office of the Administration, not less
25 than once every year, a report containing the infor-

1 mation described in paragraph (2) with respect to
2 heavy maintenance work on aircraft (including on-
3 wing aircraft engines) performed in the preceding
4 year.

5 “(2) INFORMATION REQUIRED.—A report under
6 paragraph (1) shall contain the following informa-
7 tion:

8 “(A) The location where any heavy mainte-
9 nance work on aircraft (including on-wing air-
10 craft engines) was performed outside the
11 United States.

12 “(B) A description of the work performed
13 at each such location.

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

16 “(D) A list of all failures, malfunctions, or
17 defects affecting the safe operation of such air-
18 craft identified by the air carrier within 30 days
19 after the date on which an aircraft is returned
20 to service, organized by reference to aircraft
21 registration number, that—

22 “(i) requires corrective action after
23 the aircraft is approved for return to serv-
24 ice; and

1 “(ii) results from the work performed
2 on such aircraft.

3 “(E) The certificate number of the person
4 approving such aircraft or on-wing aircraft en-
5 gine, for return to service following completion
6 of the work performed at each such location.

7 “(3) ANALYSIS.—The Administrator of the
8 Federal Aviation Administration shall—

9 “(A) analyze information made available
10 under paragraph (1) of this subsection and sec-
11 tions 121.703, 121.705, 121.707, and 145.221
12 of title 14, Code of Federal Regulations, or any
13 successor provisions, to detect safety issues as-
14 sociated with heavy maintenance work on air-
15 craft (including on-wing aircraft engines) per-
16 formed outside the United States; and

17 “(B) require appropriate actions in re-
18 sponse.

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

23 “(h) APPLICATIONS AND PROHIBITION.—

24 “(1) IN GENERAL.—The Administrator may not
25 approve any new application under part 145 of title

1 14, Code of Federal Regulations, from a person lo-
2 cated or headquartered in a country that the Admin-
3 istrator, through the International Aviation Safety
4 Assessment program, has classified as Category 2.

5 “(2) EXCEPTION.—Paragraph (1) shall not
6 apply to an application for the renewal of a certifi-
7 cate issued under part 145 of title 14, Code of Fed-
8 eral Regulations.

9 “(3) MAINTENANCE IMPLEMENTATION PROCE-
10 DURES AGREEMENT.—The Administrator may elect
11 not to enter into a new maintenance implementation
12 procedures agreement with a country classified as
13 Category 2, for as long as that country remains clas-
14 sified as Category 2.

15 “(4) PROHIBITION ON CONTINUED HEAVY
16 MAINTENANCE WORK.—No air carrier conducting
17 operations under part 121 of title 14, Code of Fed-
18 eral Regulations, may enter into a new contract for
19 heavy maintenance work with a person located or
20 headquartered in a country that the Administrator,
21 through the International Aviation Safety Assess-
22 ment program, has classified as Category 2, for as
23 long as such country remains classified as Category
24 2.

1 “(i) MINIMUM QUALIFICATIONS FOR MECHANICS
2 AND OTHERS WORKING ON U.S. REGISTERED AIR-
3 CRAFT.—

4 “(1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this subsection, the Admin-
6 istrator shall require that, at each covered repair
7 station—

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

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

20 “(2) AVAILABLE FOR CONSULTATION.—Not
21 later than 1 year after the date of enactment of this
22 subsection, the Administrator shall require any indi-
23 vidual who is responsible for approving an article for
24 return to service or who is directly in charge of air-
25 craft (including on-wing aircraft engine) mainte-

1 nance performed on aircraft operated under part
2 121 of title 14, Code of Federal Regulations, be
3 available for consultation while work is being per-
4 formed at a covered repair station.”.

5 (b) DEFINITION OF COVERED REPAIR STATION.—

6 (1) IN GENERAL.—Section 44733(j) of title 49,
7 United States Code (as redesignated by this sec-
8 tion), is amended—

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

12 (B) by inserting before paragraph (2), as
13 so redesignated, the following:

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

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

17 “(B) is certificated under part 145 of title
18 14, Code of Federal Regulations; and

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

23 (2) TECHNICAL AMENDMENT.—Section
24 44733(a)(3) of title 49, United States Code, is

1 amended by striking “covered part 145 repair sta-
2 tions” and inserting “part 145 repair stations”.

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

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

7 **SEC. 4. INTERNATIONAL STANDARDS FOR SAFETY OVER-**
8 **SIGHT OF FOREIGN REPAIR STATIONS.**

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

18 (b) COMPOSITION OF THE REPAIR STATION WORK-
19 ING GROUP.—The repair station working group shall con-
20 sist of—

- 21 (1) technical representatives from the FAA; and
- 22 (2) such other civil aviation authorities or inter-
23 national intergovernmental aviation safety organiza-
24 tions as the Administrator shall invite that are will-
25 ing to participate, including—

1 (A) civil aviation authorities responsible for
2 certifying foreign repair stations; and

3 (B) civil aviation authorities of countries in
4 which foreign repair stations are located.

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

8 (d) RECOMMENDATIONS.—The repair station work-
9 ing group shall make recommendations with respect to any
10 future enhancements that might be appropriate to—

11 (1) strengthen oversight of foreign repair sta-
12 tions; and

13 (2) better leverage the resources of other civil
14 aviation authorities to conduct such oversight.

15 (e) REPORTS.—

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

23 (2) FAA REPORTS.—

24 (A) TRANSMISSION OF REPAIR STATION
25 WORKING GROUP REPORT.—The Administrator

1 shall submit to the Committee on Transpor-
2 tation and Infrastructure of the House of Rep-
3 resentatives, and the Committee on Commerce,
4 Science, and Transportation of the Senate the
5 report required under paragraph (1) as soon as
6 is practicable after the receipt of such report.

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

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

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

23 (iii) a plan to implement each rec-
24 ommendation related to FAA oversight of
25 foreign repair stations contained in such

1 report with which the Administrator con-
2 curs; and

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

7 (f) TERMINATION.—The repair station working
8 group shall terminate on the earlier of the date of submis-
9 sion of the report under subsection (e)(1) or on the date
10 that is 2 years after the repair station working group is
11 commissioned under subsection (a).

12 (g) DEFINITION OF FOREIGN REPAIR STATION.—In
13 this section, the term “foreign repair station” means a re-
14 pair station that performs heavy maintenance work on an
15 aircraft (including on-wing engines) and that is located
16 outside of the territory of the country of the civil aviation
17 authority which certificated the repair station, including
18 repair stations certified under part 145 of title 14, Code
19 of Federal Regulations, which are located outside the
20 United States and the territories of the United States.

21 **SEC. 5. ALCOHOL AND DRUG TESTING AND BACKGROUND**
22 **CHECKS.**

23 (a) IN GENERAL.—Beginning on the date that is 24
24 months after the date of enactment of this Act, the Ad-
25 ministrator may not approve or authorize international

1 travel for any employee of the Federal Aviation Adminis-
2 tration until a final rule carrying out the requirements of
3 subsection (b) of section 2112 of the FAA Extension,
4 Safety, and Security Act of 2016 (49 U.S.C. 44733 note)
5 has been published in the Federal Register.

6 (b) RULEMAKING ON ASSESSMENT REQUIREMENT.—
7 With respect to any employee not covered under the re-
8 quirements of section 1554.101 of title 49, Code of Fed-
9 eral Regulations, the Administrator shall initiate a rule-
10 making that requires a covered repair station to confirm
11 that any such employee has successfully completed an as-
12 sessment commensurate with a security threat assessment
13 described in subpart C of part 1540 of such title.

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

18 (1) exclusively for the purpose of conducting a
19 safety inspection;

20 (2) directly related to aviation safety standards,
21 certification, and oversight; or

22 (3) vital to the national interests of the United
23 States.

24 (d) NON-DELEGATION AND REPORTING.—For any
25 determination to make an exception based on the criteria

1 in paragraph (2) or (3) of subsection (c), the Adminis-
2 trator—

3 (1) may not delegate the authority to make
4 such a determination to any other individual; and

5 (2) shall report to the Committee on Transpor-
6 tation and Infrastructure of the House of Represent-
7 atives and the Committee on Commerce, Science,
8 and Transportation of the Senate not later than 3
9 days after making each determination under sub-
10 section (c)—

11 (A) the name of the individual approved or
12 authorized to travel internationally;

13 (B) the location to which the individual is
14 traveling;

15 (C) a detailed explanation of why the Ad-
16 ministrator has determined the travel is—

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

19 (ii) vital to the national interests of
20 the United States; and

21 (D) a detailed description of the status of
22 the rulemakings described in subsection (a).

23 **SEC. 6. DEFINITIONS.**

24 In this Act:

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

3 (2) COVERED REPAIR STATION.—The term
4 “covered repair station” means a facility that—

5 (A) is located outside the United States;

6 (B) is certificated under part 145 of title
7 14, Code of Federal Regulations; and

8 (C) performs heavy maintenance work on
9 aircraft (including on-wing aircraft engines),
10 operated under part 121 of title 14, Code of
11 Federal Regulations.

12 (3) FAA.—The term “FAA” means the Federal
13 Aviation Administration.