

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7321
OFFERED BY MR. DEFAZIO OF OREGON**

Strike all after the enacting clause and insert the following:

1 SEC. 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

1 work is performed on aircraft operated by United
2 States air carriers.

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

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

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

9 (2) in subsection (e)—

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

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

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

24 (3) by redesignating subsection (g) as sub-
25 section (j); and

1 (4) by inserting after subsection (f) the fol-
2 lowing:

3 “(g) DATA ANALYSIS.—

4 “(1) IN GENERAL.—An air carrier conducting
5 operations under part 121 of title 14, Code of Fed-
6 eral Regulations, shall provide to the appropriate of-
7 fice of the Administration, not later than every year,
8 a report containing the information described in
9 paragraph (2) with respect to heavy maintenance
10 work on aircraft (including on-wing aircraft engines)
11 performed in the preceding year.

12 “(2) INFORMATION REQUIRED.—A report under
13 paragraph (1) shall contain the following informa-
14 tion:

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

19 “(B) A description of the work performed
20 at each such location.

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

23 “(D) A list of all failures, malfunctions, or
24 defects affecting the safe operation of such air-
25 craft identified by the air carrier within 30 days

1 after the date on which an aircraft is returned
2 to service, organized by reference to aircraft
3 registration number, that—

4 “(i) requires corrective action after
5 the aircraft is approved to return to serv-
6 ice; and

7 “(ii) results from the work performed
8 on such aircraft.

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

13 “(3) ANALYSIS.—The Administrator of the
14 Federal Aviation Administration shall—

15 “(A) analyze information made available
16 under paragraph (1) of this subsection and sec-
17 tions 121.703, 121.705, 121.707, and 145.221
18 of title 14, Code of Federal Regulations, or any
19 successor provisions, to detect safety issues as-
20 sociated with heavy maintenance work on air-
21 craft (including aircraft engines) performed
22 outside the United States; and

23 “(B) require appropriate actions in re-
24 sponse.

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

5 “(h) APPLICATIONS AND REQUESTS FOR RE-
6 NEWAL.—

7 “(1) IN GENERAL.—The Administrator may not
8 approve any new application under part 145 of title
9 14, Code of Federal Regulations, from a person lo-
10 cated or headquartered in a country that the Admin-
11 istration, through the International Aviation Safety
12 Assessment program, has classified as Category 2.

13 “(2) MAINTENANCE IMPLEMENTATION PROCE-
14 DURES AGREEMENT.—The Administrator may elect
15 not to enter into a new maintenance implementation
16 procedures agreement with a country classified as
17 Category 2, for as long as that country remains clas-
18 sified as Category 2, if the Administrator determines
19 that doing so is necessary to comply with the re-
20 quirements of this subsection.

21 “(3) CONTINUED HEAVY MAINTENANCE
22 WORK.—No air carrier conducting operations under
23 part 121 of title 14, Code of Federal Regulations,
24 may enter into a new contract for heavy mainte-
25 nance work with a person located or headquartered

1 in a country that the Administration, through the
2 International Aviation Safety Assessment program,
3 has classified as Category 2, for as long as such
4 country remains classified as Category 2.

5 “(i) MINIMUM QUALIFICATIONS FOR MECHANICS
6 AND OTHERS WORKING ON U.S. REGISTERED AIR-
7 CRAFT.—

8 “(1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this subsection, the Admin-
10 istrator shall require that, at each covered repair
11 station—

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

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

24 “(2) AVAILABLE FOR CONSULTATION.—Not
25 later than 1 year after the date of enactment of this

1 subsection, the Administrator shall require any indi-
2 vidual who is responsible for authorization of return
3 of an article to service or who is directly in charge
4 of aircraft (including on-wing aircraft engine) main-
5 tenance performed on aircraft operated under part
6 121 of title 14, Code of Federal Regulations, be
7 available for consultation while work is being per-
8 formed.”.

9 (b) DEFINITION OF COVERED REPAIR STATION.—

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

13 (A) by redesignating paragraphs (1)
14 through (3) as paragraphs (2) through (4), re-
15 spectively; and

16 (B) by inserting before paragraph (2), as
17 so redesignated, the following:

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

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

21 “(B) is certificated under part 145 of title
22 14, Code of Federal Regulations; and

23 “(C) performs heavy maintenance work on
24 aircraft (including on-wing aircraft engines) op-

1 erated under part 121 of title 14, Code of Fed-
2 eral Regulations.”.

3 (2) TECHNICAL AMENDMENT.—Section
4 44733(a)(3) of title 49, United States Code, is
5 amended by striking “covered part 145 repair sta-
6 tions” and inserting “part 145 repair stations”.

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

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

11 **SEC. 4. INTERNATIONAL STANDARDS FOR SAFETY OVER-**
12 **SIGHT OF FOREIGN REPAIR STATIONS.**

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

22 (b) COMPOSITION OF THE REPAIR STATION WORK-
23 ING GROUP.—The repair station working group shall con-
24 sist of—

25 (1) technical representatives from the FAA; and

1 (2) such other civil aviation authorities or inter-
2 national intergovernmental aviation safety organiza-
3 tions as the Administrator shall invite that are will-
4 ing to participate, including—

5 (A) civil aviation authorities responsible for
6 certificating foreign repair stations; and

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

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

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

15 (1) strengthen oversight of foreign repair sta-
16 tions; and

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

19 (e) REPORTS.—

20 (1) REPAIR STATION WORKING GROUP RE-
21 PORT.—Not later than 1 year after the date of the
22 first meeting of the repair station working group,
23 the repair station working group shall submit to the
24 Administrator a report containing the findings of the

1 review and each recommendation made under sub-
2 section (d).

3 (2) FAA REPORTS.—

4 (A) TRANSMISSION OF REPAIR STATION
5 WORKING GROUP REPORT.—The Administrator
6 shall submit to the Committee on Transpor-
7 tation and Infrastructure of the House of Rep-
8 resentatives, and the Committee on Commerce,
9 Science, and Transportation of the Senate the
10 report required under paragraph (1) as soon as
11 is practicable after the receipt of such report.

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

20 (i) a statement of whether the Admin-
21 istrator concurs or does not concur with
22 each recommendation contained in the re-
23 port required under paragraph (1);

24 (ii) for any recommendation with
25 which the Administrator does not concur, a

1 detailed explanation as to why the Admin-
2 istrator does not concur;

3 (iii) a plan to implement each rec-
4 ommendation related to FAA oversight of
5 foreign repair stations contained in such
6 report with which the Administrator con-
7 curs; and

8 (iv) a plan to work with the inter-
9 national community to implement the rec-
10 ommendations applicable to both the FAA
11 as well as other civil aviation authorities.

12 (f) TERMINATION.—The repair station working
13 group shall terminate on the earlier of the date of submis-
14 sion of the report under subsection (e)(1) or on the date
15 that is 2 years after the repair station working group is
16 commissioned under subsection (a).

17 (g) DEFINITION OF FOREIGN REPAIR STATION.—In
18 this section, the term “foreign repair station” means a re-
19 pair station located outside of the territory of the country
20 of the civil aviation authority which certificated the repair
21 station, including repair stations certified under part 145
22 of title 14, Code of Federal Regulations, which are located
23 outside the United States and the territories of the United
24 States.

1 **SEC. 5. ALCOHOL AND DRUG TESTING AND BACKGROUND**
2 **CHECKS.**

3 (a) **IN GENERAL.**—Beginning on the date that is 24
4 months after the date of enactment of this Act, the Ad-
5 ministrator may not approve or authorize international
6 travel for any employee of the Federal Aviation Adminis-
7 tration until a final rule carrying out the requirements of
8 subsection (b) of section 2112 of the FAA Extension,
9 Safety, and Security Act of 2016 (Public Law 114–190)
10 have been published in the Federal Register.

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

19 (c) **EXCEPTIONS.**—The prohibition in subsection (a)
20 shall not apply to international travel that is determined
21 by the Administrator on an individual by individual basis
22 to be—

23 (1) exclusively for the purpose of conducting a
24 safety inspection;

25 (2) directly related to aviation safety standards,
26 certification, and oversight; or

1 (3) vital to the national interests of the United
2 States.

3 (d) NON-DELEGATION AND REPORTING.—For any
4 determination to make an exception based on the criteria
5 in paragraph (2) or (3) of subsection (c), the Adminis-
6 trator—

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

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

15 (A) the name of the individual approved or
16 authorized to travel internationally;

17 (B) the location to which the individual is
18 traveling;

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

21 (i) directly related to aviation safety
22 standards, certification, and oversight; or

23 (ii) vital to the national interests of
24 the United States; and

1 (D) a detailed description of the status of
2 the rulemakings described in subsection (a).

3 **SEC. 6. DEFINITIONS.**

4 In this Act:

5 (1) FAA.—The term “FAA” means the Federal
6 Aviation Administration.

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

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

11 (A) is located outside the United States;

12 (B) is certificated under part 145 of title
13 14, Code of Federal Regulations; and

14 (C) performs heavy maintenance work on
15 aircraft (including on-wing aircraft engines),
16 operated under part 121 of title 14, Code of
17 Federal Regulations.

