

118TH CONGRESS
1ST SESSION

S. 1256

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 SENATE OF THE UNITED STATES

APRIL 25, 2023

Mrs. CAPITO (for herself and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 “Global Aircraft Main-
5 tenance Safety Improvement Act”.

1 **SEC. 2. 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 section heading by striking “**In-**
6 **spection**” and inserting “**Oversight**”;

7 (2) in subsection (e)—

8 (A) in the first sentence—

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

12 (ii) by inserting “and the applicable
13 laws of the country in which a repair sta-
14 tion is located” after “international agree-
15 ments”; and

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

25 (3) by redesignating subsection (g) as sub-
26 section (i); 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, if applicable, provide to the
7 appropriate office of the Administration, not less
8 than once every year, a report containing the infor-
9 mation described in paragraph (2) with respect to
10 heavy maintenance work on aircraft (including on-
11 wing aircraft engines) performed in the preceding
12 year.

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

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

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

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

24 “(D) A list of all failures, malfunctions, or
25 defects affecting the safe operation of such air-

1 craft identified by the air carrier within 30 days
2 after the date on which an aircraft is returned
3 to service, organized by reference to aircraft
4 registration number, that—

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

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

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

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

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

24 “(B) require appropriate actions in re-
25 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) 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 of the Federal Aviation Administration shall
11 require that, at each covered repair 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 of the Federal Avia-
2 tion Administration shall require any individual who
3 is responsible for approving an article for return to
4 service or who is directly in charge of aircraft (in-
5 cluding on-wing aircraft engine) maintenance per-
6 formed on aircraft operated under part 121 of title
7 14, Code of Federal Regulations, be available for
8 consultation while work is being performed at a cov-
9 ered repair station.”.

10 (b) DEFINITION OF COVERED REPAIR STATION.—

11 (1) IN GENERAL.—Section 44733(i) of title 49,
12 United States Code (as redesignated by subsection
13 (a)(3)), is amended—

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

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

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

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

22 “(B) is certificated under part 145 of title
23 14, Code of Federal Regulations; and

24 “(C) performs heavy maintenance work on
25 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. 3. ALCOHOL AND DRUG TESTING AND BACKGROUND**

12 **CHECKS.**

13 (a) IN GENERAL.—Beginning on the date that is 2
 14 years after the date of enactment of this Act, the Adminis-
 15 trator of the Federal Aviation Administration (in this Act
 16 referred to as the “Administrator”) may not approve or au-
 17 thorize international travel for any employee of the Fed-
 18 eral Aviation Administration until a final rule carrying out
 19 the requirements of subsection (b) of section 2112 of the
 20 FAA Extension, Safety, and Security Act of 2016 (49
 21 U.S.C. 44733 note) has been published in the Federal
 22 Register.

23 (b) RULEMAKING ON ASSESSMENT REQUIREMENT.—
 24 With respect to any employee not covered under the re-
 25 quirements of section 1554.101 of title 49, Code of Fed-

1 eral Regulations, the Administrator shall initiate a rule-
2 making that requires a covered repair station to confirm
3 that any such employee has successfully completed an as-
4 sessment commensurate with a security threat assessment
5 described in subpart C of part 1540 of such title.

6 (c) EXCEPTIONS.—The prohibition in subsection (a)
7 shall not apply to international travel that is determined
8 by the Administrator on an individual by individual basis
9 to be—

10 (1) exclusively for the purpose of conducting a
11 safety inspection;

12 (2) directly related to aviation safety standards,
13 certification, and oversight; or

14 (3) vital to the national interests of the United
15 States.

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

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

22 (2) shall report to the Committee on Transpor-
23 tation and Infrastructure of the House of Represent-
24 atives and the Committee on Commerce, Science,
25 and Transportation of the Senate not later than 3

1 days after making each determination under sub-
 2 section (c)—

3 (A) the name of the individual approved or
 4 authorized to travel internationally;

5 (B) the location to which the individual is
 6 traveling;

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

9 (i) directly related to aviation safety
 10 standards, certification, and oversight; or

11 (ii) vital to the national interests of
 12 the United States; and

13 (D) a detailed description of the status of
 14 the rulemakings described in subsection (a).

15 (e) DEFINITION OF COVERED REPAIR STATION.—

16 For purposes of this section, the term “covered repair sta-
 17 tion” means a facility that—

18 (1) is located outside the United States;

19 (2) is certificated under part 145 of title 14,
 20 Code of Federal Regulations; and

21 (3) performs heavy maintenance work on air-
 22 craft (including on-wing aircraft engines), operated
 23 under part 121 of title 14, Code of Federal Regula-
 24 tions.

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