AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 658
OFFERED BY MR. DEFAZIO OF OREGON

Page 138, after line 9, insert the following (and conform the table of contents accordingly):

SEC. 318. CRIMINAL HISTORY RECORD CHECKS IN DOMESTIC AND FOREIGN REPAIR STATIONS.

(a) IN GENERAL.—Chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“§ 44734. Employee criminal history record checks in domestic and foreign repair stations

“(a) IN GENERAL.—Not later than one year after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall modify the certification requirements under part 145 of title 14, Code of Federal Regulations, to require each repair station that—

“(1) is certificated by the Administrator under part 145 of such title 14; and

“(2) performs work on air carrier aircraft or components,
to complete a criminal history record check with respect to any individual who performs a safety-sensitive function at such repair station.

“(b) DEFINITIONS.—In subsection (a), the following definitions apply:

“(1) INDIVIDUAL.—The term ‘individual’ includes an individual working at a repair station of a third party with which an air carrier contracts to perform work on air carrier aircraft or components.

“(2) CRIMINAL HISTORY RECORD CHECK.—The term ‘criminal history record check’ means an investigation to ascertain an individual’s history of criminal convictions, conducted—

“(A) in a manner consistent with criminal history record checks carried out under section 44936; and

“(B) in accordance with the applicable laws of the country in which a repair station is located.

“(c) REGULATORY AUTHORITY WITH RESPECT TO CERTAIN FOREIGN REPAIR STATIONS.—With respect to repair stations that are located in countries that are party to the agreement titled ‘Agreement between the United States of America and the European Community on Cooperation in the Regulation of Civil Aviation Safety’, dated
June 30, 2008, the requirements of subsection (a) are an exercise of the rights of the United States under paragraph A of Article 15 of the Agreement, which provides that nothing in the Agreement shall be construed to limit the authority of a party to determine, through its legislative, regulatory, and administrative measures, the level of protection it considers appropriate for civil aviation safety.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this Act) is further amended by adding at the end the following:

“44734. Employee criminal history record checks in domestic and foreign repair stations.”.