

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DEFAZIO, PETER OF OREGON OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**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):

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

2
3 (a) IN GENERAL.—Chapter 447 (as amended by this
4 Act) is further amended by adding at the end the following:
5

6 **“§ 44734. Employee criminal history record checks in domestic and foreign repair stations**

7
8 “(a) IN GENERAL.—Not later than one year after the
9 date of enactment of this section, the Administrator of the
10 Federal Aviation Administration shall modify the certification requirements under part 145 of title 14, Code of
11 Federal Regulations, to require each repair station that—

12
13 “(1) is certificated by the Administrator under
14 part 145 of such title 14; and

15 “(2) performs work on air carrier aircraft or
16 components,

1 to complete a criminal history record check with respect
2 to any individual who performs a safety-sensitive function
3 at such repair station.

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

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

10 “(2) CRIMINAL HISTORY RECORD CHECK.—The
11 term ‘criminal history record check’ means an inves-
12 tigation to ascertain an individual’s history of crimi-
13 nal convictions, conducted—

14 “(A) in a manner consistent with criminal
15 history record checks carried out under section
16 44936; and

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

20 “(c) REGULATORY AUTHORITY WITH RESPECT TO
21 CERTAIN FOREIGN REPAIR STATIONS.—With respect to
22 repair stations that are located in countries that are party
23 to the agreement titled ‘Agreement between the United
24 States of America and the European Community on Co-
25 operation in the Regulation of Civil Aviation Safety’, dated

1 June 30, 2008, the requirements of subsection (a) are an
2 exercise of the rights of the United States under para-
3 graph A of Article 15 of the Agreement, which provides
4 that nothing in the Agreement shall be construed to limit
5 the authority of a party to determine, through its legisla-
6 tive, regulatory, and administrative measures, the level of
7 protection it considers appropriate for civil aviation safe-
8 ty.”.

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

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

