



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**

**Peter A. DeFazio**  
**Ranking Member**

June 28, 2018

Christopher W. Vieson, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Elaine L. Chao  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

Dear Secretary Chao:

We write to express our serious concerns regarding the Federal Aviation Administration's (FAA) oversight of overseas aircraft repair stations.

The FAA's oversight of foreign repair stations, for many reasons, "lacks the rigor needed to identify deficiencies and verify that they have been addressed," your Department's Inspector General reported in 2013.<sup>1</sup> The FAA's oversight of repair stations has "significant weaknesses" and is "not robust enough to ensure that outsourced repairs meet FAA standards," the Inspector General said in 2009.<sup>2</sup> There are many "challenges in [the] FAA's ability to effectively monitor the increase in outsourcing [of repairs to foreign repair stations]," the Inspector General said in 2007.<sup>3</sup> In fact, in reports and Congressional testimony dating back to at least 2003, the Inspector General has found deficiency after deficiency in the FAA's oversight of foreign repair stations that perform maintenance on U.S. airlines' fleets. The only thing consistent about the FAA's oversight of these FAA-certificated facilities—which number more than 700 abroad—is its inconsistency, leaving far too many stones unturned.

We therefore are utterly confused by and disappointed with the FAA's failure to finalize a rule requiring that workers at foreign repair stations be subject to screening for alcohol and controlled substance use—just as workers at U.S. facilities are—despite two explicit Congressional mandates directing the FAA to act. In 2012, Congress directed the FAA to propose a rule requiring that safety-sensitive employees at certificated foreign repair stations undergo drug and alcohol testing.<sup>4</sup> It was not until 2014 that the FAA finally issued an advance notice of proposed rulemaking

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<sup>1</sup> Dep't of Transp. Inspector Gen., "FAA Continues to Face Challenges Implementing a Risk-Based Approach for Repair Station Oversight," AV-2013-073 (May 1, 2013), at 2.

<sup>2</sup> Dep't of Transp. Inspector Gen., "Actions Needed to Improve Safety Oversight and Security at Aircraft Repair Stations," CC-2010-005 (Nov. 18, 2009), at 1.

<sup>3</sup> Dep't of Transp. Inspector Gen., "Aviation Safety: FAA Oversight of Foreign Repair Stations," CC-2007-076 (June 20, 2007), at 2.

<sup>4</sup> FAA Modernization and Reform Act of 2012, Pub. L. No. 112-95, § 308(a) (2012).

The Honorable Elaine L. Chao  
June 28, 2018  
Page 2

in response to that mandate, yet the agency took no further action.<sup>5</sup> Accordingly, we pushed a provision directing the FAA to finalize this rule, which was included in the *FAA Extension, Safety, and Security Act of 2016*.<sup>6</sup> To date, we can discern no apparent progress in finalizing this rule.

As you know, foreign repair stations perform extensive work on U.S.-registered aircraft each year. In fact, a single airline has acknowledged reliance on as many as 100 foreign facilities for its safety-sensitive maintenance work.<sup>7</sup> It is therefore unacceptable that the FAA has flagrantly disregarded multiple Congressional mandates and abdicated its responsibility to the more than 800 million passengers who fly on U.S. airlines each year.

For many years, we have pressed the FAA to move quickly to reduce the great disparity between these security requirements for U.S.-based and foreign repair stations. Failure to reduce these security vulnerabilities at foreign facilities poses immense risks to the safety of the flying public. We urge you to take swift action to finalize this critical rule. Until this rule is complete, be advised that we will continue pressing your Department to act and will pursue any legislative solutions available that can address your Department's inaction.

Thank you for your immediate attention to this matter.

Sincerely,



PETER DeFAZIO  
Ranking Member



RICK LARSEN  
Ranking Member  
Subcommittee on Aviation

cc: The Honorable Daniel K. Elwell  
Acting Administrator, Federal Aviation Administration

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<sup>5</sup> *Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States*, 79 Fed. Reg. 14621 (Mar. 17, 2014).

<sup>6</sup> FAA Extension, Safety, and Security Act of 2016, Pub. L. No. 114-190, § 2112(b) (2016).

<sup>7</sup> Gov't Accountability Office, "FAA's Risk-Based Oversight for Repair Stations Could Benefit from Additional Airline Data and Performance Metrics," GAO-16-679 (July 28, 2016), at 18.