

**Opening Statement, Chairwoman Sheila Jackson-Lee (D-TX), as prepared**  
Subcommittee on Transportation Security and Infrastructure Protection  
Committee on Homeland Security

Wednesday, November 18, 2009

Hearing:

**“Is the Flying Public Protected? An Assessment of Security at Foreign Repair Stations”**

We are here today to discuss the security of foreign repair stations and how the Federal Government will carry out an inspection program that will protect the flying public.

I have long been concerned with the safety and security of aircraft repair stations and, after following recent news stories raising oversight problems, I decided to host this hearing. My view is that if the IG and the media are discovering safety oversight issues, security vulnerabilities may exist as well. Accordingly, we need to address these comprehensively and immediately.

Congress is already on record asking TSA to develop a security program for foreign repair stations and, after years of delay under the Bush Administration, the agency has finally released its Notice of Proposed Rulemaking for repair station security.

Codifying the security oversight of foreign repair stations has never been more essential. According to the Department of Transportation’s Inspector General, major air carriers outsourced 67 percent of maintenance costs in 2007, compared to 37 percent in 1996. Further, between 1994 and 2008, the number of FAA-certified foreign repair stations has more than doubled from 344 to 709. Clearly, domestic air carriers are outsourcing more and more repair and maintenance work to foreign repair stations, and important questions have been raised about the security of these stations and the security threat associated with their workers.

To be clear, I understand that we live in a globalized economy. But we have to be sure that this is not at the expense of security. Today’s hearing is not intended to end the use of foreign repair stations, but to determine the best ways to secure them.

With the passage of the 2003 FAA reauthorization legislation, “VISION—100,” Congress directed TSA to complete a security review and audit of foreign repair stations that are certified by the FAA. Because the rulemaking was long overdue, Congress prohibited FAA in 2007 from certifying any new foreign repair stations until TSA’s released its regulation.

Almost two years later, I was so frustrated by the delay in the issuance of the NPRM, I included language in the TSA authorization bill, H.R. 2200, that required TSA to release it, in consultation with FAA.

Now that the rulemaking has been released, I have several questions and concerns. For example, the law requires consultation and communication between TSA and FAA in developing a risk assessment of these repair stations and in suspending their certifications should security discrepancies or vulnerabilities remain unaddressed. It also directs FAA to revoke a certification should TSA discover an immediate security risk at a repair station.

While this relationship between FAA and TSA forms the crux of an effective security oversight program, the NPRM is unclear in describing how the agencies will work together to implement these processes.

Congress also needs clarification on the frequency of security audits and inspections following TSA’s initial review of FAA-certified foreign repair stations.

Although the law is silent on this issue, we are interested in the agency developing a program that will provide consistent and periodic oversight of security at foreign repair stations.

In light of the issues I just raised, I look forward to hearing more from TSA and FAA in order to acquire answers to my concerns.

From the second panel, I will want to hear about the extent to which stakeholders have been consulted on the NPRM and what they feel should be included in any final rule.

We want to see the establishment of an effective and robust security oversight program for foreign repair stations so that we can finally address a key vulnerability in the global aviation system.

This subcommittee will continue to oversee the implementation of this important security program and support policies and protocols that will strengthen our homeland security efforts.