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94-61 RESIDENT ALIEN AIRCRAFT REGISTRATION

GOVERNMENT

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OCT 29 1976

HEARING
BEFORE THE
SUBCOMMITTEE ON AVIATION
OF THE
COMMITTEE ON
PUBLIC WORKS AND TRANSPORTATION
HOUSE OF REPRESENTATIVES
NINETY-FOURTH CONGRESS

SECOND SESSION

ON

H.R. 14905

TO AMEND THE FEDERAL AVIATION ACT OF 1958 RELAT-
ING TO ELIGIBILITY FOR AIRCRAFT REGISTRATION

JULY 29, 1976

Printed for the use of the
Committee on Public Works and Transportation



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94TH CONGRESS
2D SESSION

H. R. 14905

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1976

Mr. ANDERSON of California introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Federal Aviation Act of 1958 relating to eligibility for aircraft registration.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 501 (b) (1) of the Federal Aviation Act of
4 1958 (49 U.S.C. 1401 (b)) is amended to read as follows:
5 “(1) It is owned by a citizen of the United States
6 or an individual citizen of a foreign country who has
7 been lawfully admitted for permanent residence in the
8 United States and such aircraft is not registered under
9 the laws of any foreign country; or”.

I

H. R. 14905

IN THE HOUSE OF REPRESENTATIVES

January 1, 1905

A BILL

To amend the Federal Aeronautic Act of 1902 relating to eligibility for citizenship.

1. That it be enacted by the Senate and House of Representatives in Congress assembled,
2. That section 501 (b) (1) of the Federal Aviation Act of 1902 (34 Stat. 401) is amended to read as follows:
3. " (1) It is owned by a citizen of the United States
4. or an individual citizen of a foreign country who has
5. been lawfully admitted for permanent residence in the
6. United States and such aircraft is not registered under
7. the laws of any foreign country; or,

RESIDENT ALIEN AIRCRAFT REGISTRATION

THURSDAY, JULY 29, 1976

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AVIATION OF THE
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, D.C.

The subcommittee met at 10:18 a.m., pursuant to call in room 2253 Rayburn House Office Building, Hon. Glenn M. Anderson (chairman of the subcommittee) presiding.

Mr. ANDERSON. The Subcommittee on Aviation will come to order.

Today we are conducting hearings on legislation which would amend the Federal Aviation Act of 1958 in order to permit aliens holding permanent residence visas to register aircraft in the United States, a right that they are currently denied.

Our first witness is Mr. Richard Skully, Director of the Flight Standards Service, Federal Aviation Administration. He will be followed by a panel consisting of the Aircraft Owners & Pilots Association, the General Aviation Manufacturers Association, and the National Business Aircraft Association.

Before we hear from you, Dick, my colleague, Mr. Goldwater, has some comments on behalf of his own proposal, H.R. 3647.

Mr. Goldwater?

Mr. GOLDWATER. Thank you, Mr. Chairman. Basically what this piece of legislation does is to make uniform and comprehensive our laws relating to alien civil aviators who possess permanent residency visas.

I support this legislation. It makes sense if a person is a legal alien resident and is allowed to obtain an FAA flying license, as he is, then certainly he should be permitted to register his aircraft.

The United States is a signatory to the Convention on International Civil Aviation—ICAO. Among other objectives, that convention seeks to foster the growth and vitality of civil aviation and to encourage the highest possible level of maintenance for civil aircraft and related equipment. Current FAA law achieves part of this objective with reference to aliens holding permanent residency visas for the United States by permitting the FAA Administrator to issue pilots license certificates to resident aliens—(section 602, 49 U.S.C. 1422).

Thus, the human aspect is taken care of; but, what about the equipment and the craft? Because the Administrator cannot register the aircraft of aliens, these craft are not subject to the high standards and requirements for airworthiness and quality of the United States. Further, because these aircraft must meet the airworthiness requirements of the foreign state of registration, it is extremely difficult if

not impossible for an alien to contract with qualified American mechanics and repair stations. The U.S. aircraft and maintenance industry loses business and we risk letting nonairworthy aircraft and equipment continue to legally operate.

Most aliens possessing permanent residency visas are skilled and professional persons who will eventually become full, responsible citizens of the United States. These civil pilots numbering some 2,000 to 4,000 already can be brought under the exacting standards of U.S. pilot license qualification. This is desirable and beneficial. Such law should be balanced by bringing the aircraft and related equipment of such individuals under similar standards.

I am looking forward to the hearing and the successful passage of the bill.

Thank you.

Mr. ANDERSON. Our first witness will be Mr. Richard P. Skully, director of the Flight Standards Service of the FAA.

Mr. Skully?

TESTIMONY OF RICHARD P. SKULLY, DIRECTOR, FLIGHT STANDARDS SERVICE, FEDERAL AVIATION ADMINISTRATION; ACCOMPANIED BY BRUCE I. SELFON, CHIEF OF LEGISLATIVE STAFF, FEDERAL AVIATION ADMINISTRATION

Mr. SKULLY. Thank you, Mr. Chairman and members of the subcommittee. I do have a brief statement.

Thank you for the opportunity to appear before you today to present the views of the Federal Aviation Administration on legislation to amend the Federal Aviation Act of 1958 to allow U.S. registry of aircraft by aliens lawfully admitted to the United States for permanent residence. I am accompanied by Bruce I. Selfon, chief of the legislative staff for the FAA.

The aircraft registry in the United States is operated by the FAA at the Aeronautical Center in Oklahoma City, Okla. Currently, 208,246 aircraft are registered and last year 87,535 applications were received which add either aircraft or changed existing registrations. Maintaining this registry serves not only a safety function by allowing the FAA to identify owners of aircraft but provides protection for buyers and sellers through an authoritative source of owner identification.

The views of the Administration on H.R. 3647 were transmitted to this subcommittee on June 30, 1976, and a copy of that letter is provided.

Mr. ANDERSON. Without objection, that will be made a part of the record at this point.

[Letter referred to follows:]

FEDERAL AVIATION ADMINISTRATION,
U.S. DEPARTMENT OF TRANSPORTATION,
Washington, D.C., June 30, 1976.

HON. ROBERT E. JONES,
Chairman, Committee on Public Works and Transportation,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for views of the Department of Transportation on H.R. 3647, a bill

"To amend the Federal Aviation Act of 1958 to permit aliens holding permanent residence visas to register aircraft in the United States, and for other purposes."

The present section 501(b) of the Federal Aviation Act permits only those aircraft owned by U.S. citizens to be registered in the United States. H.R. 3647 would also permit aircraft owned by resident aliens to be registered in the United States. Although it will doubtless create some administrative inconvenience, the Department of Transportation endorses this legislation.

We do wish to offer the following comment on this bill as presently drafted, however. First, we believe that the amendment is drafted too narrowly. The amendment should permit a resident alien to register aircraft in the United States regardless of whether the alien is a citizen of a contracting state to the Convention on International Civil Aviation.

Second, Article 12 of the Chicago Convention obligates the United States to insure that every aircraft of its registry, wherever flown, complies with the rules and regulations relating to the flight and maneuver of aircraft there in force and to insure that violators are prosecuted. To fulfill these obligations, the Federal Aviation Administration promulgated 14 CFR 91.1(b)(2), which requires persons operating civil aircraft of U.S. registry in foreign countries to comply with the regulations relating to the flight and maneuver of aircraft there in force. Violators of this regulation are subject to substantial civil penalties. To minimize the administrative difficulties which attend this responsibility, we believe that resident aliens who lose, or give up, that status should consequently lose the right to own a U.S. registered aircraft. Therefore, we believe consideration should be given to providing timely notification to FAA in the event that the status of the individual changes.

For your information, the constitutionality of the present exclusion from U.S. registry of aircraft owned by aliens has been challenged in litigation pending in the Northern District of California, *Von Barnekow v. U.S.* (c-75-2225-LHB).

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program, to the submission of this report for the consideration of the Committee.

Sincerely,

JOHN HART ELY.

Mr. SKULLY. We support the proposition that aliens who are lawfully admitted for permanent residence should be able to register their aircraft in the United States. As our comments pointed out, our concern is that the United States be able to discharge properly our responsibilities under the applicable international agreements for U.S. registered aircraft being operated outside of the United States. The other comment we made concerning the scope of the proposed amendment has been accommodated in the later version of H.R. 3647 prepared by this subcommittee, and we therefore prefer the new version.

We believe that the ability to register aircraft in the United States should be extended only to aliens who are currently enjoying permanent residence status. We intend to develop administrative procedures with the Immigration and Naturalization Service so the FAA will be informed if an alien who has registered an aircraft loses that status. Another administrative change necessitated by this legislation is the amendment of our current application forms. We expect to handle these matters with little difficulty and as promptly as possible if the bill passes.

We support enactment of this legislation. And if you do have questions, either my associate or I will be pleased to try to answer them.

Thank you.

Mr. ANDERSON. Thank you, Mr. Skully.

Is there a need for legislation to allow aliens admitted for permanent residence to register aircraft in the United States?

Mr. SELFON. Mr. Chairman, as you have already noted, the way the Federal Aviation Act is presently drafted, only citizens of the

United States are presently entitled to register their aircraft. And so if it is the intent of Congress that this privilege also be extended to aliens, legislation would be required.

Mr. ANDERSON. What problem exists today with respect to the ineligibility of aliens to register aircraft in the United States?

Mr. SELFON. Well, from the point of view of the Federal Aviation Administration, our problems have been minor, in the sense that there have been occurrences where people have inadvertently applied for aircraft registration, being aliens, and have signed on the application form a statement certifying that they are U.S. citizens. This has occasioned us, when we have later found out that they are aliens, to revoke the registration, because we are presently unable to maintain them on the registry.

Of course, from the point of view of aliens, the problems are obvious—they may buy an aircraft but may not operate it unless they choose to register it in another country, which may be more difficult if the aircraft is in the United States.

So certainly one of the consequences of the legislation is to eliminate, at least for aliens who have permanent residence status, the problems they have with the applications. As we noted in the statement, we will have to modify our application in certain minor respects to remove the statement where applicants certify they are citizens. I am not sure whether they will either certify they are citizens or permanent resident aliens and put their alien registration number or whatever. But it is considered to be a rather minor administrative point which we will be able to take into account.

Mr. ANDERSON. Are there any safety implications of their not being able to register aircraft?

Mr. SKULLY. I don't know of any, Mr. Chairman.

Mr. ANDERSON. Would such legislation be inconsistent with any treaty obligations of the United States?

Mr. SELFON. No, it would not be at all, Mr. Chairman. Article 19 of the Convention on International Civil Aviation—the Chicago convention—states that it is up to the individual States to decide under which laws and regulations aircraft shall be registered. And it is entirely permissible for the United States to expand its registry to include non-U.S. citizens, if it chooses.

Mr. ANDERSON. Is there any way of estimating the impact this bill, if enacted, will have on the U.S. aircraft registry?

Mr. SELFON. Well, I have had a brief conversation or two with the people in Oklahoma City, and it is impossible for them to estimate except on the basis of mistakes they have found in application forms, which are running less than 10 a year or so. Whether, as a result of this legislation, many more aircraft might be registered—I understand there are several thousand aliens that presently hold U.S. pilot certificates. It may be that they are currently registering their aircraft outside the United States, and they may transfer for convenience.

But there seems to be really no way we can estimate right now what the impact would be. It does not appear to be large.

Mr. ANDERSON. How do other countries treat U.S. citizens living abroad with respect to registration of aircraft? For example, need a person be a citizen of the United Kingdom to register aircraft there?

Mr. SELFON. As I indicated a few minutes ago, it varies from country to country. I think that in many countries now they have

expanded their registry to allow nonnationals to register aircraft. In the United Kingdom, in an earlier period, citizens of other Commonwealth countries were allowed. I understand that U.S. citizens or other citizens who are lawfully admitted for temporary residence are now permitted to register their aircraft.

I think what you find is that the reasons that aliens were excluded in the United States and other countries goes back to a rather early feeling that an aircraft was an extension of the territory of a country. As far back as 1919, when a convention antecedent to the Chicago convention, the Paris convention, was adopted, there was a provision in it which forbid States to allow nonnationals to register aircraft.

And that was just something that was a holdover from the maritime concept of jurisdiction. If you saw something that was registered in your country, it was a part of your territory. And as theories of international law have developed, I don't think that the historical reasons for maintaining nationality as a requirement for registration have continued. You are seeing more and more States that are expanding their registers.

Mr. ANDERSON. At the present time, can resident aliens register aircraft in the country of their citizenship, bring it to this country, and operate it without having the registration changed?

Mr. SKULLY. Yes, sir, that is permissible.

Mr. ANDERSON. Is this a common occurrence?

Mr. SKULLY. In the border countries, we have a fair amount of Canadian traffic, some Mexican, and on a rather rare occasion we have some European aircraft.

Mr. GOLDWATER. Would the Chairman yield?

Mr. ANDERSON. Yes.

Mr. GOLDWATER. Is this allowed for all countries, regardless of whether they are members of ICAO?

Mr. SKULLY. I know of no restriction.

Mr. SELFON. I don't think there is a problem. There would be a problem with allowing the aircraft in, if it was totally nonregistered; otherwise, not identifiable—there might be a practical problem. But I don't think there is any restriction that I am aware of.

Mr. ANDERSON. Mr. Snyder?

Mr. SNYDER. Thank you, Mr. Chairman. I have just one question.

You indicate in your statement that you would develop an administrative procedure whereby you will be informed when someone who is a resident alien and has an aircraft registered loses his status. Should there be a provision in this legislation which would permit such an alien to have 90 days or some period of time after he loses his resident status to dispose of his airplane?

It seems to me that if we do not include such a provision and the alien loses his resident status, he would immediately—like at that moment—have to do something about it. I just throw that out. Otherwise I am in support of the legislation.

Mr. SELFON. Mr. Snyder, certainly I don't think that would be inconsistent with our idea. I felt at one point it might be appropriate to spell out some procedures. I spoke to the Immigration and Naturalization Service (INS), and they advised me that once someone has achieved the status of permanent resident, roughly 99.99 percent of them lose that status only when they go on to become U.S. citizens. Because at that point we can only change their status for deportable offenses.

So when faced with that statistic of INS, I felt, on behalf of the FAA, that it was not necessary to say anything more than that we will be able to work out whatever administrative details are necessary because of the minimal figure. However, the point you make is quite accurate.

Mr. SNYDER. You could not do that administratively, could you?

Mr. SELFON. Give them a 90-day grace period?

Mr. SNYDER. Yes.

Mr. SELFON. Well, the way the—

Mr. SNYDER. The way the bill is drafted.

Mr. SELFON. Well, technically what would happen when they were no longer aliens with permanent residence status is that they would no longer be able to have the aircraft registered. Now, what I do not know is whether in fact the Immigration and Naturalization Service gives them some grace period after there is a hearing and they lose the status—and then they have 90 days, and there might be a time period in there that would give them time to dispose of the aircraft.

Mr. SNYDER. An alien can lose his status voluntarily, too, can't he—change his mind?

Mr. SELFON. They can change their mind and give it up.

Mr. SNYDER. If this bill is passed, are there other provisions of law which require that certain procedures be followed to revoke a registration? Or could it be that such provisions would not be applicable in this case, but that, in fact, the registration would be revoked automatically by virtue of the way this law is drafted?

Would it be necessary to follow other provisions of law to revoke a registration if, in fact, the resident alien status changed?

Mr. SELFON. I am not sure whether to approach the question as a matter of due process or a matter of administrative procedure. Simply as a matter of administrative procedure we would have to follow a kind of routine process of notifying the person that they are no longer eligible. It is the same type of situation, I think we follow now when we find that someone has incorrectly identified himself as a U.S. citizen.

Mr. SNYDER. So, when you determine you must take formal action to revoke a registration in the case of a resident alien who has lost his status, he would have some time, wouldn't he?

Mr. SELFON. Probably would, yes, sir.

Mr. SNYDER. That probably would negate the necessity for a time provision in the bill.

Mr. SELFON. Yes, sir, I would think so.

Mr. SNYDER. Thank you.

Mr. ANDERSON. Mr. Fary?

Mr. FARY. I have no questions, Mr. Chairman.

Mr. ANDERSON. Mr. Goldwater?

Mr. GOLDWATER. I have no questions, Mr. Chairman.

Mr. SNYDER. Mr. Chairman, if you will excuse me, I am going over to hear the debate on the Sikes matter. Mr. Goldwater will take care of his bill.

Mr. ANDERSON. Very good. Mr. Skully, just to keep the record clear, in your statement you say:

The other comment we made concerning the scope of the proposed amendment has been accommodated in the later version of H.R. 3647 prepared by this subcommittee, and we therefore prefer the new version.

So we know what you are saying, I assume you are referring to H.R. 14905, which I introduced a couple of days ago?

Mr. SKULLY. Yes, sir.

Mr. ANDERSON. So for the record, that is the language that you would prefer over H.R. 3647?

Mr. SKULLY. Yes, sir.

Mr. ANDERSON. If there are no further questions, thank you very much.

Mr. ANDERSON. Our next witnesses will be Mr. William Edgar, General Aviation Manufacturers Association; John S. Yodice, Aircraft Owners and Pilots Association; and Fred MacIntosh, National Business Aircraft Association—in a panel.

Mr. Yodice?

TESTIMONY OF WILLIAM EDGAR, GENERAL AVIATION MANUFACTURERS ASSOCIATION; JOHN S. YODICE, AIRCRAFT OWNERS AND PILOTS ASSOCIATION; AND FRED MACINTOSH, NATIONAL BUSINESS AIRCRAFT ASSOCIATION

Mr. YODICE. Thank you, Mr. Chairman. I will present the statement on behalf of the three associations.

I am appearing on behalf of the Aircraft Owners and Pilots Association to endorse and support enactment of H.R. 3647 which would amend the Federal Aviation Act to permit a resident alien to own a U.S.-registered private aircraft. I have also been authorized to speak on behalf of the General Aviation Manufacturers Association and the National Business Aircraft Association, which associations also support this legislation and whose representatives are here present in the room.

As counsel to AOPA, I have become aware of the hardship on aliens which H.R. 3647 is designed to eliminate. AOPA is a nationwide non-profit membership association of over 185,000 aircraft owners and pilots. A significant number of our members, while being citizens of foreign countries, maintain permanent residence in the United States. Many of them are waiting out the 5-year statutory period to apply for U.S. citizenship. These members have consulted with us from time to time over the years, indicating a desire to own private aircraft in the United States. We have had to tell them that, as aliens, they are not eligible to own U.S.-registered aircraft.

On behalf of these members, AOPA and GAMA and NBAA wish to express their appreciation to this subcommittee, and to Congressman Goldwater, the author of this bill, for taking cognizance of this problem and seeking a solution.

The problem stems from section 501 of the Federal Aviation Act which says that an aircraft is eligible for registration in this country only if it is owned by a citizen of the United States. The definition of a citizen is quite restrictive. With respect to a partnership which owns an aircraft, it requires that each member of the partnership be an individual U.S. citizen. With respect to a U.S. corporation or association, the president and two-thirds or more of the board of directors must be U.S. citizens and at least 75 percent of the voting interest must be owned and controlled by U.S. citizens.

We believe that the elimination of this restriction would not derogate national security or adversely affect our national interest. This

restriction seems to be more an accident of legislative history than any real national interest. Our research indicates that the citizenship provision of the Federal Aviation Act was taken directly from the Civil Aeronautics Act of 1938, which, in turn, repeated the requirement from the Air Commerce Act of 1926. The 1926 act provision was based on the Paris convention of 1919 which was a product of the peace convention of 1919. The convention stated that the nationality of aircraft was to be determined by ownership and registration, and restricted registration to nationals of the sovereign power. This concept was adopted against the backdrop of World War I which awakened the world to the aircraft as a weapon of warfare. Modern private aircraft are not weapons of war. Furthermore, the 1919 convention has been obsoleted by the currently effective Convention on International Civil Aviation, which set up our present ICAO organization in Montreal, and which governs international civil aviation. The current convention does not contain any such restriction.

And most of the countries which are signatories to the Convention on International Civil Aviation permit registration by resident aliens. In 1964, the International Civil Aviation Organization conducted a survey of the national requirements for registration of private aircraft by foreign owners. The survey found that only 15 countries of the 53 member nations surveyed required that the owner of a private aircraft must be a national of the country in order for his aircraft to be eligible for registration. Neither of our two neighboring nations, Canada and Mexico, have such a requirement. And, as you would guess, many of the foreign nationals living in the United States are from Canada and Mexico. It's hard for them to understand why the United States is more restrictive.

While a foreign national can own an aircraft and register it in the country of his nationality, this has not turned out to be a practical solution for permanent residents of the United States who wish to permanently base their aircraft here. This is because the aircraft must be maintained in accordance with the airworthiness requirements of the country of registry, including periodic maintenance and inspection. It is very difficult and, in some cases, impossible for an alien to contract with qualified mechanics and repair stations in the United States for him to meet these foreign maintenance and inspection requirements.

There is no parallel problem with respect to airman licensing. An alien can get a U.S. pilot license, and an alien can get an FCC permit to operate the radio transmitters on board an aircraft. In other words, an alien can legally fly a U.S.-registered aircraft in the United States, but he can't own one.

I think it is important to note that the bill would not entitle every alien to own a U.S.-registered aircraft, but only an individual citizen of a foreign country "who has been lawfully admitted for permanent residence in the United States." Even if there are national security reasons or other national interest reasons for the citizenship requirement, broadening the eligibility to include resident aliens would not compromise them. Permanent residence status is not easy to come by, and is only given after thorough checks. In addition to certain refugees, it is usually limited to a person who is closely related to a U.S. citizen, or has an occupation or profession needed in the United States, or is

financially involved in a U.S. company. Such a person must reside continuously in the United States for 5 years before qualifying for U.S. citizenship. It is this 5-year period that seems to have caused the most hardship to our foreign flying friends.

For these reasons we urge that the bill be reported favorably by your subcommittee, and we close with our thanks for this opportunity to present the views of GAMA, NBAA, and AOPA on the bill.

We would be pleased to entertain any questions that the subcommittee may have.

Mr. ANDERSON. Thank you, Mr. Yodice. Are there any safety implications of resident aliens not being able to register aircraft?

Mr. YODICE. There may be some minor ones, sir, which are favorable, in the sense that the alternative to a resident alien owning a U.S.-registered aircraft would be for the alien to have the aircraft registered in the country of his nationality, which would present some problems to an FAA inspector. If he determined that, for some reason, the aircraft was not in airworthy condition or observed some defect with respect to the airplane, he wouldn't have the power to ground that airplane or to take remedial action.

As I say, this is a minor consideration, but certainly it would enhance safety to that extent.

Mr. ANDERSON. All on the plus side, then—nothing on the negative?

Mr. YODICE. Nothing on the negative side, sir.

Mr. ANDERSON. Mr. Goldwater?

Mr. GOLDWATER. I would like to ask Fred MacIntosh—with regard to business aircraft, has this impacted at all, to your knowledge, on operators of business aircraft?

Mr. MACINTOSH. Yes, it has, Mr. Goldwater, not to a great extent, but, in answer to your earlier question to Mr. Skully, to my personal knowledge there are approximately 10 aircraft in this country of foreign registry used in a business context, which I feel sure would be of American registry if this provision were permitted.

Along that line, I am happy to say that all the aircraft involved were made by Americans and are American-built aircraft, and they are not foreign aircraft.

Mr. GOLDWATER. Mr. Yodice, the FAA has in its comments indicated that the bill which was introduced, H.R. 3647, was narrowly drawn, and the Chairman has offered some new language. Do you have any problem with the revised version?

Mr. YODICE. Mr. Goldwater, I haven't seen the revised bill, but if I understand it correctly it broadens it beyond aliens who are nationals of ICAO nations to aliens who are nationals of any nation of the world, and certainly we would have no objection to that liberalization.

Mr. ANDERSON. The clerk will give you a copy of the bill now so you can take a look at it.

Mr. YODICE. Thank you, Mr. Chairman.

Mr. ANDERSON. The reason we are asking these questions is that it is the thought of the Chair, and perhaps Mr. Goldwater, that we will substitute the language of the new version for that in H.R. 3647, and then report that bill, if that is acceptable to everyone.

Mr. GOLDWATER. I have no real problem with that. I think the rationale behind the narrowness of the language was the thought that the signatory nations to ICAO were believed to be held to a higher

standard, but it is my understanding that most nations now belong to ICAO and, therefore, there shouldn't be any problem as far as that aspect is concerned.

Mr. YODICE. That's correct, sir. I might also comment with respect to your earlier question, I think the implication of your question was quite accurate, that it is by convention that the United States is required to admit foreign-registered aircraft into the United States.

Now, whether they will permit any foreign-registered aircraft to come in is a matter of comity. I guess they can do that. But it is only the ICAO countries that they are required to permit come into this country.

Mr. GOLDWATER. Mr. Chairman, I have no further questions.

Mr. ANDERSON. Mr. Fary?

Mr. FARY. Mr. Yodice, do you feel that this would in any way encourage a resident alien to buy a foreign-built aircraft rather than a U.S.-built aircraft? In other words, would this have any negative impact on U.S. manufacturers?

Mr. YODICE. I think quite the opposite, sir. I think it would offer the opportunity to foreign nationals resident in this country to buy aircraft. And if they are going to buy the aircraft, it will probably be a U.S.-manufactured aircraft, since they are easier to maintain in this country.

I think it would have the opposite effect.

Again it is a minor consideration but it would probably help sell U.S.-made airplanes.

Mr. FARY. Thank you Mr. Chairman.

Mr. ANDERSON. If there is nothing further, we will stand adjourned.
[The subcommittee adjourned at 10:47 a.m.]