

118TH CONGRESS  
1ST SESSION

# H. R. 4214

To direct the Secretary of Defense to establish and implement a comprehensive system for analyzing and addressing nonconformities in the aftermath of all Class A Mishaps, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2023

Mr. CALVERT introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To direct the Secretary of Defense to establish and implement a comprehensive system for analyzing and addressing nonconformities in the aftermath of all Class A Mishaps, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Equipment  
5 Quality and Safety Reform Act” or “MEZR Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) The Department of Defense lacks a com-  
2           prehensive system for addressing nonconformities  
3           that may have contributed to Class A Mishaps.

4           (2) This lack of a system can result in a failure  
5           to identify and address underlying issues, which can  
6           increase the risk of similar incidents occurring in the  
7           future.

8 **SEC. 3. DEPARTMENT OF DEFENSE SYSTEM FOR ANALYSIS**  
9                           **OF NONCONFORMITIES CONTRIBUTING TO**  
10                           **CLASS A MISHAPS.**

11          (a) **SYSTEM REQUIRED.**—Not later than 180 days  
12 after the date of the enactment of this Act, the Secretary  
13 of Defense shall establish and implement a comprehensive  
14 system for analyzing and addressing nonconformities in  
15 the aftermath of all Class A Mishaps. Such system shall  
16 include each of the following capabilities:

17           (1) The analysis of processes, work operations,  
18           and material for nonconformities.

19           (2) The investigation of the causes of  
20           nonconformities.

21           (3) The identification of the actions needed to  
22           correct and prevent the recurrence of  
23           nonconformities.

1           (4) The implementation and documentation of  
2 changes in methods and procedures to correct and  
3 prevent identified nonconformities.

4           (5) The verification or validation of corrective  
5 and preventive actions to ensure that such actions  
6 are effective and do not adversely affect the overall  
7 system.

8           (6) Ensuring that information related to  
9 nonconformities including corrective and preventive  
10 actions and their effectiveness is disseminated to the  
11 individuals who are directly responsible for assuring  
12 the quality of related processes, and made available  
13 for public release.

14           (7) The submission to the Joint Safety Counsel  
15 established under section 184 of title 10, United  
16 States Code, of relevant information on identified  
17 nonconformities, as well as corrective and preventive  
18 actions and their effectiveness.

19           (b) GUIDELINES AND PROCEDURES.—The Secretary  
20 of Defense shall establish guidelines and procedures for  
21 compliance with the requirements of this Act.

22           (c) ENFORCEMENT.—

23           (1) PENALTIES FOR NONCOMPLIANCE.—The  
24 Secretary of Defense may establish penalties for  
25 noncompliance with the requirements of the system

1 established under subsection (a), which may include  
2 fines, suspension or revocation of contracts, and  
3 other appropriate measures.

4 (2) AUDITING AND MONITORING.—The Sec-  
5 retary of Defense shall establish auditing and moni-  
6 toring processes to ensure compliance with the re-  
7 quirements of the system established under sub-  
8 section (a), which may include regular audits of  
9 nonconformities and corrective and preventive ac-  
10 tions taken.

11 (3) REPORTING.—The Secretary of Defense  
12 shall submit to the Committees on Armed Services  
13 of the Senate and House of Representatives a report  
14 on the establishment of the system under subsection  
15 (a). Such report shall include information on identi-  
16 fied nonconformities, corrective and preventive ac-  
17 tions taken, and the effectiveness of the system.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “Class A Mishap” means any  
20 mishap involving aircraft, missile, spacecraft, nu-  
21 clear weapon, or submarine, resulting in—

22 (A) a fatality or permanent total disability;

23 or

24 (B) property damage of \$2,000,000 or  
25 more.

1           (2) The term “nonconformity” means any fail-  
2           ure to fulfill a specified requirement or standard.

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