DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Advisory Circular 187–XX, Aircraft Certification Service Fees for Providing Production Certification-Related Services Outside the United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of proposed Advisory Circular (AC) 187–XX, Aircraft Certification Service Fees for Providing Production Certification-related Services Outside the United States, for review and comments. Elsewhere in this edition of the **Federal Register,** the FAA has issued a Notice of Proposed Rulemaking (NPRM), Fees for Providing Production Certification-related Services Outside the United States, which proposes to add an Appendix C to part 187 of Title 14 of the Code of Federal Regulation. The NPRM proposes to establish fees by voluntary agreement for production certification-related services pertaining to aeronautical products manufactured or assembled outside the United States. This proposed AC 187–XX provides information for determining compliance with part 187, proposed Appendix C.

DATES: Comments submitted must be identified by the name of the AC 187–XX, project number 96–009, and be received by August 14, 1997.

ADDRESSES: Copies of the proposed AC 187–XX can be obtained from and comments may be returned to: Federal Aviation Administration, Aircraft Certification Service, Production and Airworthiness Certification Division, AIR–200, 800 Independence Avenue, SW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: David Broughton, AIR–230, Policy, Evaluation, and Analysis Branch, Room 815, Aircraft Certification Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 10591, (202) 267–9575.

SUPPLEMENTARY INFORMATION:

Background

The global manufacture of aircraft, aircraft engines, propellers, appliances, and parts thereof has presented the FAA with challenges to ensure that safety and airworthiness standards for U.S. products are met worldwide. As defined in part 187, proposed Appendix C, a production approval holder (PAH) means a person who holds: An approval to produce under an approved production inspection system (APIS), a production certificate (PC) (to include PC extensions), a Technical Standard Order (TSO) authorization, a Parts Manufacturer Approval (PMA) or who holds a Type Certificate (TC) only and produces under that TC. The FAA has allowed U.S. production approval holders (PAH's), to use manufacturing facilities outside the United States under certain conditions. These approvals are currently limited to certain parts/sub-assemblies that are inspected when received in the United States by the PAH or when the PAH has established and implemented a supplier control system. In addition, more complex production work outside the United States has been allowed on a case-by-case basis.

To be more competitive, U.S. PAH's are requesting approval from the FAA to expand their manufacturing activities to use more suppliers; and to manufacture more complex sub-assemblies, including complete aircraft outside the United States.

Part 187 establishes fees for providing certification services to all PAH's who elect to use manufacturing or supplier facilities outside the United States.

As outlined in a January 1994 report, ''The Clinton Administration's Initiative to Promote a Strong Competitive Aviation Industry,'' the United States seeks to expand commercial opportunities for U.S. aircraft manufacturers in the global marketplace. Accordingly, there is a need to ensure that U.S. aerospace firms are not disadvantaged in global competition and to foster a climate where U.S. companies can continue to participate as technology and marketing leaders. Limited financial/human resources make it difficult for the FAA to support these goals as international ventures by U.S. aircraft manufacturers become more diverse and complex.

The U.S. Congress recognized the impact of these limited resources in its consideration of the Federal Aviation Administration Authorization Act of 1994, PL 103–305 (108 Jurisdiction 1569). As stated in Conference Report No. 103–677 on H.R. 2739, ''Safety regulatory efforts to keep pace with the trend of globalization can be hampered by resource constraints * * * the Aircraft Certification Service should be able to offset expenditures made in support of aircraft or airline safety regulatory programs of both U.S. and foreign owned companies outside the United States.''

Comments Invited

Interested persons are invited to comment on the proposed AC 187–XX listed in this notice by submitting such written data, views, or arguments as they desire. Comments received on the proposed AC may be examined before and after the comment closing date in Room 815, FAA Headquarters Building (FOB–10A), 800 Independence Avenue, SW., Washington, DC 20591, weekdays, except Federal holiday, between 8:30 a.m. and 4:30 p.m. By separate notice, in this edition of the **Federal Register**, the FAA is also inviting interested persons to comment on the NPRM. The FAA will consider comments from this notice and comments received on the NPRM in deciding the nature of final action of each.

Issued in Washington, DC, on July 9, 1997.

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Acting Manager, Production and Airworthiness Certification Division.

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