

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.232

National Policy

Effective Date:
8/30/13

Cancellation Date:
8/30/14

SUBJ: OpSpec A001 for Part 129 (Foreign Air Carriers Operating to the United States)

1. Purpose of This Notice. This notice provides revised guidance for Federal Aviation Administration (FAA) offices and inspectors with oversight responsibility for foreign air carriers conducting airplane operations under Title 14 of the Code of Federal Regulations (14 CFR) part 129 to the United States. This notice amends Operations Specification (OpSpec) A001, Issuance and Applicability, and Reports, for foreign air carriers conducting airplane operations under part 129 (foreign air carriers operating to the United States).

2. Audience. The primary audience for this notice is Flight Standards District Offices (FSDO), International Field Offices (IFO), International Field Units (IFU), and principal inspectors (PI) assigned to foreign air carriers conducting airplane operations under part 129. The secondary audience includes Flight Standards Service (AFS) divisions and branches in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Foreign air carriers can find this notice on the FAA Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Explanation of Policy Changes. The International Programs and Policy Division (AFS-50), together with System Operations Security (AJR-22) have amended OpSpec A001 for part 129 (foreign air carriers operating to the United States). The following change was made:

a. OpSpec A001. Deleted the phrase “other than a Special Interest Flight” from subparagraph g(2).

b. FAA Order 8900.1. Revised Volume 12, Chapter 2, Section 3, paragraph 12-125E10) as follows:

(1) Deleted the phrase “other than a Special Interest Flight” (SIF) from the nonscheduled flight notification method.

(2) Inserted the following additional text to the NOTE under subparagraph f): “Foreign air carriers from U.S. State Department designated special interest countries to which the FAA issues 129 OpSpecs are exempt by the U.S. State Department from the previously required SIF program notifications. A 129 foreign air carrier’s route information will no longer be posted on the FAA SIF Web site. A foreign air carrier from a special interest country conducting a 14 CFR part 375 operation under part 375, § 375.42 (authorized by the DOT for occasional plane load charters) must continue to make SIF notifications. A 375 operator’s route information is required to be posted on the SIF Web site.”

5. Action. This is a mandatory change affecting PIs with responsibility for the issuance, amendment, and oversight of OpSpecs for part 129. PIs must reissue all previously issued OpSpec A001 templates to foreign air carriers from U.S. State Department designated special interest countries within 2 weeks from the date of this Notice. At this time, Russia and China are the only special interest countries to whom the FAA has issued 129 OpSpecs. The PI must accomplish this action within 120 days from the date of this notice for all other foreign air carriers operating to the U.S.

6. Disposition. We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. PIs should direct questions concerning the information in this notice to the International Programs and Policy Division (AFS-50) at 202-385-8070.

for


John M. Allen
Director, Flight Standards Service

Appendix A. Sample OpSpec A001, Issuance and Applicability, and Reports: 14 CFR Part 129

a. These operations specifications are issued to 129 Company Name Here (hereinafter, the "foreign air carrier").
The foreign air carrier's addresses:

Primary Business:	Within the United States of	Mailing Address:
100 Any Street	America:	100 Any Street
Suite Primary Business	100 USA	Suite 1
Address	Suite WithINusa	AnyCity, Clarendon, Jamaica
AnyCity, Alabama 11111	USA CITY, AL 22222	9087655432

The foreign air carrier is the holder of the following:

State of the Operator (Country)	State of the Operator Air Operator Certificate (Identification)	DOT Economic Authority (Type)	DOT Economic Authority (Expiration)

b. The foreign air carrier must conduct each operation within the United States in accordance with its air operator certificate (AOC) and its associated operations specifications, and in accordance with these FAA-issued foreign operations specifications.

(1) The holder of these operations specifications will conduct foreign air carrier operations in common carriage in the United States pursuant to the applicable requirements, including provisions of 14 CFR parts 91 and 129; 49 CFR part 175; any other applicable regulations and laws of the United States; and Annex 1, Annex 6, Parts I and III, and Annex 8, Part II, Chapters 3 and 4, to the Convention on International Civil Aviation, as applicable. Additionally, foreign air carriers operating U.S.-registered aircraft must ensure that flightcrew members comply with 14 CFR part 61, § 61.3.

(2) At all times the foreign air carrier must: have an appropriate security program, as required by the Transportation Security Administration (TSA); be in possession of a valid AOC; and comply with the terms and conditions of its appropriate DOT economic authority; otherwise, these operations specifications shall become void and must be surrendered at the request of the FAA.

(3) The foreign air carrier may conduct operations within the United States using regular terminal and alternate airports that the carrier has determined to be operationally suitable.

c. The foreign air carrier *[select applicable "Doing business as" statement to complete subparagraph c.] [DBA names auto-load from the database, if applicable.]*

d. The foreign air carrier must use only the official business name or a name authorized by the DOT, as shown in these operations specifications, in the conduct of foreign air transportation within the United States.

e. The foreign air carrier is limited to operating within the United States in the geographical areas operations shown below.

Authorized Geographic Areas of Operation
No system data

f. All radio communications with the ATC system of the United States must use the appropriate call sign, as indicated in International Civil Aviation Organization (ICAO) Document 8585, or FAA Order JO 7340.2.

Authorized Radio Call Sign	ICAO 3-Letter Identifier

g. If there are changes to any information in these FAA-issued operations specifications or to the basis upon which these operations specifications have been issued (e.g., foreign air carrier (company) ownership information), the foreign air carrier must notify the responsible Flight Standards District Office (FSDO) in a form and manner acceptable to the FAA.

(1) For scheduled operations, the foreign air carrier must use the following airports:

Airports to be used for Scheduled Operations				
Regular Terminal	Alternate	Alternate	Alternate	Technical /Refueling Stop

(2) If the foreign air carrier plans on conducting a non-scheduled flight the air carrier shall provide the responsible FSDO with advance written notice (including by facsimile, email, or paper document) of the operation. For urgent situations, a telephone notification to the responsible FSDO may be used with a written notice sent as soon as possible.

(3) The foreign air carrier must provide prior notification of any wet lease or interchange operations conducted by the foreign air carrier to, from, or within the United States on behalf of other air carriers.

(4) The foreign air carrier must provide additional reports and notifications, (e.g., the schedule and frequency of flights) *when requested by the FAA*.

h. Responsible FSDO:

Test CHDO

US Post Office Mailing Address	Overnight Package Delivery Address

FAA Principal Inspector(s) Name/Title	Phone Number	Fax Number	E-mail Address