

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

SW 8000.35A

SOUTHWEST REGION

11/17/99

SUBJ: SOUTHWEST REGION FLIGHT STANDARDS INTERNATIONAL PROGRAM

- 1. PURPOSE.** This order establishes the policy and procedures for personnel in the Southwest Region Flight Standards Division and Flight Standards field offices to follow when conducting official business in Mexico and other foreign countries.
- 2. DISTRIBUTION.** This order is distributed to the branch level in the Southwest Region Flight Standards Division and to all Southwest Region Flight Standards field offices.
- 3. CANCELLATION.** Order SW 8000.35, *Southwest Region Flight Standards International Program*, dated November 6, 1995, and Change 1 to SW 8000.35, dated November 22, 1995, are canceled.
- 4. BACKGROUND.**
 - a. Flight Standards** is organized into regional and field offices, each of which have a discrete geographic area for which it is responsible. The Southwest Region is responsible for all Flight Standards issues in Mexico by direction of Order 1100.5C, *FAA Organization - Field*, Appendix 2, as amended.
 - b. The Southwest Region Flight Standards Division** will establish the offices or units which are dedicated to oversight responsibilities for the operation of general aviation aircraft and air carrier aircraft by foreign operators under 14 CFR Parts 129, 145, etc. All Flight Standards field offices in the Southwest Region have general surveillance responsibilities as outlined in Order 8000.49, *Flight Standards Geographic Program*, as amended. Special circumstances will be covered by this order.
 - c. In the past**, Flight Standards did not have a consistent policy to identify which field office in the respective region was responsible for accomplishing work related to the foreign operators which transcend geographic boundaries. This region recognizes that a formal program and specific procedures are necessary to properly accomplish this task.
 - d. This order addresses** field office responsibilities including accident investigation, enforcement actions, and foreign travel. These subjects will be referenced by applicable guidance, and the special conditions will be included herewith.

4. DEFINITIONS.

- a. Certificate Holding District Office (CHDO).** This term refers to the Flight Standards District Office (FSDO) or Certificate Management Office (CMO) managing an air operator and/or air agency certificate, or the International Field Office (IFO) managing a foreign entity's certificates and/or operations specifications.

b. Certificate Management. A term describing the management system used as a basis for granting or denying an air operator or agency certificate, and the surveillance necessary to assure that the certificate holder continues to meet original certification requirements. This management system requires analysis and proper application by the CHDO of findings communicated by supporting offices charged with monitoring ongoing activities of such operators and agencies.

c. Director General of Civil Aviation (DGAC) Mexico. This Mexican government organization is similar to the Federal Aviation Administration's (FAA) Associate Administrator of Regulation and Certification (AVR) with the addition of Airports and Security responsibilities. The DGAC is an administration under the Secretary of Communication and Transportation (SCT) of the central government. Their personnel are directors, inspectors, and engineers. In addition, they have Regional Comandantes and Airport Comandantes that report directly to the Director General.

d. Geographic Area. The geographic borders that define a district office's area of responsibility. For the purposes of a CMO, the geographic area is defined as the district boundaries in which the CMO is located with respect to its assigned operators.

e. International Area Offices. These offices handle the political and liaison issues for Mexico, Latin America and the Caribbean (ALC), Miami, Florida; Europe, Africa and Middle East (AEU), Brussels, Belgium; and Asia and the Pacific Rim (APC), Singapore.

f. North American Free Trade Agreement (NAFTA). Treaty with Mexico and Canada which provides for national treatment of all parties involved with respect to Specialty Air Services (SAS). Note: There are 15 such services and they are considered commercial operations but not air transportation.

g. Operator. For the purpose of this order, this term means an air operator certificated under 14 CFR Parts 121 and/or 135; an air agency certified under 14 CFR Part 145; a foreign carrier operating under 14 CFR Part 129, or a foreign operator under the NAFTA Specialty Air Services.

h. Principal Inspectors (PIs). Aviation safety inspectors with approval authority for air operators or air agencies.

i. Handbooks/Orders. Handbooks/Orders refer to:

- Order 8300.10, *Airworthiness Inspector's Handbook*;
- Order 8400.10, *Air Transportation Operations Inspector's Handbook*;
- Order 8700.1, *General Aviation Operations Inspector's Handbook*; and,
- Order 8000.49, *Flight Standards Geographic Program*, as amended.

5. GENERAL INTERNATIONAL REGIONAL PROGRAM POLICY.

a. It is Flight Standards' policy that the regional office and all field offices be responsible in unison and cooperation for the accomplishment of the already established guidance on surveillance, inspection, and travel associated with foreign operators with the same dedication and priority that is required for the current management of U. S. civil aviation operators in their district.

b. The Regional Flight Standards Division Manager is responsible for ensuring that effective and timely surveillance, inspection, and certification actions are accomplished on all aviation activities which occur within his/her scope of responsibility, including the allocation of fiscal resources to support the accomplishment of these tasks.

c. Field office managers and supervisors are directly accountable for the development, implementation, and accomplishment of work programs to coincide with current policy and guidance for National Program Guidelines (NPG) and local work programs.

d. If an inspector has not previously been involved in official foreign travel for the FAA, the employee and his/her supervisor should make every effort possible for the employee to receive a briefing from an inspector who has traveled in that area before the proposed travel is accomplished.

e. The DFW IFO manager is responsible for budgeting, staffing, and establishing an appropriate structure to accomplish the work program for the assigned area of responsibility in Mexico in accordance with Order 8000.49, as amended. For the purposes of this order, the structure is the manager's means to accomplish this task.

f. Foreign travel other than to and from Mexico and Canada is covered by Order 1500.14A, *Travel Manual*, (Chapter 7). It shall be the responsibility of all personnel to assure the agency policy in this order is the guidance for travel into Mexico.

6. INTERNATIONAL STRUCTURE AND ENVIRONMENT. All field offices with geographic responsibility of foreign operators will continue to use their existing structure and agency policy. The DFW IFO will have similar structures within the scope of their special responsibilities for MEXICO. The DFW IFO will be responsible for Foreign operated aircraft. The DFW IFO will coordinate with ASW-200 when circumstances are encountered which have impact on FAA policy or procedure.

a. The structure of the office will follow the applicable items listed in Order 8000.49, paragraphs 7a & b, as amended.

b. The environment of international aviation is a rapidly changing segment of that community today. This area must be documented to assess the impact on staffing and resources. The managers will ensure all Vital Information System (VIS) environmental data will be entered in the database and updated on a regular basis. See Order 8000.49, paragraph 7c, as amended, for further information and instructions.

7. WORK PROGRAM.

a. GENERAL. The DFW IFO manager is responsible for developing and executing a work program for activities in Mexico. In addition to the geographic program, the persons conducting work on operators and agencies in Mexico, as well as other activities, will indicate on the FAA Form 8000-36, Program Tracking and Reporting System (PTRS) Data Sheet, **in the [REGIONAL USE:] BLOCK IN SECTION 1** the following: **[Mexico] for Mexico and [the specific country name] for other**

international activities. The same reporting procedures will be used to track these functions as outlined in Order 8000.49, and the work program will be structured along the same lines. **Refer to Order 8000.49, paragraph 8, as amended.**

b. MEXICO. Work accomplished in Mexico by the CHDO will follow the current guidelines established by the respective handbooks and orders for surveillance and site visits. This applies to U.S. operators with operations in Mexico. In addition, 14 CFR Part 129 operations into the United States by Mexican companies will be accomplished by the DFW IFO under the NPG requirements per Order 8000.49. New certifications or renewal of existing certificates will continue to be accomplished according to respective inspector handbook guidance. This program covers any and all operations by U.S. or foreign persons required to have an authorization, operation specification, or certificate under the regulations or other binding national agreements.

c. INTERNATIONAL. Work accomplished for or in foreign countries other than Mexico for United States operators outside the country or foreign operators in the United States, have been defined in Order 8000.49, as amended, and will continue to be accomplished by the responsible office notwithstanding this order.

8. TRAVEL REQUIREMENTS. The basic travel requirements for this region are attached as Appendix 1 to this document. These steps will be accomplished by each field office for any foreign travel. In addition, it will be necessary to follow the informal communications stated below.

a. MEXICO. A reciprocal agreement was reached between the DGAC and the Southwest Region Flight Standards Division on June 30, 1994, concerning courtesy communications for conducting business in Mexico and travel to their country. It will be the DFW IFO manager's responsibility or their representative to notify the Regional Comandante and/or the Airport Comandante of the area with the following information: the traveler(s) itinerary, arrival time, and intended site visits. This will be an informal communication by telephone or FAX in addition to the standard travel notification. If assistance should be required from the DGAC, it will be imperative to contact the local Regional Comandante and/or Airport Comandante.

b. INTERNATIONAL. Travel to countries other than Mexico and Canada will require the standard country clearance and all documentation (See Appendix 1). The important factor in travel to foreign countries is the advance notice to the embassy, and the appropriate International Area Office prior to traveling. Area Offices are identified in the definitions section of this order.

9. ADDITIONAL RESPONSIBILITIES: INCIDENT, ACCIDENT, INFRACTION OF RULES. Field Office Managers will be responsible for ensuring that all actions taken against foreign persons are handled according to current policy and procedures in Orders 2150.3A, *Compliance and Enforcement Handbook* and 8020.11A, *Aircraft Accident and Incident Notification, Investigation, and Reporting*. We will coordinate, communicate, and share information informally on sensitive issues and gross alleged violations of each other's rules. Additional responsibilities in these areas include the following items.

a. Accidents involving U.S. registered aircraft that occur in foreign countries will be handled according to Order 8020.11A, Chapter 8. The National Transportation Safety Board (NTSB), by law, is the accredited U.S. representative when invited to accidents of U.S. registered and/or manufactured aircraft. Accidents involving U.S. registered aircraft that occur in Mexico will be reported to the DFW IFO in order for the FAA to participate in the investigation as an observer. We will provide the same courtesy to the DGAC for accidents involving Mexican registered aircraft in the U.S., in accordance with the June 1994, reciprocal agreement with DGAC Mexico.

b. Incidents and other non-standard procedures which do not require immediate attention will be coordinated according to established policy. **Normally, coordination with foreign officials will be conducted through the DFW IFO.**

c. In cases of regulations infractions, FAA or DGAC inspectors' statements are sufficient to initiate appropriate action against alleged violators. Direct communication can be used to acquire additional information and any formal investigation will be conducted in accordance with Order 2150.3A, as amended, for recording and closure purposes.

d. If an infraction affecting safety is discovered by either country, the FAA and DGAC have agreed to call each other first, then fax a copy of the inspector's statement or other items of information. These matters will be investigated to the full extent of the law and prompt action is required. **Normally, coordination with foreign officials will be conducted through the DFW IFO.**

10. REGIONAL OFFICE POLICY AND PROCEDURES. The DFW IFO is the primary source for communication on international and Mexican matters, and a representative from ASW-200 will act as back-up. In all matters of this nature, it is imperative that the appropriate protocol be observed.

a. All information of significant interest in the international arena will be coordinated with the DFW IFO.

b. The regional representatives will provide advice or reference to persons who can, or are equipped to, answer your questions.

11. DIRECTIVES FEEDBACK. All AFS employees are encouraged to identify the need for policy and procedural guidance that will ensure efficient work accomplishment. If you have noted a deficiency, clarification, or improvement that may be needed in this directive, please use the attached FAA Form 1320-19, *Directive Feedback Information*, to submit your comments to the Flight Standards Division, ASW-210. If an interpretation is urgently needed, you may call the originating office for guidance, but you should follow-up with submission of the FAA Form 1320-19.


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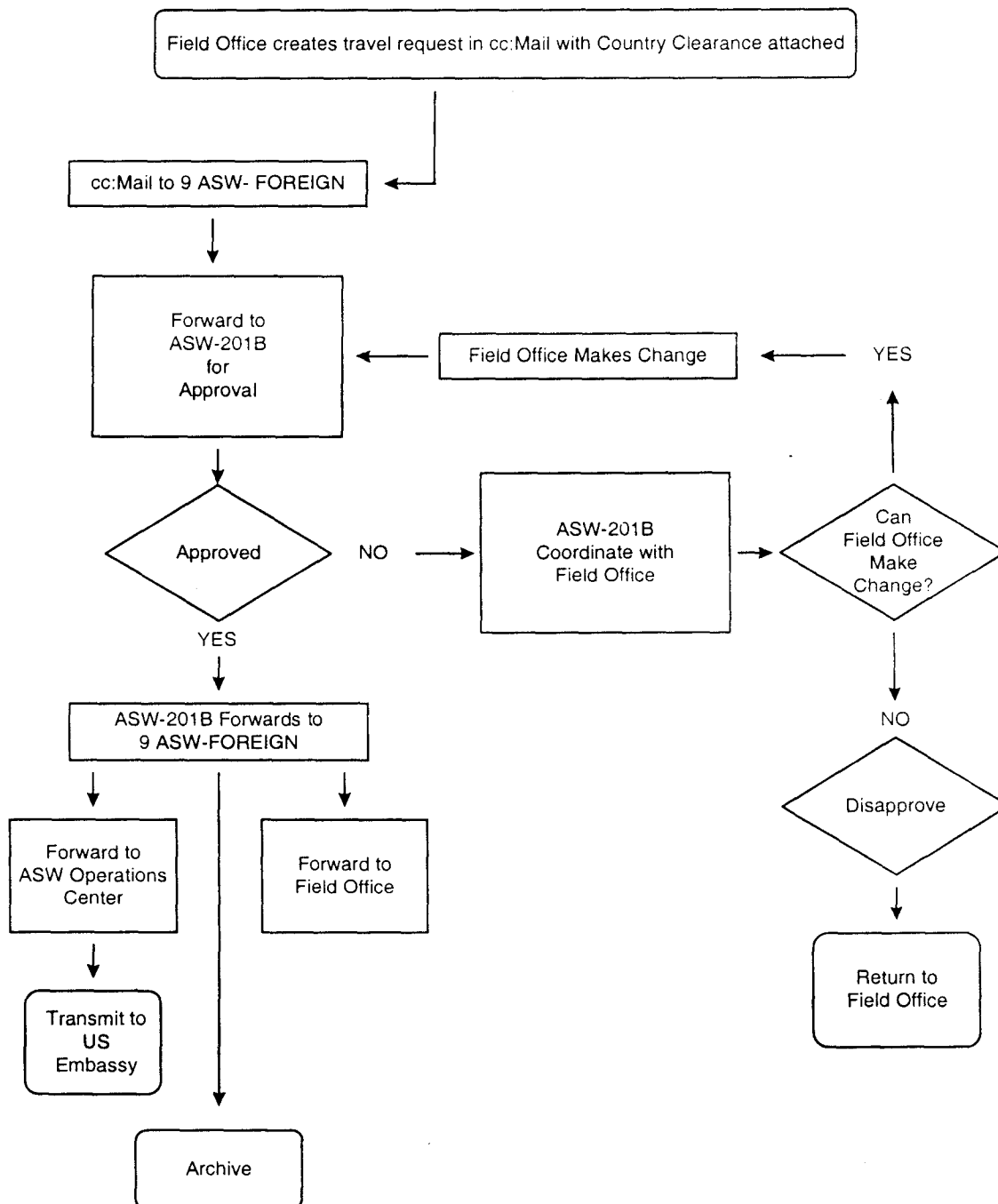
Appendix 1: Process for Requesting Approval for Foreign Travel

When requesting approval for foreign travel, it is important that the following procedures be followed to ensure that the task to be accomplished can be carried out in a safe and efficient manner. It is important that we are in compliance with applicable orders, policies and procedures issued by the Department of Transportation, Department of State, FAA, and the appropriate US Embassy in the country to be visited. In addition, it is imperative that proper justification is documented during the foreign travel approval process.

1. Before a request for foreign travel is submitted for approval, verify that a Travel Warning has not been issued by the State Department recommending that the subject country should be avoided. The State Department also issues Public Announcements to disseminate information quickly about terrorist threats and other relatively short-term conditions that pose significant risks or disruptions to Americans. Consular Information Sheets are available for every country of the world and include such information as health concerns, crime, unusual currency or entry requirements, as well as locations and telephone numbers for embassies or consulates. This information is available at <<http://travel.state.gov/>>. Information of this type should be a part of the decision making process when determining whether or not to conduct the travel. This should be shared with all travelers prior to departure.
2. Submit a request for approval to cc:Mail address: 9 ASW-Foreign, a minimum of 10 days prior to travel. The following information should be included:
 - What work or task is to be accomplished?
 - When was the last surveillance/inspection of this type conducted on this operator and/or at this location?
 - Has activity been coordinated with the IFO that has geographic responsibility for the country being visited?
 - If applicable, why aren't IFO inspectors accomplishing the work?
 - What are the dates of travel? Give explanation if any leave is involved.
 - If applicable, include an explanation of why more than one inspector is traveling to the same location.
 - What is the estimated cost of this travel? Who is funding the travel?
3. Complete a country clearance in accordance with DOT 1500.6/FAA 1500.14, *Travel Manual*, as amended, and attach as a word document to your cc:Mail request for approval. Forward to 9 ASW-Foreign.
4. A response will be forwarded to the field office that requested the foreign travel either:
 - 1) approving the foreign travel;
 - 2) requesting additional information;
 - or 3) denying the request.

5. If the request is approved, the country clearance will be forwarded to the Southwest Region Operations Center for transmission to the appropriate embassy.
6. The attached flow chart of the country clearance process and checklist is provided for clarification purposes.

Country Clearance Process



CHECKLIST FOR FOREIGN TRAVEL

Before a request for foreign travel is submitted for approval, the following criteria should be met:

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State Department has not issued Travel Warning for subject country.

☐

Request is being submitted a minimum of 10 days before travel.

☐

Justification for travel is provided, which includes:

- Brief description of work to be accomplished;
- Date last surveillance/inspection of this type was conducted on this operation or location;
- If activity has been coordinated with appropriate IFO. If applicable, why aren't IFO inspectors accomplishing the work?

☐

If more than one inspector is involved, what work will each inspector perform?

☐

Dates of travel are provided, with explanation if any leave is involved.

☐

Estimated cost of travel and who is funding the travel.