



**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

**ORDER  
8100.11B**

National Policy

10/26/2009

**SUBJ:** Decision Paper Criteria for Undue Burden and No Undue Burden Determinations  
Under 14 CFR Part 21

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This order provides guidance for developing undue burden and no undue burden decision papers. This guidance applies to all Aircraft Certification Service personnel in the Federal Aviation Administration.

A handwritten signature in blue ink, reading "Frank P. Paskiewicz", is positioned above the printed name.

Frank P. Paskiewicz  
Manager

Production and Airworthiness Division, AIR-200

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Initiated By: AIR-200

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**1. Purpose of This Order.**

**a.** This order contains policy and instructions for developing undue burden and no undue burden decision papers. These decision papers ensure that the Federal Aviation Administration's (FAA) undue burden determinations required by Title 14 of the Code of Federal Regulations (14 CFR) part 21, subparts B, F, G, K, L, and O are fair and uniform.

**b.** This order—

- (1) Explains why the FAA prepares undue burden decision papers;
- (2) Lists procedures for developing decision papers;
- (3) Prescribes requirements for developing decision papers on different topics; and
- (4) Lists decision paper processing and distribution procedures.

**2. Audience.** All Manufacturing Inspection Offices (MIO), Aircraft Certification Office (ACO) personnel, and Directorate Managers.

**3. Where Can I Find This Order.** You can find this order at [http://www.faa.gov/regulations\\_policies/orders\\_notices/](http://www.faa.gov/regulations_policies/orders_notices/).

**4. Cancellation.** This order cancels Order 8100.11A, dated December 31, 2007.

**5. Explanation of Changes.** This revision—

**a.** Incorporates changes to part 21 from the final rule, "Production and Airworthiness Approvals, Part Marking, and Miscellaneous Amendments" (74 FR 53368, October 16, 2009).

**b.** Updates certain terminology related to bilateral aviation agreements.

**c.** Incorporates typographical and editorial clarifications; for example, in paragraph 13(f), clarifying when decision papers need to be amended.

**6. Effective Date.** This Order is effective on April 14, 2010. Any decision papers being developed prior to the effective date may be processed using the guidance in Order 8100.11A, dated December 31, 2007.

**7. Why the FAA Prepares Undue Burden Decision Papers.**

**a.** Part 21, subparts B, F, G, K, L, and O state that the FAA does not issue type certificates (TC), production approvals, export airworthiness approvals, or Technical Standard Order (TSO) Authorizations if a manufacturing facility is located outside the United States, unless the FAA finds that the location of the manufacturer's facility places no undue burden on the FAA.

**b.** When the FAA issues an initial production approval for a manufacturing facility outside the United States, the undue burden decision is made based on manufacturing programs at that

time. With the increased globalization of manufacturing, the FAA is compelled to evaluate existing as well as new programs that may create an undue burden for regulatory oversight. FAA Order 8120.2, Production Approval and Certificate Management Procedures, has changed the way supplier oversight is performed. Minimum requirements for supplier control audits and product audits have been established that are now based on the production approval holder's (PAH) resource targeting facility group and part category. Suppliers are now selected for audit based on a random sampling method and criteria that considers whether a quality escape or noncompliance from a supplier may have a significant impact on safety, if not properly controlled by the PAH or associate facility. However, because overseas facilities can be selected for audit outside the random sampling criteria, the undue burden determination must include the costs of at least one FAA audit of each overseas facility. Applications to use supplier facilities producing only parts that the FAA principal inspector determines are fully inspectable by the PAH do not require an undue burden decision paper unless the facility is in a non-bilateral country.

## **8. Procedures for Developing Decision Papers.**

**a. Determining undue burden.** Examples of circumstances that may create an undue burden on the FAA are described below. If any of these circumstances create an undue burden, the applicant must provide accurate and conclusive justification explaining why they believe the FAA should support the project.

(1) The FAA needs to transfer resources from international to domestic surveillance due to an increase in domestic program levels, creating a potential undue burden for the international program.

(2) The applicant has not adequately addressed regulatory responsibility for the project (design, manufacturing, quality, or continued airworthiness).

(3) A permanent reduction in authorized staffing levels of aviation safety inspectors occurs, or other resource reductions preclude international surveillance.

(4) A civil aviation authority (CAA) cannot perform oversight functions on behalf of the FAA.

(5) Recent history shows that civil unrest exists in the applicable country.

(6) Significant safety concerns develop, such as failed quality control processes or failed parts.

(7) The project depends upon the use of parts suppliers in countries that do not hold a bilateral agreement with the United States.

(8) The PAH requests the FAA to permanently appoint designees at a non-U.S. manufacturing facility.

**b. Offices responsible for preparing decision papers.** A decision paper is the means to formally document all undue burden or no undue burden determinations. The following offices prepare decision papers:

(1) The applicant's ACO, in conjunction with the appropriate MIO, prepares the decision paper for type certification and supplemental type certification activities.

(2) The PAH's or applicant's MIO, in conjunction with the appropriate ACO, prepares the decision paper for production certification and surveillance and export airworthiness approval activities. The determination of the FAA's burden must consider the oversight of all airworthiness designees, including any independent designees and designees associated with the PAH, such as Designated Airworthiness Representatives (DAR), Designated Manufacturing Inspection Representatives (DMIR), Organizational Designation Authorization (ODA) designees, or Organizational Designated Airworthiness Representatives (ODAR).

(3) When both type and production certification activities are involved, the Directorate Manager will assign either the ACO or MIO to lead the development of a single decision paper for the entire scope of the project.

(4) The responsible ACO or MIO will ensure that all design and production issues relative to the final decision have been considered.

**c. Projects requiring decision papers.** Decision papers are developed for the following reasons:

(1) Initial grant of design approvals, including supplemental type certificates (STC), involving manufacturing facilities outside the United States (for U.S. design approval holders). (FAA Order 8110.4, Type Certification).

(2) All FAA production approvals involving manufacturing facilities located outside the U.S.

(3) New part suppliers in other countries of a type that would likely be selected for a supplier control audit or product audit (Order 8120.2, Production Approval and Certificate Management Procedures).

(4) Any FAA Inspector or designee issuance of export airworthiness approvals (Form 8130-3) for parts located outside the United States.

(5) Other unique international situations that would result in FAA certification or surveillance activities. In these situations, communication with the International Policy Office (AIR-40), the Aircraft Engineering Division (AIR-100), and/or AIR-200 is encouraged to ensure that current national policy is considered, and to assist in determining if a decision paper is necessary.

## **9. Decision Paper Requirements for Type Certificates and Supplemental Type Certificates.**

**a. Work that can be initiated.** A certain level of activity by the ACO may be permitted to determine if a project is viable before final approval of the decision paper. However, under no circumstances should any authorizations be provided to the applicant before beginning work. Work that can be initiated includes—

- (1) Discussing details of the applicant's plans;
- (2) Defining the State of Registry and establishing communications;
- (3) Obtaining permission from the State of Registry for the modification;
- (4) Identifying necessary resources;
- (5) Identifying capability to perform the production, TC, or STC project based on the general design;
- (6) Ensuring that the appropriate CAA is prepared to return the test article to service;
- (7) Notifying the CAA of the country in which work will be performed of the intent to use designees to perform work in their country; and
- (8) Opening a certification project (for the purpose of tracking time and providing a numbering system for decision papers only).

**b. Work that must *not* be initiated includes—**

- (1) Establishing the certification basis and compliance checklist;
- (2) Issuing requests for conformities;
- (3) Findings of compliance;
- (4) Any manufacturing activity or parts production relative to the TC/STC; and
- (5) Any surveillance or oversight of production or designee activities.

**Note:** In an effort to allow projects to proceed while awaiting decision paper approval, some applicants propose agreements that acknowledge the applicants' acceptance of the risk in proceeding with a project that the FAA may ultimately deny. FAA employees are prohibited from entering into such agreements.

## **10. Decision Paper Requirements for Modification of Aircraft Registered Outside the United States and Non-Registered Aircraft.**

**a. Foreign-registered aircraft.** The FAA will not accept TC applications, amended TC applications, and STC applications from a U.S. applicant involving foreign-registered aircraft

that do not hold the equivalent of a U.S. airworthiness certificate under §§ 21.183, 21.184, or 21.185.

**b. Foreign military/government aircraft.** The FAA will accept TC applications, amended TC applications, and STC applications from a U.S. applicant involving foreign military/government aircraft without any further finding when production is limited to the United States. In addition, the FAA will accept these applications when they do not involve suppliers in other countries and when the applicant can show that an agency of the U.S. Government (for example, the U.S. State Department, Department of Defense, or U.S. Coast Guard) has made a determination of U.S. national interest.

**c. U.S. national interest concerns/production outside the United States.** Where no U.S. national interest has been shown for the proposed project, and/or where production may fall outside the United States, the certificating office must prepare a decision paper in accordance with this order.

**d. Other TC/STC application requirements.** For other TC and STC applications that fall within the guidelines of this order, the following must be in place:

(1) The ACO, in working with the U.S. applicant, must document that the State of Registry will be responsible for airworthiness determinations regarding flight testing, acceptance of the modification, returning the aircraft to service, and acceptance of parts into its country.

(2) The U.S. applicant will be responsible for any additional flight test requirements of the State of Registry.

(3) Designees or organizational delegations must have appropriate authority for the project work. Specifically, they are restricted from the following activities:

(a) Making airworthiness determinations on foreign-registered aircraft. As an example, DARs cannot make airworthiness determinations of the aircraft in support of flight testing or returning a foreign-registered aircraft to service; however, they are authorized to perform part and aircraft installation conformities in support of STC type design data.

(b) DMIRs are not permitted to go beyond the scope of their authorized function(s).

(4) Designated Alteration Stations, Organizational Designation Authorization, and Designated Engineering Representatives are subject to limitations and are not permitted to go beyond the scope of their authorized function(s).

**e. Criteria for exemption from the decision paper requirement.** For projects with the appropriate guidelines referenced above in place, the responsible ACO is not required to prepare decision papers in accordance with this order if they have met all of the following criteria:

(1) All manufacturing occurs within the United States, except for fabrication of installation hardware in accordance with STC type design data;

(2) The aircraft to be modified has a valid U.S. TC;

(3) The CAA of the State of Registry has been notified and agrees to the modification;  
and

(4) The CAA of the country in which the aircraft is located has been notified and agrees to the use of designees, if required.

**f. Canadian applications.** Decision papers are not required for design work conducted outside the U.S. on a validation application for a Canadian TC/STC submitted to the FAA. However, a Transport Canada Civil Aviation production approval is required to have been previously issued to the validation applicant. The production approval does not need to be active.

**g. File requirements.** All projects not requiring decision papers must include a record to the project file ensuring that the above guidelines were met.

**h. When the ACO must prepare a decision paper.** For projects where the application is beyond the scope of the guidelines in this order, the ACO must prepare a decision paper in accordance with this order.

**11. Decision Paper Requirements for Export Airworthiness Approvals for Parts Located Outside the United States.** Decision papers for issuance of export airworthiness approvals are drafted using the procedures prescribed in paragraph 13 and the outline in Appendix D to this order. Decision papers should reflect the projected burden of overseeing FAA designees issuing export airworthiness approvals outside the United States. This is typically for direct shipment of parts located in other countries from PAH associate facilities, PAH suppliers, or foreign distributors. The decision papers for issuance of export airworthiness approvals must be a separate decision paper and cannot be combined with decision papers for Production Approval Extensions (PAE) or non-U.S. parts supplier projects.

## **12. Decision Paper Requirements and Bilateral Country Considerations.**

**a. CAA support of FAA activities.** In many cases, applicants may anticipate that the counterpart CAA under a bilateral agreement will, through technical assistance, mitigate the FAA's burden. However, this support may not be available or advantageous under certain circumstances (refer to paragraph 13 b. and c. notes), and it is critical to consider each case and country individually during the decision paper development process. Preliminary discussions between the CAA and the FAA may be necessary to ensure that the decision paper will show if, and to what extent, the CAA will support FAA activities. Applicants should consider the following factors when assessing potential support from another CAA:

(1) Not all authorities have the same level of understanding of FAA requirements or the capabilities to support TC/STC or production/airworthiness requirements;

(2) Not all authorities have the same level of resources to support new or expanded U.S. company ventures;

(3) Not all existing bilateral partners have a "components" conformity provision in their agreements with the United States or are active in the same companies that U.S. PAHs use;

(4) Not all authorities have a bilateral agreement in effect (the FAA website [www.faa.gov/aircraft/air\\_cert/international](http://www.faa.gov/aircraft/air_cert/international), contains a listing of the bilateral agreements); and

(5) To request assistance, most bilateral agreements require that the supplier hold a production approval issued by that country's CAA.

**b. Identification of activities needing CAA support.** For each bilateral country involved, the decision paper must identify the nature of the activities that the FAA would request of the CAA. Unless a country has a current bilateral agreement with the United States, the full burden for support and surveillance remains with the FAA. The decision paper must address how the local AIR office will ensure oversight whenever a bilateral agreement is not in place.

### **13. Decision Paper Development and Processing.**

**a. General instructions.** For decision papers for TC and STC projects (including projects in Delegated Option Authorization, Organizational Designation Authorization, and Designated Alteration Stations) refer to Appendix A, Decision Paper for TC Products, and Appendix B, Decision Paper for STC Products. For decision papers for PAE or non-U.S. parts suppliers, refer to Appendix C, Decision Paper for PAE or Non-U.S. Parts Supplier Project. Refer to Appendix D, Decision Paper for Issuance of Export Airworthiness Approvals Outside the United States, for decision papers related to issuance of Form 8130-3 for parts located outside the United States.

**b. Early notification.** Persons preparing decision papers for submission to AIR-100/200 may provide early notification and communication with the managers of AIR-200, AIR-100 and AIR-40. This should occur during the decision paper development process and will facilitate timely processing. In an effort to expedite decision paper approval, a draft may be forwarded via e-mail to AIR-200 for initial review and comment by AIR-40/100/200 as appropriate, before the Directorate Manager's approval.

**Note: The Directorate Manager must brief the Director, Aircraft Certification Service, AIR-1, and the Deputy Director, Aircraft Certification Service, AIR-2, for unique, complex, or precedent-setting programs. Such programs include fabrication and manufacturing of major subassemblies outside the United States regardless of whether a bilateral agreement exists. Because these are directorate programs, directorate management is responsible for briefing AIR-1 and/or AIR-2 before final submission of the decision paper. This coordination is also necessary for applicants who have not yet been issued a production approval.**

**c. Electronically produced decision papers.** Decision papers may be produced electronically by using the electronic versions of the Appendixes to this order. The Appendixes were created using check boxes and text fields to enable onscreen completion. To complete the Questions section of the template electronically, use the left mouse button to select the appropriate answer. To complete the Cost Impact and Conclusion narrative sections electronically, use your mouse to select the text box and enter information applicable to your project. Delete the sample text first, and then enter the information applicable to your project for

the trips to the applicable country. The frequency of FAA visits to the facility depends on FAA policy, so the table is completed using data for three trips regardless of the interval of time between the trips.

**Note: Decision papers are not typically required to be submitted to AIR-100/200 for review and concurrence for projects located in countries with bilateral agreements unless the organization has not yet been issued a production approval. However, these decision papers still must be completed and submitted to the Directorate Manager for approval. Decision papers for work involving projects in non-bilateral countries must be submitted to AIR-100/200 for review and concurrence.**

**d. Electronic submission to the Directorate Manager.** The final version of the decision paper must be electronically forwarded to the Directorate Manager, or in the Directorate Manager's absence, the Assistant Directorate Manager, for approval. Approval authority may only be delegated to the Assistant Directorate Manager. Approved decision papers for non-bilateral countries must be transmitted via e-mail to AIR-200 for concurrence (AIR-200 will ensure coordination of the final submittal with AIR-1 and AIR-2, as necessary.) The message must contain the following or similar language:

"The enclosed decision paper for (*XYZ Aviation*) has been reviewed and approved by (*name*), Manager, Small Airplane Directorate, ACE-100."

**e. Decision paper review.** AIR-200 will review the document to ensure standardization throughout AIR. Appropriate Headquarters offices (AIR-1/2/40/100) are included in the coordination process when necessary. AIR-200 will retain copies of all completed decision papers that FAA Headquarters have reviewed. Upon completion of the concurrence process, AIR-200 will transmit an e-mail message back to the directorate MIO or ACO of origin. The message must contain the following or similar language: "The decision paper for (*XYZ Aviation*) has been reviewed and concurred with by (*name*), Manager, Production and Airworthiness Division, AIR-200 (and (*name*), Manager, Aircraft Engineering Division, AIR-100, as appropriate)." AIR-200 will ensure that the review process is completed within 30 calendar days.

**f. Amendments to decision papers.**

(1) Any subsequent changes to a PAH's manufacturing program involving non-U.S. facilities require that the FAA reevaluate the initial undue burden decision. Changes include, but are not limited to, new or different non-U.S. suppliers or any change in projected FAA surveillance. When a decision paper is currently on file for a PAH, the principal inspector must review it to determine if it accurately measures the current FAA burden.

(2) All completed decision papers are considered current until there is a need to amend them or until the program terminates. Decision papers need not be completely rewritten to incorporate an amendment. All amendments to existing decision papers are coordinated with AIR-100 and AIR-200, as appropriate.

**Note: Decision papers are internal resource allocation determination documents and are not to be released to the PAH, applicant, or public. Because decision papers are deliberative documents, they may be exempt from release under the Freedom of Information Act.**

**g. Notification of the FAA's decision.** Upon completion, the ACO or MIDO is responsible for notifying the applicant, TC/STC holder, or PAH of the determination of undue burden or no undue burden.



**Appendix A. Decision Paper for TC Projects**

<b>PROJECT NUMBER</b>			
<b>APPLICANT NAME</b>			
<b>ADDRESS</b>			
<b>PHONE</b>		<b>FAX</b>	
<b>PROJECT TYPE</b>	<b>AMENDED/TC</b>	<b>OTHER</b>	
<b>APPROVALS HELD</b>			
<b>PRODUCT</b>		<b>MODEL NO.</b>	
<b>PRODUCT LOCATION</b>			
<b>NON-U.S. PARTS SUPPLIER MFG LOCATION</b>			
<b>BRIEF DESCRIPTION OF PROJECT</b>			

**NOTE: Contact the International Policy Office (AIR-40) for assistance with questions relative to bilateral agreements and their applicability.**

	FAA	CAA	Designee
1. Who will approve the design?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Who will perform manufacturing conformity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Who will perform installation conformity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Who will witness required testing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Who will have continued airworthiness oversight responsibility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Who will make determinations of airworthiness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Who will issue the Authorized Release Certificate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Decision Paper for TC Projects (continued)**

	Yes	No	N/A
8. Are any non-bilateral countries proposed as parts supplier locations? (If answer is yes, undue burden finding should be made.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Will test witnessing be required outside the United States?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Must other technical cooperation with the CAA(s) be arranged? (If answer is yes, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. If proposed, have FAA designees been briefed on their potential roles? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If any answers below are no, briefly explain in conclusion section.</b>	Yes	No	N/A
12. In the event of suspected noncompliance with regulations, has the applicant identified an accountable person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Does the directorate have the adequate funds necessary to support this activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. If production follows type certificate issuance, does the directorate have funds necessary for production oversight?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If any answers below are yes, briefly explain in conclusion section.</b>	Yes	No	N/A
15. Are there any U.S. Department of State prohibitions on official business travel to the out-of-country locations? (Current prohibitions can be obtained by contacting the International Policy Office, AIR-40, the FAA Office of International Aviation (AIA) in Washington, D.C., or U.S. Department of State at <a href="http://www.state.gov">www.state.gov</a> .)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Will this program provide opportunities for continuing dialogue with bilateral partners, or create a new dialogue with CAA(s) that do not have a bilateral agreement with the FAA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Does the CAA require any assistance from the FAA to perform CAA surveillance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Will the PAH participate in training/supporting resource needs of our counterpart CAA(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Estimated Travel Costs for Two Persons**

<b>Location</b>	<b>Airfare Cost</b>	<b>Lodging Cost</b>	<b>M&amp;IE Cost</b>	<b>Local Travel Cost</b>	<b>Total Cost Estimate for One Engineer and One Inspector</b>
Bury St. Edmunds, U.K. (1st year only)	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120

- |   |                          |                          |
|---|--------------------------|--------------------------|
|   | Yes                      | No                       |
| 19. Does this project present complex issues that should be emphasized? (If answer is yes, briefly explain in conclusion section.)                      | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. If project involves a bilateral country, have any functions been delegated to the CAA(s)? (If answer is no, briefly explain in conclusion section.) | <input type="checkbox"/> | <input type="checkbox"/> |

**Conclusion****Supplemental Information (if needed)**



**Appendix B. Decision Paper for STC Projects**

<b>PROJECT NUMBER</b>			
<b>APPLICANT NAME</b>			
<b>ADDRESS</b>			
<b>PHONE</b>		<b>FAX</b>	
<b>PROJECT TYPE</b>	PAE <input type="checkbox"/>	NON-U.S. PARTS SUPPLIER <input type="checkbox"/>	OTHER
<b>APPROVALS HELD</b>			
<b>PRODUCT MFR</b>		<b>MODEL NO.</b>	
<b>PRODUCT LOCATION</b>		<b>STATE OF REGISTRY AND REGISTRATION NUMBER</b>	
<b>MFG LOCATION</b>			
<b>INSTALLATION LOCATION</b>			
<b>BRIEF DESCRIPTION OF PROJECT (INCLUDE PRODUCTION QUANTITY)</b>			

**NOTE: Contact the International Policy Office (AIR-40) for assistance with questions relative to bilateral agreements and their applicability.**

	FAA	CAA	Designee
1. Who will approve the design?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Who will perform manufacturing conformity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Who will perform installation conformity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Who will witness required testing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Who will have continued airworthiness oversight responsibility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Who will make determinations of airworthiness on the test article?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Who will issue the Authorized Release Certificate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Who will be responsible for return to service of the test article?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Decision Paper for STC Projects (continued)**

	Yes	No	N/A
9. Are any non-bilateral countries proposed as parts supplier locations? (If answer is yes, undue burden finding should be made.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. If the test article is not U.S.-registered, and flight testing is necessary in the United States, does the applicant intend to apply for a Special Flight Authorization? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Must other technical cooperation with the CAA(s) be arranged? (If answer is yes, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. If proposed, have designees been briefed on their potential roles? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Is the project multiple STC?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Is the project one-only STC?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If any answers below are no, briefly explain in conclusion section.</b>	Yes	No	N/A
15. If the United States is not the State of Registry, has the appropriate CAA been asked to participate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. If the country of registry is the same as the country of installation, has the CAA been requested to perform conformity inspections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. If installation is occurring outside the United States, will installation be accomplished in an FAA-approved repair station?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Has the applicant been informed that the CAA(s) may assess fees for oversight and surveillance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. In the event of suspected noncompliance with regulations, has the applicant identified an accountable person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Does the directorate have the adequate funds necessary to support this activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Decision Paper for STC Projects (continued)**

- If any answers below are yes, briefly explain in conclusion section.**
- |  | Yes                      | No                       | N/A                      |
|--|--------------------------|--------------------------|--------------------------|
| 21. Are there any U.S. Department of State prohibitions on official business travel to the out-of-country locations? (Current prohibitions can be obtained by contacting the International Policy Office, AIR-40, the FAA Office of International Aviation (AIA) in Washington, D.C., or U.S. Department of State at www.state.gov.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Will this program provide opportunities for continuing dialogue with bilateral partners, or create a new dialogue with CAA(s) that do not have a bilateral agreement with the FAA?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Will the PAH participate in training/supporting resource needs of our counterpart CAA(s)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. Does the CAA require any assistance from the FAA to perform CAA surveillance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Estimated Travel Cost for Two Persons**

Location	Airfare Cost	Lodging Cost	M&IE Cost	Local Travel Cost	Total Cost Estimate for One Engineer and One Inspector
Bury St. Edmunds, U.K. (1 <sup>st</sup> year only)	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120

- |   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| 25. Does this project present complex issues that should be emphasized? (If answer is yes, explain in conclusion section.)                              | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. Do the proposed supplier facilities have a domestic production approval through the local CAA that has CAA oversight?                               | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. If project involves a bilateral country, have any functions been delegated to the CAA(s)? (If answer is no, briefly explain in conclusion section.) | <input type="checkbox"/> | <input type="checkbox"/> |

**Conclusion****Supplemental Information (if needed)**



**Appendix C. Decision Paper for PAE or Non-U.S. Parts Supplier Project**

<b>PROJECT NUMBER</b>					
<b>APPLICANT NAME</b>					
<b>ADDRESS</b>					
<b>PHONE</b>			<b>FAX</b>		
<b>PROJECT TYPE</b>	TC <input type="checkbox"/>	STC <input type="checkbox"/>	PAE <input type="checkbox"/>	NON-U.S. PARTS SUPPLIER <input type="checkbox"/>	OTHER <input type="checkbox"/>
<b>APPROVALS HELD</b>					
<b>PRODUCT MFR</b>			<b>MODEL NO.</b>		
<b>PARTS INVOLVED</b>					
<b>MFG LOCATION</b>					
<b>BRIEF DESCRIPTION OF PROJECT (INCLUDE PRODUCTION QUANTITY)</b>					

**NOTE: Contact the International Policy Office, AIR-40, for assistance with questions relative to bilateral agreements and their applicability.**

**If any answers below are no, briefly explain in conclusion section.**

	Yes	No	N/A
1. Are all parts fully inspectable upon receipt? (If yes, an undue burden decision paper is not required, unless the facility is located in a non-bilateral country.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the applicant identified the location at which parts/assemblies will be inspected and conformity or airworthiness determinations will be made?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Does the applicant hold or has the applicant applied for any production approvals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Has the PAE or non-U.S. parts supplier been fully integrated into the PAH's quality control system to ensure regulatory responsibility and compliance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Has the applicant identified a single point of contact for the extension/supplier production program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. In the event of suspected noncompliance with regulations, has the applicant identified an accountable person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Decision Paper for PAE or Non-U.S. Parts Supplier Project (continued)**

	Yes	No	N/A
7. Has the applicant provided in writing how evaluation and surveillance of the PAE or non-U.S. parts supplier will be conducted, and who will perform the evaluation and surveillance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. For non-bilateral country facilities, has the CAA(s) confirmed to the MIDO that access will be permitted in their countries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the applicant use onsite source inspectors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will all necessary documentation be available in English?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Does the project require any special considerations based on the scope and provisions of the bilateral agreement? (If answer is yes, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Has the applicant been informed that the CAA(s) may assess fees for oversight and surveillance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Are any non-bilateral countries proposed as non-U.S. parts supplier locations? (If answer is yes, undue burden finding should be made.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. If the project involves a bilateral country, will any functions be delegated to the CAA(s)? (Explain what functions will or will not be delegated in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Can the CAA provide the surveillance requested by the FAA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Must other technical cooperation with the CAA(s) be arranged? (If answer is yes, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. If proposed, have FAA designees been briefed on their potential roles? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the directorate have the adequate funds necessary to support this activity? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Will there be two production lines for this product? (If yes, explain in conclusion section which part markings will be used at the non-U.S. location to identify the manufacturing origin of all products and parts.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Are there any U.S. Department of State prohibitions on official business travel to the out-of-country locations? (Current prohibitions can be obtained by contacting the International Policy Office, AIR-40, the FAA Office of International Aviation (AIA) in Washington, D.C., or U.S. Department of State at <a href="http://www.state.gov">www.state.gov</a> .) (If answer is yes, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Decision Paper for PAE or Non-U.S. Parts Supplier Project (continued)**

- |  | Yes                      | No                       | N/A                      |
|--|--------------------------|--------------------------|--------------------------|
| 21. Will this program provide opportunities for continuing dialogue with bilateral partners, or create a new dialogue with CAA(s) that do not have a bilateral agreement with the FAA?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Will the PAH participate in training/supporting resource needs of our counterpart CAA(s)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Has the PAH been advised that a finding of no undue burden in this decision paper does not include a tacit finding of no undue burden for issuing of export airworthiness approvals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Does the CAA(s) require any training to ensure appropriate conduct of FAA oversight? (If answer is yes, briefly explain in conclusion section.)                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Estimated Travel Costs for Three Trips for Two Persons**

Location	Airfare Cost	Lodging Cost	M&IE Cost	Local Travel Cost	Total Cost Estimate for Two Inspectors
Bury St. Edmunds, U.K.	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120
Bury St. Edmunds, U.K.	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120
Bury St. Edmunds, U.K.	(\$1,000	\$1,500	\$840	\$320) x 2 =	\$7,320
				SUBTOTAL	\$21,560

**Decision Paper for PAE or Non-U.S. Parts Supplier Project (continued)**

- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| 24. Does this project present complex issues that should be emphasized? (If answer is yes, briefly explain in conclusion section.) | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. Do the proposed supplier facilities have a domestic production approval through the local CAA that has CAA oversight?          | <input type="checkbox"/> | <input type="checkbox"/> |

**Conclusion****Supplemental Information (if needed)**



### Appendix D. Decision Paper for Issuance of Export Airworthiness Approvals Outside the United States

<b>PROJECT NUMBER</b>					
<b>APPLICANT NAME</b>					
<b>ADDRESS</b>					
<b>PHONE</b>			<b>FAX</b>		
<b>PROJECT TYPE</b>	TC <input type="checkbox"/>	STC <input type="checkbox"/>	PAE <input type="checkbox"/>	NON-U.S. PARTS SUPPLIER <input type="checkbox"/>	OTHER <input type="checkbox"/>
<b>APPROVALS HELD</b>					
<b>PRODUCT MFR</b>			<b>MODEL NO.</b>		
<b>PARTS INVOLVED</b>					
<b>MFG LOCATION</b>					
<b>BRIEF DESCRIPTION OF PROJECT (INCLUDE PRODUCTION QUANTITY)</b>					

**NOTE: Contact the International Policy Office (AIR-40) for assistance with questions relative to bilateral agreements and their applicability.**

**If below listed answers are no, briefly explain in conclusion section.**

- |   | Yes                      | No                       | N/A                      |
|---|--------------------------|--------------------------|--------------------------|
| 1. Has the PAH identified all supplier locations outside the United States where Forms 8130-3 will be issued?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Does the PAH have a representative of the Administrator identified under 14 CFR part 183 for issuing export airworthiness approvals? Identify which type in the conclusion section (that is, Designated Manufacturing Inspection Representative (DMIR), Organizational Designation Authorization (ODA), or an authorized employee under an Organizational Designated Airworthiness Representative (ODAR)). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Can the MIDO/CMO support the FAA designees if the PAH does not have an ODA or ODAR?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Has the PAH agreed to provide resources to transport FAA designees to the United States for supervision, monitoring, and training?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Decision Paper for Issuance of  
Export Airworthiness Approvals Outside the United States (continued)**

<b>If below listed answers are no, briefly explain in conclusion section.</b>	Yes	No	N/A
5. Has the PAH been made aware that its FAA designees may issue Forms 8130-3 only after the PAH has determined that the part conforms to the approved type design and is in a condition for safe operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Are the PAH's supplier control and oversight systems acceptable to the FAA MIDO or CMO?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Has the PAH's supplier control and oversight system been appropriately modified to accommodate the activity of issuing export airworthiness approvals at the overseas location?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Have FAA designees been briefed on their roles and responsibilities? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the directorate have the adequate funds necessary to support this activity? (If answer is no, briefly explain in conclusion section.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Does the PAH currently have FAA-approved procedures for the direct shipment of parts located outside the United States?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Estimated Travel Costs for Three Trips for Two Persons**

Location	Airfare Cost	Lodging Cost	M&IE Cost	Local Travel Cost	Total Cost Estimate for two Inspectors
Bury St. Edmunds, U.K.	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120
Bury St. Edmunds, U.K.	(\$1,000	\$1,400	\$840	\$320) x 2 =	\$7,120
Bury St. Edmunds, U.K.	(\$1,000	\$1,500	\$840	\$320) x 2 =	\$7,320
				SUBTOTAL	\$21,560

**Conclusion**

**Supplemental Information (if needed)**

## **Appendix E. Administrative Information**

- 1. Distribution.** This order is distributed to all Aircraft Certification Service headquarters offices and directorates, all Aircraft Certification Offices (ACO), all Aircraft Certification field offices, all Manufacturing Inspection Offices (MIO), all Manufacturing Inspection District Offices, all Manufacturing Inspection Satellite Offices, all Certificate Management Offices (CMO), all Certificate Management Units, and the Aircraft Certification Branch at the FAA Academy.
- 2. Background.** The guidance in this order originated as AIR-200 policy memorandums issued to standardize the approach used to determine undue burden. Various ACOs and MIOs had independently interpreted these regulations, and this order was issued to standardize the process and to elevate this guidance to an FAA order from the former policy memorandums.
- 3. Delegation of Authority.** AIR-200 is responsible for issuing, revising, or cancelling the material in this order.
- 4. Deviations.** Adherence to the procedures in this order is necessary for uniform administration of this directive material. Any deviations from this guidance material must be coordinated and approved by AIR-200. If a deviation becomes necessary, the FAA employee involved must ensure that the deviations are substantiated, documented, and concurred with by the appropriate supervisor. The deviation must be submitted to AIR-200 for review and approval. The limits of federal protection for FAA employees are defined by Title 28 of the United States Code § 2679.
- 5. Suggestions for Improvement.** Please forward all comments on deficiencies, clarifications, or improvements regarding this order to:

Aircraft Certification Service  
Administrative Services Branch, AIR-510  
ATTN: Directives Management Officer  
800 Independence Avenue, SW.  
Washington, DC 20591

FAA Form 1320-19, Directive Feedback Information, is located as Appendix F to this order for your convenience. If you require an immediate interpretation, please contact AIR-200 at (202) 385-6346; however, you should also complete Form 1320-19 as a follow-up to the conversation.

- 6. Records Management.** Refer to FAA Orders 0000.1, FAA Standard Subject Classification System; 1350.14, Records Management; and 1350.15, Records Organization, Transfer, and Destruction Standards; and AIR FAA AIR-04-01, or see your office Records Management Officer/Directives Management Officer for guidance regarding the retention or disposition of records.



**Appendix F. FAA Form 1320-19, Directive Feedback Information**

U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## Directive Feedback Information

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: Order 8100.11B

To: Directive Management Officer

*(Please check all appropriate line items)*

- ☐ An error (procedural or typographical) has been noted in paragraph \_\_\_\_\_ on page \_\_\_\_\_.  
☐ Recommend paragraph \_\_\_\_\_ on page \_\_\_\_\_ be changed as follows:  
*(attach separate sheet if necessary)*  
☐ In a future change to this directive, please include coverage on the following subject  
*(briefly describe what you want added):*

☐ Other comments:

☐ I would like to discuss the above. Please contact me.

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

FTS Telephone Number: \_\_\_\_\_ Routing Symbol: \_\_\_\_\_

**FAA Form 1320-19 (8-89)**