

**Clearance Record
DOCUMENT COMMENT LOG**

Originating Office: AIR-110	Document Description: AC 21-SoC – Applicant’s Showing of Compliance and Certifying Statement of Compliance	Project Lead/Reviewer	Reviewing Office: ATL, CHI, ICT ACO; MCO, 110/112	Date of Review:
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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ACE-115A	Page 1, para. A. 1. a. and b.	Suggest revision of para. A. 1 in its entirety in accordance with Order 1320.46	The wording specified in Order 1320.46 is “if you use the means described in the AC, you must follow it in all important respects.”	<p>Suggest deletion of sub paras. a. and b. to be replaced with the following:</p> <p>“a. This advisory circular (AC) provides guidance and describes one method, but not the only method, for demonstrating compliance with 14 CFR 21.20, 21.97, and 21.303.</p> <p>b. This AC is not mandatory and does not constitute a regulation. This AC describes an acceptable means, but not the only means, to comply with the requirements 14 CFR §§ 21.20, 21.97 and 21.303. However, if you use the means described in this AC, you must follow it in all important respects ”</p>	Non-Adopted, “... follow it in all important aspects” is considered too subjective. If something is to be omitted, the applicant must request permission.

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ACE-115A	Page 1, para. A. 1. a.	Part 21.603 requires a similar statement for TSO products. For completeness, the TSO statement should be included in this AC or if covered in another document, the reader should be referred to that document	Applicant’s statement required by 21.603 performs the same function as those required by 21.20, 21.97, and 21.303(a)(5). Completely ignoring or omitting 21.603 could be interpreted as indicating that the compliance statement for 21.603 is somehow different or not required.	Include the statement for 21.603 or refer the reader to where information on that statement can be found.	Non- Adopted, 21.603(a)(1) has a “statement of conformance” not “compliance”. There is no “showing” or “finding” in the TSO process. This would raise more confusion than clarity.
ACE-116W	Page 1, Para. A.1.b.	The last sentence requires an applicant to follow the entire AC if they use the means described therein. If the AC is not mandatory why is it a requirement to follow it in its entirety?	Seems inconsistent.	Delete this sentence.	Non-Adopted, choosing to use the AC is not mandatory, but once used, if must be followed. If something is to be omitted, the applicant must request permission.
ACE-115A	Page 1, para B. 3. Now B.1.	Suggest revision of para B. 3.	<p>The regulations listed do more than just “emphasize,” by nature, they dictate or require that it is the applicant who is responsible for satisfying all applicable requirements. Perhaps the recent revisions were made to emphasize this requirement but draft AC does not state this correctly.</p> <p>The purpose of the note is unclear. The means of compliance referenced by the note is indeed required by the rule, though the</p>	<p>Suggest revising title of para to:</p> <p>Title 14 CFR §§ 21.20(a), 21.97(a)(2), 21.303(a)(4)</p> <p>Suggest revision of para B. 3. to be replaced with:</p> <p>Per 14 CFR 21.20(a), and 21.97(a)(2), it is the applicant’s responsibility to satisfy all applicable requirements. These two regulations also require the</p>	Partially Adopted. Added reference to Order 8110.42

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			<p>means in the case of PMA are specified by the rule as, “tests and computations.”</p> <p>Identifying the means of compliance to the applicable regulations is expected per Order 8110.42 for applicants for PMA where the basis is test and computations, either by comparative or general analysis.</p>	<p>applicant to provide to the FAA the “means” by which compliance has been shown.</p> <p>Note: 14 CFR 21.303(a)(4) also requires applicants for PMA to show that the design of the article meet the applicable airworthiness requirements, and while identifying the means by which compliance has been shown is not explicitly stated by the rule, it is expected per Order 8110.42, unless the applicant shows that the design of the article is identical to the design of an article that is covered under a type certificate.</p>	
ACE-117C Boffo	Page 1, Paragraph B.3. and Page 2, Paragraph B.4 Now B.1. and B.2.	Although 14CFR 21.97(a) (2) is listed in the paragraph, “major changes to type design” are not listed with “...TC, ATC, STC, or ASTC.”.	We have many projects that are major changes to type design that do not result in the issuance of a new or amended certificate.	Add “Note: A Statement of Compliance is also required for major changes to type design of existing TC, ATC, STC or ASTCs.”	Partially Adopted, added reference to major change to type design
ACE-112	Page 2 Add Paragraph	Add a paragraph on applicable requirements for new TCs and Changed Products.	While most folks understand the cert basis for a new TC we need more and continued clarity that the changed product rule will dictate the applicable requirements for changed products. We do not want applicants developing a compliance checklist without first knowing the FAA can agree to the basis they are seeking to comply	Add a paragraph Title “applicable requirements” to remind the applicant of the applicable requirements for new TCs and Changed products.	Non-Concur Out-of-Scope, considered covered by 3 and Changed Product Rule guidance.

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			with.		
ACE-112	Page 2 Para 4 Now B.2.	The document is mute as to environmental requirements, which also must be complied to. How will these be dealt with? If they are to be FAA only (which I believe they are) should this be stated or the approval method for this quantified?	No mention of environmental compliance issues.		Adopted, good catch! Use “applicable” rather than “airworthiness” in paragraph 4 and defined applicable in paragraph 3
Frank Mokry ACE-100M	Page 2 Para 4 Now B.2.	Was: If you are an applicant for a TC, STC, ATC, ASTC, or PMA then you must show compliance to the airworthiness requirements, which you document as substantiating data. Substantiating data must be submitted to the FAA along with a statement of compliance in order for the FAA to issue the certificate or PMA.	Clarification of paragraph	Suggested: “ ... then you must show compliance to all applicable airworthiness requirements, which you document with substantiating data.”	Adopted

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ACE-112	Page 2, paragraph 4 Now B.2.	If you are an applicant for a TC, STC, ATC, ASTC or PMA then you must show compliance to the <u>airworthiness requirements</u> , which you document as substantiating data.	There has to be determination of the “applicable airworthiness requirements” before a compliance checklist is developed. 14 CFR 21.101 is a continually difficult process to apply standards.	Add word “applicable” so the text reads “...applicable airworthiness requirements...”	Partially Adopted, “applicable requirements” used because it includes noise, emission, etc.
ACE-117C Boffo	Page 2, Paragraph B.4. Now B.2.	The first sentence doesn’t make sense.	The sentence needs to be more clear.	Change “as” to “by substantiating”	Partially Adopted, used “with”
ACE-116W	Page 2, Para. B.4 Now B.2..	Second sentence states that substantiation data is to be submitted to the FAA. This is not accurate in accordance with 21.97.	21.97 requires an applicant to provide data to the FAA, not submit it. Submission carries the implication that an approval is needed, whereas providing the data does not carry that implication.	Clarify to agree with the rule, 21.97, for major changes.	Adopted, good catch
ACE-117W	Page 2, Para. B.4 Now B.2.	It would seem that the issue of ODA’s could be handled more clearly by addressing this subject in this paragraph rather than providing the information in the FAQ section.	As noted.	Address this subject regarding ODAs in this paragraph.	Non-Adopted, pretty close to accepting but as written, paragraph 12 covers both showing/means and statement. Paragraph 4 is before statement is mentioned.

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ACE-115A	Page 2, para B. 4. Now B.2.	Suggest revision of the paragraph.	The “If...then” statement is not necessary based on the audience reading the document as defined in para A. 2.	Suggest revision of this paragraph to the following: “Applicants for TC, STC, ATC, ASTC, and PMA must show compliance to the applicable airworthiness requirements. Substantiating data necessary to show compliance must be provided to the FAA along with a statement of compliance in order for the FAA to issue the certificate or PMA.”	Adopted
Frank Mokry ACE-100M	Page 2 Para 5 Now B.3.a.(3)	2) For each of the regulations: was: i. The means of compliance, whether by analysis, flight test, ground test, design similarity, equivalent level of safety, or exemption, and	Clarification of paragraph	Suggested: “The means of compliance, whether by analysis, test (flight test, ground test, other), design data, design similarity, equivalent level of safety, or exemption, and”	Adopted
ACE-112	Para 5 Now B.3.	Please provide a template for this in the Appendix.	There be wildly varying documents submitted. Inefficient to have a non-standard process.		Non-Adopted, a “compliance listing” is merely a new terminology that more accurately reflects the function of a “compliance checklist”. We intentionally were non-specific to allow different formats and describe the contents. Compliance listing will probably be

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					mentioned in future directives, such as PMA and Type Certification.
Frank Mokry ACE-100M	Page 2 Para 5 Now B.3.b.	Was: b. If you use a compliance listing, submit it to the project aircraft certification office (ACO) and update it as compliance is shown. ...	Add ACO buy in of Compliance Listing	Suggested: "...(ACO) for acceptance and update it as compliance is shown. ..."	Adopted
ACE-115A	Page 2, para B. 5. Now B.3.	The AC should possibly reference Order 8110.4 and/or AC 23-24	Order 8110.4 describes, and AC 23-24 contains a good checklist as described by this paragraph.	Suggest review of Order and ACs with such checklist for possible reference in final AC.	Partially Adopted, added FAQ paragraph D.1. to describe and referenced in E.1.a.
ACE-115A	Page 2, para B. 5. Now B.3.	This AC refers to a "Compliance Listing" while FAA Order 8110.4C refers to a "Compliance Checklist" for documents with similar descriptions. If there is a difference in the two documents, please clarify the difference otherwise we should be consistent in our nomenclature across guidance material.	Throughout our regulatory and guidance documents slight differences in the title imply different documents which could have vastly different objectives and contents. While typically the differences are adequately defined, this appears to be lacking in this instance.	Use the term " <i>Compliance Checklist</i> " in lieu of " <i>Compliance Listing</i> " throughout the AC.	Partially Adopted, added FAQ paragraph D.1. to describe. Order 8110.4D should follow this new terminology.

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ACE-117W	Page 2, Para. B.5. Now B.3.	Compliance Listing seems to be a new term. Order 8110.4C uses the term “Compliance Checklist”. If they are in fact the same thing, a cross reference for the terminology would be helpful.	Clarify if necessary.	As noted in comment section.	Adopted, added FAQ paragraph D.1. to describe. Order 8110.4D should follow this new terminology.
ACE-115A	Page 2, para 5.a Now B.3.a.	It is not clear if the compliance listing is to be done at the beginning of the cert program or at the end.	Clarity is required.	Change 5.a.1 to read “All the regulations you <i>will be</i> complying with...”, and change 5.a.2.ii to read “... substantiating data <i>that will be</i> used...” .	Adopted, wording change made
ACE-115A	Page 2, Para B. 5 Now B.3.b.	Suggest revision of a. to include 21.303(a)(4)	As explained in a previous comment. 21.303(a)(4) and FAA Order 8110.42 explain that the means of compliance are test and computation. Since 21.303 already requires the applicant to show compliance it is only logical for a means to be identified for each applicable regulation, where the means be either test, computation, and/or analysis.	Suggest revision of a. to include: 21.303(a)(4) and Deletion of Note regarding PMA	Non-Adopted, the providing of the “means of compliance” is not explicitly required by the regulation, so we can’t mandate it.
ACE-117C Raspanti	Page 2, Paragraph B.5.a.2) Note: Now B.3.a.(3)	Need to add a reference to the regulations	To give more encouragement to provide a compliance checklist for PMA’s	Make the Note read, “A compliance checklist is also highly encouraged for showing compliance to 14 CFR 21.303(a)(5) for PMA.	Non-Adopted, this is explained between notes under B.3.a.(3)(b) and C.1.b. Additionally, 21.303(a)(5) does not require a check list but (a)(4) implies it. So we are

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					stretching the regulation and only “highly encourage” its use.
ACE-116W	Page 2, Para. B.5.b. Now B.3.b.	The first sentence is not clear. The compliance listing only provides a reference to the substantiating data. What updates would be expected since it is only a reference to the data and not the actual data?	The reference to the data will not change as compliance is shown.	Delete the requirement to update as compliance is shown.	Non-Adopted, it works for larger programs and some programs may not have generated all the substantiating data when the initial compliance listing is submitted.
ACE-115A	Page 2, Para. 5, a, 2, i Now B.3.a.(2)(a)	Design similarity is not a credible means of compliance because it assumes the similar product or part is compliant and that the showing and finding of compliance for the similar product or part will never have airworthiness action placed against it in the future. Also, similarity is a misleading term because completely different conditions (or certification basis) may have been used to develop the similar part or product.	To be inclusive of all methods of compliance.	The means (method) of compliance must be expanded upon with enough detail to allow all parties to agree that the means of compliance when executed in a proper manner will be reliable Add more method of compliance such as, “inspection, safety assessment, qualification testing, and other acceptable methods”	Partially Adopted, added “etc.”

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ACE-112	Para 5 a 2 ii Now B.3.a.(2) (b)	<p>“substantiating data”</p> <p>Isn’t this meant to refer to the type design – the type design is what is complying with the regulations. This needs to be defined (i.e. a top drawing) and the top drawing has to have been approved by all applicant’s designees for their areas.</p>	Need to identify what is actually being approved, the actual model/part number/ project identification.		Adopted, new 5.a.(1) added to reference design data to be approved.
ACE-112	Para 6 a Now C.1.a.	<p>What is the implication of the term compliance statement certifying – is certifying used in context with the “certification” issue at hand or as common English usage?</p> <p>What is the implication of a certifying statement – is this considered a sworn statement – what is the legal status of the term?</p>	Certifying statement – no definition found -- where is it defined?		Non-Adopted, we say what it is in paragraph C.1.b. and subject to falsification
ACE-115A	Page 2, para 6.a Now C.1.a.	The first sentence describes a singular “compliance statement”, but then two separate statements are described (i.e., an initial and a final compliance statement)	If two compliance statements (i.e., an initial and a final) are required then that should be stated accordingly.	Modify 6.b to describe the “initial compliance statement” and 6.c to describe the “final compliance statement”	Adopted.

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ACE-115A	Page 2, para 6.a Now C.1.a.	The second sentence says the statement “can be done as part of the compliance listing”, which implies it doesn’t have to be.	For clarity and to note that compliance listing, in most cases, will only be a promise (intent) subject to verification which will come after the listing is submitted to the FAA.	Change sentence to read “An initial compliance statement must be done as part of the compliance listing, and a final compliance statement must be done at the completion of the project.”	Partially Adopted, C.1.c. statement is now optional.
ACE-115A	Page 2, Para. 6, b Now C.1.c.	Applicant is to provide a statement that he will not submit data “until we have complied with the applicable requirements for that submittal.” Need to clarify “submittal.” For example, the submitted compliance listing shows that a specific compliance document will be used to show compliance to 4 different regulatory requirements. When the applicant submits the compliance document he states that the current revision only shows compliance with 3 of the 4 requirements and a future revision will show compliance with the 4 th . Do we accept the submittal or return it? Can we cite him for falsification?	For clarity and to ensure that statement is consistent with procedures we normally use to manage and process certification projects. Clarify intent of “submittal” and the purpose for making the statement of compliance.	Amend the compliance statement to read, “I certify that data submitted to the FAA or its designated representative have complied (or will comply) with all applicable requirements noted in the compliance listing and all other certification requirements related to the submittal”	Non-Adopted, suggestion adds confusion rather than clarity. Some latitude has to be granted when seeking falsification charges.

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ACE-115A	Page 2, Paragraph 6 b Now C.1.c.	Add incremental compliance statements as an option for applicants that do not submit a single complete final compliance package. Suggest revision of compliance statement that is to be a part of the compliance listing.	The provided statement is confusing. As many large projects utilize incremental compliance showings for a subset of the applicable regulations and have an expectation of FAA review and concurrence prior to the final submittal, an applicant should have the latitude to support those submittals with an interim statement of compliance. This is not unlike the manufacturing parallel in which an applicant must support subtier part conformity, below the product level, with statements of conformity for those lower level parts.	Suggest revision of statement to: “I certify that all data showing compliance to the applicable regulations will be submitted to the FAA and that I will notify the FAA when all necessary data has been submitted.”	Partially Adopted, it was decided to not include interim statements for every submittal for a few reasons: 1) rule didn't envision that when originally promulgated. 2) seemed potentially overwhelming for some applicants to given the volumes of submittals. 3) there was too many variations of when to submit interim statements, with each paragraph, or sub-paragraph or with each 8110-3.
ACE-117C Boffo	Pages 2-4, paragraph B.5, B.5.a, B.5.a.Note, B.5.b, B.5.c, C.6.a, C.6.b, D.8, and D.11.	Need to use common terminology	The standard terminology is Compliance Checklist as used in Order 8110.4.	Change “listing” to “checklist”.	Non-Adopted, Change in terminology was decided and FAQ added to support change.
ACE-117W	Page 2, Para. C.6 Now C.1..	This is advisory material that uses the wording that the applicant “must” .	We have an applicant that has developed their own wording that we believe means the same.	Perhaps something like:you should provide a compliance statement...	Non-Adopted, the rule says the applicant must provide a statement, these are the words required.

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ACE-117W	Page 2, Para. C.6. Now C.1.	We have already had comments from industry regarding how confusing it is to be asked for an applicant "Statement of Compliance" when the Form 8100-9 is called a "Statement of Compliance".	This could possibly "muddy the waters" between the applicant showing and FAA finding.	As noted.	Non-Adopted, "statement of compliance" is the term used in the regulation.
ACE-117W	Page 2, Para. C.6. Now C.1.	How is the compliance statement recorded?	We have an applicant that provides that statement electronically by the project engineer when he/she closes the project. No hand written signature is provided. The record of the project engineer's concurrence with the statement is part of the electronic project file. Is this method adequate?		Answered, electronic signature is adequate as long as agency electronic signature policy is followed by the applicant.
ACE-112	Page 2, c.6.a Now C.1.a.	This can be done as part of the compliance listing, as well as at the completion of the project.	When is the "compliance listing" submitted? At the beginning of the project with the application? How does the changed product rule fit in with the acceptability of the compliance listing?	Suggested Change: Add a frequently asked question: Can I provide a statement of compliance when I submit the application for the certificate?	Partially Adopted, reworded sentence to include "optional" compliance listing.
ACE-117W	Page 2, Para. C.6.b. Now C.1.c.	I thought that the compliance statement as a part of the compliance listing was not required. As written, it would appear that the statement of compliance as part of the compliance listing is optional.	Seems inconsistent.	Delete this paragraph as written.	Partially Adopted, reject as written, reworded sentence to include "optional" compliance statement.

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ACE-117C Kuen	Page 3, Paragraph C.6.c Now C.1.b.	“[reference inserted]” is not specific enough	We have applicants that only want to put Part 23, 25, etc.	Change to: [insert compliance listing/compliance report document number/revision]	Partially Adopted, added detail to the reference.
ACE-115A	Page 3, Paragraph 6 c Now C.1.b.	Resolution of issues related to an acceptable Method of Compliance is one of the reasons for preparing an Issue Paper. Not requiring the applicant to certify that he has utilized the methods of compliance agreed to in the certification plan when he showed compliance opens the entire system up for distrust and abuse.	Our decision to accept the applicant's showing without further review is based upon the methods of compliance outlined in the agreed certification plans. Without linking the statement to the certification plan(s), assuming that we accept the applicants showing of compliance without further review, the applicant can deviate from the methods agreed to in the certification plan and use a different method that he feels shows compliance even if the FAA has stated that the methods do not show compliance. He is still able, since he believes that compliance has been shown, to make the compliance statement.	The compliance statement needs to read similar to "I certify that we have complied with all applicable requirements, as identified in the certification basis [reference inserted], using the methods of compliance identified in the agreed certification plans."	Adopted.
ACE-115A	Page 3, para C. 6. d Now C.1.d.	The word “part” should be “article”.	Reference 21.303 language. “PMA article” is more appropriate and consistent with the regulation wording.	Suggest changing: “PMA part” to “PMA article”	Non-Adopted, end of sentence was removed due to another comment. Comment not applicable anymore. Thanks though.

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ACE-117C Boffo	Page 3, Paragraph C.6.d. Now C.1.d.	It appears that an STC applicant would be responsible to make a statement of compliance for the product.	Product is Airplane, engine, propeller. The STC applicant should show compliance for the modified area only.	After certificated, add “modification to a product,”	Partially Adopted, eliminated “entire” because it only added to the stated confusion. Paragraph B.1. defines “applicable requirements” and adds footnote that should clear this confusion.
ACE-116W	Page 3, Para. C.6.d Now C.1.d..	Insert “or design change” after product.	As written, it would imply that the applicant for approval of a design change must also show compliance for the certification requirements of the product and not just the areas of change.	Change to read: “...compliance responsibility for the entire product or design change to be certificated...”	Partially Adopted, 21.97(a)(2) says just that. Paragraph B.1. defines “applicable requirements” and adds footnote that should clear this confusion.
ACE-116W	Page 3, Para. C.6.e. Now C.1.e.	Can the individual identified as the one to make the statement of compliance be a designee acting on behalf of the applicant and who also be making the finding of compliance?	Unclear if one person can perform both making the statement of compliance and the finding.	Respond to question.	Adopted, they cannot, by policy, paragraph modified to reflect.
ACE-115A	Page 3, Para 6.e. Now C.	This paragraph states: “The statement needs to be made by an individual having authority over the certification. The individual and their position should be identified at the time of application or well in	Since an individual having authority over the certification could be an employee of an agent for applicant, and not an employee of the applicant, then per this paragraph the statement will be signed by someone other than the applicant. I would assume the intent of the rule is to have the	Provide better clarification Revise the first sentence to read “ <i>The statement needs to be made by a full-time employee of the applicant having ...</i> ” Possible revision that the statement shall be signed by a	Adopted, “in the company” added after position... in the second sentence.

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		advance of the program’s completion. If you have a Partnership for Safety Plan (PSP) or Project Specific Certification Plan (PSCP), the authorized individual may be identified therein.” Can an agent of the applicant make the statement on behalf of the applicant?	applicant provide the statement and not an agent of the applicant.	representative of the company having such responsibility as attested to by a company officer. A company officer may also sign such statement.	
ACE-117C Kuen	Page 3 Para C.6.e. Now C.1.e.	The statement of compliance must be signed and provided to the ACO.	The AC does not required a signed statement of compliance. Applicants have requested to provide the statement in their Compliance Report and have the evidence of signature based on approval of the document on the cover page.	Require signature by the designated individual with the statement of compliance.	Adopted, “and sign” added to paragraph 6.a.
ACE-117C Kuen	Page 3 Para C.6.e Now C.1.e..	Require original “wet” signature with the statement of compliance similar to a STC application.	Applicants have requested to provide electronic signatures as evidence of signing the statement of compliance. These applicants do not have any PSP or electronic data agreement.	Require original signature with the statement of compliance.	Non-Adopted, silence on this issue will default to existing agency electronic signature policy.
ACE-116W	Page 3, Para. C.7. Now C.2.	Clarify what is expected for approval of a major change.	A certificate is not issued or amended for approval of many major changes.	Address major design changes in the document.	Adopted, major change added to paragraph.

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ACE-112	Page 3, paragraph 7 Now C.2.	The ACO can commence project management activity prior to receiving the compliance statement. However, the final compliance statement must be made before the FAA issues the TC, ATC, STC, ASTC or PMA.	This section fails to consider 21.101 and determination of “significant change” and “adequacy of certification basis” per our own guidance.	Add words to address that, for changed products, a determination of the adequacy of the certification basis may be necessary to establish the appropriate and applicable requirements. This should be done BEFORE the applicant performs the work to comply with the wrong basis.	Non-Concur Out of Scope, this policy doesn’t counter any 21.101 policy.
ACE-115A	Page 3 C.7 Now C.2.	The title of this paragraph identifies the “Statement of Compliance” as a “Showing of Compliance and Compliance Statement.”	Need to use the same nomenclature in referring to a document.	Change the title to “Timing of Applicant’s Certifying Statement of Compliance”	Adopted, title reworded.
ACE-115A	Page 3, C 7 Now C.2.	Modify to match comments above. Edit the following sentence: “ <i>However, the final compliance statement must be made before the FAA issues the TC, ATC, STC, ASTC or PMA.</i> ”	Continuity. For clarity and to ensure that statement is consistent with procedures we normally use to manage and process certification projects. Clearly state that the FAA or an FAA Representative will not support an interim compliance finding or approve incremental data until the company has submitted a statement that the incremental data is compliant with the applicable regulatory requirements.	Revise the noted sentence to: “ <i>However, an appropriate compliance statement must be provided before any incremental compliance findings are supported by the FAA or its designees, or, if incremental submittals are not utilized, the final compliance statement must be made before the FAA issues the TC, ATC, STC, ASTC or PMA.</i> ” or The second sentence already refers to the “final” compliance statement, therefore change the first sentence to read “...prior to receiving the <i>initial</i> compliance statement.”	Non-Adopted, we did not intend for the statement to be required for every submittal.

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ACE-115A	Page 3, C 7 Now C.2.	This paragraph implies that, especially if the applicant chooses to make the statement of compliance as part of the compliance listing, that we can begin the project without this statement, and by extension, without the compliance listing. However, 8110.4C paragraph 2-3(d)(5) & (6) lists the compliance listing/checklist as part of the certification plan. And 8110.4C paragraph 2-5(d) states that we should not perform any certification activities until the certification plan is accepted/ agreeable. This interpretation of 8110.4C, paragraph 2-5(d) is emphasized in need for a deviation memo that permits issuance of RFCs for long lead-time components.	Need to consistently set expectations for applicants and FAA especially when identifying when certain certification activities can or can not be performed.	Clarify exactly what “project management activities’ is, ie, does not include processing conformity requests, approving test plans, witnessing or observing certification tests, or performing any other certification project activities.	Non-Adopted, your, “... be extension” argument is incorrect. Order 8110.4C dictates when the compliance listing/certification plan is submitted. This AC doesn’t change that.
Frank Mokry ACE-100M	Page 3 Section D Now D.4.	page 3. section D. Frequently Asked Questions. 9. “ How does ... approval?”	Suggested clarification	Add: “The FAA and it’s designees make findings of compliance, the applicant is responsible for the show of compliance to the applicable airworthiness requirements”	Non-Adopted, ok as written.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ACE-117C Boffo	Page 3, Paragraph D.	Address whether a signed original is required.	We require signed original for the application and 8110-3's.	Require applicant to submit a signed original for the file.	Non-Adopted, your references are forms, they are original vs copies, but here it's not a form so it's presumed to be an original. In either case, original or copy, it would be legally binding. As far as "for the file", that will be covered in the Notice as direction to the project engineer as to what to do with the form.
ACE-117C Boffo	Page 3, Paragraph D.	Address if the applicant can appoint an agent for the company and sign the SoC.	Many of our applicants appoint individuals to act as agents of the company. Order 8110.4C, Appendix 1, Figure 1, Block 7 instructions allow a person duly authorized by the holder to sign the STC application.	Make it clear whether or not an "agent" can sign a statement of compliance provided it is put in writing from the STC applicant (holder) and submitted to the ACO.	Adopted, can use agent, sentence added to paragraph C.1.e.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ACE-117C Boffo	Page 3, Paragraph D.	Address what to do if the DER is also the applicant.	We have companies that are one or two people.	Allow the DER to act in both capacities.	Non-Adopted, we feel strongly about the separation of “showing” and “finding”, thus applicant and FAA/DER. We could possibly make an exception on a case by case basis through a policy deviation request.
ACE-118W	Page 3, Para 9 Now D.4.	Missing regulations	This refers to 21.20, but it should include 21.97 and 21.303	Add 21.97 and 31.303	Adopted, included
ACE-115A	Page 3, para 9 Now D.4.	In first sentence, change “analysis” to analyses”.	Should be plural.	Incorporate comment.	Adopted, corrected
ACE-115A	Page 3, para 10 Now D.5.	The wording of the question is a bit confusing.	Clarity.	Change to read “Does this shift the responsibility for the compliance finding to the applicant?”	Adopted, made a wording change, hopefully to improve

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ACE-117C Raspanti	Page 4, Pargraph D.11.	Correct typo	compliance is spelled co lmpiance	Change it to “compliance”.	Adopted
ACE-118C Downs	Now D.6.				
ACE-116C Javed					
ACE-116W	Page 4, Para. 11. Now D.6.	Compliance misspelled in last sentence.		Correct error.	Adopted
ACE-115A	Page 4, para 11 Now D.6.	In the first sentence change “data is” to data are”.	Data are plural.	Incorporate comment.	Adopted
ACE-115A	Page 4, para 11 Now D.6.	The second sentence is a bit confusing.	Clarity	Change second sentence to read “Applicants working with an ODA (either the ODA holder themselves or an external applicant) are still required to make the initial and final compliance statements as described above.	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ACE-115A	Page 4, para. 11, 4 th line Now D.6.	Correct spelling of compliance in the following: “co1mpliance statement”	Typo.	“compliance statement”	Adopted
ACE-115A	Page 4 Paragraph 12 Now D.7.	The applicant should acknowledge their design responsibility for all certificates issued regardless of date as a condition of ongoing business with the FAA.	The applicant should acknowledge their design responsibility for all past certificates as a condition of continuing business with the FAA.	Prior to new certification projects, the applicant should have a statement of design responsibility for all past designs on file with the agency.	Non-Adopted, not the intent of the new rule
ACE-116W	General	Is a statement of compliance also required for the compliance for a repair spec?			Answered - No, not unless it is a major change to type design.

**Clearance Record
DOCUMENT COMMENT LOG**

Originating Office: AIR-110	Document Description: AC 21-SoC – Applicant’s Showing of Compliance and Certifying Statement of Compliance	Project Lead/Reviewer ANM-100	Reviewing Office:	Date of Review: 5/2/11
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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
Diane Pagel ANM-130S	Page 1, Section A.1.b.	Need to make clear that who is “we” and “you.”	Clarification.	Add a statement defining that “we” is the “FAA” and “you” is the “applicant.”	Non-Adopted, unnecessary, paragraph A.1.a. states that “we” are the FAA.
ANM-100D	Page 1; Para. 2	Since the lines are somewhat blurred between “ATC”, “ASTC” and “Design Changes”; recommend clarifying that the statement is needed for any activity where a “showing” to the Regulations is required.	There is typically a lot of activity that comes in the form of “Design Change” projects and the concern is that these will go un-noticed. Note: many “Design Change” projects don’t get elevated to an ATC or ASTC. Many offices still use the criteria “if the face of the certificate is not changing, then it’s a Design Change and not an ATC or ASTC.”	Add to Para. 2: “...or amended supplemental type certificate (ASTC) <i>or any design change that requires a showing of compliance to the Regulations</i> for civil aircraft...”	Non-Adopted, incorrect, the rule only applies to changes of “major” classification and higher. § 21.97(a)(3)

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
Diane Pagel ANM-130S	Page 1, Section A. 2	Need to enhance the PMA statement since you defined it in detail for the TC, ATC, STC and ASTC.	Keep this in sync with the first paragraph for consistency.	Revise the last sentence to be as follows: “This also applies to applicants for parts manufacturer approval (PMA) via test and computation for civil aircraft, aircraft engines and propellers.”	Non-Adopted, detail covered in later paragraphs, ok as is.
ANM-100D	Page 2; Para 4 Now B.2.	Since the lines are somewhat blurred between “ATC”, “ASTC” and “Design Changes”; recommend clarifying that the statement is needed for any activity where a “showing” to the Regulations is required.	There is typically a lot of activity that comes in the form of “Design Change” projects and the concern is that these will go un-noticed. Note: many “Design Change” projects don’t get elevated to an ATC or ASTC. Many offices still use the criteria “if the face of the certificate is not changing, then it’s a Design Change and not an ATC or ASTC.”	Add to Para 4: “If you are an applicant for a TC, STC, ATC ASTC, <i>PMA or any design change that requires a showing of compliance to the Regulations</i> , then...”	Non-Adopted, incorrect, the rule only applies to changes of “major” classification and higher. § 21.97(a)(3)
K. Arrigotti ANM-120S	Pg 2 Section 4 Now B.2.	List of applicable project types is in a different order than the three other listings of the same.	Projects are listed as “TC, STC, ATC...” as opposed to “TC, ATC, STC...” These should remain in the same order for all instances to maintain consistency and	Switch STC and ATC.	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
			readability.		
K. Arrigotti ANM-120S	Pg 2 Section 4 Now B.2.	Missed opportunity to further clarify the requirement.	“compliance in order for the FAA to issue” could be improved to further emphasize when this is expected to happen.	Change “compliance in order for the FAA to issue” to “compliance prior to FAA issuance.”	Adopted
K. Arrigotti ANM-120S	Pg 2 Section 4 Also Pg 3 Section 7 Now B.2., D.1.	SOC is expected prior to PMA design approval, not just prior to (or in order for) PMA approval.	The statement of compliance is expected to the ACO to receive design approval. If this line remains vague, it could be allowing the SOC after design approval, but before final MIDO approval.	Add “design approval” to the end of last sentence.	Adopted
Robert Castonguay ANM-130S	Page 2, Section B.4. Now B.2. Section B.5.a.2)ii. Now B.3.a.(3)(b)	How will airborne software be handled?	With no specific CFR for airborne software will airborne software data be part of referenced substantiating data?	Add CFR.	Adopted Partially, Changed “regulation” to “requirement”, which matches rule language.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
Tom Phan	Page 2 par. 5(a)(2)(i) now B.3.a.(3)(a)	The means of compliance should include lab tests.	Certification credits are giving for article and/or parts testing in labs and conformed test bench/stations.	Add lab tests or bench tests.	Adopted Partially, added “etc.”
K. Arrigotti ANM-120S	Pg 2 Section 5a2i Now B.3.a.(3)(a)	This list is highly restrictive and needn’t be.	Sure it’s just an AC, and it doesn’t have to include everything because of that, but a list shouldn’t limit itself to exactly what’s on the list, especially when many things are missing.	Add “etc.” to the end of i.	Adopted
R. Kaufman ANM-150S	Page 2, Paragraph 5.a.2) ii. Now B.3.a.(3)(b)	Change the text to read: The <i>detailed</i> means of compliance, whether by analysis, <i>lab test</i> , flight test, ground test, design similarity <i>analysis</i> , equivalent level of safety, or exemption, and	For clarity in what is required for the compliance listing as some common methods of showing compliance are missing or not complete.	See comment.	Non-Adopted, the compliance listing is just that, a list. The “details” are in the substantiating data that’s referenced in (b).
Diane Pagel ANM-130S	Page 2, Section B. 5 Note Now B.3.a. note	Compliance Listing for PMA.	If the PMA applicant does not submit a compliance listing, what can they submit?	Add 21.305 and/or an alternative if the PMA applicant does not submit a compliance listing.	Non-Adopted, PMA guidance in Order 8110.42 discusses compliance listing. OK as written

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ANM-100D	Page 2; Para 5.b.	Since the lines are somewhat blurred between “ATC”, “ASTC” and “Design Changes”; recommend clarifying that the statement is needed for any activity where a “showing” to the Regulations is required. – plus add in PMA design approval – plus add in PMA design approval	There is typically a lot of activity that comes in the form of “Design Change” projects and the concern is that these will go un-noticed. Note: many “Design Change” projects don’t get elevated to an ATC or ASTC. Many offices still use the criteria “if the face of the certificate is not changing, then it’s a Design Change and not an ATC or ASTC.”	Add to Para 5.b: “...is required to be submitted prior to the FAA issuing the TC, STC, ATC ASTC, <i>PMA or any approval for a design change that requires a showing of compliance to the Regulations</i> ”	Non-Adopted, incorrect, the rule only applies to changes of “major” classification and higher. § 21.97(a)(3)
Diane Pagel ANM-130S	Page 2, Section 5.b. Now B.3.b.	No mention of PMA applicant.	What is the process if the PMA applicant submits a compliance listing? Is MIDO also involved?	Add a sentence to address if the PMA applicant submits a compliance listing.	Non-Adopted, PMA guidance in Order 8110.42 discusses compliance listing. OK as written
Tom Phan	Page 2 par 5(b) Now B.3.b.	The newly created Boeing Aviation Safety Oversight Organization ((BASOO) and Gulfstream ASOO (GASOO) are responsible for ATC/STC/ASTC/Desi	The new organizations within AIR should be included therein.	Add Aviation Safety Oversight Organization (ASOO)	Non-Adopted, considered too isolated to include in guidance.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		gn changes approval.			
R. Kaufman ANM-150S	Page 2, Paragraph C.6 Now C.1.	Add a line after C.6. that includes the regulations that this section seems to be describing, i.e., 21.20(b) and 21.97(a)(3).	Clarity.	Use a line similar to 5.a.	Adopted
R. Kaufman ANM-150S	Page 2, Paragraph C.6.a. Now C.1.a.	You should change the second line to read: This <i>must</i> be done as part of the compliance listing as well as and at the completion of the project.	To make this section clearer, and compliance statement firmer, the applicants should be making a two part compliance statement. Currently, this section allows applicants to make a statement at the start or end of a project rather than both. Instead, this should require that they commit at the project initiation that they will show compliance with all the listed regulations. Then at the end of the project they must state they met their	See comment.	Adopted, in concept, reworded paragraph

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
			commitment and showed compliance with all the listed regulations.		
J. Regimbal, ANM-140S	Page 2, paragraph 6.a. Now C.1.a.	This paragraph states, <i>“As an applicant, you must write a compliance statement certifying that you have met all the applicable requirements. This can be done as part of the compliance listing, as well as at the completion of the project.”</i> It is unclear whether this paragraph is giving the applicant the option of making a statement of compliance as part of a compliance listing in place of a final compliance statement or in addition to a final compliance statement.	It is requested that the wording be changed to clarify the intended requirement and avoid confusion by applicants and ACOs.	Change wording to, “As an applicant, you must write a final compliance statement certifying that you have met all the applicable requirements. In addition to the required final compliance statement, applicants are encouraged to make a compliance statement as part of the compliance listing.	Adopted Partially, omitted encouraged, used optional

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
K. Arrigotti ANM-120S	Pg 2 Section 6a C.1.a.	“as well as” is confusing as to whether it means “in addition to” or “instead of”	6a uses this language. John Regimbal’s comment explains it very nicely and provides a great change.	Change wording to, “As an applicant, you must write a final compliance statement certifying that you have met all the applicable requirements. In addition to the required final compliance statement, applicants are encouraged to make a compliance statement as part of the compliance listing.”	Adopted Partially, omitted encouraged, used optional
Tom Phan	Page 2 Par. 6(a) Now C.1.a.	Data submittal should include the applicant compliance statement	Timing is critical for showing compliance before the FAA or designee finding compliance	The second sentence should read:” This should be done when submitting compliance data, as well as at the completion of the project.”	Non-Adopted, not done for every submittal
Tom Phan	Page 2 Par. 6(b) Now C.1.c.	This par. addresses compliance listing, which is NOT compliance data.	This paragraph serves no purpose and is confusing. Future tense is inappropriate for statement.	Delete par 6(b).	Adopted Partially, will clarify that compliance listing is used for tracking project. Sentence added to 5.b.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
K. Arrigotti ANM-120S	Pg 2 Section 6b, example text Now C.1.c.	“it’s designee” is incorrect grammar and in a highly visible, copied location.	“It’s” is a contract for “it is.” “Its” is the possessive, and the intended, usage.	Remove the apostrophe from the example.	Adopted
Diane Pagel ANM-130S	Page 3, Section C. 6.c Now C.1.b.	Confusion on compliance statement.	Is it required or optional for compliance listing? Why would an applicant write two compliance statements?	Make it clear as to it is optional or mandated. Also if optional, then perhaps a reason why the applicant would want to write the compliance statement twice.	Adopted Partially
Diane Pagel ANM-130S	Page 3, Section C. 6.c Now C.1.b.	Unclear on where the Statement of Compliance resides if not submitted with listing.	How is it submitted?	If there is not listing, then how is it submitted? Is it a separate letter?	Adopted, added sentence
Diane Pagel ANM-130S	Page 3, Section C. 6.d Now C.1.d.	Unclear on approval process?	How it approved?	Is it stamped approved, formal letter or how is it approved?	Non-Adopted, direction on “acceptance” of the statement is in the Notice, guidance to FAA.
Diane Pagel ANM-130S	Page 3, Section C.6.c. Note Now C.1.b. note	Changes to the PMA.	Need to have the changes to the PMA listed.	Add a statement if the PMA is changed, then provide a list of the changes.	Non-Adopted, unnecessary here, policy better located in 8110.42

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
Deane Thomson ANM-130S	Page 3, Section C.6.c Now C.1.b.	Not clear if this statement applies to industry standards <i>“I certify that we have complied with all applicable requirements, as identified in the certification basis [reference inserted]”.</i>	Most of the Avionic equipment must satisfy an industry generated documents like DO-160, DO-178, DO-254.	If the document to be referenced in [reference inserted] is an industry standard, then it should be made clear here. If that is not the purpose of this example then there needs to be an additional compliance wording example here for industry standards.	Non-Adopted, these industry standards are never part of the certification basis for a product, but may be for an article approved under Subpart O
Diane Pagel ANM-130S	Page 3, Section C.6.d Now C.1.d.	Needs more information.	Provide a pointer so the PMA applicant is aware of the process for the PMA.	Provide a pointer so the PMA applicant is aware of the process for the PMA.	Non-Adopted, process is here, PMA Order points here
Diane Pagel ANM-130S	Page 3, Section C. 6.d Now C.1.d.	Unclear on what regulations require the compliance statement.	What regulation stated the compliance statement?	Add 21.20(b) for TC applicants and 21.97(a)(3) for STC and amended TC/STC applicants and 21.303(a)(5) PMA applicants.	Non-Adpoted, incorrect, 21.20 is for TC ATC STC ASTC, 21.97 is for major changes and 21.303 is for PMA
Diane Pagel ANM-130S	Page 3, Section C.6.e Now C.1.e.	Unclear.	If an authorized individual is not named in the PSCP or PSP, then where are they named?	Be more specific as to where the authorized individual is named.	Non-Adopted, we want to leave flexibility as to where identified.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
S. Lennon	Page 3, Section C.6.e Now C.1.e.	The first sentence of this paragraph, the phrase, “individual having authority over the certification” should not be confused to include the FAA designee or ODA unit member.	The FAA designee or ODA unit member may work closely with the applicant/ODA holder on a given project such that they may think they are the appropriate focal to provide the statement of compliance when this statement needs to be provided by the applicant/ODA holder.	In Section C.6.e, in parenthesis add to the first sentence: (but not the FAA designee or ODA unit member).	Adopted
Diane Pagel ANM-130S	Page 3, Section C.7 Now C.2.	Timing.	What is the timeline for the compliance statement to be submitted to the FAA?	Insert a timeline of when the compliance statement must be submitted.	Adopted Partially, did some rewording to reemphasize showing by applicant and makes somewhat of a timeline.
Gregg Nesemeier ANM-130S	Page 3, Section C.7 Now C.2.	Process.	What is the FAA expected to do with the SoC once they receive it from the applicant? In other words, will the procedure be to simply accept the SoC without further review and issue the certificate within some defined time frame, or will the FAA have the latitude to apply any scrutiny to the SoC prior to issuing the	Develop a process once the Statement of Compliance has been submitted.	Non-Adopted, explained in Notice, inappropriate for an AC

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
			certificate? If the latter, applicants should plan to submit the SoC in time to allow for FAA review and certificate issuance in a time frame that meets their needs.		
ANM-100D	Page 3; Para 7 Now C.2.	Since the lines are somewhat blurred between “ATC”, “ASTC” and “Design Changes”; recommend clarifying that the statement is needed for any activity where a “showing” to the Regulations is required.	There is typically a lot of activity that comes in the form of “Design Change” projects and the concern is that these will go un-noticed. Note: many “Design Change” projects don’t get elevated to an ATC or ASTC. Many offices still use the criteria “if the face of the certificate is not changing, then it’s a Design Change and not an ATC or ASTC”.	Add to Para. 7: “...statement must be made before the FAA issues the TC, ATC, STC, ASTC, <i>PMA or design change approval.</i> ”	Adopted Partially (mostly), include 21.97 major changes to type design.
Diane Pagel ANM-130S	Page 3, Section D.8 D.3.	Statement of compliance requirement for PMA.	Since the statement of compliance is not required with each data submittal but part of the compliance listing, what happens if the applicant that has a PMA does not submit a compliance statement with	Be specific where the PMA applicant can submit the compliance statement if the PMA does not submit a compliance listing.	Adopted Partially, final statement sentence added for clarity

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
			the compliance listing?		
K. Arrigotti ANM-120S	Pg 3 Section 8 Now D.3.	Huge vacancy of information will mislead the applicant.	The SOC is not required with every listing, yes. But not because of the initial statement. It's not required with every listing because it's only required ONCE as the final statement. All prior to this are extra courtesies from the applicant.	Add "Additionally, the final compliance statement is all that's minimally required. Statements with data submittals are encouraged."	Adopted, paragraph 6 changed significantly, this should satisfy the concern.
R.Kaufman ANM-150S	Page 3, D. FAQ section	Add a question and response explaining how this impacts 21.183's requirement for no further showing and non-compliances found after the certificate has been granted.	Currently we have allowed Boeing (through their ODA procedures manual) to continue to deliver unchanged follow-on airplanes if a non-compliance is found after the first airplane is certificated. In addition Boeing is not required to fix the non-compliant conditions on the follow-on airplanes. An interpretation of 21.183's no further showing requirement	See comment.	Adopted, qualified "applicable requirements" to be only for the change and added footnote to indicate further AIR-100 activity.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
			allowed this. The new 21.20 and 21.97 regulations require the applicant to show compliance for all regulations. This suggests that known non-compliances must be fixed regardless of 21.183. Please clarify this.		
Tom Phan	Page 3 Par. 8 Now D.3.	Data submittal should include the applicant compliance statement.	Timing is critical for showing compliance before the FAA or designee finding compliance .	The answer is YES. The second sentence should read:” Yes. The statement included as part of a compliance submittal assures the FAA that the applicant has shown compliance to the applicable requirements.”	Non-Adopted, the interim statements with each submittal are not required, instead an initial, optional statement can be submitted with the initial compliance list that says we will always submit compliant data
Tom Phan	Page 3 par. 9 now D.4.	Missing other designees.	FAA Designees included Authorized Representative (AR), Unit Member (UM).	Add AR and UM in second sentence.	Adopted Partially, changed to generic “designee”
K. Arrigotti ANM-120S	Pg 3 Section 9 Now D.4.	Vacancy of information again that is causing concern among designees.	This explanation does not say that designees still have a job (they’re worried). It just says “designees can’t do this” Please reassure the designees here.	Add “DER findings of compliance are still an integral part of many projects.”	Adopted Partially, paragraph reworded to ease the concern

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
K. Arrigotti ANM-120S	Pg 3 Section 10 Now D.5.	Misplacement of critical information, last sentence of section 10.	The reminder to companies that 21.2 applies to this statement should be much more prominent than in the Q&A portion.	Move this sentence to Section 6. Suggest a or e.	Adopted, added to paragraph C.1.a.
K. Arrigotti ANM-120S	Pg 4 Section 11 Now D.6.	Does the ODA requirement for the SOC at the compliance listing add to, or replace, the requirement for the final statement?	It's unclear in the paragraph, just says the initial one is required.	Please clarify.	Adopted, reworded to "final" compliance statement
Diane Pagel ANM-130S S. Lennon (same comment)	Page 4, Section D.11 Now D.6.	Typo.	Misspelling of "coImpliance" It should be compliance.	Change to compliance.	Adopted
Tom Phan	Page 4 Par. 11 Now D.6.	Data submittal should include the applicant compliance statement.	Timing is critical for showing compliance before the FAA or designee finding compliance.	Change the word "listing" to "data."	Non-Adopted, I believe the commenter is referring to interim statements made with each data submittal.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
K. Arrigotti ANM-120S	Pg 4 Section 12 Now D.7.	April 16 th is the past. Therefore, this would be required for <u>some</u> past approvals.	Saying no, and then saying yes, in the same response is not as clear as it could be.	Rephrase answer to say YES, but only for approvals granted after April 16 th .	Non-Adopted, ok as written. Hopefully we have caught approvals that were issued after April 16 but before this policy.
Diane Pagel ANM-130S	Page 4, Section E.13	Add reference.	Add a reference so the PMA applicant can the pertinent references.	8120.2, Production Approval and Certificate Management Procedures.	Non-Adopted, this policy is only for PMA under licensing agreement and only the design portion of that, 8120.2 is not referenced.

**Clearance Record
DOCUMENT COMMENT LOG**

Originating Office: AIR-110	Document Description: AC 21-SoC – Applicant’s Showing of Compliance and Certifying Statement of Compliance	Project Lead/Reviewer	Reviewing Office:	Date of Review:
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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ANE-140	Throughout	The numbering format is confusing. The paragraph numbers continue throughout the document, with no relevance to the section letters (A... 1... a... b... 2... B... 3... 4...)	This unconventional style of numbering makes the document structure hard to follow. Due to this formatting, in section “D. Frequently Asked Questions” the first question is numbered “8.”, which prompts a question what happened to the former seven.	The numbered paragraphs should start over within each lettered section (A... 1... a... b... B... 1... 2...) OR Change the numbering format to be similar with other AC’s. (Ref. AC21-31A or AC21-50)	Adopted
ANE-140	Throughout	The term “compliance listing” in this AC is used both for the compliance listing at the beginning of the project and at the end of the project.	Without clarification, it is not always clear as to whether the document refers to the proposed compliance listing, which would be submitted at the beginning of the project, or the final compliance listing, which would be submitted at the end of the project.	Add clarifying descriptions such as “proposed” or “final” to indicate which part of the project the compliance listing corresponds to.	Adopted, will add “proposed” and “final” where appropriate.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ANE-140	Page 1 Paragraph 2 Now A.2.	Major change in type design is not listed as applicable to this AC.	Granted that major changes in type design are amendments to type certificate, part 21.97 referenced in this AC applies specifically to major changes in type design.	Change the first sentence of paragraph 2 to read: “This AC applies to applicants for a type certificate (TC), amended type certificate (ATC) including major change in type design , supplemental type certificate (STC) or amended supplemental type certificate (ASTC) for civil aircraft, aircraft engines and propellers.”	Adopted, in concept. Made change in last sentence.
ANE-140	Page 1 Paragraph 3 Now B.1.	Major change in type design is not listed as document requiring showing means of compliance before issuing.	Granted that major changes in type design are amendments to type certificate, part 21.97 referenced in this AC applies specifically to major changes in type design.	Change the second sentence of paragraph 3 to read: “The applicant prior to the FAA issuing the TC, ATC, STC, or ASTC, or approving the major change in type design. ”	Adopted
ANE-140	Page 2 Paragraph 4 Now B.2.	Major change in type design is not listed as document requiring showing means of compliance to the airworthiness requirements. Also, ATC and STC	Granted that major changes in type design are amendments to type certificate, part 21.97 referenced in this AC applies specifically to major changes in type design. Make the listing consistent	Change the first sentence of paragraph 4 to read: “If you are an applicant for a TC, ATC including major change in type design, STC, ASTC or PMA then.....”	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		are listed in different sequence than in the rest of the document.	throughout this AC.		
ANE-140	Page 2 Paragraph 4 Now B.2.	Compliance with the applicable regulations should be documented “with” substantiating data, not “as” substantiating data.	Compliance itself cannot be documented as data, but rather is documented with data.	Change “as” to “with”	Adopted
ANE-140	Page 2 Paragraph 5.a.2.i Now B.3.a.(3)(a)	The list of possible means of compliance reads as if it were an exhaustive list.	There are other acceptable means of compliance including engine test, rig test, component test and comparative analysis.	Add “ etc. ” to the end of the list to allow for use of other acceptable methods of compliance.	Adopted
ANE-140	Page 2 Paragraph 5.b	Approved major change in type design is not listed as document requiring compliance listing and statement of compliance.	Granted that major changes in type design are amendments to type certificate, part 21.97 referenced in this AC applies specifically to major changes in type design.	Change the second sentence of paragraph 5.b to read: “A completed prior to the FAA issuing the TC, ATC, STC, or ASTC, or approving the major change in type design. ”	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ANE-140	Page 2 Paragraph 5.b Now B.3.b.	AC states that the compliance listing is to be submitted to ACO, but does not mention if the listing needs to be concurred by ACO.	Further guidance is needed.	State in a note to 5.b if the compliance listing needs to be concurred by ACO or not.	Non-Adopted, it's merely a suggested tool to manage a project
ANE-140	Page 2 Paragraph 6.a & Paragraph 6.b Now C.1.a. and C.1.c.	AC states that the certifying statement can be provided as part of the compliance listing, as well as at the completion of the project. The compliance statement defined in paragraph 6.b is an up-front statement that is not supported by the regulation.	Both Part 21.20(a) and 21.97(a)(3) require statements certifying that the applicant has already complied with the applicable requirements rather than will comply.	Delete the second sentence of paragraph 6.a and make the statement in paragraph 6.b optional and auxiliary OR Delete the second sentence of paragraph 6.a and the whole paragraph 6.b.	Adopted in concept but reworked differently to the same affect.
ANE-140	Page 2 Paragraph 6.b Now C.1.c.	In the statement the word "it's" is grammatically incorrect.	"it's" is the conjunction for "it is". "its" without the apostrophe is the correct possessive usage.	Change "it's" to "its".	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
ANE-140	Page 2 Paragraph 6.b Now C.1.c.	In the statement there are three persons: “I”, “[the] data” and “we” that make the sentence hard to read.	Plain language style.	Change the sentence to start: “I certify that we will not submit data to the FAA...”	Adopted
ANE-140	Page 3 Paragraph 6.d Now C.1.d.	AC mentions “compliance findings” which is not accurate.	The FAA makes one finding of compliance for the whole project rather than multiple findings (ref. paragraph 10 of this AC).	Correct the word “findings” to “ finding ”.	Adopted
ANE-140	Page 3 Paragraph 6.e Now C.1.e.	The second sentence of paragraph 6.e is grammatically imperfect as it starts: “The individual and their position...”	Case changes from singular to plural.	Change the sentence to start: “The individual and the individual’s position...”	Adopted
ANE-140	Page 3 Paragraph 8 Now D.3.	The compliance statement defined in paragraph 6.b is an up-front statement that is not supported by the regulation. It assures only the good intention of the applicant at the time of the proposed compliance listing.	The compliance statement provided at the completion of the project is required by the regulation. However, it is good practice that each submittal should include a statement to what regulation(s) the submittal is showing compliance and that the submittal shows compliance.	Change the answer to: “No. The statement of compliance made at project completion (paragraph 6.c) assures the FAA that the applicant has submitted compliant data. However, while not required, we believe it is good practice that each submittal should include a statement that states to	Adopted Partially, reworking with similar affect

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
				what requirement the submittal is showing compliance.”	
ANE-140	Page 3 Paragraph 9 Now D.4.	The first sentence of paragraph 9 is grammatically imperfect as it starts: “The DER is actingwhen they approve...”	Case changes from singular to plural.	Change the sentence to start: “The DER is actingwhen the DER approves... ”	Adopted
ANE-140	Page 3 Paragraph 9 Now D.4.	The AC states that the DER should not make statements of compliance as this is the applicant’s responsibility.	In small companies the same person could be both the individual with authority to make statements of compliance and the DER who finds compliance. In such situation the individual must not make statement of compliance as a DER.	The AC should mention this situation.	Non-Adopted, the paragraph covers this case indirectly.
ANE-140	Page 3 Paragraph 10 Now D.5.	The second sentence in paragraph 10 stating that the applicant is responsible to show compliance and complete a compliance statement does not	Showing means of compliance is required both by 21.20(a) and 21.97(a)(2).	Change the sentence to read: “The applicant is, however, responsible for completing the statement of compliance, as well as showing compliance and providing the FAA with	Adopted with slight wording change

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		mention the means of compliance that the applicant needs to provide.		the means of compliance when required by the regulations”.	
ANE-140	Page 4 Paragraph 11 Now D.6.	The word “compliance” is misspelled as “co1mpliance” in the second sentence	Typo	Correct misspelling	Adopted

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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-40 Hal Jensen	General	Because the AC does not address whether or not foreign applicants need to meet 21.20, we do not have any comment at this time.	AGC-7 is discussing the issue with AGC-200. Pending that outcome, we may have a suggestion for a future change to AC to make clear whether or not 21.20 applies to foreign applicants.	No suggested change at this point.	Answered, AGC-200 considered it applicable to foreign applicants. Paragraph added to FAQ section of document

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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-230	General	This document seems technically correct			
	General	Alpha-numeric formatting	A.1,2 B. 3,4,5,etc...	Confirm that formatting is in accordance with FAA requirements for Advisory Circulars	Adopted
	Page 1, Para A.1.a.	Grammar	“Title 14 of the Code of Federal Regulations ...”	Should read “Title 145 Code of Federal Regulations ...”	Adopted
	Page 1, Para A.1.b.	Grammar	Second sentence	Change to read: “... to comply with the requirements of ... ”	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
	Page 2, Para B.	Heading	Are repetitive citations of “Title 14 CFR ...” throughout necessary?	Change to: “Sections 21.20(a) and 21.97(a)(2)”	Adopted
	Page 2, Para 5.a. Now B.3.	Add clarity to introductory sentence	Grammar	Change to read as follows: “You can achieve compliance to 14 CFR ...”	Adopted
	Page 4, Para 11 Now D.6.	Spelling-Last sentence	Spelling	Change to: “Compliance”	Adopted

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AFS, rfs	Entire document	Numeric listing continues after alphabetic title changes	Incorrect format	Reformat	Adopted
rfs	1.b.	Don’t agree with canned statement “However, if you use the means described in this AC, you must follow it entirely.”	Applicant has certified that data will not be submitted until requirements are complied with. What’s he/she do when the ACO asks for data in advance?	Modify sentence to allow for deviations	Non-Adopted
rfs	D.11 Now, D6.	Typo	“Compliance” not “Co1mpliance”	Fix typo	Adopted

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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
John Dvorachek ASW-150	Pg. 1, item 1.a.	Delete "We" from opening statement, Should read " The Federal Aviation Administration wrote..."	Plain Language	" The Federal Aviation Administration wrote..."	Non-Adopted, preferred style
John Dvorachek ASW-150	Pg. 4, item 11. Now, D.6.	"compliance" is misspelled.	Improve quality of document	Change "co1mpliance" to "compliance"	Adopted
Mike Heusser ASW-150	Pg. 1, para. 3 Now, B1.	please clarify if these requirements extend to holders of TC's who are requesting design changes that don't rise to the level of an ATC.	Clarity		Adopted, added, "... other major changes to type design."
Alma Ramirez ASW-150	General Comment	Recently we submitted letters to all our active applicants to notify them of the new requirement 21.20, 21.97, 21.303(a)(5), The memo required them to submit a statement of compliance with the applicable requirements prior to us issuing the	Clarification	Recommend that the AC make a note of the new request since it was not part of the AC.	Partially Adopted, pre-statement is optional but "compliance listing" is the way the applicant meets the "means" portion of the rule.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		<p>certificate. This AC now requests that the applicant provide a pre-statement in the compliance checklist (listing) that they will meet the requirements and make a final statement at the end per our requirements. Recommend that the AC make a note of the new request since it was not part of the AC.</p>			
Alma Ramirez ASW-150		<p>Not sure if the AC introduces a new title "Compliance Listing" to the "Compliance Checklist" as previously referred in the FAA Order 8110.4C, AC 21.40 STC Guide, and The FAA and Industry Guide to Product Certification, or if this is a new document. If this is a new document please provide additional information on the content of it. If the document is the same, I recommend that we standardize the name.</p>	clarification	<p>If the document is the same, I recommend that we standardized the name.</p>	<p>Adopted, we recognize the new terminology and will incorporate into new documents.</p>
K. Harmon	<p>Page 2 Paragraph 5 (b) Now B.3.b.</p>	<p>Question? For ODA projects, does the compliance listing and statement of compliance need to be received by the project ACO before the</p>	<p>Need to clarify if there is any difference on how to handle ODA projects vs ACO managed projects. Paragraph 11 mentions ODA projects but is still</p>	<p>Clarify the requirements</p>	<p>Non-Adopted, clearly the ODA is the FAA, and therefore must receive the statement before issuance, not the FAA.</p>

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		ODA issues the STC? Or for ODA projects does the applicant submit to the ODA this info before the ODA issues the STC?	not clear.		
K. Harmon	Page 2 Paragraph 5 (c) Now, B.3.c.	Is this compliance listing now required to be included in the ACO files we keep for ODA projects?	Since most of the project files information is kept at the ODA, I suggest this be required by the ODA and not the ACO for ODA projects.	Clarify	Adopted, added, "...or at the ODA."
K. Harmon	Page 3, Paragraph 6 (e) Now, C.1.e.	Add clarification to have the individual signing the statement include printed name and title below.	Many signatures are unreadable. Having the requirement for the individual making the statement to print their name and title below their signature will solve confusion in the future.	Add Signature and printed name/title below signature.	Non-Adopted, good idea, but too proscriptive. Considered something that can be managed by project engineer with each individual applicant.
John Dvorachek ASW-150	Pg. 2 item 6.a. Now, C.1.a.	a. As an applicant, you must write a compliance statement certifying that you have met all the applicable requirements. This <u>can</u> be done as part of the compliance listing, <u>as well as</u> at the completion of the project. The above statement from the	clarification	Use of the words "can" and "as well as" in the same sentence confuse the user.	Adopted, reworded to remove confusion.

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
		AC is confusing. Is it O.K. to be in one place or must the statement be in the Compliance listing and at project completion before certificate issuance?			

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Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-520	Global Change	Redundant information/Incorrect format.		Remove all the title paragraphs labeled with capital letters introducing the paragraphs beginning with a number. For example: remove paragraphs A, B, C, D, and E.	Non-Adopted, format acceptable
AIR-520	Global Change	Incorrect formatting.		If there is only one paragraph in a section, then begin the text of that paragraph directly after the title. For examples: see paragraphs 2, 3, 4, 7, 8, 9, 10, 11, and 12.	Adopted
AIR-520	Global Change	Incorrect formatting for citing reference and using section symbol (§).	Non-compliance to the Federal Register Document Drafting Handbook.	Do not use the section (§) symbol or the word “section” when the reference follows “XX CFR”. Only use the section symbol (§) when referring to different paragraphs/subparagraphs within the same section. For example: Correct way to cite: 14 CFR 21.20 Incorrect: 14 CFR § 21.20	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-520	Paragraph 1a, Page 1	Change wording.		Rewrite to read: We wrote this advisory circular (AC) to describe how to comply with the requirements of Title 14 of the Code of Federal Regulations (14 CFR) 21.20, 21.97, and 21.303(a)(5).	Adopted
AIR-520	Paragraph 2, 1 st sentence, Page 1	Missing comma.		Place a comma after the term “aircraft engines”.	Non-Adopted, ok as is.
AIR-520	Paragraph 3, 1 st sentence, Page 1	Improper usage of comma.		Remove the comma after the term “and” found directly after the reference to 14 CFR §§ 21.20(a).	Adopted
AIR-520	Footer Area, Page 1	Incorrect format.		Remove page number 1 from the footer. Page numbers should not be indicated until the second page of the document.	Adopted
AIR-520	Paragraph 4, 1 st sentence, Page 2 Now B.2.	Missing comma.		Place a comma after the acronym “PMA” found before the term “then”.	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-520	Paragraph 5a(1) & (2) and I & ii, Page 2 Now B.3.a.	Incorrect formatting and missing parenthesis before the labeling subsection 1 and 2.		Rewrite to read: 5. Use of a Compliance Listing. a. You can meet 14 CFR... (1) All the regulations you are... (2) For each of the regulations. (a) The means of compliance... (b) A reference to the...	Adopted
AIR-520	Paragraph 6b, Page 2 Now C.1.c.	Improper usage of punctuation mark.		Remove the apostrophe found in the term "its".	Adopted
AIR-520	Paragraph 6d, Page 3 Now C.1.d.	Add wording.		Rewrite to read: Compliance findings made by the FAA or designees do not relieve the applicant from...	Adopted
AIR-520	Paragraph D, 8, 9, 10, 11, and 12, Page 3 Now D.3.-7.	Incorrect formatting of outline.		Rewrite/re-label to read: 8. Frequently Asked Questions. a. Is this statement of compliance... b. How does the applicant's... c. Does this change the... d. What if I use Organization... e. Do I have to send in a...	Adopted
AIR-520	Paragraph 9, 1 st sentence, Page 3 Now D.4.	Suggestion. Redundant information.		Define the acronym "DER" or change to "designee". Rewrite to read: The designee is acting as a representative of the FAA when they approve individual reports, test data, and analysis.	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-520	Paragraph 10, 2 nd sentence, Page 3 Now D.5.	Change wording.		Rewrite to read: The applicant is, however, responsible for showing compliance and completing a compliance statement.	Non-Adopted, rewording makes sense also
AIR-520	Paragraph 11, 2 nd sentence, Page 4 Now D.7.	Typo.		Correct the spelling of the term "compliance".	Adopted
AIR-520	Paragraph 14a, 1 st sentence, Page 4 Now E.2.	Incorrect information for retrieving copies of AC and orders.		Since we do not print our ACs and orders anymore, remove the entire first sentence in reference to retrieving information from the DOT Subsequent Distribution Office unless your office plans to stock this AC there. All of our documents are retrieved electronically.	Adopted
AIR-520	Paragraph 14a, 2 nd sentence, Page 4 Now E.2.	Add AC website information.		Rewrite to read: You can get copies of ACs and orders from the FAA website at http://www.faa.gov/regulations_policies/advisory_circulars/ and http://www.faa.gov/regulations_policies/orders_notices/ or our Regulatory and Guidance Library (RGL) at www.airweb.faa.gov/rgl .	Adopted

Commenter	Page & Paragraph	Comment	Reason for Comment	Suggested Change	Comment Resolution
AIR-520	Paragraph 14b, Page 4	Incorrect formation.		Delete the reference to being placed on FAA's mailing list for free ACs contact. We do not print our documents anymore; therefore, FAA does not sent documents to requestors. They can retrieve off the web.	Adopted
AIR-520	Signature Block, Page 4	Incorrect spacing.		There should be five spaces between the last paragraph and the signature block.	Adopted