

DISPOSITION OF COMMENTS - ALL COMMENTS

1. Document No.: AC 21-44, Revision A	2. Project Lead: Dion Drechsel, AIR-112	3. AIR-100 Management Concurrence and Date: <div style="text-align: center; font-family: cursive;"> Susan M Cahler 8/22/15 </div>	4. Date of AIR-100 Disposition: 6/26/2015	
All Comments				
TOTAL COUNT Total count of comments received: 75 Total count of comments Adopted: 40 Total count of comments Partially Adopted: 10 Total count of comments Non-Concur: 17 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 8	ANE-100 Total count of comments received: 0 Total count of comments Adopted: 0 Total count of comments Partially Adopted: 0 Total count of comments Non-Concur: 0 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0	ACE-100 Total count of comments received: 15 Total count of comments Adopted: 5 Total count of comments Partially Adopted: 2 Total count of comments Non-Concur: 3 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 5	ANM-100 Total count of comments received: 8 Total count of comments Adopted: 6 Total count of comments Partially Adopted: 1 Total count of comments Non-Concur: 1 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0	
	AMA-220 Total count of comments received: 0 Total count of comments Adopted: 0 Total count of comments Partially Adopted: 0 Total count of comments Non-Concur: 0 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0 <div style="text-align: center; font-weight: bold; font-size: 1.2em;">[NO RESPONSE]</div>	AIR-40 Total count of comments received: 10 Total count of comments Adopted: 9 Total count of comments Partially Adopted: 0 Total count of comments Non-Concur: 1 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0	AFS-1 Total count of comments received: 23 Total count of comments Adopted: 9 Total count of comments Partially Adopted: 5 Total count of comments Non-Concur: 9 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0	AIR-500 Total count of comments received: 15 Total count of comments Adopted: 11 Total count of comments Partially Adopted: 1 Total count of comments Non-Concur: 3 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0
	CSTA Total count of comments received: 0 Total count of comments Adopted: 0 Total count of comments Partially Adopted: 0 Total count of comments Non-Concur: 0 Total count of comments Concur but Outside the Scope: 0 Total count of Questions or Statements Answered: 0			

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Instructions for Completing the Document Review Log

Blocks 1 & 2: To be completed by AIR-100 Project Manager (PM), prior to sending out to field offices.

Blocks 3 & 4: To be completed by Field Offices. Enter Office Symbol, name of reviewer, and reviewer phone number.

Block 5: To be completed by AIR-100 PM, after receiving comments from field offices. Enter date of disposition.

The below columns to be completed by the Field Offices, except for "AIR-100 Disposition" column.

AIR-100 PMs disposition comments in the last column below. Enter the reasons for non-incorporated comments. Identify each disposition as one of the following:

● Adopted ● Partially Adopted ● Non-Concur ● Concur but Outside of Scope (Will be considered in next change/revision) ● Answer to Question or Statement.

Item No:	Page and Paragraph No:	Comment:	Reason:	Recommendation:	AIR-100 Disposition:
1.	AC Letterhead	[AIR-40] The DOT logo and print are of low quality when printed.	Low image quality?	Replace with better image.	Adopted.
2.	Page 2, para 8, d, NOTE	[AIR-40] Add effective date to note that states: E-Cards are no longer required for aircraft engines and propellers.	It is unclear to the reader when this requirement went away, if read in the future.	Add effective date.	Non-Concur. Deleted NOTE. Not an applicant's responsibility.
3.	Page 4, para 12, c. (1)	[AIR-40] Comma needed for clarity. ... Supplemental Operations, or part 135,	Clarity.	Add comma.	Adopted.
4.	Page 4, para 12, d.	[AIR-40] Last sentence, remove the word 'new'. "The PAH may also issue a Form 8130-3 for a new aircraft engine, propeller, or article that it altered or rebuilt pursuant to § 43.3(j)."	Rebuilt or altered implies that it is no longer new.	Remove 'new' from the sentence.	Adopted.
5.	Page 4, para 13, a, (3)	[AIR-40] Last sentence: "Requests for acceptance of these [aircraft] are transmitted to, and received from, authority to authority prior to export." This sentence needs to be added to para 13, b, in an appropriate spot.	The parenthetical statement in para 13, c, (2), says "Such requests are made between authorities (reference paragraph 13 (a) and (b) of this AC). But 13, b, does not contain the authority-to-authority statement.	Add "Requests for acceptance of these aircraft engines, propellers, or articles are transmitted to, and received from, authority to authority prior to export." To para 13, b.	Adopted.
6.	Page 5, para 13, b.	[AIR-40] I recognize that Para 13 is all about things that don't meet subpart L. Para 13, b, (2) when read in	Just for additional clarity.	For clarity, consider revising (2) to read: Prior to issuance of Form 8130-3, the FAA requires a written statement from the CAA of the importing country or	Adopted.

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		isolation seems to require permission from an importing CAA for any -3 tag issued.		jurisdiction, indicating the CAA's acceptance of the aircraft engine, propeller, or article, if it does not meet its approved design.	
7.	Page 5, para 13, b, (3)	[AIR-40] Sentence is written as if only a PAH can export a part that doesn't meet its design.	Can't designees also do this?	Revise to read: The FAA shall notify the PAH or designee of the CAA's acceptance if the PAH or designee will be issuing the Form 8130-3.	Adopted.
8.	Page 6, para 16.	[AIR-40] “(U.S.)” isn't necessary in the first sentence.	“United States” is the noun; U.S. is the adjective. For example, “I will go to the United States to speak with the U.S. Government.” But per GPO, U.S. need not be explained at first use. (And this isn't the first place it's used.) ☐	Remove “U.S.”	Adopted.
9.	Page A-1	[AIR-40] First sentence is missing a word.	...you may let us know about it by using this page...	Add 'it' to the sentence.	Adopted.
10.	Page A-1	[AIR-40] Revise subject and date entry blocks by deleting words where the commenter would need to write things.	Makes the form more useful.	Subject: (insert AC number and title)	Adopted.
11.	Page 1, Section 1	[AIR-500] “Subpart” is capitalized in the first sentence.	Consistency of formatting	Change “Subpart” to lowercase.	Adopted.
12.	Page 2, Section 8.b.	[AIR-500] The word “the” is not necessary at the beginning of the second sentence.	Ease of reading	Delete “The” from the beginning of the second sentence.	Adopted.
13.	Page 2, Section 8.c.	[AIR-500] The first sentence in this section might be confusing to the reader. It seems like there may be a word missing. There is also a misused semicolon between “PAH” and “and.”	Clarity	If it makes sense, consider adding “capacity” after “(PAH)” in the first sentence. Also, delete the semicolon between “PAH” and “and.” See these changes reflected in the following paragraph: “An authorized person in a production approval holder (PAH) capacity with an approved quality system that includes the procedures pursuant to 14 CFR 21.137(o) may issue an authorized release document using FAA Form 8130-3 for a new	Partially Adopted. Revised text based on AGC input.

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				aircraft engine, propeller, or article manufactured by the PAH and for a used aircraft engine, propeller, or article when rebuilt or altered pursuant to 14 CFR 43.3(j).”	
14.	Page 2, Section 8.c.	[AIR-500] In the third sentence, it is not clear to what “its” refers. Does it refer to “PAH”?	Clarity	If it makes sense to do so, consider changing to the following: “...and the PAH’s quality system....”	Adopted.
15.	Page 2, Section 8.c. and UNIVERSAL	[AIR-500] In the third sentence, there is a reference to subsection (o) under § 21.137, Quality system. However, there does not appear to be a subsection section “o” under § 21.137, Quality system of the e-CFR. There should be a space between “§” and “21.137.” “(o)” is within another set of parentheses; therefore, the parentheses surrounding “o” should be replaced with brackets.	Accuracy of information/Consistency of formatting	Please check reference to § 21.137(o) and replace “o” with the correct subsection. Insert a space between “§” and “21.137.” The parentheses surrounding “o” should be replaced with brackets, since “§ 21.137(o)” is already in parentheses.	Non-Concur. AIR-100 Legal stated no brackets within a legal citation rule.
16.	Page 2, Section d.	[AIR-500] This subsection does not have a title like the other subsections in this section.	Consistency of formatting	For consistency of formatting, consider adding “FAA Form 8130-3, Authorized Release Certificate.” as a header for this section.	Adopted.
17.	Page 3, Section 10	[AIR-500] Use of the word “below” is not necessary and should be avoided when making a reference within the document.	Clarity	Consider deleting “below” in the second sentence or replacing it with “of this AC.” RULE: Avoid using below when referring to figures or other references in a document. Instead, be specific (see Figure 24.2) or use preceding, following, next, etc.	Adopted.
18.	Page 3, Section 11.c.	[AIR-500] This subsection does not have a title like the other subsections in this section.	Consistency of formatting	Consider adding “Detailed Application Procedures and Procedures for Obtaining Civil Aviation Authority Acceptance” as a header for this section.	Adopted.

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19.	Page 3, Section 12.b.	[AIR-500] With the exception of the first word, the titles of CFR sections are not capitalized. Therefore, the title of § 21.29 should not be capitalized.	Consistency of formatting	Change the title of § 21.29 as follows: “Issue of type certificate: import products.”	Adopted.
20.	Page 4, Section 13.a .3.	[AIR-500] In the first sentence, § 21.329 is referenced; however, the other references in section 13.a cite § 21.329(a). Should this be § 21.329 or § 21.329(a)?	Accuracy of information	If correct, please update reference to § 21.329(a). If not, leave as is.	Adopted.
21.	Page 4, Section 13.a.4.	[AIR-500] With on adjustment, this sentence could be made clearer for the reader.	Clarity/ease of reading	For clarity, please consider the following changes to the first sentence in this subsection: “If the CAA of the importing country or jurisdiction provides a written statement of acceptance to the FAA, the FAA will list the differences between the aircraft to be exported and its type design as an exception on the FAA’s export C of A.”	Non-Concur. Following 21.329 b(2) rule language for consistency.
22.	Page 5, Section C.1.	[AIR-500] The word “should” is used in the first sentence. Would “must” be appropriate? It would be a stronger word choice.	Clarity	If appropriate, consider replacing “should” with “must.”	Non-Concur. Per AGC guidance.
23.	Page 5, Section 14.A.2. and UNIVERSAL	[AIR-500] “Appendix” is capitalized. [AIR-500] When referencing appendices in the body of a document, “appendix” should be lowercase.	Consistency of formatting	Please change “Appendix” to lowercase.	Adopted.
24.	Page 6, Section 14.b.	[AIR-500] As this sentence is written, the use of the colon after “before” is incorrect. There is a comma missing after “designee.”	Clarity/Grammar	Consider adding something like “the following may occur” after “before.” Also, add a comma after “designee” as follows: “An exporter is responsible for satisfying each requirement of the importing country or jurisdiction before the following may occur: (1) the FAA issues	Adopted.

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				an export C of A or (2) the FAA, its designee, or a PAH issues a Form 8130-3.”	
25.	Page 6, Section 16	[AIR-500] There is a comma missing after “propeller” in the first sentence.	Consistency of formatting	Insert comma after “propeller.”	Adopted.
26.	Page 1, Paragraph 7.	[AFS-640] Paragraph header does not reflect Title 14	Could cause confusion	Add “14 CFR” before “Part 21…”	Adopted.
27.	Page 2, Paragraph 7.	[AFS-640] New and used are not defined here	Clarification needed	Add paragraph that describe new and used or refer to FAA Order 8130.2 Paragraph 511.	Adopted. Added a new paragraph, titled “Determination of “New” or “Used” Products and Articles”, referring to FAA Order 8130.2.
28.	Page 2, Paragraph 8.c. and Page 4, Paragraph 12.d.	[AFS-640] The verbiage in these paragraphs mixes the use of the 8130-3 for export purposes and the use of the form as a maintenance record for return to service after rebuilding or altering. Return to Service is outside the scope of this AC.	Confusing	Remove and add to new paragraph “and for a used aircraft engine, propeller, or article when rebuilt or altered pursuant to 14 CFR 43.3(j). “	Partially Adopted. Removed the reference to 43.3(j). This doesn’t apply to issuing an export airworthiness approval.
29.	Page 2, Paragraph 8.c. and Page 4, Paragraph 12.d.	[AFS-640] Address deviations in only one place.	Paragraph 13 addresses how to handle products or articles that do not meet 14 CFR subpart L.	Remove “unless otherwise specified,” or refer to Par. 13.	Adopted. Added (see 21.331) after “unless otherwise specified,”
30.	Page 2, Paragraph 8.c.	[AFS-640] E-card note not required.	We don’t need to address what is no longer required	Remove note about e-cards, not an applicant responsibility anyway.	Adopted. Deleted NOTE. Not an applicant’s responsibility.
31.	Page 3, Paragraph 12.b.	[AFS-640] Inconsistent use of language	Ensures consistency	Revise “already has” to “must possess”	Partially Adopted. Revised per AGC guidance.
32.	Page 4, Paragraph 13.a.	[AFS-640] Revise statement	Conflicts with instructions in AC 21-2, Paragraph 7.i.	Consider referring the applicant to AC 21-2 or revising statement to agree	Partially Adopted. Revised text but not all text. AC 21-2 states the exporter will transmit request to CAA; however, the current AC 21-44 states it will be the FAA, which is correct. The rule does not allow the exporter to obtain letters of acceptance directly from the

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					importing country when required for nonconforming products ready for export. A fundamental principle of our bilateral agreements is the letters of acceptance are transmitted between authorities.
33.	Page 5, Paragraph 13.b.1.	[AFS-640] Too confusing mixing new and used articles in the same paragraph	Clarify intent of statement	Move “However, there are no provisions for exporting a used article that does not meet the requirements of § 21.331(c). Any used article is required to conform to its approved design and be in a condition for safe operation before export.” to the end of this Paragraph or make this statement a NOTE.	Partially Adopted. Revised text based on AGC input.
34.	Page 6, Paragraph 14.b.	[AFS-640] Don’t limit the issuance of Export C of A to FAA only.	FAA and designees who hold the proper function code may perform this function	The statement in (1) indicates that only the FAA can issue Export C of A. Consider revising.	Adopted.
35.	Page 6, Paragraph 14	[AFS-640] This paragraph does not address the requirements for a PAH who does not apply orally to the FAA.	Insufficient information	Add a paragraph to address the requirements for a PAH that issues its own 8130-3s.	Non-Concur. Paragraph 14.b. addresses the exporter’s responsibilities. 21.137(o) states, “When a PAH issues an authorized release document for the purpose of export, the PAH must comply with the procedures...specified in § 21.331 and the responsibilities of exporters specified in § 21.335.
36.	Page 6, Paragraph 15	[AFS-640] Confusing	Already covered in Par. 13.	Combine Pars. 13 and 15.	Non-Concur. Discussed with team lead and decided to keep paragraphs at a manageable size.
37.	Page 6, Paragraph 16	[AFS-640] Paragraph header does not address all sources of Special Requirements	Ensure that all Special Requirements are searched prior to issuing 8130-3. Some Countries with which we have no Bilateral have provided us with requirements.	Revise paragraph header to “ Exporting to a Country or Jurisdiction That Does Not Have a Bilateral Agreement with the United States And no Requirements Are Identified in AC 21-2, Appendix 2. Also, remove the statement “and no definitive special import requirements have been formally	Partially adopted. Revised title.

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				submitted to the FAA,”.	
38.	Page 6, Paragraph 16	[AFS-640] Clarification needed for ‘unless otherwise specified’.	Requirements not complied with is addressed in another paragraph	Remove “, unless otherwise specified.” or refer to Par. 13.	Adopted. Added (see 21.331).
39.	Page 6, Paragraph 15.b.	[AFS-640] Requirement for persons authorized to Issue Export C of A.	Does not apply to Exporter/applicants.	Remove this statement. This AC is for the applicants use. Orders define the requirements for the FAA and our Designees. PAH procedures to issue export approvals under the new rule should be part of their written procedures.	Non-Concur. Informational purposes.
40.	Page 4, Paragraph 12.d.	[AFS-640] The use of the words “approved data” should always be stated as “FAA approved data” so the public understands.	The public does not know to use part 1 to define the word approved. It is imperative that in AC’s we use as much plain language as possible so no misinterpretations are created.	Add the word FAA to all of the sentences that use the words “approved data”, as appropriate	Non-Concur. The form states approved data, not FAA-approved data. CAAs are accepting a form based on approved data because they approved the data. Just as the FAA has approved their data.
41.	Page 5, Paragraph 13.b.4.	[AFS-640] It should be noted that a copy of the written statement needs to be included with the 8130-3, as stated in FAA Order 8130.21H	(4) If a written statement of acceptance has been received from the importing CAA regarding noncompliance to its approved design, a copy of this written statement of acceptance must be included with FAA Form 8130-3 to meet the requirements of § 21.331.	...and provide a copy of the written statement with the FAA Form 8130-3	Adopted.
42.	Pg. 2, para 8(d)	[AFS-640] Seems to cover the use of the Form for other than Export.	Out of scope of this AC.	Stay on Export topic and the responsibility of the Exporter (applicant). Other uses well defined in FAA Orders, other AC’s, etc.	Non-Concur. AGC added text to highlight “authorized release document” as addressed in new rule amendment.
43.	Pg. 3, para (11)	[AFS-640] How to Apply for an Export Airworthiness Approval from the FAA. The AC does not address how to apply for an export approval for an aircraft, aircraft engine, propeller or article (new or used).	There are currently no advisory circulars that contain information on how to fill out a FAA Form 8130-1 for an aircraft, aircraft engine, propeller or articles and there is no information contained in this AC that supports the same. For aircraft engines, propellers and articles 14 CFR states in a	Need an AC that explains on how to fill out FAA Form 8130-1. Suggest that be AC 21-2. We have an AC on how to fill out an 8130-6 form why not the 8130-1? You can use FAA Order for engines, props and articles 8130.2 for help. Suggest that you use the information contained on the application (8130-1) and require the exporter to apply orally with	Adopted. Revised text of 11. b. Use the information on FAA Form 8130-1 as a guide to supply required information for applying orally... Advised AIR-100 Management regarding creating a new AC on how to fill out FAA Form 8130-

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			form and manor. This AC states an oral application can be used for application. However, what information is required?	the same information.	1 or incorporate procedures into AC 21-2.
44.	Pg. 3 and 4, para (12)	[AFS-640] Issuance of airworthiness approvals	Not an exporter function.	Delete all of (para 12) this information. The information that is contain in the CFR's is a function of the FAA / Designees / ODA's and authorized person from the PAH on how we issue an export approval. Not an exporter function on how to issue. This AC or AC21-1 needs to address what is required for issuance.	Non-Concur. Informational purposes.
45.	Pg. 4, para 12(d)	[AFS-640] The PAH may also issue a Form 8130-3 for a new aircraft engine, propeller, or article that it altered or rebuilt pursuant to § 43.3(j).	PAH's can already do this function under return to service. See Order 8130.21 Ch. 3.	Delete all or clarify that it addresses export of used engines propellers or articles. Return to service has nothing to do with export. Export is a certification function not return to service.	Adopted. Removed the reference to 43.3(j). This doesn't apply to issuing an export airworthiness approval.
46.	Pg. 4 and 5, para (13)	[AFS-640] Products or Articles that do not meet 14 CFR Part 21	Redundant information already contained in the CFR's, FAA Orders and AC21-2	Delete all	Non-Concur. Background info.
47.	Pg. 5 and 6, para (14)	[AFS-640] Bilateral Agreements	Redundant Information already contained in AC21-2	Delete all or bolster up AC21-2	Non-Concur. Background info
48.	Pg. 7, para 18	[AFS-640] Bilateral agreements are already contained in AC21-2	Redundant Information already contained in AC21-2	Delete all	Non-Concur. Background info
49.	Page 2, Paragraph 8.a., b. and c. And Page 4, Paragraph 12.d	[ANM-100] Does "unless otherwise specified" refer to the current process of having deviations and exceptions accepted by the importing authority? If so, that should be stated. If not, what does "unless otherwise specified" mean?	Vague and non-specific wording.	Reference specifically the current process for export deviations/exceptions per CFR 21.331 (b) (2) or add reference to where it is "otherwise specified."	Adopted. Added (see § 21.329 or 21.331), as applicable, after "unless otherwise specified".
50.	Page 3, Paragraph 11.a	[ANM-100] The second sentence "For new aircraft...manufacturing Inspection District Office (MIDO)." There are PAHs with ODAs who are not submitting	When an aircraft manufacturer has an ODA, the applications are directly submitted to the ODA(s), not the MIDO	Add "... (MIDO) or Organization Delegated Authority (ODA)." to the second sentence.	Adopted. Revised text.

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51.	Page 3 Paragraph 11.b.	applications to the MIDO. [ANM-100] Not all PAHs will use 21.137(o). The PAH should be able to make this (tags only) request directly to a designee (DMIR or DAR). Most ASIs allow designees to coordinate “tag” activity directly with the PAH/applicant and then enter a request in DMS for the pre-approval.	If we follow this paragraph, it could add a burden to the PAH/applicant. The designee will contact the Managing Specialist for approval.	Reword as follows: A person or a PAH who does not have an approved quality system pursuant to § 21.137(o), may apply orally to the MIDO or <u>an authorized FAA designee</u> for an export airworthiness approval for a new or used aircraft engine, propeller, or article. <u>FAA designees must obtain a pre-approval from their oversight office prior to issuing the airworthiness approval.</u>	Partially Adopted. Revised text; however, left the word FAA instead of changing it to MIDO, because a person could request an export airworthiness approval from a FSDO for a DAR-T’s services.
52.	Page 4, Paragraph 12.d.	[ANM-100] Title of paragraph does not identify “Issuance of FAA Form 8130-3 for an Aircraft Engine, Propeller, or Article for export.”	For clarity	Revise title as follows: “Issuance of FAA Form 8130-3 for an Aircraft Engine, Propeller, or Article <u>for export.</u> ”	Adopted.
53.	Page 4, Paragraph 12.d. last sentence	[ANM-100] Remove reference to “new” aircraft engine, propeller, or article because altered and rebuilt are not are not defined as new.	For clarity	Remove the word “new” in the last sentence. Should read: “The PAH may also issue a Form 8130-3 for an aircraft engine, propeller, or article that it altered or rebuilt...”	Adopted.
54.	Page 5 Paragraph 14. a.(2) And Page 6 Paragraph 17. a.	[ANM-100] AC 21-2L does not contain appendix 2, however AC 21-2L does reference the FAA website for bi-lateral agreements & special requirements in paragraph 7(d).	To clarify AC21-2 is no only on the website.	Make a direct reference to the website rather than the AC appendix.	Adopted. Revised text and added URL to para. 14 a(2).
55.	Page 6 Paragraph 15.b.	[ANM-100] Add that the written statement must be in the English language.	The FAA representative issuing the airworthiness certificate is not always able to read or understand statements in a foreign language.	Change paragraph to read: “If the FAA receives a written statement (in English) of acceptance from the CAA...”	Non-Concur. A sample of bilateral agreements indicated that all communications between the Technical Agents and, where applicable, the Aviation Authorities, including documentation, shall be in the English language.
56.	Page 7 Paragraph 17.c.(1)	[ANM-100] Can someone acting on behalf of	Inconsistency with the following statement in 17.c.2. Why agents	Either add “or someone acting on behalf of the exporter” to the reference	Adopted. Revised text.

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		the exporter "...remove or cause to be removed any temporary installations..."	are acceptable in one case but not the other?	or remove it from both (1) and (2).	
57.		<p>[ACE-100] General: We have yet to see the final rule, but as proposed, we can't find the connection/rule that makes a PAH an extension/representative of the FAA/Administrator. Ref. 14 CFR Part 21, Sec. 21.331 Issue of export airworthiness approvals for aircraft engines, propellers, and articles. (a) A person (as defined in CRF 1.1) <u>may obtain from the FAA</u></p> <p>To the best of my knowledge the rule does not state that a person may obtain from another person.</p>	To the best of my knowledge the rule does not state that a person may obtain from another person.	None – The content of the final rule is unknown, so any further recommendation would be premature.	Answer to Question or Statement: AIR-100's process is to request comment of the NPRM language to the extent possible.
58.	Page 2, par.8.c	<p>[ACE-100] States in part: The authorized release document, Form 8130-3, is a <u>certifying statement by the PAH ...</u></p> <p>If/when PAH's do start issuing 8130-3, they will not be any different than those issued by the FAA or a designee, so why is the language in policy different?</p>	The slight change in language alludes to a different connotation.	Suggest removing "statement by the PAH" or adding "statement by the FAA or its designee" in par. 8.b.	Non-Concur. Although an authorized release document is not an approval as defined by § 21.1, a production approval holder (PAH) with an approved quality system that includes the procedures described in 14 CFR 21.137(o) may authorize its personnel to issue authorized release documents using FAA Form 8130-3.
59.	Page 2, par. 8.c	<p>[ACE-100] States In part: The authorized release document, Form 8130-3, is a certifying statement by the PAH ...</p>	Ref. 14 CFR Part 21, Sec. 21.331 Issue of export airworthiness approvals for aircraft engines, propellers, and articles.	None – The content of the final rule is unknown, so any further recommendation would be premature.	Answer to Question or Statement: The PAH is being given the authority to issue the tag not an individual. AIR-100's process is to request

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		In addition, it's not clear as to who in the PAH is the applicant/exporter (21.335) and who has the FAA responsibilities as the issuer of the said documents.	(a) A person (as defined in CRF 1.1) <u>may obtain from the FAA</u> ... NOT A PAH		comment of the NPRM language to the extent possible.
60.	Page 3, par. 11	[ACE-100] Is titled How to Apply for an Export Airworthiness Approval from the FAA.	Are we missing another section on How to Apply for an Export Airworthiness Approval from a PAH?	None – The content of the final rule is unknown, so any further recommendation would be premature.	Answer to Question or Statement: AIR-100's process is to request comment of the NPRM language to the extent possible.
61.	Page 3, par 12.a	[ACE-100] States in part that the FAA will also issue...	Are we no longer allowing designees to perform this function?	Change to add FAA or this designee ...	Adopted. Revised text.
62.	Page 3, par 12.b	[ACE-100] States in part that the FAA will also issue...	Are we no longer allowing designees to perform this function?	Change to add FAA or this designee ...	Adopted. Revised text.
63.	Page 4, par 12.d	[ACE-100] States in part: The FAA, its designee, or a PAH may issue ...	Ref. 14 CFR Part 21, Sec. 21.331 Issue of export airworthiness approvals for aircraft engines, propellers, and articles. (a) A person (as defined in CRF 1.1) <u>may obtain from the FAA</u> ... NOT A PAH.	None – The content of the final rule is unknown, so any further recommendation would be premature.	Answer to Question or Statement: AIR-100's process is to request comment of the NPRM language to the extent possible.
64.	Page 4, par. 13.a.4	[ACE-100] State in part: the FAA will list as an exception on the FAA's export C of A ...	Are we no longer allowing designees to perform this function?	Change to add FAA or this designee ...	Adopted. Revised text.
65.	Page 5, par 13.b. (2)	[ACE-100] The language in the par should be more consistent par. 13.a. (3) ... "Authority to authority".	Standardize	Change to: Prior to issuance of Form 8130-3, the FAA will request a written statement from the CAA of the importing country or jurisdiction. Requests for acceptance are transmitted to, and received from, authority to authority prior to export.	Partially Adopted. Revised text.

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66.	Page 5, par 13.b (3)	[ACE-100] States in part that the FAA shall notify the PAH of the CAA's acceptance ...	What if the exporter is not a PAH?	Change to: the FAA shall notify the exporter of the CAA's acceptance.	Adopted.
67.	Page 5, par.13.c.(2)	[ACE-100] This par belongs under par 13.b ... Par. 13.c is title Other responsibilities of the Exporter.	Adding confusing	Move to par. 13.b.	Partially adopted. Added an authority-to-authority statement to para. 13b.
68.	Page 5, par 14.a.(1)	[ACE-100] Specified as a provision in a bilateral agreement, or (Should be and) ... you have to comply with the requirements listed in both.	It's not an option to comply with one "or" the other.	Change to: Specified as a provision in a bilateral agreement, and	Adopted. Revised text.
69.	Page. 6, par 14.c	[ACE-100] States in part that the FAA principle inspector will determine the <u>appropriate documentation</u> needed to verify ... The IPAs and AC21-2 are pretty clear what documentation is required.	It's unclear why the PI needs to determine the appropriate documentation needed...	Clarify the logic behind the par.	Answer to Question or Statement Deleted this paragraph. 14.b. covers this in a broad context.
70.	Page 6, par 15.a and b	[ACE-100] Combine par 13 and 15. They both follow the same processes when the product/article doesn't meet subpart L or the special requirements.	Standardize		Non-Concur. Discussed with management and decided to keep paragraph manageable size.
71.	Page. 3, par 12.c	[ACE-100] This paragraph speaks to used aircraft specifically.	There are used engines and/or propellers that exist, these products may be requested to export.	Consideration/policy for all products.	Non-Concur. Information is covered in the following paragraph, para. 12. d.
72.	Page 3, Section 11b	[ASW-100] Revises the language to allow a "person" as well as a PAH to apply "orally" to the FAA for an export airworthiness approval. Why? This appears to be an unnecessary policy expansion to allow undocumented exports. It is unclear why in the digital age of the 21 st century the FAA would		Suggest that FAA export airworthiness approvals be requested electronically or in writing.	Partially Adopted. Revised text.

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		grant a non-PAH “person” an export airworthiness approval orally. It is not clear why some PAHs retain the ability to apply “orally” for FAA export airworthiness approvals.			
73.	Page 6, Section 14c	[ASW-100] Drops the requirement for non-PAHs to document on Form 8130-1 whether special importing requirements have been met. Why?		Justify change.	Answer to Question or Statement. Discussed with Team Lead and determined paragraph 14.c. can be deleted. Paragraph 14.b. addresses issue in a broader context.
74.	Entire Document	[ASW-100] It is time consuming to review a document revision without the specific changes listed on the revision and change bars that note differences from the old version. It would be far more efficient for the reviewing engineer to be able to simply find the marked changes, instead searching between the two documents (the exiting document and the proposed revision). Clearly listing changes would allow Aerospace Engineers to review these records more quickly with fewer errors.		Revise the review process. Specifically, all document revisions would include change bars and list specific changes made to the proposed revision.	Answer to Question or Statement: Agreed; however, a large part of the existing document was rearranged for flow and clarity. Additionally, the AIR-500 DMO specifically addressed that change bars cannot be used for revisions.
75.	Page 2 para. 8.c.	[ASW-100] Not able to review proposed 14 CFR 21.137(o).	First sentence after the bold title, “An authorized person in a production approval holder (PAH)...to 14 CFR 21.137 (o) may issue an authorized release document using FAA Form 8130-3...” Did not find authority for the above and did not find 14 CFR	Provide the final CFR.	Answer to Question or Statement: AIR-100’s process is to request comment of the NPRM language to the extent possible.

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			21.137(o). Difficult to comment on proposed CFR and the associated AC as the proposed CFR could change.		
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