U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

ORDER
1110.145

Effective Date:
May 22, 2006

SUBJ: Certified Design Organization (CDO) Aviation Rulemaking Committee

1. Purpose. This order constitutes the charter for the Certified Design Organization (CDO) Aviation Rulemaking Committee (ARC) that is designated and established pursuant to the Administrator's authority under Title 49 of the United States Code, Section 106(p)(5).

2. Distribution. This order is distributed to the Associate Administrator for Aviation Safety; the Office of the Chief Counsel; the director and division level in the Aircraft Certification and Flight Standards Services; and the director level of the Offices of Rulemaking, Budget, and Financial Management.

3. Background. Congress included in the *Vision 100-Century of Aviation Reauthorization Act* of 2003 the requirement for development and oversight of a system for certification of design organizations. These certified design organizations (CDOs) will be authorized to certify compliance with the requirements and minimum standards prescribed under Title 49 USC 44701(a). The Act also allows the Administrator to rely on certifications of compliance by a design organization when making a finding to issue a type certificate.

The FAA has determined that the language under the current legislative intent is limited. The FAA is currently submitting a Congressional Report addressing broader statutory authority for other design approval holders, including production approval holders, as well as a revised schedule.

4. Objectives and Scope of Activities. An ARC will enable the FAA to respond effectively in developing a CDO program. The committee will make its recommendations, which may include proposals for rulemaking, suggested processes, policies and guidance that will serve as the foundation of the program, and further action the agency may need to take in support of the program. As part of its task, the ARC may also review existing regulations and make recommendations to amend or delete them as consistent with its mission. The ARC will function solely in an advisory capacity, but is expected to present and discuss whatever input, guidance and recommendations the members of the committee consider relevant to the ultimate disposition of the development of CDO.

A CDO Working Group Report, dated August 9, 2005, addressing the CDO concept has been submitted for consideration. This report should be used as additional reference material during ARC deliberations. Although the current statutory language for certification of design organizations is limited to type certificates, amended type certificates, supplemental type certificates, and amended supplemental type certificates, the committee may make recommendations to include any organization seeking or holding any design and/or production approval, e.g., Parts Manufacturer Approval, which the FAA will consider consistent with its legislative authority at that time.

5. Deliverables. By September 30, 2006, the ARC will submit an initial report detailing its recommendations. The report should identify significant areas of agreement as well as areas where consensus could not be reached. The report should contain recommendations detailing the guiding principles necessary to propose regulatory language for drafting an NPRM. The ARC will continue to work on guidance and policy related issues through September 30, 2007, and will submit a final report by that date. The Associate Administrator for Aviation Safety may extend these deadlines for up to 6 months if it is in the interest of the FAA to do so. The Associate Administrator for Aviation Safety may amend the tasking to ensure that the objectives and the scope of the activities are met.

6. Organization and Administration.

a. The Associate Administrator for Aviation Safety shall have the sole discretion to appoint members or organizations to the committee. The committee shall consist of members of the aviation community, including the public and/or other federal government entity representatives of various viewpoints. The FAA shall provide participation and support from all affected lines of business.

b. The Associate Administrator for Aviation Safety shall receive all committee recommendations and reports. The Associate Administrator, through the Aircraft Certification Service, shall be responsible for providing administrative support for the committee.

c. The Associate Administrator for Aviation Safety is the sponsor of the committee, and shall select FAA and industry co-chairs for the committee. The co-chairs shall:

(1) Determine, in conjunction with the other members of the committee, when a meeting is required.

(2) Arrange notification of all committee members of the time and place for each meeting.

(3) Formulate an agenda for each meeting and conduct the meeting.

(4) Form working groups as necessary to conduct its business in the most efficient manner possible.

7. Membership.

a. The membership of the committee may include the following public and government organizations:

(1) Industry representatives; including representatives from air carriers, manufacturers, repair stations, and other private sector aviation industry associations.

(2) The Federal Aviation Administration Aviation Safety line of business

(3) Other Federal Aviation Administration lines of business as required to meet committee objectives.

(4) Foreign authorities (Note: Representatives will be encouraged to fully participate in committee discussions, but foreign authorities will not vote on committee issues.)

b. The membership shall be balanced in points of view, interests, and knowledge of the objectives and scope of the committee. While representatives of their employers and/or associations, committee members will be expected to contribute fully in all areas of the committees' work.

8. Costs and Compensation. The estimated operating cost (including pro rata share of salaries of FAA employees) is $274,000. Non-government representatives serve without government compensation and bear all costs related to their participation on the committee.

9. Public Participation. Interested persons or organizations who are not members of this committee, but wish to attend a meeting, must request and receive approval in advance of the meeting from both co-chairs.

10. Availability of Records. Subject to the conditions of the Freedom of Information Act, 5 U.S. Code, Section 522, records, reports, agendas, working papers and other documents that are made available to or prepared for or by the Committee shall be available for public inspection and copying at the Aircraft Certification Service, 800 Independence Avenue SW, Washington, DC 20591. Fees shall be charged for information furnished to the public in accordance with the fee schedule published in Part 7 of Title 49, Code of Federal Regulations.

11. Public Interest. The formation of the CDO ARC is determined to be in the public interest in connection with the performance of duties imposed on FAA by law.

12. Effective Date and Duration. This committee is effective May 22, 2006. The committee shall remain in existence until May 22, 2008, unless sooner terminated or extended by the Administrator.

Marion C. Blakey

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Administrator