



# Federal Aviation Administration

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## Memorandum

Date: May 21, 2012

To:

All Manufacturing Inspection Offices  
All Manufacturing Inspection District/Satellite Offices  
All Certificate Management Offices/Units  
All Flight Standards Divisions  
All Flight Standards District Offices

From: Terry Allen, Deputy Manager, Production and Airworthiness Division, AIR-201

Prepared by: Airworthiness Certification Branch, AIR-230

Subject: REVISED: Restrictions on the Issuance of Experimental Airworthiness  
Certificates for Sophisticated and High-Performance Former Military Aircraft

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This memorandum replaces the AIR-200 memorandum dated, August 18, 2011, on the same subject. It expands applicability to all experimental airworthiness certificates (not just exhibition and air racing), addresses aircraft over 9,000 lbs. (instead of 10,000 lbs.), turbine power (rather than turbojet only) and considers ejection seat systems.

This memorandum restricts the issuance of experimental airworthiness certificates (including amendments) for sophisticated and high-performance former military aircraft (including replica turbine-powered aircraft and aircraft that, at one time in their past, previously had a standard airworthiness certificate). A sophisticated and high-performance former military aircraft includes those weighing more than 9,000 lbs. Maximum Take-Off Weight, or turbine powered (more than 3,000 lbs. total engine thrust of all engines, or 1,000 shaft horse-power of one engine) or originally equipped with an ejection seat system. The airworthiness certificates for this type of aircraft would be experimental under Title 14, Code of Federal Regulations (14 CFR) § 21.191. This activity shall not be delegated to designees.

Any application for experimental airworthiness certificates for the purpose of operating sophisticated and high-performance former military aircraft as experimental under (14 CFR) § 21.191 must be coordinated with the Production and Airworthiness Division (AIR-200) before any action is taken. Compliance with FAA Order 8130.2 paragraph 4111 *Special Initial Certification Requirements* shall not include any preliminary approval or acceptance of any related submittals by the applicant prior to coordination with AIR-200.

The FAA has determined that many sophisticated and high-performance former military aircraft may have safety issues that could prevent the issuance of an airworthiness certificate, or require

additional aircraft-specific operating limitations or other requirements, which may not be covered in FAA Order 8130.2, *Airworthiness Certification of Aircraft and Related Products*.

These aircraft may have inherent high-risk factors associated with their design, manufacture, maintenance, and operation. These high-risk factors must be properly mitigated.

If you have any questions, please contact the Airworthiness Certification Branch, AIR-230, at (202) 385-6346.