AVIATION SAFETY

Issues Related to Domestic Certification and Foreign Approval of U.S. Aviation Products

What GAO Found

The Federal Aviation Administration (FAA) has made progress in addressing the Certification Process and the Regulatory Consistency committees’ recommendations, but challenges remain and could affect successful implementation of the committees’ recommendations.

- FAA is implementing its plan for completing 14 initiatives for addressing the 6 certification process recommendations. According to a January 2015 FAA update, 10 initiatives have been completed or are on track to be completed, whereas the rest are at risk of not meeting or will not meet planned milestones.
- FAA has developed plans for addressing the six regulatory consistency recommendations. In late December 2014, FAA officials indicated that the final plan to implement the recommendations is under agency review and is expected to be published in January 2015. According to a draft version of the plan, FAA closed two recommendations—one as not implemented and one as implemented in 2013—and plans to complete the remaining 4 by July 2016.

While FAA has made some progress, it is too soon for GAO to determine whether FAA’s planned actions adequately address the recommendations. However, industry stakeholders continue to indicate concerns regarding FAA’s efforts. These concerns include a lack of communication with and involvement of stakeholders as FAA implements the two committees’ recommendations.

As part of its ongoing work, representatives of 15 selected U.S. aviation companies GAO interviewed reported facing various challenges in obtaining foreign approvals of their products, including challenges related to foreign civil aviation authorities (FCAA) as well as challenges related to FAA.

- Reported FCAA-related challenges related to (1) the length and uncertainty of some FCAA approval processes, (2) the lack of specificity and flexibility in some of FAA’s bilateral aviation safety agreements (BASA) negotiated with FCAs, (3) difficulty with or lack of FCAA communications, and (4) high fees charged by some FCAs. Although FAA’s authority to address some of these challenges related to FCAs is limited, FAA has been addressing many of them. For example, FAA has created a certification management team with its three major bilateral partners to provide a forum for addressing approval process challenges, among other issues. FAA has also taken action to mitigate the challenges related to some BASAs by holding regular meetings with bilateral partners and adding dispute resolution procedures to some BASAs.

- Reported FAA-related challenges primarily involved (1) FAA’s process for facilitating approval applications, which sometimes delayed the submission of applications to FCAs; (2) limited availability of FAA staff for facilitating approval applications; and (3) lack of FAA staff expertise in issues unique to foreign approvals, such as intellectual property concerns and export control laws. FAA has initiatives under way to improve its process that may help resolve some of these challenges raised by U.S. companies. For example, FAA is making its approvals-related data more robust to better evaluate its relationships with bilateral partners. FAA is also addressing its resource limitations by taking actions to improve the efficiency of its process.