

GAO Highlights

Highlights of [GAO-15-550T](#), a testimony before the Subcommittee on Aviation Operations, Safety, and Security, Committee on Commerce, Science, and Transportation, U.S. Senate

Why GAO Did This Study

FAA issues certificates for new U.S.-manufactured aviation products, based on federal aviation regulations. GAO has previously reviewed the efficiency of FAA's certification process and the consistency of its regulatory interpretations. As required by the 2012 FAA Modernization and Reform Act, FAA chartered two aviation rulemaking committees in April 2012—one to improve certification processes and another to address regulatory consistency—that recommended improvements in 2012. FAA also assists U.S. aviation companies seeking approval of their FAA-certificated products in foreign markets. FAA has negotiated BASAs with many FCAAs to provide a framework for the reciprocal approval of aviation products. However, U.S. industry stakeholders have raised concerns that some countries conduct lengthy processes for approving U.S. products.

This testimony focuses on (1) FAA's reported progress in implementing the aviation rulemaking committees' 2012 recommendations regarding its certification process and the consistency of its regulatory interpretations and (2) the challenges that selected U.S. companies reported they have faced when attempting to obtain foreign approvals of their products, and how FAA is addressing some of the reported challenges. It is based on GAO products issued from 2010 to 2015, selectively updated in April 2015 based on FAA documents and information from FAA officials and selected industry stakeholders.

View [GAO-15-550T](#). For more information, contact Gerald L. Dillingham, Ph. D. at (202) 512-2834 or dillinghamg@gao.gov.

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AVIATION CERTIFICATION

Issues Related to Domestic 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 as GAO reported in January 2015, challenges remain that could affect successful implementation of FAA's planned actions.

- FAA is implementing 14 initiatives for addressing 6 *certification process* recommendations. According to an April 2015 FAA update, 13 initiatives have been completed or are on track to be completed, and 1 will not meet planned milestones.
- In January 2015, FAA published a detailed implementation plan for addressing six *regulatory consistency* recommendations. According to the plan, FAA closed two recommendations—one as not implemented and one as implemented in 2013—and plans to complete the remaining four 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 indicated concerns regarding FAA's efforts, including concerns about a lack of communication with and involvement of stakeholders as FAA implements the two committees' recommendations. Since GAO reported in January 2015, FAA has been addressing these concerns.

In January 2015, GAO also reported that representatives of 15 selected U.S. aviation companies that 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 FCAAs, (3) difficulty with or lack of FCAA communications, and (4) high fees charged by some FCAAs. Although FAA's authority to address some of these challenges is limited, FAA has been addressing many of them. For example, FAA 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 FCAAs; (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 has initiated efforts to improve the robustness of its approvals-related data to better evaluate its relationships with bilateral partners, i.e., countries for which FAA has a BASA in place. FAA is also addressing its resource limitations by taking actions to improve the efficiency of its process.