

Advocacy Recommends That FAA Consider Extending Comment Period; Targeting Outreach to Small Business on Project Sequencing Procedures

On October 3, 2011, the U.S. Small Business Administration's (SBA) Office of Advocacy (Advocacy) submitted comments to the Federal Aviation Administration (FAA) on FAA's *Draft Standard Operating Procedures (SOP) of the Aircraft Certification Service (AIR) Process for the Sequencing of Certification and Validations Projects (Project Sequencing SOPs)*. [76 Fed. Reg. 54528 (September 1, 2011)]. FAA's draft *Project Sequencing SOPs* would formalize the process that FAA's Aircraft Certification Service uses for prioritizing the certification and validation of projects. In the past, this process was carried out by the order in which projects were received. However, since 2005, FAA has used project sequencing to prioritize and manage the approval process based on the agency's resources and operational safety priorities.

- Small businesses from the aviation sector have complained that FAA's current project sequencing process is not working well and has resulted in numerous delays for small businesses seeking FAA certifications and approvals.
- FAA has been relying on project sequencing since 2005, but formal agency policies or procedures for this process have not been made publicly available until now.
- Advocacy recommends that FAA consider extending the comment period for the draft SOPs by at least 30 days, commit to a targeted outreach effort for small business (such as hosting listening sessions, teleconferences, or roundtable discussions), and that any final SOPs be adopted through a formal notice and comment rulemaking process, including a small business impact analysis in accordance with the Regulatory Flexibility Act.

A complete copy of Advocacy's letter to FAA is available at: <http://www.sba.gov/advocacy/816>. For more information please contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 or bruce.lundegren@sba.gov.