



# Federal Aviation Administration

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## Memorandum

Date: September 5, 2014

To: All Manufacturing Inspection Offices  
All Manufacturing Inspection District Offices

From: *for* James D. Seipel, Acting Manager, Design, Manufacturing, & Airworthiness  
Division, AIR-100 *Bruce Cable*

Prepared by: David Magruder, Surveillance and Oversight Policy Section, AIR-143

Subject: Deviation to Federal Aviation Administration (FAA) Order 8100.11C, Decision Paper Requirements for Undue Burden and No Undue Burden Determinations Under 14 CFR Part 21 for Production and Export Airworthiness Approvals

Memo No.: AIR100-14-140-DM16

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The Design, Manufacturing, & Airworthiness Division, AIR-100, is developing policy and procedures that will change the current FAA process of making an undue burden determination associated with locating or changing locations of manufacturing facilities outside of the United States. In support of this change, various Manufacturing Inspection District Offices (MIDO) will participate, along with identified production approval holders (PAH), in a controlled prototype effort. The proposed policy, instructions, and guidance are tentatively located in draft FAA Order 8100.11D, Requirements for Finding Undue Burden and No Undue Burden Under 14 CFR Part 21 and draft FAA Advisory Circular (AC) 21-XX, Process to Support FAA Findings of Undue Burden for PAHs Requesting to Use Manufacturing Facilities Located Outside of the United States. The above mentioned draft order and AC will be distributed to the applicable FAA managing office and production approval holders for use only during the prototype.

This deviation memorandum allows prototype participating MIDOs to use the undue burden determination process described in draft FAA Order 8100.11D and draft FAA AC 21-XX, in lieu of undue burden determination process described in the current FAA Order 8100.11C. Prototype participating MIDOs will receive an email notification from AIR-143. This deviation memorandum will expire at the completion of the prototype.

If you have any questions regarding this memorandum or require any additional information, please contact the Surveillance and Oversight Policy Section, AIR-143 at (202) 267-1575.