

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.**

IN THE MATTER OF

**National Policy Regarding Aircraft Certification Service (AIR)
Issue Resolution and Appeal Processes**

Docket No. FAA-2022-1137

COMMENTS OF THE SMALL UAV COALITION

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September 26, 2022

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The Small UAV Coalition¹ is pleased to provide these comments on the Federal Aviation Administration’s draft order entitled National Policy Regarding Aircraft Certification Service (AIR) Issue Resolution and Appeal Processes (“Draft Order”). 87 Fed. Reg. 52424 (Aug. 25, 2022). As a general matter, the Coalition supports reforms of the FAA’s type and airworthiness certification processes that will improve the timeliness, transparency, and reasonableness of decision-making relating to an applicant’s compliance with design requirements and airworthiness criteria, and supported enactment of the Aircraft Certification, Safety, and Accountability Act, Public Law 116-260, section 110 of which requires publication of the Draft Order.

The Coalition’s specific comments follow:

Subparagraph 6(b)(2) defines “covered person” to include an applicant for, or holder of, a type certificate. The Coalition seeks confirmation or clarification that this definition includes a drone or advanced air mobility applicant for which the FAA has determined special class certification under 14 C.F.R. 21.17(b) is appropriate.

Paragraph 8 is entitled “Resolution of Technical Issues.” The Coalition believes that regulatory and administrative issues should also be eligible for the issue resolution and appeals processes in the Draft Order. These issues are included in FAA Order 8110.4C. The Coalition recognizes that the milestone process in FAA Order 8110.112A refers to “technical” issues but recommends that the milestone process be modified by this Draft Order to fulfill the objectives of section 110.

¹ Members of the Small UAV Coalition are listed at www.smalluavcoalition.org.

Accordingly, we recommend deletion of the word “Technical” in the title and elsewhere the word appears: in subparagraph 8(b)(first line); 8(b)(2)(second line), 8(d)(second line), 8(g)(first line), and 8(h)(second line).

In subparagraph 8(c), line 6, replace “can” with “may” to make it consistent within this subparagraph.

In subparagraph 9(e), the Coalition recommends the title “Prohibition on Participation” should be revised to state “Prohibition on Non-disclosed Participation” or “Restrictions on Participation” to reflect the limited nature of the prohibition. That is, *ex parte* communications are permitted if disclosed per the requirements in the Draft Order.

Respectfully submitted,



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