VOLUME 4 AIRCRAFT EQUIPMENT AND OPERATIONAL AUTHORIZATIONS

CHAPTER 12 LETTER OF AUTHORIZATION (LOA) FOR OPERATIONS IN SPECIAL AREAS OF OPERATION (SAO)

Section 1 Issue a Letter of Authorization

Source Basis:
• Section 91.703, Operations of Civil Aircraft of U.S. Registry Outside of the United States.

4-1286 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

B. Other: 1402.

C. PTRS Data Sheet. Complete the appropriate sections of the electronic PTRS Data Sheet (this is the Direct Entry Form in Enhanced Flight Standards Automation System (eFSAS)).

1) Enter Title 14 of the Code of Federal Regulations (14 CFR) part 91 reference and activity number 1402 (Required Navigation Performance (RNP)) or 1406 (5433 for Avionics; 3433 for Maintenance) for NAT operations. Enter activity number 1408 (5434 for Avionics; 3434 for Maintenance) for other areas.

NOTE: Certificate holders under 14 CFR part 125 will have operations specifications (OpSpecs) issued, and A125 Letter of Deviation Authority (LODA) holders will be issued an LOA.

2) Enter any comments as appropriate by clicking on the Add New Comment bar.

3) Select B (General Aviation Operations (GAOP)) or G (General Aviation Airworthiness (GAAW)) from the Primary Area drop-down menu.

4) Select code 643 (Waivers/Authorizations) in the Keyword drop-down menu.

5) Enter Opinion Code I (Information) and comments as appropriate.

6) Enter applicable Special Areas of Operation (SAO) under the Miscellaneous item in Section I (e.g., North Atlantic High Level Airspace (NAT HLA), RNP 2, RNP 4, or RNP 10). Make the following entries in Section IV:

   a) In the Comment Text field, enter the name, address, and telephone number of the responsible person for operations as stated on the LOA.

   b) Enter Opinion Code I.
7) At the conclusion of an LOA project, PTRS codes from Operations, Avionics, and Airworthiness should be entered.

4-1287 OBJECTIVE. The objective of this task is to verify crew qualifications and aircraft eligibility and issue an LOA to a part 91 General Aviation (GA) operator planning a flight in an SAO. Guidance to inspectors issuing OpSpecs to air carriers and part 125 operators planning flights in an SAO is contained in Volume 4, Chapter 1, Section 5, Safety Assurance System: Special Navigation Areas of Operation.

4-1288 BACKGROUND. SAO is a Flight Standards (FS) term identifying international airspace where unique requirements for Communication, Navigation, and Surveillance (CNS) capability exist. In this chapter, particular emphasis is on NAT HLA. However, much of this guidance is applicable to all oceanic airspace throughout the world. Inspectors should be familiar with the information in this chapter; Volume 4, Chapter 1, Section 5; and NAT Doc. 007, North Atlantic Operations and Airspace Manual, before processing an LOA for operations in NAT HLA. Figure 4-70, Regulations Applicable to International Operations 14 CFR Parts 45, 47, and 91, at the end of this section, contains regulations that are applicable to SAO operations. If any questions should arise regarding the issuance of an LOA, inspectors should request guidance from a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in the Flight Operations Group (AFS-410) of the Flight Technologies and Procedures Division (AFS-400).

4-1289 LISTING OF LOAs IN SAOs. The following are the currently available LOAs for SAOs:

- LOA B036, Oceanic and Remote Continental Navigation Using Multiple Long-Range Navigation Systems (M-LRNS), is required before issuing LOA B039. LOA B036 can be used to authorize RNP 2, RNP 4, or RNP 10 for part 91.
- LOA B039, Operations in North Atlantic High Level Airspace (NAT HLA), is required for flights within the NAT HLA.
- LOA B050, Special Authorizations for Certain Areas of Operations, is issued for Special Federal Aviation Regulations (SFAR) approval.
- LOA B054, Oceanic RNP 10 Operations Using a Single Long-Range Navigation System, is available as an LOA but only to authorize RNP 10 operations. For details, see Volume 3, Chapter 18, Section 4, Part B Operations Specifications—En Route Authorizations and Limitations.

NOTE: Inspectors needing access to International Civil Aviation Organization (ICAO) documents should contact a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410.

NOTE: Consultations regarding SAO applications should be documented using specific tracking tools as outlined in Volume 3, Chapter 1, Section 1, Subparagraph 3-4D, Online Posting of Application.
4-1290 GENERAL CONSIDERATIONS FOR SAO LOAs. For oceanic operations, excellent resources available to inspectors and operators are AC 91-70, Oceanic and Remote Continental Airspace Operations, as well as the Federal Aviation Administration’s (FAA) Resource Guides for U.S. operators, which incorporate relevant FAA and international guidance. Operators’ procedures must be consistent with guidance in the state Aeronautical Information Publication (AIP) for each state’s airspace they will be flying into, fly over, or use as an alternate. Inspectors should see the guidance in Volume 3, Chapter 18, Section 4 for specifics on the applicable LOA. The following, however, are general considerations:


B. Communication Equipment Required. ICAO Annex 2, Rules of the Air, paragraph 3.6.5.1 states that an aircraft operated on a flight plan shall maintain continuous air-to-ground communication watch on the appropriate communication channel and establish two-way communication, as necessary, with the appropriate air traffic control (ATC) unit. See Volume 4, Chapter 1, Section 6, General Communication Concepts, Policies, and Guidance – Overwater Operations, and § 91.511, Communication and Navigation Equipment for Overwater Operations (which applies only to part 91 subpart F).

C. Navigation Equipment and Procedures. Approved navigation equipment must be installed in accordance with a Supplemental Type Certificate (STC), original type certificate (TC), or a field approval. In either case, the operations inspector should coordinate with the Principal Avionics Inspector (PAI) and a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410 to ensure that the equipment installation is acceptable. Navigation equipment requirements for an LRNS are addressed in the guidance located in Volume 3, Chapter 18, Section 4. See, in particular, the B036 guidance, which addresses many of the issues specific to LOAs in special areas of navigation.

D. Surveillance Equipment and Procedures. Surveillance in oceanic and remote areas is often achieved with voice position reports. Some Air Traffic Service (ATS) units also incorporate (ground- or space-based) Automatic Dependent Surveillance-Broadcast (ADS-B), and/or Automatic Dependent Surveillance-Contract (ADS-C).

E. Crew Qualification Requirements. ICAO signatory states have regulations/rules that generally are consistent with ICAO standards (e.g., those published in Annex 6). For a discussion on the relationship between 14 CFR, ICAO Annexes, and Foreign National Regulations, see Volume 4, Chapter 1, Section 1. Regulations with respect to crew qualifications for U.S. operators are in 14 CFR.
F. Pilot Qualification. The minimum pilot qualification for any oceanic flight is a private pilot certificate. An instrument rating is required if operating at or above 5,500 feet pressure altitude in the NAT region. Some States (for example, Canada) require pilots to hold an instrument rating for operating at any altitude in the NAT region under their jurisdiction; therefore, it is imperative that pilots are acquainted with States’ varying requirements, which are found in each State’s AIP. Irrespective of the mandatory requirements, inspectors should strongly recommend that all pilots hold a valid instrument rating. The PIC must meet the recency-of-experience requirements stipulated by the State of Registry and have adequate training in the use of long-range CNS equipment as well as in dead-reckoning navigation techniques.

G. Training Curriculum Content. Questions concerning the acceptability of training should be referred to a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. Inspectors should strongly recommend that the crew qualifications include, at a minimum, subjects listed in Chapter 3 (Paragraph 3.2, Training Requirements for Oceanic and Remote Continental Airspace Operations) of AC 91-70.

4-1291 NAT REGION OCEANIC OPERATIONS. Inspectors should see Volume 3, Chapter 18, Section 4 for guidance on B039. In addition, NAT Doc. 007 is an excellent reference, as is the FAA’s North Atlantic Resource Guide for U.S. Operators.

4-1292 FLIGHT INFORMATION. Operators must supply and ensure that the information necessary to plan, conduct, and control operations is available to operational control and flightcrew personnel. Inspectors should review operator processes on flight planning, referencing Volume 3, Chapter 18, Section 4 guidance on B036, which refers to AC 91-70 (see, in particular, the Sample Expanded Oceanic Checklist items under subparagraph D.2.1, Flight Planning). Guidance for Notices to Airmen (NOTAM) is found in Volume 3, Chapter 26, Section 6, Notices to Airmen.

4-1293 PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of FAA policies, pertinent ICAO standards, and other applicable regulations and qualification as an aviation safety inspector (ASI) (Operations, Avionics, and Airworthiness). Enforcement authority falls under § 91.703(a)(1) and (2).

B. Coordination Requirements. This task requires coordination with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410.

4-1294 REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):

- Title 14 CFR Parts 61 and 91.
- ICAO Annex 2, Rules of the Air.
• ICAO Annex 6, Part II, International General Aviation – Aeroplanes.

B. Forms. FAA Form 8000-36, Program Tracking and Reporting System Data Sheet.

C. Job Aids. Format for LOA B039 to operate in the NAT HLA can be found on the Web-based Operations Safety System (WebOPSS).

4-1295 THE APPROVAL PROCESS. The approval process for SAO operations is used to ensure that those operations meet regulatory standards and provide for safe operating practices. The inspector must ensure the operator has a clear understanding of the minimum requirements that constitute an acceptable submission. The process consists of five phases that result in approving or not approving an applicant’s proposal. The inspector must:

• Accurately assess the character and scope of the proposal;
• Determine if a demonstration is required;
• Determine the need for any coordination requirements; and
• Determine the date the operator intends to implement the proposal.

4-1296 NAT HLA OPERATIONAL APPROVAL. In the United States, operational approval for part 91 operators to fly in NAT HLA (vertical bounds are flight level (FL) 285 to FL 420) is obtained by the issuance of LOA B039. During initial inquiries, it is important for the FAA and the operator to become familiar with the subject matter in phase 1. The operator and FAA inspector should contact a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. Authorization for operations in NAT HLA requires appropriate crew qualifications as described in Volume 3, Chapter 18, Section 4 and AC 91-70; approval of equipment installation and maintenance procedures; and verification that the requirements for navigation equipment redundancy are satisfied. PTRS entries will ensure that a database of all FAA approvals for operation in SAOs is maintained and available. Additionally, reports of oceanic operations deviations will be available from the oceanic event review committee (OERC) database maintained by AFS-410.

4-1297 PHASE ONE. Phase one is initiated when an applicant inquires about the need for an LOA. Whenever possible, a preapplication meeting should be scheduled with the Flight Standards District Office (FSDO) or International Field Office (IFO), the applicant, and an AFS-410 specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx).

A. Purpose of the LOA. Operators of U.S.-registered aircraft must be authorized by the Administrator to conduct operations in NAT HLA. All LOAs will have an associated PTRS entry. If new equipment has been installed or a different person is responsible for international crew qualifications, a new application for an LOA is required to replace the previous LOA. LOAs must be carried on the aircraft at all times when operating in NAT HLA. Nonstandard text in the LOA will specify any restricted authorization for routes requiring one LRNS, routes for aircraft with short-range navigation equipment, and restricted authorization for routes not requiring high frequency (HF) radios. For detailed guidance on the process for obtaining approval for nonstandard authorizations, see Volume 3, Chapter 18, Section 2.
B. Applicant–FAA Communication. The inspector must ensure that the operator clearly understands the requirements that must be met for the FAA to approve the proposal. It is essential for the operator to understand that, although the inspector may provide advice and guidance, the proposal submitted to the FAA for approval is solely the operator’s responsibility. The inspector must inform the operator of the benefits of submitting required documents as early as possible. The operator must also be aware of the responsibility to advise the FAA of any significant changes in the proposal within the timeframe defined by the responsible Flight Standards office.

C. Authorization Criteria for Issuance of LOAs. A listing of regulations pertinent to international operations is located in Figure 4-70. Before receiving approval for operations in SAO airspace, the operator must meet the following requirements:

- The required CNS equipment must be inspected and approved;
- The aircraft must be properly registered and certificated as Airworthy; and
- The operator should develop a journey logbook in accordance with ICAO Annex 6, Part I, Chapter 11, paragraph 11.4; Part II, Chapter 2, paragraph 2.8.2; and Part III, Chapter 9, paragraph 9.4.

NOTE: A journey logbook should contain the following items: airplane nationality and registration, date, crewmember names and duty assignments, departure and arrival points and times, purpose of flight, observations regarding the flight, and signature of the pilot in command. Annex 6 recommends journey logbook entries be retained to provide a continuous record of the last six months’ operations. Related documents are the cargo load manifest, a navigation log, an Electronic Flight Bag (EFB) operational (computer) flight plan, and/or a plotting chart that may be kept in the form of electronic data.

D. International Operations Qualifications. Crews must meet the applicable requirements stated in Subparagraph 4-1290F, Pilot Qualification. Inspectors should conduct a review of the operator’s training and procedures and conduct a tabletop exercise for the SAO requested, in coordination with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. Prior to validation testing, the inspector will examine aircrew training requirements by approved/authorized instructors and accompanying documentation for the SAO requested. If the inspector determines the crew’s qualifications to be inadequate, an LOA will not be issued. Qualifications for the issuance of an LOA may be satisfied by one of the following:

- Completing an operator’s oceanic operations training and testing program.
- Completing a relevant commercial oceanic operations training and testing program.
- Submitting military training records indicating prior oceanic operations experience.
- Written, training, or oral exam results that assure the inspector and the operator that the crew can safely conduct oceanic operations.
1) ASIs are encouraged to coordinate with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410 to conduct a review of the operator’s training and procedures and conduct a tabletop exercise for the SAO requested.

2) Neither the 14 CFR nor ICAO Annex 2 requires specific training for part 91. Inspectors should make critical observations in determining crew qualifications. For a crew to be considered qualified for oceanic operations, crewmembers must be knowledgeable in the following subject areas:

- ICAO Standards and Recommended Practices (SARP);
- Use of oceanic flight planning charts;
- Systematic navigation cross-checks;
- Sources and content of international flight publications;
- Itinerary planning;
- FAA international flight plan, ICAO flight plan, and flight log preparation;
- Route planning within the SAO where flights are to be conducted;
- ICAO and state en route and terminal procedure differences from those in the United States;
- Long-range, air-to-ground communication procedures;
- Structure of the SAO where the flights are to be conducted;
- CNS requirements particular to the aircraft flown and the flight profile within the SAO;
- Air traffic clearances;
- International meteorology, including significant weather charts, prognostic weather charts, tropopause prognostic charts, and Terminal Area Forecasts (TAF);
- Specific en route navigation procedures for each type of navigation equipment required for use in the SAO;
- Emergency procedures, including required emergency equipment, search and rescue techniques, navigation equipment failure techniques, and communication equipment failure techniques;
- Weather deviations, route offsets for engine out and Strategic Lateral Offset Procedure (SLOP), etc.; and
- Emergency procedures including required emergency equipment, SAR techniques, navigation, and communication equipment failure techniques. Each state’s AIP has specific differences written in regard to emergency, lost communication, and search and rescue procedures. This information must be checked for each state the flight intends to fly into, fly over, or use as an alternate.

4-1298 PHASE TWO. Phase two begins when the operator formally submits a proposal for FAA evaluation. The FAA makes an initial examination of the documents for completeness with respect to requirements established in phase one. As a result of phase two, the proposal is accepted or returned with an explanation of deficiencies. The SAO Tracker, NextGen
Application Tracker, or, when available, the Operations Approval Portal System (OAPS) should be used to submit applications.

A. Initial Action. In phase two, the inspector’s initial action is to review the operator’s submission to ensure that the operator has clearly defined the proposal and provided the documents specified in phase one. The required information must be complete and detailed enough to permit a thorough evaluation of the operator’s ability and competence to fully satisfy the applicable regulations, national policy, and safe operating practices in oceanic operations. The inspector also queries the Safety Performance Analysis System (SPAS) database to verify that aircraft registration and operator citizenship satisfy the requirements of part 47. In addition, the inspector obtains the flightcrew’s accident, incident, and pilot violation history for evaluation in phase three. Phase two does not include a detailed operational and technical evaluation or analysis of the submitted information (see phase three). However, in phase two, the inspector must examine the proposal and determine whether all requested and required information has been submitted.

B. Unsatisfactory Submission. If the operator’s submission is not complete, or the quality is obviously unacceptable, the inspector must return it immediately before any further review and evaluation is conducted.

1) Normally, an inspector returns an unacceptable submission with a written explanation of the reasons for its return.

2) In complex cases, a meeting with the operator’s key personnel and a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410 may be necessary to resolve issues and agree on a mutually acceptable solution.

3) If the inspector and the operator cannot reach a mutual agreement, the inspector must terminate the meeting, inform the operator that the submission is unacceptable, and return the submission. If all parties are able to reach agreement on measures to correct omissions or deficiencies and the inspectors (Operations, Maintenance, and Avionics, if applicable) determine that the submission is acceptable, the operator is informed, and phase three begins.

C. Status Reports. It is important for the inspector involved to keep the operator advised of the status of the proposal. If the inspector takes no other action or if the submission is deficient and not returned in a preestablished timeframe, the operator wrongly may assume that the FAA has tacitly accepted the submission and is continuing with the process. Timeliness of action depends on the situation and on the inspector’s judgment. The NextGen Tracker, the SAO Tracker, and the OAPS are designed to increase the speed and efficiency of the application process by utilizing online capabilities. See Volume 3, Chapter 1, Section 1, subparagraph 3-4D for further guidance. This subparagraph lists the various application trackers and their web addresses. SAO applications for LOAs are posted using this tool.

4-1299 PHASE THREE. During phase three, the FAA evaluates the operator’s formal proposal for compliance with the regulations, compliance with the direction provided in Order 8900.1, and compliance with other safety-related documents and safe operating practices.
Evaluation of documents requires coordination with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410 and may require a review by airworthiness/avionics specialists. If the results of the evaluation are unsatisfactory, the proposal is returned to the operator for correction and/or termination of the phase. Planning of phase four (if required) may begin during phase three. When the results of the evaluation are satisfactory, proceed with phase four (if a demonstration is required) and grant conditional approval or acceptance, if appropriate. Proceed to phase five if a demonstration is not required.

A. Detailed Analysis. Phase three is the FAA’s detailed analysis, review, and evaluation of the operator’s proposal. In phase three, the FAA evaluation is focused on the form, content, and technical quality of the submitted proposal.

B. Evaluation Criteria. The inspector must ensure that the documents adequately establish the operator’s ability and competence to conduct operations safely in accordance with the submitted proposal. Operating procedures must be evaluated in coordination with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. Operators may be required to present their aircraft at a location convenient to the operator and the inspectors. A representative minimum flightcrew may be required to accompany the aircraft to the inspection site for evaluation of the crew’s qualifications to operate CNS equipment in accordance with operator procedures. Additional crews do not need to be present during this inspection, but a representative of the operator will be required to certify, by the signing of the LOA, that all crews operating aircraft in SAOs meet the same qualifications as the representative crew. An Avionics inspector may inspect CNS equipment or review airplane certification documentation (i.e., FAA-approved TC, STC, Service Bulletin (SB), or Service Letter (SL)) to ensure that the installation was done in a manner the Administrator approved and to verify that the aircraft has the required CNS equipment for operations in NAT HLA.

C. Equipment Manuals. Operations supplementary manuals are required for all CNS equipment. These manuals must contain the material required to define all operational limitations associated with the system’s performance. For example, the manual would include details in regard to a Global Positioning System (GPS), which would reference receiver autonomous integrity monitoring (RAIM) technology, and fault detection and exclusion (FDE).

D. Addressing Deficiencies. During phase three, the inspector must address any deficiencies in the submitted material before proceeding to subsequent phases. Discussion with the operator may be sufficient to resolve certain discrepancies or questions or to obtain additional information. It may be necessary to return certain portions of the submission to the operator for specific changes. However, when an inspector determines that, for specific reasons, the material is unacceptable, the inspector must return the proposal to the operator with an explanation and immediately terminate the process and close the PTRS file. If the results of the evaluation are acceptable and a demonstration is necessary, the inspector may need to grant conditional, initial, or provisional approval of the proposal, pending the results of the demonstration, before continuing with the process.
E. Phase Four Planning. An important aspect of phase three is for inspectors to begin planning the conduct of phase four. Although validation flights are not required under part 91, validation testing is conducted to demonstrate the operator’s ability to perform the operations for which they are applying. While evaluating the operator’s formal proposal, inspectors should begin to formulate plans to observe and evaluate the operator’s ability to perform, if necessary. These plans must be completed before beginning the actual demonstrations. Inspectors should be aware that situations may arise when a crew that has been conducting oceanic operations under part 91 requests approval to operate under 14 CFR part 135. In this case the inspector may consult with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410.

4-1300 PHASE FOUR. During phase four, the FAA observes the validation test (if necessary), and the operator demonstrates ability. Although validation flights are not required under part 91, validation testing is conducted to demonstrate the operator’s ability to perform the operations applied for and requires coordination with a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. As a result of phase four, the validation test is either satisfactory or unsatisfactory.

A. Observation and Evaluation of Demonstration. Phase four is an operational evaluation of the operator’s ability to function in accordance with the proposal evaluated in phase three. This evaluation may be completed in phase three unless the inspector determines that a validation test is required. If a validation test is required, it will be necessary to complete this phase in accordance with the guidance contained in Volume 3, Chapter 29, Proving and Validation Tests.

B. Evaluation Criteria. Criteria for evaluating an operator’s eligibility for an LOA in an SAO are described in Volume 3, Chapter 18, Section 4.

C. Handling Discrepancies. The inspector must plan for the conduct and observation of the validation test, including such items as participants, evaluation criteria, and sequence of events. During these tests, it is normal for minor discrepancies to occur. Discrepancies can often be resolved during the tests by obtaining commitments from responsible company officials. Inspectors may also request the assistance of a specialist (refer to https://avssp.faa.gov/avs/afs400/Contacts/SitePages/AFS-410_Section_D_Contacts.aspx) in AFS-410. If any questions should arise with regards to the issuance of an LOA, inspectors should request guidance from a specialist.

1) The inspector responsible for overseeing a demonstration must evaluate each discrepancy in terms of its overall impact on the operator’s ability and competence to conduct the proposed operation.

2) The inspector must stop the demonstration in phase four when deficiencies or unacceptable levels of competency are observed. The inspector must identify the phase of the general process to which the applicant must return or decide to terminate the process entirely. If the demonstration is unacceptable because crewmembers were unable to perform their assigned duties, it may be appropriate to advise the operator that the process is terminated and a new proposal should be submitted.
D. Acceptable Demonstrations. If the FAA evaluation of the operator’s demonstrated ability is acceptable, the process continues. An operator will not, under any circumstances, be authorized or otherwise approved to conduct any particular operation until all airworthiness and operations requirements are met and the operator is clearly capable of conducting a safe operation in compliance with FAA regulations and safe operating practices.

4-1301 PHASE FIVE. During phase five, the FAA approves or accepts a proposal.

A. Indicating Approval. Upon satisfactory completion of the aircraft and crew inspection, the inspector will use WebOPSS to generate a part 91 designator and issue requested LOAs. Follow guidance in Volume 3, Chapter 18, Section 4 for requirements related to issuance of LOA B036 and/or LOA B039.

B. Acceptances. Other proposals, submissions, or requests not requiring specific FAA approval but required to be submitted to the FAA are items that are presented for acceptance. Acceptance of an operator’s proposal by various means includes a letter, verbal acceptance, or by taking no action, which indicates there is no FAA objection to the proposal.

4-1302 DENIAL OF A REQUEST FOR AN LOA. If an operator is unable to satisfy all requirements for issuance of an LOA, the inspector shall deny the request, notify the operator by letter (see Figure 4-69, Letter Informing Operator That a Request for an LOA Has Been Denied), and return all submitted documents to the operator.

4-1303 TASK OUTCOMES. Completion of this task results in:

A. Issuance. Issuance of an LOA authorizing operations in an SAO.

B. Denial. Denial of application for an LOA.

4-1304 FUTURE ACTIVITIES.

A. Investigate. The inspector investigates a reported navigational error, altitude deviation, erosion of longitudinal separation, or to confirm operator possession of an SAO authorization.

B. Verify. The inspector verifies an LOA.

C. Cancel. The inspector may cancel an LOA, due to change in responsible person, an oceanic error, or a change in equipment status of the aircraft.
Figure 4-69. Letter Informing Operator That a Request for an LOA Has Been Denied

FROM: Federal Aviation Administration  
Flight Standards District Office  
[street address]  
[city, state, ZIP code]

TO: [person or department requesting LOA]  
[company name (if applicable)]  
[street address (P.O. Box not acceptable)]  
[city, state, ZIP code]

Dear [name],

Your request for a Letter of Authorization (LOA) to operate in [name of Special Area of Operation] airspace has been denied for the following reasons:

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

You may reapply for an LOA upon correction of the discrepancies listed above. You may contact this office at [telephone number] if you have any questions.

Sincerely,

[Inspector’s signature who reviewed application]

[Inspector’s name]  
[Title]
Figure 4-70. Regulations Applicable to International Operations 14 CFR Parts 45, 47, and 91

The tables below are a compilation of Federal regulations that have particular importance in international operations. Crews are advised to reference these regulations prior to planning an oceanic or international flight. This listing of regulations is for guidance only and does not eliminate or provide relief from other regulations that are not listed.

As per Title 14 of the Code of Regulations (14 CFR) Part 91, § 91.703, Operations of Civil Aircraft of U.S. Registry Outside of the United States, (a)(2), each person operating a civil aircraft outside the United States within a foreign country must comply with the regulations relating to the flight and maneuver of aircraft there in force. State regulations for a foreign country can be found in their Aeronautical Information Publication (AIP). Pilots must refer to each state’s AIP in order to comply with § 91.703. Pilots transporting aircraft internationally should also be aware of the contents of Chapter III, Nationality of Aircraft, in the Agreements of the Chicago Convention, 7 December 1944, and the following International Civil Aviation Organization (ICAO) Annexes: Annex 2, Rules of the Air, Annex 6, Operation of Aircraft, Part I, International Commercial Air Transport – Aeroplanes, Part II, International General Aviation – Aeroplanes, and Part III, International Operations – Helicopters, with part 91.

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<tr>
<td>Communication and Navigation Equipment for Overwater Operations</td>
<td>91.511</td>
</tr>
<tr>
<td>Operation of Civil Aircraft of U.S. Registry Outside of the United States</td>
<td>91.703</td>
</tr>
<tr>
<td>Reduced Vertical Separation Minimum Airspace</td>
<td>91.706</td>
</tr>
<tr>
<td>Flights Between Mexico or Canada and the United States</td>
<td>91.707</td>
</tr>
<tr>
<td>Operations to Cuba</td>
<td>91.709</td>
</tr>
</tbody>
</table>

**RESERVED.** Paragraphs 4-1305 through 4-1325.