



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LIFE CYCLE MANAGEMENT CENTER
WRIGHT-PATTERSON AIR FORCE BASE OHIO

BULLETIN
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United States Air Force (USAF) Airworthiness Bulletin (AWB)-340

Subject: USAF Airworthiness Requirements for Contractor-Owned and Contractor-Operated Air Systems

Attachments: (1) Glossary of References and Supporting Information
(2) COCO Aircraft AW Data Package
(3) Civil Aircraft Operations Verification Letter Template
(4) Declaration of Public Aircraft Operation Letter Template
(5) Special Military Flight Release Template

1. Purpose. Define USAF methodology for assessing airworthiness (AW) of, and providing the appropriate AW approval for, Contractor-Owned and Contractor-Operated Air Systems. Compliance with this publication is mandatory.

2. Office of Primary Responsibility. USAF AW Office, AFLCMC/EZZ
(USAF.Airworthiness.Office@us.af.mil).

3. Definitions. Amplifying information is provided in USAF Airworthiness Circular (AC)-18-01.

3.1. Contractor-Owned Contractor-Operated (COCO) Air Systems. Air systems owned and operated by a private entity receiving compensation via USAF contract, agreement, or other means to provide products or services in support of research & development activity, science & technology activity, flight testing, training, operational missions, or other USAF interests.

3.2. Contractor-Owned Government-Operated (COGO) Air Systems. Same definition as COCO air systems except operated by a USAF crew. Hereafter, the term “COCO air systems” implies both COCO and COGO air systems. The AW requirements are the same.

3.3. Public Aircraft Operations (PAO). The operation of public aircraft (reference Title 49 United States Code § 40102(a)(41)). Also, the operation of a civil aircraft (when sponsored by a public entity) outside the purview of its FAA airworthiness certificate (e.g., configuration, operational use, or maintenance) and applicable operating regulations under Title 14 Code of Federal Regulations.

3.4. Civil Aircraft Operations (CAO). All aircraft operations other than those conducted as public aircraft operations in accordance with applicable law (reference Title 49 United States Code § 40102(a)(16)). Civil aircraft operations includes operation of a civil aircraft fully within the limits and conditions of its Federal Aviation Administration (FAA) AW certificate or special flight authorization and applicable operating regulations under Title 14 Code of Federal Regulations.

3.5. AW Authority. A USAF TAA recognized organization that has the legal mandate to develop and enforce pertinent rules, regulations, and policy governing AW.

3.6. Contract Requiring Activity. The military or other designated supported organization that is responsible for the support function and/or mission being resourced through commercial/noncommercial means.

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3.7. Contracting Officer Representative (COR). Individual nominated by the requiring activity and appointed in writing by the contracting officer to perform specific technical and administrative functions. Additionally, CORs serve as on-site technical managers assessing contractor performance against contract performance standards in accordance with the Quality Assurance Surveillance Plan.

3.8. AW Approval. A document which affirms the air systems or air system was assessed against the required AW standards and any residual risk to air crew, ground crew, passengers, or to third parties has been accepted by the appropriate authority.

3.9. User Representative. For fielding events, a Command or agency that has been formally designated in the Joint Capabilities Integration and Development System process to represent single or multiple users in the capabilities and acquisition process. For non-fielding events, the user representative will be the Command or agency responsible for the personnel, equipment, and environment exposed to the risk. For all events, the user representative will be at a peer level equivalent to the risk acceptance authority.

4. Background. The USAF frequently contracts for, or otherwise acquires (by agreement or other means), products or services involving civil air systems. The USAF contract requiring activity must ensure proper AW approvals and oversight are provided for maintenance and operation (M&O) of these air systems.

4.1. DoD AW Policy. Department of Defense Directive (DoDD) 5030.61, *DoD Airworthiness Policy*, paragraph 3a states “All aircraft and air systems owned, leased, operated, used, designed, or modified by DoD must have completed an AW assessment in accordance with Military Department policy.” Products and services involving COCO air systems receiving compensation via USAF contract, agreement, or other means, are “used” by the USAF and therefore are governed by this DoDD.

4.2. USAF AW Policy. Air Force Policy Directive 62-6, *USAF Airworthiness* and Air Force Instruction (AFI) 62-601, *USAF Airworthiness* govern AW assessments for air systems used by the USAF.

4.3. Public vs Civil Aircraft Operations. Both FAA policy, FAA Advisory Circular 00-1.1A, *Public Aircraft Operations*, and Federal Statute, Title 49 U.S.C. § 40102, *Definitions*, require public entities (e.g., USAF) to determine whether the COCO air systems operating for their use are considered PAO or CAO. When COCO air system operations, even a single flight, meet the definition of CAO, the FAA remains the AW authority for the subject flight(s). When the COCO air system operations, even a single flight, meet the definition of PAO, the public entity (e.g., USAF) becomes the AW authority for the subject flight(s). AW responsibilities include oversight of M&O.

5. Applicability.

5.1. This bulletin applies when products¹ or services involving COCO air systems are being acquired by a USAF organization via USAF contract, agreement, or other means.

5.1.1. If another public entity issues the contract or agreement, they are the AW authority (the AW authority is, at a minimum, required to render the CAO/PAO assessment).

5.1.2. If the public entity issuing the contract or agreement is not recognized by the USAF TAA as an AW authority, it is the responsibility of the contract requiring activity to obtain the services of a recognized AW authority.

5.2. This bulletin applies when a USAF organization is using COCO air systems to perform in-flight duties.

5.3. This bulletin applies when a USAF organization is contracting for air systems from a government organization which is not a recognized AW authority.

5.4. This bulletin does not apply to the following scenarios when these air services, or air systems, are operated IAW the noted policy, regulation or instruction:

5.4.1. **Company Provided Air Services.** For USAF personnel flying onboard a privately owned and operated air system whose flight(s) will NOT be compensated by the USAF, the operational commander is responsible to approve IAW AFI 11-401, *Aviation Management*.

5.4.2. **DoD Commercial Transportation.** COCO air systems transporting personnel and/or cargo for the United States Transportation Command (USTRANSCOM) and whose flight safety has or will be evaluated by USTRANSCOM IAW Department of Defense Instruction (DoDI) 4500.53, *DoD Commercial Air Transportation Quality and Safety Review Program*.

5.4.3. **Group 1, 2, and 3 Unmanned Air Systems (UAS).** See AFI 11-502v3, *Small Unmanned Aircraft Systems Operations* for group definitions.

5.4.4. **Civil Air Patrol (CAP) Aircraft.** Air systems operating IAW CAP governing regulations including, but not limited to, Civil Air Patrol Regulation (CAPR) 70-1, *CAP Flight Management* and CAPR 66-1, *Civil Air Patrol Aircraft Maintenance Management*.

5.4.5. **USAF Aero Club Aircraft.** Air systems operating IAW Air Force Instruction (AFI) 34-117, *Air Force Aero Club Program*.

5.4.6. **FAA Certified Training Services.** FAA certificated pilot schools are regulated in accordance with Title 14 of the Code of Federal Regulations (14 CFR) part 141.

5.4.7. **Paratroop Commercial Operator.** A listing of approved paratroop commercial operators maintained by AMC/A3B is available at <https://www.milsuite.mil/book/docs/DOC-318286>.

5.5. This bulletin does not apply to civil air systems that the USAF intends to develop and/or purchase as part of a procurement contract when that civil air system has not yet completed its FAA Type Certification activity.

¹ For the purposes of this AWB, product is defined as a deliverable item (such as sensor data) which the contractor uses an air system to obtain.

6. Air Systems Categories. The type certification pedigree of COCO air systems can vary widely.

6.1. Category 1 Air Systems –

6.1.1. Have an applicable type design certification pedigree and modification design approvals issued by an AW Authority (Note: FAA AW certificates are not type certifications) and;

6.1.2. Configuration, usage, and environment of planned operation is consistent with certification pedigree and modification design approvals.

6.2. Category 2 Air Systems –

6.2.1. Do not meet the criteria for Category 1 and;

6.2.2. Have a configuration representative operational fleet that has accumulated over 10,000 Flight Hours (FHs) and;

6.2.3. The configuration representative operational fleet has Probability of Mishap less than 1×10^{-4} per FH or sortie considering historical fleet FHs and Class A mishaps. Use the equation below to determine the aggregate Probability of Mishap.

$$\text{Probability of Mishap per FH or Sortie} = \frac{(\text{Class A Mishaps} + 1)}{FH}$$

6.3. Category 3 Air Systems – Do not meet the criteria for Category 1 or 2.

7. AW Process. Figure 1 outlines the steps for assessing AW of COCO air systems. The Technical Airworthiness Authority (TAA) may delegate some portions of the COCO AW process to delegated technical authorities (DTA).

7.1. AW Planning. When planning to acquire products or services involving civil air systems, the contract requiring activity shall contact their assigned DTA (if known) or the USAF AW Office to begin the planning process.

7.1.1. The contract requiring activity shall ensure the contractor, or other cognizant entity, provides a COCO Aircraft AW Data Package (AADP) as defined in ATCH 2. A recommendation of the category shall be included in the AADP. The TAA shall approve the category.

7.1.2. The TAA shall make an initial assessment as to whether the intended COCO air system flight(s) meet the definition of PAO or CAO as defined in 49 USC § 40102 and 49 USC § 40125. This CAO/PAO assessment is fundamental to determine AW authority operational oversight and will impact contractual/agreement requirements. The USAF AW Office or DTA will inform the contract requiring activity of the trade space and implications of PAO and CAO.

7.1.3. The contract requiring activity and DTA shall determine the approach for AW that will culminate with the appropriate AW approval. The contracting requiring activity, with support from the DTA, shall document the AW plan. The TAA shall approve the final AW plan.

7.1.4. The contract requiring activity should determine M&O oversight responsibilities. These will impact contractual requirements.

7.2. AW Contracting. Organizations contracting for, or otherwise acquiring (by agreement or other means), products or services involving civil air system flight(s) shall incorporate AW requirements in the contract or agreement. These requirements shall be sufficient to support AW activities required by USAF policy to obtain an AW approval, including the activities required by this AWB, and as tailored by the TAA.

7.3. Technical AW Assessment. The contract requiring activity and the TAA shall conduct the technical AW assessment. This assessment is first against the baseline air system and second against the configuration, usage, and environment required by the contract. This assessment shall document critical findings, mitigating actions, and risks IAW AWB-150, *Risk Assessment and Acceptance*.

7.3.1. The scope of AW assessment for the baseline air system shall be as follows:

7.3.1.1. **Category 1 Air Systems** – The TAA may completely satisfy technical AW assessment requirements by validating the existence of proper FAA type certification or recognized military AW authority certification noting any associated limitations, restrictions and conditions the certification(s) may have imposed. The AADP may suffice as the sole substantiating document providing the necessary information.

7.3.1.2. **Category 2 Air Systems** – The TAA shall assess the AADP and request further information if necessary. The baseline risk for Category 2 air systems is SERIOUS. Upon review of information available and the implementation of mitigating actions, the TAA may adjust the baseline risk accordingly.

7.3.1.3. **Category 3 Air Systems** – The TAA shall determine the form of the AW assessment but at a minimum requires utilization of an Independent Review Team (IRT).

7.3.2. Modifications and missions required by the USAF contract (agreement or other means) that are conducted beyond the approved technical data shall be assessed IAW standard USAF AW processes.

7.4. M&O AW Assessment.

7.4.1. For both CAO and PAO, the TAA shall ensure an initial M&O AW Assessment is conducted to determine the air system is in a condition for safe operation and procedures are established for M&O.

7.4.2. The USAF shall use a Government Flight Representative, Contracting Officer's Representative, or other qualified representative to conduct the initial M&O AW assessment. The representative should be adequately trained in the contractually required M&O requirements (FAA and/or USAF) and qualified to perform the evaluation. The organization responsible for ensuring continuing AW during operations should participate.

7.4.3. The representative shall use the M&O Assessment Checklist (USAF AC-18-02) where applicable for the review. The checklist is tailorable if approved by the TAA. The M&O AW assessment identifies AW risks if air system condition or procedures are not satisfactory. M&O AW Risks shall be assessed IAW AWB-150, *Risk Assessment and Acceptance*.

7.5. Finalize CAO/PAO Assessment. The TAA shall finalize the CAO/PAO assessment documenting the conflicts with civil aviation regulations precluding CAO. The USAF contract requiring activity should evaluate options affecting CAO or PAO status considering potential program impacts including requirements, oversight responsibilities, cost, and schedule, and confirm with the TAA that the elected option is technically feasible.

7.6. Risk Acceptance. All identified risks shall be accepted IAW MIL-STD-882, *System Safety*, prior to issuance of any AW approval.

7.6.1. The TAA shall compile all risks identified during the Technical and M&O AW assessments. The baseline air system risks for Category 2 air systems (7.3.1.2) shall be noted separately from the modification risks (7.3.2). NOTE: Risk identification and risk acceptance is required for both CAO and PAO.

7.6.2. The contract requiring activity chain of command providing the contract or agreement shall be responsible for formal acceptance of the risks determined through the AW assessments. The user representative shall provide concurrence on SERIOUS and HIGH risks.

7.7. AW Approval. Upon completion of the AW assessment, mitigation of critical findings, formal acceptance of risks and prior to COCO air systems performing flight operations, even a single flight, for or by the USAF, the TAA shall issue a CAO Verification Letter or Military Flight Release (MFR).

7.7.1. CAO Verification Letter. This letter, signed by the TAA, verifies the COCO air system flight(s) meet the definition of CAO, all flight operations can be conducted fully within FAA's civil regulations, and risks from the AW assessment have been accepted. See ATCH 3 for a sample CAO Verification Letter.

7.7.2. MFR. The MFR, signed by the TAA, attests that the AW assessment is complete, affirms risks are accepted, and documents flight limitations and/or restrictions for PAO.

7.7.2.1. The standard MFR template should be used for Category 1 air systems. The Special MFR template (ATCH 5) shall be used for Category 2 & 3 air systems.

7.7.2.2. Standard Limitations and Restrictions (ATCH 5) shall be attached to the Special MFRs. Tailoring shall be approved by the TAA.

7.7.2.3. The Standard Limitations and Restrictions shall be supplemented by any applicable limitations and restrictions noted on the FAA Special AW Certificate for the air system and those developed by the Technical and M&O AW Assessments.

7.7.3. AW Approval Renewal. An updated or renewed AW approval shall be obtained from the TAA for changes during operations that may impact the AW assessment. Changes include but are not limited to:

7.7.3.1. Extension of contract.

7.7.3.2. Addition of aircraft to the contract.

7.7.3.3. Air system modifications or other changes in air system configuration.

7.7.3.4. Changes to requirements for contracted air system activity, or air system utilization exceeding current AW Approval.

7.7.3.5. Non-administrative changes to Technical Data or Aircraft Inspection Program.

7.8. PAO Notification. Upon receipt of the TAA-issued MFR for PAO, the COR shall provide the contractor a “Declaration of Public Aircraft Operations” Letter (ATCH 4) for the designated, qualified flight(s) and a copy of the MFR. If there is no COR, then another official government representative should provide the letter. The contractor or air system owner is responsible to provide the declaration to its FAA Flight Standards Office and shall carry it and the MFR onboard the aircraft (or ground control stations for UAS) for operations in the United States National Airspace System (NAS). In addition, for operations outside the NAS, the operator must either obtain authorization from the host nation IAW Title 14, Code of Federal Regulations (CFR), Part 91.703, *Operations of Civil Aircraft of U.S. Registry Outside of the United States*, or operate in USAF military restricted airspace. The contract requiring activity should request the local operating command obtain this authorization.

7.9. COCO Air System M&O.

7.9.1. The contract requiring activity shall ensure air system M&O are conducted IAW applicable regulations (FAA and/or USAF).

7.9.2. The contract requiring activity has the responsibility to oversee and enforce contractor compliance with all USAF and contracted requirements. The contract requiring activity shall ensure appropriate oversight for M&O is provided for the COCO air system.

7.9.2.1. For CAO, the FAA has the responsibility to oversee and enforce contractor compliance with all FAA regulations.

7.9.2.2. For PAO, the USAF has the responsibility to oversee and enforce M&O requirements. The USAF may use a Government Flight Representative, COR, or other qualified representative to conduct oversight. The representative should be adequately trained in the contractually required maintenance and operational requirements (FAA and/or USAF).

7.9.2.3. The contractor will support FAA and/or USAF oversight activities (depending on COCO flight(s) CAO/PAO status).

7.9.2.4. The M&O airworthiness assessment shall be renewed at least every 24 months.

7.10. COCO Air System Mishaps. Mishaps will be handled in accordance with AFI 91-202, *The US Air Force Mishap Prevention Program*. Regardless of whether the COCO flight(s) has been deemed PAO or CAO, the contractor requiring activity shall notify the TAA and DTA within 24 hours of any Class A mishap involving the COCO air system.

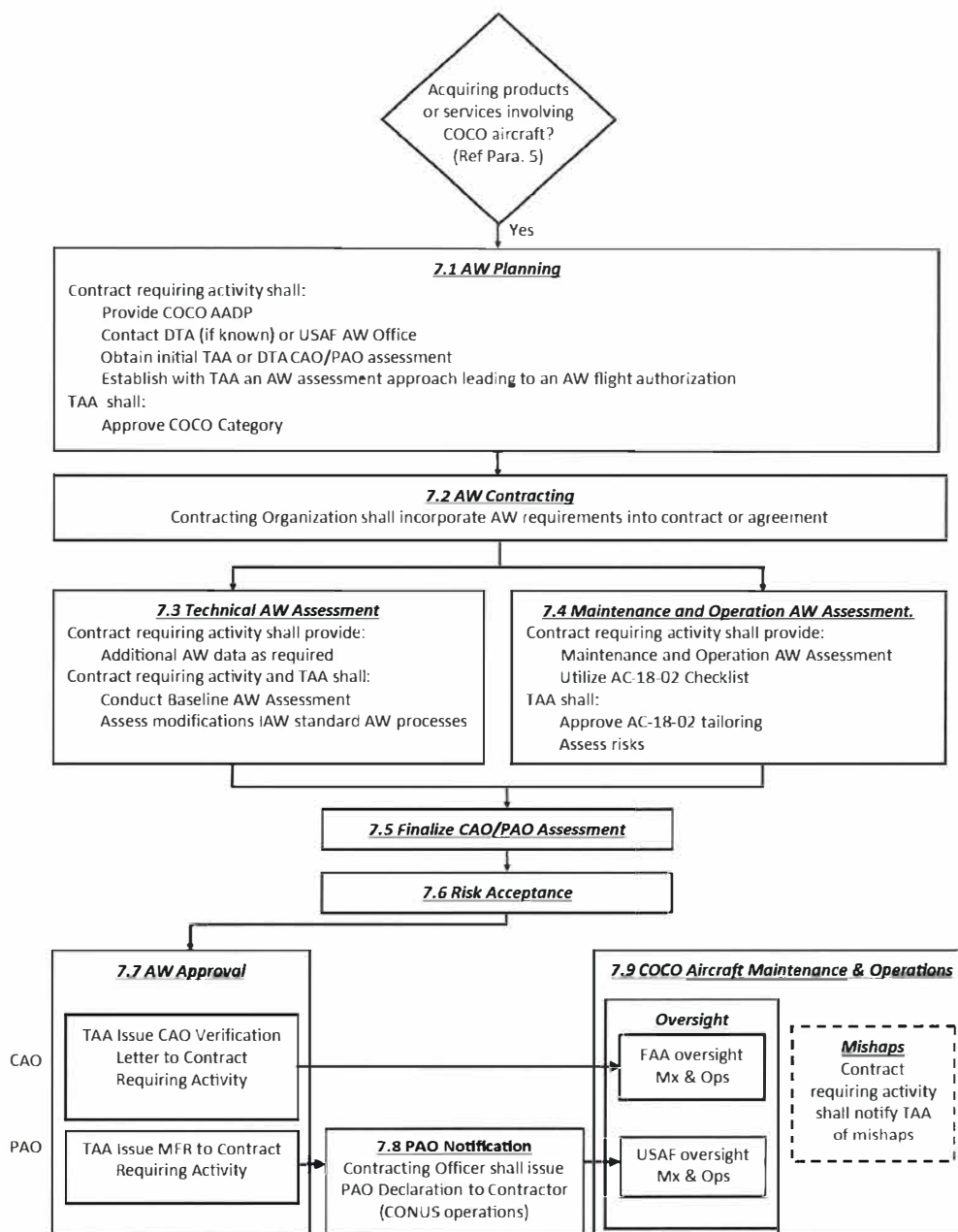


FIGURE 1. COCO Air System AW Assessment Process.

THOMAS M. FISCHER, SES

Director, Engineering and Technical
Management/Services

USAF Technical Airworthiness Authority

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

14 CFR Part 91.703, *Operations of Civil Aircraft of U.S. Registry Outside of the United States*

49 USC § 40102, *Definitions*

49 USC § 40125, *Qualifications for Public Aircraft Status*

AFI 62-601, *USAF Airworthiness*, 11 June 2010

AFI 11-401, *Aviation Management*, 14 February 2018

AFI 11-502v3, *Small Unmanned Aircraft Systems Operations*, 21 August 2015

AFI 34-117, *Air Force Aero Club Program*, 1 October 2014

AFI 91-202, *The US Air Force Mishap Prevention Program*, 24 June 2015

Air Force Policy Directive (AFPD) 62-6, *USAF Airworthiness*, 11 June 2010

CAPR 70-1, *CAP Flight Management*, 4 December 2017

CAPR 66-1, *Civil Air Patrol Aircraft Maintenance Management*, 14 June 2018

DoDD 5030.61, *DoD Airworthiness Policy*, May 24, 2013

DoDI 4500.53, *DoD Commercial Air Transportation Quality and Safety Review Program*, October 20, 2008, Incorporating Change 1, December 2, 2010

FAA AC 00-1.1A, *Public Aircraft Operations*, February 12, 2014

MIL-STD-882, *System Safety*, 11 May 2012

USAF AC 18-01, *Federal Aviation Administration (FAA) Airworthiness Certification Process Overview*

USAF AC 18-02, *USAF Airworthiness Evaluations of Contractor Owned & Contractor Operated (COCO) Air Systems*

USAF AWB-150A, *Risk Assessment and Acceptance*, 5 December 2017

Abbreviations and Acronyms

AADP – Aircraft AW Data Package
AC – Airworthiness Circular
AFI – Air Force Instruction
AW – Airworthiness
AWB – Airworthiness Bulletin
CAO – Civil Aircraft Operations
CAP – Civil Air Patrol
CAPR – Civil Air Patrol Regulation
CFR – Code of Federal Regulations
COCO – Contractor-Owned, Contractor-Operated
COGO – Contractor-Owned, Government-Operated
COR – Contracting Officer Representative
DTA – Delegated Technical Authority
DoD – Department of Defense
DoDD – Department of Defense Directive
DoDI – Department of Defense Instruction
FAA – Federal Aviation Administration
FAR – Federal Aviation Regulations
FH – Flight Hours
GFE – Government Furnished Equipment
IAW – In Accordance With
M&O – Maintenance and Operations
MFR – Military Flight Release
PAO – Public Aircraft Operations
TAA – Technical Airworthiness Authority
TCDS – Type Certification Data Sheet
UAS – Unmanned Air System
USAF – United States Air Force
USC – United States Code
USTRANSCOM – United States Transportation Command

Attachment 2

COCO AIRCRAFT AIRWORTHINESS DATA PACKAGE (AADP)

The contract requiring activity is responsible for providing the USAF TAA or DTA with the documentation necessary to conduct their CAO/PAO assessment and assist in performing their airworthiness assessment. The TAA or DTA is the final authority to determine the documentation required.

NOTE: Depending on the nature of the responses, additional information may be required to further substantiate the aircraft's safety or to more fully understand the risks involved in the COCO aircraft operation.

1. GENERAL INFORMATION:

- 1.1. **Make and Model Number** –
- 1.2. **Serial Number** – Identify the serial number(s) of the aircraft.
- 1.3. **Registration Number** – Identify the registration number(s) of the aircraft.
- 1.4. **Type Certificate Data Sheet (TCDS)** – Provide the aircraft's TCDS number on which the aircraft's serial number appears. If no TCDS number exists, describe the basis of certification recognized by the FAA.
- 1.5. **Airworthiness Certificate** – Provide a copy of the aircraft's Airworthiness Certificate (e.g., FAA Form 8100-2, 8130-7, etc.). Include limitations if applicable.
- 1.6. **Design change certification** – Provide a copy of design approvals (e.g. DER signed FAA Form 8110-3s) for changes in current configuration not approved in type certification.
- 1.7. **Limited Approvals** – Identify items with limited FAA approvals (e.g. safe carriage/provisions) requiring military approval.
- 1.8. **FAA Program Letter** – Provide a copy of the FAA program letter, if applicable.
- 1.9. **Proposed Aircraft Category** – Propose aircraft category based on definitions in Section 6.
- 1.10. **Representative Fleet Hours (Category 2-3 Only)** – Estimate of total hours across a configuration representative fleet.
- 1.11. **Mishap History (Category 2-3 Only)** – Identify Class A mishaps in the representative fleet.
- 1.12. **Period of Use** – Identify when the operator will perform the COCO aircraft operations.
- 1.13. **Purpose of COCO Aircraft Operation** – Provide an overview describing the nature and purpose of the services being provided. Note if the aircraft will be operated in accordance with FAA approved technical data.
- 1.14. **Planned Operating Status** – Identify whether operations are planned to be conducted as public or civil, including rationale.
- 1.15. **USAF Contract/PWS** – Provide a signed copy of the USAF contract for services and Performance Work Statement (PWS).

2. AIRCRAFT CONFIGURATION:

2.1. **Modifications** – If the aircraft configuration will be altered by act or direction of the US Armed Forces prior to, or during, the COCO air system operation, identify and describe the following:

2.1.1. Each alteration and planned approach for certification (FAA STCs, FAA Form 337 Field Approvals, DER Approvals, Military certification, etc.).

2.1.2. The existence and/or type of FAA approval applicable to the parts being installed.

2.1.3. Government Furnished Equipment (GFE) that will be on-board the aircraft.

2.2. **Temporary Equipment** – If temporary equipment is being used in support of the COCO aircraft operation, describe the nature of the equipment, how and when it will be used in flight, and the approach for certification.

2.3. **Aircraft Stores Loadout** – Identify required external loadout requirements.

3. AIRCRAFT OPERATIONS:

3.1. **Operating Organization** – Identify the organization(s) that will be operating the aircraft during the Period of Use.

3.2. **Operator Qualifications** – Identify the qualifications of the flight crew operating the aircraft.

3.3. **Personnel on Board** – Identify types (civilian/government) and numbers of personnel on board.

3.4. **Operating Rules** – Identify rules and procedures governing ground and flight operations (e.g., FAR Part 91, AFI 91-202, Ground Operating Procedures/Flight Operating Procedures). Identify any planned deviations.

3.5. **Technical Data** – Identify the technical data that will govern flight operations (e.g., FAA-approved Airplane Flight Manual, Original Equipment Manufacturer supplements accepted by the FAA, etc.). If operating outside of FAA-approved technical data, describe the nature and frequency of such operations.

3.6. **Oversight** – Identify the organization that will be responsible for oversight of aircraft operations during the Period of Use.

4. AIRCRAFT MAINTENANCE:

4.1. **Maintenance Organization** – Identify the organization that will be performing maintenance during the Period of Use.

4.2. **Maintenance Rules** – Describe the rules and regulations that will govern how maintenance is performed (e.g., 14 CFR Parts 43 and 91, AFI 21-101, TO-00-20-2, etc.). Identify any planned deviations from the established maintenance requirements.

4.3. **Technical Data** – Identify the technical data that will govern maintenance requirements and procedures. If the aircraft will be maintained outside of FAA-approved technical data, describe the nature of such maintenance.

4.4. **Oversight** – Identify the organization that will be responsible for oversight of aircraft maintenance during the Period of Use.

4.5. **Maintenance Currency** – State that maintenance has been, or will be, verified as current prior to the first flight of the COCO aircraft. Identify the organization that will perform the verification and how the verification will be accomplished.

Attachment 3

CIVIL AIRCRAFT OPERATIONS VERIFICATION LETTER TEMPLATE

The TAA or DTA should tailor the following letter template for the specific program.

MEMORANDUM FOR **CONTRACT REQUIRING ACTIVITY** Insert Date

FROM: **USAF Technical Airworthiness Authority (TAA) or Delegated Technical Authority (DTA)**

SUBJECT: Civil Aircraft Operations (CAO) Verification Letter for **Contractor ABC**, Aircraft **N###**,
Operating Under Contract **####-##-#####**

References: (a) DoDD 5030.61, *DoD Airworthiness Policy*, May 24, 2013

(b) AFI 62-601, *USAF Airworthiness*, 11 Jun 2010

(c) Performance Work Statement, Contract **####-##-#####**, dated DD MM YYYY

(d) Relevant FAA Airworthiness Certificates for subject COCO aircraft

(e) Other Relevant FAA documentation

(f) Relevant supporting information, such as Aircraft Airworthiness Data Package (AADP)

1. I have reviewed the relevant policy, contract information, and aircraft documentation in the noted references and hereby determine that the intended flight operations involving aircraft **N###**, under contract **####-##-#####**, constitute Civil Aircraft Operations. The FAA will remain the airworthiness authority for operations and maintenance.
2. Key rationale considered:
 - a. The aircraft is owned by **Contractor**, not the Armed Forces.
 - b. All operations and maintenance can be conducted IAW Title 14 CFR, FAA guidance, approved manuals and airworthiness certificates. The FAA will have enforcement authority for any deviation.
 - c. **List any other relevant information, such as no GFE, no AF operators, etc.**
3. The **contract requiring activity** must ensure all aspects of the contract, operations and maintenance remain consistent with the noted references. If deviations occur, this CAO determination is invalid and a separate airworthiness assessment may be required IAW Ref. (a) and (b) prior to commencing flight operations.
4. This letter is evidence the AF completed the airworthiness assessment mandated by Ref. (a).
5. **(include if appropriate) The type design is not fully substantiated to an approved certification basis, but the appropriate authority has accepted all residual risks.**

MR. JOHN D. DOE

Delegated Technical Authority for Airworthiness

Attachment 4

DECLARATION OF PUBLIC AIRCRAFT OPERATIONS LETTER TEMPLATE

MEMORANDUM FOR CONTRACTOR ABC

Insert Date

FROM: Address of Contract requiring activity

SUBJECT: Declaration of Contractor Conducting Public Aircraft Operations (PAO)

1. As recommended in Federal Aviation Administration (FAA) Advisory Circular (AC) 00-1.1A, *Public Aircraft Operations*, I am providing Contractor with a written declaration of PAO for flights within U.S. airspace. Title 49 of the United States Code (USC), § 40102(a)(41) provides the definition of “Public Aircraft” and Title 49 USC §40125 provides the Qualifications for public aircraft status.

2. This declaration is made for the following:

- a. Operator: Contractor 123 (or Government Organization if government operated)
- b. Aircraft Owner: Contractor 456
- c. Aircraft: Aircraft Model(s); Aircraft Serial Number(s); Aircraft N-Number(s)
- d. Contract Information: Contract #####-##-#-####; (dd mm yyyy – dd mm yyyy)
- e. Proposed PAO Flight(s) Dates: dd mm yyyy – dd mm yyyy
- f. Air Force Technical Authority determining PAO status:

Mr. John D. Doe, Director of Engineering/Delegated Technical Authority
 Email Address
 Phone Number

- g. Air Force Organization Sponsoring PAO operations:

The Contract requiring activity
 Email address
 Phone Number

JOE Q. CONTRCOFFCR, GS-XX

Contracting Officer

Contracting Organization



DEPARTMENT OF DEFENSE
UNITED STATES AIR FORCE

SPECIAL

MILITARY FLIGHT RELEASE No. COCO – Operator MDS – R000#

1. MANUFACTURER / MDS (Program Office):

Manufacturer / Model Design Series

2. ISSUE DATE:

Day Month Year

3. EXPIRATION DATE:

Day Month Year

4. SERIAL/TAIL NUMBER(S)/CONFIGURATION:

Aircraft Model	Serial Number	Tail Number
TBD	TBD	TBD

5. TERMS AND CONDITIONS:

This Military Flight Release (MFR) is issued pursuant to Department of Defense Directive 5030.61, DoD Airworthiness (AW) Policy and USAF Policy Directive 62-6, USAF Airworthiness, as implemented in AW Bulletin AWB-1012, USAF AW Requirements for Contractor-Owned and Contractor-Operated (COCO) Aircraft. It affirms the appropriate tenets of the AW process are met for the noted aircraft to conduct the operations required by USAF Contract [Contract Number] when designated and declared as Public Aircraft Operations (PAO). During PAO, the USAF is the AW Authority and the [Contracting Organization] is responsible for obtaining appropriate USAF continuing oversight of flying and ground operations.

This MFR is in the SPECIAL category. An aircraft holding a SPECIAL MFR has not been shown to meet the AW requirements set forth in MIL-HDBK-516 and in 14 CFR (Code of Federal Regulation) Part 21. This MFR is issued based upon an inspection ensuring the aircraft is in a condition for safe operation, an assessment of available aircraft technical data, and historical operational data. The risk associated with operation under this MFR is assessed as SERIOUS IAW MIL-STD-882E (a mishap resulting in death, permanent total disability, or loss of aircraft is unlikely but possible to occur).

System Safety risks identified in the AW assessment report have been accepted by the appropriate authorities.

THIS MFR IS VALID ONLY WHEN THE AIRCRAFT SHOWN IN BLOCK 4 ARE OPERATED IN ACCORDANCE WITH THE MANUALS, LIMITATIONS, AND RESTRICTIONS IDENTIFIED IN BLOCK 8 AND ATTACHMENT 1

6. SIGNATURE

THOMAS M. FISCHER, SES
Director, Engineering and Technical
Management/Services
USAF Technical Airworthiness Authority

7. ORGANIZATION

AFLCMC/EN-EZ

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COCO – Operator MDS –R000#**ATTACHMENT 1****Operating Limitations and Restrictions**

NOTE: (##) indicates derivation from corresponding operating limitation in FAA Order 8130.2J, Table D-1

This aircraft does not meet the airworthiness standards of Annex 8 to the Convention on International Civil Aviation. Operations in airspace outside of the United States will require the permission of the applicable foreign authority or designation of State aircraft status by US State Dept. That permission must be carried aboard the aircraft together with this U.S. airworthiness certificate and, upon request, be made available to an FAA inspector or the applicable foreign authority in the country of operation. (1)

No person may operate this aircraft for any purpose other than the performance of the contract. These operating limitations do not provide any relief from any applicable law or regulation. This aircraft must be operated per applicable regulations and the additional limitations prescribed in this Military Flight Release (MFR). (2)

Application to amend this MFR must be made to the USAF Technical Airworthiness Authority (TAA) or Delegated Technical Authority (DTA). (4)

This aircraft may only be operated per the manufacturer's aircraft operating instructions (AOI), including any requirement for necessary operating equipment specified in the aircraft's equipment list. Night flight and instrument flight rules (IFR) operations are authorized if allowed by the AOI and if the instruments specified in § 91.205 are installed, operational, and maintained per the applicable requirements of part 91. (6)

All flightcrew and other essential crewmembers must be current and appropriately certified in accordance with the requirements defined in the FAA-issued Operating Limitations, and additional requirements as specified in the contract. (7)

No person may operate this aircraft unless it is maintained per an inspection program meeting the scope and content described in § 91.409(f). Any deviations must be approved by the TAA or DTA. (15)

For aircraft originally incorporating fatigue life recording systems, the owner/operator must maintain and use the system as prescribed by the aircraft manufacturer and comply with the manufacturer's fatigue life limits. (21)

All configuration changes shall be approved by the USAF Technical Airworthiness Authority (TAA) or Delegated Technical Authority (DTA). (22)

Aircraft equipped with operational ejection seats must have external markings that ensure emergency personnel are aware of the hazard presented by the system.

Operational ejection seat systems must be maintained and inspected per the manufacturer's procedures or U.S./NATO applicable orders. The manufacturer or military service must approve any modification to the seat or parts substitution. The manufacturer or military service must have approved the ejection seat system, as configured, for installation in the aircraft. Operational ejection seat systems must be secured per the manufacturer's procedures or U.S./NATO technical orders to prevent inadvertent operation of the system when the aircraft is parked or out of service. Person(s) acting as pilot-in-command and flightcrew members operating aircraft equipped with operational ejection seat(s), whether armed or not armed, must have successfully completed an ejection seat training program within the previous 24 calendar months prior to operations for this make and model of aircraft per AC 91-87. (30)

Fueling or defueling the aircraft with the engine operating is prohibited. (36)

Flight over a densely populated area is prohibited, except as needed for takeoff and landing. (55)

No person may be carried in this aircraft during flight unless that person is essential to the purpose of the flight. (61)

Before each flight, an aircraft logbook entry must be made identifying whether that flight is under CAO or PAO.

External configurations restricted to authorized loadouts **identified in Attachment 2 of this MFR.**

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