



TO: Federal Register  
Docket Management System  
U.S. Department of Transportation  
Room Seventh Street, SW  
Washington, D.C. 20590-0001

FROM: Ainsley Nathan

DATE: February 21, 2003

SUBJECT: Input to FAA NPRM Part 60

Enclosed, you will find FlightSafetyBoeing's response to NPRM Part 60 relating to Document FAA-2002-12461-20, Document Subject "Flight Simulator Device Initial and Continuing Qualification and Use".

Highlight of our response:

- Limit the design criteria to assure continued functionality for the respective devices.
- Recognized that Third Party Providers have a need for certifying Full Flight Simulator solely to provide training and supporting U.S. and foreign carriers.
- The authority on planned or actual use of Flight Simulation Devices in courses of training should remain with the respective Sponsor of the device and the respective TPAA.
- Reconsider the timetable to include ICAO 9625.

Questions regarding our response should be addressed to:

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## **DEPARTMENT OF TRANSPORTATION**

Federal Aviation Administration

14 CFR Parts 1, 60, 61, 63, 141, and 142

**[Docket No. FAA-2002-12461; Notice No. 02-11]**

**RIN 2120-AH07**

### **Flight Simulation Device Initial and Continuing Qualification and Use**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM)

#### **General Overall Comment:**

The initiative taken by the FAA is commendable; we recognize the enormous amount of work and patience it has taken to write this document. While we are in full support of the objectives of this effort, there are several areas within the proposal that we believe need either clarification, change, or possibly elimination.

It is our opinion that the effort to promulgate a rule such as the proposed Part 60 should be limited to the definition, design criteria, required documentation and record-keeping of Flight Simulation Devices, and the evaluation process to assure continued functionality as designed, for the respective level of device. There are various references throughout the proposed Part 60 to requirements regarding continuing use of the Flight Simulation Device. It is the opinion of FSB that the authority on planned or actual use of Flight Simulation Devices in courses of training should remain with the respective Sponsor of the device and the TPAA as presently required in existing regulations such as Part 61; Part 63; Part 119; Part 121; Part 135; Part 141; and, Part 142. Further, it is the recommendation of FSB that all proposed wording that addresses the continuing use of a device be eliminated, including the words "and use" in the title of the proposed regulation. We will address the particular instances of this in our specific comments.

It must be recognized that there is a worldwide industry that provides training services for pilots and for airline crews throughout the world. The training services range from full-service, including all phases of pilot training, to providing only a portion of the total training such as the use of a Flight Simulation Device. In many cases, a Part 142 certificate holder may seek certification of a Flight Simulation Device solely to support other users including U.S. and foreign airlines.

This program is significantly different from the JAR STD 1A requirements (which are stricter). It must be clear to all Part 60 Operators that if they seek qualification of any device by a JAA signatory state, their QA program, if only meeting the minimum FAA standard, will not be acceptable. For example a BA crew cannot use a U.S. FAA certified simulator unless it is JAA compliant. We urge the FAA to reconsider the timetable so as to include the recent updates to the ICAO 9625, JAR STD 1A and to remove changes to the motion standards in Appendix A which were vigorously disapproved by industry when added to the AC 120-40C. If the plan is to go forth with the rulemaking process with the existing differences, we strongly suggest that the FAA comment on an implementation plan and timetable for complete harmonization to take place.

### **SQAP Program Development Time [Page 60298]**

In the Federal Register under the title “Paperwork Reduction Act” there is a discussion of how much time it should take to research, develop, implement, and operate this new program. After careful analysis of what must be done put together a true quality program we find that the proposed numbers are seriously understated. We have broken down the development effort into modules of work to estimate man-hours.

We have identified 1090 hours needed to develop the program. This does not account for changes and modifications that will come through the comment process or changes required when FAA personnel point out areas where we were not quite on target. Until we know what the SQAP really looks like we are unable to estimate the man-hours needed to implement the program. The man-hours to operate the SQAP will be much more that suggested. Considering individual tasks, it becomes obvious that for any Part 142 Center with over 2 or 3 devices, the position of Management Representative will require a full time manager and many more hours will be required from personnel in every department. The benefits to be derived from the Part 60 driven SQAP appear to be well worth the effort. However, a realistic accounting is needed.

### **§ 60.3 Definitions (Sponsor) [Page 60303]**

The term “Sponsor” must be more clearly defined to include who may be or must be the “Sponsor” of a particular simulator (FSD). There are many proposed references in the NPRM that places a requirement, responsibility, or burden on the actual owner of the FSD that will effectively eliminate the ability to acquire and maintain U.S. certification of the FSD. The overall impact of this NPRM, if adopted without major changes, could potentially eliminate CFR Part 142 Certificate Holders as providers of U.S. certified FSDs. Some examples of the impact of the proposed rule are:

- The owner (certificate holder) would not be allowed to sponsor an FSD that would be provided to a “virtual owner”.
- The owner (certificate holder) would not be allowed to sponsor an FSD that would be used principally by other certificate holders, each of whom would be a U.S. certificate holder.
- The owner (certificate holder) would not be allowed to continue sponsorship of an FSD unless a specified minimum number of training hours are conducted using the owners (certificate holder) approved training programs. This would apply even though many other certificate holders, none of whom may reach the specified minimum threshold of hours, may use the FSD. Though the FSD might serve many U.S. certified operators, none would meet sponsorship standards.

#### *Recommendation:*

The entity that is the financially responsible owner of the FSD, and is a certificate holder, must be the sponsor of the FSD. The rule must not disqualify this entity as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.5 (a)**

**[Page 60304]**

As proposed, the Quality Assurance (QA) program is the responsibility of the “Sponsor”, and the “Sponsor” is held accountable for controlling the use of the FSD pending the establishment, NSPM approval, and continued use of the QA program. The potential need for different “Sponsors” for each FSD would result in multiple QA programs being involved. Particularly in a Part 142 operation, this would result in each device within a single facility being subject to a different “Sponsor’s QA program.

*Recommendation/s:*

In the interest of standardization, the certificate holder sponsor who has ultimate responsibility for the devices that belong to that certificate holder should use a single QA program. The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.5 (d)**

**[Page 60304]**

This portion of the proposed rule relates to who is or may be the sponsor of the FSD. Unless the actual owner of the FSD meets all of the requirements of sponsorship, some entity, one who can meet all of the proposed requirements, must be named as “Sponsor” in order to acquire and maintain initial and continuing qualification of FSDs. This would effectively place the responsibility and authority for the use of the device under someone other than the actual owner.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.7**

**[Page 60304]**

The term “Sponsor” definition as written will seriously affect third party operations. There are many proposed references in the NPRM that places a requirement, responsibility, or burden on the actual owner of the FSD that will effectively eliminate the ability to acquire and maintain U.S. certification of the FSD. The overall impact of this NPRM, if adopted without major changes, could potentially eliminate CFR Part 142 Certificate Holders as providers of U.S. certified FSDs. Some examples of the impact of the proposed rule are:

- The owner (certificate holder) would not be allowed to sponsor an FSD that would be provided to a “virtual owner”.
- The owner (certificate holder) would not be allowed to sponsor an FSD that would be used principally by other certificate holders, each of whom would be a U.S. certificate holder.
- The owner (certificate holder) would not be allowed to continue sponsorship of an FSD unless a specified minimum number of training hours are conducted using the owners (certificate holder) approved training programs. This would apply even though many

other certificate holders, none of whom may reach the specified minimum threshold of hours, may use the FSD. Though the FSD might serve many U.S. certified operators, none would meet sponsorship standards.

- The holder of a certificate issued under Part 142 might be forced to attempt to change the sponsorship of some FSDs from time to time in order to continue to have a sponsor who meets the conditions of sponsorship.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.7 (a)(2)**

**[Page 60304]**

The proposed rule will require that the “Sponsor” must have an approved training program in place at the time of application to be a “Sponsor”. There are circumstances in CFR Part 142 operations where FSD certification is necessary, but there is no plan by the FSD owner to conduct training. This proposal is a case where a prerequisite for Sponsorship is based on intended use of the device. It is the opinion of FSB that the proposed regulation should focus on the quality and functionality of the device and that approvals for how the device will be used should be left the Principle Operations Inspector (POI), or the Training Center Program Manager (TCPM), or other appropriate approval authority. The training program approval authority is well documented in existing regulations.

*Recommendation/s:*

Recommend that sub-paragraph 60.7(a)(2) be eliminated. The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.7 (c)**

**[Page 60304]**

This portion of the proposed rule appears to be intended to stifle flight training providers who are in the business of providing FSDs for use by individuals and others including crewmembers of airlines. If enacted, the rule could eventually eliminate useful, functional, superbly maintained devices for no other reason than the “Sponsor” did not use an arbitrary minimum number of hours “within the sponsor’s FAA-approved flight training program” within a specified amount of time.

Examples of situations where FSDs sponsorships would expire due to lack of use in the sponsor’s FAA approved training program:

- A CFR Part 142 Certificate Holder places an FSD at a facility specifically for the exclusive use by a customer. The customer uses the FSD with customer furnished instructors and training program. There is no opportunity under the agreement with the customer for the 142 certificate holder to conduct training in that device.



- A CFR Part 142 Certificate Holder has an FSD that is used by a number of U.S. certified airlines, each using their own instructors and training programs. None of the customer airlines accumulate the minimum number of training hours specified.
- A CFR Part 142 Certificate Holder provides the use of an FSD using the 142 approved training program and an approved instructor but does not exceed the minimum number of training hours. Other customers also use the FSD with their own instructors and training programs.
- A CFR Part 142 Certificate Holder uses an FSD to provide training to military pilots, U.S. or foreign, using an FAA approved training program and FAA approved instructors. The FSD must also be FAA certified for this training, but the training hours cannot be used toward the minimum hours specified.
- A CFR Part 142 Certificate Holder provides the use of an FSD to a non-U.S. air carrier using the 142 certificate holder's training programs and instructors. The training far exceeds the minimum hours specified. Though Part 142 is not a factor, the training provided is the equivalent of the certificate holder's FAA approved programs. The training provided satisfies the requirements of the customer air carrier, but does not apply to any U.S. regulation.
- An operator of a FSD for an older, diminishing fleet size aircraft that does not have a demand for use that exceeds the minimum threshold for continued "sponsorship" would result in the expiration of the FSD.

In all of these examples, by not meeting the minimum training hours, the sponsorship would expire on a good FSD. We do not believe that there should be any specified minimum use of an FSD in order to maintain device certification, rather than the certificate holder's decision to continue to support the device. This could force operators to accomplish required flight training in the aircraft with the possible effects on safety and impact on the environment.

If this portion of the proposed rule is intended to limit the workload demand on the FAA to evaluate and certify FSDs that may be used almost exclusively by non-U.S. operators, it must be stated that United States training facilities located in the United States; certified by U.S.FAA; staffed and operated by United States workers, provide an international service to airlines and other aircraft operators in the United States and other nations around the world

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.



Recommend that sub-paragraph 60.7 (c) be replaced with the following:

“A person continues to be a sponsor of an FSD for as long as that person continues to hold a certificate under Part 119, 141, or 142, or holds an approved flight engineer course in accordance with Part 63 of this chapter, and that person continues to meet the qualification requirements of paragraph 60.7.”

**§ 60.9 (a)** **[Page 60304]**

The word “immediately” should be removed from this sub-paragraph, as it is unreasonable that this request from the NSPM should be considered to take priority over all other uses of the FSD.

**§ 60.9 (b)** **[Page 60304]**

The requirement for comments in addition to the requirement for the discrepancy log is unnecessary. In many cases, the information received in the form of “comments” is subjective opinion and usually do not relate to certification requirements for the device. Frequently, “comments” of this nature relate to “nice-to-have” items such as added Visual Scenes; or, a different FMC database. The mechanism for addressing discrepancies is the discrepancy log required by other parts of the regulations.

Comments are encouraged and should be addressed by the owner of the FSD, not required by regulation. If required by regulation, in addition to added financial burden associated with record keeping, there will be a burden on the owner to substantiate to the FAA why “nice-to-have” may not be available.

*Recommendation/s:*

Sub-paragraph 60.9(b)(1) and (2) should be deleted in their entirety.

**§ 60.11 (b)(1) & (2) FSD Use** **[Page 60304]**

“Proposed subparagraphs (b)(1) & (2) as proposed would require that the FSD must be qualified for the make, model, and series of aircraft or set of aircraft and for all tasks and configurations, as described in the posted Statement of Qualification required by proposed Section 60.9(b) (4).”

Many aircraft have multiple configurations, which could potentially create the need for multiple Statements of Qualification.

*Recommendation/s:*

It is recommended that the wording in subparagraph 60.11 (b) & (b)(1) reflect that the “make, model, and series of aircraft or set of aircraft” is applicable to a baseline configuration. Further, that “tasks and configurations” remain the responsibility of the respective TPAA through the approval process of the training programs.

**§ 60.13**

**[Page 60304]**

The rule, as proposed, appears to require the sponsor to provide to the NSPM any and all test data produced for the aircraft regardless of the applicability to the qualified FSD.

*Recommendation/s:*

Once an FSD is qualified under initial certification test data, only the additional data related to modifications need be submitted to NSPM. This data must fully support the proposed modification. The data must include appropriate manufacturers flight test data that relates to performance, handling qualities, functions and aircraft characteristics required for flight crewmember training, evaluation, or experience requirements.

**§ 60.14**

**[Page 60304]**

This paragraph places a burden on the “Sponsor” which really should be a burden on the entity that owns and maintains the FSD. This is another example where the definition of a “Sponsor” needs to clearly state who ultimately has control over the device.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.15(a)**

**[Page 60305]**

We believe that TPAA inspectors do not have the training to properly review the QTG for the purpose of FSD initial qualification.

*Recommendation/s:*

We recommend that the wording in this subparagraph be changed to require that the request for FSD initial qualification, along with supporting documentation, be sent directly to the NSPM and that a copy of the request be sent to the respective TPAA.

**§ 60.15 (b)(3)**

**[Page 60305]**

The proposed referenced subparagraph (c) of this subparagraph should read (d).

Subparagraph 60.15(d) permits the sponsor to designate a “pilot or pilots” to be approved by the TPAA to conduct subjective checks of FSDs. To assure flexibility and timely availability of a designated pilot, it would behoove the sponsor to designate more than one pilot per FSD type.

Use of a specifically trained sponsor instructor pilot for quarterly device evaluations is an excellent quality control tool that is welcome. However, we know from experience that our instructor pilots may often not be available at critical time for a scheduled device evaluation. To ensure we can meet customer commitments, we need to have the flexibility to have both a primary designated evaluation pilot and an alternate, either of whom are certified by the FAA to conduct the evaluation.

Assuming that the sponsor designates more than one pilot for certification by the FAA as proposed in sub-paragraph 60.15(d), the proposed requirement in sub-paragraph 60.15(b)(3) would require that at least one approved pilot would have to sign a statement asserting that each approved pilot has determined that the listed requirements have been met. This would negate the flexibility of having more than one approved pilot to conduct subjective tests.

*Recommendation/s:*

Change the proposed wording in sub-paragraph 60.15(b)(3) to permit any designated pilot to perform the subjective tests and sign the statement that the listed requirements have been met.

**§ 60.15 (d)**

**[Page 60305]**

This paragraph places a burden on the “Sponsor” which really should be a burden on the entity that owns and maintains the FSD. This is another example where the definition of a “Sponsor” needs to clearly state who ultimately has control over the device.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.17(a) & (b) Previously Qualified FSDs**

**[Page 60306]**

We understand the proposed wording of subparagraph (a) to mean that all FSDs qualified before effective date of the final rule will retain qualification “as long it continues to meet the standards, including the performance demonstrations and the objective test results recorded in the MQTG, under which it was originally evaluated, regardless of sponsor”.

Subparagraph (b) appears to propose that each simulator qualified before the effective date of the final rule may not be used for flight crewmember training, evaluation or flight experience after 6 years after the effective date of the final rule unless that FSD has been issued a Statement of Qualification, including the Configuration List and Restrictions to the Qualification List.

There appears to be a conflict between the two subparagraphs in that subparagraph (a) permits continued qualification without a time limit and subparagraph (b) prevents use of the device after 6 years unless additional conditions are met. Effectively, the situation exists where after 6 years a device continues to maintain qualification but it can’t be used for crewmember training if those additional conditions are not met.

*Recommendation/s:*

An FSD that was qualified prior to the effective date of the proposed rule, and continues in service meeting all requirements for the purpose for which was originally certified should be allowed to remain in service for the purpose of providing crewmember training as long as the owner is willing to maintain the FSD to the original certification standards. The service life of the device should not be determined by an arbitrary period of elapsed time.

The apparent conflict between the two subparagraphs should be clarified.

**§ 60.19 (a) (2)**

**[Page 60306]**

The completion of a functional preflight check each calendar day should be considered adequate and acceptable whether it is conducted prior to the start of the first FSD period of use that calendar day. A traditional scheduling practice includes the scheduling of the first period of the day immediately following the last period of the previous calendar day.

*Recommendation/s:*

Change the proposed wording to read:

“Completes a functional preflight check in accordance with the appropriate QPS each calendar day.”

**§ 60.19 (b) (3)**

**[Page 60306]**

The specification of time of the day, or day of the week acceptable to the NSPM, though it may be normal policy or practice, serves no purpose in a regulatory document. The reference to time and day should be deleted.

*Recommendation/s:*

Change the proposed wording to read:

The sponsor must provide the NSPM access to the objective test results and FSD performance demonstration results in the MQTG, and access to the FSD for the length of time necessary for the NSPM to complete the required recurrent evaluations.”

**§ 60.19 (c)**

**[Page 60307]**

This paragraph places a burden on the “Sponsor” which really should be a burden on the entity that owns and maintains the FSD. This is another example where the definition of a “Sponsor” needs to clearly state who ultimately has control over the device.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

**§ 60.25 (b)**

**[Page 60308]**

The 7 calendar day limit, as proposed, is not practical. Many FSD components are unique to the device and may take more than seven days to obtain a new component or to repair the old one.

Also the ability to seek authorization from NSPM to continue use of the device a missing or inoperative component is limited by differences in working hours of the NSPM and the training facility. Most training facilities are 24 hours a day, 7 days a week year round, while the NSPM daylight hours Monday through Friday.

*Recommendation/s:*

We recommend that the proposed subparagraph be changed to reflect that after all practical efforts have not resulted in the repair or replacement of missing or inoperative components within 7 days, that the TPAA of the training facility certificate holder be notified at the earliest possible time of the situation. After notification, that the TPAA has the authority to authorize continued operation of the device until repairs can be accomplished.

Further, recommend that the 7 day period to repair or replace the missing, malfunctioning or inoperative component be changed to 21 days.

**§ 60.27 (a) (1)**

**[Page 60308]**

There is an apparent erroneous reference. i.e. 60.9(b)(4)

This portion of the proposed rule relates to who is or may be the sponsor of the FSD. Unless the actual owner of the FSD meets all of the requirements of sponsorship, some entity, one who can meet all of the proposed requirements, must be named as “Sponsor” in order to acquire and maintain initial and continuing qualification of FSDs. This would effectively place the responsibility and authority for the use of the device under someone other than the actual owner.

*Recommendation/s:*

The rule must not disqualify the owner/certificate holder as the sponsor because of arbitrary conditions such as how or how much the FSD will be used as long as the device continues to meet applicable qualification standards.

Sub-paragraph 60.27(a)(1) should be eliminated from the proposal.

**§ 60.27 (a) (4)**

**[Page 60308]**

Proposed rule says that a device will lose its qualification any time any component is removed, even for routine maintenance. Sub-paragraph (b) then requires that to regain qualification, the FSD is subject to either successfully completing an initial qualification, or, the NSPM or the TPAA advising that an evaluation is not necessary. This could then require at the least a communication with the NSPM or TPAA any time routine maintenance requires the removal of a crewmember seat for example.

*Recommendation/s:*

Since most routine maintenance requires some disassembly, this portion of the proposed rule needs further clarification to permit routine maintenance functions to occur without the need to obtaining FAA clearance to return the FSD to service following most routine tasks.

**§ 60.31 (b)**

**[Page 60308]**

This proposed portion of the rule places a requirement on the “Sponsor” who may be merely another user of the FSD rather than the entity that owns and maintains the device. The



requirement to keep a current record of each certificate holder using the FSD and to provide it at least semiannually to the NSPM does not define current use. The proposal does not define “current”. It could possibly mean the last 12 months; this year; this month; today; next week; etc.

This is another instance where the ongoing use of the FSD has been proposed as within the purview of the NSPM as opposed to the operational responsibility remaining with the certificate holder sponsor with the approval of either the TCPM or POI under existing regulations.

Further, FSB is of the opinion that such a list of certificate holders is also a list of “customers” and therefore might be considered as proprietary.

*Recommendation/s:*

This portion of the proposed rule should be deleted.



## **SUMMARY:**

### **Sponsor**

We at FlightSafetyBoeing believe that in the case of all FSDs owned and operated by a U.S. certificate holder, that the responsible certificate holder should be the sponsor of that FSD without the encumbrances that proposed rule would require. The considered encumbrances contained in the proposal include all references to how the qualified device will ultimately be used in training programs and requirements on any minimum number of hours of use, whether in a training program approved under U.S. regulations or any other programs of training.

### **Use**

It is the opinion of FlightSafetyBoeing that the authority on planned or actual use of Flight Simulation Devices in courses of training should remain with the respective owner/certificate holder of the device and the TPAA as presently required in existing regulations such as Part 61; Part 63; Part 119; Part 121; Part 135; Part 141; and, Part 142. Further, it is the recommendation of FlightSafetyBoeing that all proposed wording that addresses the continuing use of a device be eliminated, including the words “and use” in the title of the proposed regulation.

### **Harmonization**

We at FlightSafetyBoeing believe that the proposal is significantly different from the JAR STD 1A requirements and is contrary to the Harmonization process that we have all been striving to achieve. It must be clear to all Part 60 Operators that if they seek qualification of any device by a JAA signatory state, their QA program, if only meeting the proposed minimum FAA standard, will not be acceptable.

We urge the FAA to reconsider the timetable so as to include the recent updates to the ICAO 9625, JAR STD 1A and to remove changes to the motion standards in Appendix A which were vigorously disapproved by industry when added to the AC 120-40C.

As the ICAO 9625 and JAR STD 1A have recently been changed would it not be useful to delay implementation of Part 60 and include these changes now?

If the plan is to go forth with the rulemaking process with the existing differences, we strongly suggest that the FAA comment on an implementation plan and timetable for complete harmonization to take place.

### **Cost**

We at FlightSafetyBoeing believe that the costs, both anticipated and unanticipated, far exceed the benefits as proposed in many Sections of the rule change. This is especially true for our industry at this critical economical point in time. Though great detail is used to project anticipated costs of implementing and maintaining the proposed requirements, we believe that the projection severely underestimates the ultimate costs, especially in the areas of data acquisition and the conversion requirements to create electronic versions of data.

Further, we see the proposed regulation as an attempt to regulate industry economic decisions in addition to regulating the definition, design criteria, required documentation and record-keeping of Flight Simulation Devices, and the evaluation process to assure continued functionality as



designed, for the respective level of device. We believe that the economic decisions should be those of the owner/certificate holder, who must not be excluded from being the FSD “sponsor”, in concert with the needs of the customer/user and with the approval of the appropriate TPAA.