

docket, it should do so by 12 p.m. on July 28, 2003.

We have reviewed the comments in the docket and find that several issues regarding carrier eligibility to participate and the lottery procedures have been raised. The FAA finds it necessary to delay the lottery for a short period of time to properly resolve these concerns. The FAA will issue a subsequent notice in the **Federal Register** that responds to the comments and lists the carriers eligible to participate in the lottery and their respective category of participation.

This notice does not reopen the notification deadline for carriers not operating at DCA to request participation in the lottery.

Issued on July 31, 2003, in Washington, DC.

James W. Whitlow,
Deputy Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Designate as Abandoned Certain Type Certificates Issued in the Restricted Category: International Helicopters, H5S0; Smith Helicopters, H8NM; Invest In Opportunities, Inc., H9WE; Helitech Corporation, H12WE; Pacific Aviation, H15WE; Joe G. Marrs, H2S0; Glacier Helicopter, Inc., H21NM; Charles D. Linza, H4WE; Sterling Aircraft Industries, H7WE; Heli Crane Corporation, HR-35; Lassen Air, H11WE; U.S. Helicopter, R00009AT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to designate certain type certificates issued in the restricted category as abandoned; request for comments.

SUMMARY: This notice announces the FAA's intent to designate each of the above-cited Type Certificates issued in the Restricted Category (RCTC) as abandoned. The FAA has been unable to locate these RCTC holders concerning the continued airworthiness of the aircraft certificated under their type certificates. The Federal Aviation Regulations (FARs) require that type certificate (TC) holders report certain failures, malfunctions, and defects to the FAA. The FARs also require, upon request, that TC holders submit design changes to the FAA that are necessary to correct any unsafe condition in their products. The FAA has been

unsuccessful in its attempt to contact each of the above listed TC holders by certified mail, by telephone, and Internet search. The FAA is responsible for surveillance of the RCTC holder's ability to perform continued operational safety (COS) management and oversight of each helicopter on their TC. This action is intended to ensure that each individual RCTCed helicopter is under a TC that has active COS management and oversight by a TC holder that can be subject to periodic safety audits by the FAA.

DATES: Comments must be received on or before October 7, 2003.

ADDRESSES: Comments on this notice must be submitted to the Federal Aviation Administration, Safety Management Group, ASW-112, Rotorcraft Directorate, Fort Worth, Texas 76193-0112 or electronically to Charles.C.Harrison@faa.gov.

FOR FURTHER INFORMATION CONTACT: Charles Harrison, Aerospace Engineer, FAA, Rotorcraft Directorate, Aircraft Certification Service, Fort Worth, Texas 76193-0112, telephone (817) 222-5128, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: This notice is intended to inform the public of the FAA's intent to designate certain Type Certificates issued in the Restricted Category as being abandoned and that no additional original airworthiness certificates will be issued against these type certificates (TC) designated as abandoned. The FAA has been unable to locate these TC holders concerning the continued airworthiness of the aircraft certificated under their type certificates. Among other regulatory requirements, 14 CFR 21.3 requires TC holders to report certain failures, malfunctions, and defects to the FAA; and 14 CFR 21.99 requires, upon request, that TC holders submit design changes that are necessary to correct any unsafe condition in their products. To date, the FAA has been unsuccessful in its attempts to locate each of the above listed TC holders by certified mail, by telephone, and Internet search. The FAA is responsible for surveillance of the RCTC holder's ability to perform continued operational safety (COS) management and oversight of each helicopter on their TC. This action is *not* intended as a surrender, suspension, revocation, or termination of any TC as those terms are used in 14 CFR part 21. However, this action is intended to ensure that each individual RCTCed helicopter is under a TC that has active COS management and oversight by a TC holder that can be subject to periodic safety audits by the FAA. Periodic safety audits that the

FAA performs on these TC holder's compliance with the FAA safety regulations relating to continued airworthiness of their helicopters cannot be accomplished if they cannot be located.

Interested parties are invited to provide comments, written data, views, or arguments relating to this notice. Comments should be submitted in duplicate to the address specified above. All comments received on or before the closing date will be considered. All comments received will be available in the docket for examination by interested persons. Comments may be inspected at the office of the FAA, Rotorcraft Safety Management Group, Rotorcraft Directorate, 4th Floor, 2601 Meacham Boulevard, Fort Worth, Texas, between 9 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

Background: Since the issuance of many of the RCTC's, there have been a large number of significant service difficulties that have been discovered on various models of surplus military aircraft certificated in the restricted category, particularly under 14 CFR 21.25. Some of these service difficulties have resulted in fatalities and led to the discovery of various continued operational safety problems in this fleet. Based on the numbers of significant service difficulties that are being discovered in the RCTC helicopter fleet, the FAA conducted an audit of the records of all known RCTC holders.

As part of this audit, the FAA elevated its efforts to contact and review all of the RCTC holders for up-to-date information on their RCTC including the number of helicopters, the serial numbers (S/N), and the operators of those helicopters. This effort has revealed that there are helicopters listed on the FAA Aircraft Registry for which there is no COS management and oversight by the TC holder. The audit also revealed that there are many RCTC's that have been sold and not properly transferred to the new owner. Contacts with some RCTC holders also revealed that there were some certificates that were intentionally not managed for various reasons, however the RCTC was not surrendered. As part of the audit, the FAA also discovered that several RCTC holders could not be located and in some cases there were no active aircraft listed in the FAA Registry for certain RCTC's and in other cases there are active aircraft listed in the FAA Registry. The FAA attempted to contact and locate all of these RCTC holders by phone, certified letter, and Internet search. Several RCTC holders could not be located and have never