

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.12

National Policy

Effective Date:
7/27/07

Cancellation Date:
7/27/08

SUBJ: Processing Reports of Suspected Unapproved Parts

- 1. Purpose of This Notice.** This notice revises procedures for coordinating, investigating, and processing Federal Aviation Administration (FAA) suspected unapproved parts (SUP) reports.
- 2. Audience.** The primary audience for this notice is Flight Standards District Office (FSDO) aviation safety inspectors (ASI). The secondary audience includes the Flight Standards branches and divisions in the regions and in headquarters.
- 3. Where You Can Find This Notice.** Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avr.faa.gov>. Operators may find this information on the FAA's Web site at:
http://www.faa.gov/library/manuals/examiners_inspectors/8900.
- 4. What This Notice Cancels.** FAA Order 8120.10A, Suspected Unapproved Parts Program, dated November 2, 2005, is canceled.
- 5. How This Notice Differs From The Previous Order.** This notice realigns the FAA SUP Program Office responsibilities into the Aircraft Certification Service (AIR) and the Flight Standards Service (AFS).
- 6. Background.**
 - a.** In 1995, the FAA formalized its commitment to investigating suspect aviation parts by establishing the SUP Program Office. Envisioned as an interim office to develop and promote a cohesive, consistent, and aggressive approach to the investigation of suspect parts throughout the FAA, the SUP Program Office has continually moved toward the goal of having its operations returned to the FAA at large. Now that the program's functions are firmly institutionalized at regional, directorate, and local levels, the office has fulfilled its function.
 - b.** Program and data reviews have strengthened the Aviation Safety Organization's determination that the SUP Program Office's responsibilities can now be realigned within the organization. Data and information management, and centralized points-of-contact for specific duties within and external to the FAA, will be retained at the national and regional/directorate levels.

c. The realignment will not alter the FAA's vigorous commitment to investigating suspect aviation parts and working with law enforcement authorities in an effort to eliminate the safety risks posed by parts that do not meet regulations.

7. Definitions. Notwithstanding specific definitions in Title 14 of the Code of Federal Regulations (14 CFR), the following definitions are applicable in this notice.

a. Action Office. An Action Office is an FAA office that has been designated to investigate a SUP notification.

b. Aircraft Certification Directorate SUP Coordinator. A specialist assigned by the manager of each Aircraft Certification Directorate responsible for coordinating all SUP related issues associated within that directorate.

c. Aircraft Certification Office. The AIR office responsible for the review and approval of type design data.

d. "Approved Parts." The term "approved parts" in quotations is used throughout this notice in a colloquial sense. The term "approved parts" in quotations is not synonymous with "a part that has received a formal FAA approval." "Approved parts" are identified as parts that have met one of the following requirements:

(1) Produced in accordance with a Parts Manufacturer Approval (PMA) issued under part 21, subpart K.

(2) Produced in accordance with a Technical Standard Order (TSO) Authorization issued by the Administrator under part 21, subpart O.

(3) Produced during the type certificate (TC) application process under part 21, subpart B, or the Supplemental Type Certificate (STC) application process under part 21, subpart E, prior to the issuance of the certificate; subsequently determined to conform to the approved TC or STC data (refer to § 21.303(b)(1)).

(4) Produced under a TC without a separate production authorization, and an Approved Production Inspection System (APIS) in accordance with part 21, subpart F.

(5) Produced under a Production Certificate (PC) in accordance with part 21, subpart G.

(6) Produced in accordance with an approval under a bilateral airworthiness agreement under part 21, subpart N.

(7) Approved in any other manner acceptable to the Administrator (§ 21.305(d)).

Note: Parts that have been inspected and/or tested by persons authorized to determine conformity to FAA-approved design data may also be found to be acceptable for installation. Military surplus parts (defined as parts which have been originally released as surplus by the military, even if subsequently resold by manufacturers, owners/operators, repair facilities, or any other suppliers of parts),

may fall under these conditions. AC 20-62D, Eligibility, Quality, and Identification of Aeronautical Replacement Parts, should be referred to for information regarding eligibility and traceability of replacement parts.

(8) Produced as standard parts that conform to established industry or U.S. specifications. (Refer to paragraph 7p for definition).

(9) Produced by an owner or operator for the purpose of maintaining or altering their product.

(10) Manufactured by a repair station or other authorized person during repair/alteration in accordance with an STC or Field Approval, (which is not for sale as a separate part), in accordance with part 43 and AC 43-18, Fabrication of Parts by Maintenance Personnel.

e. Aviation Safety Hotline. A toll-free telephone number (1-800-255-1111) used to report unsafe practices that affect aviation safety, including the manufacture, distribution, or use of a SUP. The caller's identification will be kept confidential, if requested.

f. Counterfeit Part. A part made or altered to imitate or resemble an "approved part" without authority or right, and with the intent to mislead or defraud by passing the imitation as original or genuine.

g. Distributors. Brokers, dealers, resellers, or other persons or agencies engaged in the sale of parts for installation in TC aircraft, aircraft engines, propellers, and in appliances.

h. FAA Form 8120-11, Suspected Unapproved Parts Notification. A standard form used to notify the FAA when a SUP has been detected. A sample of the form and instructions for its completion are included in Appendix C. This form can also be found in AC 21-29, Detecting and Reporting Suspected Unapproved Parts.

i. Field Notification. A published notification transmitted to individuals or groups within the aviation community concerning unapproved part(s).

j. Flight Standards Service Regional SUP Coordinator. A specialist assigned by each Regional Division Manager responsible for coordinating all SUP related issues associated with FS in that region.

k. Headquarters Focal Point. The responsible person(s) in Aircraft Maintenance Division (AFS-300) and Production and Airworthiness Division (AIR-200) who forward SUP reports from the Aviation Hotline, to their respective Regional/Directorate SUP coordinators.

l. Law Enforcement Agency (LEA). The Office of Civil Aviation Security Operations, Department of Transportation (DOT) Office of the Inspector General (OIG), Federal Bureau of Investigation (FBI), Defense Criminal Investigation Service (DCIS), U.S. Customs Service, or other local, state, or Federal entities having authority to enforce pertinent laws.

m. Official File. A file established and maintained by the AFS/AIR SUP coordinator that serves as the "master" file for each SUP investigation. The file contains the required forms,

letters, and correspondence relative to the investigation, and copies of any documents reflecting the outcome. The official file may be used to support Freedom of Information Act (FOIA) requests and various decisions made relative to the SUP.

n. Part(s) Not Acceptable For Installation. A part that is not acceptable for installation on an FAA TC product.

o. Reporter. Any person who furnishes information regarding a SUP.

p. Standard Part. A part manufactured in complete compliance with an established industry or U.S. Government specification that includes design, manufacturing, and uniform identification requirements. The specification must include all information necessary to produce and conform the part, and be published so that any party may manufacture the part. Examples include, but are not limited to, National Aerospace Standards (NAS), Army-Navy Aeronautical Standards (AN), Society of Automotive Engineers (SAE), SAE Aerospace Standards (AS), and Military Standards (MS).

q. Supplier. Any person who furnishes aircraft parts or related services at any tier, to the producer of a product or part thereof.

r. Suspected Unapproved Part. A part, component, or material that is suspected of not meeting the requirements of an “approved part.” A part that, for any reason, a person believes is not approved. Reasons may include findings such as different finish, size, color, improper (or lack of) identification, incomplete or altered paperwork, or any other questionable indication.

Note: An “approved part” which is used in the wrong application should be addressed as a potential part 43 violation; however, it is not considered to be a SUP.

s. Unapproved Part. A part that does not meet the requirements of an “approved part” (refer to definition of “approved part” in paragraph 7d). This term also includes parts that have been improperly returned to service (contrary to parts 43 or 145), and/or parts that may fall under one or more of the following categories:

(1) Parts shipped directly to the user by a manufacturer, supplier, or distributor, where the parts were not produced under the authority of an FAA production approval for the part, such as production overruns where the parts did not pass through an approved quality system.

(2) New parts which have passed through a Production Approval Holder’s (PAH) quality system which are found not to conform to the approved design/data.

(3) Parts that have been maintained, rebuilt, altered, overhauled, or approved for return to service by persons or facilities not authorized to perform such services under parts 43 and/or 145.

(4) Parts that have been maintained, rebuilt, altered, overhauled, or approved for return to service which are subsequently found not to conform to approved data.

- (5) Counterfeit parts.

8. Authority to Change This Notice. The Associate Administrator for Aviation Safety reserves the authority to approve changes that delegate authority or assign responsibility. The Directors of the Aircraft Certification Service and the Flight Standards Service may issue changes to this notice, as needed, to meet the agency's responsibilities and needs in processing and investigating the public's reports of suspect aircraft parts.

9. Responsibilities. Each organization's responsibilities are outlined below. (Reference Appendix A, SUP Investigation Process flow chart. The flow chart is mapped to specific chapter and paragraph references. For example 2.1 would refer to chapter 2, paragraph 1).

a. Aircraft Certification Service and Flight Standards Service. The service directors are ultimately responsible for investigating the public's reports of suspect aviation parts. Each service director will identify an individual to serve as the headquarters (HQ) SUP Focal Point. AFS-300 and AIR-200 will be the responsible policy divisions for administering the SUP program at the national level. AFS-300 is the Office of Primary Responsibility for this notice.

b. AIR Directorate Managers and AFS Regional Division Managers. These managers are responsible for SUP activities in their geographic area and may delegate oversight to the SUP coordinators. The AIR directorate and AFS regional division managers will:

- (1) Identify regional / directorate personnel to serve as the respective SUP coordinators.
- (2) Establish and maintain a working relationship with local LEA groups to coordinate SUP investigations, as required.
- (3) Ensure that SUP reports are investigated per this notice.
- (4) Assign SUP investigations to the appropriate action offices.
- (5) Monitor the investigation's progress, coordinate resources, report investigation details, and provide support to other action offices as necessary.
- (6) Ensure that SUP investigations involving noncertificated entities are investigated by the service responsible for the geographic area. (AIR generally has the responsibility for investigations involving new/unused parts, while AFS generally has responsibility for continued airworthiness issues as they pertain to AFS functions). AFS and AIR will assist each other, as needed, to accomplish SUP investigations and obtain Office of the Chief Counsel input on legal responsibility of FAA and protection of FAA employees when visiting non-certificated entities.

c. FAA Aviation Safety Hotline Program.

- (1) Receive and log reports of suspect parts submitted by the public. Reports may come directly from the public or from inspectors who receive the public reports in the field.
- (2) Distribute reports to the AFS HQ SUP Focal point.

d. AIR and AFS HQ SUP Focal Points.

(1) The AFS HQ SUP Focal Point will receive all reports of suspect parts from the Hotline. If the report alleges that a *new* part does not meet regulatory requirements, the AFS HQ SUP Focal point will forward the report to the Aircraft Certification Service HQ SUP Focal point.

(2) Complete FAA Form 8120-11, Suspected Unapproved Parts Report, for any report that was not submitted on the form.

(3) Distribute reports to respective directorate/regional SUP coordinators.

(4) Distribute reports to national LEA groups.

(5) Serve as the FAA HQ SUP Focal points for SUP investigations and SUP reports.

(6) Relay closure of SUP investigations from regional/directorate coordinators to the Hotline office after checking with national LEA groups, as appropriate.

(7) Coordinate posting of completed Field Notification on public SUPS website.

e. Directorate/Region SUP Coordinators.

(1) Receive incoming SUP reports from FAA HQ SUP Focal points and distribute reports to the respective FSDO or CMO/MIDO for investigation (Hereafter known as the "Action Office").

(2) Review close out recommendation from the action offices.

(3) Coordinate with local LEA groups as necessary during Action Office investigations.

(4) Review, edit, and finalize field notifications prepared by action offices for any case requiring a field notification, to include coordinating content with local legal council as appropriate.

(5) Raise part related issues to appropriate HQ offices for policy or regulatory consideration.

(6) Upon satisfactory review of the SUP investigation recommended close out action and supporting documentation, the regional/directorate SUP coordinator will provide the following information to the appropriate AIR and/or AFS HQ SUP Focal point:

(a) Case closed no further action necessary (parts approved, parts have been quarantined, and parts have been rectified).

(b) Case closed, field notification required.

f. Action Offices.

(1) Conduct investigations in accordance with this notice and other applicable orders, such as FAA Order 2150.3, Compliance and Enforcement Program.

(2) Coordinate with regional/directorate SUP coordinators when local LEA involvement is necessary (such as when criminal activity is involved).

(3) Track investigation information in applicable databases, e.g., Enforcement Investigative System (EIS), Program Tracking Reporting Subsystem (PTRS), and the appropriate AIR system, as applicable.

(4) Provide final investigative report, in the form of a transmittal memorandum recommending the SUP investigation for closure to the directorate/region SUP coordinator with supporting documentation (e.g., EIS, PTRS, or AIR System).

(5) Prepare the field notification (if one is required) and forward to the directorate/region SUP coordinator.

(6) If the public submits a suspect part report directly to a field office, the field office will, prior to initiation of an investigation or disposition of the report, submit the report to the Aviation Safety Hotline Program Office to initiate tracking of the investigation.

10. Disposition. We will permanently incorporate this information in FSIMS before this notice expires. Direct questions concerning this notice to Rick Domingo, Aircraft Maintenance Division, AFS-300, at (202) 267-3546.

ORIGINAL SIGNED BY
Carol Giles for

James J. Ballough
Director, Flight Standards Service

Chapter 1. Reporting Procedures

1. How to Report a SUP. The public may report suspect parts through the Aviation Safety Hotline Program Office. Although reports may be submitted in any format, the public is encouraged to submit a SUP report on FAA Form 8120-11. The public can access an electronic copy of the form at <http://www.faa.gov/aircraft/safety/programs/sups/>. The form is provided in Appendix C of this notice. (The instructions are included on the form). The public may submit a SUP report anonymously or confidentially. (All reports will be submitted through the Hotline).

a. Anonymous Reporter. One who deliberately withholds personal information that might reveal their identity. For example, the name, address, and phone number are not provided.

b. Confidential Reporter. One who requests confidentiality of their personal information. (The reporter should check the box on FAA Form 8120-11 to indicate that the reporter is requesting confidentiality.) Information provided for law or regulatory enforcement purposes will be protected under FOIA, to the greatest extent allowed. If the reporter requests confidentiality, details relevant to the SUP report that could reveal the reporter's identity are not to be released outside the agency.

2. Processing a SUP Report. Public reports of suspect parts are submitted to the Aviation Safety Hotline Program Office. All reports are assigned a Hotline number in accordance with FAA Order 8000.73, Aviation Safety Hotline Program.

a. The Hotline Program Office will forward the SUP report to the AFS HQ SUP Focal point.

b. If the report alleges that a new part does not meet regulatory requirements, the AFS HQ SUP Focal point will forward the report to the AIR HQ SUP Focal point who will process the report in accordance with this notice (including Law Enforcement Agency (LEA) notification). If the report alleges that a used or maintained part does not meet regulatory requirements, the AFS HQ SUP Focal point will process the report.

c. The AFS/AIR HQ SUP Focal point will evaluate the SUP reports and initiate the action appropriate to the information received, as described below.

(1) LEA Sensitive SUP Reports. If the SUP report contains information involving a national LEA, the AFS/AIR HQ SUP Focal point will coordinate with the LEA prior to forwarding the report to the regional or directorate SUP coordinator. The AFS/AIR HQ SUP Focal point will establish the sensitivity of the information and who should have initial access to the report.

(2) Insufficient Information. When there is insufficient information to initiate a SUP investigation, the regional / directorate SUP coordinator will contact the reporter (if known) by phone or letter and request additional information.

(3) Allegation is Out of Scope. If the preliminary review discloses that the issue is not an allegation of a part that does not meet regulatory requirements, then the AFS/AIR HQ SUP Focal

point will report to the Hotline Office the reasons for the allegation being out of scope (i.e., the allegation doesn't qualify for a SUP under this notice).

(4) An Investigation is Necessary. When a SUP report contains sufficient information to investigate, the AFS/AIR HQ SUP Focal point forwards the report to the appropriate SUP coordinator in the Region or Directorate and national LEA contacts. The SUP coordinator then assigns the SUP report to the appropriate action office for investigation.

Chapter 2. Investigation Procedures

1. Opening a SUP Investigation. The AFS/AIR HQ SUP Focal point forwards the SUP report, and any attachments, to the appropriate regional/directorate SUP Coordinator.

a. Determining Which SUP Coordinator Will Receive the SUP Report. The AFS/AIR HQ SUP Focal point forwards the report to the appropriate SUP coordinator based on the geographic area of the focus of the investigation and the nature of the issue.

(1) Foreign Company/Individual. If the current focus is located outside of the United States on a product/appliance not falling under FAA regulatory jurisdiction, the following applies; the AFS/AIR HQ SUP Focal point forwards the report to the appropriate National Aviation Authority (NAA). In providing this information to the appropriate NAA, the FAA continues to promote the investigation of SUP even though the FAA has no regulatory authority for the investigation. The FAA welcomes the sharing of information to and from NAAs to mitigate the potential for those parts to migrate into the FAA regulatory aviation system.

(2) FAA-Regulated Companies/Individuals. When the current focus holds an FAA certificate, approval, or authorization, the AFS/AIR HQ SUP Focal point forwards the report to the SUP Coordinator whose region/directorate has geographic oversight of the company/individual.

(3) Company/Individual is not regulated by the FAA. If the current focus does not hold an FAA certificate, approval, or authorization, the following procedures apply:

(a) When the issue involves manufacturing issues (new/unused parts), the AIR HQ SUP Focal point forwards the report to the AIR SUP coordinator whose directorate is responsible geographically for the location near the company/individual.

(b) When the issue involves maintenance issues, the AFS HQ SUP Focal point forwards the report to the AFS SUP coordinator whose region is responsible geographically for the location near the company/individual.

b. Forwarding Case Information to the National LEA. Each time a SUP report is forwarded to the AFS/AIR HQ SUP Focal point, they will forward a copy of FAA Form 8120-11 to the designated points of contact for DOT OIG, the FBI, the DCIS, the National Aeronautical and Space Administration (NASA) OIG, the U.S. Coast Guard, Immigration and Customs Enforcement (ICE), Office of Information Security (OSI), and Naval Criminal Intelligence Command (NCIS).

(1) When a SUP report contains sensitive information involving an LEA, the AFS /AIR HQ SUP Focal point contacts the national LEA groups prior to forwarding the report to the SUP coordinator. Secured case information is controlled by the AFS/AIR HQ SUP Focal point and provided only to required investigation personnel.

(2) The AFS/AIR HQ SUP Focal point coordinates an investigation plan with the LEA and SUP coordinator to ensure that the FAA and LEA understand the nature of the investigation.

The SUP coordinator and assigned investigation personnel must protect secured case information from being disclosed to persons other than those identified as required personnel.

c. Determining the Action Office. After receiving a SUP report, the region/directorate SUP coordinator determines which action office in their region/directorate will conduct the investigation and forwards the report to that action office.

2. Conducting a SUP Investigation.

a. The action office will follow applicable standard operating procedures and orders when investigating SUP. Applicable orders may include Order 8000.73, Aviation Safety Hotline Program; Order 8300.10, Airworthiness Inspector's Handbook; and Order 2150.3, Compliance and Enforcement Program. As appropriate, the investigating inspector will enter SUP investigation information into PTRS, EIS, or AIR system as appropriate.

b. In general terms, the inspector investigates to the extent necessary to establish the identity, quantity, and location of the part; the entity that manufactured or maintained it and who was involved in the sale or distribution; what other parts may also be affected; how the part was represented; and whether or not the part is/was in service. If parts that do not meet regulatory requirements are discovered, the inspector will address any violations of 14 CFR and ensure the appropriate personnel are advised of the status of the parts. Appendix A contains a flowchart of the SUP investigation process.

c. Investigation Procedures to Use. FAA Order 2150.3, Compliance and Enforcement Program, contains the procedures for conducting an investigation. The investigating inspector should follow the procedures outlined in this notice in addition to Order 2150.3 when conducting a SUP investigation. All information about a SUP investigation is "For Official Use Only." Federal Aviation Personnel Manual Letter 2635 addresses the safeguarding and use of information, documents, and records. It states, in part, "Employees shall not disclose or discuss any classified information or 'official use only' information unless specifically authorized to do so or except as required on a 'need to know' basis in the proper discharge of official duties."

d. How to Start. The investigating inspector evaluates the information on the FAA Form 8120-11 to determine the scope of the investigation. Before beginning the investigation, the inspector could:

- (1) Contact the reporter (if known) for additional information, if necessary.
- (2) Conduct a preliminary review of the available information.
- (3) Query databases that may be of help.
- (4) Consider the nature of the allegation and determine if technical assistance or coordination with other offices or LEA groups is required.
- (5) Consider the type of operation and decide whether the inspector will contact the focus of the investigation or arrive at the site unannounced.

e. How to Coordinate With the LEA. When local LEA assistance is needed, the action office will contact the SUP coordinator. The SUP coordinator makes the initial contact with the LEA. Subsequently, the investigating inspector may communicate and work directly with the LEA.

Note: Except for the provisions outlined in the Privacy Act or FOIA, privacy information about the reporter must not be released unless it is For Official Use Only. Additionally, information or documents provided by other Government agencies (e.g., Department of Defense, Inspector General) must not be released without consent from that agency.

f. Investigating a Standard Part or a Military Part. If the allegation involves a standard part or military part, the inspector will investigate to the extent necessary to determine if the part is found to be eligible for installation on an FAA TC aircraft, aircraft engine, propeller, or appliance.

(1) If the standard part or military part is found to be eligible for installation on an FAA TC aircraft, aircraft engine, propeller, or appliance, complete the investigation per this notice.

(2) If the standard part or military part is not eligible for installation on an FAA TC aircraft, aircraft engine, propeller, or appliance, follow chapter 3 of this notice and process the case for closure.

(3) If the standard part or military part is not eligible for installation on an FAA TC aircraft, aircraft engine, propeller, or appliance, and it was represented as meeting FAA requirements, complete the investigation per this notice.

g. Tracing the Part to its Source. The investigating inspector should trace the history of the part to the extent necessary to determine its status. If the part does not meet regulatory requirements, the inspector should follow the history of the part to establish who was responsible for improperly producing, maintaining, or representing the part. For example, if the investigation reveals that the initial company/individual reported is not responsible for the unapproved status of the part, the inspector gathers all relevant information, documents the details of the investigation in PTRS or AIR System.

h. Collecting Evidence. The inspector secures evidence via photographs, copies of records, and/or statements, as applicable to support the findings in the case. If enforcement action is being taken, the inspector follows Order 2150.3 and collects the necessary items of proof.

i. What to Do With the Parts. An inspector should encourage the voluntary surrender of a SUP if it would benefit the investigation and/or enforcement proceedings. The inspector must complete FAA Form 8020-2, Aircraft/Parts Identification and Release, and FAA Form 1600-70, Chain of Custody Receipt, following the procedures outlined in FAA Order 8020.11, Aircraft Accident and Incident Notification, Investigation, and Reporting; and FAA Order 1600.20, Civil Aviation Security Investigations Handbook, respectively, for all parts received.

Note: Do not attempt to seize parts or require parts to be surrendered.

j. Initiating Enforcement Action. When a SUP investigation discloses a violation of 14 CFR, the inspector should follow enforcement procedures contained in FAA Order 2150.3.

k. What to Do if There is Resistance or a Conflict. If conflict arises during the course of an investigation, the inspector should attempt to resolve it in a professional manner. If an inspector is subjected to any type of threatening behavior (verbal, physical, or psychological), the inspector should remove himself/herself from the situation immediately and contact his/her manager. In the event an investigation cannot be conducted due to resistance or conflict, the inspector should contact the SUP coordinator immediately.

3. Coordinating Criminal Investigations. If parts have been intentionally misrepresented, criminal activity may be involved. Inspectors do not conduct criminal investigations and should refer to Order 2150.3 for additional guidance and information about criminal investigations.

a. What is the Inspector's Role in a Criminal Investigation? An inspector's role in any criminal investigation is strictly limited to providing technical assistance, when requested. Involvement in criminal investigations will be limited to the scope of normal job functions, after the LEA has secured the area.

(1) Inspectors are not authorized to be on the scene, under any circumstances, when a LEA is issuing a search warrant.

(2) Inspectors must not be on the scene until the search warrant has been issued and the scene is secured and deemed safe.

(3) Inspectors do not have the authority to collect evidence under the direction of the LEA for the LEA groups use in criminal prosecution.

Note: Information about LEA involvement or a criminal investigation is "For Official Use Only." FAA employees must not identify or disclose details about LEA involvement unless specifically authorized to do so or as required to release on a "need-to-know" basis in the proper discharge of official duties. If FAA inspectors become involved in criminal investigations FAA management must be informed. The office of Chief Counsel will be contacted for guidance on all legal matters.

b. What to Do if There is Suspected Criminal Activity. If criminal activity is suspected during the course of a SUP investigation, the inspector should notify their office manager and the SUP coordinator immediately. SUP coordinators will make initial contact with appropriate LEA regarding evidence of criminal activity and regional council to coordinate initial investigation efforts.

c. What to Do if an LEA Requests a Delay or a Discontinuation of the Investigation. An LEA may request that the FAA delay an investigation if LEA has a concurrent investigation or the FAA requests assistance from the LEA. In either instance, the action office is responsible for completing the FAA SUP investigation. If LEA request that FAA delay the investigation, the inspector must receive a written request from the LEA and determine that a delay will not compromise safety. The LEA written request should be kept in the investigation file.

d. How to Coordinate a Request to be Placed on a Rule 6(e) List. Rule 6(e)(2) of the Federal Rules of Criminal Procedure, General Rule of Secrecy, prohibits certain discussions or disclosure of information relating to proceedings conducted before grand juries. During the course of a criminal investigation, the United States attorney's office may request that an inspector or engineer be placed on a Rule 6(e) list. The request usually identifies the type of testimony and subject matter required.

(1) Inspectors and engineers must immediately notify their office manager and SUP coordinator if they receive a request regarding a Rule 6(e) list.

(2) Inspectors and engineers must notify Regional Counsel if placed on the Rule 6(e) list.

e. How to Determine if FAA Should Take Enforcement Action Under Title 49 United States Code (U.S.C.) § 44726. When LEA has investigated criminal activity and a conviction has been accomplished, enforcement action under 49 U.S.C. § 44726 may be required. The investigating inspector will contact the LEA involved, obtain a copy of the conviction, and coordinate further action with regional counsel. If LEA determined that fraudulent activity occurred, but no conviction was accomplished, enforcement action under 49 U.S.C. § 44726 may be required.

4. Insuring That Parts That Do Not Meet Regulatory Requirements are Addressed. Parts that do not meet regulatory requirements must be addressed; therefore, appropriate personnel should ensure that the parts are secured, recalled, and/or notifications issued to recipients or end users. Prior to closing an investigation, the investigating inspector will ensure that the parts that do not meet regulatory requirements have been addressed appropriately, as outline below.

a. Deactivate Parts Per an Approved Minimum Equipment List (MEL). An operator may consider a part that does not meet regulatory requirements to be inoperable and deactivate that part following procedures outlined in the MEL or Configuration Deviation List (CDL) as applicable.

b. Remove Parts. If a part that does not meet regulatory requirements is installed on an aircraft and the part cannot be deactivated per an approved MEL, the owner/operator should have the part removed following current policy and regulations. Refer to the current Airworthiness Inspector's Handbook for additional guidance.

c. Segregate or Quarantine Parts. Parts that do not meet regulatory requirements, which are located in inventories, should be immediately removed or segregated to prevent installation.

(1) FAA-certificate holders or PAH should follow procedures acceptable to the FAA to segregate and disposition parts that do not meet regulatory requirements, and prevent them from being distributed and/or installed on aircraft.

(2) The investigating inspector should encourage noncertificated persons to provide a written commitment that identifies their plan to segregate and disposition the parts.

Note: Manufacturers or distributors associated with parts determined to be unapproved should be urged to notify the recipients of those parts.

d. Issue Recall Letters or Notices (FAA Certificate Holders or PAH). If an FAA certificate holder or PAH has records that identify all recipients of parts that do not meet regulatory requirements, encourage the responsible parties to notify all applicable recipients (U.S. and foreign).

Note: The inspector should record all details regarding recall letters or notices, and include copies of the letter/notice initiated by the responsible party, along with associated documentation, when the case is closed. Documentation should include a letter from the responsible party identifying the action taken to notify all recipients, a list of the recipients, and a copy of the letter/notice sent.

e. Field Notifications (FN). The term “Field Notification” refers to published notice that identifies information relevant to parts that do not meet regulatory requirements. Field notifications may be disseminated using a broad range of media, such as Aviation Maintenance Alert, Airworthiness Directive (AD), an entry into an issue of the Service Difficulty Reporting Summary, a Special Airworthiness Information Bulletin, a display on an Internet site or computer bulleting board, and/or direct mailing. Unless otherwise warranted, the primary method of dissemination will be posting on the SUPS website referred to in chapter 1, paragraph 1 of this notice.

(1) Field Notifications other than ADs. If an AD is not warranted and it is determined that the aviation community should be advised of the unapproved part, an FN should be published. FNs may not be needed in situations where the unapproved part has been contained and control of the part(s) has been established, or will be established in the immediate future. The Action Office will determine if an FN is required and forward their recommendation along with a draft of the notification to the regional/directorate SUP Coordinator. If the SUP Coordinator concurs, they will review, edit, and finalize the notification and forward it to the appropriate AFS/AIR HQ SUP Focal point.

(a) When preparing draft FNs, the Action Office is encouraged to contact the ACO responsible for the design approval of the affected part, and obtain the necessary technical input. The information contained in the FN must be factual and contain the following information as a minimum.

- The specific aircraft and parts affected, including quantity.
- A brief narrative describing who, what, when, where, and how; to include the name of the party responsible and/or accountable for introducing the unapproved part into the system.
- A description of how the part can be traced.
- A recommendation for part removal or segregation.

- The address, telephone, and fax number of the Action Office that will respond to public inquiries/responses.

Note: It is extremely important for the Action Office and the SUP Coordinators to verify that all information contained in the FN is technically accurate and complete prior to forwarding that request to the AFS/AIR HQ SUP Focal point.

(b) FNs other than ADs are advisory and must not include mandatory corrective action, individual opinions, or reporting requirements. The FN must be for informational purposes and not imply that compliance is mandatory. Language that is clearly distinguished from the regulatory language used in ADs must be used. Words such as “must” and “will,” which require mandatory actions, are to be avoided. An FN must not be used to recommend product improvements as it could imply FAA approval of the recommended action. Appendix B includes a sample of a direct mail FN to be used as guide in developing a draft.

(2) ADs. When parts that do not meet regulatory requirements are not in positive control and/or accounted for, and a safety of flight issue exists, the action office will contact the appropriate ACO to determine if an AD is warranted.

Chapter 3. Completing the SUP Investigation

1. How to Record the Case Results. The respective regional/directorate office responsible for the SUP investigation will retain the official case investigation file. The investigating inspector will document the investigation and findings in the appropriate database (PTRS, EIS, and AIR System). The inspector must ensure the PTRS or AIR System record entry contains a detailed narrative of the results at each stage of the investigation. The entry should include investigation activities and dates, findings, action taken, results, and recommendations for closure.

2. Recommending Closure of the SUP Investigation.

a. Obtain Concurrence From Supervisor/Manager. The investigating inspector forwards a memorandum recommending the case for closure to his/her supervisor/manager for signature.

b. Forwarding the Memorandum. The manager/supervisor should forward the memorandum and supporting documentation for closure to the regional/directorate recommending the case for closure.

Note: Action office case information cannot be released under FOIA until concurrence from LEA that they do not have an open investigation. (See paragraph 3c below).

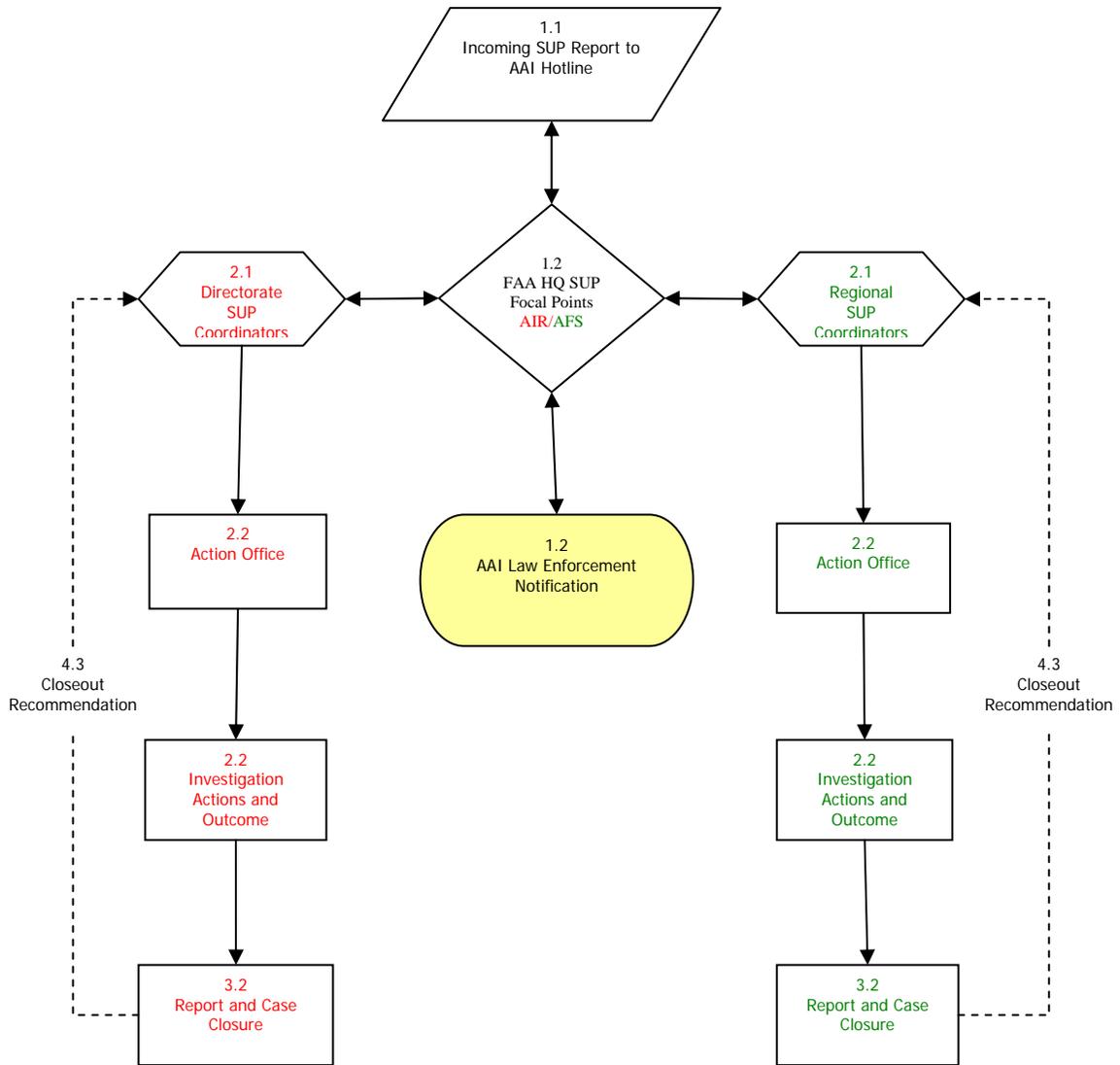
3. SUP Coordinator's Review and Closure. SUP coordinators review the completed case to ensure that findings, actions taken, results, etc. support closure of the investigation. After agreeing with the action office's recommendation, the SUP coordinator will review and forward the completed Hotline response to the AFS/AIR HQ SUP Focal point.

a. Requesting Additional Information. The regional/directorate SUP coordinator may contact the action office, as necessary, for clarification of the information provided. If the case requires further investigation or additional documentation, the regional/directorate SUP coordinator will request additional information as necessary.

b. Closing Out the Investigation. The regional/directorate SUP coordinator upon acceptance of close recommendation from the action office will generate a PTRS/AIR System record, closing the case. This record entry should include the action offices PTRS/AIR System record identification to provide the historical data on the case. Upon receipt of closure from the regional/directorate SUP coordinator, the AFS/AIR HQ SUP Focal point will notify the national LEA and allow 30 days for them to respond. If no response or a favorable response is received, then they will forward the case closure information to the Hotline Office for official closure of the SUP investigation. The national LEA may request additional time for their ongoing investigation.

c. LEA Hold. LEA Hold is considered to be a "status" of a case that indicates LEA are continuing to investigate the case. FAA, however, has completed its' investigation. The HQ Focal Point may place a case on LEA Hold when the FAA has completed its investigation and the LEA advises that they have not completed their portion of the investigation. Placing a case on LEA Hold helps ensure that investigative information is not prematurely released under FOIA.

Appendix A. SUP Investigation Process



Appendix B. Sample Draft Unapproved Parts Notification

AFFECTED PRODUCTS

Aircraft propellers.

PURPOSE

The purpose of this notification is to advise all aircraft owners, operators, manufacturers, maintenance organizations, and parts distributors regarding improper maintenance performed on aircraft propellers.

BACKGROUND

Information received during a Federal Aviation Administration (FAA) suspected unapproved parts investigation revealed that between January 1999 and November 2003, XYZ Propeller Services (XYZ), located at 123 Fourth Street, Anytown, TX, 75146, improperly overhauled and approved for return to service various aircraft propellers. XYZ holds FAA Air Agency Certificate No. XYZR123K.

Evidence indicates that XYZ approved propellers for return to service that were not overhauled in total compliance with the methods, techniques, and practices prescribed in the current manufacturers' maintenance manuals. Specifically, XYZ failed to shot-peen of hub retention areas.

XYZ has attempted to notify its customers through recall letters; however, some of the propellers could not be located. Attached is a partial list of propellers that may have been overhauled and approved for return to service.

RECOMMENDATIONS

Regulations require that type-certificated products conform to their type design. Aircraft owners, operators, maintenance organizations, and parts distributors should inspect their aircraft, aircraft records, and/or parts inventories for any propeller work accomplished between January 1999 and November 2003 by XYZ. If any propellers are installed on aircraft, appropriate action should be taken. If any propellers are found in existing inventory, it is recommended that the propellers be quarantined to prevent installation until a determination can be made regarding each propeller's compliance with the manufacturer's maintenance manuals.

FURTHER INFORMATION

Further information concerning this investigation and guidance regarding the above-referenced propellers can be obtained from the FAA Flight Standards District Office given below. In addition to the above recommendations, the FAA would appreciate any information concerning the discovery of the propellers from any source, the means used to identify the source, and the action taken to remove the propellers from service.

This notice originated from the FAA Dallas FSDO, 3300 Love Field Drive, Dallas, TX 75235, telephone (214) 902 1800, fax (214) 902-1862.

Appendix B. Sample Draft Unapproved Parts Notification (Continued)**PARTIAL LIST OF IMPROPERLY OVERHAULED AIRCRAFT PROPELLERS**

Work Order Number	Part Name	Part Number	Serial Number
XYZ04234	Propeller	2A36C23-P-E-G	761063
XYZ04345	Propeller	2D34C215-B	808006

Appendix C. Suspected Unapproved Parts Report

		<h2 style="margin: 0;">SUSPECTED UNAPPROVED PARTS REPORT</h2>	
<p>Refer to page 2 for instructions on how to complete this form.</p>			
1. Date the Part Was Discovered:		2. Part Name:	
3. Part Number:		4. Part Serial Number:	
5. Quantity:	6. Assembly Name: Assembly Number:	7. Aircraft Make & Model:	
<p>8. Name, Address, and Description of the Company or Person Who Supplied or Repaired the Part:</p>			
Name:		Street Address:	
City:	State:	ZIP Code:	
Country:		Phone Number:	
<p>Check One of the Following Applicable to the Company or Person Who Supplied or Repaired the Part:</p>			
<input type="checkbox"/> Air Carrier – Certificate #		<input type="checkbox"/> Supplier	
<input type="checkbox"/> Mechanic – Certificate #		<input type="checkbox"/> Production Approval Holder	
<input type="checkbox"/> Repair Station – Certificate #		<input type="checkbox"/> Manufacturer	
<input type="checkbox"/> Distributor		<input type="checkbox"/> Other	
<input type="checkbox"/> Owner/Operator		<input type="checkbox"/> Unknown	
<p>9. Description of the Issue:</p>			
<p>10. Name and Address of (the Company or Person) Where the Part Was Discovered:</p>			
Name:		Street Address:	
City:	State:	ZIP Code:	
Country:		Phone Number:	
<p>Check One of the Following Applicable to the Company or Person Who Discovered the Part:</p>			
<input type="checkbox"/> Air Carrier - Certificate #		<input type="checkbox"/> FAA Inspector	
<input type="checkbox"/> Mechanic - Certificate #		<input type="checkbox"/> DOT/Office of Inspector General	
<input type="checkbox"/> Repair Station - Certificate #		<input type="checkbox"/> Defense Criminal Investigation Service	
<input type="checkbox"/> Distributor		<input type="checkbox"/> Other Government Agency	
<input type="checkbox"/> Supplier		<input type="checkbox"/> Foreign Civil Aviation Authority	
<input type="checkbox"/> Production Approval Holder		<input type="checkbox"/> Owner/Operator	
<input type="checkbox"/> Unknown		<input type="checkbox"/> Other	
<p>11. Date of This Report:</p>			
<p>12. <input type="checkbox"/> Check this box if you request anonymity - <i>Do not complete blocks 13-15.</i></p>			
<p>13. Name and Address of the Reporter:</p>			
Name:		Street Address:	
City:	State:	ZIP Code:	
Country:		Phone Number:	
<p>14. <input type="checkbox"/> Check this box if you request confidentiality.</p>			
<p>15. <input type="checkbox"/> Check this box if you <u>do not</u> wish to receive an acknowledgment letter.</p>			
<p>16. <input type="checkbox"/> Check this box if you have attached additional information.</p>			

Instructions for Completing FAA Form 8120-11, Suspected Unapproved Parts Report

1. Record the date the part was discovered.
2. Record the part name (or a description of the part).
3. Record the part number or identification number of the part.
4. Record the serial number on the part, if applicable.
5. Record the quantity of parts.
6. Record the assembly name and assembly number (where the part was or could be installed).

Example: Part Name: Strut Part Number: PN 12345 Serial Number: 678 Quantity: 1
 Assembly Name: Main Landing Gear Assembly Number: PN 90101112

NOTE: Record additional part numbers on page 3 or a blank sheet of paper with the following column headers:

Part Name — Part Number — Serial Number — Quantity — Assembly Name — Assembly Number

7. Record the type of aircraft the part was (or could be) installed on.
8. Record the complete name and address of the company or person who produced, repaired, and/or sold the part. Do not list a P.O. Box address unless a street address is not available.

Check the box that describes the company or person. Provide the certificate number, if known.

Air Carrier - An FAA-certificated company or person who undertakes directly by lease, or other arrangement, to engage in air transportation.	Supplier - A company or person who furnishes aircraft parts or related services, at any tier, to the producer of a product or part thereof.
Mechanic - A person holding an FAA mechanic certificate with airframe and/or powerplant ratings.	Production Approval Holder - A company or person holding one of the following four types of FAA production approvals: production certificate, approved production inspection system, parts manufacturer approval, or technical standard order authorization.
Repair Station - An FAA-certificated repair station.	Manufacturer - The original equipment manufacturer (OEM.)
Distributor - A broker, dealer, reseller or other person or agency engaged in the sale of parts.	Other -Record other type of business.
Owner/Operator - The owner or operator of an aircraft.	Unknown

9. Record a brief narrative stating why you believe the part is not approved. Include a description of the part (improper configuration, suspect marking, different material, etc.), where it was obtained, and what type of documentation was supplied with it.
10. Record the complete name and address of the location where the part was found. Check the appropriate block to reflect the affiliation of the company or person who discovered the part.
11. Record the date the FAA Form 8120-11 is being submitted.
12. Check this box if you request anonymity (do not wish to provide your identity), and do not complete 13, 14 or 15.
13. Record your name, address and phone number, if desired. This information will enable the FAA to contact you for additional information, if necessary.
14. Check this box if you request confidentiality of your personal information recorded in block 13.
15. Check this box if you do not wish to receive a letter acknowledging the FAA's receipt of FAA Form 8120-11.
16. Check this box if you have provided additional information (photos, invoices, certification statements, etc.)

Forward the completed FAA Form 8120-11, Suspected Unapproved Parts Report, to:

**Federal Aviation Administration, Attn: FAA Hotline
 800 Independence Ave., SW, Washington, DC 20591**

An electronic copy of FAA Form 8120-11, Suspected Unapproved Parts Report, is available on the FAA website at <http://www.faa.gov/aircraft/safety/programs/sups>. You may complete the electronic FAA Form 8120-11 and send it to the FAA via this website. The Hotline phone number is (866) 835-5322.

Privacy Act and Paperwork Reduction Act Statement:

An agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this form is 2120-0552. This information is collected by the FAA, under the authority of 49 USC 44701. The information will be used to support SUP investigations and management reports. Submission of this information is voluntary, with questions limited to reduce any burden on the reporter. Completion of this form is estimated to take less than 9 minutes. Information collected is not available elsewhere and necessary to support the FAA's commitment to promote safety. Information is routinely shared with law enforcement agencies for use in civil and criminal investigations. Information developed from this form is covered under the Privacy Act system of records DOT/FAA 52 and the routine uses of that system will apply. A reporter may request confidentiality of personal information to the extent permitted by the Freedom of Information Act (5 USC 552) and the Privacy Act (5 USC 552a).

