



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

National Policy

**ORDER
8120.16A**

Date:
6/3/2016

SUBJ: Suspected Unapproved Parts Program

This order describes the policies and procedures for the Federal Aviation Administration's Suspected Unapproved Parts (SUP) Program. This order applies to all personnel in the Office of Aviation Safety who initiate, investigate, coordinate, and complete SUP cases.

Susan J. M. Cabler

Susan J. M. Cabler

Acting Manager, Design, Manufacturing, & Airworthiness
Division

Aircraft Certification Service

Table of Contents

<i>Paragraph</i>	<i>Page</i>
Chapter 1. Introduction	
1-1. Purpose of This Order	1
1-2. Audience	1
1-3. Where Can I Find This Order	1
1-4. What This Order Cancels	1
1-5. Explanation of Changes	1
1-6. General	1
Chapter 2. Objectives and Responsibilities	
2-1. Objective	2
2-2. Relationship With Other Programs	2
2-3. Responsibilities	2
2-4. Figure 2-1 SUP Investigation Process	7
Chapter 3. Initiating a SUP Case	
3-1. How to Report a SUP	8
3-2. Forwarding a SUP Report	8
3-3. Evaluation of the SUP Report	8
Chapter 4. Investigating a SUP Case	
4-1. Assigning a SUP Investigation	10
4-2. Conducting a SUP Investigation	10
4-3. Coordinating Criminal Investigations	13
4-4. Ensuring that Parts that do not Meet Regulatory Requirements are Addressed	15
Chapter 5. Completing the SUP Case	
5-1. How to Record the Case Results	18
5-2. Recommending Closure of the SUP Investigation	18
5-3. SUP Coordinator’s Review and Closure	18
5-4. HQ Focal Point’s Closure	18
5-5. LEA Hold	18
Appendix A. Sample Unapproved Parts Notification	A-1
Appendix B. Suspected Unapproved Parts Report	B-1
Appendix C. Administrative Information	C-1
Appendix D. Definitions	D-1
Appendix E. FAA Form 1320-19, Directive Feedback	E-1

Chapter 1. Introduction

1-1. Purpose of This Order. This order describes responsibilities, policies and procedures for coordinating, investigating, and processing Federal Aviation Administration (FAA) suspected unapproved parts (SUP) reports.

1-2. Audience. This order applies to all personnel involved in the SUP program. This includes offices within the FAA Aircraft Certification Service (Headquarters, Directorates, Manufacturing Inspection District Offices, and Certificate Management Office), the FAA Flight Standards Service (Headquarters, Regional Divisions, Flight Standards District Offices and Certificate Management Offices), and the FAA Office of Audit and Evaluation.

1-3. Where Can I Find This Order? You can find this order in electronic format on both the FAA's Intranet and Internet websites at the following links:

https://employees.faa.gov/tools_resources/orders_notices and,
http://www.faa.gov/regulations_policies/orders_notices/

1-4. What This Order Cancels. This order cancels FAA Order 8120.16, Processing Reports of Suspected Unapproved Parts, dated July 15, 2008.

1-5. Explanation of Changes. This order revision:

1. Transfers policy responsibility (Office of Primary Responsibility) for the SUP program from Flight Standards Service (AFS), Aircraft Maintenance Division (AFS-300), to Aircraft Certification Service (AIR), Design, Manufacturing, and Airworthiness Division (AIR-100). All SUP reports received by the FAA Hotline Program reporting system will be forwarded to the AIR Headquarters (HQ) SUP Focal Point in AIR-100 instead of the AFS HQ SUP Focal Point for further disposition and processing.

2. Changes the order title to "Suspected Unapproved Parts Program."

3. Clarifies responsibility for initiating, investigating and closing a SUP case.

4. Moves the Definitions Section from chapter 2 to appendix D.

5. Removes definitions that are already defined in the FAA regulations.

6. Reorganizes the order, moving the Objectives and Responsibilities section from the administrative section to chapter 2 of the order.

1-6. General. The SUP program employs a national system to respond to the entry of potential unapproved parts into the aviation system at the air carrier, manufacturer, supplier, distributor, and/or repair stations of aircraft maintenance. The SUP program employs surveillance, investigation, community-wide notification and, where warranted, enforcement actions to address the problem of unapproved parts that enter the aviation system.

Chapter 2. Objectives and Responsibilities

2-1. Objective. The objective of the SUP Program is to mitigate the potential safety threat to the aviation community posed by “unapproved parts.” The program seeks to prevent unapproved parts from entering the system by aggressive and consistent investigative and corrective actions when detected. If unapproved parts have already entered inventories, the program aims to prevent such parts from being installed on aircraft and are then purged from the system as soon as practicable.

2-2. Relationship with Other Programs. The FAA must be aware of the potential reporting of additional situations contained in a single report of SUP. Occasionally, reports containing elements of a whistleblower case or other situations that require additional attention from other offices in the FAA will be received by the FAA Hotline. The SUP program participants should be watchful for other potential issues embedded in the SUP reports that the FAA or other government agencies may need to address.

2-3. Responsibilities. Each organization’s responsibilities are outlined below. (Reference Figure 2-1, “Suspected Unapproved Parts Investigation Process” flow chart.)

a. FAA Office of Audit and Evaluation.

(1) The FAA Office of Audit and Evaluation’s Reporting and Data Analysis Staff, (AAE-300) operates the consolidated FAA Hotlines and receives SUP reports electronically from the public via the “Contact FAA” website at: <http://www.faa.gov/contact/>; or from the FAA Suspected Unapproved Parts Program website at: <http://www.faa.gov/aircraft/safety/programs/sups/>

(2) SUP reports may come from the public or from aviation safety inspectors who observe SUPs directly or receive a SUP report from the public. SUP reports submitted by the public directly to AIR or AFS field offices will be forwarded to AAE-300 for processing. The receiving field office is not required to take further action unless assigned to investigate the SUP case according to the procedures as delineated in this order.

Note: If a SUP report submitted directly to a field office involves an immediate safety of flight issue, the receiving office’s management must be informed and must take appropriate action. Immediate safety of flight issues must be addressed with priority attached no matter how the information is obtained.

(3) AAE-300 forwards all SUP reports electronically to the AIR HQ SUP Focal Point.

b. Aircraft Certification Service and Flight Standards Service. The service directors maintain organizational responsibility for processing all reports of SUP. The Aircraft Certification Service and Flight Standards Service directors have delegated SUP processing functions to the Design, Manufacturing, and Airworthiness Division (AIR-100) and the Aircraft Maintenance Division (AFS-300) respectively. Functions and responsibilities for processing SUP reports will be vested in the AIR and AFS HQ Focal Points and the AIR directorates’ and AFS regional divisions’ SUP Coordinators as delineated in the following paragraphs.

c. Design, Manufacturing, and Airworthiness Division (AIR-100) and Aircraft Maintenance Division (AFS-300). AIR-100 and AFS-300 will be the responsible policy divisions for administering the SUP program at the national level. AIR-100 is the Office of Primary Responsibility (OPR) for this order. Each division will appoint a HQ SUP Focal Point to perform the functions delineated below:

(1) The AIR HQ SUP Focal Point receives all SUP reports from the FAA Hotline (AAE-300).

(2) The AIR HQ SUP Focal Point will review each hotline report of a SUP to determine if it involves a new part/manufacturing issue or used part/maintenance issue. That determination will be instrumental to decisions regarding further processing of the SUP report.

(3) If a SUP report involves a new or unused part or a manufacturing facility, and if the facts warrant an investigation (refer to chapter 3, paragraph 3-3 of this order) the AIR HQ SUP Focal Point will forward the report to the SUP coordinator in the appropriate AIR directorate for further action in accordance with this order. (Exception: If the subject part was produced by an owner operator pursuant to 14 CFR, part 21.9(a)(5) or was fabricated by a repair station during the course of a repair pursuant to part 21.9(a)(6), the AIR HQ SUP Focal Point will forward the SUP report to the AFS HQ SUP Focal Point for further review and processing.)

(4) If the SUP report involves a used part or a repair station, the AIR HQ SUP Focal Point will forward the report to the AFS HQ SUP Focal Point for review. If the AFS HQ SUP Focal Point agrees that the SUP report falls within AFS' area of responsibility, the AIR HQ SUP Focal Point will direct AAE-300 to forward the SUP report to the AFS HQ SUP Focal Point for action unless the cases involves improper maintenance (see next paragraph). If the facts warrant an investigation (refer to chapter 3, paragraph 3-3 of this order), the AFS HQ SUP Focal Point will forward the SUP report to the appropriate AFS region SUP Coordinator for further action.

(5) If the AFS HQ SUP Focal Point agrees that the SUP report falls within the scope of AFS responsibility but determines that the SUP report should be reclassified as improper maintenance, the AIR HQ SUP Focal Point will be notified of the reclassification. The AIR HQ SUP Focal Point will then advise AAE-300 to reclassify the case as improper maintenance and assign the case directly to the appropriate regional field office according to their procedures. After such notification, the AIR HQ SUP Focal Point will close the SUP case according to the instructions in chapter 3, paragraph 3-3c of this order, with no further responsibility for processing under the requirements of this order.

Note: An improperly maintained/altered part may not be an unapproved part, but rather a part that is rendered ineligible for installation because the part was not maintained in accordance with the provisions of 14 CFR, part 43. Improperly maintained parts are investigated using the guidance contained in FAA Order 2150.3, *FAA Compliance and Enforcement Program*, under certificate management responsibilities as assigned by the regional division office. However, while cases that contain elements of improper maintenance are not typically processed under the procedures outline in this order, when deception and/or false documentation or a counterfeit part is suspected, the AFS

HQ SUP Focal Point may elect to assign cases involving improper maintenance as a SUP investigation under the SUP program procedures. Any action arising from such an investigation may be processed in accordance with the guidance in this order, FAA Order 2150.3, or referred to law enforcement, as applicable.

(6) The HQ SUP Focal Points will distribute SUP reports selected for investigation to national Law Enforcement Agency (LEA) contacts when the report is forwarded to the appropriate SUP coordinator. SUP reports not selected for investigation due to factors described in chapter 3, paragraph 3-3 of this order, will not be forwarded to the LEAs for review.

(7) For all SUP cases selected for investigation, the HQ SUP Focal Points will initiate a SUP case in the HQ SUP Sharepoint site and ensure it is properly updated and closed when the investigation is completed.

(8) HQ SUP Focal Points will forward closure of SUP investigations received from directorate and regional SUP coordinators to AAE-300, (see para 5-3, of this order). If the case was also under investigation by any of the national LEA offices, the HQ SUP Focal Point will notify the national LEA groups of FAA's intent to close the investigation. This action allows the relevant LEA to request that FAA not close its investigation if they feel it may compromise their investigation. (Once the FAA closes an investigation the information is subject to Freedom of Information Act requests.)

(9) HQ SUP Focal Points will coordinate posting of completed field notifications (FN) on the FAA SUP website (see paragraph 4-4.e in this order).

(10) If after review, the HQ SUP Focal Point determines that the FAA has no jurisdiction in a SUP case (foreign supplier or repair station without FAA certification) a SUP investigation will not be assigned. The HQ SUP Focal Point will close the SUP case with a close out memorandum to AAE-300 (see para 5-3 of this order) explaining the decision and will also forward the SUP report to the affected foreign civil aviation authority as described in para 4-1.a. of this order.

d. AIR Directorates and AFS Regional Divisions. The AIR directorate and AFS regional division managers are responsible for all 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 at least one individual to serve as a SUP Coordinator for the directorate or regional division;

(2) Establish and maintain a working relationship with LEAs to coordinate SUP investigations, as required;

(3) Ensure that SUP reports are investigated per this order;

(4) Ensure SUP investigations are assigned to the appropriate action offices;

(5) Ensure that SUP investigations involving both certificated (FAA production approval holder) and noncertificated entities are investigated by the action office responsible for the geographic area (e.g., Manufacturing Inspection District Office [MIDO] or Flight Standards District Office [FSDO]). AFS and AIR will assist each other as needed, to accomplish SUP investigations. They will also obtain input from the FAA's Office of the Chief Counsel on the legal responsibility of the FAA and protection of FAA employees when visiting noncertificated entities.

e. Directorate/Regional SUP Coordinators. The SUP coordinators will:

(1) Receive incoming SUP reports from the AIR or AFS HQ SUP Focal Point and distribute reports to the appropriate directorate/regional geographical office (MIDO, FSDO or Certificate Management Office (CMO)) for investigation;

(2) Coordinate with LEA contacts as necessary during action office investigations;

(3) Monitor the investigation's progress, coordinate resources, report investigation details, and provide support to other action offices as necessary.

Note: FAA Hotline Order 1070.1 allows 180 business days for completing a SUP investigation.

(4) Review, edit and finalize field notifications prepared by action offices for any case that requires a field notification, to include coordinating content with regional counsel as appropriate;

(5) Ensure that the directorate/regional manager is apprised of the investigation and findings when proposing corrective action or a field notification.

(6) Review/approve the final investigation report and closeout recommendation from the action office for accuracy, completeness, clarity, and if necessary, the impact on additional product lines;

(7) Upon satisfactory review of the SUP investigation recommended close-out action and supporting documentation, the directorate/regional SUP Coordinator will forward the completed FAA Hotline response to the appropriate HQ SUP Focal Point for further processing (see chapter 5 in this order).

(a) The SUP Coordinator may close a SUP investigation case without further corrective action. For example:

- i. The suspect parts meet the definition of approved parts pursuant to 14 CFR part 21;
- ii. Suspect parts have been quarantined or scrapped;
- iii. No regulatory infraction was discovered during the investigation;
- iv. The facts or evidence do not support the allegations contained in the SUP

report. (A detailed explanation must be included in the required close-out memo) or;

(b) A SUP case may be closed with a closure memo delineating the findings and conclusions derived from an investigation (see para 5-3 of this order) and if deemed necessary, accompanying field notification (e.g., Unapproved Parts Notification (UPN), a Safety Alert for Operators (SAFO), or Airworthiness Directive (AD)) and an explanation of corrective action required or enforcement action initiated.

(8) The SUP coordinators will update the SUP SharePoint site regarding the status of their assigned ongoing investigations at least quarterly;

f. Action Offices. The assigned action offices will:

(1) Conduct investigations when assigned by the appropriate SUP coordinator, in accordance with this order and other applicable orders, such as FAA Order 2150.3;

(2) Advise and coordinate with directorate/regional SUP Coordinators when LEA involvement is necessary (such as when criminal activity is involved);

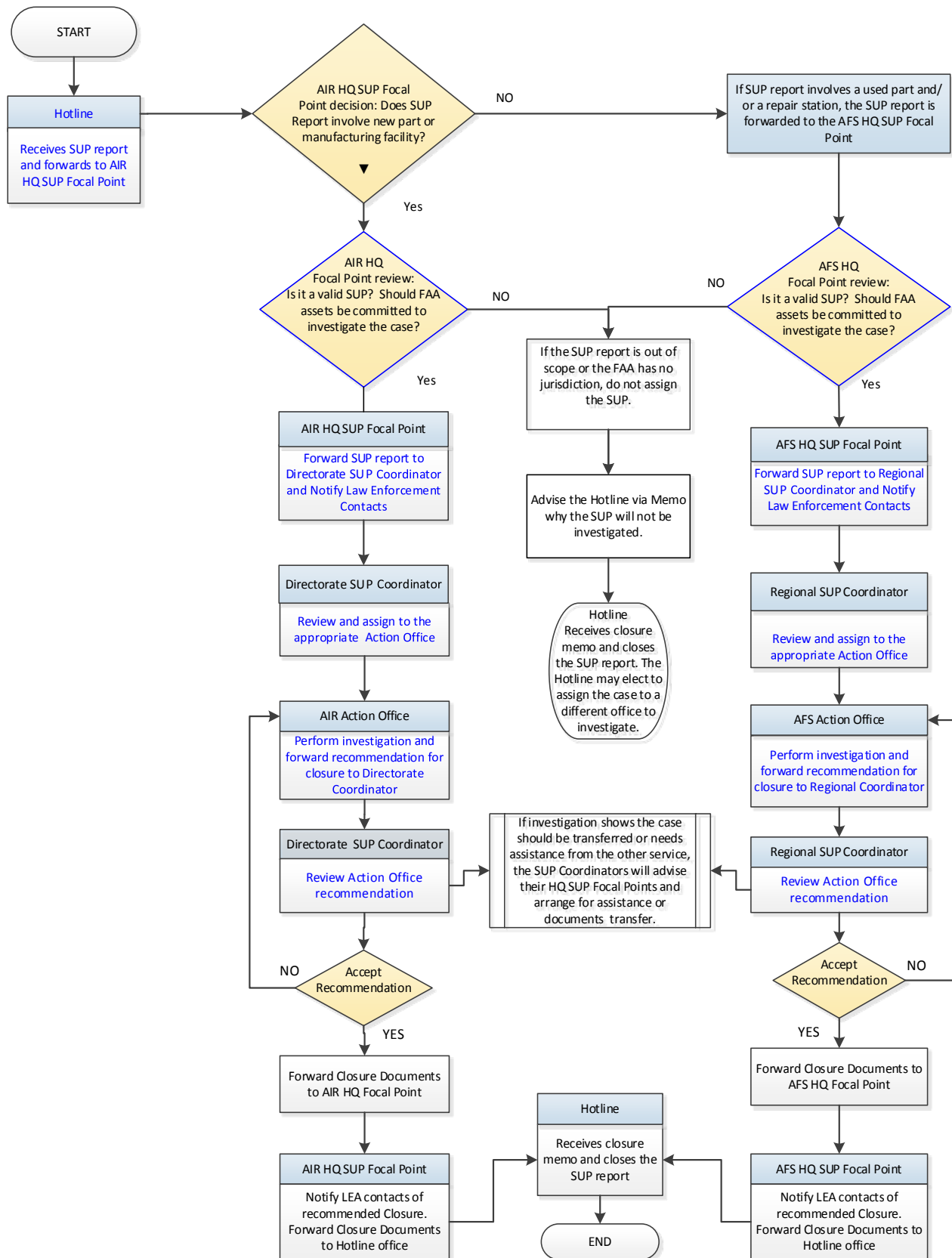
(3) Provide the final investigation report to the directorate/regional SUP Coordinator (with supporting documentation) in the form of a transmittal memorandum recommending the SUP investigation for closure;

(4) Recommend what type of field notification (if any) is appropriate, and forward a draft FN to the directorate/regional SUP Coordinator. Recommendations may require coordination with the local Aircraft Certification Office (ACO) or CMO;

(5) If a field office receives a SUP report directly from the public, the receiving office will submit the report to the FAA Hotline Office (AAE-300) to ensure proper processing of the SUP report in compliance with this order. (See paragraph 2-3.a. in this chapter.)

(6) Additionally, aviation safety inspectors will enter investigation information into the applicable database pursuant to the directorate or regional division requirements.

2-4. Figure 2-1. Suspected Unapproved Parts Investigation Process



Chapter 3. Initiating a SUP Case

3-1. How to Report a SUP. The public may report suspected unapproved parts directly to the FAA Hotline via the “Contact FAA” website at; <http://www.faa.gov/contact/>, or on the FAA Suspected Unapproved Parts Program website at; <http://www.faa.gov/aircraft/safety/programs/sups/>. Additionally, a SUP report may be sent to the FAA Hotline by email at FAAHotline@faa.gov. Although reports may be submitted in any format, the public is encouraged to submit a SUP report using FAA Form 8120-11. Alternatively, a SUP may be reported to the FAA Hotline via phone at 1-800-255-1111.

A SUP report may be submitted anonymously or confidentially. FAA employees who discover SUPs during their routine duties will also submit FAA Form 8120-11 to the FAA Hotline reporting system. FAA Form 8120-11 is provided in appendix B of this order. Instructions are included on the form.

3-2. Forwarding a SUP Report. AAE-300 assigns a hotline tracking number to all SUP reports in accordance with FAA Order 1070.1, *FAA Hotline Program*.

a. AAE-300 will forward all SUP reports to the AIR HQ SUP Focal Point in AIR-100.

b. The AIR HQ SUP Focal Point will review the SUP report to determine whether the report involves a new part/manufacturing issue or a maintenance issue/repair station. If the SUP report alleges that a new part does not meet regulatory requirements, the AIR HQ SUP Focal Point will process the report in accordance with chapter 4 of this order. If the report alleges that a used part does not meet regulatory requirements, the AFS HQ SUP Focal Point will review the SUP report and confirm that the SUP case falls within AFS responsibility. After AFS concurrence, the AIR HQ SUP Focal Point will notify the Hotline to forward the SUP report to the AFS HQ SUP Focal Point, who will process the report in accordance with chapter 4 of this order. If the AFS and AIR HQ SUP Focal Points do not concur that the report lies within AFS scope of responsibility, the AIR HQ SUP Focal Point will request a review by the appropriate AIR-100 and AFS-300 managers.

3-3. Evaluation of the SUP Report. The AIR/AFS HQ SUP Focal Point will determine the sensitivity of the information in the SUP report and who should have initial access prior to forwarding the SUP report to the appropriate SUP Coordinator. While the AIR/AFS HQ SUP Focal Point retains the authority to determine that a SUP report as submitted does not rise to the level of committing valuable FAA resources for investigation (i.e., responsible company does not fall within FAA’s jurisdiction), it may be more appropriate for the directorate or regional division to make that decision.

Upon receipt, the SUP Coordinator will review and evaluate the SUP report and initiate the action appropriate to the information received, as described in the following subsections:

a. **LEA Sensitive SUP Reports.** If the SUP report contains information that alleges overt criminal activity, the SUP Coordinator will consult with their legal department for possible involvement with law enforcement prior to proceeding with the investigation. This action is prescribed to prevent compromising evidence of criminal activity by non-law enforcement

personnel (i.e., the FAA inspector).

b. Insufficient Information. When there is insufficient information to initiate a SUP investigation, the SUP Coordinator will contact the reporter (if known) and request additional information. If the SUP Coordinator is unable to contact the reporter, or after contact the information provided remains insufficient, the SUP Coordinator will provide a close-out memorandum to the appropriate HQ SUP Focal Point as delineated in chapter 5 of this order. The memorandum will cite this chapter and sub-paragraph as the basis for closing the SUP case. The HQ SUP Focal Points will follow their respective divisions' official records requirements and forward the memorandum to AAE-300 (see paragraph 5-3 of this order).

c. Allegation is Out of Scope. If a SUP coordinator (or the AIR/AFS HQ SUP Focal Point), upon review of the SUP report, finds that the allegation does not involve a part that violates regulatory requirements, a SUP close-out memorandum will be provided as delineated in chapter 5 of this order. The memorandum will cite this chapter and sub-paragraph as the basis for closing the SUP case. The HQ SUP Focal Points will follow their respective divisions' official records requirements and forward the report to AAE-300 (see paragraph 5-3 of this order). The memorandum must state the reasons for the allegation being out of scope (i.e., the allegation doesn't qualify as a SUP under this order, or the responsible company is located in a foreign country outside FAA's jurisdiction, or no regulatory violation is alleged).

d. An Investigation is Necessary. When a SUP report contains sufficient information and qualifies as a SUP to be investigated, the SUP Coordinator assigns the SUP report to the appropriate action office for investigation. However, a SUP report does not automatically necessitate a SUP investigation. Some submitted SUP reports will not merit committing FAA resources to investigate.

The following are examples of situations where a SUP investigation would not be initiated:

- (1) The wrong part is received from a supplier;
- (2) A received part has a manufacturing defect (quality escape), and the manufacturer has acknowledged the error and is taking corrective action;
- (3) A part is damaged during maintenance or is installed incorrectly on the next higher assembly;
- (4) A standard part was received that is not included in the FAA accepted data in the TC specifications or approved drawings;
- (5) SUP reports concerning raw material deficiencies.

Chapter 4. Investigating a SUP Case

4-1. Assigning a SUP Investigation. The AIR/AFS HQ SUP Focal Point forwards the SUP report, and any attachments, to the appropriate geographical directorate or regional division SUP Coordinator, in accordance with the responsibilities as delineated in chapter 2 of this order. The investigation is assigned based on the geographic area responsible for oversight of the company or individual who last represented the part as being approved. This procedure is followed in all cases regardless of whether the responsible company or individual has been issued an FAA certificate approval/authorization.

a. SUP Report Involving a Foreign Company/Individual. Reports of SUPs may involve parts manufactured or repaired exclusively by companies or individuals located outside of the United States (U.S.). If the foreign company holds an FAA approval/authorization (PAH or repair station) to manufacture or maintain the part in question, a SUP investigation may be appropriate pursuant to this order. The responsible office will be determined by the HQ Focal Point involved according to the directorate/region geographical areas of responsibility for foreign countries. If the foreign company does not hold an FAA certification, the AIR/AFS HQ SUP Focal Point will forward the report to the appropriate foreign civil aviation authority (CAA) having oversight over the company and can then close the action item with AAE-300. Additional information related to SUP is included in the appropriate bi-lateral agreement. The AIR/AFS HQ SUP Focal Point will review the bilateral agreement and coordinate with the responsible international office (AIR-400 or AFS-50) to ensure applicable requirements are met and to obtain contact information for forwarding the SUP report to the foreign CAA.

NOTE: In providing this information to the appropriate CAA, 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 foreign CAAs to mitigate the potential for those parts to migrate into the U.S. aviation system.

b. Forwarding Case Information to the National LEA. Each time a SUP report is assigned for investigation the HQ SUP Focal Point will forward a copy of the report, to the designated points of contact for the Department of Transportation, Office of Inspector General (DOT OIG), the Federal Bureau of Investigation (FBI), the Defense Criminal Investigation Service (DCIS), the National Aeronautical and Space Administration (NASA) OIG, the U.S. Coast Guard (USCG), Immigration and Customs Enforcement (ICE), and Naval Criminal Investigative Service (NCIS).

(1) When a SUP report contains sensitive information involving an LEA, the AIR/AFS HQ SUP Focal Point will contact the national LEA groups prior to forwarding the report to the SUP Coordinator. Case information is provided only to required personnel.

c. Determining the Action Office. After receiving a SUP report, the directorate or regional division SUP Coordinator determines which action office in their organization will conduct the investigation and forwards the report to that action office.

4-2. Conducting a SUP Investigation. In general terms, the inspector investigates to the extent necessary to discover:

- The identity, quantity, and location of the part;
- The entity that manufactured it or intentionally misrepresented 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 unapproved parts are discovered, the inspector will address any violations of FAA regulatory requirements and ensure the appropriate personnel are advised of the status of the parts. Figure 2-1 contains a flowchart of the SUP investigation process.

a. Applicable Orders. The action office will follow all applicable FAA orders and standard operating procedures when investigating a SUP. Applicable orders include:

- (1) FAA Order 1070.1, *FAA Hotline Program*;
- (2) FAA Order 2150.3, *FAA Compliance and Enforcement Program*;
- (3) FAA Order 8900.1, *Flight Standards Information Management System*;
- (4) FAA Order 1600.75, *Protecting Sensitive Unclassified Information (SUI)*;

b. Proper Investigation Procedures. FAA Order 2150.3, contains the procedures for conducting an investigation. It directs FAA investigating personnel to take the most appropriate action to promote safety and compliance with the regulations. FAA's investigative personnel priorities should be to correct any ongoing noncompliance and then determine what action to take by evaluating the seriousness and safety risk imposed by the noncompliance. The investigating inspector will follow the procedures outlined in this order, in addition to FAA Order 2150.3, when conducting a SUP investigation. The investigating inspector will enter SUP investigation information into the applicable service office database pursuant to their directorate or regional division requirements (e.g., PTRS).

All information about a SUP investigation is designated "For Official Use Only (FOUO)." FAA Order 1600.75, *Protecting Sensitive Unclassified Information*, establishes FOUO as the primary designation given to sensitive unclassified information by the DOT and FAA. FOUO consists of information that could adversely affect the national interest, the conduct of federal programs, or the privacy of individuals if released to unauthorized persons. It also addresses the identification and protection of SUI information, documents, and records. It explains that SUI is unclassified information— in any format including print, electronic, visual, or aural— that we must protect from uncontrolled release to persons outside the FAA as well as indiscriminate dissemination within the FAA. Subject to the limits of the Privacy Act, you may disclose FOUO information to a person who has a duty to protect it when the person needs the information to perform or assist in any lawful and authorized government function. 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.

c. How to Start. The investigating inspector reviews the information on the Suspected Unapproved Parts Report, (FAA Form 8120-11), or hotline report, to determine the scope of the

investigation. Before beginning the investigation, the inspector should:

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

Note: With the exception of the provisions outlined in the Privacy Act or the Freedom of Information Act (FOIA), privacy information about the reporter must not be released unless it is identified as FOUO. Additionally, information or documents provided by other government agencies (e.g., Department of Defense, DOT-OIG,) must not be released without consent from that agency.

d. How to Coordinate with an LEA. When 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.

e. 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 could be eligible for installation on an FAA type certificated aircraft, aircraft engine, propeller, or appliance. If it is not part of the type design of a FAA type certificated aircraft, process the case for closure in accordance with chapter 5 of this order.

f. 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 or representing the part as an approved part.

Note: If an investigation reveals that the initial company/individual reported is not responsible for the unapproved status of the part, the inspector gathers all relevant information and documents the details of the investigation in the directorate or regional database system as required (i.e. PTRS).

g. Collecting and Protecting Evidence. The investigating inspector collects evidence via photographs, copies of records, and/or statements as applicable to support the findings in the case. All evidence gathered during a SUP investigation is to be considered confidential and FOUO. If enforcement action is being considered, the inspector follows FAA Order 2150.3, chapter 4, and gathers all material-relevant evidence that either proves or disproves the potential violation that precipitated the investigation.

h. 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 Tag*, and FAA Form

1600-70, *Chain of Custody Receipt*, and follow the procedures outlined in FAA Order 8020.11, *Aircraft Accident and Incident Notification, Investigation, and Reporting*, respectively, for all parts received.

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

i. Initiating Enforcement Action. When a SUP investigation discloses a violation of FAA regulatory requirements, the inspector will follow guidance contained in FAA Order 2150.3.

j. 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 threatening behavior (verbal, physical, or psychological) is encountered, the inspector should depart the facility 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. The SUP Coordinator should consult with FAA legal counsel in accordance with FAA Order 2150.3 and should make an initial contact with the appropriate LEA.

k. How to Transfer Investigations. Investigations will be transferred to another action office when the currently assigned action office has completed their investigation and/or determines that the investigation leads to another geographic area, or the evidence indicates the part(s) should be investigated by the other service (AFS or AIR). After the transfer is coordinated, the investigation file and all supporting documents shall be forwarded to the newly assigned action office.

(1) If the investigation is to be transferred to another action office under the jurisdiction of the same SUP Coordinator, the affected coordinator and action office should determine the manner in which the investigation file will be transferred.

(2) If the transfer is from one regional division to another regional division within AFS, or from one AIR directorate to another directorate within AIR, the sending SUP Coordinator will contact the receiving SUP Coordinator to facilitate the transfer of the investigation file and notification sent to the appropriate HQ SUP Focal Point.

(3) If the SUP case involves an inter-service transfer (AIR to AFS or the reverse) the SUP Coordinator will contact the HQ SUP Focal Point for continuity and tracking purposes. Additionally, the SUP Coordinator transferring the case to the other service office will notify AAE-300 of the pertinent facts regarding the inter-service transfer.

4-3. Coordinating Criminal Investigations. If parts have been intentionally misrepresented, criminal activity may be involved. Inspectors should refer to FAA Order 2150.3 for additional guidance and information about criminal investigations.

a. 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, and only after the LEA has secured the area.

(1) FAA inspectors are not authorized to be present on scene, under any circumstances,

when a LEA is executing a search warrant.

(2) Inspectors must not be present on the scene until after the LEA conducts the search and the premises are secured and deemed safe.

(3) Inspectors have no authority to collect evidence under the direction of the LEA for use in criminal prosecution.

Note: Information about LEA involvement or a criminal investigation is FOUO. 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 are requested by the LEA to participate 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 his/her office manager and the SUP Coordinator immediately. SUP Coordinators will make initial contact with the appropriate LEA regarding evidence of criminal activity and will consult with regional counsel to coordinate further investigation efforts as set forth in FAA Order 2150.3.

c. What to do if an LEA Requests a Delay of the Investigation. An LEA may request that the FAA delay an investigation if the 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 the LEA requests 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 will be kept in the official file.

d. Steps To Take When an Inspector is Placed on a Rule 6(e) List. Rule 6(e) of the *Federal Rules of Criminal Procedure* pertains to Grand Juries. Rule 6(e), Recording and Disclosing the Proceedings, Subparagraph (2), 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 U.S. 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. The following steps must be followed:

(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 they are placed on the Rule 6(e) list.

(3) Inspectors and engineers placed on the Rule 6(e) list will be briefed on secrecy requirements required by Rule 6(e) by directorate/regional legal counsel prior to appearing before the grand jury.

e. Enforcement Action Under Title 49 United States Code (U.S.C.) § 44726. When an LEA notifies the FAA that an investigation has resulted in a conviction, enforcement action under 49 U.S.C. § 44726 may be required. The SUP Coordinator involved will consult with local counsel for guidance in these circumstances.

4-4. Ensuring Parts that do not Meet Regulatory Requirements are Addressed. Parts that do not meet regulatory requirements must be addressed. Therefore, appropriate personnel (inspectors and the action office involved) 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 outlined below.

a. Deactivate Parts Per an Approved Minimum Equipment List (MEL). An operator may consider an unapproved part to be inoperable and deactivate that part following procedures outlined in 14 CFR 91.213, *Inoperative instruments and equipment*, as applicable.

b. Remove Parts. If an unapproved part is installed on an aircraft and the part cannot be deactivated per an approved MEL, the owner/operator must have the part removed/replaced.

c. Segregate or Quarantine Parts. Unapproved parts which are located in inventories should be immediately removed or segregated to prevent installation.

(1) FAA certificate holders or production approval holders (PAH) will follow procedures acceptable to the FAA to segregate and dispose of 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 of 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, the investigating inspector should 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 a published notice that identifies information relevant to parts that do not meet regulatory requirements. The primary method for alerting the aviation community of an unapproved part will be an FAA Unapproved Parts Notification (UPN). However, other field notifications may, depending on the circumstances, be more appropriate. Field notifications may be disseminated using:

- (1) A UPN, (see sample in appendix A);
- (2) An FAA Safety Alert for Operators (SAFO);
- (3) An Aviation Maintenance Alert;
- (4) An Airworthiness Directive (AD);

- (5) An entry into an issue of the Service Difficulty Reporting System;
- (6) A Special Airworthiness Information Bulletin (SAIB);
- (7) A display on an Internet site or computer bulletin board, and/or
- (8) Direct mailing.

Unless otherwise warranted, the primary method of informing the public of parts that do not meet regulatory requirements will be a UPN posted to the FAA SUP Program website: <http://www.faa.gov/aircraft/safety/programs/sups/>.

f. 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 directorate/regional SUP Coordinator. If the SUP Coordinator concurs, they will review, edit, and finalize the notification and forward it to the appropriate AIR/AFS HQ SUP Focal Point.

(1) When drafting a field notification, 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:

- (a) The specific aircraft and parts affected, including quantity;
- (b) 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;
- (c) A description of how the part can be traced;
- (d) A recommendation for part removal or segregation; and
- (e) The address, telephone, and fax number of the action office that will respond to public inquiries/responses.

Note: It is 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 the final document to the AIR/AFS HQ SUP Focal Point. The action office and SUP coordinator reserve the right to amend the UPN if additional facts are discovered that require the UPN to be revised.

(2) FNs, other than ADs, are advisory and must not include mandatory corrective action, individual opinions, or reporting requirements. The UPN, for example, must be for informational purposes and must not communicate that compliance is mandatory. Language that is clearly distinguishable 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 A includes a sample of a draft UPN FN to be used as a guide.

g. When to use an Airworthiness Directive. ADs are required when there is an unsafe

condition. ADs may be used for parts that do not meet regulatory requirements, are not under positive control and/or accounted for, and result in an unsafe condition in the product. The action office will contact the appropriate ACO to determine if an AD is warranted.

Chapter 5. Completing the SUP Case

5-1. How to Record the Case Results. The respective directorate/regional office responsible for the SUP investigation will retain the official case investigation file.

Note: Inspectors will document the investigation and findings pursuant to their directorate or regional division requirements. AFS inspectors must ensure the PTRS record entry contains a detailed narrative of the results at each stage of the investigation. All SUP investigation files should contain as a minimum, investigation activities, contacts, dates, findings, action taken, results, and recommendations for closure.

5-2. Recommending Closure of the SUP Investigation.

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

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

Note: Action office case information and documents are not subject to release under FOIA. However, the memorandum containing the SUP investigation findings and recommended actions to close the case is subject to release under FOIA. Additionally, if any LEA has notified the FAA that a criminal investigation has been initiated, the SUP case must remain open until the LEA involved confirms that they have concluded their investigation. (See paragraph 5-5 below).

5-3. SUP Coordinator's Review and Closure. SUP Coordinators review the completed case to ensure that findings, actions taken, results, etc. support the closure of the investigation, and request additional information as needed. If the SUP Coordinator agrees with the recommendation for closure received from the action office, the closure memorandum becomes the completed FAA Hotline response, which is then forwarded to the appropriate HQ SUP Focal Point. SUP closure memorandums will be addressed to the Manager, Reporting and Data Analysis Branch, AAE-300.

5-4. HQ Focal Point's Closure. Upon receipt of a closure memorandum from the SUP Coordinator, if evidence of counterfeiting or other potential criminal activity was discovered during the investigation, the HQ SUP Focal Point will notify the national LEA contacts of FAA's intent to close the particular investigation. The HQ SUP Focal Point will allow the LEAs 30 days to respond. If no LEA responds, or if a favorable response is received, then the case closure information is forwarded to the FAA Hotline office (AAE-300) for official closure of the SUP investigation. The national LEA may request additional time for their ongoing investigation.

5-5. LEA Hold. Placing a case on LEA Hold indicates a "status" that LEAs are continuing to investigate the case even though the FAA has completed its investigation. The HQ SUP 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. If a case is placed on LEA Hold the SUP HQ Focal Point will notify AAE 300. Placing a case on LEA Hold helps ensure that investigative information is not prematurely released under FOIA.

Appendix A. Sample Unapproved Parts Notification

AFFECTED PRODUCTS

Rick's Helicopter, Inc., models 205 and 212 engine mount brackets (Part No. 1023AA).

PURPOSE

This notification advises all aircraft owners, operators, manufacturers, maintenance organizations, and parts suppliers and distributors of engine mount brackets produced without Federal Aviation Administration (FAA) production approval.

BACKGROUND

Information discovered during an FAA Suspected Unapproved Parts (SUP) investigation revealed that between April 2002 and February 2006, John Doe Manufacturing, Inc., 123 Areaway, Hollywood, CA 92655, produced and sold engine mount brackets for Rick's Helicopter, Inc. models 205 and 212, without Rick's Helicopter, Inc. approval. Further, John Doe is not an FAA production approval holder.

The subject engine mount brackets produced by John Doe Manufacturing may have these characteristics:

- They are not serialized (whereas Rick's Helicopter brackets are serialized).
- They are not accompanied by Rick's Helicopter service-life cards.
- Their accompanying documentation indicates that John Doe manufactured the brackets; however, the investigation determined that some brackets passed through various distributors and may not have documentation showing John Doe as the manufacturer.

RECOMMENDATIONS

FAA regulations require that type-certificated products conform to their type design. The FAA encourages aircraft owners, operators, manufacturers, maintenance organizations, and parts suppliers and distributors to inspect their aircraft and/or aircraft parts inventory for the referenced part number. If these brackets are found in existing inventory, the FAA recommends that they be quarantined to prevent installation until a determination can be made regarding their eligibility for installation.

FURTHER INFORMATION

You may obtain further information concerning this investigation from the FAA Manufacturing Inspection District Office (MIDO) given below. In addition to the above recommendations, the FAA would appreciate any information concerning the discovery of the above-referenced brackets from any source, the means used to identify the source, and the actions taken to remove the brackets from the aircraft and/or parts inventories.

This notification originated from the FAA Van Nuys MIDO, 7120 Hayvenhurst Ave., Suite 100, Van Nuys, CA 91406; Telephone (818) 904-6298, Ext. 34, Fax (818) 904-6001.

Appendix B. Suspected Unapproved Parts Report

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

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). Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave, SW, Washington DC 20591, Attn: Information Collection Clearance Officer, AIO-20

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 Hotline email: FAAHotline@faa.gov. The Hotline phone number is (800) 255-1111 or (866) 835-5322.

The instructions below correspond to numbered blocks on the 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).

Record additional part numbers on page 3 or on a blank sheet of paper with the same information. Example:

Part Name: **Strut** | Part Number: **1234** | Serial Number: **678** | Quantity: **1** | Assembly Name: **Main Landing Gear** | Assembly Number: **56789X**


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 and provide the certificate number, if known (see explanations of participants below).

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 three types of FAA production approvals: production certificate, 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 or 14.
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 have provided additional information (photos, invoices, certification statements, etc.).

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

Federal Aviation Administration
Office of Audit and Evaluation, (Room 911)
800 Independence Avenue, SW, Washington, DC 20591

 U.S. Department of Transportation Federal Aviation Administration		<h2 style="margin: 0;">SUSPECTED UNAPPROVED PARTS REPORT</h2>	
1. Date the Part Was Discovered:		2. Part Name:	
3. Part Number:		4. Part Serial Number:	
5. Quantity:	6. Assembly Name and Number: Name: Number:	7. Aircraft Make & Model: Make: Model:	
8. Name, Address, and Description of the Company or Person Who Supplied or Repaired the Part:			
Name:		Street Address:	
City:	State:	Zip Code:	
Country:		Phone Number:	
Check One of the Following Applicable to the Company or Person Who Supplied or Repaired the Part:			
<input checked="" type="checkbox"/> Air Carrier - Certificate #		<input checked="" type="checkbox"/> Supplier	
<input checked="" type="checkbox"/> Mechanic - Certificate #		<input type="checkbox"/> Production Approval Holder	
<input checked="" type="checkbox"/> Repair Station - Certificate #		<input checked="" type="checkbox"/> Manufacturer	
<input checked="" type="checkbox"/> Distributor		<input checked="" type="checkbox"/> Other	
<input checked="" type="checkbox"/> Owner/Operator		<input checked="" type="checkbox"/> Unknown	
9. Description of the Issue: (attach additional sheet if necessary)			
10. Name and Address of (the Company or Person) Where the Part Was Discovered:			
Name:		Street Address:	
City:	State:	Zip:	
Country:		Phone Number:	
Check One of the Following Applicable to the Company or Person Who Discovered the Part:			
<input type="checkbox"/> Air Carrier - Certificate #		<input checked="" type="checkbox"/> FAA Inspector	
<input type="checkbox"/> Mechanic - Certificate #		<input checked="" type="checkbox"/> DOT/Office of Inspector General	
<input type="checkbox"/> Repair Station - Certificate #		<input checked="" type="checkbox"/> Defense Criminal Investigation Service	
<input type="checkbox"/> Distributor		<input checked="" type="checkbox"/> Other Government Agency	
<input checked="" type="checkbox"/> Supplier		<input checked="" 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	
11. Date of This Report:			
12. <input type="checkbox"/> Check this box if you request anonymity - Do not complete block 13.			
13. Name and Address of the Reporter:			
Name:		Street Address:	
City:	State:	Zip Code:	
Country:		Phone Number:	
14. <input type="checkbox"/> Check this box if you request confidentiality.			
15. <input checked="" type="checkbox"/> Check this box if you have attached additional information.			

Appendix C. Administrative Information

1. Distribution. This order is distributed to the Washington headquarters branch levels of the Aircraft Certification Service, Flight Standards Service, and the Regulatory Support Division; to the Aviation System Standards Office: to the branch level in the Aircraft Certification Directorates and regional Flight Standards divisions; to all Aircraft Certification Offices; to all Manufacturing Inspection District and Satellite Offices; to all Flight Standards District Offices; to the Aircraft Certification Branch, and Operations and Airworthiness branches at the FAA Academy; to the Brussels International Policy Branch; to the Singapore International Policy Branch; and to all AFS International Field Offices.

2. Background. In 1995, the FAA formalized its commitment to investigating suspect aviation parts by establishing the SUP Program Office. The SUP Program Office developed and perfected the procedures required to evaluate and investigate reports of suspect parts in the aviation community and increased the aviation community's awareness of the dangers involved with unapproved aircraft parts. It successfully coordinated and supported the investigation of those parts until management of the SUP program was turned over to the FAA at large with the promulgation of this order in July, 2008.

a. When the order established the current SUP reporting and investigation protocols in 2008, the FAA Hotline forwarded all SUP reports received from the aviation community to the AFS HQ SUP Focal Point in AFS-300 for further investigation or delegation. If the SUP involved a used part, repair station, or maintenance facility, the AFS-HQ SUP Focal Point forwarded the report to a SUP Coordinator in the proper AFS region where it could properly be addressed. If the SUP report involved a new part or manufacturing issue, it was delegated to the AIR HQ SUP Focal Point in the FAA Production and Airworthiness Division (AIR-200), (AIR-200 was merged into and became part of the Design, Manufacturing, and Airworthiness Division, AIR-100, in January, 2014) who then sent the report to the appropriate AIR directorate SUP Coordinator for further investigation by subject matter experts in the manufacturing sector. In 2011, it became apparent that although some SUP reports involved used parts, repair stations, and owner/operators, it may be more appropriate to place SUP program responsibility within AIR, which has responsibility over policy regarding production of aircraft parts.

b. In 2012, AFS-300 and AIR-200 began discussions to consider transferring policy responsibility for the SUP program to AIR-200. In November 2012, a memorandum of agreement between AFS-300 and AIR-200 was negotiated to authorize a deviation from FAA Order 8120.16, Processing Reports of Suspected Unapproved Parts. The deviation established AIR-200 as the Office of Primary Responsibility (OPR) for this order. The deviation also provided that the AIR HQ SUP Focal Point (in AIR-200) would receive all SUP reports from the Aviation Safety Hotline instead of the HQ SUP Focal Point in AFS. (The Aviation Safety Hotline Program has been revised and is now classified as the FAA Hotline Program). A joint AFS-300 and AIR-200 Transition Project Management Plan, created to document the transition of the SUP process from AFS to AIR, was approved on April 4, 2013.

3. Delegation of Authority. The Associate Administrator for Aviation Safety reserves the authority to approve changes that delegate authority or assign responsibility.

4. Authority to Change This Order. The Design, Manufacturing, and Airworthiness Division, AIR-100, with concurrence of the Flight Standards Service, Aircraft Maintenance Division, AFS-300, may issue changes to this order, as needed, to meet the agency's responsibilities and needs in processing and investigating the public's reports of suspect aircraft parts.

5. Deviations. You must follow the procedures in this order to ensure uniform administration of this directive. To deviate from this material, you must coordinate with – and get approval from – AIR-100. If deviation is necessary, be sure to substantiate and document the deviation and get approval from your supervisor before submitting to AIR-100. All requests for deviation originating from flight standards regional offices must be approved by AFS-300 prior to being submitted to AIR-100. If you urgently need an interpretation, contact Design, Manufacturing, and Airworthiness Division, at (202) 267-1575. Always use Form 1320-19 to follow up each verbal conversation.

6. Records Management. Refer to FAA Order 0000.1, *FAA Standard Subject Classification System*; FAA Order 1350.14, *Records Management*; or your office Records Management Officer (RMO)/Directives Management Officer (DMO) for guidance regarding retention or disposition of records.

7. Directive Feedback. If you find deficiencies, need clarification, or want to suggest improvement to this order, send FAA Form 1320-19, Directive Feedback Information (written or electronically) to:

The Aircraft Certification Service
Administrative Services Branch, AIR-510
Attention: Directives Management Officer
Orville Wright Bldg. (FOB10A)
FAA National Headquarters
800 Independence Ave., SW
Washington, DC 20591

Appendix D. Definitions

1. Definitions. The following definitions are applicable to terms used in this order:

a. Action Office. An FAA office designated to investigate a SUP report

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

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

d. Approved Part. The term “part” is contained in the definition of articles, (“a material, part, component, process, or appliance”) as defined in 14 CFR part 21.1. For the purposes of this order, an approved part may be produced pursuant to § 21.8 or § 21.9 and is not restricted to FAA production approvals (e.g. PMA, TSO). Please refer to the cited regulations for further information on FAA approval criteria.

Note 1: For continuity purposes, the word “part” will continue to be used throughout this order to mean any component or item intended to be used on a product.

Note 2: Be advised that a part produced pursuant to an FAA approval, as well as other acceptable manufactured parts, is not always and unconditionally eligible for installation, because it may be defective, lack required maintenance, or have reached a life limit or other limit and thus may not be airworthy.

e. Article. A material, part, component, process, or appliance (Part 21, Subpart A).

f. Counterfeit Part. A type of “unapproved 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.

Note: Counterfeit parts may be new parts that are deliberately misrepresented as being designed and produced under an approved system or other acceptable method even though they were not so designed and produced.

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 appliances.

h. FAA Form 8120-11, Suspected Unapproved Parts Report. 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 B. This form can also be found in AC 21-29, *Detecting and Reporting Suspected Unapproved Parts*.

i. FAA Hotline. The FAA Hotline provides a single venue for employees and the general public to report concerns involving the FAA. A toll-free telephone number (800-255-1111 or 866-835-5322) may be 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.

j. Field Notification (FN). A published notice that communicates information regarding parts that fail to meet regulatory requirements. An Unapproved Parts Notification (UPN) is the primary method used to notify the aviation community of relevant information obtained from a SUP investigation concerning unapproved part(s).

k. Flight Standards Service Regional SUP Coordinator. A specialist assigned by each regional division manager responsible for coordinating all SUP related issues associated with Flight Standards in that region.

l. Headquarters (HQ) SUP Focal Point. The responsible person in either AIR-100 or AFS-300 who forwards a SUP report received from the FAA Hotline to the appropriate directorate or regional SUP Coordinator. See chapter 2, Objectives and Responsibilities, for additional information on Focal Point functions.

m. Improper Maintenance. Refers to a part or component that has been returned to service by a certificated person without the work being completed in accordance with 14 CFR part 43 or an approved process/procedure acceptable to the Administrator. Improper maintenance/alteration of an approved part does not render the part unapproved, but can render the part ineligible for installation because the part was not maintained or altered in accordance with the provisions of part 43 (See FAA Order 8900.1, Volume 6, Chapter 2, Section 37, *Improper Maintenance and Alterations*).

n. Law Enforcement Agency (LEA). The Department of Transportation 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.

o. Official File. A file established and maintained by the Directorate (AIR) or Regional (AFS) 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, maintained by the directorate or regional SUP Coordinator, is used to support Freedom of Information Act (FOIA) requests and various decisions made relative to the investigation.

p. Product. An aircraft, aircraft engine, or propeller, as defined in 14 CFR, Part 21.

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

(1) Anonymous Reporter. One who deliberately withholds personal information that might reveal their identity such as the name, address, and phone number.

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

r. Sensitive Unclassified Information (SUI). FAA Order 1600.75, *Protecting Sensitive Unclassified Information*, defines SUI as unclassified information — *in any form including print, electronic, visual, or aural forms* — that must be protected from uncontrolled release to persons outside the FAA and indiscriminate dissemination within the FAA. It includes aviation security, homeland security, and protected critical infrastructure information. SUI may include information that may qualify for withholding from the public under the Freedom of Information Act (FOIA). Refer to 1600.75 for further information on the different types of SUI the FAA handles in routine operations.

s. Standard Part. A part manufactured in complete compliance with an established industry or U.S. Government or international specification that includes design, manufacturing, test and acceptance criteria, and uniform identification requirements. It also includes a type of part that the Administrator has found demonstrates conformity based solely on meeting performance criteria and is in complete compliance with an established industry or U.S. Government specification, which contains performance criteria, test and acceptance criteria, and uniform identification requirements. The specification must include all information necessary to produce and conform to 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 (AN) Aeronautical Standard, Military Standard (MS), Society of Automotive Engineers (SAE), SAE Sematec, Joint Electron Device Engineering Council, Joint Electron Tube Engineering Council, and American National Standards Institute (ANSI).

NOTE: Standard parts are not required to be produced under FAA approval; therefore, it is incumbent upon the installer (and the producer) to determine that the part conforms. The part must be identified as part of the approved type design or found to be acceptable for installation under part 43. Refer to AC 20-62 for additional guidance on this matter.

t. Supplier. A person at any tier in the supply chain who provides a product, article, or service that is used in the design or manufacture of, or installed on, a product or article.

u. Suspected Unapproved Part (SUP). A part that is suspected of failing to meet any of the criteria pursuant to § 21.8 or § 21.9. A part that, for any reason, a person believes is not approved for use on a type certificated product. Reasons may include findings such as different finish, size, color, improper (or lack of) identification, incomplete or altered paperwork, or any other unusual or abnormal characteristic.

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

Note: Specific to this order, the term “part” does not include raw materials, (i.e., sheet metal stock, sealants, lubricants, raw forgings, casting, or billet material, etc.).

v. Unapproved Part. A part that fails to meet any of the criteria listed in 14 CFR parts 21.8 and 21.9. This includes parts that have been intentionally misrepresented, including counterfeit parts. Examples include:

(1) Parts that have passed through a PAH’s quality system which do not conform to the approved design/data;

NOTE: A new part that has been released from a PAH’s quality system which does not conform to the applicable design data is considered to be a quality escape/non-conforming article. Such a part is ineligible to be installed on a TC aircraft and the recipient of the part should contact the company that supplied the part for replacement.

NOTE: Parts damaged due to shipping or having warranty issues may not be airworthy but they should not be reported as a SUP.

(2) Parts for which required documentation cannot be provided;

(3) Supplier produced parts for an approved manufacturer directly shipped to end users without the PAH’s authorization or separate PMA;

Note: Some PAH suppliers have direct ship authority to the end user. However, direct ship authority does not apply to parts not specifically included in the PAH’s permission document.

(4) Life limited parts misrepresented as new or having useful time left. If a part is determined to be repairable, it should be documented and controlled so that it is not returned to aviation service until it meets all the necessary airworthiness requirements. If the owner determines that a part is not repairable, it should be destroyed in such a manner that it cannot be returned to aviation service. (For more information on this topic see FAA AC 21-43, *Scrap or Salvageable Aircraft Products and Articles*, appendix E.)

(5) Parts offered as having been produced under an FAA production approval, where no such FAA approval was issued. (See counterfeit parts above).

(6) Parts previously installed on, or manufactured for, military aircraft that have not been shown to conform to type design criteria as required by FAA regulations.

Appendix E. FAA Form 1320-19, Directive Feedback Information



U.S.
Department of
Transportation

**Federal Aviation
Administration**

Directive Feedback Information

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Order 8120.16A

To: Directive Management Officer, AIR-510
(Please check all appropriate line items)

- An error (procedural or typographical) has been noted in paragraph _____ on page _____.
- Recommend paragraph _____ on page _____ be changed as follows:
(Attach separate sheet if necessary)
- In a future change to this order, please include coverage on the following subject
(Briefly describe what you want added):
- Other comments:
- I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

FTS Telephone Number: _____ Routing Symbol: _____

FAA Form 1320-19 (10-98)