

# The UPDATE Report



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*Continued on Page 3*



## FAA Exemption Granted

### Export 8130-3 Tags for Distributors

Many ASA members have anxiously awaited the results of the ASA Petition that was designed to permit ASA Members to obtain export 8130-3 tags for certain parts. ASA is pleased to announce that the petition has been granted, and many ASA members will now be able to apply for export 8130-3 tags for demonstrably airworthy aircraft parts in their inventories.

#### What Aircraft Parts Are We Talking About?

Under the new exemption, ASA members who meet the eligibility requirements will be permitted to apply for the issuance of export 8130-3 tags for appropriate aircraft parts. This is most useful for class III parts, because any exporter is permitted to apply for an export airworthiness approval for a class I or a class II product, but (prior to this exemption) only a manufacturer could apply for an export airworthiness approval tag for a class III product.

#### Permitted to Apply?

During the exemption application period, the most important misconception that we have been addressing is the issue of who actually issues the 8130-3 tag under the exemption. The distributor does not issue its own 8130-3 tag under the exemption. Instead, the distributor applies to the FAA for the tag (usually through a FAA designee).

*Continued on Page 3*

## INSIDE:

President's Message . . . . . 2	FAA Releases 8130 Guidance . 4	TSA Advisory Committee . . . . 16
Publication Information . . 2	Discussion of 8130.21E . . . . . 5	Member Profile . . . . . 17
Association Information . . . 2	NTSB Comments on Training . 15	Calendar of Events . . . . . 20

# THE UPDATE REPORT

is a monthly newsletter of the Aviation Suppliers Association. Questions and/or comments should be addressed to:

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## THE UPDATE REPORT

provides timely information to help Association members and readers keep abreast of the changes within the aviation supply industry.

## THE UPDATE REPORT

is just one of the many benefits that the Aviation Suppliers Association offers members. For information on ASA-100, the ASA Accreditation Program, Conferences, Workshops, FAA guidance like Advisory Circulars, Industry Memos or services and benefits, contact the Association.

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# MESSAGE FROM ASA'S PRESIDENT

Dear Members,

Obviously we are thrilled to have received the Exemption for the Membership. We recognize that the Exemption was granted because it supports safety. With your assistance, ASA provided the FAA with the additional information that they requested which allowed the FAA to grant the Exemption. While the entire Board worked with Jason on preparing the Exemption, a few Directors were able to directly impact the result: Brent Webb enlisted his Congressman to discuss the issue with the FAA and US DoC; Deb Maier discussed the issue with Boeing Management and confirmed their support; and Roy Resto continued to advocate 8130-3 issues to the FAA.

We hope that the Exemption will help facilitate commerce. Your DAR probably is not aware of the Exemption. Make sure to provide a copy of the Exemption to your DAR. If any questions should arise please feel free to contact the Association for assistance.

Jason wrote a detailed article about the Exemption and who qualifies for it. A company must be a member of ASA and also be listed on the FAA AC 00-56A database. If you think your company qualifies but is not currently on the list, please send me an email and I will review the entry.

ASA has completed the conference agenda and it will be emailed and mailed this week. With this years conference themed, The Changing Industry, Thinking Outside the Box, we are pleased to announce that Greg Buller, Managing Director, Supply Chain Management, Fedex Express as the keynote presenter. Greg will be discussing the Fedex Express' commitment to provide outstanding service in order to retain and grow its customer base and how strong partnerships with the industry are essential to maintain The Purple Promise.

Make sure to take advantage of the early registration reduced price and register by 15th of May 2006. The hotel is already sold-out on some of the nights. If you have any questions about the hotel room block please contact ASA's Caroline Bruenderman.

Take Care,  
Michele Dickstein

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*Continued from Page 1*

The key to the exemption is that there was no mechanism allowing distributors to apply for *export* 8130-3 tags for class III parts. The exemption provides the mechanism.

ASA members who apply for 8130-3 tags already are quite familiar with the 8130-3 application process. This simple process is described in more detail in the next paragraph.

### Applying to a Designee

The ASA member presents an aircraft part and its existing documentation to a FAA Designated Airworthiness Representative (DAR). The DAR examines the part and its documentation (if there is any). Based on that examination, the DAR makes certain determinations concerning the part. If the DAR determines that the part meets the FAA's requirements for issuing an 8130-3 tag, the DAR may issue the 8130-3 tag to document the airworthiness finding concerning the aircraft part.

Although the determinations are really a little more complicated than I am about to state, and the determinations vary based on the nature of the part, the DAR's determinations may be summarized as a two-step process: (1) determine that the part was produced in accordance with U.S. FAA regulations (e.g. produced under a production certificate or under one of the many permitted exceptions to the production certificate requirement); and (2) determine that the part is currently airworthy. One common way to determine current airworthiness is to ascertain that the part was manufactured under a FAA production approval and then to confirm that it has suffered neither damage nor degradation since being released from the production approval holder's quality system.

### What are the Different Classes?

Class III products are usually defined as anything that is not a class I or a class II part, so it is useful to examine what we mean by class I and class II products. Class I products are aircraft, aircraft engines and propellers. This definition is limited only to those products manufactured in accordance with a type certificate or other type design document.

Class II is a little bit more complicated. First, it includes all "C" series TSOA products. In practical terms, this generally means almost anything manufactured to a modern Technical Standard Order Authorization.

But that is not all. Class II also includes major components of a Class I product (e.g., wings, fuselages, empennage assemblies, landing

*Continued from Page 1*

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*Continued on Page 4*

*Continued from Page 3*

gears, power transmissions, control surfaces, etc), the failure of which would jeopardize the safety of a Class I product. It is important to note that there are two elements to this portion of the definition – the item must be both safety-significant (in the sense of failure causing a jeopardy to safety) and also major (in the sense of a significant assembly or system of the sort described in the example).

The proper definition of class II has been an item of some contention in some parts of the country. Because all exporters have been able to apply for export 8130-3 tags for class II parts, but not for class III parts, some FAA Designated Airworthiness Representatives have stretched the definition of class II to include some items that are not major components – this has allowed them to justify issuing class II 8130-3 tags. The new exemption relieves this problem by making export 8130-3 tags for class III items, so that there is no longer any reason to mischaracterize an item as a class II product available for export purposes.

In addition to being characterized as “any part or component which is not a Class I or Class II product,” the definition of a class III product includes standard parts, such as those designated as AN, NAS, SAE, etc.

### **Specific Terms and Conditions**

If you want to take advantage of this exemption and begin applying for export 8130-3 tags, then you will need to meet the specific terms of the exemption, which are quoted here:

### **Conditions and Limitations**

1. This exemption is applicable to, and may only be exercised by, members of the Aviation Suppliers Association that are accredited through the Voluntary Industry Distributor Accreditation Program and listed in the ASA Database Registry for that program.
2. ASA must maintain a list of all members qualified to exercise the privileges of this exemption, and a record of all changes to that list. This list must be available to the public via the ASA website ([www.aviationsuppliers.org](http://www.aviationsuppliers.org)) and must be provided to any interested party upon request.
3. ASA members exercising the privileges of this exemption must retain a copy of the exemption and make it available to any FAA Inspector or any representative of the FAA Administrator, upon request.
4. ASA members exercising the privileges of this exemption must comply with all regulatory requirements for the export of class III products, as identified in 14 C.F.R. Part 21, Subpart L, Export Airworthiness Approvals. This includes the requirement that all Class III products to be exported are manufactured and located in the U.S., unless otherwise exempted (reference: 14 C.F.R. 21.325(b)(3)).

### **So How Do I Participate?**

What does this mean to the average distributor? Well, first, you must be an ASA member. Second, you must be accredited. These are two separate elements, so make sure your company meets both elements! ASA will be maintaining a list of the companies that meet both of these elements on the ASA Web site. If you are a distributor seeking export 8130-3 tags, then it would be a good idea to check this Web site to make sure your company is listed. If you are a FAA employee or designee

*Continued on Page 6*

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*Continued from Page 4*

who's been asked to issue an export 8130-3 for a class III part held by a distributor, then you should check the ASA Web site to make sure the distributor meets the requirements of the exemption.

Distributors and DARs who want to examine the list of qualified exemption-users can find it at: <http://aviationsuppliers.org/Exemption/Exemption.htm>

Finally, the ASA member must retain a copy of the exemption at their facility. You can download the exemption from the ASA Web site at: <http://aviationsuppliers.org/Exemption/Exemption8696.pdf>

### FAA Releases 8130 Guidance for Comment

The FAA has released Draft Order 8130.21E for comment. For many distributors, this is one of the most important guidance documents that the FAA publishes, because it includes the instructions for how Designated Airworthiness Representatives (DARs) issue 8130-3 tags at a distributor's facility.

ASA met with the FAA in January before the draft was released for public comment, and the FAA has already been very positive in its responses to some of our requests for changes in this draft. Comments from ASA members concerning the things that need to be modified in this draft would be quite helpful in demonstrating to the FAA that changes are truly desired in order to facilitate commerce and improve safety.

One major change in the draft "E" revision that may not make the final issued version is the new chapter dealing with electronic documentation. This chapter is based upon work done by a team of industry experts in developing a new chapter to ATA SPEC 2000. That new chapter will support the transfer of electronic documentation. ASA's Jason Dickstein, Jason Lewis (M & M Aerospace Hardware) and Brent Webb (Aircraft Inventory Management Systems) were all a part of the team that put this guidance together. One key feature of the ATA draft is that it permits non-certificate holders (like distributors) to pass electronic 8130-3 information securely using digital signature technologies.

It is likely that this electronic documentation section of 8130.21E could be severely curtailed before the final draft. Part of the reason for this is because of a failure to adequately harmonize these provisions with the rest of the world. While some key international industry participants (like Airbus and Qantas) were part of the negotiations, the FAA's Frank Paskiewicz (Manager of the Production and Airworthiness Certification Division) announced in Munich in March that he would be seeking better harmonization of these provisions with our trading partners overseas before publication. In light of the normal speeds at which governments operate, it is likely that this buy-in will not come until the "F" revision to FAA Order 8130.21 (which we expect to follow about two years after the "E" revision).

The FAA has asked that public comments on draft Order 8130.21E be submitted by April 20, 2006. The draft order can be found at [http://www.faa.gov/aircraft/draft\\_docs/media/Draft\\_Order\\_8130-21E.pdf](http://www.faa.gov/aircraft/draft_docs/media/Draft_Order_8130-21E.pdf).

The following table reflects a partial listing of the some of the 8130.21E topics that ASA has discussed with the FAA. ASA members should consider incorporating some of these issues into their comments, or else may wish to submit to the FAA a letter of support for the ASA slate of changes. Such letters should note some of the safety and commercial challenges that your business has faced, and how changes to 8130.21E would alleviate these challenges in a positive manner.

*Continued on Page 7*

## REGULATORY UPDATE

Continued from Page 6

Issue	Desired Result	Discussion
<p>Definition of “Trading Partner” in paragraph 105.</p>	<p>Trading Partner should be defined as “A person <u>transmitting</u> Form 8130-3 and a person capable of receiving Form 8130 3 in the form of electronic data.”</p>	<p>The definition currently reads “A person issuing Form 8130-3 and a person capable of receiving Form 8130 3 in the form of electronic data.” However, some trading partners will not issue new 8130-3 data, but rather they will merely transmit the original data. This may be because the original data is adequate without supplementation (as in the case where a new part is sold from one party to the next) or it may be because the transmitter is not competent to issue the 8130-3 tag (as in the case of a distributor transmitting such information to a customer). Therefore, the definition should be focused on transmitting the data, not issuing the Form 8130-3 data.</p>
<p>Use of the word “Export” in block 12 in paragraph 406(l).</p>	<p>Remove the word “Export” from the list of permissible entries for block 12.</p>	<p>First, the FAA has said during the open meetings that the word “Export” would be removed from the list of permissible block 12 entries, and the list of changes suggests that it is being removed. Second, it is not a word used by EASA in block 12 so removal makes sense from the standpoint of harmonization. Third, it is not necessary, since any part that is exported under an 8130-3 tag can be described as either (newly) overhauled or new. Fourth, it only serves to introduce additional confusion into the system because it is an alternative permissible entry that may be used in the same circumstances as other phrases are currently used (like “overhauled” and “new”) which means that there will be additional confusion among the customers as two different customers may insist on two different block 12 terms for an otherwise identical transaction, making it difficult for one such customer to accept a part that had been previously exported to the other customer. The term is also extraneous because the current rules adequately require block 13 identification of export airworthiness tags.</p>

Continued on Page 8

*Continued from Page 7*

<b>Issue</b>	<b>Desired Result</b>	<b>Discussion</b>
<p>Domestic tags are discouraged from being used for export purposes in paragraph 205(a).</p>	<p>Remove the sentence that reads “This section is not to be used for export of products, parts, and appliances.”</p>	<p>What has come to be known as ‘the domestic tag’ has long been used to satisfy foreign customers in both bilateral nations and non-bilateral nations. Most customers in non-bilateral nations are happy with any expression of compliance with FAA standards. Customers in bilateral nations are often happy to accept ‘domestic’ 8130-3 tags to the extent that they can verify that the article is not subject to any special import requirements of the importing nation. Under those circumstances, the 8130-3 tag is not strictly being used as an export tag, but rather it is used to facilitate the airworthiness finding by the non-U.S. installer, and the installer understands that the ‘domestic’ tag provides information only about findings of compliance with US law, and does not speak to compliance with any special import requirement of the foreign nation.</p> <p>Generally speaking, it is normal for foreign nations to have NO special import requirements that apply to export class III parts. Based on this recognition, many foreign importers have happily accepted the US domestic tag, with full knowledge of its limitations, but secure in the knowledge of their own country’s laws and comfortable with making their own determination that there are no applicable special import requirements in their home country.</p> <p>One reason this use of domestic tags has become necessary is because in our bilateral agreements, the FAA has pledged to provide airworthiness approvals with all exported parts (including export class III parts), but the FAA has failed to provide a mechanism by which an exporter (other than a manufacturer) may apply for an export 8130-3 tag for an export class III article.</p> <p>Limits on use of ‘domestic tags’ for export purposes only serve to add confusion in circumstances where many foreign buyers are already conversant with their own home nation’s special import and other requirements.</p>

*Continued on Page 10*

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Continued from Page 8

Issue	Desired Result	Discussion
<p>Paragraph 205(b) references FAA Order 8100.8, but that order does not support FAA Order 8130.21.</p>	<p><i>Persons with Manufacturing DARs and maintenance DARs privileges <del>in accordance with FAA Order 8100.8, Designee Management Handbook</del>, may issue Form 8130-3 for domestic airworthiness approval purposes at an accredited distributor without regard to any limitations imposed by FAA Order 8100.8, Designee Management Handbook. The DAR may issue Form 8130-3 only when all four of the following criteria are met:...</i></p>	<p>Paragraph 205(b) references FAA Order 8100.8. That order does not provide a function code by which a maintenance DAR may issue the domestic form 8130-3. When the function codes lived in AC 183-35, the language of FC 23 was adequate to include domestic tags for parts. In a prior meeting with Frank Paskiewicz, he characterized FC 23 as having been mistyped when it was included into FAA Order 8100.8, and the unintended consequence of the change was to remove the basis under which Maintenance DARs were permitted to issue domestic 8130-3 tags for parts. Since that time, the FAA has issued written policy guidance permitting at least one FSDO to permit DAR-Ts to issue domestic 8130-3 tags for class 3 parts under FC 32 privileges (which by the plain language is limited to the issuance of export class II tags).</p>

Continued on Page 11



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Issue	Desired Result	Discussion
<p>The text of subparagraphs 205(b)(3-4) could be better arranged in order to eliminate come confusion. Also, the current arrangement of the language suggests that only documentation (and not parts markings) is acceptable, when elsewhere it is clear that parts markings are an acceptable method of traceability (this was implemented as a 'fix' from an earlier revision of this guidance).</p>	<p>The following provides a reorganization of the text in these two paragraphs without effecting any substantive change.</p> <p><i>“(3) The product, part, or appliance was manufactured under a FAA-approved/accepted PAH quality system. Source of manufacturing can be generally established by means of acceptable documentation (for example, shipping documents, manufacturer’s certificates of conformance, or aftermarket part or material certification — refer to AC 20 62, Eligibility, Quality, &amp; Identification of Aeronautical Replacement Parts) or part markings (for example, part number, serial number, trademark, or a combination of these sufficient to uniquely identify the manufacturer).</i></p> <p><i>(4) The airworthiness of the product, part, or appliance is established. One method for doing this is to establish positive traceability to a PAH, and then to make a finding that the airworthiness of the product, part, or appliance has not been compromised (for example, suffered damage or degradation affecting airworthiness) since release by the PAH.”</i></p>	<p>Manufactured in the United States and current airworthiness are two different issues – both of them are prerequisites to issuance of the 8130-3 tag. The fact that something was manufactured by a PAH can be used to help leverage the airworthiness determination (because the part can then be known to have been found airworthy at the time of manufacture, and the current airworthiness need only be verified based on the original baseline), but the two elements are separate. At present, the separate standards for the two elements are mixed together somewhat. This reorganization clearly delineates the two elements and correctly matches the suggestions of ‘how’ to find each element with the correct element.</p>
<p>Splitting of bulk shipment for export purposes under paragraph 207(b)(4).</p>	<p>Remove 207(b)(4).</p>	<p>Export 8130-3s are addressed elsewhere – inclusion of this language in this section merely causes confusion. In particular, there are instances where foreign companies have received partial lot shipments and they have balked at receiving them because of this language. They did not require any export documentation normally (they did not have any special import conditions for class III parts so they normally did not require 8130-3 tags for any other shipments), but they felt that the FAA ‘required’ them to obtain a fresh export 8130-3 in lieu of the partial lot documentation because of the specific language of paragraph 207(b)(4).</p>

Issue	Desired Result	Discussion
The title of paragraph 207(c) is misleading.	Replace the title “Splitting Bulk Shipments for Domestic Purposes” with the new title “Splitting Bulk Shipments by Distributors.”	There are instances where foreign companies have received partial lot shipments and they have balked at receiving them because the language in 8130.21D suggested that distributors may only split and sell partial lots to domestic customers. There is no policy reason for such a limit on exports; and further the requirements for export certificates (like determining compliance with the importing government’s special conditions) still apply to their issuance in the event that the customer needs export certificates.
Make sure that the language of this paragraph 209(d)(3) adequately reflects current law.	Change 209(d)(3) to read:  <i>(3) If a supplier produces a product or part as a replacement or modification part, the supplier must either have direct shipment authorization or hold a production approval (parts manufacturer approval (PMA)/technical standard order (TSO) authorization) for each replacement or modification product or part shipped, or each part shipped must fall into one of the other exceptions to the PMA rule found at 14 C.F.R. Part 21 Subpart K. If the supplier holds its own production approval, and the products, parts, and appliances were manufactured and are being shipped under that approval, the information required in paragraph 209d(1) must be listed.</i>	Even in cases where the Order is not directly applicable, this order has come to be viewed as so important that its dictates are given great weight by the industry. Language is frequently taken out of context. Therefore, a statement that a supplier “must have” something as a prerequisite to production should be consistent with the current scope of the law (14 CFR §§ 21.303 and 21.305(d)).
Eliminate redundant information from paragraph 209(d)(4).	Change 209(d)(4) to read:  When completing Form 8130-3 at an accredited distributor’s facility, enter the name and the address of that facility where the Form 8130-3 was issued, <del>along with the information required in paragraph 209m(9).</del>	The sentence is confusing because it calls for organization address and the information required in paragraph 209(m)(9); however the 209(m)(9) language is already required to be placed in block 13, so the additional inclusion in block four data locations is redundant. Simply changing the sentence to not refer to 209(m)(9) would alleviate the problem.

## REGULATORY UPDATE

Continued from Page 12

Issue	Desired Result	Discussion
Remove capital letter requirement for block 12 words from paragraph 209(l).	Capital letter sentence would be removed.	Removing the requirement for entries in this block to be in capital letters would be more in line with “current practices” and with the ATA Specifications which do not follow these criteria. Furthermore, because XML is case sensitive this criterion may be inconsistent with future electronic iterations like the proposed ATA Specification for electronic documentation. There is no good policy reason for these words to be in capital letters, since they are located alone in block 12 (there is no need to distinguish these terms from anything else in the block). Finally, reliance on lower-case as well as capital letters would model current industry practice, which is often to write these terms in lower-case letters regardless of the instructions.
Remove PAH production address information needed under in block 13 pursuant to paragraph 209(m)(9).	Remove reference to PAH’s production address.	In some cases the precise address at which the part was produced may be impossible to identify, particularly if the manufacturer has multiple production locations, or if the part in question was known to be produced in more than one location. Such information is typically impossible to obtain for parts in current inventories. Even original 8130-3 tags do not list this information – instead they only list a common manufacturer address that appears regardless of the actual production address. NOTE – this revision removes the requirement for inclusion of certificate number, which has been causing similar issues in the industry.
Add clarifying language, taking into account the fact that distributors do not get a project number or certificate number, therefore no number should be applied to a distributor’s form under paragraph 209(d)(1) or 406(d)(1).	Edit as follows:  <i>“Enter the full name and physical address (no post office box numbers) of the organization or facility for which the form is being issued, and the organization or facility certificate or project number (for example, certificate No. PC 700 or PQ0123CE), as appropriate. If the organization or facility does not hold a certificate, use the FAA project number on the form if one was issued, otherwise no particular entry is required. If the PAH is unsure of its project number, consult the FAA managing office for assistance.”</i>	Distributors do not get a project number or certificate number so they cannot include this information. Distributors do apply for export 8130-3 tags on class II articles.

Continued on Page 14

Continued from Page 13

<b>Issue</b>	<b>Desired Result</b>	<b>Discussion</b>
<p>Section 401(a) should be updated to reflect the recent 8130-3 Exemption for ASA Members.</p>	<p>Remove the text that reads:</p> <p><i>NOTE: FAA inspectors should not issue export or conformity airworthiness approvals for class III products under any circumstances.</i></p>	<p>FAA has granted a broad exemption to ASA members. At present, no function code has yet been assigned to permit DARs to facilitate the issuance of 8130-3 tags under this exemption. Until DARs are permitted to issue 8130-3 tags under this exemption, the FAA employees should be permitted to issue them for class III articles.</p>
<p>Add a subsection 401(o) to reflect the recent 8130-3 Exemption for ASA Members.</p>	<p>Add the following text:</p> <p><i>o. The Administrator has granted an exemption to certain aircraft parts distributors that permits those distributors to apply for export airworthiness authorization for class III products. Designated Airworthiness Representatives (DARs) with function code 8, 19, 23, or 32 privileges are permitted to issue 8130-3 tags for parts that meet the requirements for such tags under the exemption, and such activity shall be considered to fall within the scope of each such function code. The exemption, and a list of the eligible distributors, is available on the Web site of the Aviation Suppliers Association. DARs should make certain that the applicant meets the requirements of the exemption, and that the part is in an airworthy condition, before issuing form 8130-3 for these purposes.</i></p>	<p>FAA has granted a broad exemption to ASA members. At present, no function code has yet been assigned to permit DARs to facilitate the issuance of 8130-3 tags under this exemption. Rather than trying to update FAA Order 8100.8, it makes sense to incorporate the guidance here, since it is likely that the next revision of this Order (8130.21F) will either negate the need for this privilege by eliminating the distinction between export and domestic 8130-3 (pursuant to recent multilateral harmonization discussions) or will require an extension of the privilege concurrent with an application for extension of the exemption. The proposed language hinges the privileges on the exemption, so if the exemption is modified or rescinded, the privilege will also be concurrently modified or rescinded.</p>



## NTSB Reiterates Importance of Training

National Transportation Safety Board (NTSB) Acting Chairman Mark V. Rosenker emphasized the importance of airline industry training in a recent speech. The speech occurred at an interesting time -- repair station training regulations (14 C.F.R. § 145.163) are beginning to be implemented this month -- and his speech is likely to further stimulate interest in aviation-industry training, an interest that frequently spills over into commercial requirements and requests for additional training among distributors.

"The safety of this industry is critical, and there is work to be done," said Acting Chairman Rosenker, at the 2006 World and Regional Airline Training Conference. "The government and industry must remain vigilant of the importance of good training in accident prevention."

In his speech, he stated that there have been numerous tragic major airline accidents throughout the years in which inadequate training in the areas of operations and maintenance was causal or contributory. One high-profile example is the 1996 ValuJet crash in the Everglades, which ultimately led to a criminal prosecution of ValuJet's business partner Sabretech. Sabretech was convicted of failure to provide adequate training. When the matter was appealed, Sabretech's willful failure to train conviction was affirmed, and Judge Dubina wrote "this was a tragic accident that needlessly claimed the lives of over 100 people. That loss is irreplaceable."

While Rosenker's speech admitted that major aviation accidents involving fatalities are becoming a rare event in the United States, Chairman Rosenker feels that there is still much work to be done, both in the United States and throughout the world, to further increase aviation safety.

"We need to always seek ways to make the aviation industry safer, whether through improvements in training curriculum or maintenance training devices, and by embracing new technology in the aviation training industry. The aviation industry is constantly pushing the envelope of technology, and we must make sure that we update our training requirements and approaches to keep up with the technology," Rosenker said.

As a result of the popular sentiments underlying Rosenker's speech, as well as recent changes in training regulations that apply to repair stations and air carriers, distributors should be certain to herald their own training programs. This allows their business partners to understand that distributors are serious about remaining at the forefront of safety and compliance.

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## TSA Advisory Committee Meets to Discuss Aviation Security

The Transportation Security Administration's Aviation Security Advisory Committee (ASAC) will hold a public meeting to discuss aviation security issues on May 3, 2006.

Increasingly, aviation security issues are having an impact on the aviation parts aftermarket. Ranging from traditional issues, like prevention of theft, to headline issues, like prevention of tampering with parts by terrorists, the government is becoming aware of the distribution of aircraft parts as an area to watch. TSA representatives have also been examining hazmat security issues as well at some facilities.

The agenda for the meeting will include--

- Final report on the actions of the Airport Security Design Guidelines Working Group;
- Status reports on the actions of the Air Cargo Security Working Group, the Aviation Security Impact Assessment Working Group, and the Baggage Security Investment Study Working Group; and
- Other aviation security topics (if you have additional issues to bring to the attention of the Committee, please be sure to contact Joe Corrao as discussed below).

The meeting will take place on May 3, 2006, from 9:00 a.m. to 12:30 p.m., or until the conclusion of the committee's business. It will be held at the Residence Inn by Marriott in Pentagon City, 550 Army Navy Drive, Arlington VA 22202 (not far from Washington National Airport, for anyone who wants to fly in for the meeting).

This meeting is open to the public but attendance is limited to space available. Doors open at 8:30 a.m.

Additional information is available from Joe Corrao, Office of Transportation Sector Network Integration, Transportation Security Administration, 601 South 12th Street, Arlington, VA 22202-4220; Phone 571-227-2980; E-mail [joseph.corrao@dhs.gov](mailto:joseph.corrao@dhs.gov). ASA has worked with Joe Corrao in the past, when he handled government affairs for the Helicopter Association International (HAI), and he has an in-depth understanding of aviation issues. If you have an issue to bring before the Committee, plan to address the Committee, or would like to deliver written documents, please make sure you contact Mr. Corrao well ahead of time to make appropriate arrangements.

The Meeting Notice is available online:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006\\_register&docid=fr06ap06-79](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=fr06ap06-79)

## FAA Extends Drug/ Alcohol Testing Compliance Date

Many ASA members are aware of the fight that has gone in Washington over drug-and-alcohol testing. After years of increasing ambiguity, the FAA issued guidance documents extending the scope of the air carriers' testing requirements to include not only their direct maintenance subcontractors (to whom the rules always applied), but also all subcontractors at all tiers.

*Continued on Page 17*

## REGULATORY UPDATE

*Continued from Page 16*

This raised problems because in some cases, component maintenance providers might not even know whether they were doing subcontract work for an air carrier, and therefore might not be in a position to comply with that air carrier's drug-and-alcohol testing requirements. The new testing paradigm has required some adjustments in the industry as new lines of communications are developed, and many companies who did not previously engage in such testing are added to the ranks of testing candidates.

ASA worked with the FAA to obtain specific guidance explaining that distributors are not maintenance-related subcontractors for purposes of the rule, and therefore are not subject to the testing requirements of the rule; however many other sectors of the aviation industries did not obtain clear guidance. Furthermore, even those who have clear guidance are taking some time to implement the new testing protocols. Many ASA-member businesses perform more than one function, and while they are not subject to the testing requirements for distribution, they may be subject to testing requirements for other functions, like true maintenance functions performed by subcontract for the ultimate benefit of an air carrier. For this reason, ASA joined with a number of other trade associations to seek an extension to the looming compliance date for testing.

The compliance date for the new interpretations and revisions to the drug testing rule has been pushed back until October 10, 2006. Remember, this rule requires drug-and-alcohol testing of anyone performing maintenance for 135 or 121 operators, including those who are performing the maintenance activities indirectly (by subcontract), so if you perform maintenance functions then you should carefully interrogate your business partners to determine your compliance responsibilities.

FOR FURTHER INFORMATION CONTACT: Diane J. Wood, Manager, Drug Abatement Division, AAM-800, Office of Aerospace Medicine, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Phone (202) 267-8442.

Information on the Compliance Date is available online:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006\\_register&docid=fr05ap06-14](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=fr05ap06-14)

## ASA MEMBER PROFILE

By Caroline Bruenderman

### **BEST Aviation Sales – Quietly Serving the Industry and its Customers**

BEST Aviation Sales, Inc. was established to provide the personal service needed in today's rapidly changing aerospace industry, by providing quality, traceable aircraft parts at highly competitive prices, with deliveries to meet customer requirements. According to President Bill Miller, a commitment to its core mission, coupled with careful planning, has made it possible for BEST to continue its growth in today's dynamic market. Bill worked as Vice President of The Ages Group until he branched out to form BEST Aviation Sales, a company designed around Bill's commitment to personalized service. Today the company is still committed to providing its customers with the complete package, including prompt, personal service and quality material.

*Continued on Page 19*



# 2006 ASA HAZMAT TRAINING

## DO HAZARDS IN AIRCRAFT PARTS HAVE YOU CONFUSED?

### **Who should attend ?**

This course is intended for all individuals who may come into contact with, or make decisions that affect hazardous material(s) (HazMat) or dangerous goods (DG).

### **Benefits:**

- *Meets Federal Regulatory requirements of 49 CFR 172 Subpart H, including additional elements as described in 14 C.F.R. 121.433a.*
- *Certificate of Training stating 49 CFR 172 Subpart H training requirements have been met (upon successful completion of all attendance and testing requirements).*

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## Get Educated!

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June—Miramar, FL

July 12-13—Las Vegas, NV

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The US Department of Transportation (US DOT) requires that all individuals engaged in handling hazardous materials must be trained at least once every three (3) years. Air Carriers are required to be trained annually and IATA requires training every two (2) years. The FAA has suggested that many aviation companies are HazMat employers by virtue of the wide variety of materials received which could include HazMat. This course will focus on shipments of Dangerous Goods under the IATA Dangerous Goods Regulations (a field manual that includes the ICAO technical instructions.) This course will also address matters arising out of United States' regulations that are not covered by IATA.

*Continued from Page 17*

We had a chance to speak with Bill and discuss his perspective on the changing face of the distribution industry. He commented that increasing fuel costs and greater competition are changing the way airlines conduct business, forcing them to look for more cost-effective ways to purchase the parts they need. Airlines no longer want to maintain large parts inventories and are paying more attention to the types of parts that they purchase, according to Miller. This new business strategy is dramatically changing the way distributors conduct business. While airlines once relied on a few distributors for a variety of parts and services, they now will purchase from the distributor with the best price on any particular item, creating greater competition within the distributor marketplace. The new competition, said Miller, facilitates the growth of small distributor businesses. He stated that the airlines “are being more selective in their purchases, and the supplier industry has to respond accordingly.”

In addition to pricing competition, quick fleet upgrades also have changed the business for distributors, increasing demand for parts and making it difficult for distributors to maintain inventory levels. While the demand is nice for profits, Bill noted that these changes limit the exchange pool and present all new challenges for distributors.

However, as the industry evolves, a variety of new opportunities present themselves, said Miller. For suppliers, there is growth potential all over the world, with airlines constantly purchasing parts. He noted the increased importance of the military in the supplier business as a real potential for future growth. As military planes fly more frequently, there will be an increase in the need for parts and repairs. Bill indicated that there is a lot of opportunity in this changing market, but companies will have to work harder and smarter to take advantage of those opportunities.

As one of the original members of ASA, Bill has always been a supporter of the Association and its efforts for the industry. Noting the importance of ASA’s work with the FAA, particularly the development of AC 00-56, Bill commented that the greatest value in ASA is government representation at the national level. He stated that ASA provides a national voice for the supplier industry, helping the FAA and other government entities understand the unique needs of the supplier industry. He noted that the Association is an important tool in getting distributors, brokers and others to come together with a united voice. Bill also commented on the value of ASA’s educational opportunities, noting that the Association has grown tremendously since its first meeting, due, in large part, to encouragement from supporting companies within the industry. Bill consistently encourages his colleagues to join ASA and hopes to continue to get people involved in the Association’s mission.

In terms of his own business philosophy, Bill Miller maintains a simple, but effective strategy of serving his customers’ needs without drawing much attention to himself or his company. He hopes to guide BEST Aviation Sales to be a positive, but quiet force in the industry. Bill noted, “No deal is a good deal unless everyone is happy.”

BEST Aviation Sales has been a member of ASA since 1994 and is accredited in the ASA-100 program.

## CONTACT US!

ASA Staff is always interested in your feedback. Please contact us with any comments or suggestions.

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## 2006 CALENDAR OF EVENTS!

- **Look for Jason or Michele on the speaking program or on the exhibit floor at the following events.**
- **For additional information contact us at [info@aviationsuppliers.org](mailto:info@aviationsuppliers.org) or (202) 347-6899.**

### 2006 ASA Events

- July 8-11 ..... **2006 ASA Annual Conference**, Four Seasons Hotel, Las Vegas, NV.  
..... Room rates under the conference contract are just \$159 per night!
- June ..... Hazmat Training, Miramar, FL
- For more information on ASA events, visit us online <http://www.aviationsuppliers.org/training/training.htm>.

### Other Events

- April 19-22 ..... Aircraft Electronics Association Annual Convention, Palm Springs, CA
- April 25-27 ..... MRO 2006, Phoenix, AZ
- May 10-11 ..... Airline Purchasing Expo, London, UK
- May 21-24 ..... CCMA, Cancun, Mexico

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