



The Update Report

The Aviation Suppliers Association

Volume 11, Issue 5

Pre-Conference Issue 2003

REGULATORY UPDATE

DAR 8130-3 Privileges Extended

What's happening with the 8130-3?

FAA Notice 8130.71 is scheduled to expire on June 14, 2003. This is causing a great deal of concern among distributors – concern that is largely unnecessary, due to the fact that the language of 8130.71 has been republished in a more permanent form.

Background

FAA Notice 8130.71 is the FAA guidance document that advises DARs on the issuance of 8130-3 tags for demonstrably airworthy article held by distributors. This Notice, and the similar guidance that has come before it, has been especially valuable to distributors whose customers demand the 8130-3 tag (even when a part bears other evidence of airworthiness). More and more over the past decade, customers have insisted on parts with 8130-3 tags. The 8130-3 is becoming the universal document that many hoped it would become.

The problem with the 8130-3 has always been that manufacturers are not required to produce this form as a "birth record" for parts, so many aircraft parts do not have 8130-3 tags. Even if manufacturers were required to issue the tag with new parts as of today, there would still be a huge inventory of airworthy parts that our industry relies upon, but that do not yet bear 8130-3 tags.

To promote reliance on the 8130-3, and to meet the desires of air carriers and other customers who desired that tag, the FAA authorized DARs to issue domestic 8130-3 tags for demonstrably airworthy parts. Although the authorization was temporarily rescinded in 1999, the FAA issued Notice 8130.70 in 2001 to once again permit this practice. It was replaced by FAA Notice 8130.71 in 2002, which extended the practice for another year.

Guidance Permanence

During the period when 8130.70 and 8130.71 were active, the FAA recognized the importance of having DARs issue 8130-3 tags for demonstrably airworthy parts. The FAA has been promising to find a permanent home for the DAR guidance. That home has been found.

FAA Order 8130.21 is the instructions for completing the 8130-3 tag. It is a natural place to put the guidance for DARs who complete the 8130-3, and that is exactly what the FAA intends.

Frank Paskiewicz and David Broughton of the FAA's Production and Airworthiness Certification Branch have both been working on this issue. They have decided to republish the language of FAA Notice 8130.71 in the "change two" docu-

(Continued on page 56)

Inside this Issue:

Congress Considers New Law.....	51
Small Business & DAR Issues ..	51
Repair Station Issues.....	53
Type Certificate Issues.....	54
A&P Mechanic Issues	57
FAA Info On Line	56

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Congratulations to the new accredittees and reaccreditees for their accreditation to ASA-100 and AC 00-56A. More information about this program is available at <http://www.aviationsuppliers.org>



A Message from ASA's President

The Association prepares to celebrate its ten year anniversary at the Annual Conference in Naples. As I think about what we've done as an industry, I realize that it has been a long strange trip.

Aircraft parts distribution is a different industry entirely from what it was when ASA got its start. While ASA has helped served as the catalyst in some cases, it is you, the members, who have done the heavy lifting.

Ten years ago, people spoke of distribution as the weak link in the chain. Today, distribution is an important partner in the industry strategy to ensure installation of airworthy aircraft parts.

Over the past decade, some of the most vocal critics of our industry have become our most ardent supporters. You did not win them over with artful rhetoric and witty arguments. You won them over with hard work.

In the past ten years, the distribution industry worked with the FAA to develop the distributor accreditation program of AC 00-56. The industry created not one, but several quality standards to effect compliance with AC 00-56. And a significant number of you have made the leap to AC 00-56 accreditation. Even the companies that have not gotten accredited have helped by developing non-accredited quality systems.

Without distributor participation, traceability cannot happen. When the FAA wanted to improve traceability through increased use of the 8130-3 tag, it was ASA that worked with the FAA to develop strategies for making the tag available for demonstrably airworthy parts and it was ASA members that insisted on 8130-3 tags—both as sellers and as buyers.

We have a lot to be proud of. Together, we increased safety, improved documentation standards, and provided

our customers with the airworthy parts that keep aircraft flying safely. The corollary result has been that we've created sustainable quality systems that have helped us weather industry-wide part-related scandals with aplomb, as the systems permit a level of traceability that allows us to work with the FAA on tracking problems to their source and rooting them out much more easily than we ever could have done ten years ago.

Getting to this point has been a long strange trip, but it has been a great trip nonetheless because we took it together.

Best Regards

Michele Dickstein

The Annual Meeting of the membership of the Aviation Suppliers Association, Inc., will take place on Tuesday, June 24 from 8:00 a.m. until 9:00 a.m. at the Ritz-Carlton Hotel in Naples Florida. This membership meeting will be a part of the ASA 10th Anniversary Conference held June 22-24. Conference registration information is available at:

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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.

The Update Report

For information on special package rates for advertising, contact the Association at (202) 347-6899.

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Congress Considers Important issues in FAA Reauthorization

Most aviation legislation has only a tertiary affect on distributors. As long as the legislation permits air carriers and other operators to continue flying, distributors will have customers and will otherwise be largely unaffected by FAA-related legislation.

This year's FAA Reauthorization Bill is different.

This year's FAA Reauthorization Bill, known as H.R. 2115, includes several provisions that are likely to have a significant effect on ASA members.

The bill addresses small business issues, maintenance manual issues, and technical training of A&Ps and FAA inspectors. It also proposes new ways of handling designee duties to improve the way that designees (like DARs) service the industry.

PROVISIONS AFFECTING ALL AVIATION SMALL BUSINESSES

Small Business Ombudsman

Several years ago, Aircraft Electronics Lobbyist Terry Pearsall and ASA's Jason Dickstein suggested to FAA upper management that the FAA establish a small business ombudsman. At the time, FAA was not ready to implement this position – one of the reasons was that without a Congressional mandate, the FAA budget simply could not support a new ombudsman position when there were so many other safety-critical priorities for the FAA to consider.

The idea of a small business ombudsman at the FAA remains a good one. Small business is tremendously important to the aviation community. Most ASA members are small businesses and without them, this industry simply would not fly.

But sometimes small business issues get lost in the rush to keep the largest members of the industry aloft. The trade associations help keep the FAA focused on the issues most vital to their members but sometimes an issue does not fall squarely within an Association's sights and there is no one to champion the cause.

Congress has recognized the importance of small businesses in the aviation industry, and the need for the FAA to focus on their issues, by proposing that the FAA hire a small business ombudsman, who would be appointed by the Administrator to serve as a liaison with small businesses in the aviation industry. The small business ombudsman would be consulted any time the FAA proposes regulations that may affect small businesses in the aviation industry.

The job of the ombudsman would also include assisting small businesses that have disputes with the FAA. The small business ombudsman would help resolve these disputes. To assure that the small business ombudsman has the ability to correct problems, rather than merely being a window-dressing to demonstrate an apparent concern for small business, the position would report directly to the FAA Administrator. For this reason alone, the position of Small Business Ombudsman would be of great benefit to ASA and its members because it would provide a mechanism for ASA to use in assisting members with issues before the FAA.

There is some dispute about this issue. While the House version of the bill includes this provision, the Senate version does not. Instead, the Senate version includes a provision for a small community air service ombudsman. This position would be charged with developing strategies for retain-

ing and enhancing the air service provided to small communities in the United States. This would be a very different job from the job described in the House version. The Senate version of the ombudsman job would not be charged with protecting small businesses.

PROVISIONS AFFECTING THOSE WHO USE DARs

Design Organization Certificates

Under this proposal, Congress would ask the FAA to provide a plan for certifying design organizations. Such organizations would certify compliance with the requirements and minimum standards prescribed under federal aviation regulations. This would be similar to the work done by DARs and DERs today. Because of the advantages offered by this proposal, Certificated Design Organizations could someday replace DARs as the source for 8130-3 tags issued for export and for domestic shipments.

There is a general recognition that the FAA cannot keep up with the design approval responsibilities – it just does not have the manpower or the budget. This has led to increased reliance on designees. The Aircraft Electronics Association recently worked with the FAA on a demonstration project known as ADEOS in which a higher level of discretion was granted to certain DERs in approving data for field approvals and STCs. This higher level of discretion was closely monitored by the FAA and the results were quite positive.

Recent litigation has reiterated, though, that designees hold their privileges at the discretion of the FAA and that they can be terminated for any disagreement with their FAA Ad-

(Continued on page 53)

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Maintenance Manuals to be a Tough Fight in Congress

(Continued from page 51)

visor (even a non-technical one). The Courts have also explained that terminated designees are not entitled to a hearing of the sort that one commonly expects under the law. This has put a bit of a chill on some designee activity.

ASA members have felt the effect of this chill. Guidance affecting distributors and their certification needs is frequently vague. Some DARs have been provided unreasonable guidance by their FAA Advisors that is contrary to the guidance given by other FAA Advisors in other parts of the country. Some DARs have said they are unwilling to pursue a reasonable interpretation that is harmonized across the United States; they do not want to ‘rock the boat’ because they know that their delegated privileges can be terminated for any reason.

This Congressional proposal is a significant development for the industry. It would essentially take the designee functions and make them certificated functions. The main benefit to designees is that their privileges will only be terminable for just cause under the regulations and policies of the FAA at they will be entitled to a bona-fide hearing when their privileges are terminated. The corollary benefit for distributors is that their DARs will be in a better position to seek out uniform guidance when it turns out that their non-discretionary functions are interpreted differently than in other parts of the country.

This may raise concerns that designees in the Design Organizations will be able to take unfair advantage of the system. Such concerns are probably not reasonable. Under the proposed law, issuance of a Design Organizations Certificate by the FAA is still subject to FAA discretion so only

qualified organization will get them. The FAA will be entitled to impose limitations on them. The FAA will also remain as the issuing authority for type certificates and similar documents, so there is always a ‘check’ imposed on major certification functions.

Congress has not gone off half-cocked on this one. There is evidence of need. There is evidence that it can be done safely. And they have given the FAA three years to come up with a plan and a total of seven years to implement it. This has the potential to be the underpinnings of very good policy.

PROVISIONS AFFECTING REPAIR STATIONS AND THOSE WHO USE THEM

Making Maintenance Manuals Available to Your Repair Station Business Partners

Many repair stations have complained that they are not able to obtain maintenance manuals for certain products (these manuals are also known as “instructions for continued airworthiness”). This has been a continuing source of confusion for the industry, because there is a regulation that says that such manuals must be made available to those “required to comply with them” – however the FAA has simply not enforced this regulation.

The FAA’s has shown signs that manuals should be made available. The FAA has suggested that failure to provide manuals creates an artificial obstacle to ensuring that each aircraft is in an airworthy condition. The FAA Office of Chief Counsel issued a letter in 1999 in which they said that even when manuals technically do not fall within the scope of the regulation (those created for articles certificated

before 1981), refusal to make them available “is inconsistent with the objectives of 21.50(b) and is not in the best interest of safety.” The referenced regulation, 14 C.F.R. § 21.50 (b), requires manufacturers who produce manuals to make them available to those required to comply with them, and this has generally been thought to include repair station (who are required to obtain these manuals by regulation).

Despite the regulatory language and FAA legal support, the FAA generally has not enforced the clause in 14 C.F.R. § 21.50(b) that seems to require making manuals available. This has caused some repair stations to be unable to offer services to the industry – often, these are the same repair stations that ASA members would turn to for repair or overhaul of surplus, used and damaged parts.

There are supporters for the FAA’s failure to enforce – and there arguments against enforcement of 21.50 (b), making manuals available. First, manuals that were created before the new rule that took effect in 1981 are technically not covered by this regulation (although subsequent revisions would be subject to it).

More importantly, many manufacturers feel that the maintenance manuals represent valuable trade secrets that should not be shared with parties whom the manufacturers do not choose.

The Aeronautical Repair Station Association (ARSA) has been studying this issue for over a decade. ARSA’s Executive Director, Sarah MacLeod, drafted the language that the House Bill has used, but the solution remains quite controversial among certain sectors of the industry.

(Continued on page 54)

Foreign Repair Stations Could be a Casualty of Senate Language

(Continued from page 53)

The proposal is that the United States Code would confirm that all manufacturers “shall make the instructions [for continued airworthiness], and any changes thereto, available to any other person required by parts 1 through 199 of title 14, Code of Federal Regulations, to comply with any of the terms of the instructions.”

Some of the terms used around such manuals would be defined. The term ‘make available’ would mean providing at a cost not to exceed the cost of preparation and distribution. The term design approval would include TCs, amended TCs, STCs, PMAs and TSOAs, but it would not include anything else unless the FAA performed a separate rulemaking to expand this list. This means it would not apply to field approvals. The term ‘instructions for continued airworthiness’ would include maintenance, repair, and overhaul manuals, standard practice manuals, service bulletins, service letters, or similar documents.

One important clause in this proposed new law states that it shall not be “construed as requiring the holder of a design approval to make available proprietary information unless it is deemed essential to continued airworthiness.” This is important to manufacturers, who fear that this law could be used to make them forfeit proprietary information.

This language is in the House version of the bill but it is not in the Senate version. Proponents of this clause are working to educate Senators about the importance of this language.

Foreign Repair Stations

The Senate version of the FAA Reauthorization bill demands that the FAA hold foreign repair to the same stan-

dards as domestic repair stations. In particular, it requires that the foreign repair stations implement drug testing, be subject to inspection by the FAA with no notice to the foreign government, and implement security programs.

Seemingly reasonable at first glance, these clauses may be more unreasonable than many realize. First, repair stations in the United States are not directly subject to drug testing. They are only subject to drug testing when their customers require it (Part 121 and 135 air carriers must ensure that repair stations that do work for them implement drug testing programs for their personnel. The Senate language would apply drug testing across the board. Years ago, the Department of Commerce testified before Congress that imposing these sort of standards would effectively end the foreign certification of repair stations by the FAA, because foreign governments would not permit the United States to require this sort of drug-testing of personnel in their countries, and the United States has no direct legal authority to make drug testing legal in a country if that country’s laws say it is not legal.

The clause requiring be subject to inspection by the FAA with no notice to the foreign government is unrealistic. The FAA has no authority to engage in inspections on foreign soil except in cooperation with a foreign government. The proposition that the United States would engage in inspections in other countries without notifying the foreign country is as ridiculous as the proposition that we would let a foreign power conduct unannounced inspections of U.S. companies without notice to or coordination with the U.S. government.

Finally the provision requiring imple-

mentation of security programs and inspections seems overbearing, since there is no comparable program for domestic repair stations.

This Senate provision is not reflected in the House version of the Bill.

PROVISIONS AFFECTING TYPE CERTIFICATE HOLDERS

Made In America

The House is also proposing that air carriers disclose to the passengers (on an information placard available to each passenger on the aircraft) where the aircraft was finally assembled. This is clearly meant to promote sales of U.S.-assembled aircraft (e.g. Boeing aircraft) over non-U.S.-assembled aircraft (e.g. Airbus) in the United States. With Airbus’ announcement at the Paris Air Show of a large order for Emirates, it is easy to see why U.S. officials are nervous about sales of Boeing products.

Although this clause only affects ASA’s manufacturer and air carrier members, it is interesting because it sends a definite signal about marketing U.S. products in competition with non-U.S. products. The Europeans have been quite aggressive in marketing their airframes to U.S. customers, and this notice requirement seems to signal that Congress is ready to strike back.

Whether the notice requirement will be effective is another question entirely. Purchasers of aircraft are sophisticated buyers who are unlikely to be swayed by such placards. Passengers are likely to be more concerned with whether the aircraft is safe and taking off on time than where it was assembled. This clause may have little effect in the real world.

(Continued on page 55)

Congress Gets Tough on Type Certificate Validation

(Continued from page 54)
Cross Atlantic Relations

It is common to type certificate an airframe or powerplant for use in both the United States (FAA type certificate) and Europe (type certification by one or more members of the JAA). The FAA and JAA have established programs where one airworthiness authority relies, to a certain extent, on the approvals of the other – the reliance is not blind: the second authority will validate the approval performed by the first. Validation of the other authority's prior approval is supposed to be much less onerous than going through the approval process. Lately, many manufacturers have complained that airframe and powerplant validations by the Europeans are taking as long or longer than straight approvals (starting from scratch) would have taken.

On the other hand, say the manufacturers, the FAA does not impose the same burdens on European companies seeking type certificate validation from the United States. Europe, Canada and the United States have spent a great deal of time and effort harmonizing the text of the certification standards. It seems, however, that many of the individuals implementing those harmonized rules feel that they nonetheless need to entirely repeat the original certification process to make sure no errors were made by the other authority.

Clearly, Congress has heard industry's cries. A clause in the proposed legislation would require that the FAA spend at least as much time and effort validating a prior foreign approval as the foreign government spends validating United States design approvals.

It is possible that the new European airworthiness authority, the European Aviation Safety Authority [EASA], will assist in harmonizing the effect of the rules concerning validation. JAA has been hamstrung in its efforts to equalize the validation process by its lack of political power and its 'lame duck status' as the world anticipates the birth of EASA.

There is also a possibility that this clause will be viewed by our foreign trading partners as an aggressive commercial move. It is possible that it could result in diminished relations between foreign manufacturers and the United States.

Type Certificate Protection

Many of us are familiar with the law that restricts the use of Supplemental Type Certificates to the holder of the STC and persons with the holder's written approval. Under that law, it is illegal to use someone else's STC to perform an alteration unless the owner of the STC has provided written approval for

that use. A proposed law would extend similar protections to type certificates.

Under the proposal, no one would be allowed to manufacture a new aircraft, aircraft engine, propeller, or appliance based on a type certificate unless the holder of the type certificate provides written permission for such manufacturing activity.

The benefit of this new law would be that it would protect type certificate holder rights. One detriment, though, would be among those in the industry supporting older model aircraft where the type certificate holder is out of business or does not actively support the type certificate. In such cases, it has been necessary for the industry to take data in the public possession and use it to support the aircraft. Under intellectual property law, significant alterations to something like an aircraft can be recharacterized as manufacturing activities (this arises in the context of patent and trademark infringement, for example). Thus there is a possibility of unintended consequences for those who perform fabrication in the course of maintenance.

(Continued on page 57)

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FAA 121/135/145 Information On-Line

Looking for a list of repair stations? Air carriers? The FAA now has these and other lists on-line in a format that is easy to access.

Many people in the industry have wished that FAA lists of certificate holders, like repair stations and air carriers, were more easily accessible. In the past, such lists were only available in paper form through Freedom of Information Act requests. The inclusion of this data on the internet represents an important step on the part of the FAA in making information available to the industry.

Repair station data is kept in several formats, including one database that includes the name and address of each repair station (useful for compiling mailing lists) and one database that has specifics on repair stations, like the number of repairmen and other certificated mechanics employed, as well as what ratings the repair stations holds (a useful way to spot-check whether a repair station is rated to do the work that you need it to perform).

Spot checks of companies whose information we knew had changed in the past year revealed that the list was reasonably up-to-date.

Looking to set up a marketing list of air carriers? Need a list of the carriers and their addresses in order to start that list? This information is now available on the FAA's website.

You can identify carriers by certificate numbers or "doing business as" names. Using the carrier's certificate number, you can identify the primary address and often a name of a primary contact for each air carrier. You can also identify the name and address of the air carrier's CEO.

The one problem with some of this information is that it may be difficult to decipher. In order to assist with deciphering the information in the databases, the FAA also publishes (at this same website) files that indicate the make-up of the fields in each database.

Webpage with several databases of repair station-related information

http://av-info.faa.gov/dd_sublevel.asp?Folder=%5CRepairStations

Webpage with several databases of air carrier-related information and air operator-related information

http://av-info.faa.gov/dd_sublevel.asp?Folder=%5CAirOperators

List of categories of databases accessible to the public (some of the databases are not currently accessible to the public, like the FAA enforcement action information). This list will get you into a variety of other databases listing important information related to aviation.

http://av-info.faa.gov/dd_mainlevel.asp

8130-3s

(Continued from page 49)

ment for FAA Order 8130.21C. This is a change memorandum that was published June 10, 2003. It represents an amendment to FAA Order 8130.21C.

The FAA was quite diligent about this issue. There was a worry about whether there might be a few days lag between the expiration date of Notice 8130.71 and the publication date of FAA Order 8130.21C "change two." Broughton assured the association that this would be no problem; true to his word, he was able to get the new document published on June 10, 2003—four days ahead of the June 14 deadline. This underscores the FAA's commitment to the policy of permitting DARs to sign 8130-3 tags under the parameters described in Notice 8130.71.

If your DAR knows that Order 8130.71 is expiring and has not heard that the language was republished in 8130.21C change two, then please make sure he or she gets a copy of this article. Copies of 8130.21C Change 2 are available on the ASA website and will be available on the FAA website soon. A copy of the relevant language—republished as appendix three to 8130.21C change 2—can be found on page 59 of this issue of **The Update Report**.

Improvements to the Guidance

8130.21C Change 2 largely repeats the language of 8130.71 – placing it in "Appendix Three." Although some minor editorial changes have been made in order to make the language more clear, it is basically unchanged.

Many ASA members have complained that there are fundamental problems with some of the details of

(Continued on page 58)

Congress Imposes Due Process

(Continued from page 55)

PROVISIONS AFFECTING A&P MECHANICS

Airman Certificate Revocation

Earlier this year, the FAA and TSA passed a series of direct-final rules that made it possible to strip an airman of his/her certificate merely on the bald allegation that he or she is a safety threat. The constitutionality of this clause was suspect. The House version of HR 2115 would remedy this by simply imposing the sort of common due process that Americans have come to expect. Passage of this provision should prevent wrongful terminations of airman certificates.

A&P Curriculum Updates

Congress has also directed the FAA to perform periodic review of the curriculum for Airframe and Powerplant mechanics (A&Ps). Many in the industry have complained that the A&P curriculum is out of date and fails to teach the skills that today's A&Ps need in order to maintain today's complex aircraft. The proposed legislation directs the FAA to update curricula to more accurately reflect current technology and maintenance practices, to better reflect the changing needs of the industry for technologically savvy A&P mechanics.

Studying the FAA

Congress is also proposing two new studies of FAA inspectors. The first would analyze training and ways to improve inspector training. The second would analyze workload, to assure that staffing standards are appropriate. In particular, the workload study would examine the needs for oversight of the designee program.

This call for particular studies and

analysis was accompanied by a "sense of the House" statement:

- (1) FAA inspectors should be encouraged to take the most up-to-date initial and recurrent training on the latest aviation technologies;
- (2) FAA inspector training should have a direct relation to an individual's job requirements; and
- (3) if possible, a FAA inspector should be allowed to take training at the location most convenient for the inspector.

ASA has always invited FAA personnel to attend and participate in ASA's workshops and Annual Conferences. This sense of the House parallels ASA's own commitment to encouraging training.

What's Next?

The proposals described in this issue are not yet law! The House and Senate will meet this summer to determine which of these clauses will become law and which ones will fall onto the cutting room floor.

Except where noted specifically, the language described here was passed in the House but it did not exist in the Senate version of the bill. Supporters and opponents of each of these clauses have a number of strategies for accomplishing their goals. One of the most important tools that members of Congress have in shaping their opinions about these issues, though, is the opinions of their constituents. If you have strong feelings in favor of or in opposition to any of these proposed provisions of law, you should communicate your feelings to your Representative and Senators. Be sure to let ASA know how you feel, too, as we develop our own policies based on what our members need and want.



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FAA Plans to Improve DAR 8130 Privilege Language in 8130.21D

(Continued from page 56)

the Notice 8130.71 guidance. Their concern is that the republication of Notice 8130.71 does not address these problems. Do not fear!

ASA has been working with the FAA to resolve these issues since Notice 8130.70 was published. ASA spent a full year working on alternative language, which was revised and refined by the ASA QA Committee. The alternative language was also reviewed by representatives of the manufacturing, repair station, air carrier and general aviation communities as well as the Industry Suspected Unapproved Parts Task Group, in order to make sure that the language was acceptable to all and adequately protected industry safety concerns. ASA submitted

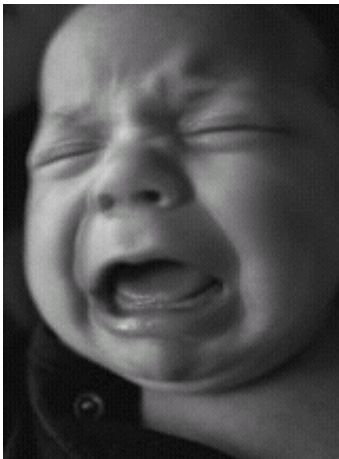
this alternative language to the FAA late in 2002 as a petition that proposed change for the next iteration of the DAR-8130-3 language. The FAA has stated that it intends to consider this language in drafting its new policy. While it is likely that there will be editorial changes made, ASA is hopeful that the basic thrust of the petition language will remain unchanged.

That ASA proposed language eliminates some of the redundancies of Notice 8130.71, and provides clear standards for DARs to use in issuing 8130-3 tags for demonstrably airworthy parts intended for domestic shipment. It includes examples of documentation upon which a DAR may rely, as well as explanations of the

reasons why certain documents are sought, in order to assist DARs in determining what constitutes adequate demonstration of production approval and airworthiness. It also confirms that there is more than one way to determine airworthiness.

The proposal also helps to explain the information that DARs should include on the 8130-3. Inclusion of this language in Order 8130.21 will also greatly assist since that order provides explicit guidance on the manner in which to complete the 8130-3 tag.

The improved language (as amended by the FAA) is expected to be published in FAA Order 8130.21D. This revision is expected to be published late in 2003.



Just Cry About It.

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**APPENDIX 3. DOMESTIC AIRWORTHINESS APPROVAL
OF NEW PARTS, APPLIANCES, OR PRODUCTS AT
DISTRIBUTOR FACILITIES NOT ASSOCIATED WITH A
PRODUCTION APPROVAL HOLDER**

1. Distributor facilities not associated with a PAH, and accredited as described in Advisory Circular (AC) 00–56, Voluntary Industry Distributor Accreditation Program, may be eligible to have a Form 8130–3 issued on behalf of the FAA for domestic airworthiness approval purposes for new Class II and III parts, appliances, or products whose positive traceability to a PAH can be established. This appendix is NOT to be used for export of parts, appliances, or products.
2. Manufacturing DARs with function code 08 or maintenance DARs with function code 23 in accordance with Order 8100.8, Designee Management Handbook may issue Form 8130–3, for domestic airworthiness approval purposes at an accredited distributor. The Aviation Suppliers Association maintains a list of AC 00–56 accredited distributors at <http://www.aviationsuppliers.org>.
3. The airworthiness of the part, appliance, or product must be established, as well as positive traceability to a PAH via acceptable documentation such as shipping documents or certificates of conformance, and part markings (part number and/or trademark). Once positive traceability to a PAH is confirmed, the DAR must ensure that the PAH held a production approval for the subject part, appliance, or product at the time the part, appliance, or product was produced. The DAR must find that the airworthiness of the part, appliance, or product is in its original condition since released by the PAH.
4. When filling out Form 8130–3, the DAR must document in Block 13, the name and address of the accredited distributor's facility where the Form 8130–3 was issued and in capital letters: "FOR DOMESTIC SHIPMENTS ONLY."

NOTE: The precedent has been that manufacturing DARs were not authorized to issue airworthiness approval for parts, appliances, or products that have left the PAH's FAA–approved inspection/quality system. In addition, maintenance DARs were only authorized to issue airworthiness approval for parts, appliances, or products that have left the PAH's FAA–approved inspection/quality system when presented for export. However, in order to ensure adequate DAR resources to support the activities authorized by this new policy, these domestic airworthiness approvals may be issued by either manufacturing or maintenance DARs.

Issues of the Update Report Are Now Online!

Are you reading a borrowed copy of the Update Report? Subscriptions to the Update Report are now FREE to persons in the aviation industry or the government. To receive your free subscription, send your name, title, company, address, phone number, fax number and email address to ASA. Our email address is info@aviationsuppliers.org and our fax number is (202) 347-6894.

Back issues of the Update Report are now on-line! Missing a prior issue? Issues of the Update Report are being added to the ASA web site about one month after they are published. Complete sets of volumes six through ten are now on-line!

UPCOMING EVENTS

** = Look for ASA on the speaking program or on the Trade Floor*

2003

- June 21** * ASA QA Committee Meeting, Ritz-Carlton, Naples, FL. Call (202) 347-6899 for details.
June 22-24 * ASA 10th Anniversary Celebration and Annual Conference, Ritz-Carlton, Naples, FL. Call (202) 347-6899 for details.
Sept. 22-24 Speednews Aviation Industry Suppliers Conf in Europe, Toulouse, France. Call (310) 203-9603.
Oct. 21 * ASA Regulatory Workshop, Dallas, TX. Call (202) 347-6899 for details.
Oct. 23 * ASA Regulatory Workshop, Chicago, IL. Call (202) 347-6899 for details.
Nov. 2-4 Speednews Reg'l & Corp. Aviation Industry Suppliers Conf., Rancho Mirage, CA. (310) 203-9603.
Nov. 11 * ASA Regulatory Workshop, Seattle, WA. Call (202) 347-6899 for details.
Nov. 13 * ASA Regulatory Workshop, Los Angeles, CA. Call (202) 347-6899 for details.
Nov. 20 * ASA Regulatory Workshop, Miramar, FL. Call (202) 347-6899 for details.
Dec. 2 * ASA Regulatory Workshop, NY/NJ/DE Area. Call (202) 347-6899 for details.

2003 is ASA's 10th Anniversary. The Annual Conference will be held at the Ritz Carlton in Naples Florida. Hotel reservations are already being taken as (800) 241-3333 or contact the hotel directly at (239) 598-3300. Please be sure to identify yourself as an ASA participant to get the ASA discounted room rate of \$139 per night. Registration packages will be mailed in March.

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Pre-Conference 2003