

DATE 6-15-79

ADVISORY CIRCULAR



DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
Washington, D.C.

Subject: AVIATION SAFETY REPORTING PROGRAM**1. PURPOSE.**

This circular describes the Federal Aviation Administration (FAA) Aviation Safety Reporting Program (ASRP) which utilizes the National Aeronautics and Space Administration (NASA) as a third party to receive and analyze Aviation Safety Reports. This cooperative safety reporting program invites pilots, controllers, and other users of the National Aviation System or any other person, such as maintenance personnel, to report to NASA actual or potential discrepancies and deficiencies involving the safety of aviation operations. The operations covered by the program include departure, en-route, approach and landing operations, and procedures, air traffic control procedures and equipment, pilot/controller communications, aircraft movement on the airport, and near mid-air collisions. The effectiveness of this program in improving safety depends on the free, unrestricted flow of information from the users of the National Aviation System. Based on information obtained from this program, the FAA will take corrective action as necessary to remedy defects or deficiencies in the National Aviation System. The reports may also provide data for improving the current system and planning for a future system.

2. CANCELLATION.

Advisory Circular 00-46A dated March 31, 1976, is cancelled.

3. BACKGROUND.

a. The primary mission of the FAA is to promote aviation safety. To further this mission, the FAA instituted a voluntary Aviation Safety Reporting Program on April 30, 1975, designed to encourage the reporting and identification of deficiencies and discrepancies in the system.

b. The FAA determined that ASRP effectiveness would be greatly enhanced if the receipt, processing, and analysis of the raw data were accomplished by NASA rather than the FAA. This would ensure the anonymity of the reporter and of all parties involved in a reported occurrence or incident, and, consequently, increase the flow of information necessary for the effective evaluation of the safety and efficiency of the system. Accordingly, NASA designed and administers the Aviation Safety Reporting System (ASRS) to perform these functions in accordance with a Memorandum of Agreement executed by FAA and NASA on August 15, 1975, as modified April 24, 1979.

4. NASA RESPONSIBILITIES.

a. The NASA Aviation Safety Reporting System provides for the receipt, analysis, and identification of aviation safety reports; in addition, periodic reports of findings obtained through the reporting program are published and distributed to the public, the aviation community and FAA.

b. A NASA ASRS advisory committee comprised of representatives from the aviation in-

dustry, consumers, Department of Defense, NASA, and FAA advises NASA on the conduct of the ASRS. The committee conducts periodic meetings to evaluate and ensure the effectiveness of the reporting system.

5. PROHIBITION AGAINST USE OF REPORTS FOR ENFORCEMENT PURPOSES.

a. Section 91.57 of the Federal Aviation Regulations (14 CFR 91.57) prohibits the use of any report submitted to NASA under the ASRS (or information derived therefrom) in any disciplinary action except information concerning criminal offenses or accidents which is covered under Paragraph 7a.(1) and (2) below.

b. When a violation of the Federal Aviation Regulations comes to the attention of the FAA from a source other than a report filed with NASA under ASRS, appropriate action will be taken. See Paragraph 9, below.

c. The NASA ASRS security system is designed and operated by NASA to ensure the confidentiality and anonymity of the reporter and all other parties involved in a reported occurrence or incident. The FAA will not seek and NASA will not release or make available to the FAA any report filed with NASA under ASRS or any other information that might reveal the identity of any party involved in an occurrence or incident reported under ASRS. There has been no breach of confidentiality in the over 17,000 reports filed under ASRS.

6. REPORTING PROCEDURES.

NASA ARC Form 277 (Revised June 1979), which is preaddressed and postage free, is available at FAA offices. This form or a narrative report should be completed and mailed to: Aviation Safety Reporting System, P.O. Box 189, Moffett Field, CA 94035.

7. PROCESSING OF REPORTS.

a. NASA procedures for processing Aviation Safety Reports assure that reports are initially screened for:

(1) Information concerning criminal offenses, which will be promptly referred to the Department of Justice and FAA.

(2) Information concerning accidents, which will be promptly referred to the National Transportation Safety Board and the FAA.

NOTE: Reports discussing criminal activities or accidents are not de-identified prior to their referral to the agency outlined above.

(3) Time-critical information which, after de-identification, will be promptly referred to FAA and other interested parties.

b. Each Aviation Safety Report has a tear-off portion which contains the information that identifies the person submitting the report. This tear-off portion will be removed by NASA, time stamped, and returned to the reporter as his receipt. This will provide the reporter with proof that he filed a report on a specific incident or occurrence.

The identification strip section of the ASRS form provides NASA program personnel with a means by which reporters can be contacted in case additional information is sought in order to understand more completely the report's content. Except in the case of reports describing accidents or criminal activities, no copy of an ASRS form's identification strip is created or retained for the ASRS files. Prompt return of identification strips is a primary element of the ASRS program's report de-identification process and assures the reporter's anonymity.

8. DE-IDENTIFICATION.

All information that might assist in or establish the identification of persons filing ASRS reports and parties named in those reports will be deleted, except for reports covered under Paragraph 7a.(1) and (2) above. This de-identification will be accomplished normally within 24-48 hours after NASA's receipt of the reports if no further information is requested from the reporter.

9. ENFORCEMENT POLICY.

a. It is the policy of the Administrator of the FAA to perform his responsibility under the Federal Aviation Act for the enforcement of the Act and the Federal Aviation Regulations in a manner that will best tend to reduce or eliminate the possibility of or recurrence of aircraft accidents. The FAA enforcement procedures are set forth in Part 13 of the Federal Aviation Regulations (14 CFR Part 13) and FAA enforcement handbooks.

IDENTIFICATION STRIP: Please fill in all blanks. This section will be returned to you promptly; no record will be kept.

TELEPHONE NUMBERS where we may reach you for further details of this occurrence:

AREA _____ NO. _____ HOURS _____

TYPE OF OCCURRENCE/INCIDENT: _____

AREA _____ NO. _____ HOURS _____

DATE OF OCCURRENCE _____

TIME (local, 24-hr. clock) _____

NAME _____

ADDRESS _____

(This space reserved for NASA time receipt stamp)

Except for reports of accidents and criminal activities, all identities contained in this report will be removed to assure complete reporter confidentiality.

Please fill in appropriate spaces and circle or check all terms which apply to this occurrence or incident.

1. Location: *(Geographic (including State), airport, runway, ATC facility and sector, navigation aid reference, etc.)*

2. Type of operation:

SCHEDULED AIR CARRIER	SUPPLEMENTAL CARRIER	CORPORATE AVIATION	MILITARY:ARMY
DOMESTIC OPERATION	CHARTER OPERATION	PERSONAL BUSINESS	NAVY/CG/MC
INTERNATIONAL OPN.	UTILITY OPERATION	PLEASURE FLIGHT	AIR FORCE
AIR TAXI	AGRICULTURAL OPN.	TRAINING FLIGHT	GOVERNMENT

3. Type of aircraft:

FIXED WING, LOW	RETRACTABLE GEAR	RECIPROCATING	GROSS WT.: <2500	25,000-50,000
HIGH WING	CONST. SPEED PROP	TURBOPROP	2500-5000	50,000-100,000
ROTARY WING	FLAPS	TURBOJET	5000-12,500	100,000-300,000
NO. OF SEATS	NO. OF ENGINES	WIDE BODY JET	12,500-25,000	OVER 300,000

4. Second aircraft TYPE: *(if two aircraft involved)*

LD HERE

D HERE

FIRST FC

FIRST FC

5. Reported by: PILOT CREWMEMBER CONTROLLER OTHER (specify)

If pilot: TOTAL HOURS:

HRS. LAST 90 DAYS:

6. Light conditions: DAWN DAYLIGHT DUSK NIGHT

7. Altitude: FEET MSL.

8. Flight plan: IFR VFR DVFR SVFR NONE

9. Flight conditions: VFR IFR

10. Flight phase: PREFLIGHT TAXI TAKEOFF CLIMB CRUISE DESCENT
HOLDING TRAFFIC PATTERN APPROACH LANDING MISSED APPROACH11. Airspace: POSITIVE CONTROL AREA (PCA) TERMINAL CONTROL AREA (TCA) ON AIRWAYS
AIRPORT TRAFFIC AREA UNCONTROLLED AIRSPACE OTHER CONTROLLED AIRSPACE

12. Air Traffic Control: GROUND TOWER DEPARTURE CENTER APPROACH FSS NONE

13. Weather factors: RESTRICTED VISIBILITY TURBULENCE THUNDERSTORM AIRCRAFT ICING
CROSSWIND PRECIPITATION NONE OTHER (specify)

14. (Circle all which you believe apply to this occurrence)

AIRPORT AIR TRAFFIC CONTROL AIR NAVIGATION FACILITY AIRCRAFT
FLIGHT CREW AERONAUTICAL PUBLICATION/CHARTS OTHER (specify below)15. NARRATIVE DESCRIPTION: Please describe the occurrence as clearly and precisely as possible. Include information on: what happened . . . how was the problem discovered . . . what actions were taken . . . was evasive action required . . . what factors contributed to the situation . . . why do you believe the situation occurred . . . your suggestions as to how to prevent a recurrence.
USE BOTH SIDES OF THE FORM, AS REQUIRED.

Continue on other side.

SECOND FOLD HERE

15. NARRATIVE DESCRIPTION (continued): *(Use additional sheets if necessary)*

Fold as indicated, fasten with staple or tape, and mail. Thank you for your cooperation.

SECOND FOLD HERE

National Aeronautics and
Space Administration

Ames Research Center
Moffett Field, California 94035

Official Business
Penalty for Private Use \$300

**An Equal Opportunity
Employer**

Postage and Fees Paid
National Aeronautics and
Space Administration
NASA-451



FIRST CLASS
AVIATION SAFETY DATA — DO NOT DELAY

NASA Aviation Safety Reporting System
Post Office Box 189
Moffett Field, California 94035

NASA

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NASA has established an Aviation Safety Reporting System to identify problems in the aviation system which require correction. The program of which this system is a part is described in detail in FAA Advisory Circular 00-46B. Your assistance in informing us about such problems is essential to the success of the program. Please fill out this postage free form as completely as possible, fold it and send it directly to us.

The information you provide on the identity strip will be used only if NASA determines that it is necessary to contact you for further information. **THE IDENTITY STRIP WILL BE RETURNED DIRECTLY TO YOU.** The return of the identity strip assures your anonymity.

AVIATION SAFETY REPORTING SYSTEM

Section 91.57 of the Federal Aviation Regulations (14 CFR 91.57) prohibits reports filed with NASA from being used for FAA enforcement purposes. This report will not be made available to the FAA for civil penalty or certificate actions for violations of the Federal Air Regulations. Your identity strip, stamped by NASA, is proof that you have submitted a report to the Aviation Safety Reporting System. We can only return the strip to you, however, if you have provided a mailing address. Equally important, we can often obtain additional useful information if our safety analysts can talk with you directly by telephone. For this reason, we have requested telephone numbers where we may reach you. Thank you for your assistance.

NOTE: AIRCRAFT ACCIDENTS SHOULD NOT BE REPORTED ON THIS FORM. SUCH REPORTS SHOULD BE FILED WITH THE NATIONAL TRANSPORTATION SAFETY BOARD AS REQUIRED BY 49CFR830.

b. In determining the type and extent of the enforcement action to be taken in a particular case, the following factors are considered:

- (1) Nature of the violations;
- (2) Whether the violation was inadvertent or deliberate;
- (3) The certificate holder's level of experience and responsibility;
- (4) Attitude of the violator;
- (5) The hazard to safety of others which should have been foreseen;
- (6) Action taken by employer or other Government authority;
- (7) Length of time which has elapsed since violation;
- (8) The certificate holder's use of the certificate;
- (9) The need for special deterrent action in a particular regulatory area, or segment of the aviation community; and
- (10) Presence of any factors involving national interest, such as the use of aircraft for criminal purposes.

c. The filing of a report with NASA concerning an incident or occurrence involving a violation of the Act or the Federal Aviation Regulations is considered by the FAA to be indicative of a constructive attitude. Such an attitude will tend to prevent future violations. Accordingly, although a finding of a violation may be made, neither a civil penalty nor certificate suspension will be imposed if:

- (1) The violation was inadvertent and not deliberate;
- (2) The violation did not involve a criminal offense, or accident, or action under section 609 of the Act which discloses a lack of qualification or competency, which are wholly excluded from this policy;
- (3) The person has not been found in any prior FAA enforcement action to have committed a violation since the initiation of the

ASRP of the Federal Aviation Act or of any regulation promulgated under that Act; and

- (4) The person proves that, within 10 days after the violation, he or she completed and delivered or mailed a written report of the incident or occurrence to NASA under ASRS. See Paragraphs 5 c. and 7 b., above.

NOTE: Paragraph 9 does not apply to air traffic controllers. Provisions concerning air traffic controllers involved in incidents reported to NASA under ASRS are addressed in internal FAA directives.

10. OTHER REPORTS.

This program does not eliminate responsibility for reports, narratives, or forms presently required by existing directives.

11. EFFECTIVE DATE.

The modified Aviation Safety Reporting Program described by this Advisory Circular is effective July 1, 1979.

12. AVAILABILITY OF FORMS.

a. Additional copies of the attached reporting form (NASA ARC Form 277 (Revised June 1979)) may be obtained free of charge from FAA offices, including Flight Service Stations.

b. Government, State and organized industry groups may obtain forms in quantity by submitting requests to the Department of Transportation, Federal Aviation Administration, Aeronautical Center, Distribution Section, AAC-45C, P.O. Box 25082, Oklahoma City, Oklahoma 73125.

c. NASA ARC Form 277 (Revised June 1979), Aviation Safety Report, will be available approximately June 15, 1979. An initial distribution will be made to regions, centers and FAA facilities. Forms will be stocked in the FAA Depot and will be available through normal supply channels, NSN 0052-00-845-4002, unit of issued: sheet.

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LANGHORNE M. BOND
Administrator