



# Unfulfilled

**FAA data-analysis methods have prevented aviation safety action programs at U.S. airlines from achieving their full potential, a report says.**

BY LINDA WERFELMAN

The U.S. Federal Aviation Administration’s faulty implementation of the aviation safety action program (ASAP) at U.S. air carriers has allowed the “inconsistent use and potential abuse” of the program, the U.S. Transportation Department’s Office of the Inspector General (OIG) says.<sup>1</sup>

ASAP has been “highly beneficial” to the participating airlines, according to a May report by the OIG. However, the FAA has obtained only limited

information from the program (ASW, 2/09, p. 40).

“When properly implemented, this program could provide valuable safety data to FAA,” the report said. Nevertheless, “because FAA has not devised a method to gather sufficient data, little is understood about nationwide trends in the types of violations reported under ASAP, and ASAP reports do not help FAA determine whether systemic, nationwide causes

of those violations are identified and addressed.”

The report cited the FAA’s failure to completely compile ASAP data as a “missed opportunity ... to enhance the national margin of safety.”

Seventy-three U.S. air carriers participate in ASAP, which encourages employees — most often pilots, although some programs have focused on maintenance personnel, flight attendants and dispatchers — to

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file confidential voluntary reports about situations that they believe are detrimental to safety.

Individual ASAPs typically are established as a partnership among the operator, the FAA and the employees' labor organization. An event review committee (ERC), comprising representatives of all parties included in the partnership, reviews reports filed by employees about any situation that they believe might present safety risks, to determine whether the reports should be accepted into ASAP and to recommend and help develop corrective actions.

ASAP and other voluntary safety-reporting programs are managed by the FAA Air Transportation Voluntary Safety Programs Branch, which reviews program implementation, collects ASAP data and analyzes the data to determine whether the program is achieving its safety goals.

The OIG issued eight recommendations to the FAA to help maximize the safety benefits of ASAP, including revising ASAP guidance to clarify which accidents or incidents should be excluded from the program and what constitutes an "intentional disregard for safety" — one of the conditions in which an event typically is not accepted under into ASAP under program rules.

FAA surveys from fiscal year 2005 through fiscal year 2007 found that ERC members "had difficulty interpreting [these] criteria for ASAP submissions," the report said. "Without proper clarification, determination of intentional disregard becomes strictly subjective, which can impede FAA's ability to take appropriate enforcement action."

The report challenged the current practice of accepting accidents, especially fatal accidents, into the program, reasoning that this "contradicts

ASAP's fundamental purpose — to gather information on safety incidents *that might otherwise remain unknown* — because FAA already obtains safety information on accidents through internal and National Transportation Safety Board (NTSB) investigations."

In its response to the report, the FAA agreed to clarify what is meant by an "intentional disregard for safety" but said that an agreement to exclude some types of accidents from ASAP might have unintended consequences.

"FAA stated that because ASAP requires that a report be filed within 24 hours of the event and because airline employees trust the ASAP process, it is possible they will be more accurate and candid in an ASAP report than they might be in interviews with either NTSB or FAA representatives," the report said. "FAA also maintained that because the ERCs review and recommend corrective actions in a short time frame, this allows safety risks to be mitigated before either FAA or the NTSB completes [its] investigation."

The FAA said that it has begun talking with NTSB representatives to determine whether they agree that excluding some accidents from ASAP would be beneficial, the report said.

The report included seven other recommendations, which the FAA accepted. Among them is a recommendation that the FAA clarify that ASAP is not an "amnesty program" and that employees submitting ASAP reports remain subject to administrative action by the FAA and "corrective or administrative action" by their employer.

The report said that FAA statements about the role of ASAP have sometimes resulted in confusion and that this confusion led to the temporary suspension of ASAP at

four airlines. All four programs were restored earlier this year.

"Partnership programs are intended to facilitate collaboration between FAA and air carriers to identify and correct safety issues," the report said. "We found, however, that FAA's guidance ... is subject to misinterpretation regarding ASAP's purpose. As a result, some aviation employees have come to view it as an amnesty program and therefore believe that any corrective actions taken in response to an ASAP-reported incident, such as additional employee safety training, would be inappropriate. ... This indicates a need for improved FAA guidance and additional education to clarify ASAP's intent."

Other recommendations included development of a central database of ASAP reports from all air carriers to be used to perform national trend analysis, standardization of ASAP guidance for quarterly reports, and a requirement that FAA inspectors examine repetitive reports of safety concerns "to ensure that corrective actions are completed in a satisfactory manner."

The OIG conducted the audit on which the report was based after a complaint from an FAA inspector who questioned whether the ASAP program should have accepted a Jan. 16, 2006, accident in which a contract mechanic was killed. The mechanic was attempting to locate the cause of an engine oil leak as two pilots conducted an engine run-up. The pilots asked that the accident be accepted in the air carrier's ASAP. ➔

#### Note

1. U.S. Department of Transportation, Office of the Inspector General. *FAA Is Not Realizing the Full Benefits of the Aviation Safety Action Program*, Report No. AV-2009-057. May 14, 2009.