

ASAP vs ASRS

Differences between Aviation Safety Action Program (ASAP) and Aviation Safety Reporting System (ASRS)

Since we will no longer have ASAP on property at Air Wisconsin effective April 7, 2011 at 12:00AM, it is important to understand NASA's ASRS program and its differences with ASAP. Please do not file an ASAP report after April 6 11:59PM. Instead, we ask that you file a report with ASRS. ASAP and ASRS are both voluntary safety reporting programs designed to improve aviation safety, but they have different elements and incentives which are outlined below.

ASAP

The objective of ASAP is to "encourage air carrier and repair station employees to voluntarily report safety information that may be critical to identifying potential precursors to accidents" (ASAP Advisory Circular 120-66B). ASAP provides direct feedback to an airline about its safety problems through non-punitive reporting.

An Event Review Committee (ERC) with a representative from the company, the FAA, and ALPA examine each ASAP report. All three members must reach a consensus on how to deal with each ASAP report and make corrective actions. These can include assigning ASAP duties, such as remedial training, but these events are not part of the pilot's training record.

In the event of a non-sole-source report (a report where the FAA had knowledge of the event outside of the ASAP report) an FAA Letter of Corrective Action or a Warning Notice could be issued but it only remains in the pilot's file for *two years*. These FAA Administrative Enforcement Actions do not constitute a finding of a violation and are not the same as Legal Enforcement Actions, which could be in the form of fines, revocations or suspensions.

An ASAP report must be submitted within **24 hours** and is accepted unless the pilot's actions are deemed to be a deliberate violation of safety, or the report appears to involve criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification. If accepted, there can be no civil penalties or certificate suspension imposed by the FAA. In keeping with the spirit of the program, the company will not seek further action beyond the ERC's recommendations. ASAP is not a certificate protection program, but it provides this immunity as a side benefit of the program in order to encourage crew member participation.

You can learn more by reading the ASAP Advisory Circular at [http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/61c319d7a04907a886256c7900648358/\\$FILE/AC120-66B.pdf](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/61c319d7a04907a886256c7900648358/$FILE/AC120-66B.pdf)

ASRS

NASA's ASRS program "collects, analyzes, and responds to voluntarily submitted aviation safety incident reports in order to lessen the likelihood of aviation accident" (NASA ASRS website). While the purpose is basically the same as ASAP, ASRS has different parameters and restrictions. The important differences are that ASRS provides more limited immunity than ASAP and that ASRS reports must be submitted in **10 days** of the event.

ASRS reporting is done either by **mail or online** by going to <http://asrs.arc.nasa.gov>. A pilot can fill out the online form and submit it electronically, as well as print a copy for personal records. Or, he or she can submit the form via U.S. Mail.

When NASA receives the ASRS report they will de-identify it and return a time-stamped receipt to the pilot who submitted the report. This process is usually completed within 72 hours of receiving the report. This receipt gives the pilot proof that he submitted a timely report about a specific incidence or occurrence if questioned by the FAA.

Section 91.25 of the FARs prohibits the use of any reports submitted to NASA's ASRS program, or any information in the reports, from being used by the FAA to impose civil penalties against the pilot or in suspension of an airman's certificate.

The FAA may pursue enforcement action if it learns of a pilot's FAR violation from another source, such as ATC. Each non-sole-source incident will be evaluated individually, but timely participation in NASA's ASRS program is considered "indicative of a constructive attitude" and will provide immunity from the consequences of an enforcement action, such as a fine or certificate suspension or revocation. These protections will only be allowed if the violation was not deliberate or the pilot was found to show a lack of qualification or competency. The report will also be excluded in instances of intentional falsification, drug or alcohol involvement.

A pilot could also lose immunity and face fines or certificate action if they:

- 1) Had a previous FAR violation in the past 5 years,
- 2) Committed a criminal offense, or
- 3) Were involved in an accident. These reports will be referred to the NTSB.

Once again, although ASRS can protect against fines, revocations, and suspensions, it does not provide blanket immunity from legal enforcement actions. These FAA enforcement actions will remain on a pilot's record for **five years**.

The key to the NASA ASRS program is to submit a thorough and timely report. Although ASAP had the ability to automatically submit these reports to NASA, ***it is now up to pilots to submit their own report directly to the ASRS program.*** While the ASRS does not provide protection from company action, it still provides pilots a level of immunity from the FAA in exchange for their honesty and may prevent them from being fined or having their airman certificates suspended or revoked.

More information about NASA ASRS program can be found on the website <http://asrs.arc.nasa.gov/index.html>.