

**APPENDIX B. ACCEPTANCE OF VOLUNTARILY PROVIDED SAFETY INFORMATION –
FAA REAUTHORIZATION ACT OF 2018, SECTION 320**

(a) **IN GENERAL.**—There shall be a presumption that an individual’s voluntary report of an operational or maintenance issue related to aviation safety under an aviation safety action program meets the criteria for acceptance as a valid report under such program.

(b) **DISCLAIMER REQUIRED.**—Any dissemination, within the participating organization, of a report that was submitted and accepted under an aviation safety action program pursuant to the presumption under subsection (a), but that has not undergone review by an event review committee, shall be accompanied by a disclaimer stating that the report—

(1) has not been reviewed by an event review committee tasked with reviewing such disclosures; and

(2) may subsequently be determined to be ineligible for inclusion in the aviation safety action program.

(c) **REJECTION OF REPORT.**—

(1) **IN GENERAL.**—A report described under subsection (a) shall be rejected from an aviation safety action program if, after a review of the report, an event review committee tasked with reviewing such report, or the Federal Aviation Administration member of the event review committee in the case that the review committee does not reach consensus, determines that the report fails to meet the criteria for acceptance under such program.

(2) **PROTECTIONS.**—In any case in which a report of an individual described under subsection (a) is rejected under paragraph (1)—

(A) the enforcement-related incentive offered to the individual for making such a report shall not apply; and

(B) the protection from disclosure of the report itself under section 40123 of title 49, United States Code, shall not apply.

(3) **AVIATION SAFETY ACTION PROGRAM DEFINED.**—In this section, the term “aviation safety action program” means a program established in accordance with Federal Aviation Administration Advisory Circular 120–66B, issued November 15, 2002 (including any similar successor advisory circular), to allow an individual to voluntarily disclose operational or maintenance issues related to aviation safety.

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Note: If the ERC subsequently determines that a disclosure meets exclusionary criteria, the provisions and protections of FAA Order 8000.82, Designation of Aviation Safety Action Program (ASAP) Information as Protected from Public Disclosure Under 14 CFR Part 193, do not apply.