

# Voluntary Programs

## ASAP – VDRP – FOQA



Presented to: 141 Modernization Meeting

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**Federal Aviation  
Administration**

# Agenda

- How FAA's Voluntary Programs support SMS
- What are they?
- How they work together to improve safety in the NAS



# The Foundation of Voluntary Programs

## Voluntary safety partnerships between industry, employee groups and FAA

### Definition of Partnership

Partnership is a voluntary collaborative agreement between two or more parties in which all parties agree to work together to achieve a common purpose or undertake a specific task and to share risks, responsibilities, resources, competencies and benefits.





FAA Order  
8040.4

FAA Order  
8000.373



FAA Order  
8000.72

# How the Voluntary Programs Work Together

The three voluntary programs are designed to work collaboratively with each other.

- FOQA gathers data for an operator to trend, note areas of concern, and take appropriate corrective action.
- VDRP is designed for an operator to disclose a regulatory non-compliance and implement a comprehensive fix.
- ASAP is designed for the individual employee groups (pilots, flight attendants, dispatchers, mechanics, etc.) to disclose safety issues and/or possible regulatory non-compliance.

The information in FOQA, ASAP and VDRP may be protected from disclosure under 49 U.S.C., section [40123](#) and/or section [44735](#), and/or [14 CFR part 193](#).



# Aviation Safety Action Plan (ASAP)

## Goals and Objectives

- The goal of ASAP is to encourage employees of the Eligible Entity to voluntarily report safety information that may be critical to identifying potential precursors to accidents.
- Under ASAP, safety issues are resolved through corrective action rather than through punishment or discipline.
- Designed to allow more flexibility to align with SMS

# ASAP Purpose

- Gather and analyze safety-related concerns or events that may otherwise go unreported
- Identify root cause(s) of safety-related events
- Determine and communicate corrective action(s) and/or recommendation(s)
- Track completion and evaluate effectiveness of corrective action(s) and/or recommendations
- Communicate ASAP successes in reducing threats to safety by reporting
- Build trust and confidence in the program to encourage a reporting/safety culture
- Educate persons to preclude recurrence of safety problems and alleged violations



# How Does the ASAP Process Work?

- An event (i.e. a safety related error or a possible regulatory violation) is committed by or discovered by a company employee or, Eligible Entity (i.e. FOQA, VDRP).
- The employee submits an ASAP report within the time frame allocated by the ERC.
- Event Review Committee (ERC) reviews report.
- If accepted, ERC may recommend corrective action by individual, company or even the FAA.
- ERC tracks the completion of corrective action/recommendations.
- If excluded, ERC complies with MOU, notifies employee, and closes report.

# Company Support of ASAP

- Support the ASAP by encouraging employees to file an ASAP report
- Should give the employee time to file reports
- Must support employee confidentiality
- Assist in the investigation of the event
- May work with the ERC to collect vital information about the event
- Should support ERC decisions
- Management may elect to keep an employee from some, none or all operational positions as the facts are being reviewed
- Company management cannot use ASAP reports to support:
  - Employee discipline
  - Assign training without ERC approval
  - Employee disqualification





# § 5.71(a)(7) Safety performance monitoring and measurement

## Confidential Employee Reporting:

- Revised the requirement for a confidential employee reporting system by adding a provision to ensure that employees can report **without concern of reprisal.**



# Voluntary Disclosure Reporting Program

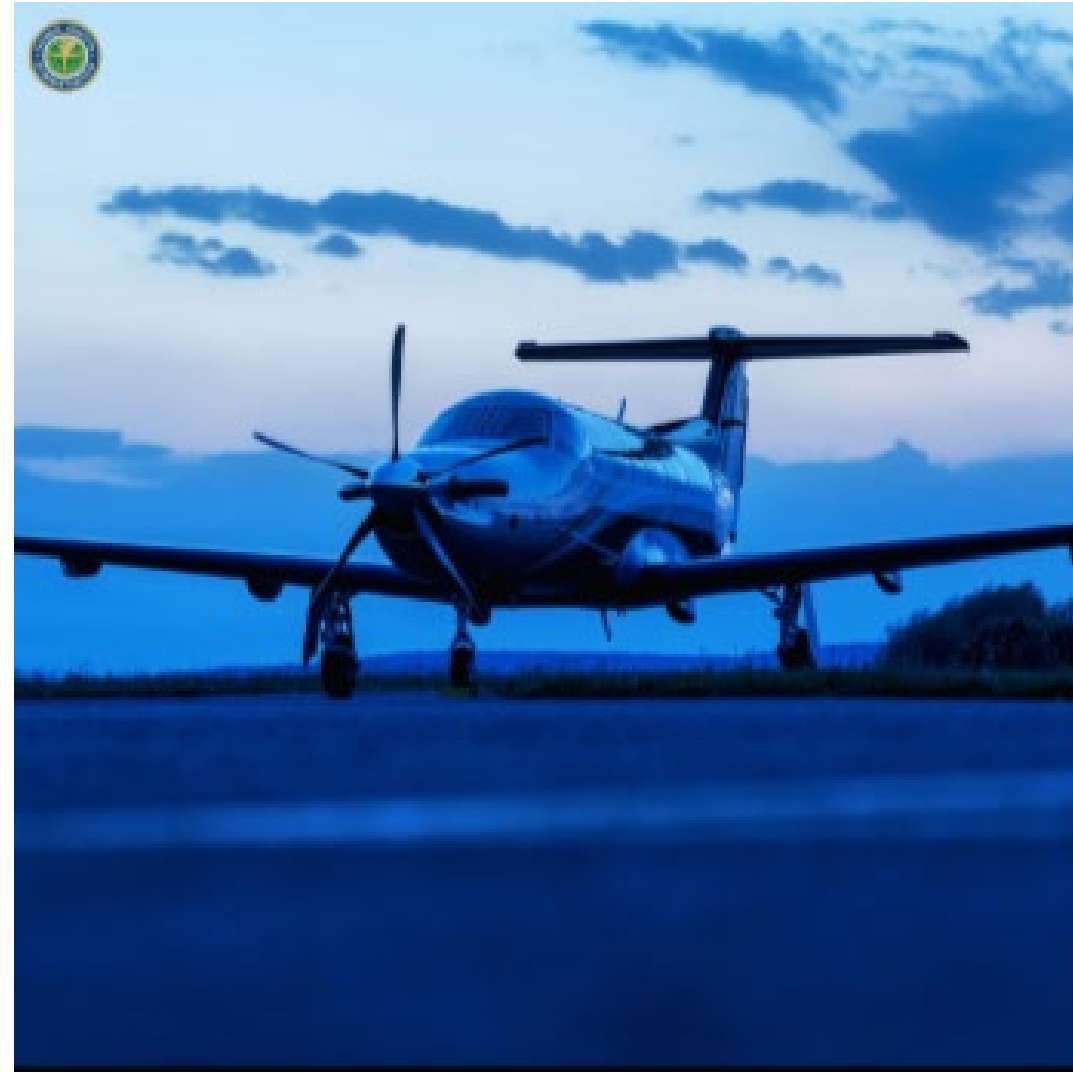




# Voluntary Disclosure Reporting Program (VDRP)

## Purpose:

- Provide air carriers and other regulated entities with an opportunity to report and correct areas of non-compliance without civil penalty



# VDRP Goals and Outcomes

## Goals:

- Encourage air carriers, repair stations or other eligible entities to voluntarily report safety information that may be critical to identifying potential precursors to accidents

## Outcomes:

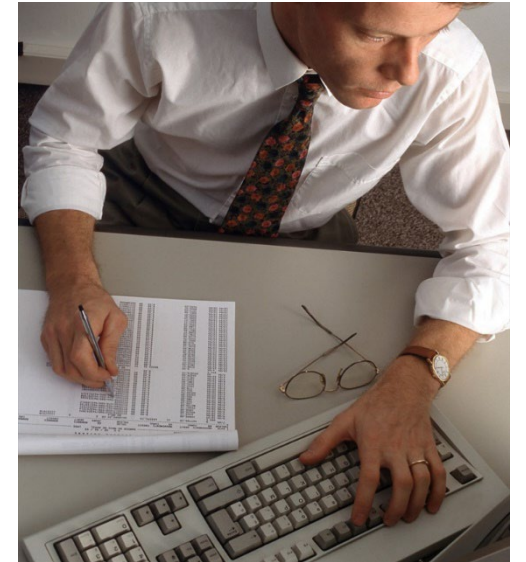
- Identifying precursors is essential to further reducing the already low accident rate
- Decrease accidents, incidents & violations
- Better identify risks
- Implement risk reduction strategies based on data
- Track effectiveness of these strategies



# When Will A Disclosure Be Covered by the VDRP?

The disclosure must meet five (5) conditions

- 1) The regulated entity has notified the FAA of the apparent violation immediately upon after detecting it and before the agency has learned of it by other means.
- 2) The apparent violation was not intentional, i.e., not the result of purposeful choice or reckless.
- 3) The apparent violation does not indicate a lack, or reasonable question of qualification of the regulated entity.
- 4) Immediate action, satisfactory to the FAA, was taken upon discovery to terminate the conduct that resulted in the apparent violation; and
- 5) The regulated entity has developed or is developing a comprehensive fix and schedule of implementation satisfactory to the FAA. This must include a self-audit to ensure correction of the noncompliance.



# VDRP Partnership and Benefits

- **FAA is committed to partnership by:**

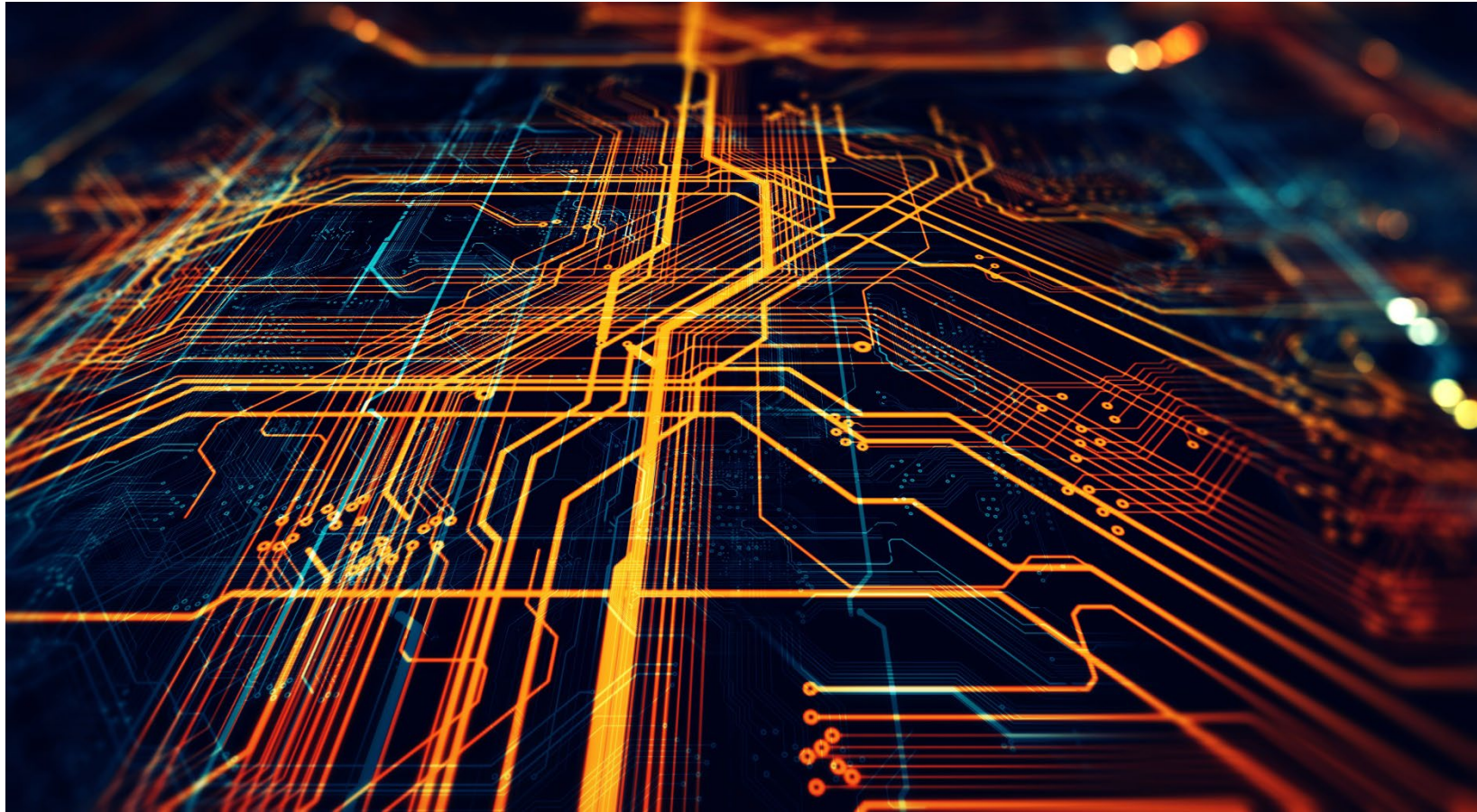
- Enforcement-related incentive to VDRP participants
- Effectiveness of using existing resources



- **VDRP Benefits:**

- FAA gains a clearer, more accurate view of the safety of airline's operations
- Broader compliance through corrective actions

# Flight Operational Quality Assurance



# Flight Operational Quality Assurance (FOQA)



FOQA is a voluntary safety program that is designed to make commercial aviation safer by allowing commercial airlines and pilots to share de-identified aggregate information with the FAA, so that the FAA can monitor national trends in aircraft operations and target its resources to address operational risk issues (e.g., flight operations, air traffic control (ATC), airports).

# Flight Operational Quality Assurance

- **Goals of FOQA are to:**
  - Obtain critical safety data from aircraft that isn't otherwise available
  - Allow all three parties to collaboratively identify and reduce or eliminate safety risks, and minimize deviations from the regulations
  - Assist operators to develop and implement corrective actions based on collected data
  - Make air travel safer





# Voluntary Programs are Designed to Work Collaboratively

If the FAA learns of the event through an outside source, only the actual **FOQA** data from the recorder is protected.

The FAA has a responsibility to investigate cases of possible regulatory non-compliance. Therefore, a regulated entity is encouraged to file a **VDRP**, and an individual is encouraged to file an **ASAP** to gain the enforcement related incentives of each program.

An individual **FOQA** event that reveals a possible regulatory non-compliance does not remove the responsibility of an operator or individual from disclosing the non-compliance in either **VDRP** or **ASAP**.

Once the regulated entity learns of a regulatory non-compliance, they are encouraged to file a **VDRP**.

Once the individual employee involved learns of a regulatory non-compliance or has a safety concern, they are encouraged to file an **ASAP**.



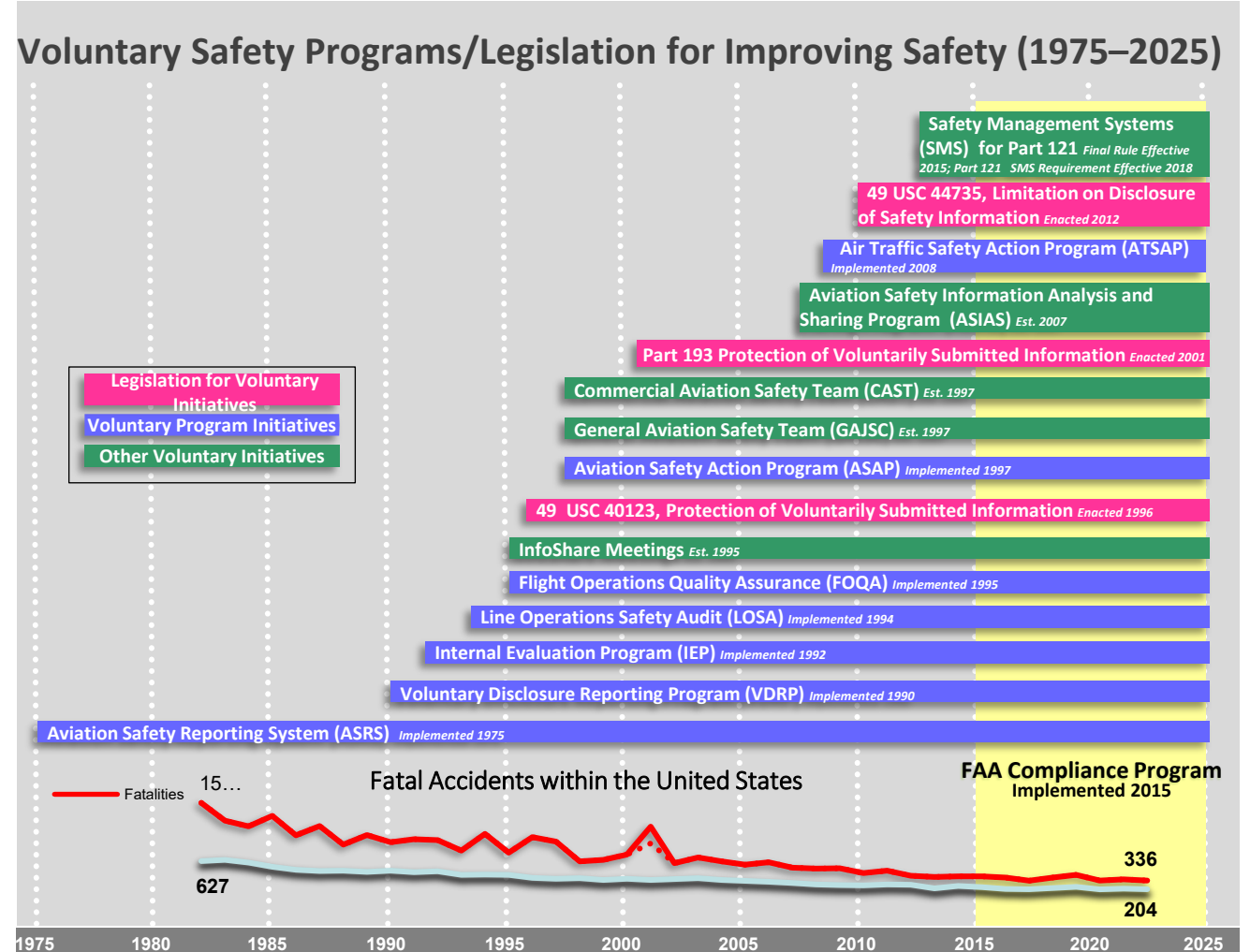
# Improving the Safety Culture



- This means the programs rely on employees to file ASAP reports and companies filing VDRPs, whenever they notice or are a part of a safety event.
- Proper analysis of FOQA data is also imperative in a proactive safety culture.
- ASAP gives employees a voice to communicate safety events when problems occur.
- VDRP gives companies a voice to communicate and correct safety event when they occur.
- FOQA is a data source that allows companies to see hidden potential threats.

# Effects of Voluntary Safety Programs

- The FAA believes that the open sharing of apparent violations and a cooperative, as well as an advisory, approach to solving problems will enhance and promote aviation safety
- 76% *Decline* in the number of fatalities since 1982
- 65% *Decline* in the number of accidents since 1982
- While correlation does not equal causation, and there are many factors that contribute to the accident counts, it's clear the voluntary programs have certainly contributed to the improved safety record



# Voluntary Safety Program Partnership

- FAA is committed to partnership
  - Enforcement-related incentive to VSP participants
- FAA and Eligible Entities oversight effectiveness using voluntary programs is greatly enhanced through partnership
- FAA and Eligible Entity gains a clearer, more accurate view of the safety of airlines operations
  - Broader compliance through corrective actions





# Part 193 History & Relevant USC

FAA's interest – to develop voluntary information sharing programs and protect this information from release under FOIA or other means.

- **Part 193 Codified in June 2001 to:**
  - Provide that **certain safety and security information** submitted to the FAA on a voluntarily basis will not be disclosed.
  - FAA must designate through Federal Register what data is protected.
- **49 U.S.C. § 44735 Limitation on Disclosure of Safety Information in 2012**
  - Statutory protection for voluntary submitted data. FAA is prohibited from disclosing voluntarily supplied information generated under an **ASAP**, **FOQA**, or Line Operations Safety Audit (**LOSA**) program, or information produced for the purposes of **developing and implementing a safety management system (SMS)**.



# Conclusion

## Purpose:

- We shared information about each of the Voluntary Programs and how they work together to improve safety in the NAS.

## Outcome:

- We hope this was a good overview of the voluntary programs and that you leave the conference with a greater knowledge of the suite of Voluntary Programs and their benefits to the aviation community. We encourage the sharing of data to benefit the NAS.

# Contacts

## Voluntary Program Mailboxes

- [9-AVS-AFS260-VDRP@faa.gov](mailto:9-AVS-AFS260-VDRP@faa.gov)
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# Questions

