1 PURPOSE OF THIS ADVISORY CIRCULAR (AC). This AC provides information and guidance material that a certificate holder (CH) or qualified fractional ownership program operating under Title 14 of the Code of Federal Regulations (14 CFR) may use when voluntarily disclosing to the Federal Aviation Administration (FAA) apparent violations of those FAA regulations listed in paragraph 5. The procedures and practices outlined herein may be applied to all operations at such certificates. The procedures and practices outlined in this AC cannot be applied to those persons who are required to report failures, malfunctions, and defects under 14 CFR part 21, § 21.3 and who do not make those reports in the timeframe required by the regulations. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Note: The Voluntary Disclosure Reporting Program (VDRP) System can be accessed at https://vdrp.faa.gov/. Access requires an active user account.

2 AUDIENCE. This audience for this AC includes all CHs and fractional ownership program managers except those who fall under the requirements of § 21.3 as described above.

3 WHERE YOU CAN FIND THIS AC. You can find this AC on the FAA website at https://www.faa.gov/regulations_policies/advisory_circulars and the Dynamic Regulatory System (DRS) at https://drs.faa.gov.

4 WHAT THIS AC CANCELS. AC 00-58B, Voluntary Disclosure Reporting Program, dated April 29, 2009, is canceled.

5 RELATED CFR REGULATIONS. Title 14 CFR parts 21, 39, 119, 121, 125, 129, 133, 135, 137, 141, 142, 145, 147 and, for qualified fractional ownership programs operating under part 91, § 91.3 and those portions of part 91 pertaining directly to the duties and responsibilities of the program manager, as defined in part 91K or MSpecs.

5.2 Voluntary Disclosure for Violations of Aircraft Certification Service Regulations Under 14 CFR. Voluntary disclosure for violations of regulations relating to production approval holders (PAH), design approval holders (DAH), and Organization Designation Authorities (ODA) should be accomplished in accordance with the current edition of AC 00-68, Aircraft Certification Service Voluntary Disclosure Reporting Program.

5.3 Voluntary Disclosure of Violations of Anti-Drug and Alcohol Misuse Prevention Program Regulations Under 14 CFR. Voluntary disclosure for violations of anti-drug and alcohol misuse prevention program regulations should be accomplished in accordance with the current edition of AC 120-117, Voluntary Disclosure Reporting Program for Apparent Violations of the Drug and Alcohol Testing Regulations.

5.4 Violation Exceptions. Except as specified in paragraph 11, VDRP does not apply to violations by individual airmen.

6 DEFINITIONS. The following key terms are defined to ensure a standard interpretation and understanding of the FAA’s voluntary disclosure policy:

6.1 Comprehensive Fix. A comprehensive fix is an action, or actions, proposed by the regulated entity (RE) and accepted by the principal inspector (PI), to preclude reoccurrence of the apparent violation that has been voluntarily disclosed under this program. A schedule of the dates and events encompassed by the comprehensive fix must be established and include each corrective action as well as an audit for efficacy once all steps have been completed.

6.2 Evidence. For voluntary disclosure, evidence will generally be in the form of written documentation or reports that support an RE’s (CH’s or qualified fractional ownership program’s) analysis of the disclosed apparent violation and the resulting elements (corrective actions) of the proposed comprehensive fix. Evidence generally comes from the following four elements:

   1. Documents or manuals reviewed.
   2. Equipment examined.
   3. Activities observed.
   4. Interview data.

6.3 Fractional Ownership Programs. Fractional ownership programs are defined in part 91K and the associated MSspecs. Participation in the VDRP by a fractional ownership program is limited by the following:

   1. Only program managers authorized in accordance with part 91K and MSspecs may participate in the VDRP.
   2. Voluntary disclosures of apparent violations by a fractional ownership program may only be submitted by the program manager, or an authorized representative.
3. Voluntary disclosures by fractional ownership programs are limited to apparent violations pertaining directly to the duties and responsibilities of the program manager, as defined in part 91K and the MSpecs.

6.4 Inadvertent/Unintentional. An act that is the result of both inattention and lack of purposeful choice. A violation is inadvertent when it does not result from an alleged violator’s conscious decision to take, or not to take, any action that could have prevented the apparent violation.

6.5 Principal Inspector (PI). Under the VDRP, PI refers to the appropriate Maintenance, Avionics, or Operations PI, or other designated FAA official of the program office responsible for oversight of the area of noncompliance involved in the disclosure. Within this document, the terms “FAA” and “PI” are synonymous.

6.6 Regulated Entity (RE). An RE is any CH or fractional ownership program authorized to submit voluntary disclosures under the VDRP.

6.7 Repeat Violation. A violation which results from the same root cause or causes as a prior violation, and for which the corrective action would reasonably be the same as that of the prior violation. Conversely, if the root cause and corrective actions are not common with the prior violation, the violation should not be treated as a repeat violation. Citation of the same Federal Regulation does not constitute a repeat violation.

6.8 Satisfactory Fix. A satisfactory fix is a comprehensive fix in which all corrective measures have been completed on schedule, have been scrutinized for efficacy using a self-audit, and are satisfactory to the FAA.

6.9 Self-Audit. A self-audit is an internal compliance review to evaluate the effectiveness of changes to systems and/or processes implemented as corrective actions following disclosure of regulatory noncompliance.

6.10 Senior Office Manager (SOM). The SOM is responsible for the review and concurrence with the acceptance and closure of voluntary self-disclosures (VSD) by the PIs within a given office. Although usually a duty performed by the actual manager, this role can be delegated and/or assisted by an alternate SOM (ASOM).

6.11 Voluntary Self-Disclosure (VSD). A VSD is an input by the RE into the VDRP system that purports to notify the FAA of a potential violation of 14 CFR. Initially identified by a Notification ID number, after acceptance it is additionally identified by a VSD number. The format of this number is not indicative of any link or sharing of information with the Enforcement Information System (EIS), but was retained simply for data tracking purposes. The previous link with EIS was severed in 2015 after the implementation of what is now the Compliance Program.

7 BACKGROUND. Civil penalties and license or certificate suspension or revocation, under the FAA’s enforcement program, have always been considered a means to promote compliance with the FAA’s regulations, not an end in themselves. In addition to the deterrence achieved by the appropriate use of civil penalties, the public interest is also
served by positive incentives to promote and achieve compliance. Indeed, the FAA
believes that aviation safety is well served by incentives for CHs and qualified fractional
ownership programs to identify and correct their own instances of noncompliance and to
invest more resources in efforts to preclude their reoccurrence. The FAA’s policy of
forgoing civil penalty actions when one of these entities detects violations, promptly
discloses the violations to the FAA, and takes prompt corrective action to ensure that the
same or similar violations do not reoccur, is designed to encourage compliance with the
FAA’s regulations, foster safe operating practices, and promote the development of
Internal Evaluation Programs (IEP).

8 SAFETY MANAGEMENT SYSTEMS (SMS). SMSs have been mandated for use by
part 121 air carriers, with the possibility that this mandate may soon include parts 135
and 145 operations. It bears mentioning here that there has been recent interest in
improving the efficiency of safety reporting systems within SMS by embedding
voluntary reporting programs such as VDRP within a CH’s existing SMS. There is
currently no existing guidance defining the parameters or rules governing such a
program. Any CH contemplating such a transition should carefully consider the
advantages and disadvantages involved with abandoning a protected voluntary program
for one which, though proprietary, has no inherent protections from the Freedom of
Information Act (FOIA) nor protection from enforcement.

9 DISCUSSION.

9.1 IEPs. CHs and qualified fractional ownership programs are encouraged but not required
to develop IEPs that continually monitor company policies and procedures and ensure
that the highest level of safety and security compliance is maintained. They may
voluntarily disclose apparent violations of 14 CFR covered by this program in accordance
with the procedures in this AC, even though an IEP has not been established. Guidance
on IEPs is contained in the current edition of AC 120-59, Internal Evaluation Programs.

9.2 Three Appendices. This AC is divided into the main body, which addresses issues
common to all REs utilizing the VDRP system, and four appendices, with each of the
first three appendices addressing application of the VDRP system to differing groups of
REs. This separation by appendices is necessary due to differences in the applicable
procedures. The groups and their respective appendices are as follows:

1. Appendix A is applicable to air carriers certificated under part 119 and operating
under parts 121 and 135. All entities assigned to Appendix A will utilize the
web-based VDRP application.

2. Appendix B is applicable to those other REs authorized to utilize the web-based
VDRP application who are not air carriers. This is currently limited to part 145 repair
station certificates.

3. Appendix C is applicable to those remaining REs who are not yet authorized to utilize
the web-based VDRP application but may still participate in the VDRP through the
legacy paper-based program.
10 VOLUNTARY DISCLOSURE POLICY.

10.1 Violation Sharing. The FAA believes that the open sharing of apparent violations and a cooperative approach to solving problems will enhance and promote aviation safety. Although it may not be entirely clear that an actual violation has occurred at the outset, the perception that there is an appearance of a violation should inspire the RE to share that information with the FAA. If the facts subsequently unveiled lead to a determination that no violation has occurred, that fact can be documented, and the disclosure subsequently closed with no action.

10.2 Violation Evaluation. In evaluating whether an apparent violation is covered by this policy, the FAA will ensure that the following five conditions are met:

1. The RE has notified the FAA of the apparent violation immediately after detecting it, preferably before the FAA has learned of it by other means.
2. The apparent violation was inadvertent.
3. The apparent violation does not indicate a lack, or reasonable question, of qualification of the CH or qualified fractional ownership program.
4. Immediate action, satisfactory to the FAA, was taken upon discovery to terminate the conduct that resulted in the apparent violation.
5. The RE has developed or is developing a comprehensive fix and schedule of implementation satisfactory to the FAA. The comprehensive fix will include a followup self-audit to ensure that the action taken corrects the noncompliance.

11 POLICY EXCEPTIONS. Certain circumstances that may present exceptions to the above evaluation policy are:

11.1 Exception: Aviation Safety Action Program (ASAP) Report. If the FAA has learned of an apparent violation by an RE from an ASAP report (as described in the current edition of AC 120-66, Aviation Safety Action Program), the FAA can still accept a voluntary disclosure, even though they have already learned of the violation from the ASAP.

11.2 Exception: Joint Audit. Similarly, if an RE voluntarily agrees to conduct a joint audit (inspection) with the FAA, during which an apparent violation is discovered either by the company or FAA members of the audit (inspection) team, the FAA may accept a voluntary disclosure submitted by the company, even though the FAA has already learned of the apparent violation during the joint audit (inspection).

11.3 Exception: SMS. The FAA may accept a voluntary disclosure of any joint discovery made during an SMS process wherein the CH or fractional ownership program, in conjunction with the FAA, simultaneously (or near simultaneously) comes to the determination that an apparent violation had occurred.

11.4 Exception: VDRP MOU Between the FAA and CH (“Transparency Initiatives”). These are Memorandums of Understanding (MOU) between the FAA and CH, which are
vetted by the FAA Office of the Chief Counsel (AGC). They work in conjunction with the VDRP to enhance visibility of operational data between the FAA and CH. The purpose of these MOUs is to support the FAA’s strategy to promote and expand safety information sharing efforts and safety practices, including better use of safety data mining to focus and prioritize safety efforts through enhanced capabilities for identification, analysis, and mitigation development of incidents, accidents, and other safety-related data (i.e., reports from users to address hazards before they lead to accidents). The MOU further expands cooperation and communication and expands the parameters of discovery by allowing the FAA access to data by which apparent violations may be disclosed. The information obtained will be treated as if the FAA had become aware of it during the course of a joint audit. These agreements are referred to as “Transparency Initiatives” and should be appropriately utilized to enhance the reporting process and best serve the interest of safety.

Note: The VDRP, Compliance Program, and Enforcement are mutually exclusive policies that do not overlap (a singular event for a CH can only be handled in one of these ways).

11.5 Exception: Intentional Act. In unusual circumstances, there exists a possibility that an intentional act that resulted in an apparent violation may have been the safest course of action at the time. Most often, this will involve the exercising of a pilot in command’s (PIC) or aircraft dispatcher’s emergency authority. While an act may appear to have been intentional, the PI must consider whether it was accomplished under emergency authority when deciding how to best serve the interest of safety. The PI has the discretion to accept such reports if they deem it appropriate to do so.

12 REPEAT VIOLATIONS. Care should be taken when deciding that a repeat violation has occurred. Especially with large operations, what superficially may appear to be a repetitive occurrence may in fact have numerous differences or unique circumstances. What may have been successful as a comprehensive fix for the previous occurrence may not even be appropriate for the subsequent event. Upon consideration of the facts and circumstances surrounding the repeat violation, the FAA will determine on a case-by-case basis whether a repeat violation will be covered under this policy. REs and PIs are encouraged to evaluate, in detail, the systemic issues and circumstances surrounding each apparent violation. It is important to do so, especially when citing a common regulation. Depending upon the specific circumstances associated with the event, citations of a common regulation may not necessarily be indicative of a common systemic failure.

13 CLOSED CASE: CONDITIONS FOR REOPENING. If, following FAA closure of the VSD, the same or similar violations are discovered to have occurred prior to submission of the associated VSD, the FAA does not reopen the case unless it determines that the RE failed to comply with all the elements of the comprehensive fix as agreed upon by the FAA and the RE.

14 DISPUTE RESOLUTION. When disputes occur regarding the acceptance of a proposed comprehensive fix, or a modification thereto, the PI and the RE may request
that the issue be resolved at the next higher level of management within the FAA. This procedure will provide for an independent assessment of the areas in disagreement.

15 SEPARATE ACTIONS AGAINST AIRMEN OR OTHER INDIVIDUAL AGENTS. Special provisions exist for apparent violations by CHs or fractional ownership programs when a voluntary disclosure is made based on information in an ASAP report. In such cases, the FAA may, at its sole discretion, accept the corrective action recommended by an ASAP event review committee (ERC) for an accepted ASAP report as all or part of the comprehensive fix for the voluntary disclosure. This is acceptable when both of the following conditions apply (even when an apparent employee qualification or competency issue is involved):

1. The FAA determines that the violation is due entirely to the actions of the employee(s) and not to a systematic or procedural deficiency of the company; and

2. The employee completes the corrective action recommended by the ASAP ERC to the satisfaction of the FAA.

16 APPLICABILITY OF FOIA TO SELF-DISCLOSURE RECORDS. Records submitted to the FAA for review pursuant to this VSD program, including information submitted using the web-based VDRP application, are protected from release to the public in accordance with the provisions of 14 CFR part 193 and FAA Order 8000.89, Designation of Voluntary Disclosure Reporting Program (VDRP) Information as Protected from Public Disclosure under 14 CFR Part 193.

17 AC FEEDBACK FORM. For your convenience, the AC Feedback Form is the last page of this AC. Note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this AC on the Feedback Form.

David H. Boulter
Executive Director, Flight Standards Service
APPENDIX A. VOLUNTARY DISCLOSURE REPORTING PROGRAM (VDRP) FOR AIR CARRIERS

Note: Users authorized under this appendix must be certificated under Title 14 of the Code of Federal Regulations (14 CFR) part 119 for operations under 14 CFR part 121 and/or part 135.

A.1 ACCESS TO THE WEB-BASED VDRP APPLICATION. Access to the web-based VDRP application requires assignment of a login identification and a password, which are obtained via the following means:

A.1.1 Air Carrier Representatives. Users named by an air carrier to represent the company on voluntary disclosure issues will be added to the web-based VDRP application by a principal inspector (PI) assigned certificate responsibilities for that air carrier. Each authorized representative will be issued a unique login identification and password for access to the system. Refer to the VDRP User Guide at https://vdrp.faa.gov/UserGuide.pdf, or contact the Help Desk at 844-FAA-MyIT (322-6948) or email at helpdesk@faa.gov for additional information. Management officials specified in part 119, § 119.65 or § 119.69, are automatically added to the web-based VDRP application through the Web-based Operations Safety System (WebOPSS) when properly listed within the certificate’s Operations Specification (OpSpec) A006.

A.1.2 Federal Aviation Administration (FAA) Personnel Access. FAA personnel may obtain access to the system via one of the following means:

1. PIs are automatically added to the web-based VDRP application when WebOPSS recognizes the individual as a PI assigned to that regulated entity (RE).
2. FAA personnel not assigned as a PI who require access to the system will be added to the system by a PI, utilizing the “Add User” functionality.

A.1.3 VDRP System Guidance. FAA guidance for the VDRP system can be found in FAA Order 8900.1, Volume 11, Chapter 1, Section 1, Voluntary Disclosure Reporting for Air Carriers, Repair Stations, and Other Regulated Entities. The VDRP User Guide may be accessed at https://vdrp.faa.gov/UserGuide.pdf, or contact the Help Desk at (844) FAA-MyIT (322-6948) or email at helpdesk@faa.gov for additional information.

A.2 THE SIX STAGES OF THE VDRP. The web-based VDRP application employs a six-stage process. Responsibility for each such stage is assigned to either the air carrier or the FAA, as described below. Except as specified in this advisory circular (AC), the voluntary disclosure policy applies only when notification of an apparent violation is made to the FAA by the certificate holder (CH), immediately after the apparent violation has been discovered by that RE, and before the FAA learns of the apparent violation by some other means.

A.2.1 Air Carrier Requirements. Air carriers certificated under part 119 are required to utilize the web-based VDRP application when submitting voluntary disclosures to the FAA.
A.2.2 Disclosure Notification. Initial notification of a disclosure to the FAA will normally be made via the web-based VDRP application, unless extenuating circumstances prevent initial notification using that venue, or if previous arrangements have been made with the appropriate PI to use alternate means.

A.2.3 Web-based VDRP Application Provisions. The web-based VDRP application contains provisions for indicating that the notification process was initiated via another medium. When acceptable to the PI, initial notice of a voluntary disclosure may be submitted orally, via a written hardcopy, or electronically, provided the air carrier strives to enter the initial notification data via the web-based VDRP application (normally within 72 hours of the original notification). Compliance with the 10 business-day or 30 calendar-day guidance for submission of the written report, as described in Stage III below, will be based on the date of the FAA response in Stage II, regardless of the submission means or medium.

A.3 STAGE I: INITIAL NOTIFICATION. When the CH notifies the FAA of an apparent violation, contact must be made with or directed to the appropriate PI. This notification requirement is automatically met when the disclosure is submitted via the web-based VDRP application, as all PIs for that certificate are notified when a disclosure is submitted. However, if the CH submits the initial notification via alternative media, the disclosure must be submitted to the appropriate PI. It is FAA policy that initial notification be accomplished in a timely fashion, ordinarily within 24 hours of the discovery of the apparent violation. However, an inspector may accept disclosures that exceed the 24-hour policy when the inspector determines that a later submission is justified. For example, a voluntary disclosure based on a company violation revealed in an Aviation Safety Action Program (ASAP) report may require more than 24 hours from the submission of that ASAP report for the responsible company entity to become aware of the information in the report and to initiate a voluntary disclosure. The FAA retains sole discretion in determining whether a voluntary disclosure received later than 24 hours after discovery of the violation is timely. The CH should therefore not delay notification for any reason, and address the following items:

A.3.1 Brief Description of the Apparent Violation. A brief description of the apparent violation, including an estimate of the duration of time that it remained undetected, as well as how and when it was discovered.

A.3.2 Verification of Cease of Noncompliance. Verification that noncompliance ceased after it was identified.

A.3.3 Brief Description of Immediate Action. A brief description of the immediate action taken after the apparent violation was identified, the immediate action taken to terminate the conduct that resulted in the apparent violation, and the person responsible for taking the immediate action.
A.3.4 Verification of Evaluation. Verification that an evaluation is underway to determine:

1. If there are any systemic problems, and
2. The corrective steps necessary to prevent the apparent violation from reoccurring.

A.3.5 Identification of Responsible Person. Identification of the person responsible for preparing the comprehensive fix.

A.3.6 Written Report Submission. Acknowledgment that, at the very least, an incomplete written report will be provided to the PI within 10 business-days.

A.3.7 Initial Notification Submission by Management Officials. The initial notification of a voluntary disclosure must be submitted by one of the management officials specified in part 119, § 119.65 or § 119.69, as appropriate, or in accordance with paragraph A.3.8 below.

A.3.8 Initial Notification Submission by Authorized Employees. The initial notification may be submitted by an employee authorized by the certificate to accomplish initial notification, provided that the employee includes a letter signed by one of the management officials specified in § 119.65 or § 119.69, as appropriate. That letter must stipulate that:

1. The corporate official is aware of this disclosure,
2. The company took immediate action to cease the violation, and
3. The company has developed or is developing a proposed comprehensive fix for FAA consideration to prevent future reoccurrences of the violation.

Note: The web-based VDRP application allows the upload of documents (e.g., photos, text documents, and letters) by the RE in Stages I and III and uploading by the FAA in Stages II, III, IV, V and VI, to enable the inclusion of whatever documents may be appropriate to support submissions.

A.4 STAGE II: INITIAL NOTIFICATION RESPONSE. The PI will review the web-based submission from the air carrier and respond in a timely fashion. If the original submission from the RE was made via an alternative medium (e.g., by telephone), the PI may respond via an alternative means, but must also respond to the subsequent web-based submission by the air carrier.

A.4.1 PI Review. The PI’s review of the disclosure will confirm that the submission meets the following requirements:

1. The air carrier has notified the FAA of the apparent violation immediately after detecting it and before the Agency has learned of it by other means.
2. The apparent violation was inadvertent.
3. The apparent violation does not indicate a lack, or reasonable question, of the air carrier’s qualification.
4. Immediate action, satisfactory to the FAA, was taken upon discovery to terminate the conduct that resulted in the apparent violation.

5. The Air Carrier Certificate holder has developed or is developing a comprehensive fix and schedule of implementation satisfactory to the FAA. The comprehensive fix includes a followup self-audit to ensure that the action taken corrects the noncompliance. This self-audit is in addition to any audits conducted by the FAA.

6. The initial notification of a voluntary disclosure was submitted by one of the management officials specified in § 119.65 or § 119.69, as appropriate; or the initial notification was submitted by an employee authorized by the certificate to accomplish initial notification and includes a letter which meets the requirements set forth in paragraph A.3.8.

A.4.2 PI Completion of the Review. Once the PI completes the review of the voluntary disclosure submission, they decide to accept the disclosure, return it for editing, or find it invalid.

1. Acceptance. If the PI elects to accept the disclosure, the inspector completes the required Stage II entries in the web-based VDRP application and submits their input. Upon submission by the PI, the VDRP system will alert the senior office manager (SOM), via email, that the file is awaiting their review.

2. Return for Edit. If the PI finds the disclosure does not contain sufficient information to accept the disclosure, they have the option of returning the disclosure to the RE for editing. Upon selection of the “send back” button and submission by the PI, the VDRP system notifies the RE of the determination via email and returns the case to Stage I, pending resubmission by the RE.

3. Rejection/Invalid. If the PI finds the disclosure does not meet the requirements for acceptance, or it has been determined that no violation occurred, the PI selects “No” in response to the question, “Is this a valid self-disclosure?” Upon submission by the PI, the RE is notified of that determination by email. When found to be invalid, the case does not advance and is not assigned a VSD number.

A.5 SOM Review. The SOM will review the PI’s determination to accept the voluntary disclosure.

A.5.1 If the SOM indicates concurrence with the PI’s acceptance determination and selects “Submit,” Stage II is concluded and the record will advance to Stage III, which triggers automated email notification to the RE of the acceptance. It also triggers the VDRP system to automatically assign a VSD number to the report.

A.5.2 If the SOM indicates nonconcurrence with the PI’s acceptance determination, the case will be referred back to the PI for reconsideration. The case will not advance to Stage III until the SOM concurs with the PI’s determination.

Note: If at any time after acceptance of the disclosure, the FAA becomes aware that the disclosure did not meet the requirements set forth for acceptance under the VDRP, the acceptance may be withdrawn. In such cases, as well in those
cases where it is subsequently determined that a violation did not occur, the web-based VDRP application provides the option of rescinding a case, which closes the file without action within the VDRP system. If the FAA oversight office has sufficient evidence to proceed with compliance or enforcement action, independent of the materials provided by the air carrier as part of its submission under VDRP, such action may be initiated if appropriate.

**A.6 STAGE III: WRITTEN REPORT.**

**A.6.1 Written Report.** The written report may be submitted by the air carrier, to the PI, via the web-based VDRP application, within 10 business-days from the date the FAA accepted the report via the previous stage. This report must contain a detailed description of the proposed comprehensive fix, outlining the planned corrective actions, the responsibilities for implementing those corrective actions, and a time schedule for completion of each action, as well as provision for completion of a self-audit. If a proposed comprehensive fix is not fully developed within 10 business-days, the RE will provide at least an overview of its comprehensive fix plans in an incomplete written report. Barring unforeseen circumstances, all of these parameters will be completed and submitted to the FAA within 30 calendar-days. As always, the PI has complete discretion, subject to coordination with the SOM, to make the final determination as to what submissions are to be considered timely and complete.

**A.6.2 Required Input.** The web-based VDRP application requires the input of the following information in the written report stage:

1. A list of the specific FAA regulations that may have been violated.
2. A description of the apparent violation, including the duration of time it remained undetected, as well as how and when it was detected.
3. A description of the immediate action taken to terminate the conduct that resulted in the apparent violation, including when it was taken, and who was responsible for taking the action.
4. An explanation that shows the apparent violation was inadvertent.
5. Evidence that demonstrates the seriousness of the apparent violation and the RE’s analysis of that evidence.
6. Completion of a Risk Assessment Matrix to aid in evaluating the significance of the event.
7. A detailed description of the proposed comprehensive fix, outlining the planned corrective actions, the responsibilities for implementing those corrective actions, and a time schedule for completion of the fix and the subsequent self-audit.
8. Identification of the company official(s) responsible for monitoring the implementation and completion of the comprehensive fix and the self-audit.
A.7 STAGE IV: WRITTEN REPORT REVIEW. The FAA works with the CH to ensure that the RE has identified any root causes and systemic issues that led to the apparent violation. In this stage, the PI is also tasked with completing a Risk Assessment Matrix to aid in evaluating the significance of the event and the proposed comprehensive fix. This collaboration helps to ensure that the corrective actions contained in the comprehensive fix are acceptable to the FAA.

Note: If investigation of the apparent violation results in the determination that no violation has occurred, the voluntary self-disclosure (VSD) may be closed by rescinding the file and providing an explanation in the comment box provided. When submitted, the user is provided a warning that submitting this action (rescinding the file) will close the case. If the inspector confirms the rescission, the case is closed in the VDRP system on that date.

A.8 STAGE V: SURVEILLANCE.

A.8.1 Implementation Period. During the implementation period, the FAA and the pertinent RE will continue to collaborate, communicate, and cooperate in order to ensure the completion of each of the corrective actions as well as the self-audit. The FAA may advise and assist the RE in correcting any identified systemic problems. Changes will be made to the proposed comprehensive fix when the need is identified. Upon determining that the initial implementation of the proposed comprehensive fix is satisfactory, the PI may advance the VSD to Stage VI.

A.8.2 Corrective Actions. The FAA monitors the implementation of the corrective actions. Throughout the implementation period, the FAA assesses the RE’s corrective actions and top management’s awareness of these actions. If, during this period, the FAA determines that acceptable corrective action by the RE is not forthcoming, the VSD may be rescinded and appropriate action initiated.

A.9 STAGE VI: INSPECTOR SIGNOFF. At the conclusion of the surveillance stage, the PI and the SOM will make a final assessment. Consultation with legal counsel or other FAA personnel may be accomplished when deemed appropriate by the PI or the SOM.

A.9.1 Stage VI Completion. If all elements of the comprehensive fix have been satisfactorily accomplished, including the RE’s self-audit, the PI will submit the required entries in the web-based VDRP application for Stage VI completion.

A.9.2 Stage VI Submission. Upon Stage VI submission by the PI, the VDRP system will notify the SOM via email that the file is awaiting the manager’s review. The SOM will review the VDRP file, and assess the adequacy of the comprehensive fix and its implementation. The SOM must decide whether to concur with the PI’s determination that the comprehensive fix was satisfactorily accomplished.

1. If the SOM concurs with the PI’s determination, Stage VI is concluded upon submission of the manager’s concurrence.
2. If the SOM wishes to indicate nonconcurrence with the PI’s determination, the SOM will offer any comments in the text area provided for that purpose. The SOM will then select the “Return” button. Upon selection of the “Return” button, the case will be referred to the PI for reconsideration with whatever comments were entered. The case will not advance out of Stage VI until it is resubmitted by the PI and the SOM submits their concurrence.
APPENDIX B. VOLUNTARY DISCLOSURE REPORTING PROGRAM (VDRP) FOR REGULATED ENTITIES, OTHER THAN AIR CARRIERS, AUTHORIZED TO UTILIZE THE WEB-BASED VDRP APPLICATION

B.1 This appendix is directed to those regulated entities (RE), other than air carriers, that are allowed to utilize the web-based VDRP application. A list of those entities may be found on the VDRP home page at https://vdrp.faa.gov/.

B.2 Currently, only Title 14 of the Code of Federal Regulations (14 CFR) parts 121 and 135 air carriers, as well as 14 CFR part 145 repair stations, are authorized to use the web-based VDRP application. Title 14 CFR part 129 foreign air carriers are authorized to use the system as well, but only in accordance with Advisory Circular (AC) 121-37, Voluntary Disclosure Reporting Program - Hazardous Materials, as outlined in paragraph 5.1 of this AC.

B.3 Parts 121 and 135 carriers are addressed in Appendix A.

B.4 Part 145 repair stations’ use of the web-based VDRP application is identical to that described in Appendix A, with the sole exception that there is no SOM review requirement in Stages II or VI.
APPENDIX C. VOLUNTARY DISCLOSURE REPORTING PROGRAM (VDRP) FOR REGULATED ENTITIES NOT AUTHORIZED TO UTILIZE THE WEB-BASED VDRP APPLICATION

C.1 This appendix is directed to those regulated entities (RE), other than Title 14 of the Code of Federal Regulations (14 CFR) parts 121 and 135 air carriers, part 145 repair stations, and part 129 foreign air carriers reporting Title 49 of the Code of Federal Regulations (49 CFR) part 175 hazardous materials (HAZMAT) violations, which are not authorized to utilize the web-based VDRP application.

C.2 The steps undertaken to report under the VDRP by such REs are identical to those outlined in Appendix A, with the exception that all the steps and documentation described must be accomplished utilizing the legacy paper-based system.

C.3 All files and relevant documentation will be retained by the FAA oversight office for a given certificate. No enforcement investigative report (EIR) record is required, although it remains the Office Manager’s prerogative to open such a record if they ascertain a need for the generation of a Letter of Warning or Letter of Correction as an inclusion to the record.

C.4 The following is a suggested format for the written report (Stage III), only to be followed when preparing the written report that will be submitted to the Federal Aviation Administration (FAA). While an RE should include at least all the elements specified below, the structure of the written report can be modified by the RE to fit its needs.

Figure C-1. Sample Written Report Format

A. General.

1) Date.

2) Certificate type or equivalent.

3) Pertinent RE number or equivalent.

4) Company name.

5) Company address.

6) Company official filing report:
   - Name,
   - Position,
   - Telephone number, and
   - Email address.
B. Description of Apparent Violation.

1) Applicable 14 CFR part(s).

2) Date the apparent violation was discovered.

3) Location of discovery.

4) Company official who discovered the apparent violation:
   • Name,
   • Position,
   • Telephone number, and
   • Email address.
   • Date and time of initial notification to the FAA.
   • Name of FAA official notified (principal inspector (PI)).

C. Company Official Responsible for Immediate Action:

1) Name,

2) Position,

3) Telephone number, and

4) Email address.

D. Duration of Time the Apparent Violation Remained Undetected (Hours, Cycles, or Days).

E. Summary of Apparent Violation. The summary should be a brief statement that describes the nature of the apparent violation and identifies the specific aircraft, engines, appliances, facilities, checkpoint, gate, cargo, and/or individuals associated with the apparent violation.

F. Immediate Action.

1) When immediate action was taken.

2) Description of immediate action. This description should outline the immediate steps that were taken to cease the conduct that led to the violation.

3) Company official responsible for immediate action:
   • Name,
   • Position,
• Telephone number, and
• Email address.

G. Analysis.

1) Summary of evidence. This summary should describe the scope of the apparent violation and explain how it was detected. In addition, conclusions reached regarding possible or probable systemic deficiencies (i.e., who, what, when, why, and how the noncompliance occurred) should be described.

2) Reasons why the apparent violation was inadvertent.

3) Supporting documentation. The evidence associated with the apparent violation should be attached. This evidence should include a statement regarding how the RE determined the extent of the apparent violation.

H. Comprehensive Fix Proposal. The proposed long-term corrective steps to be taken by the RE to preclude reoccurrence of the apparent violation should be listed in this section. Each corrective step should identify the individual or department responsible for implementing and completing the corrective step as well as the time allotted for completion of each corrective step. Examples of types of questions or issues that a comprehensive fix proposal should address are as follows:

1) Does the apparent violation involve equipment, facilities, or individuals beyond those addressed in the initial notification and for which immediate action was taken?

2) Are procedural or organizational changes necessary?

3) How will it be determined whether any procedural or organizational changes are effective?

4) What procedures will be developed to ensure that the affected area is periodically reviewed in the future so that concerns can be identified before a violation occurs?

5) Who will be responsible for performing periodic reviews?

6) To whom in the RE’s organization will the results of those periodic reviews be reported, and how they will be documented?

7) A schedule for completion of a self-audit by the RE following implementation of the comprehensive fix to verify the action taken corrects the noncompliance. This self-audit is in addition to any audits conducted by the FAA and identification of the individual(s) responsible for conduct of the self-audit.

1) Name.

2) Position.

3) Telephone number.

4) Email address.

J. FAA Acceptance (To Be Completed by the FAA).

1) Name.

2) Position (PI).

3) Date.

4) Office.