

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.629

National Policy

Effective Date:
6/3/22

Cancellation Date:
6/3/23

SUBJ: Instructions for Passenger Interference Cases

- 1. Purpose of This Notice.** This notice provides specific instructions for documenting passenger interference cases in the Safety Assurance System (SAS) and the Enforcement Information System (EIS).
- 2. Audience.** The primary audience for this notice is aviation safety inspectors (ASI), Front Line Managers (FLM), Office Managers (OM), aviation safety technicians (AST), and Aviation Safety Assistants (ASA) in Air Carrier and General Aviation Safety Assurance (SA) offices. The secondary audience includes the Safety Standards and Foundational Business offices.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>. Operators and the public can find this notice on the Federal Aviation Administration's (FAA) website at https://www.faa.gov/regulations_policies/orders_notices and DRS.
- 4. Guidance Updates.** This notice supplements the policies in FAA Order 8900.1, Volume 10, Safety Assurance System Policy and Procedures, and Volume 14, Compliance and Enforcement. This notice is a reissue of instructions found in N 8900.584, How to Document Regulatory Compliance Actions and Enforcement Actions in SAS, Including Specific Instructions for Passenger Interference Cases in the EIS, Paragraph 8, Specific Instructions for Documenting Passenger Interference Cases, with no change in policy. Clarifications have been added about the supporting reference and process documents. The "Action" paragraph is updated to reflect SAS 3.5 automation and in response to SA office questions about the original notice. Other content from N 8900.584 is being reissued in a separate notice.

Note: Order 8900.1, Volume 14, Chapter 1, Section 2, Flight Standards Service Compliance Action Decision Procedure, its Compliance Action Decision Process (CADP), and the documents referenced in subparagraphs 6a and 6c below are used to determine whether Compliance Action (CA) or Enforcement Action is appropriate for each case of apparent or actual noncompliance. This notice only addresses documentation of the investigation and FAA actions.

- 5. Background.** Passenger interference cases continue to be processed by SA offices and the Special Emphasis Enforcement Program (SEEP) Unruly Passenger (URP) Task Force (TF),

office designator FS05. N 8900.584 expired on March 17, 2022, and the instructions in paragraph 8 of that notice are still needed.

6. Specific Instructions for Documenting Passenger Interference Cases.

a. Division Use Field. Flight Standards (FS) policy is that all cases subject to C&E Bulletin No. 2021-1¹ will be tracked in SAS through the “Division Use” field in the related SAS Activity Recording (AR) records. Resources shall enter “121580” without spaces, punctuation, or quotation marks in the “Division Use” field for both the Investigation and subsequent Enforcement AR records. This policy remains in effect until further notice, regardless of the disposition of C&E Bulletin No. 2021-1 or a subsequent bulletin on this topic.

b. EIS Regulation and/or Statute Violated. The investigating office must, upon creation of the EIS record, select the apparent regulation(s) and/or statute that has been violated in Block 18, Regulations(s) Violated. The applicable citations are entered as “091.11”, “121.580”, “125.328”, “135.120”, “USC.46318”, and/or “USC.46318(A)” (without quotation marks), as appropriate.

c. AFX-1 Memorandum. The FS Executive Director (AFX-1) memorandum dated February 9, 2021, Subject: “Passenger Interference with Crewmembers; Special Emphasis Enforcement Program” has additional relevant information².

d. Process Document in the SAS Resource Guide (SRG). See the “OWL Assignment of Occurrence Investigation and 14 C.F.R. Section 121.580 Enforcement” process document in the SRG under the “Compliance Program Resources” quick link, which provides specific instruction on documenting Enforcement Actions for behavior subject to C&E Bulletin No. 2021-1 (or a subsequent bulletin on this topic).

7. Additional Resources. Direct notice questions or comments about:

- Policy to the National Program Office Branch (AFS-910), Safety and Compliance Team (SACT) at 9-avs-afs-cpft@faa.gov;
- The SEEP and SEEP URP TF to 9-AVS-FS05-SEEP@faa.gov; and
- SAS automation or supporting process documents to your assigned Field Support Office Coordinator. Contact information is available under the “Field Support Office Coordinators” quick link in the SRG.

¹ FAA Order 2150.3C, Change 4, Compliance and Enforcement Program, Appendix B, Compliance and Enforcement (C&E) Bulletin No. 2021-1 provides for a Special Emphasis Enforcement Program (SEEP) applicable to passengers who assault, threaten, intimidate, or interfere with a crewmember in the performance of a crewmember’s duties in violation of Title 14 of the Code of Federal Regulations (14 CFR) part 91, § 91.11, part 121, § 121.580, part 125, § 125.328, or part 135, § 135.120, or who engage in conduct proscribed under Title 49 of the United States Code (49 U.S.C.) § 46318.

² Refer to Rick Domingo’s email dated Tuesday, February 9, 2021, Subject: Memo: Passenger Interference with Crewmembers; Special Emphasis Enforcement Program.

8. Action.

a. Document in SAS AR. For passenger violation cases, document Regulatory CAs and Enforcement Actions in SAS AR using Regulatory CA AR records and Enforcement Action AR records, respectively, in accordance with policy in Order 8900.1, Volumes 10 and 14 and the guidance in this notice.

(1) If difficulties arise from automation limitations or the need to assign more than one resource to an issue or event, the organizational intent is that all related records must be linked together to tell the whole story.

(2) “Related records” means the SAS record(s) for the activity that led to the discovery or determination of noncompliance, related investigation activities, FAA actions taken, the regulated person’s actions taken, and validation of the regulated person’s corrective action.

b. Creating and Associating Records. Generally, an Investigation Tracking Task is added to the Office Workload List (OWL) and assigned to a resource. The resource reviews the assigned Task, completes documentation requirements for the Task, and will then “trigger” an Investigation AR record. This Investigation AR record becomes the parent Investigation AR record.

(1) Trigger “child” Regulatory CA and Enforcement Action AR records from the parent Investigation AR record that led to the discovery/determination of noncompliance. CA documentation required by Order 8900.1, Volume 14, Chapter 1, Section 2, Paragraph 14-1-2-9, PTRS/SAS CA Record Documentation Requirements, and similar information for Enforcement Actions, must be placed in the AR records. Tasks are documented as required by Order 8900.1, Volume 10 and investigating office procedures.

(2) Investigation AR records, including Regulatory CA and Enforcement Action records, should be created as Planned Activities for resourcing and visibility in the OWL.

(3) Link related AR records to each other and to related Tasks (if not already linked by triggering). Linking related AR records to each other may be done in the “Other” section of the “Enter Common Data Fields” tab of either related AR record. Linking of other related AR records to a Task may be done in the “Enter Common Data Fields” tab of the Task. This is especially important if one resource completed the initial investigation and another resource was assigned to complete the resulting CA or Enforcement Action.

c. Completion and Validation. The CA Task and AR record(s) must remain open until validation that corrective actions were effective. The “ENF – Enforcement Action” Task and AR record(s) must remain open until risks to the National Airspace System (NAS) have been mitigated to an acceptable level and the respondent has been notified of final disposition of the Enforcement Action, as described in Order 2150.3, chapter 6, subparagraphs 7d(1)(i)-(iii).

9. Disposition. This notice or a replacement will remain in effect until incorporated into Order 8900.1. Direct questions or comments concerning the information in this notice to the AFS-910 SACT at 9-avs-afs-cpft@faa.gov.

A handwritten signature in black ink, appearing to read "Caitlin E. Locke". The signature is written in a cursive style with a large initial "C" and "L".

Caitlin E. Locke
Acting Deputy Executive Director, Flight Standards Service