

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.774

National Policy

Effective Date:
5/26/26

Cancellation Date:
5/26/27

SUBJ: Interim Guidance for Accepting a Voluntary Self-Disclosure Under a 14 CFR Part 5 Safety Management System

1. Purpose of This Notice. This notice provides interim guidance related to the acceptance of a Title 14 of the Code of Federal Regulations (14 CFR) part 121 or 135 regulated entity's (RE) Voluntary Self-Disclosure (VSD) submitted under their 14 CFR part 5 Safety Management System (SMS). These VSDs will be disclosed via the Safety Assurance System (SAS) External Portal, managed within the RE's SMS, and monitored and tracked by the Federal Aviation Administration (FAA) through SAS. Comprehensive guidance is currently under development and will be published in FAA Order 8900.1, Flight Standards Information Management System. In the meantime, informational resources are available in the SAS Resource Guide (SRG). This notice contains guidance that is pertinent to 14 CFR part 193.

2. Audience. The primary audience for this notice is certificate management offices (CMO), principal inspectors (PI), and aviation safety inspectors (ASI) assigned to aviation organizations that are authorized to conduct operations under 14 CFR parts 121 and 135. The secondary audience includes the Safety Standards and Foundational Business offices. The method outlined in this notice will be implemented incrementally. Initially, the notice will apply only to Certificate Management Team (CMT) personnel and certificate holders (CH) identified to participate in the implementation of the method. As the method is expanded to a broader audience, the notice will apply to additional personnel and CHs who elect to participate. This notice is available to the public for information purposes only. Its content is not legally binding on the public in its own right and will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty. Public conformity with the guidance document is voluntary only; nonconformity will not affect rights and obligations under existing statutes and regulations.

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 FAA's website at https://www.faa.gov/regulations_policies/orders_notices and DRS.

4. Background. Civil penalties under the FAA's Compliance and Enforcement Program are intended in part to encourage regulatory compliance, in addition to serving as a punitive measure. Beyond deterrence, aviation safety has benefited from incentives, such as voluntary reporting programs, that prompt REs to identify and correct noncompliance. The FAA has

maintained policies allowing REs to voluntarily disclose violations, take corrective actions, and implement preventive measures without facing civil penalty actions. Such programs have resulted in fostering compliance with FAA regulations, safer operations, and stronger Internal Evaluation Programs (IEP).

a. Title 14 CFR Part 5. In 2015, the FAA introduced 14 CFR part 5, which requires 14 CFR part 121 CHs to establish an SMS. In 2024, the FAA amended 14 CFR part 5, adding the requirement for 14 CFR part 135 CHs to develop and implement an SMS by May 28, 2027. Title 14 CFR part 5 aligns U.S. aviation safety protocols with International Civil Aviation Organization (ICAO) standards, reinforcing the need for structured risk management (RM) and proactive safety oversight.

b. Managing Voluntary Disclosure Reports (VDR) via SMS. As part of the FAA's continuing evolution and implementation of an Integrated Oversight Philosophy (IOP), 14 CFR parts 121 and 135 REs may now manage VDRs through their SMS framework. This process ensures that REs integrate noncompliance reporting into their Safety Risk Management (SRM) practices, allowing data-driven decision making, continuous improvement, and regulatory accountability while maintaining the highest safety standards.

5. Definitions. For purposes of this policy, the terms listed below have the following meanings:

a. Comprehensive Fix. A comprehensive fix is an action (or actions) proposed by the RE, and accepted by the PI, to prevent 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 will be established and include each corrective action as well as an audit for effectiveness once all steps have been completed.

b. Intentional Conduct. A deliberate act (or failure to act) while knowing that such conduct is contrary to a regulation or statute, or is otherwise prohibited.

c. Principal Inspector (PI). A 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.

d. Reckless Conduct. An act (or failure to act) demonstrating a gross disregard for or deliberate indifference to safety or a safety standard.

e. Regulated Entity (RE). An RE is any CH or organization authorized to submit voluntary disclosures under the Voluntary Disclosure Reporting Program (VDRP).

f. 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.

g. Senior Office Manager (SOM). The SOM is responsible for the review and concurrence with the acceptance and closure of VDRs 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).

h. Voluntary Disclosure Report (VDR). A VDR contains a self-disclosure (SD), which is an input by the RE into the VDRP system or disclosed through the RE's SMS, that notifies the FAA of an apparent violation of 14 CFR. The full report (contained within the VDRP and identified by a number or in SAS and identified by a task and/or activity number) contains all stages of the voluntary disclosure process up to closure, rejection, or rescission.

i. Voluntary Self-Disclosure (VSD). A VSD is an RE's notification to the FAA of an apparent violation of 14 CFR.

6. Explanation of Policy Changes. This notice provides CMOs with an alternative method and interim process for accepting a VSD under a 14 CFR part 121 or 135 RE's SMS.

7. Discussion. The following defines the applicable requirements for accepting a VSD under a 14 CFR part 5 SMS.

a. Program Development. Eligible REs may develop procedures for the submission of VDRs through an RE's SMS in accordance with the guidance provided.

(1) Relationship Between the RE and FAA. The eligible RE and the FAA develop a relationship that will promote the VDR in SMS. The reluctance of one or both parties to commit to the program is detrimental to the process.

(2) Submission. Management officials specified in 14 CFR § 119.65 or § 119.69 will submit in writing a process for tracking the VDR in SMS that is acceptable to the FAA.

(3) Authorization. The RE will be authorized in SAS by the appropriate FAA office to use the SMS VDR process.

(4) SMS Access for ASIs. ASIs must have the necessary access to the RE's SMS to ensure each VDR has an identified root cause(s) and a comprehensive fix, and that a self-audit of the fix(es) is completed. FAA employees will not be subject to a nondisclosure agreement (NDA).

(5) Termination. Either party may terminate the SMS VDR process if there is a failure to achieve satisfactory results.

(6) RE Representative. To use a 14 CFR part 5 SMS for voluntary disclosure, the representative will need to be authorized in SAS by an individual with Office Administration rights.

b. Protection of VDR Information From Public Disclosure Under 14 CFR Part 193. Records submitted to the FAA for review pursuant to a VDR, including information submitted using the SAS External Portal, are protected from release to the public in accordance with the provisions of 14 CFR part 193; Voluntary Disclosure Reporting Program (81 FR 64085) (proposed September 19, 2016); and FAA Order 8000.89, Designation of Voluntary Disclosure Reporting Program (VDRP) Information as Protected From Public Disclosure Under 14 CFR Part 193.

Note: Information submitted by the RE concerning the content of a VDR submission must be clearly labeled as follows to be eligible for protection under this designation: “WARNING: The Information in this Document is Protected from Disclosure under 49 U.S.C. 40123 and 14 CFR part 193.” If the information is submitted electronically, the warning notice must be appropriately embedded in the electronic submission in a fashion that ensures the visibility of the warning to any viewer.

c. The Four Stages of the SMS VDRP.

(1) The SMS VDRP will employ a four-stage process. Responsibility for each stage is assigned to either the RE or the FAA, as described below. Except as specified in this notice, the voluntary disclosure policy applies when notification of an apparent violation is made to the FAA by the RE immediately, but no later than 24 hours, after the apparent violation has been discovered, and generally before the FAA learns of the apparent violation by some other means.

(2) Initial notification of a disclosure to the FAA will normally be made via the SAS External Portal, unless extenuating circumstances prevent initial notification using that means or if previous arrangements have been made with the appropriate PI to use alternate means. The SAS Menu now has a new link to the Voluntary Self-Disclosure module. This link will only be displayed to authorized SAS External Portal users as assigned by the PI. For REs not using the SAS External Portal, the information can be provided using other approved means and the initial notification completed by the PI within SAS. The Voluntary Self-Disclosure link will be in the SAS Menu drop-down for the resources who have permission to work on VSDs.

Note: Hazardous materials (hazmat) disclosures should be submitted using the web-based VDRP application and will not be accepted into this process.

d. Stage I: Initial Notification. The RE notifies the FAA of an apparent violation by contacting the appropriate PI. The FAA retains sole discretion in determining whether a voluntary disclosure received later than 24 hours after discovery of the violation will be accepted. The RE should therefore not delay notification for any reason, and address the following items:

(1) VSD General Information. This will include the VSD Title, Date Discovered, Date of Event, and Notification Date.

(2) Noncompliance Ceased. Verification that noncompliance ceased after it was identified.

(3) How Noncompliance Was Discovered. For example, when the noncompliance was discovered as a result of an internal evaluation, from the Aviation Safety Action Program (ASAP), or was related to remote dispatch operations.

(4) Violation Details. A 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. This also includes a 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. This will be entered in the Violation Details box in the Initial Notification tab in SAS.

(5) Risk Assessment. The RE will assess risk to determine the timeline for comprehensive fix development and implementation. An SMS risk assessment template typically includes sections for identifying the hazard, describing the potential consequences, assessing the likelihood of reoccurrence, and calculating the overall risk level using a matrix. The timelines for development and implementation of a comprehensive fix, in coordination with the PI, will be in accordance with the RE's SMS risk assessment, with higher risk SDs addressed expediently. This will be viewable in the RE's SMS to the inspector assigned to the self-disclosure.

(6) Initial Notification Submission by Management Officials. The initial notification of a voluntary disclosure is submitted by one of the management officials specified in 14 CFR § 119.65 or § 119.69, as appropriate, or in accordance with subparagraph (7) below.

(7) Initial Notification Submission by Authorized Employees. The initial notification may be submitted by an employee authorized by the RE to accomplish initial notification, provided that the employee includes a letter signed by one of the management officials specified in 14 CFR § 119.65 or § 119.69, as appropriate. That letter should stipulate that:

- The 14 CFR part 119 management official is aware of this disclosure,
- The RE took immediate action to cease the violation, and
- The RE has developed or is developing a proposed comprehensive fix for FAA consideration to prevent future recurrences of the violation and will perform a self-audit.

e. Stage II: Initial Notification Response. The PI or the assigned ASI will review the submission from the RE and respond in a timely fashion.

(1) PI Review. The PI's or the assigned ASI's review of the disclosure will confirm that the submission contains the following:

(a) The RE has notified the FAA of the apparent violation immediately after detecting it, but no later than 24 hours after detection and before the FAA has learned of it by other means.

(b) The apparent violation was neither reckless nor intentional.

(c) The apparent violation does not indicate a lack, or reasonable question, of the RE's qualification.

(d) Immediate action, satisfactory to the FAA, was taken upon discovery to terminate the conduct that resulted in the apparent violation.

(e) The RE has developed, or is developing, a comprehensive fix and schedule of implementation satisfactory to the FAA. The comprehensive fix includes a follow-up self-audit as the final corrective action to ensure that the actions taken correct the noncompliance. This self-audit is in addition to any surveillance conducted by the FAA.

(f) The initial notification of a voluntary disclosure was submitted by one of the management officials specified in 14 CFR § 119.65 or § 119.69, as appropriate; or the initial notification was submitted by an employee authorized by the CH to accomplish initial notification and includes a letter that meets the requirements set forth in subparagraph d(7) above.

(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 reject it.

(3) Return for Edit. If the PI finds the disclosure does not contain sufficient information to accept the disclosure, they have the option in SAS of returning the disclosure to the RE.

(4) Rejection. If the PI finds the disclosure does not meet the requirements for acceptance, or if no violation occurred, the RE will be notified by email that the disclosure does not meet the requirements for acceptance. The invalid disclosure does not advance to the next stage.

(5) Senior Office Manager (SOM) Review. The SOM will review the PI's determination to accept the voluntary disclosure using the Ready for Review link in the Voluntary Self-Disclosure work tile in SAS. The SOM will review the PI's determination within 10 business days.

(a) When the SOM concurs with the PI's acceptance of the SD, SAS automatically generates a VSD Office Task in the Office Workload List (OWL). The SD will advance to Stage III.

(b) If the SOM nonconcurs with the PI's acceptance determination, the case will be referred to the PI for reconsideration. The case will not advance to Stage III until the SOM concurs with the PI's determination. The process for an RE to challenge a rejection is outlined in Advisory Circular (AC) 00-58, Voluntary Disclosure Reporting Program, Paragraph 13, Dispute Resolution.

f. Stage III: Investigation. During this stage, the assigned ASI will oversee the RE's use of their SMS to document the violation, root cause, and comprehensive fix. The SMS process used by the RE adjusts the completion timeline based on safety risk. The assigned inspector will document in SAS a detailed description of the RE's comprehensive fix, which outlines the planned corrective actions. The inspector will also document detailed responsibilities for implementing those corrective actions, a schedule for completion of each action, and a self-audit as the final fix item.

(1) The FAA works with the RE to ensure that the RE has identified any root causes and systemic issues that led to the apparent violation. This collaboration helps to ensure that the corrective actions contained in the comprehensive fix are acceptable to the FAA. The PI (or assigned ASI) will work collaboratively with the RE for changes, additions, enhancements, and corrections. This process will continue until the PI (or assigned ASI) is satisfied.

Note: If the investigation of the apparent violation results in the FAA's determination that no violation has occurred, the RE requests recission under the Regulations and Self-Audit tab, and the FAA rescinds the SD.

(2) During this period, the FAA and the RE will continue to collaborate, communicate, and cooperate to ensure the completion of each of the corrective actions as well as the self-audit. The FAA may provide guidance to 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 implementation of the proposed comprehensive fix is satisfactory, the PI (or assigned ASI) may advance the VDR to Stage IV.

(a) The PI or assigned ASI will trigger a SAS activity record from the VDRP task. Only the activity codes 2701, 4701, and 6701 apply to this process. The activity record must include the following entries:

1. Regulation Violated - (Specific Regulation).
2. Root Cause(s) - (Why Did It Happen).
3. The Corrective Action - (Fix Applied).

(b) The activity record National Use field must have "VDRP FOIA EXEMPT" entered in the drop-down.

g. Stage IV: Inspector Signoff.

(1) Stage IV Completion. If all elements of the comprehensive fix have been satisfactorily accomplished by the RE, including the RE's self-audit, the PI will use the Assessment and Closure tab in SAS to document completion.

(2) Stage IV Submission. At the conclusion of the implementation period, the PI and the SOM will make a final assessment. Consultation with specialists, legal counsel, or other FAA personnel may be included as part of this process when deemed appropriate.

(a) If the SOM concurs with the PI's determination, Stage IV is concluded upon the SOM's concurrence in the Assessment and Closure tab in SAS.

(b) If the SOM does not concur with the PI's determination, the SOM will offer any comments in the Assessment and Closure tab text area provided for that purpose. Upon notification of the return, the case will be referred to the PI for reconsideration of the SOM's comments. The case will not advance out of Stage IV until it is resubmitted by the PI and the SOM submits their concurrence. When the assessment is complete, SAS will send a notification to the REs authorized to work on SDs for that certificate. No other letters are generated.

8. Continued Operational Safety (COS). Future guidance will be incorporated into FAA AC 00-58 1 year after publication of this notice and other applicable policy.

9. SMS Briefings and Development. Briefings and educational resources will be developed to support SMS VDRP implementation and oversight.

10. Disposition. Some of the information in this notice will be incorporated into Order 8900.1, Volume 11, Chapter 1, Section 1, Voluntary Disclosure Reporting Program for Air Carriers, Repair Stations, and Other Regulated Entities, and other applicable guidance before this notice expires. Direct questions or comments concerning the information in this notice to the Safety Management, Analytics, and Systems Integration Division (AFS-900) at 9-NATL-SMS-ProgramOffice@faa.gov.

A handwritten signature in blue ink, appearing to read 'R. Reckert', with a long horizontal stroke extending to the right.

Robert Reckert for
Hugh Thomas
Executive Director, Flight Standards Service

Appendix A. SAS Process Flow Map

