Compliance Program

The FAA's Compliance Program constitutes a major cultural change with respect to how the agency goes about ensuring regulatory compliance. It is an important step towards fostering an open and transparent exchange of safety information and obtaining a higher level of safety and compliance with regulatory standards.

What is the Compliance Program?

Simply put, the goal of the Compliance Program is to identify safety issues that underlie deviations from standards and correct them as effectively, quickly, and efficiently as possible. To do this, the Compliance Program embraces self-disclosure of errors. It also involves collaborating with the aviation community to share information about safety issues that underlie deviations from standards. Errors must be identified, reported, and analyzed in a non-blaming manner so that appropriate remedial or system-wide corrective action can be taken based on the specific facts and circumstances of each case.

A "just culture" allows for due consideration of honest mistakes, but even unintentional errors can have a serious impact on safety, so it's critical that the underlying safety concern is always addressed. The key is where to draw the line between blameless unsafe acts that can be addressed by using compliance tools, and unacceptable behavior that requires enforcement action.

It's All About Safety

The Compliance Program is all about improving safety. Our safety record shows that the majority of National Airspace System users have a good safety culture. The success of FAA voluntary reporting programs such as the Aviation Safety Action Program (ASAP) and Voluntary Disclosure Reporting Program (VDRP) has demonstrated that a collaborative Compliance Program, supported by a positive safety culture, provides the highest levels

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of compliance with regulations, the most effective identification of hazards, and the most efficient management of risks. Through increased sharing of safety data, we can better identify emerging hazards and predict aviation risks, including many of those that may contribute or directly lead to a loss of control situation.

Compliance Action

The FAA's Compliance Program emphasizes non-enforcement, or "compliance action" where appropriate. A compliance action is the FAA's method for correcting unintentional deviations that come from things like flawed systems and procedures, simple mistakes, lack of understanding, or diminished skills. The FAA believes that deviations of this nature can be most effectively corrected through root cause analysis and training, education, or other appropriate improvements to procedures or training programs.

A compliance action is not a finding of a violation. Rather, it is an open and transparent exchange of safety information between you and the FAA. Its only purpose is to restore compliance and correct the underlying causes that led to the deviation. In other words, if you've made an honest mistake, had a temporary lapse of judgment, or have let your skills become rusty, you may be able to 'fix' the problem without facing a violation.

However, an airman who indicates that he or she is unwilling or unable to comply, engages in intentional, reckless or criminal behavior, or creates a significant safety risk, would be ineligible for a compliance action.

Compliance and Enforcement

The FAA expects full compliance to be the standard. This evolved approach to oversight does not mean that the agency is going to go easy on compliance. It will continue to use enforcement actions when needed. The FAA will maintain strict accountability for inappropriate risk-taking and will have zero tolerance for intentional or reckless behavior.

However, the FAA will use a compliance action to address an issue whenever possible. In all cases, the goal of the FAA Compliance Program is to achieve rapid compliance, to eliminate the safety risk and deviation, and to ensure positive and permanent change.

In summary, the Compliance Program will help to identify the root cause of a safety issue, find a fix, and monitor the success of that fix. With the data collected from this process, the FAA hopes to predict and prevent future occurrences through education, training, and improvement to systems and processes.

Resources

- FAA Order 8000.373 on Compliance Program www.faa.gov/documentLibrary/media/Order/ FAA-220602-001_Order_8000.373C.pdf

- Online overview of Compliance Program www.faa.gov/go/cp

- Compliance Program brochure www.faa.gov/sites/faa.gov/files/Compliance %20Program%20Brochure.pdf

- Jan/Feb 2016 issue of *FAA Safety Briefing* www.faa.gov/sites/faa.gov/files/2022-01/ JanFeb2016.pdf

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