

# Safety Information Protection in the United States

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Federal Aviation  
Administration



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Administration

# Safety Information Protection

- **49 U.S. Code § 40123, Protection of Voluntarily-Submitted Information**
  - “Notwithstanding any other provision of law, neither the Administrator . . . nor any agency receiving information from the Administrator shall disclose . . . if the Administrator finds that—(1) the disclosure . . . would inhibit the voluntary provision of that type of information and that receipt of that type of information aids in fulfilling the Administrator’s safety and security responsibilities; and (2) withholding . . . consistent with the Administrator’s safety and security responsibilities.”
  - Implemented by Title 14, Code of Federal Regulations part 193



# Safety Information Protection

- **Designations issued under Part 193 to protect information submitted under voluntary reporting programs including —**
  - Aviation Safety Action Programs
  - Flight Operational Quality Assurance Programs
  - Voluntary Disclosure Reporting Programs
  - Air Traffic Voluntary Safety Reporting Programs



# Safety Information Protection

- **Commercial Aviation Safety Team**
  - Part 193 Designation protects information related to implementation of safety enhancements
- **14 Code of Federal Regulations § 193.7**
  - Subpoenas for information and court orders



# Safety Information Protection

- **49 USC § 44735, Limitation on disclosure of safety information**
  - Provides protection from release under the Freedom of Information Act for certain information voluntarily submitted to the FAA that is developed, produced, collected, or prepared under—
    - The Aviation Safety Action Program
    - Flight Operational Quality Assurance Program
    - Line Operations Audit program
    - Safety Management System
    - Aviation Safety Information Analysis and Sharing Program
  - Information is not protected if required to be provided under any other provision of law or if de-identified.

