



Highlights of [GAO-04-646](#), a report to the Ranking Democratic Member, Subcommittee on Aviation, Committee on Transportation and Infrastructure, House of Representatives

Why GAO Did This Study

The safety of the nation's flying public depends, in large part, on the aviation industry's compliance with safety regulations and the Federal Aviation Administration's (FAA) enforcement of those regulations when violations occur. FAA attempts to gain the industry's compliance through enforcement tools, including levying fines and suspending or revoking operating certificates, and partnership programs that allow participating companies or individuals to self-report violations of safety regulations and mitigate or avoid fines or other legal actions.

GAO was asked to assess how FAA uses its enforcement options to address noncompliance and what management controls are in place to ensure that enforcement efforts and partnership programs result in compliance with aviation safety regulations.

What GAO Recommends

GAO recommends that FAA develop evaluative processes for its enforcement efforts and partnership programs and use them to create performance goals, track performance towards those goals, and determine appropriate program changes. GAO also recommends that FAA improve the completeness of information in the nationwide enforcement database. FAA agreed with these recommendations and provided comments on general areas covered in the report.

www.gao.gov/cgi-bin/getrpt?GAO-04-646.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Katherine Siggerud at (202) 512-2834 or siggerudk@gao.gov.

AVIATION SAFETY

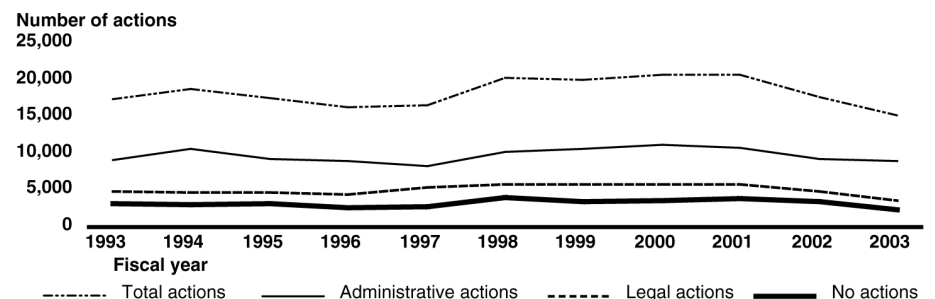
Better Management Controls are Needed to Improve FAA's Safety Enforcement and Compliance Efforts

What GAO Found

FAA relied on administrative actions such as warning notices to close most of its enforcement cases—53 percent of the nearly 200,000 enforcement actions taken during fiscal years 1993 through 2003—and closed about 28 percent with legal sanctions, such as fines. The administrative actions include those taken in response to violations that were self-reported under FAA's industry partnership programs, some of which allow airlines and pilots to self-report violations that, in many cases, FAA then closes administratively. In addition, when FAA managers recommend legal sanctions, they are often reduced by FAA legal counsel staff. For example, FAA managers recommended fines totaling about \$334 million for fiscal years 1993-2003; that amount was subsequently reduced to about \$162 million. According to FAA, it reduces or eliminates the sanctions when it has proof that the violator is attempting to correct the violation or new evidence arises that may exonerate the alleged violator. Annually, FAA closed about 3,200 cases (about 18 percent of the total cases) without taking action. Cases were often closed in this manner because the investigative reports prepared by inspectors who initially identified the possible violations lacked sufficient evidence, according to FAA.

FAA has established some management controls over its enforcement efforts and partnership programs, such as guidance on detecting violations, but lacks management controls in other areas. Specifically, FAA lacks explicit, measurable performance goals for its enforcement actions and partnership programs. In addition, FAA does not evaluate its enforcement efforts and partnership programs. Because FAA has not evaluated the effect of its enforcement actions, it is not possible to tell whether those actions have had a deterrent effect on future violations. FAA is limited in its ability to evaluate enforcement efforts because the agency lacks comprehensive nationwide data. For example, FAA field offices maintain independent, site-specific databases on enforcement cases because of missing or incomplete information in the nationwide Enforcement Information System database, but these databases are not linked. Thus, data maintained in one office are not readily available to other offices.

Number of Closed Enforcement Cases



Source: GAO analysis of FAA's EIS data.