VOLUME 14 COMPLIANCE AND ENFORCEMENT

CHAPTER 2 INVESTIGATION AND ENFORCEMENT-RELATED TASKS

Section 3 Streamlined No Action and Administrative Action Program

14-2-3-1 APPLICABILITY. Flight Standards Service (AFS) inspectors are authorized to use the Streamlined No Action and Administrative Action Process (SNAAP) for violations.

14-2-3-3 GENERAL. The current edition of Federal Aviation Administration (FAA) Order 2150.3, FAA Compliance and Enforcement Program, Chapter 5, contains the responsibilities of the FAA program offices. Chapter 5 provides specific guidance concerning the use of administrative action, and authorizes the use of the SNAAP for violations of 14 CFR investigated by AFS.

14-2-3-5 SNAAP.

A. Purpose. The objective of the SNAAP is to address alleged violations that do not require extensive investigations or warrant legal enforcement action.

B. Background.

1) In August 1999, the Administrator implemented a streamlined administrative enforcement action process that reduced paperwork and shortened processing for certain violations. The process provides inspectors with a more efficient way to resolve violations that do not warrant legal enforcement action. FAA Notice N 8000.286, Streamlined No Action and Administrative Action Process, published June 14, 2004, expanded the use of the streamlined automated process to include no action letters as well as administrative action letters.

2) This inspector guidance authorizes the continued use of the SNAAP. The SNAAP process saves FAA resources by streamlining the internal processing of both administrative and no action enforcement reports through the use of a job aid and SNAAP enhanced automation. This guidance supplements, but does not replace, the current guidance for completing an Enforcement Investigative Report (EIR) as specified in Volume 14, Chapter 2, Section 2, and Order 2150.3.

C. Inspector Guidance.

1) Inspectors may use the process outlined in this guidance to address alleged violations that do not require legal enforcement action. This process is also used for the processing of no action enforcement reports. The job aid (see Figure 14-2-3A, SNAAP Job Aid) and automated issuance of a warning notice, letter of correction, or no action letter provide an expeditious means of processing enforcement reports that are closed with administrative or no action letters. The automated process does not replace the more formal process for administrative action described in Order 2150.3. The SNAAP and the associated job aid will not be used where further corrective action should be taken. Since the SNAAP does not include provisions for entering a summary of facts or other narrative text, it should not be used when an inspector determines that inclusion of summary of facts or other narrative text in an
administrative action letter is appropriate. The SNAAP is required for letters of no action and should replace the manual preparation of such letters.

2) The SNAAP job aid is an internal document used to facilitate the entry of data into the Enforcement Information System (EIS) and is never provided to the alleged violator. The issuance of a Letter of Investigation (LOI) does not preclude the use of this process.

3) Before the information concerning the alleged violation is entered into the EIS, inspectors must determine that administrative action or no action is appropriate. An EIR number must be entered on the job aid.

4) In accordance with the guidance in Order 2150.3, alleged violations must be substantiated. Items of Proof, however, do not need to be gathered unless unusual circumstances are present. The EIR package for these cases will consist of a completed job aid.

NOTE: A listing of regulations for which possible violations may be appropriately addressed under the SNAAP, as well as regulatory citations that would not be appropriate, can be found at http://av-info.avs.faa.gov/eisqb/eis_default.aspx. (See right-hand “Reports” column with links to “Good” and “Bad” SNAAP regulations.)

5) If the inspector determines that the SNAAP is not appropriate for the alleged violation, but administrative action is still appropriate under Order 2150.3, then the formal EIR procedures in Chapter 5 of that order should be used.

6) In the event that enforcement action is withdrawn and no action is determined to be appropriate, the alleged violator will be notified of such in writing. Inspectors should use the no action process as described herein.

NOTE: The term “No Action” is used narrowly with respect to the EIR document and entries in the EIS. Any identified risk, safety concern, or opportunity for safety improvement should always be communicated to the appropriate entity (carrier, airman, Front Line Manager (FLM)) for awareness and action, and documented in the SNAAP Program Tracking and Reporting Subsystem (PTRS) record as described below and in the PTRS Procedures Manual (PPM).

7) After the investigating inspector completes the job aid, administrative personnel will enter the information on the job aid into the EIS. Based on the information entered into the EIS, a warning notice, letter of correction, or no action letter will be generated and issued by the Regulatory Support Division (AFS-600). (See Figure 14-2-3B, Warning Notice, Figure 14-2-3C, Letter of Correction, and Figure 14-2-3D, No Action Letter.)

8) Administrative and no action letters, as well as by name EIS records, which were generated through the SNAAP under the Aviation Safety Action Program (ASAP), are protected from public disclosure under the Freedom of Information Act (FOIA) in accordance with the current edition of FAA Order 8000.82, Designation of Aviation Safety Action Program (ASAP) Information as Protected from PublicDisclosure under 14 CFR Part 193. However, other
administrative and no action letters, as well as EIS records, generated through the SNAAP are not protected from release under the FOIA.

D. Field Office Process.

1) Inspector. It is not necessary to prepare a formal EIR when using the SNAAP process. Inspectors must complete the alleged violator identification, aircraft, and violation data sections of the job aid. EIS data codes may be found in Order 2150.3, Appendix G.

2) Data Entry. Personnel will ensure an EIR number is recorded on the job aid and enter the job aid information into the EIS. Enforcement action code “01” and sanction codes of “15” or “16” must be used for the warning notice or letter of correction, respectively. Enforcement action code “14” must be used for “no action” reports. No entry is required in the sanction code field for “no action” reports.

3) Management Review. Supervisors will conduct followup reviews of job aids and periodic management reports of the EIS to ensure proper form completion, timely processing, and appropriateness in meeting compliance and enforcement goals and objectives. This action does not need to be accomplished before final case disposition and data entry.

4) Record Retention. Completed job aids will be filed in accordance with local office policy and retained in accordance with the current edition of FAA Order 1350.14, Records Management.

5) Copies and Reports. Automated copies of SNAAP administrative action letters may be obtained within 60 days of issuance at http://av-info.avs.faa.gov/eisqb/eis_default.aspx.

E. AFS-600 Process.

1) Issuance of Automated Letter. AFS-600 will issue an automated warning notice, letter of correction, or no action letter based on data entered into the EIS mainframe. This notice or letter will normally be issued within 3 working-days after EIS entry.

2) Data Quality Assurance (QA). Enforcement records generated by the job aid that cannot be processed due to data entry errors will be annotated as such and returned to the originating office for correction.

3) Management Reports. Standard reports will be available to both district and Regional Flight Standards Division (RFSD) offices to provide feedback to management on the use of the SNAAP. These reports may also be accessed from the FAA Intranet through the EIS at http://av-info.avs.faa.gov/eisqb/eis_default.aspx.

F. RFSD Process. AFS RFSDs will review SNAAP management reports for general program oversight. Such reports are available by region, fiscal year, and quarter at http://av-info.avs.faa.gov/. If desired, RFSDs may also access specific SNAAP letters by the applicable EIR number.
G. PTRS. Aviation safety inspectors (ASI) will make a PTRS entry to record their actions directed by this guidance. The PTRS entry will be listed as activity codes 1733, 1735, 3732, 3733, 5732 and 5733, as appropriate. ASIs will use the comments section to record observations and actions taken.

Figure 14-2-3A. SNAAP Job Aid
Figure 14-2-3B. Warning Notice

FAA letterhead

July 29, 1999

Aviator, Jonathan
123 Golden Dr.
Anytown, US 54321

File Number: 1999DC050024
Reporting Inspector: SMITH, MARY

This notice cites an alleged violation(s) of the following Title 14 of the Code of Federal Regulations (14 CFR) sections that occurred in Oklahoma City, OK, on July 29, 1999.

Cite: 14 CFR part 121, § 121.542(b), Flightcrew Member Failed to Maintain Sterile Cockpit.

The determination to issue this notice is based on the facts and circumstances surrounding the alleged violation(s) that were discussed with you by the reporting inspector. If, within 30 calendar-days of the date of this letter, you wish to add additional pertinent information in explanation or mitigation, write to:

Manager
Anytown FSDO
123 Whispering Lane
Anytown, US 54321

It has been determined that this matter does not warrant legal enforcement action; however, the alleged violation(s) will be made a matter of record. Records concerning individuals will be expunged 2 years after the date of issuance. Your future compliance with the regulations is expected.
Privacy Act Notice

This notice is provided in accordance with section (e)(3) of the Privacy Act, Title 5 of the United States Code (5 U.S.C.) § 552(e)(3).

A. Authority: This information is solicited pursuant to Title 49 of the United States Code (49 U.S.C.) § 40113(a) and the regulations issued there under codified in 14 CFR part 13. Submission of information is voluntary.

B. Principal Purposes:

1. To make a record of the circumstances that are the subject of this warning notice or letter of correction.

2. To assist us in contacting you regarding this enforcement case.

C. Routine Uses: Records from this system of records may be disclosed in accordance with the following routine uses that appear in the System of Records No. Department of Transportation/Federal Aviation Administration (DOT/FAA) 847, General Air Transportation Records on Individuals, DOT/FAA:

1. To provide basic airmen certification and qualification information to the public upon request.

2. To disclose information to the National Transportation Safety Board (NTSB) in connection with its investigation responsibilities.

3. To provide information about airmen to Federal, State, and local law enforcement agencies when engaged in the investigation and apprehension of drug law violators.

4. To provide information about enforcement actions arising out of violations of 14 CFR to government agencies, the aviation industry, and the public upon request.

5. To disclose information to another Federal agency, or to a court or an administrative tribunal, when the Government or one of its agencies is a party to a judicial proceeding before the court or involved in administrative proceedings before the tribunal.

D. Effect of Failure to Respond: Failure to provide information requested may preclude us from closing this matter with a warning notice or letter of correction at this time. In addition, there may be delay in contacting you regarding this enforcement case if necessary.
Figure 14-2-3B. Warning Notice (Continued)

About Administrative Action

**Warning Notices** and **Letters of Correction** are administrative actions. Administrative action is authorized by 14 CFR part 13 and is routinely used for minor infractions instead of legal enforcement (e.g., suspensions, revocations, or fines).

**Legal Effect.** Neither a warning notice nor a letter of correction constitutes a finding of violation and, therefore, notice and hearing are not required.

**Recourse Available.** The determination to issue the notice or letter is based on the facts and circumstances surrounding the alleged violation(s) including any information you provided. An airman or company can introduce additional pertinent information in explanation or mitigation by writing to the reporting inspector or district office manager within 30 calendar-days of the date of the notice or letter. Administrative actions can be withdrawn.

**Release of Information.** When the FAA responds to Pilot Records Improvement Act (PRIA) requests, *only* final legal enforcement actions resulting in a finding of violation are released. Enforcement database information pertaining to No Actions, Administrative Actions, or Legal Actions in process or under appeal, are *not* released under the PRIA. However, administrative action information may be released pursuant to a Freedom of Information Act (FOIA) request.
Figure 14-2-3C. Letter of Correction

FAA letterhead

June 30, 2001

Aviator, Jonathan  
123 Golden Dr.  
Anytown, US 54321

**File Number:** 2002DC050024  
**Reporting Inspector:** SMITH, MARY

This notice cites an alleged violation(s) of the following Title 14 of the Code of Federal Regulations (14 CFR) sections that occurred in Oklahoma City, OK, on July 29, 1999.

Cite: 14 CFR part 43 § 43.5(b), Person Did Not Properly Execute Form 337 Prior to Return to Service.

The determination to issue this notice is based on the facts and circumstances surrounding the alleged violation(s) that were discussed with you by the reporting inspector. If, within 30 calendar-days of the date of this letter, you wish to add additional pertinent information in explanation or mitigation, write to:

Manager  
Anytown FSDO  
123 Whispering Lane  
Anytown, US 54321

It has been determined that this matter does not warrant legal enforcement action, however, the alleged violation(s) will be made a matter of record. Records concerning individuals will be expunged 2 years after the date of issuance. Your future compliance with the regulations is expected.
Privacy Act Notice

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A. Authority: This information is solicited pursuant to Title 49 of the United States Code (49 U.S.C.) § 40113(a) and the regulations issued there under codified in 14 CFR part 13. Submission of information is voluntary.

B. Principal Purposes:

1. To make a record of the circumstances that are the subject of this warning notice or letter of correction.

2. To assist us in contacting you regarding this enforcement case.

C. Routine Uses: Records from this system of records may be disclosed in accordance with the following routine uses that appear in the System of Records No. Department of Transportation/Federal Aviation Administration (DOT/FAA) 847, General Air Transportation Records on Individuals, DOT/FAA:

1. To provide basic airmen certification and qualification information to the public upon request.

2. To disclose information to the National Transportation Safety Board (NTSB) in connection with its investigation responsibilities.

3. To provide information about airmen to Federal, State, and local law enforcement agencies when engaged in the investigation and apprehension of drug law violators.

4. To provide information about enforcement actions arising out of violations of 14 CFR to government agencies, the aviation industry, and the public upon request.

5. To disclose information to another Federal agency, or to a court or an administrative tribunal, when the Government or one of its agencies is a party to a judicial proceeding before the court or involved in administrative proceedings before the tribunal.

D. Effect of Failure to Respond: Failure to provide information requested may preclude us from closing this matter with a warning notice or letter of correction at this time. In addition, there may be delay in contacting you regarding this enforcement case if necessary.
Figure 14-2-3C. Letter of Correction (Continued)

**About Administrative Action**

**Warning Notices** and **Letters of Correction** are Administrative Actions. Administrative action is authorized by 14 CFR part 13 and is routinely used for minor infractions instead of legal enforcement (e.g., suspensions, revocations, or fines).

**Legal Effect.** Neither a warning notice nor a letter of correction constitutes a finding of violation and, therefore, notice and hearing are not required.

**Recourse Available.** The determination to issue the notice or letter is based on the facts and circumstances surrounding the alleged violation(s) including any information you provided. An airman or company can introduce additional pertinent information in explanation or mitigation by writing to the reporting inspector or district office manager within 30 calendar-days of the date of the notice or letter. Administrative actions can be withdrawn.

**Release of Information.** When the FAA responds to Pilot Records Improvement Act (PRIA) requests, *only* final legal enforcement actions resulting in a finding of violation are released. Enforcement database information pertaining to No Actions, Administrative Actions, or Legal Actions in process or under appeal, are *not* released under the PRIA. However, administrative action information may be released pursuant to a Freedom of Information Act (FOIA) request.
**Figure 14-2-3D. No Action Letter**

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Aviator, Jonathan  
123 Golden Dr.  
Anytown, US 54321

**File Number**: 2002DC050024  
**Reporting Inspector**: SMITH, MARY

The Federal Aviation Administration (FAA) has investigated an alleged violation that reportedly occurred on January 2, 2002, in the vicinity of Springfield, MO.

This letter is to inform you that the investigation did not establish a violation of Title 14 of the Code of Federal Regulations (14 CFR), and you may consider the matter closed.

Should you have questions, feel free to contact our office.

Manager  
Anytown FSDO  
123 Whispering Lane  
Anytown, US 54321

14-2-3-7 through 14-2-3-21 RESERVED.