



**NATIONAL TRANSPORTATION SAFETY BOARD
FEDERAL AVIATION ADMINISTRATION
JOINT POLICY LETTER**

June 4, 2014



To: Distribution attached

Subject: Federal Aviation Administration Access to Continued Operational Safety (COS) Information During a National Transportation Safety Board Investigation

The National Transportation Safety Board (NTSB) and the Federal Aviation Administration (FAA) both perform critical roles in maintaining aviation safety. This letter is being distributed to the aviation industry to clarify the roles and responsibilities of the NTSB and the FAA during an incident or accident investigation.

The NTSB, through its Office of Aviation Safety, investigates all civil aviation accidents and select incidents in the United States and also participates in foreign accident investigations involving US-certificated air carriers or US-manufactured equipment in accordance with the Convention on International Civil Aviation. The NTSB determines the probable causes of about 1,500 aviation accidents and incidents annually. The NTSB assigns an investigator-in-charge (IIC) for every NTSB investigation, even if NTSB personnel do not travel to the scene.

The FAA has the authority to investigate aviation safety-related matters as necessary to ensure COS and does so as needed after a significant accident or incident. The FAA depends on the cooperation of design approval holders and operators in these investigations to ensure collection of timely and relevant data.

By statute, the NTSB investigation of an aviation accident or incident takes priority over other agencies' investigations. The NTSB and the FAA recognize the intent of Congress to prevent duplication between the respective investigations and to require that the NTSB take the lead role in investigations. Accordingly, the FAA participates as a party in NTSB aviation accident and incident investigations, enabling the FAA to obtain safety-critical information in a timely manner from the NTSB's comprehensive fact-gathering activities.

The FAA may require information in addition to that required by the NTSB or it may require information more expeditiously than the NTSB to address urgent unsafe conditions. The FAA is authorized to obtain such information directly from parties. To help ensure that the appropriate priority is placed on the collection of investigative information that the FAA needs promptly to ensure COS, the NTSB, the FAA, and the operator or manufacturer (or both, as appropriate) will conduct an interagency communication call at the start of an investigation to identify and coordinate information requests. Following that call, any information that is provided to the FAA must be shared



2

simultaneously with the NTSB. If there are any questions regarding an information request, the assigned NTSB investigator-in-charge can be contacted immediately through the NTSB Response Operations Center at (202) 314-6290.

The NTSB will lead interviews of operator and manufacturer personnel and will conduct them as soon as practical. An FAA party representative, along with other party representatives, will be invited to participate in the NTSB interviews. The FAA may conduct its own follow-up interviews of these personnel if the FAA needs additional information to ensure COS and will share the results of these interviews with the NTSB in a manner consistent with the FAA's obligations as a party. Furthermore, if the NTSB is unable to conduct interviews within a reasonable time, the FAA will coordinate with the NTSB to conduct its interviews to ensure COS and provide the results to the NTSB.

Although the NTSB and the FAA have different roles, we share the need for timely, unimpeded access to operational safety information. We thank you for your cooperation in ensuring aviation safety.

Sincerely,

A handwritten signature in black ink that reads "John DeLisi".

John DeLisi, Director
Office of Aviation Safety
National Transportation Safety Board

A handwritten signature in black ink that reads "Tony Fazio".

Tony Fazio, Director
Accident Investigation and Prevention
Federal Aviation Administration

cc: FAA Aircraft Certification Offices—All Personnel
FAA Certificate Management Offices—All Personnel
NTSB Office of Aviation Safety—All Investigative Personnel