CHAPTER 182. CONDUCT AN INVESTIGATION TO DETERMINE COMPLIANCE

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

- Legal Action: 1731
- Administrative Action: 1733
- No Action: 1735

2. INDEPENDENT SAFETY BOARD ACT AMENDMENTS OF 1994. The "Independent Safety Board Act Amendments of 1994, Public Law 103-411" redefined the definition of public aircraft. Advisory Circular (AC) 00-1.1, Government Aircraft Operations, provides guidance for government entities to determine whether or not the operations they conduct with government-owned aircraft are public aircraft operations or civil aircraft operations. Federal Aviation Administration (FAA) flight operations that are determined to be public aircraft operations must comply with certain FAA regulations under Title 14 of the Code of Federal Regulations (14 CFR), including those pertaining to the control of air traffic and aircraft identification (see Title 49 U.S.C., section 40103(b)(2)), while civil aircraft operations must comply with those and all other applicable FAA regulations. AC 00-1.1 should be used to assist in determining if a particular government-owned aircraft is being operated as public or civil operation. The public law also contemplates the use of leased aircraft for Federal government operations, however the AC does not address these types of operations.

3. OBJECTIVE. The objective of this task is to determine whether a violation of 14 CFR occurred and, if so, to conduct an investigation of the alleged violation and to recommend corrective action. Successful completion of this task results in preparation of a formal investigative report.

4. GENERAL. The Associate Administrator for Regulation & Certification (AVR-1) wants to ensure that FAA flight operations are conducted in accordance with 14 CFR. IT MUST BE MADE CLEAR THAT IF AN INVESTIGATION REVEALS THAT AN FAA FLIGHT OPERATION IS BEING, OR HAS BEEN, CONDUCTED CONTRARY TO APPLICABLE FAA REGULATIONS, ENFORCEMENT ACTION WILL BE INITIATED. FAA Order 2150.3A, Compliance and Enforcement Program, is being amended to include guidance concerning enforcement actions against government entities, including the FAA.

A. The Administrator of the FAA has determined that it will be agency policy that the FAA Flight Program will be operated to industry standards. As a result, some FAA flight operations will be conducted in accordance with 14 CFR part 135 or part 119 standards, even though they may be public aircraft operations, not legally subject to part 135 or part 119.

B. There may be times when personnel associated with FAA flight operations operate contrary to the FAA regulations, FAA policy, or both. The general guidelines to be used in implementing and executing an internal compliance and enforcement program are in paragraph 6.

C. Enforcement Investigative Report. When an apparent violation of the FAA regulations has occurred, or an operation apparently contrary to FAA policy requiring adherence to certain provisions of the FAA regulations has occurred, the inspector shall conduct an investigation and process an Enforcement Investigative Report (EIR) in accordance with the guidance contained in paragraph B.

D. Inspector Responsibilities. The inspector's role in an investigation is to gather ALL facts and circumstances as evidence, to analyze that information in the form of an Enforcement Investigative Report (EIR), and to recommend corrective actions based on the facts and circumstances. For a detailed discussion of investigative techniques and acquisition of evidence, see volume 2, chapter 180.

(1) Investigations under the jurisdiction of the Federal Aviation Administration (FAA) are the responsibility of the Offices of Flight Standards, Aircraft Certification Service, Civil Aviation Security, Airport System Development, and Airport Safety and Standards. It is essential that coordination is main-

tained with any field office having an interest in an investigation.

(2) Inspectors may be required to participate in national inspections and surveillance outside of their Flight Standards District Office's (FSDO) jurisdictions. Violations of regulations uncovered during one of the national inspections are referred to the FSDO having geographic authority for investigation and corrective action.

E. Notification Sources. The FSDO may be notified of possible violations from many sources. Upon notification of a possible violation, the inspector evaluates whether there is need for immediate emergency action, in which case the delay of routine handling could jeopardize public safety. The inspector may handle each notification differently based on its source.

(1) Air traffic control (ATC) personnel at centers, towers, and flight service stations are in a unique position to observe apparent violations. Each ATC facility is responsible for promptly notifying the appropriate FAA FSDO of any incident or complaint that may involve violations of 14 CFR. Upon request from the appropriate FAA office, each ATC facility must provide factual documentation of possible violations in the form of tapes, transcripts, controller statements, etc.

(2) If a Federal or local law enforcement agency has investigated an accident, incident, or criminal offense, it may have valuable information. These records often include the names of witnesses who may be interviewed by the investigating inspector.

(3) Occasionally, information is received from the public concerning alleged violations. This is usually processed as a complaint from which information may lead to an enforcement investigation (see volume 2, chapter 181). The inspector must be careful to maintain the confidentiality of a person reporting a possible violation by an airman or an operator, especially when the person requests confidentiality.

(a) The person reporting the violation shall be assured that confidentiality will be maintained at least until the case has reached the hearing stage or until regional counsel believes that it is appropriate to release names.

(b) Confidentiality assures that the livelihood or well-being of a potential witness is secured. Maintaining confidentiality may be of life-saving importance to a potential witness who has reported drug-related violations.

F. Planning and Initiating the Compliance Investigation. A complete plan establishes who did or should have done what, where, when, why and how it happened. See FAA Order 2150.3, Compliance and Enforcement Program, chapter 4, for comprehensive guidance on planning the investigation.

G. Evidence. See FAA Order 2150.3, chapter 4, for a description of the diverse types of evidence used in investigations. See FAA Order 8700.1, volume 2, chapter 180, section 1, for a discussion of evidence acquisition in relation to FAA compliance policy.

H. Report Preparation. Refer to FAA Order 2150.3, chapter 9, for a comprehensive description of report preparation, including sample letters. See FAA Order 8700.1, volume 2, chapter 180 for information on EIR analysis in relation to FAA compliance policy.

I. Determination of Action and Sanction. Initially, it is the inspector's responsibility to recommend the appropriate corrective action once the inspector has determined that a violation has occurred. Each pertinent office of the FAA is then responsible for evaluating the seriousness of a violation and judging the appropriate action to take. Sanctions should be as uniform as possible but of paramount importance. It is the requirement that the sanction selected in each case be sufficient to serve as a deterrent. See chapter 180 of this handbook for a discussion of FAA compliance policy and the role of the inspector in rehabilitation. FAA Order 2150.3, appendix 4, contains guidance on appropriate levels of sanction.

J. Terminating the Investigation. If at any time during the investigation the inspector determines that there is insufficient evidence of a violation, the inspector should terminate the investigation with no action, complete sections A and B of the EIR, and notify the airman accordingly.

5. SPECIAL CONSIDERATIONS.

A. Aircraft Owner Identification. Unnecessary delays in completing EIR's and some enforcement actions have occurred because of difficulties in identifying aircraft owner. Letters of investigation were returned because the address on record (in the FAA Aircraft Registry) was incorrect or the ownership changed.

(1) The accuracy of the information received from the FAA Aircraft Registry depends on the aircraft owner's active compliance with the registration requirements of 14 CFR parts 47 and 91.

(a) In order for the information to be accurate, the owner must register the aircraft and submit the proper documentation to the registry.

(b) A ramp inspection may not detect inaccurate documentation. During a ramp check, if an aircraft is operating with the second duplicate registration application copy (pink slip), the inspector cannot verify that the owner submitted the appropriate application for registration.

(2) In order to alleviate this problem, field office inspectors must verify the registration presented by the operators.

(a) This is done by comparing the registration information presented against that contained in Aviation Safety Analysis System (ASAS). If a discrepancy is revealed, the ASAS documentation may be used for an enforcement action.

(b) Validation is especially important when an aircraft is found that operates with a "pink slip" copy of the registration application because some operators continue to operate with the pink slip and without forwarding the registration application to the registry. Some operators use this practice to escape sales or property taxes; others may be involved in criminal activity.

(c) When expiration of the pink slip is detected, the owner should be directed to request a grant of extension from the Aircraft Registration Branch, AVN-450. If granted, the extension will be sent to the owner by facsimile. The extension must be carried in the aircraft.

(d) Guidance for replacement of lost, stolen, or mutilated certificates is in 14 CFR § 47.49.

(e) The inspector shall take appropriate action when operators do not comply with the registration requirements of 14 CFR.

B. North Atlantic Minimum Navigation Performance Airspace (MNPS). Refer to chapters 222 and 223 for information on MNPS.

6. APPARENT VIOLATIONS OF 14 CFR.

A. Title 14 CFR part 91 Operations. If the airman and/or air operator may have violated a part 91 Regulation, the EIR would be processed in accordance with the guidance contained in paragraphs 4F and G.

B. Title 14 CFR part 135/119 Operation. In the case of violations by an FAA air operator that carry civil penalty sanctions under the Sanction Guidance Table found in FAA Order 2150.3A, appendix 4, a civil penalty should not be recommended against the operating organization. The collection of civil penalties by the FAA from itself would not constitute a viable sanction. The Office of the Chief Counsel, AGC-300, should be consulted for a determination of the appropriate enforcement action to be taken against the operator. FAA personnel, however, are subject to civil penalties just as any other airmen are.

C. Operations Apparently Contrary to FAA Policy. Notwithstanding the fact that operations and maintenance manuals and operations specifications are modeled after those prescribed by various parts of the FAA regulations, certain operations contrary to these documents may not necessarily be violations of the FAA regulations.

D. If FAA personnel are required to operate in accordance with part 135 or part 119 standards by FAA policy (FAA 0rder 4040.24B, Operational Standards for FAA Aircraft; and FAA Order 4040.9D, FAA Aircraft Management Program), but are not legally subject to the regulations, the inspector nevertheless shall conduct a normal enforcement investigation and open an EIR if it appears that the FAA policy requiring adherence to the regulations has not been followed. Because the pertinent regulations legally have not been violated, FAA personnel will not be subject to enforcement action; however, because the policy to operate under part 135 or part 119 was not followed, responsible FAA personnel could be subject to FAA Order 3750.4, Conduct and Discipline.

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SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of 14 CFR, FAA policies and orders, the investigative process and qualification as an Aviation Safety Inspector Operations. The inspector must also have completed the Compliance and Enforcement Procedures Course or have been signed off by the operations unit supervisor for "on-the-job" compliance and enforcement training.

B. Coordination. This task may require coordination with diverse offices and agencies within and without the FAA depending on the nature of the violation. As a minimum, ATC, the regional office, airworthiness unit, and other FSDO's should be coordinated with.

2. REFERENCES, FORMS, AND JOB AIDS.

A. References.

- Pertinent 14 CFR according to the nature of the violation
- Federal Aviation Act of 1958, as amended
- Title 14 CFR part 13, Investigative and Enforcement Procedures
- FAA Order 2150.3, Compliance and Enforcement Program
- FAA Order 8020.11, Aircraft Accident and Incident Notification, Investigation and Reporting
- FAA Order 8740.1, Aviation Safety Program Managers' Handbook, appendixes 6 and 7

B. Forms.

- FAA Form 8000-36, Program Tracking and Reporting Subsystem Data Sheet
- FAA Form 2150-5, Enforcement Investigative Report
- FAA Form 8020-11, Aircraft Accident and Incident Notification, Investigation, and Reporting

C. Job Aids.

- Sample letters and figures

3. PROCEDURES.

A. Notification. In general, upon receipt of notice of a possible violation, proceed as follows:

(1) Open PTRS.

(2) Within 48 hours of notification, ensure that the administrative staff makes an appropriate entry in the Enforcement Investigative Subsystem.

(3) When notified by ATC, advise the facility whether the matter warrants an investigation. If a decision is made to proceed, request the Air Traffic Facility to forward the following information within 5 working days:

(a) FAA Form 8020-11

(b) Certified re-recording of the ATC tapes, which include all communications pertinent to the case.

(c) Air Traffic Controller written statements

(4) When notification is received from a law enforcement agency, ask for documentation of the incident, and request that it be sent within 5 working days.

(5) When notified from another FSDO, request documentation be sent as soon as possible.

(6) When notified by the public, request a written witness statement that should contain a precise account of the occurrence (see volume 2, chapter 181).

(7) If the inspector observes the violation during an en route or ramp inspection involving an operator whose certificate is held in another FSDO, notify the relevant Certificate Holding District Office by a telephone call. Follow up with the appropriate documentation.

(8) If the inspector observed the violation during a base inspection, complete the appropriate Base Inspection Form and the PTRS Data Sheet. Proceed with the necessary investigation.

(9) If the alleged violation was discovered as a result of investigation of an accident or incident, review the Accident/Incident Investigation Report, if available, or any accident/incident data and determine whether a violation did occur.

B. Investigation Plan.

(1) Regardless of the source of notification, determine whether there is a basis for investigation.

(2) Develop a plan of action.

(a) Determine if there is a need for immediate, emergency action.

(b) Determine whether this case is a criminal violation. If so, see FAA Order 2150.3, chapter 6.

(c) Obtain an EIR number.

(d) Determine the specific section of 49 U.S.C. or regulation involved in the case. Determine the elements of the case that establish a violation (this may require assistance from legal counsel).

(e) Determine what evidence is needed to substantiate this case, where it would be located, and how to obtain it. If evidence must be obtained from witnesses, assess whether the witness must be interviewed and whether written statements must be taken (see volume 2, chapter 180).

C. Acquisition of Evidence. Obtain the following types of evidence, as appropriate:

(1) Response to any Letter of Investigation, if available.

(2) Witness statements. For complete development of witness statements see FAA Order 2150.3, chapter 4 and FAA Order 8700.1, volume 2, chapter 180, section 1.

(3) Photographs, charts, maps, diagrams.

(4) Miscellaneous documents such as passenger manifests, operator records, records of phone conversations, air traffic documentation or documentation from other government agencies.

(5) Automated airman records such as pilot certificates, medical records, accident/incident and previous violation history records. If formal documentation is required, notify AVN-120 and request certified copies of documents.

D. Violation Determination. Based on the evidence, determine whether or not a violation occurred.

(1) If a violation did not occur, prepare sections A and B of the EIR, and send a letter to the airman indicating that the investigation did not establish that a violation of the 14 CFR occurred.

(2) If the inspector determines that a violation occurred, proceed with the investigation.

E. Recommend Corrective Action.

(1) If the facts and mitigating circumstances warrant, recommend the airman for remedial training.

(a) Document the factors that justify remedial training (see chapter 180, section 1, paragraph 9B(1) and (2)).

(b) Send a letter of investigation to the airman, indicating that the airman may be eligible for the remedial training program.

i. Inform the airman in the letter that the airman must cooperate during the investigation and express an interest in actively participating in a prescribed course of remedial education.

ii. Indicate in the letter that the final determination for the airman's eligibility for the remedial training program is the FAA's option.

iii. Inform the airman in the letter that the cost of all remedial training must be borne by the airman.

iv. Inform the airman that he or she must respond to the offer of remedial training in order to begin the remedial training program planning.

(c) Advise the Accident Prevention Program Manager (APPM) of all facts surrounding the violation.

(d) Provide the APPM with a copy of the investigation file.

(e) Upon contact from the airman expressing interest in the remedial training, notify the APPM to schedule a meeting with the airman.

(f) Refer to FAA Order 8740.1 for additional information on the role of the APPM.

(g) After the airman completes the remedial training to the satisfaction of the APPM, receive the APPM's verification of the remedial training. Place the following in the investigation file:

i. An original record of training, signed by each instructor or authorized official of the training establishment, that has been provided to the APPM by the airman.

ii. Any other documents that provide evidence of the completion of remedial training, facsimiles of logbook entries, aircraft rental invoices, etc.

iii. A record of discussion with the instructors providing the training, if the inspector deems that appropriate.

(h) Issue the airman a letter of correction as per FAA Order 2150.3, paragraph 1104, and process the EIR.

(i) Send a copy of the letter of correction to AFS-820 for program review.

(j) If the airman fails to complete any requirements of the remedial training designed by the APPM, rescind the participation in the remedial training program in writing. Resume appropriate legal action against the airman, and inform the airman accordingly.

(2) If the facts and circumstances do not indicate the airman's eligibility for remedial training, determine the appropriate legal action (see Order 2150.3, appendix 4).

F. Prepare an EIR Package.

(1) If the inspector has opted for corrective action in the form of remedial training, prepare the EIR in accordance with FAA Order 2150.3, chapter 9 and chapter 10, paragraph 1001, and office procedures.

(2) If the inspector has opted for legal action, prepare the EIR in accordance with FAA Order 2150.3, chapter 9 and chapter 10, paragraph 1002, and office procedures.

G. Processing the EIR Packet. The EIR will be processed at the FSDO level in the normal manner. When the EIR is forwarded to the Regional Office for review, it should be sent to the Regional Public Aircraft Coordinator. It shall be the Regional Public Aircraft Coordinator's responsibility to review the EIR and ensure that the EIR has been fully investigated and supports the action recommended by the District Office. The Regional Public Aircraft Coordinator will distribute the EIR in accordance with the procedures described in FAA Order 2150.3A. Additionally, in all cases, the Coordinator will forward a copy of the EIR to the Senior Flight Safety Officer, AFP-3, who will, in turn, forward the document to the appropriate FAA air operator for their processing of any potential conduct and discipline action.

(1) It should be noted that FAA Order 3750.4, paragraph 201(h) requires FAA employees to "[o]bserve the various laws, rules, regulations, and other authoritative instructions," including FAA's regulations. Therefore, an enforcement action taken against an FAA employee could result in a conduct and discipline action as well. Any FAA employee subjected to an enforcement action or conduct and discipline action will be afforded all due process considerations and be entitled to all rights of appeal.

(2) While the above paragraphs focus on flight operations and pilots, the same logic is applicable to other FAA employees who are airman certificate holders such as mechanics, aircraft dispatchers and flight engineers.

H. Disposition. After completion of the EIR, forward it to the FSDO manager for approval and signature. Forward the EIR package to the regional office for review.

I. PTRS. Select the appropriate PTRS code according to the type of action recommended for the airman. Indicate in the Comments section whether remedial training was an option and whether it was successfully completed.

4. TASK OUTCOMES. Completion of this task results in one or more of the following:

A. "No Action" notification letter to the airman.

B. Completed EIR package.

C. Letter of notification of re-examination.

D. Letter of investigation.

E. Letter of correction.

F. Letter rescinding remedial training eligibility.

5. FUTURE ACTIVITIES.

A. Possible appearance at informal hearing.

B. Possible appearance at court proceeding.

C. Possible increase in surveillance schedule of an operator.

D. Pilot re-examination or aircraft re-inspection.

FIGURE 182-1
REMEDIAL TRAINING SCENARIO

We have provided the following case, involving an unauthorized TCA incursion, as an example of remedial training as a corrective action; however, corrective action through remedial training is not limited to TCA incursions. There are other types of non-compliance that can be corrected by the remedial training approach. We have cited a TCA incursion as an example because of the large body of knowledge accumulated in this area. The conclusion of a study of TCA incursions was that future compliance could best be assured when FAA provides for retraining of the airmen involved. FAA has decided that this approach is in the best interest of the public and will have a positive impact on aviation safety.

EXAMPLE

The pilot of a Cessna 182 was on a flight from a small, uncontrolled airport to a medium-sized controlled airport approximately 200 miles away. The trip was a pleasure flight under VFR in reported VMC. There were scattered clouds and six miles visibility at several reporting points along the route of flight. The pilot did not plot the planned course on the charts brought along for the flight. (The investigation disclosed that the charts were one revision cycle out of date.) The pilot planned to use a route close to what the pilot had previously flown using primarily VOR navigation. However, on this flight the pilot planned to use a newly installed LORAN-C receiver. Further, the pilot planned not to fly directly over the VOR's because of the amount of traffic the pilot had observed near them during previous flights. The airport of arrival was under the floor of a TCA, which the pilot planned to circumnavigate. The pilot did not program any waypoints into the LORAN-C receiver before takeoff since the pilot planned to rely on the receiver's built-in database.

The flight proceeded normally, with the pilot identifying landmarks, among them a river, a highway, railroad tracks, and a small city. About halfway through trip, some cumulus buildups appeared ahead, and the pilot elected to deviate to the left of course. There was not a VOR in a good position for the new course, and no programmed waypoint in the LORAN's database seemed appropriate. The pilot elected to use a distant airport as a waypoint and followed the course indicated by the LORAN C. After some minutes of flying, the terrain appeared unfamiliar. The pilot attempted to cross-check position with the VOR receiver but could not receive the selected station. Then, the pilot decided to program a waypoint in the general direction the pilot felt was appropriate. The pilot looked at the chart and defined the waypoint in terms of a radial and distance from a VOR that was some distance off the intended course of flight. The pilot continued on this course and after a while spotted a familiar river. The pilot was surprised at how far south the airplane's position was. The pilot concluded that the position was past the TCA and that the airplane was close to the original, intended route of flight.

Nearing the intended destination, the pilot monitored ATIS and contacted the ATC tower for landing instructions. After the pilot landed uneventfully and turned off the runway, the ground controller asked the pilot to contact the tower by telephone. The pilot acknowledged and complied with the instruction as soon as the airplane was secured in the parking area.

The pilot was dismayed after placing the call to the tower because the controller answering the phone seemed officious and asked for the spelling of the pilot's name after the pilot admitted to operating the particular aircraft. The controller requested the pilot's address and pilot certificate, grade, and number. After supplying all the requested information, the pilot asked what the problem was. The controller indicated the TRACON had asked for the information. The pilot asked again if there was a problem, and the controller responded that the pilot would get an explanation in the mail.

Ten days later, the pilot received a letter of investigation from a FSDO near the location of the TRACON. The letter advised the pilot of an investigation into a TCA incursion on the day of the pilot's flight. The pilot decided to telephone the investigating inspector and provide the details of the flight. The investigating inspector was not available when the pilot called; however, after inquiring about the remedial training program, the pilot was put in touch with the accident prevention specialist (APS). The APS the program but informed the pilot that the investigating inspector was the only FAA official who could determine the pilot's eligibility for participation. The APS arranged for the pilot to have an appointment with the investigating inspector.

When the pilot arrived for the appointment, the pilot brought the charts used for navigation, the operations manual for the LORAN C, and airman and medical certificates. The investigating inspector interviewed the pilot at length and reviewed tho pilot's cross-country planning procedures as well as the pilot's knowledge of VOR and LORAN C. Before the interview, the investigating inspector had plotted the aircraft's actual track on a current sectional chart, as the inspector determined it from the National Track Analysis Program report. The inspector used that illustration during the interview.

FIGURE 182-1
REMEDIAL TRAINING SCENARIO (Continued)

The course plotted by the inspector showed that the aircraft had penetrated one of the outer rings of the TCA that the pilot had intended to avoid. The inspector showed the pilot the actual course and after some discussion with the pilot determined that the penetration occurred when the pilot was attempting to circumnavigate the cumulus buildups encountered on the trip. Further, the inspector determined that while the pilot's knowledge of navigation appeared adequate and up to the standards of the pilot's certificate, the pilot's navigational practices were insufficient, considering the pilot's use of the LORAN on this flight.

The inspector noted a number of deficiencies starting with using out-of-date charts. Further, the pilot had not plotted the course, and the pilot's knowledge of the LORAN-C equipment was deficient. In short, the pilot had failed to use all available navigational resources.

The investigating inspector, noting the pilot's prompt reply to the letter of investigation, the pilot's attitude toward compliance, and the pilot's willingness to disclose the facts and seek remedial training, determined that this case could best be resolved by a structured remedial training program. The inspector referred the pilot to the APS, who had previously reviewed the case with the investigating inspector before the pilot's interview and drafted a remedial training agreement. After some discussion of the availability of qualified instructors and the location of an FAA radar-equipped air traffic facility convenient to the pilot, the APS and the pilot agreed on the training objectives and the elements necessary to achieve them. They both signed the finalized training agreement, and the APS scheduled a telephone interview for a progress assessment 15 days from the date the agreement was signed.

During the progress review, the APS learned that the APS knew the pilot's chosen instructor and that the pilot had an appointment for Operation Rain Check at a TRACON 30 miles from the pilot's home. The APS later contacted the instructor, reviewed the pilot's progress, and explained to the instructor that the APS would require the pilot to present a letter, signed by the instructor, detailing the elements of the pilot's training and the results. The instructor was complimentary about the pilot's rigorous attention to the training and forecast that it would be complete in about seven days. The instructor also was complimentary about the remedial training program and promised to write the required letter detailing the pilot's accomplishment.

About two weeks later, the pilot returned to the FSDO and presented the APS with a letter written by the instructor who conducted the remedial training. The letter described, in detail, all of the elements covered during the remedial training and documented the pilot's success in achieving the objective of each element. The APS compared the letter from the flight instructor with the written training agreement and determined that terms of the agreement had been satisfied. The APS advised that the pilot had successfully completed the prescribed remedial training program and that the pilot would receive a letter of correction describing the pilot's participation in the remedial training program and advising that the case was closed. The APS offered the pilot some advice concerning avoiding future incidents of this nature. The pilot thanked the APS for the advice and commented that the experience had been positive.

The APS returned the file to the investigating inspector, and they discussed the pilot's participation in and completion of the remedial training. They agreed that the intent of the remedial training program had been met. The investigating inspector issued a letter of correction to the pilot and processed the enforcement investigative report in accordance with policies governing administrative action.

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