



United States Department of the Interior
National Business Center
Aviation Management
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Boise, Idaho 83706-3991



INSTRUCTIONS

NUMBER:

220-1

SUBJECT:

AIRCRAFT MISHAP INVESTIGATION POLICIES AND PROCEDURES

EFFECTIVE DATE:

April 23, 2004

SUPERSEDES:

Instruction 220-1 dated April 15, 1991

.1 Purpose. The purpose of this Instruction is to outline a **process** for the conduct of aircraft accident investigations by the Department of the Interior Aviation Management (DOI AM).

.2 General Policy. DOI AM aircraft accidents are investigated to collect data for trend analysis, determine causal and contributing factors, and to develop recommendations for prevention purposes. The DOI AM Aviation Safety Office has the responsibility for investigating all aircraft mishaps occurring in Departmental aviation operations in cooperation with the National Transportation Safety Board (NTSB), and to represent the Department on all aircraft accident investigations where Interior has involvement, as specified by the DOI AM Associate Director.

A. **Authority.** The authority for DOI AM to investigate Interior aircraft accidents is derived from Departmental Manuals 112 DM 12, 350 DM 1 and 352 DM 6. The Associate Director AM has delegated the authority for the conduct of all such investigations to the DOI AM Aviation Safety Manager.

B. **Qualifications of DOI AM Investigator-in-Charge (IIC).** The DOI AM Aviation Safety Manager will designate the DOI AM IIC as specified in 352 DM 6. Minimum technical qualifications for assignment as a DOI AM IIC are:

(1) **Pilot Experience (PIC).** Total flying time of 1500 hours, and 1000 hours of Pilot-in-Command time in accordance with Office of Personnel Management occupational series GS-1815.

(2) **Aviation certificates.** FAA Commercial Pilot or Airline Transport Pilot (ATP) certificate and a Second Class Medical.

(3) **Education.** Completion of an Aviation Safety Certificate Program, Military Aviation Safety School resulting in the assignment of a Military Occupational Specialist (MOS) or Special Skill Identifier (SSI) as an aircraft accident investigator or similar training with the National Transportation Safety Board or the Federal Aviation Administration, or completion of a major aircraft manufacturer's training program for accident investigation.

(4) Aviation Safety Experience. In-depth experience in aviation safety and accident prevention and extensive experience in aircraft accident investigation procedures and techniques.

(5) Must have completed three on-site aircraft accident investigations under the direct supervision of a qualified DOI AM IIC of which one investigation will have been in each category (airplane and helicopter). The DOI AM Aviation Safety Manager will observe at least one investigation prior to releasing the individual for IIC responsibilities.

C. Responsibilities of the DOI AM Aviation Safety Manager.

(1) Makes IIC and other investigator assignments as required.

(2) Coordinates the selection of investigation team members in conjunction with the DOI AM IIC.

(3) Ensures that each assigned mishap is investigated in cooperation with the National Transportation Safety Board.

(4) Approves conclusions, causal and contributing factors contained in the DOI AM aircraft accident investigation. Note that the NTSB determines probable cause.

(5) Tracks the status of mishap recommendations to ensure corrective actions are completed prior to closing out the recommendation of the Aircraft Mishap Review Board.

(6) Analyzes mishap data and develops trend analysis.

.3 Organizing to Investigate.

A. Notification.

(1) DOI AM employees receiving notification that an accident has occurred shall immediately forward the call or other information received to the DOI AM Aviation Safety during working hours or to DOI AM Aviation Safety through the answering service for after-hours notification.

(2) The DOI AM IIC will document this initial notification on a Form OAS-77. The IIC will ensure that the DOI AM Aviation Safety Manager has been notified as soon as possible.

(3) The DOI AM Aviation Safety Manager will notify; the Associate Director AM; Director National Business Center, the Aviation Program Manager and Aviation Safety Manager of the bureau involved.

(4) The DOI AM Aviation Safety Manager or the DOI AM IIC will confirm that the Bureau is accomplishing the off-scene and on-scene responsibilities as required by the Interagency Aviation Mishap Response Guide and Checklist, Tab A thru Tab D.

(5) An immediate on-site investigation shall be initiated by the DOI AM IIC for all aircraft accidents as defined by NTSB 830.2 Definitions, and for incidents-with-potential as required by the Associate Director AM.

B. Investigation Team Selection.

(1) As specified in 352 DM 6.7, the **DOI AM Aviation Safety Manager** will select **DOI AM** investigation team members based on the complexity of the accident. As a minimum, team membership shall include:

- (a) **DOI AM** Investigator-in-Charge (IIC)
- (b) Bureau Aviation Representative; selected by the Bureau Aviation Safety Manager.
- (c) Bureau Safety Representative; selected by the Bureau Safety Manager (non-aviation).
- (d) Additional team members, selected by the **DOI AM Aviation Safety Manager**, in coordination with the **DOI AM IIC**, as deemed necessary to conduct the on-site investigation.

(2) Each team member's travel and per diem costs shall be borne by their respective Bureau/Office/Service.

(3) Each team member shall be under the direction and control of the **DOI AM IIC** during the field phase of the investigation.

(4) Bureau representatives will be invited to participate in the conduct of aircraft mishap investigations involving their agency. Their primary role will be that of liaison to facilitate the gathering of evidence. Agency representatives are not required to either concur or non-concur with the **DOI AM IIC**'s conclusions nor are they signatories to the accident report.

.4 Conduct of the Investigation. Interior aircraft mishap investigation activities shall be given priority over all other investigations of the same mishap except for National Transportation Safety Board investigations. The DOI AM Aviation Safety Manager will be responsible for coordinating DOI investigations with the NTSB and will serve as the DOI point of contact for NTSB aircraft accident investigations. Interior aircraft mishaps will be investigated in accordance with 352 DM 6 and this Instruction. Where conflict exists, this Instruction shall take precedence. NTSB investigations are subject to the rules and regulations of the NTSB.

A. General Information. Accidents involving military aircraft may be jointly investigated by **DOI AM in cooperation with the NTSB** and the affected military service, providing a cooperative agreement can be negotiated which is mutually acceptable to all parties concerned. Failure to negotiate a cooperative agreement **could** result in a unilateral **NTSB/DOI AM** accident investigation and report.

B. Responsibilities of the DOI AM IIC.

(1) **Ensures the preservation of aircraft wreckage, mail, cargo and records in accordance with NTSB 830.10. For additional information refer to the Interagency Aviation Mishap Response Guide and Checklist, Tab C, Preserving Evidence.**

(2) Coordinates investigations with other cooperating agencies, manufacturers, and participating parties.

(3) Obtains the assistance of technical experts, as required.

(4) **Conducts** an in briefing and out briefing for the senior agency official available.

(5) Ensures that DOI participation in accident investigations under the jurisdiction of the NTSB is in compliance with 831.11 Parties to the Investigation.

(6) Limits access to and release of wreckage, records, mail and cargo in accordance with NTSB 831.12 Access to and release of wreckage, records, mail and cargo. For additional information refer to the Interagency Aviation Mishap Response Guide and Checklist, Tab E, Recovery Operations.

(7) Preserves perishable evidence:

(a) Photographs site and wreckage (including videotaping).

(b) Takes fluid samples.

(c) Interviews witnesses.

(d) Ensures toxicological testing is promptly accomplished, if required. Testing will be for alcohol and drug abuse as specified in the Departmental Alcohol and Drug Abuse program.

(8) Develops information necessary for the preparation and dissemination of the Aircraft Mishap Initial Alert. This will be accomplished and transmitted to the DOI AM Aviation Safety Office within two (2) working days after arrival at the accident site.

(9) Prepares an interim accident report that may contain new information that has not yet been disseminated via previous alerts, notifications or reports. The interim report should be released within 90 days of an aircraft accident with the concurrence of the NTSB IIC.

(10) Ensures that all courtesies are extended to the injured parties and to their families. Compassion for these individuals shall not prevent a timely investigation but should be an ever-present consideration of the IIC.

(11) Ensures the use of personal protective equipment (PPE), carded pilots and aircraft, and compliance with all published DOI policies and procedures specified in Departmental Manuals 350-354 and appropriate DOI AM Operational Procedures Memoranda during all accident investigation flight activities.

(12) As the authorized representative of the Associate Director AM at the accident site, the DOI AM IIC may temporarily suspend the flight crew from DOI aviation activities. This will be at the discretion of the DOI AM IIC based upon the circumstances discovered during the investigation. This action requires the issuance of a Letter of Temporary Suspension, Form OAS-65, to the crewmember concerned. The appropriate Regional/Area Director and the appropriate Contracting Officer (if applicable) will be immediately notified of the suspension and a copy of the suspension letter forwarded to them.

(13) Upon the NTSB's release of wreckage to DOI, the DOI AM IIC will subsequently release the wreckage to the owner or operator or their designated representative upon completion of the on-site investigation. Release of a contracted aircraft will be accomplished under the authority granted, in writing, by the Contracting Officer. Removal from the crash site to another location for further investigation will not necessarily be a cause for the release of the wreckage.

This movement is the responsibility of the vendor upon a request from the DOI AM IIC. Only when the DOI AM IIC has completed an inspection of the wreckage will a Form OAS-76A, Release of Aircraft Wreckage, be signed and issued to the vendor. Once accomplished, the wreckage is under the control of the vendor.

(14) Any parts or components retained by the DOI AM IIC will be cataloged utilizing Form OAS-76B, Receipt of Aircraft Parts, and presented to the Vendor's representative. Where possible, the nomenclature, model number, make and serial number will be listed. Upon completion of analysis, coordination with the vendor will be made for disposition in accordance with the appropriate procurement document.

(15) Coordinate, as necessary, with contracting and establish an account number to be utilized for procurement of services critical to the completion of the gathering of data, recovery of the aircraft or transportation.

(16) Conduct a call-in to the DOI AM Aviation Safety Manager or Associate Director AM on a daily basis to provide an update on the investigation.

C. Scope of Investigation. Several factors influence the scope of investigations: severity of injury or damage, probability of adverse public reaction, future mishap potential, etc. The size of the investigative effort should be based on the complexity of the mishap being examined. The size of the investigation team can range from a single investigator to a team effort with diversified areas of expertise including outside consultants.

D. Possible Adverse Public Reaction. Catastrophic events or other events, which have the potential to promote adverse public reaction, will be immediately brought to the attention of the Director National Business Center for guidance and resolution. DOI AM should be prepared to provide the IIC even though other Departmental personnel may be assigned as team members; e.g., public affairs officer, legal counselor, etc.

E. Mishap Potential. The potential for mishap recurrence may suggest the need for a more extensive investigation than normally conducted for a given amount of damage or injury. The DOI AM Aviation Safety Manager is authorized to conduct an expanded investigation when deemed necessary to support preventive actions.

F. Investigations by Other Agencies. DOI mishaps involving other public use aircraft including military and civil aircraft may cause DOI AM to respond in a primary, joint, participative, or support relationship with other investigative agencies. The relationship is influenced by a number of factors such as type or category of aircraft ownership, fatal or non-fatal accident, agreements made with other agencies, etc.

(1) Primary – where DOI AM is responsible for the organization, conduct, and control of the investigation, including issuance of the final report.

(2) Joint – where DOI AM shares investigative responsibility and initiative on a co-equal basis. DOI AM may be responsible for the final report.

(3) Participative – where DOI AM shares selected investigative responsibilities and exercises discretionary initiative but not as a co-equal partner. DOI AM will not be responsible for the final report.

(4) Support – where DOI AM participates in a positive but subordinate role by providing information and administrative/logistical assistance to the primary investigating agency.

G. Authority For Use of Interagency Personnel. When aircraft, facilities, material, or personnel of other Departments are involved in DOI aircraft mishaps, the other Department has a vested interest. Use of other Department personnel is authorized provided the interface is consistent with the relationships outlined in paragraph F above and the investigation and report requirements of DOI are met. Reports may be prepared on individual forms and in formats required by each agency and the wording of conclusions may vary to fit the needs of the individual Department. However, the meaning of conclusions or cause factors should not conflict. If, for any reason, a mutual agreement cannot be negotiated, two independent investigations are conducted using each Department's reporting directives. Only one report will be issued by DOI and that report shall be issued by DOI AM.

H. Investigative Evidence. Investigative procedures and techniques contained in International Civil Aviation Organization (ICAO) Document 6920-AN/855/4, Manual of Aircraft Accident Investigation, is the standard for DOI AM aircraft accident investigations. Evidence will be examined and analyzed to the extent necessary to establish facts, conditions and circumstances surrounding the occurrence; to make a determination of cause; to prevent recurrence of accidents to the maximum extent possible. A DOI AM IIC will be assigned to all mishaps in which DOI AM has a primary investigative responsibility. Participation by others shall be under the direction and guidance of the DOI AM IIC. Forms utilized by OAS to document aircraft accident data are located in the DOI AM Aviation Safety Office.

(1) Security of Crash Site Evidence and Related Materials. Accident investigations have inherent priority over other activities associated with the mishap. Of primary concern is the security or impoundment of crash site evidence by the Investigator-in-Charge. Except for rescue of personnel and elimination of hazardous materials, which always takes precedence even at the risk of losing evidence, the DOI AM IIC takes those actions necessary to preserve evidence and crash scene integrity for investigative analysis. Critically important is the period immediately after the accident but prior to the arrival of the IIC on-site. Initial communications between the agency reporting the accident and the DOI AM IIC shall include instructions and guidance regarding security and preservation of crash site evidence.

(2) Photographic Evidence. Photographic documentation of perishable evidence and of the accident site is essential as an added dimension to the report and capability for accident analysis.

(3) Witness Statements. DOI AM investigators will conduct witness interviews and obtain witness statements when DOI AM is in charge of an investigation. Witnesses include those involved in the mishap, those who saw it, those whose knowledge or experience can assist the investigation, or those whose training and experience qualify them as experts.

(a) If a statement is provided by a witness under medication, a notation so indicating shall be added to the statement.

(b) Witnesses are not required to provide statements under oath and are not sworn.

(c) Witnesses are advised of the purpose of the investigation before being asked to make statements.

(d) A tape recorder may be used to acquire witness statements providing the witness gives consent. Indication of the consent must be included with the introductory remarks at the beginning of the recording.

(4) Disposition of Evidence. The investigator will keep materials used as evidence only

as long as needed to complete the investigation and write the report. **DOI AM** contracts and rental agreements permit accident investigators to disassemble and send parts or components to a facility for analysis at Government expense. Reassembly and approval for return-to-service of any item disassembled by the Government is the responsibility of the vendor.

I. Recovery and Disposition of Wreckage. The **DOI AM IIC** is the authority for the release of aircraft wreckage.

(1) **Fleet Aircraft.** Recovery of wreckage in Alaska and Hawaii is a responsibility of the Alaska Regional Director, DOI AM; in the Lower 48, it is the responsibility of the Chief, Division of Technical Services. Recovery costs are funded by the Accident Reserves account.

(2) **Contract/Rental Aircraft.** Recovery of contract/rental aircraft is **the** responsibility of the vendor. The cost of salvage operations shall be the responsibility of the contractor and is so stated in the Contract/Rental Agreement. The **DOI AM IIC** may allow the release of wreckage to the operator for recovery from the crash site to a location where control shall be re-established for completion of the investigation.

J. Investigation Team Responsibilities. The **DOI AM IIC** is responsible for the conduct of the investigation and guidance of all team members. Those team members not adhering to the responsibilities of authority vested in the IIC by the Associate Director AM, when acting properly within his scope, may be released by the **DOI AM IIC** and excluded from any further participation in the investigation. When such action is taken, the **DOI AM IIC** will notify the **DOI AM Aviation Safety Manager** with a statement-of-cause. This will be accomplished as soon as possible without disrupting the course of the investigation.

(1) All team members participate under the control of the **DOI AM IIC**.

(2) All team members will conduct the assignments made by the **DOI AM IIC**.

(3) Members will meet daily to discuss the investigation and to receive new assignments for the upcoming day.

(4) Members are to be reminded they are bound by confidentiality regarding all aspects of the investigation and to the preliminary findings/conclusions of the team. At no time will any team member express opinions of their own or recite opinions of other team members. This includes comments solicited from their bureau supervisors or other superiors. The **DOI AM IIC** may make comments, within the bounds of confidentiality, to the **DOI AM Aviation Safety Manager**.

.5 Accident Classification.

A. Aircraft Accident. Refer to **49 CFR Part 830.2 Definitions** for the definition of **Aircraft accident, Fatal injury, Serious injury and Substantial damage.**

B. Mishaps Excluded From the DOI Mishap Reporting System.

(1) **Homicide and Suicide.** Attempted or actual homicide/suicide involving an aircraft will be reported to local law enforcement agencies and the FAA.

(2) Aircraft mishaps occurring as a result of criminal acts or acts of hostility, such as shooting at an aircraft involved in law enforcement activity, sabotage of parked aircraft, etc. These events will be reported to the FAA.

D. Aircraft Mishap Classification Coding. All aircraft mishaps shall receive a **DOI AM** mishap number. This number is compatible with the **DOI AM** financial cost accounting system. Its basic four-digit main code number will be used throughout **DOI AM** to track costs/resources identifiable to a specific mishap.

(1) Mishaps fall into two very broad categories; Fleet (5300 code) or contract/rental (5550 code).

(2) The full mishap number (accident, incident, aviation hazard, maintenance deficiency) is explained below. All such mishaps are coded utilizing this same process:

XX (a)	-	X (b)	X (c)	XX (d)	-	X (e)	-	XXX (f)
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- a. Fiscal Year - two digits (numeric) **FY 04 = 04**
- b. Last digit of fiscal year (numeric) **FY 04 = 4**
- c. Alaska Region or L-48 (alpha) **L-48 Accident = F (for Fiscal Years 95-04)**

All mishaps are identified by alpha coding by Alaska Region (Alaska and Hawaii) or the Lower 48 states. Every 10 years, the second digit of the fiscal year identifier in the cost accounting system reoccurs. To account for this cycle, the following alpha coding system will be used to identify mishaps within a given decade.

	FY 75 - 84	FY 85 - 94	FY 95 - 04	FY 05 - 14
ACCIDENTS				
Alaska Region	A	C	E	G
Lower 48	B	D	F	H
INCIDENTS				
Alaska Region	I	K	M	P*
Lower 48	J	L	N	Q

*The letter "O" is not used to prevent confusion with the number "0".

- d. Two-digit accident sequence (numeric) **4th accident in that Region, that FY = 04**
- e. Procurement (alpha) **A contract aircraft = C**

- A - Rental System
- C - Contract
- O - DOI-owned
- P - Privately owned by DOI employee, operating on official business.
- R - Bureau Rental - not on OAS Rental System.
- N - Not chargeable to DOI

M - Military aircraft on DOI project.

f. Agency Involved - Bureau of Land Management = LLM

(3) Bureau or agency three-letter codes for use in mishap report coding are:

BIA - Bureau of Indian Affairs
EGS - U.S. Geological Survey

ESM - Office of Surface Mining & Reclamation and Enforcement
FNP - National Park Service
FWS - Fish & Wildlife Service
LBR - Bureau of Reclamation
LLM - Bureau of Land Management
MMS - Minerals Management Service
UCG - United States Coast Guard
USA - U. S. Army
USF - U. S. Forest Service (USDA)

Example shown would read: 91-1D04-C-FNP

91- FY	1 FY	D Location	04 Sequence number that FY	C- Procurement Method	FNP Agency
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E. Mishap Sequencing. All mishaps are numbered in sequence by Alaska Region (Alaska and Hawaii) and the Lower 48 states. Since the DOI AM cost accounting system will only accept 4 digits, the following applies:

01 to 99: This series is reserved for use for **SERIOUS INCIDENTS ONLY**. This is to accommodate the 4-digit DOI AM Cost Accounting System and reserved so that expenditures for investigations made be documented.

.6 Aircraft Mishap Review Board (AMRB) The DOI Aircraft Mishap Review Board (AMRB) is an administrative proceeding convened to assist the Associate Director, DOI AM in the review of DOI aircraft mishaps and develop aviation safety recommendations that will help prevent similar mishaps from occurring in the future.

A. Convening. The AMRB is convened at the discretion of the Associate Director AM.

B. Membership. The Board will consist of the following members:

(1) President. Must be familiar with DOI aviation activities and not be associated with the bureau involved in the mishap.

(2) Recorder. Must be employed as an Air Safety Investigator (ASI) with the DOI AM Aviation Safety Office.

(3) Bureau Aviation Representative. Must be the Bureau Aviation Manager of the bureau involved in the mishap or a bureau employee approved by the Bureau Aviation Manager to serve as the bureau's representative.

(4) Technical Representative. Will be appointed, as needed, to provide technical assistance and advice.

(5) Occupational Safety and Health Representative. Will be appointed, as needed, to provide occupational safety and health assistance and advice.

C. Attendance at AMRB. Some accidents receive greater attention than others. There will be times when non-Board members will want to be present and comment during the Board proceedings. Such participation is at the discretion of the Board President. However, attendees must be limited to Federal employees who have some connection to the mishap and who can contribute in a positive manner. Parties to litigation, insurance representatives and the public are prohibited from attending any portion of the proceedings.

D. Proceedings. The proceeding is closed to the public. The Board should always keep in mind that the mishap that they are discussing contains privileged information and is to be used for accident prevention purposes only.

(1) The Board President will call the Board to order and direct the recorder to brief the mishap. The Board will then review the facts of the mishap and develop aviation safety recommendations.

(2) The Board will transmit all recommendations over the signature of the Board President. Should the Board's recommendations not be unanimous, the non-concurring member(s) will document their dissenting rationale, and forward it to the Board President to be attached to the recommendation memo.

(3) Safety recommendations adopted by the Associate Director AM will be tracked from the date of issue until implemented by the DOI AM Aviation Safety Office.

E. Recommendations. Although the Board is not staffed to conduct extensive cost benefit analyses, a "reasonableness test" is applied during the development of every safety recommendation. The estimated resources need to carry out the recommended action are considered and the impact of this potential resource commitment on the addressee is discussed, both in-house and with appropriate bureau/office personnel whenever deemed useful. The expected results of a recommendation should be considered during the development process. The following types of questions should be asked: What gain is expected? How is progress and completion of a recommended action to be measured?

.7 Report Submission. After review and approval by the Associate Director AM, The DOI AM Aviation Safety Manager shall forward two copies of the Aircraft Mishap File to the appropriate management official in each bureau. The DOI AM Aviation Safety Manager shall secure the original Aircraft Mishap File.

.8 Completed Reports. The Associate Director AM shall provide the DOI AM Aviation Safety Manager with approved recommendations and signed Letter(s) of Transmittal to appropriate action offices for inclusion in the Aircraft Mishap File. The DOI AM Aviation Safety Manager shall then transmit the Aircraft Mishap File with Recommendations over the Associate Director's signature and will establish a response suspense file.

.9 Custodial Care of Final Reports.

A. Security. The **DOI AM Aviation Safety Office** is the Custodian of Record for all **DOI AM** aircraft mishap reports. No individual shall, nor is any individual authorized, to review, copy or remove from the premises any **Aircraft Mishap File** without the written authorization of the **DOI AM Aviation Safety Manager**.

B. Freedom of Information Act Requests (FOIA). Non-privileged information will be provided in accordance with 43 CFR 2. Internal procedures for handling FOIA requests are outlined in OAS Internal Instruction 110-7 and are amplified as follows:

(1) Initial Receipt. If inquiry is received directly not having been previously reviewed by the **DOI AM FOIA Officer**, it is date-stamped and a copy is forwarded to the **FOIA Officer for logging in the FOIA log book and establish statutory initial response date**.

(2) Logging and Routing. The DOI AM Aviation Safety Office **Aviation Safety Assistant** will identify appropriate accident number, requestor, and IIC; prepare a draft response and forward to the Aviation Safety Manager or the designated IIC for review and signature, as appropriate.

(3) Response to Initial Request for Aircraft Accident Reports. If a FOIA request is for an Aircraft Accident Report, **a response to the requestor should be prepared referring the requestor to the NTSB**.

(4) Response for Completed DOI Aircraft Accident Reports. Upon a determination by the NTSB of the probable cause, the DOI Aircraft Mishap File will be "sanitized" in accordance with the Privacy Act of 1974, copied, and forwarded to the requestor after a final telephone confirmation of need. A record of this telephone call will be placed in the file. A copy of this final action response should be provided to the **DOI AM FOIA Officer**. A DI Form 1040 (Bill of Collection) shall accompany this transmittal, if appropriate.

(5) Review. All responses should conform to the Department's most current FOIA regulations (43 CFR Part 2, Subpart B) and the requirements of the current amendments to the Freedom of Information Act.

.10 Accident Accountability and Use of Statistical Data.

A. Chargeability and Accountability for Aircraft Mishaps. Within DOI, there are two broad accident classifications: Chargeable and Non-chargeable. Chargeable accidents are those accidents in which DOI was exercising operational control over the aircraft at the time of the accident. Non-chargeable accidents are those accidents in which DOI was not exercising operational control over the aircraft at the time of the accident but in which DOI employees or DOI-procured aircraft were involved. If, for example, a DOI-procured aircraft was "on-loan" to another Government agency and an accident took place, this accident would be considered "non-chargeable" to DOI.

Within the category of DOI chargeable accidents, there are two sub-categories: statistically accountable and non-accountable accidents. Only statistically accountable accidents are used by DOI AM to determine DOI aircraft accident statistics. A statistically accountable accident is one in which the flying hours for the aircraft are being accounted for by DOI AM at the time of the accident. Flying hours are normally accounted for by DOI AM for DOI owned, contracted, rented, and leased aircraft by using Form OAS-23, Aircraft Use Report, and the Form OAS-2, Fleet Aircraft Flight and Use Report. If a bureau elects to obtain a chartered aircraft by a means other than the DOI AM Rental/ Charter System, the flying hours are not accounted for and a subsequent accident while under charter may be chargeable to DOI but would not be statistically accountable.

B. Rate Computation. DOI AM uses the following aviation industry-accepted method of determining accident rates:

$$\text{Accident Rate} = \frac{\text{number of statistically accountable accidents} \times 100,000 \text{ hours}}{\text{total accountable flying hours}}$$

.11 Limitations On the Use of Accident Information. DOI investigates mishaps for accident prevention purposes. Investigators, witnesses, people who work with safety reports and people who obtain access to safety reports will ensure compliance with the limitations placed on using the reports.

A. Prohibitions on Use of Accident Information Within DOI. Accident reports and their attachments may not be used as evidence for disciplinary action or job performance appraisal purposes. Persons having access to these reports will not allow them to be used for determining pecuniary liability. Information contained in pre-deliberative documents, conclusions, and recommendations are classified as internal working papers and will not be included in the accident report nor will they be released under FOIA.

B. Determination to Release Accident Information. Despite the above restrictions, the factual parts of accident reports must be released in certain cases. They are released as required under the FOIA (5 U.S.C. 552). The determination to release accident information in response to requests made under FOIA shall be made in conjunction with the NTSB's IIC or General Counsel in the event that accident investigations under the jurisdiction of the NTSB have not yet been finalized and DOI AM continues to serve as a party to the accident investigation in accordance with NTSB 831.13 Flow and dissemination of accident or incident information, subparagraph (b).

C. Intra-departmental Collateral Investigators. Non-privileged information and materials will be provided to collateral investigators officially appointed to satisfy an administrative or procedural requirement. Wreckage will be made available to collateral investigators after the accident investigator is finished with it. A complete list of all witnesses interviewed during the accident investigation may be given only after it is determined no further interviews will be conducted.

D. Legal Representation. Legal assistance will be requested from the DOI Field Solicitor's Office when:

(1) A DOI AM employee receives or anticipates the receipt of a subpoena to provide testimony or evidence in a hearing or court proceeding.

(2) A request is received to provide a deposition to satisfy an outside administrative or legal requirement.

E. Depositions and Hearings. DOI AM employees will confer with the Associate Director AM, DOI legal representatives, and such other personnel as necessary prior to testifying at a mishap hearing or deposition. Each witness must be thoroughly familiar with all facts, which fall within the witness' area of responsibility and technical specialty. The DOI AM witness may review pertinent manuals, handbooks, or other materials but shall not bring such materials into a hearing room unless specifically required to do so by the court and such is concurred in by DOI Council. Legal counsel will review any documentary evidence to be introduced by a DOI AM employee.

.12 Aircraft Accident Investigation Policies and Procedures. The DOI AM Aviation Safety Manager is the proponent for this Instruction. The DOI AM Aviation Safety Manager exercises the authority granted by the Associate Director AM during the conduct of all aviation mishap investigations involving DOI personnel.

Associate Director