

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

ISSUED: August 24, 1972

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD  
at its office in Washington, D. C.  
on the 26th day of July 1972

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FORWARDED TO: )  
Mr. J. J. O'Donnell )  
President )  
Air Line Pilots Association )  
1329 E Street, N. W. )  
Washington, D. C. 20004 )  
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SAFETY RECOMMENDATIONS A-72-123 & 124

Over the past several years, there have been a significant number of instances in which, subsequent to a landing after a reportable occurrence or an incident, the flightcrew has failed to halt the operation of the cockpit voice recorder (CVR), thus causing the erasure of all recording pertinent to the occurrence. As a result, much significant information with valuable accident-prevention potential has been lost.

The members of your association are aware of the provisions of Part 121 (section 121.359(e)) of the Federal Aviation Regulations (FAR) relating to the retention of the CVR record following an occurrence which requires immediate notification of the National Transportation Safety Board under Part 430 of the Board's regulations. Failure by the flightcrew to prevent erasure of the tape appears to contravene the intent of the provisions of FAR 121.359, and, in some cases, there have been indications that this failure was not unavoidable. It should be noted that many of the instances where this loss of data occurred were due to the restoration of electrical power after the flightcrew had left the aircraft, without first having deactivated the electrical circuit powering the CVR.

We recognize that there are occasions in which the crew may not be able to make a prompt assessment concerning the necessity to notify the Board immediately. In such cases it would appear that the crew should stop the CVR, thereby preserving the record against erasure, until a more accurate determination can be made regarding the scope and extent of the occurrence.

Mr. J. J. O'Donnell (2)

As you know, company disciplinary action based upon information derived from the CVR has been the subject of considerable correspondence between our organizations over the past 2 or 3 years, as well as the National Air Carrier Association. It is hoped that no further use of CVR data will be made in company proceedings against flight crewmembers.


We are sure that you and your members are as interested as we are in determining all of the facts, conditions, and circumstances surrounding accidents and incidents of a less-than-catastrophic nature as well as those unfortunate occurrences with more dire results. It is with the knowledge gained from the relatively less serious occurrences that we may learn how to prevent tragedies from taking place. Usually, more of this type of insight can be gained when the information from the CVR is preserved. Accordingly, concurrent with this letter, we are transmitting to the Administrator of the Federal Aviation Administration a recommendation that the language of FAR 121.359(e) and 127.127(d) be amended to delineate the responsibility of the pilot-in-command for ensuring the preservation of CVR recordings following an occurrence likely to require immediate notification of the Safety Board.

In consonance with the foregoing, the National Transportation Safety Board recommends that the Air Line Pilots Association:

1. Remind its members of the provisions of FAR 121.359(e) and 127.127(d) pertaining to the preservation of recorded information.
2. Urge its pilot members to ensure that after a landing or a ground occurrence where immediate notification of the Safety Board may be required, the cockpit voice recorder be stopped by circuit breaker activation (or fuse removal, if applicable) upon securing the cockpit, until an accurate determination can be made relative to the aforementioned notification.

These recommendations will be released to the public on the issue date shown above. No public dissemination of the contents of this document should be made prior to that date.

Reed, Chairman, McAdams, Thayer, Burgess, and Haley, Members, concurred in the above recommendations.

  
By: L. M. Thayer  
Acting Chairman