

§ 104.71

right of recovery, whether through subrogation or otherwise, against the compensation paid by the Fund.

**Subpart G—Measures to Protect the Integrity of the Compensation Program**

**§ 104.71 Procedures to prevent and detect fraud.**

(a) *Review of claims.* For the purpose of detecting and preventing the payment of fraudulent claims and for the purpose of assuring accurate and appropriate payments to eligible claimants, the Special Master shall implement procedures to:

- (1) Verify, authenticate, and audit claims;
- (2) Analyze claim submissions to detect inconsistencies, irregularities, duplication, and multiple claimants; and
- (3) Ensure the quality control of claims review procedures.

(b) *Quality control.* The Special Master shall institute periodic quality control audits designed to evaluate the accuracy of submissions and the accuracy of payments, subject to the oversight of the Inspector General of the Department of Justice.

(c) *False or fraudulent claims.* The Special Master shall refer all evidence of false or fraudulent claims to appropriate law enforcement authorities.

**PART 105—SECURITY RISK ASSESSMENTS**

**Subpart A [Reserved]**

**Subpart B—Aviation Training for Aliens and Other Designated Individuals**

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**Subpart A [Reserved]**

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**Subpart B—Aviation Training for Aliens and Other Designated Individuals**

**§ 105.10 Definitions, purpose, and scope.**

(a) *Definitions.*

*ATSA* means the Aviation and Transportation Security Act, Public Law 107-71.

*Candidate* means any person who is an alien as defined in section 101(a)(3) of the Immigration and Nationality Act, 8 U.S.C. 1101(a)(3), or a person specified by the Under Secretary of Transportation for Security, who seeks training in the operation of an aircraft with a maximum certificated takeoff weight of 12,500 pounds or more from a Provider.

*Certificates with ratings recognized by the United States* means a valid pilot or flight engineer certificate with ratings issued by the United States, or a valid foreign pilot or flight engineer license issued by a member of the Assembly of the International Civil Aviation Organization, as established by Article 43 of the Convention on International Civil Aviation.

*Notification* means providing the information required under this regulation in the format and manner specified.

*Provider* means a person or entity subject to regulation under Title 49 Subtitle VII, Part A, United States Code. This definition includes individual training providers, training centers, certificated carriers, and flight schools. Virtually all private providers of instruction in the operation of aircraft with a maximum certificated takeoff weight of 12,500 pounds or more are covered by section 113 of ATSA (49 U.S.C. 44939) and are therefore subject to this rule. Providers located in countries other than the United States are included in this definition to the extent that they are providing training leading to a United States license, certification, or rating. Providers who “dry-lease” simulator equipment to individuals or entities for use within the United States are deemed to be providing the training themselves if the lessee is not subject to regulation under Title 49. Providers located in countries other than the United States