

September 3, 2020

Ali Bahrami
Associate Administrator for Aviation Safety
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, DC 20591

Dear Mr. Bahrami:

We write today to respectfully request the FAA extend certain exemptions expiring September 30, 2020 in SFAR 118-1 (Relief for Certain Persons and Operations during the Coronavirus Disease 2019) to allow affected pilots, aircraft owners, and manufacturers to continue their important role to the U.S. and worldwide economy and overall public benefit. We request:

1. Additional Extension of Relief from Certain Training, Recency, Testing and Checking Requirements through December 31, 2020 (14 CFR parts 61.55, 61.56, 61.57, 61.58, 91K, 91 Subpart N, 125, and SFAR 73)
2. Additional Extension of Relief from Duration and Renewal Requirements through December 31, 2020 (14 CFR parts 61, 63, and 65)
3. Additional Extension of Relief for Flight Instructor Renewal under 61.197 and Experience Requirements under 61.57(e)(4)(i)(C) through December 31, 2020

On April 30, 2020, SFAR 118 became effective, allowing thousands of private, commercial, and other pilots flying in general aviation and air carrier operations to continue operating. Pilots with medicals nearing expiration have been able to keep flying safely, and pilots can retain flight currency to continue operations for the public benefit. These are just a few examples of the successful outcomes for the general and commercial aviation communities and the public because of SFAR 118. We sincerely appreciate the FAA's hard work in developing and publishing such a monumental SFAR in a very short period.

Due to the continued impact of COVID-19 during the summer of 2020, the undersigned industry groups saw a need from their membership and the aviation community to request additional extensions for SFAR 118 relief expiring June 30, 2020. On May 29, 2020, industry requested an additional three-month extension due to the continued impact of COVID-19 social distancing and quarantine restrictions that prevented access for renewal, currency, testing, and checking requirements.¹ Considering this request, the FAA published Amendment 1 to SFAR 118 (118-1), which extended relief set to expire June 30, 2020 to September 2020. We greatly appreciate the FAA's consideration and accommodation in Amendment 1. This extended relief allows operators and pilots to continue their fight against COVID-19 and to safely maintain proficiency and experience, especially during the unanticipated increase in cases during July 2020.

We are pleased and heartened to see that the hard work by federal, state, and local governments and diverse groups of essential workers have resulted in a slowing and reduction of COVID-19 cases. As a result, individual states have begun lifting stay-at-home/shelter-in-place restrictions and businesses are beginning to reopen. Unfortunately, that is not universal.

¹ http://download.aopa.org/advocacy/2020/0625_letter.pdf

The Centers for Disease Control announced the U.S. topped 184,000 COVID-19 related deaths on September 2, 2020² and continues to recommend limited contact with those outside of your household.³ Even though some restrictions are beginning to ease or disappear, many states and local governments are still enforcing social distancing requirements.^{4, 5} The public remains wary of venturing out, and many aviation stakeholders desire to minimize their risk to exposure. These restrictions and individual health fears will also continue to create burdens and restrictions that will negatively impact the aviation community into the foreseeable future.

Industry Requests Additional Extension of Relief from Certain Training, Recency, Testing and Checking Requirements to December 31, 2020 (14 CFR parts 61.55, 61.56, 61.57, 61.58, 91K, 91 Subpart N, 125, and SFAR 73)

While the policy coming out of the FAA headquarters is that the FAA remains open and able to conduct business, the reality is much different. FSDO managers have expanded authority to exercise risk assessment and mitigation in the execution of duties. Understandably, the result is an extremely limited ability of inspectors to travel in the areas of the country most impacted by COVID-19.

For example, one operator of large experimental aircraft is unable to utilize designees in the course of 61.58 checks in a simulator and must rely on aviation safety inspectors to conduct the checks. Checking in the simulator is extremely preferable to flying the aircraft (where a designee would be permitted) due to the risks associated with several of the demonstrated maneuvers. Nevertheless, given the inability of inspectors to leave their homes for such checks, simulator-based recurrency is not an option at the moment. Additionally, air medical and rotorcraft operators indicate that they are also facing limited availability of FAA inspectors for testing, observations, currency, and recency.

Many operators attempting to maintain currency without an FAA inspector also continue to experience difficulty. For example, training, testing, and checking often require traveling between states to get to a training center, testing center, or independent flight instructors. Many states still enforce quarantine restrictions when traveling to areas of the country with high rates of COVID-19. Such mandates result in additional complexity when operators schedule these events. This burden is exponentially more difficult for pilots based outside of the U.S. General aviation pilots also continue to voice concerns and ask questions about 61.56 flight reviews and 61.57 instrument currency. Since July 2020, our organizations continue to field inquiries from members about these extensions. One organization has heard from 111 of its members inquiring about these extensions and has seen an increase in volume as September 30 approaches.

Due to ongoing quarantine restrictions in place around the country, the additional grace months will allow operators the needed flexibility to continue operations that enhance the government's essential functions. Further details of our request are found in the Appendix to this letter.

² <https://covid.cdc.gov/covid-data-tracker/>

³ <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

⁴ <https://www.uschamber.com/article/state-by-state-business-reopening-guidance>

⁵ https://www.washingtonpost.com/local/coronavirus-dc-maryland-virginia-arlington/2020/08/26/2726d394-e794-11ea-97e0-94d2e46e759b_story.html

Industry Requests Additional Extension of Relief from Duration and Renewal Requirements to December 31, 2020 (14 CFR parts 61, 63, and 65)

Relief for medical certificates remains necessary beyond September. While most AMEs are now scheduling appointments, many still have scheduling backlogs from the months of stay-at-home restrictions this spring. Additionally, for the tens of thousands of pilots who are on special issuances or otherwise must supply the FAA with updates to their medical conditions, treating specialists may remain difficult to schedule, as many have additional commitments directly or adjacently related to the COVID-19 pandemic (e.g. cardiologists and pulmonologists). The three-month extension provided in SFAR 118 and 118-1 from the date of certificate expiration has worked well and exposes the airman and the public to minimal risk during the extension period. It will remain necessary as long as the pandemic continues to tax the American healthcare infrastructure. Since July 2020, our organizations continue to field inquiries from members about these extensions. One organization has heard from 102 of its members inquiring about these extensions and has seen an increase in volume as September 30 approaches.

Additionally, relief for pilot knowledge test validity periods should continue. We have heard from many individual members reporting CFIs and DPEs are not comfortable working in close vicinity with students. As more than 57% of DPEs are over the age of 60,⁶ a demographic at higher risk for severe effects of the COVID-19 disease, their hesitation is understandable. Since July 2020, our organizations continue to field inquiries from members about these extensions. One organization has heard from 32 of its members inquiring about these extensions and has seen an increase in volume as September 30 approaches. As you can see, general and commercial aviation will continue to face significant challenges in meeting the requirements of the FARs beyond the applicability of SFAR 118/118-1.

Industry Requests for Additional Extension of Relief

In SFAR 118-1, the FAA elected to allow relief for flight instructors to expire. However, we support returning relief to this item. Due to the pandemic, many CFIs have not signed as many students off for checkrides as they would in a typical year. Additionally, few places in the country are able to hold FIRC's in person due to restrictions on the size of social gatherings. With their renewal options diminished, it is a negligible safety risk to resume the limited extension for instructors.

The general aviation community has also voiced new concerns as limited travel resumes amid easing restrictions. Members of the operating community are flying less due to remaining travel restrictions imposed by local governments, resulting in difficulty meeting recency of experience requirements in 61.57(e)(4)(i)(C). This difficulty reduces their ability to meet the needs of rural communities, including supporting healthcare and natural disaster relief. Recognizing that the requirement to fly 15 hours in the past 90 days is to ensure operators have recent experience in the aircraft, we request future amendments to SFAR 118 include relief from this regulation for pilots that have logged at least 75 hours of flight time in the type of aircraft the pilot seeks to operate in the last 12 months. We understand additional mitigations may be needed, such as review of operational procedures applicable to the powerplant, equipment, and systems; performance specifications and limitations; normal, abnormal, and emergency operating procedures; flight manual; and placards and markings. However, any relief in this area will be beneficial to pilots.

⁶ From data compiled by FAA Office of Flight Standards on 5/7/2020

Duration of Relief

As stated above, the general and commercial aviation community recognizes that quarantine and travel restrictions are beginning to ease. While the remaining patchwork of restrictions requires flexibility, less accommodation is necessary than when the pandemic first spread across America. Therefore, we request two months of relief, rather than the three months provided by SFAR 118 and SFAR 118-1, for operators and pilots facing expiring privileges and certificates through December 31, 2020, as outlined above.

The undersigned associations request that the FAA extend relief to pilots, operators, and certificate holders who face expiring experience, testing, checking, duration, medical, and renewal requirements through December 31, 2020. As previously mentioned, the nation's recovery from the COVID-19 pandemic is slower than initially predicted. The mitigations included in SFAR 118 have proven effective, and they will allow these operators to continue conducting necessary relief flights safely while accommodating stay at home orders and social distancing requirements rescinding at various rates.

We appreciate your positive consideration and timely implementation of this request and look forward to working with you to assist in this effort.

Sincerely,

Aircraft Owners and Pilots Association
Air Medical Operators Association
Experimental Aircraft Association

Helicopter Association International
National Agricultural Aviation Association
National Air Transportation Association
National Business Aviation Association

Appendix – Request for Relief in SFAR 118-2

14 CFR AREA OF RELIEF	ORIGINAL SFAR 118 RELIEF	AMENDED SFAR 118-1 RELIEF	Requested additional relief
61.55 Second-in-Command Pilot Qualifications	Due March-June 2020 has 3-month grace period to complete training	Added pilots due July- September 2020	Due October-December 2020 has 2-month grace period to complete training
61.56 Pilot Flight Review	Due March-June 2020 has 3-month grace period to complete training	Added pilots due July- September 2020	Due October-December 2020 has 2-month grace period to complete training
61.57 Pilot Instrument Currency	9-month currency lookback period (instead of 6 months) for flights April 30-June 30, 2020	Added look-back period for flights in July- September 2020	Add look-back period for flights in October- December 2020
61.57 Alternate Night Landing Currency			Extend alternate night landing currency provided in 61.57(e)(4)(i) to pilots that have logged 75 hours in the aircraft in the last 365 days through December 2020
61.58 Pilot-in-Command Proficiency Check	Due March-June 2020 has 3-month grace period to complete check	Added pilots due July- September 2020	Add pilots due October- December 2020
Part 91, Subpart K Crewmember Requirements	Due March-June 2020 has 3-month grace period to complete training, recency and checking	Added crewmembers due July-September 2020	Due October-December 2020 has 2-month grace period to complete training, recency and checking
Part 91, Subpart N Mitsubishi MU-2B Series Special Training, Experience and Operating Requirements	Due March-June 2020 has 3-month grace period to complete training and flight review	Added pilots due July- September 2020	Due October-December 2020 has 2-month grace period to complete training and flight review
107.65 Remote Pilot Aeronautical Knowledge Recency	Due March-June 2020; privileges are renewed for 6 months following completion of online training	Added remote pilots whose privileges are due to expire July- September 2020	No change
Part 125 Flight Crewmember Requirements	Due March-June 2020 has 3-month grace period to complete training, recency and checking	Added crewmembers due July-September 2020	Due October-December 2020 has 2-month grace period to complete training, recency and checking
SFAR 73 Robinson R-22/R-44 Special Training and Experience Requirements	Due March-June 2020 has 3-month grace period to complete flight review	Added pilots due July- September 2020	Due October-December 2020 has 2-month grace period to complete flight review
61.23 Pilot Medical Certificate Duration	Validity of March-May 2020 medicals extended to June 30, 2020	Extends medical validity period by 3 calendar months from expiration. Applies to medicals expiring March- September 2020.	Extends medical validity period by 2 calendar months from expiration. Applies to medicals expiring October- December 2020

61.39 Pilot Knowledge Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Knowledge tests expiring in July-September 2020 added	Test results expiring October-December 2020 extended 2 calendar months
61.197 Flight Instructor Renewal	Certificate expiration March-May 2020 have until June 30, 2020, to renew	No change	Certificate expiration October-December 2020 has 2-month grace period to complete renewal requirements
SFAR 100-2 Relief for U.S. Military and Civilian Personnel Who are Assigned Outside the U.S. in Support of U.S. Armed Forces Operations	Eligible persons that returned from overseas October 2019-March 2020 received an extension of 3 calendar months	No change	No change
63.3 Flight Engineer Medical Certificate Duration	Validity of March-May 2020 medicals extended to June 30, 2020	Extend medical validity period by 3 calendar months from expiration applies to medicals expiring March-September 2020	Extend medical validity period by 2 calendar months from expiration applies to medicals expiring October-December 2020
63.35 Flight Engineer Written Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Written tests expiring in July-September 2020 added	Test results expiring October-December 2020 extended 2 calendar months
65.55 Dispatcher Knowledge Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Knowledge tests expiring in July-September 2020 added	Test results expiring October-December 2020 extended 2 calendar months
65.71 Mechanic Applicant Testing Period	Testing period expires March-June 2020 extended 3 months	Testing period expiring in July-September 2020 added	Test period expiring October-December 2020 extended 2 calendar months
65.93 Mechanic with Inspection Authorization Renewal	3 additional months (April-June 2020) to meet year one renewal requirements	No change	No change
65.117 Military Riggers	Eligible military parachute riggers who were released March-June 2019 have 3 additional months to make application	No change	No change
141.5 Pilot School Certificate Requirements	Provisional certificate expires April-June 2020 extended to Dec. 31, 2020, to apply for a pilot school certificate	No change	No change
141.27 Pilot School Certificate Renewal Requirements	Certificate expires April-June 2020 extended to Dec. 31, 2020, to renew	No change	No change
21.197 Special Flight Permit – Move Aircraft to Storage	April 30-Dec. 31, 2020	No change	No change

