



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

March 16, 2018

The Honorable John Thune
Chairman, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

As required by Section 203 of Public Law 111-216, The Airline Safety and Federal Aviation Administration Extension Act of 2010, I am pleased to provide you with the Federal Aviation Administration's (FAA) Statement on the Pilot Records Database.

This statement is the FAA's third communication on the Pilot Records Database periodic review required by the statute.

We have sent identical letters to Chairman Shuster, Senator Nelson, and Congressman DeFazio.

If I can be of further assistance, please contact me or Chris Brown, Assistant Administrator for Government and Industry Affairs, at (202) 267-3277.

Sincerely,

A handwritten signature in black ink that reads "DK Elwell".

Daniel K. Elwell
Acting Administrator

Enclosure



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March 16, 2018

The Honorable Bill Shuster
Chairman, Committee on Transportation
and Infrastructure
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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The Honorable Bill Nelson
Committee on Commerce,
Science, and Transportation
United States Senate
Washington, DC 20510

Dear Senator Nelson:

As required by Section 203 of Public Law 111-216, The Airline Safety and Federal Aviation Administration Extension Act of 2010, I am pleased to provide you with the Federal Aviation Administration's (FAA) Statement on the Pilot Records Database.

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March 16, 2018

The Honorable Peter A. DeFazio
Committee on Transportation
and Infrastructure
House of Representatives
Washington, DC 20515

Dear Congressman DeFazio:

As required by Section 203 of Public Law 111-216, The Airline Safety and Federal Aviation Administration Extension Act of 2010, I am pleased to provide you with the Federal Aviation Administration's (FAA) Statement on the Pilot Records Database.

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**FEDERAL AVIATION
ADMINISTRATION**

**STATEMENT TO CONGRESS
Pilot Records Database**

**The Airline Safety and Federal Aviation
Administration Extension Act of 2010 (Public
Law 111-216)**

Federal Aviation Administration
Statement to Congress: Pilot Records Database

This statement responds to Section 203 of Public Law 111-216, the Airline Safety and Federal Aviation Administration Extension Act of 2010 (the Act). Section 203 of the Act requires the Federal Aviation Administration (FAA) to establish a pilot records database (PRD) that contains records from various sources related to individual pilot performance and to issue implementing regulations. The Act further directs the FAA to submit a statement to Congress by February 2012, and at least once every 3 years thereafter, a periodic review of the statutory requirements. The statement to Congress must contain any FAA recommendations to change the records required to be included in the database or the reasons why the FAA does not recommend any changes to the records referenced in Section 203.

At this time, the FAA does not recommend any changes in the records referenced in Section 203 until the FAA considers public comments on the Pilot Records Database rulemaking proposal. The FAA anticipates that the public will be able to provide ample information on the records that would be most useful for inclusion in the pilot records database. Once the FAA has considered the public's comments to the proposal, the FAA will either recommend changes to the required records to be included in the database or will issue final requirements for the Pilot Records Database.

Section 203 of the Act amended the Pilot Records Improvement Act of 1996 by requiring the FAA to establish an electronic database that contains pilot records, which must be evaluated by air carriers prior to hiring an individual as a pilot. The electronic database is required to be populated with certain records related to pilot performance maintained by air carriers and other operators employing pilots. Additionally, the pilot records database must include records maintained by the FAA Administrator concerning: (1) current airman certificates and associated ratings; (2) current medical certificates; (3) any failed attempt of an individual to pass a practical test required to obtain a certificate or type rating under part 61 of Title 14, Code of Federal Regulations; and (4) summaries of legal enforcement actions resulting in a finding by the Administrator that was not subsequently overturned. These records are required to be reported to the FAA for inclusion into the database dating back as early as August 1, 2005.¹ The FAA must maintain these records in the database until it receives notice that a pilot is deceased.

The FAA provided an initial statement to Congress on February 23, 2012, and another on September 17, 2015, that indicated the FAA did not recommend any changes to the required records referenced in Section 203. Additionally, in a report responding to the Explanatory Statement of Public Law 113-235, the Consolidated and Continuing Appropriations Act of 2015, the FAA provided to Congress the status of its progress in meeting the requirements of Section 203 of the Act. In that report, the FAA indicated that it had initiated a rulemaking project entitled Pilot Records Database (RIN 2120-AK31). The rulemaking process requires the FAA to estimate and analyze the costs and benefits of the proposed requirements, consider public comments to the proposal, and issue final requirements. The rulemaking draft is currently in review with the Office of the Secretary of Transportation (OST).

Although the rulemaking effort has been delayed, the FAA has made significant progress since the last report with the database application development. The FAA created a plan that allows

¹ 49 U.S.C. § 44703(i)(4)(B)(ii)(II)

portions of the PRD to be implemented ahead of rulemaking. The PRD project was separated into four stages, the first three of which can be implemented without rulemaking. Stage 1 was a proof of concept and was completed on January 18, 2016. Stage 2 was a working web application capable of providing FAA-generated airman records on request. This stage would allow an airman to review his or her FAA-generated records and then provide consent for one or more hiring air carriers to review those records. The records would then be then available for review instantly once consent was granted. This stage represented a significant leap of progress for the PRD as it met the requirement for availability of FAA records as required by the Act. Stage 2 was completed December 30, 2016. Stage 3 provides additional enhancements of the application, i.e. allowing an air carrier to outsource the record review process, a common industry practice. Stage 3 was completed July 28, 2017.

While the FAA was moving ahead with Stages 1, 2, and 3, we were simultaneously developing an online identity verification system for new external users of the PRD. Due to the Personal Identifiable Information (PII) accessible via the PRD, the FAA has worked closely with the vendor to ensure security is a top priority. The agency is working with its partners to develop an online identity verification system that will be used to validate the identity of those external users wishing to gain access to the PRD and other FAA resources. Due to the sensitive PII, the agency conducted multiple rounds of testing for the online identity verification system in 2017.

While the PRD has been available to FAA employees who hold a valid federal identity “smart card”, the Personal Identity Verification (PIV) card, since Stage 2, the FAA has cautiously made the PRD available to a limited group of external users since November 2017. On December 8, 2017, the FAA deployed the PRD as a “beta release” to 14 CFR part 121 air carriers. As of the end of 2017, the agency has been contacted by 19 air carriers and operators who wish to participate in the beta release. This includes companies such as Ameristar Air Cargo, Atlas Air, Envoy Air, Delta Airlines, and PSA Airlines. On December 20, 2017, the PRD was used for the first time to provide an airman’s FAA records to a hiring airline. This marks a significant achievement, in that the PRD is online and available to participating air carriers. Testing of the online identity verification system with air carriers is ongoing and will be expanded in early 2018 to additional operators. Only after the FAA is convinced security can be assured will the PRD be deployed to all external users. It is important to note the PRD currently only contains FAA records. External records, such as those from previous employers, cannot be added until rulemaking is complete.

Stage 4 is the final development stage of the PRD. In Stage 4, not only will the PRD provide FAA-generated records, but it will also provide all of the remaining records specified in the Act. These records will be entered into the PRD by air carriers and others as required by the Act. Consequently, this stage requires rulemaking. As previously discussed, the agency initiated a rulemaking project entitled Pilot Records Database (RIN 2120-AK31) which is currently in review at OST.