

# Advisory Circular

**Subject:** FAA English Language Standard for an FAA Certificate Issued Under 14 CFR Parts 61, 63, 65, and 107

Initiated by: AFS-800 C

**Date:** 6/2/17

**AC No:** 60-28B

Change:

Aviation Administration (FAA) Aviation English Language Standard (AELS) and provides guidance to applicants, airmen, training organizations, designated examiners, and flight and ground instructors on how to determine that an applicant for an FAA certificate or a person holding an FAA certificate meets the FAA AELS. AELS will be evaluated before acceptance of a student pilot application or issuance of a student solo endorsement, recommendation or examination of an applicant for an FAA pilot certificate or additional aircraft rating, and whenever any individual is tested or checked as required by the Administrator under Title 14 of the Code of Federal Regulations (14 CFR). The following AELS eligibility standard definition clarifies the regulatory English language eligibility requirement for FAA certificates issued per 14 CFR parts 61, 63, 65, and 107.

Note: This is a guidance document. Its content is not legally binding in its own right and will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty. Conformity with the guidance document is voluntary only. Nonconformity will not affect rights and obligations under existing statutes and regulations.

- 1.1 The FAA AELS. The holder of an FAA certificate or applicant for an FAA certificate or rating should be able to communicate in English in a discernible and understandable manner with air traffic control (ATC), pilots, and others involved in preparing an aircraft for flight and operating an aircraft in flight. This communication may or may not involve the use of the radio. An applicant for an FAA certificate issued per 14 CFR part 61, 63, 65, or 107 who cannot hear or speak due to a medical deficiency may be eligible for an FAA certificate with specific operational limitations.
- **AUDIENCE.** The audience for this AC is applicants for an airman certificate or rating, training organizations, designated examiners, and flight and ground instructors.
- 3 WHERE YOU CAN FIND THIS AC. You can find this AC on the FAA's website at <a href="https://www.faa.gov/regulations\_policies/advisory\_circulars">https://www.faa.gov/regulations\_policies/advisory\_circulars</a> and the Dynamic Regulatory System (DRS) at <a href="https://drs.faa.gov">https://drs.faa.gov</a>.
- **4 WHAT THIS AC CANCELS.** AC 60-28A, English Language Skill Standards Required by 14 CFR Parts 61, 63, and 65, dated December 11, 2013, is canceled.

**5** BACKGROUND. In general, Federal aviation regulations state that, to be eligible for an FAA certificate or additional aircraft rating, an applicant must be able to read, speak, write, and understand the English language. This AC supports the regulatory English language eligibility requirements stated in 14 CFR part 61 for pilots and flight and ground instructors; in 14 CFR part 63 for flight engineers (FE) and flight navigators; in 14 CFR part 65 for ATC tower operators, aircraft dispatchers, aircraft mechanics, aircraft repairmen, and parachute riggers; and in 14 CFR part 107 for certification of an Unmanned Aircraft System (UAS) Remote Pilot Certificate with a small UAS rating. This AC clarifies the FAA English language standard and provides the procedures to evaluate whether an applicant or certificated individual possesses the regulatory FAA English language eligibility requirements for an FAA certificate, and that all endorsements, authorizations, or records of training and checking entered into an applicant's or certificated airman's logbook or training record will be entered in English. Therefore, each 14 CFR part that pertains to certification contains applicable requirements to read, write, speak, and understand the English language. Furthermore, the FAA, as a supporting member of the International Civil Aviation Organization (ICAO), has agreed that to be consistent with currently established ICAO guidance, the ICAO Operational Level 4 standards for English Language Proficiency (ELP) would be applied to all FAA-certificated airmen/individuals. When an eligibility requirement contains this language, the FAA AELS should be applied to no less than the ICAO Operational Level 4.

#### 6 DEFINITIONS.

**6.1 International Civil Aviation Organization (ICAO) English Language Criteria Definitions.** These definitions are from the ICAO Language Proficiency Rating Scale at the Operational Level 4. The Proficiency Scale appears in ICAO Doc <u>9835</u>, Manual on the Implementation of ICAO Language Proficiency Requirements, and the attachment in ICAO Annex <u>1</u>, Personnel Licensing. The FAA AELS is based on this standard.

**Note:** The FAA AELS is minimum Level 4. Individuals can search on the Internet for aviation English language courses that meet ICAO Annex 1 English language standards.

- 1. <u>Pronunciation</u>. This assumes that English is not the applicant's native language and that the applicant has a dialect or accent that is intelligible to the aeronautical community. Pronunciation, stress, rhythm, and intonation are influenced by the applicant's native language, but only sometimes interfere with ease of understanding.
- 2. <u>Structure</u>. Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task. Basic grammatical structures and sentence patterns are used creatively and are usually well-controlled by the applicant. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.
- 3. <u>Vocabulary</u>. The applicant's vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work-related topics. The

- applicant can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.
- 4. <u>Fluency</u>. The applicant produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. The applicant can make limited use of discourse markers or connectors. Fillers are not distracting.
- 5. <u>Comprehension</u>. Comprehension by the applicant is mostly accurate on common, concrete, and work-related topics when the dialect, accent, or variety used is sufficiently intelligible. When the applicant is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.
- 6. <u>Interactions</u>. Responses by the applicant are usually immediate, appropriate, and informative. The applicant initiates and maintains exchanges even when dealing with an unexpected turn of events. The applicant deals adequately with apparent misunderstandings by checking, confirming, or clarifying.

## 6.2 AC 60-28 Definition of Terms.

- 1. <u>ICAO Language Proficiency Operational Level 4</u>. The FAA AELS minimum acceptable level to be considered English proficient and/or receive an "English Proficient" certificate endorsement.
- 2. <u>FAA AELS Evaluator</u>. For the purpose of this AC, an evaluator is any individual who is authorized to conduct certification, training, testing, or checking, or to issue an endorsement required by the regulations.

#### 7 RESPONSIBILITIES.

- 7.1 Persons and Organizations Responsible for Continuously Monitoring AELS. FAA personnel, designated examiners, flight and ground instructors, Training Center Evaluators (TCE), check FEs/check pilots, training facilities, and flight schools are responsible for ensuring that those attending/receiving training continuously demonstrate the eligibility requirements for an FAA certificate specific to the FAA AELS.
- **7.2 Hearing and Speech Impairment.** An applicant for an FAA certificate issued per 14 CFR part 61, 63, 65, or 107 who cannot hear or speak due to a medical deficiency may be eligible for an FAA certificate with specific operational limitations.
- 7.3 Overview of the Eligibility Requirements for a Certificate Issued in Accordance with Various Parts of 14 CFR.
- 7.3.1 <u>Title 14 CFR Part 61 Requirements: Certification of Pilots, Flight Instructors, and Ground Instructors</u>. Eligibility requirements contained in 14 CFR part 61 require pilots, flight instructors, and ground instructors to be able to read, write, speak, and understand the English language.

**7.3.2** <u>Title 14 CFR Part 63 Requirements: Certification of Flightcrew Members Other Than</u> Pilots.

- **7.3.2.1.1 FEs.** Eligibility requirements contained in 14 CFR § <u>63.31</u> require an applicant for a Flight Engineer Certificate to be able to read, speak, and understand the English language, or have an appropriate limitation placed on the certificate.
- **7.3.2.1.2 Flight Navigators.** Eligibility requirements contained in 14 CFR § <u>63.51</u> require an applicant for a Flight Navigator Certificate to be able to read, write, speak, and understand the English language.
- **7.3.3** <u>Title 14 CFR Part 65 Requirements: Certification of Airmen Other Than Flightcrew</u> Members.
  - **7.3.3.1 ATC Tower Operators.** Eligibility requirements contained in 14 CFR § 65.33(c) require an applicant for an Air Traffic Control Tower Operator Certificate to be able to read, write, and understand the English language and speak it without accent or impediment of speech that would interfere with two-way radio conversation.
  - **7.3.3.2 Aircraft Dispatchers.** Eligibility requirements contained in 14 CFR § 65.53(b)(2) require an applicant for an Aircraft Dispatcher Certificate to have the ability to read, speak, write, and understand the English language. Any applicant who fails to demonstrate this ability will not be issued an Aircraft Dispatcher Certificate.
  - **7.3.3.3 Mechanics and Repairmen.** Eligibility requirements contained in 14 CFR §§ 65.71(a)(2) and 65.101(a)(6) require an applicant for a Mechanic or a Repairman Certificate and associated ratings to be able to read, write, speak, and understand the English language. An applicant who does not meet this requirement and who is employed outside of the United States by a U.S. air carrier will have their certificate endorsed, "Valid only outside the United States.
  - 7.3.3.4 Light-Sport Aircraft (LSA) Repairmen. Eligibility requirements contained in 14 CFR § 65.107(a) require an applicant for a Repairman Certificate (LSA) to be able to read, speak, write, and understand English. If, for medical reasons, an applicant cannot meet these requirements, the FAA may place limitations on the Repairman Certificate necessary to safely perform the actions authorized by the certificate and rating.
  - **7.3.3.5 Parachute Rigger.** Eligibility requirements in 14 CFR § 65.113(a)(2) require an applicant for a Parachute Rigger Certificate to be able to read, write, speak, and understand the English language. Where citizens of Puerto Rico or persons employed by a U.S. air carrier outside of the United States are concerned, applicants who do not meet this requirement will be issued a

certificate that is valid only in Puerto Rico or only while the person is employed outside of the United States by that air carrier, as the case may be.

- 7.3.4 <u>Title 14 CFR Part 107 Requirements: Certification of Small UAS Remote Pilots.</u> Eligibility requirements in 14 CFR § <u>107.61</u> require an applicant for a Remote Pilot Certificate with a small UAS rating to read, speak, write, and understand the English language. If, for medical reasons, an applicant cannot meet these requirements, the FAA may place limitations on the Remote Pilot Certificate necessary to safely perform the actions authorized by the certificate and rating.
  - 8 PROCESS TO ENSURE APPLICANTS FOR AN FAA CERTIFICATE AND HOLDERS OF AN FAA CERTIFICATE DEMONSTRATE THE FAA AELS.

    During the student pilot application process, a practical test, flight review, instrument proficiency check (IPC), or pilot-in-command (PIC) proficiency check, the individual conducting testing, training, a review, or any required regulatory check should evaluate if the applicant for an FAA certificate or holder of an FAA certificate demonstrates the FAA AELS. (See Appendix A, FAA English Language Standard Evaluation.)
  - 8.1 Title 14 CFR Part 107. Any applicant for a UAS Remote Pilot Certificate with a small UAS rating who does not already hold an FAA pilot certificate will certify that they meet the English language eligibility requirements of 14 CFR part 107 by successfully completing the Airman Knowledge Test. However, if after obtaining the Remote Pilot Certificate with a small UAS rating the individual has any interaction with an FAA AELS evaluator and the evaluator, during the interaction, finds it difficult to understand the individual in English, the evaluator will notify the responsible Flight Standards office of the interaction and concern and, if possible, provide the individual's name, contact information, or any additional information that could assist the FAA to locate the individual.
  - **8.2** Planning an FAA AELS Evaluation. AELS evaluators should develop multiple plans of action to conduct an AELS evaluation. This will ensure that their evaluation does not become predictable.
  - 8.3 Objectives of the AELS Evaluation.

- 1. Determine that the individual meets the FAA AELS.
- 2. During the evaluation, consider whether the person's communication is impaired by any of the applicable ICAO items listed in paragraph <u>6.1</u>.
- **8.4** Airman Certificate, Certification, and Training Under the Regulations' Required Reviews and Checks. An "English Proficient" endorsement on the Private Pilot, Commercial Pilot, Airline Transport Pilot (ATP) (with powered aircraft ratings), Flight Engineer, and Flight Navigator Certificate indicates the airman was evaluated to have the equivalent of a minimum ICAO Operational Level 4 ELP. All applicants for a certificate will be evaluated for the AELS by an evaluator during the respective event. During training for a certificate, rating, privilege, or authorization, or for any regulatory event,

the FAA evaluator should continuously monitor whether the applicant or airman demonstrates the FAA AELS.

- 8.5 Failure of an Applicant or FAA-Certificated Individual to Meet the FAA AELS. Notwithstanding the other certificate eligibility requirements, unless otherwise authorized by the Administrator, no person may exercise the privileges of an FAA certificate issued under 14 CFR part 61, 63, 65, or 107 unless that person meets the AELS as determined by the FAA AELS evaluation. If a person holding an Airman Certificate issued under regulations does not meet the FAA AELS, the evaluator will comply with the recordkeeping procedures in Appendix A. This individual may be subject to reexamination under Title 49 of the United States Code (49 U.S.C.) § 44709.
- **8.6 FAA Validating AELS.** If the evaluator determines that the applicant/airman does not meet the FAA AELS, the evaluator will refer the applicant/airman to the responsible Flight Standards office to validate the individual's FAA AELS. (See Appendix A.)
  - **9 CONTACT.** For additional information, please contact the FAA Flight Standards Service (FS) General Aviation and Commercial Division at 202-267-1100.
- **10 AC FEEDBACK FORM.** For your convenience, the AC Feedback Form is the last page of this AC. Note any deficiencies found, clarifications needed, or suggested improvements regarding the contents of this AC on the Feedback Form.

John S. Duncan

John S. Lerion

Director, Flight Standards Service

#### APPENDIX A. FAA ENGLISH LANGUAGE STANDARD EVALUATION

A.1 Federal Aviation Administration (FAA) Aviation English Language Standard (AELS). An individual who holds an FAA certificate or an applicant for an FAA certificate or rating, per the eligibility requirement of the respective certificate, should continuously demonstrate the ability to read, write, speak, and understand the English language. The standard is to ensure:

The holder of an FAA certificate or applicant for an FAA certificate or rating must be able to communicate in English with air traffic control (ATC), pilots, and others involved in preparing an aircraft for flight and operating an aircraft in flight. This communication may or may not involve the use of the radio.

A.2 Compliance with FAA AELS for Title 14 of the Code of Federal Regulations (14 CFR) Parts 61, 63, 65, and 107. These parts have specific AELS requirements governing competency in the English language as an eligibility requirement for all certificates identified.

#### A.2.1 Overview.

- A.2.1.1 It is of major importance that FAA personnel, training facilities, and individuals authorized to conduct evaluations, training, testing, checking, or certification activities all share the responsibility to ensure that all applicants for an FAA certificate or individuals who hold FAA certificates continually demonstrate that they meet the FAA AELS. Otherwise, the individual may be subject to a reexamination in accordance with Title 49 of the United States Code (49 U.S.C.) § 44709.
- A.2.1.2 Only an applicant who is unable to meet one of these requirements due to medical deficiency (e.g., hearing impaired) may be permitted to be issued an FAA certificate under 14 CFR part 61, 63, 65, or 107.
- A.2.1.3 A limitation is given only if the inability to meet the requirements is due to a medical condition/disability. It does not apply to applicants unable to meet the requirements due to lack of fluency, inadequate articulation, and/or lack of comprehension of the English language, or accent to the degree that speech is not clearly understood. Those applicants may not be issued an FAA certificate unless specifically stated under the applicable regulations.
- A.2.1.4 FAA AELS evaluation process: For the purpose of this guidance, an evaluator is any individual who is authorized to conduct certification, training, testing, checking, or to issue an endorsement required by the regulations. Although the Airman Certification Standard contains an English Language Proficiency (ELP) standard for pilots, this advisory circular (AC) provides an AELS that can be used as a guideline for certificates issued under 14 CFR parts 61, 63, 65, and 107.

**A.2.2** Evaluation Resources (current editions). Suggested resources include, but are not limited to:

- 1. International Civil Aviation Organization (ICAO) English Language Criteria definitions.
- 2. FAA Order <u>JO 7110.65</u>, Air Traffic Control, which prescribes ATC procedures and phraseology.
- 3. FAA-H-8083-25, Pilot's Handbook of Aeronautical Knowledge.
- 4. <u>FAA-S-8081-10</u>, Aircraft Dispatcher Practical Test Standards.
- 5. FAA Airman Knowledge Test Guides and Handbooks and Manuals available at:
  - https://www.faa.gov/training\_testing/training.
  - https://www.faa.gov/regulations policies/handbooks manuals.
- A.2.3 Evaluation Assessment Process. Based upon the applicant's aviation experience, training, and/or FAA certificate held (or the certificate applied for), the evaluator may ask questions specific to the certificate application. For example, have the applicant/airman listen to the evaluator read an ATC clearance or instructions, an Airplane Flight Manual (AFM)/pilot's operating handbook (POH), or weather report, etc., then ask the applicant to explain the material. If the applicant does not have aviation experience (e.g., an applicant for a Student Pilot Certificate), then choose from the provided evaluation resources and read the introduction sections of the document(s) to the applicant or certificated airman. Then, in addition to listening to the individual's ability to effectively communicate in English (see paragraph A.2.4 for complete details):
  - **A.2.3.1** Request that the applicant or certificated airman read a portion of the text, ask the applicant to explain what they heard, and request that they write down in their words what they heard and read.
  - A.2.3.2 Per the above, the evaluator can determine if the applicant understands in English what they heard and read and if they can effectively communicate in English in a discernible and understandable manner. This will determine whether or not the applicant can communicate with ATC, pilots, and others involved in preparing an aircraft for flight and operating an aircraft in flight, with or without radio; therefore, the applicant will or will not be deemed to meet the FAA regulatory English language eligibility requirements to be issued or hold an FAA certificate.
  - A.2.3.3 If the applicant or airman is determined by the evaluator not to meet the FAA AELS, only the responsible Flight Standards office and appropriately rated aviation safety inspectors (ASI) or the FAA policy division may override the evaluator's AELS decision. If the responsible Flight Standards office determines that the applicant does meet FAA AELS, the office will forward an approved Airman Certificate and/or Rating Application to the Airmen Certification Branch, approving the issuance of the certificate.

# **A.2.4** Processing the Results of an AELS Evaluation.

**Note:** The following example is typical for a student pilot certification. The airman certification process may vary based on the certification being sought or evaluated.

- **A.2.4.1 Student Pilot Application.** If someone other than an ASI rejects the application for a Student Pilot Certificate due to AELS, the evaluator will refer the applicant to the responsible Flight Standards office to validate the AELS rejection.
- A.2.4.1.1 The evaluator will complete FAA Form 8710-1, Airman Certificate and/or Rating Application, in the Integrated Airman Certification and Rating Application (IACRA). If using IACRA, the software will mark all appropriate boxes per the answers to the questions and will submit the application to the Airmen Certification Branch. If using the paper form of FAA Form 8710-1, mark the appropriate boxes to indicate either "Accepted Student Pilot Application" or "Rejected Student Pilot Application;" mark in the last section of the form that the applicant either "Meets Aviation English Language Standard" or is "Referred to FSO for Aviation English Language Standard Determination;" and then forward the application to the responsible Flight Standards office for the English language assessment and processing to the Airmen Certification Branch.

**Note:** Only an ASI can mark the box "Does Not Meet Aviation English Language Standard."

- **A.2.4.2 FAA-Certificated Individuals Evaluated Who Do Not Demonstrate the FAA AELS.** If an evaluator other than an ASI rejects an application for an FAA certificate or rating or determines during a 14 CFR required check that the individual does not demonstrate the FAA AELS, the evaluator will refer the applicant to the responsible Flight Standards office to validate the individual's FAA AELS and comply with the following procedure, as applicable.
  - 1. In the case of a 14 CFR part 61 required flight test/review/check for issuance of an FAA certificate/rating, or to continue to exercise the privileges of the individual's FAA certificate or rating, the evaluator will not continue the test or endorse the individual's logbook regarding the review/check conducted. The evaluator will notify the responsible Flight Standards office and will refer the individual to that office.
  - 2. In the case of a regulatory required check for any operating regulation (e.g., 14 CFR parts 121 and 135), the evaluator will mark the appropriate application/form as not completed and indicate on the application/form, "does not meet the FAA AELS." The evaluator will refer the individual to the responsible Flight Standards office.

#### A.2.4.3 After an Individual is Referred to FAA for AELS Assessment.

- 1. If the FAA determines that the certificated airman does meet the FAA AELS, the ASI will advise the certificate management office (CMO)/evaluator that the individual does meet the FAA AELS. The evaluator will then complete the original flight test, review, or check.
- 2. If the FAA determines that the certificated individual does not meet the FAA AELS, the ASI will advise the CMO, evaluator, and airman that the individual does not meet the FAA AELS. The ASI will refer to FAA Order 8900.1, Volume 5, Airman Certification, for detailed guidance.
- **A.2.5** <u>FAA AELS for Foreign Pilots</u>. If an ASI during any surveillance or ramp inspection becomes aware of a foreign pilot who appears to not meet the FAA AELS, the ASI will comply with current guidance for further action.
- **A.2.6** FAA AELS in the National Airspace System (NAS). ASIs, ATC controllers, FAA designated examiners, certificated flight instructors (CFI), flight training facilities, and flight schools during training or testing are encouraged to report observed aviation English language barriers to their responsible Flight Standards office.

## **Advisory Circular Feedback Form**

If you find an error in this AC, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by contacting the General Aviation and Commercial Division at 9-AFS-800-Correspondence@faa.gov or the Flight Standards Directives Management Officer at 9-AWA-AFB-120-Directives@faa.gov.

Subject: AC 60-28B, FAA English Language Standard for an FAA Certificate Issued Under

14 CFR Parts 61, 63, 65, and 107 Date: \_\_\_\_\_ Please check all appropriate line items: An error (procedural or typographical) has been noted in paragraph \_\_\_\_\_\_ on page \_\_\_\_\_. Recommend paragraph \_\_\_\_\_\_ on page \_\_\_\_\_ be changed as follows: In a future change to this AC, please cover the following subject: (Briefly describe what you want added.) Other comments: I would like to discuss the above. Please contact me.

Date: \_\_\_\_\_

Submitted by: