

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.271

National Policy

Effective Date:
7/28/14

Cancellation Date:
7/28/15

SUBJ: Initial Training Program Records for Contract Instructors and Contract Check Airmen

1. Purpose of This Notice. This notice provides guidance to Federal Aviation Administration (FAA) principal operations inspectors (POI) during situations where an air carrier or program manager has nominated or is using a contract instructor or contract check airman in its training program whose initial training records are not available as described in FAA Order 8900.1, Volume 3, Chapter 54, Section 5, Safety Assurance System: Part 142 Training Centers: Outsource Training—Air Operators and/or Fractional Ownership Program Managers Contracting With Training Providers, subparagraph 3-4415F3).

2. Audience. The primary audience for this notice is POIs responsible for approval and surveillance of training programs for Title 14 of the Code of Federal Regulations (14 CFR) part 121, 14 CFR part 135 certificate holders, 14 CFR part 91K program managers, and Training Center Program Managers (TCPM). The secondary audience includes Flight Standards Service (AFS) branches and divisions in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Changes. The differences between this notice and N 8900.215 include the following:

- Removes time-sensitive inspector actions that would have been completed by September 30, 2013; and
- Changes the title of Appendix B for clarity.

5. Background. Both regulation and guidance set forth the requirements for contract instructors and contract check airmen. However, the guidance provided does not address how to validate the required training records for individuals who have completed the training but have lost the records, or cannot obtain the records because the air carrier or program manager is defunct or no longer has the records. Records that may be substantiated in accordance with this notice are those records required to establish that the contract instructor or contract check airman nominee has

completed at least one air carrier's or program manager's initial training and qualification curriculum as a flightcrew member, under that same 14 CFR part, as described in Order 8900.1, Volume 3, Chapter 54, Section 5, subparagraph 3-4415F3). Initial training and qualification curriculum records would include those records necessary to satisfy the requirements of part 135, § 135.329 or part 91, § 91.1081, as applicable for one operator. Additional information is available in Order 8900.1, Volume 3, Chapter 31, and Volume 6, Chapter 2.

6. Rescind Letter of Authority (LOA). If the POI finds that the air carrier or program manager has utilized contract instructors or contract check airmen that have not met the requirements of this notice, the POI must take appropriate action. POIs must rescind each contract check airman LOA in accordance with Order 8900.1, Volume 3, Chapter 20, Section 2, if it is determined that the check airman's records do not contain the affidavits, supporting documentation, or initial training records required by this notice.

7. Affidavit Use.

a. Lost or Unattainable Records. A POI may accept an affidavit for initial training records if a contract instructor or contract check airman is unable to produce all required records because:

- The records are lost;
- The air carrier is defunct; or
- The air carrier remains in existence, but no longer has the records.

b. Supporting Documentation. The pilot and the air carrier or program manager for which the contract instructor or contract check airman nomination has been requested may submit a signed and notarized statement (affidavit) attesting to the completion of training identified in this notice as the basis for having completed the training. The statement must be substantiated by all available evidence, such as completed check ride forms, available training records, logbook entries and other records attesting to flight operation participation, associated pay stubs, W-2 forms (with financially confidential information redacted), tax returns, a statement from a current or former employee of the air carrier or program manager, and other proofs of employment. The pilot and the air carrier or program manager representative must read, sign, and submit a notarized statement containing the information found in this notice (see Appendix A, Contract Instructor and Contract Check Airman Nominee Training Records Affidavit, and Appendix B, Nominating Air Carrier Affidavit for Lost/Unobtainable Pilot Training Records) and provide supporting documentation to the POI. If the affidavit and documentation that reasonably support the affidavit are provided, the POI may accept the information as meeting the initial new-hire training requirement. An affidavit without supporting documentation must not be accepted.

c. False Statements. A pilot who has lost or is unable to obtain training records should be reminded that any fraudulent or intentionally false statements concerning these records are a basis for enforcement action in accordance with Title 18 of the United States Code (18 U.S.C.) § 1001 and 14 CFR part 61 that could result in a fine, imprisonment, and action against any certificate or rating held.

8. Supporting Documentation Review. The POI should consider the following when determining the acceptability of the documentation provided:

- a. Review Records.** Review and determine the validity of the records.
- b. Ensure Clarity.** Ensure that records clearly identify the air carrier and associated employment.
- c. Review FAA Database(s).** Review FAA database(s) to determine if the air carrier or program manager has records to verify its existence.
- d. Review Program Tracking and Reporting Subsystem (PTRS) Records.** Review PTRS records that may support the nominee's activities with the air carrier or program manager. (This is not required, but could be used for confirmation in some cases.)
- e. Review Evidence.** Review the evidence the nominee has provided that confirms the air carrier or program manager no longer retains the records or has not responded to a record request for an air carrier or program manager that currently remains in existence.
- f. Review Participation and Qualification.** Review records or supporting documents (e.g., logbooks, dispatch releases, evidence of employment, or a statement from a current or former employee of the air carrier or program manager) that attest to or confirm the nominee's flight program participation and qualification as a pilot for the air carrier or program manager.

9. Recordkeeping Requirements. For a contract check airman *only*, the POI must maintain a copy of the affidavits in the FAA's check airman file.

10. Disposition. This notice will not be incorporated into Order 8900.1. It will expire 1 year from the effective date and will no longer be applicable. However, the FAA will develop Order 8900.1 guidance identifying acceptable methods for documenting previous training or experience. Direct questions concerning the information in this notice to the Air Transportation Division (AFS-200) at 202-267-8166.



John Barbagallo
Acting Deputy Director, Flight Standards Service

**Appendix A. Contract Instructor and Contract Check Airman Nominee Training
Records Affidavit**

STATE OF _____

COUNTY OF _____

[Name of Applicant], being duly sworn, says:

1. On [today's date], I, [Name of Applicant], certify that I have been unable to find or obtain the training records documenting my completion of initial training with [airline/program manager] on [date].

2. I acknowledge that any fraudulent or intentionally false statements concerning aeronautical experience are a basis for suspension or revocation of any certificate or rating I hold.

Considering the above, I offer the following statement in lieu of the actual records:

I, [Name of Applicant], hereby attest that I successfully completed initial training as a pilot for [airline/program manager], a 14 CFR part [121/135/91K] [air carrier/program manager] based in [city, state, country], on [date training completed].

Airman's Signature

Airman's Name (Printed) and Pilot Certificate Number

SUBSCRIBED AND SWORN TO before me this _____ day of _____, _____

[Seal]

Notary Public in and for

County _____

State of _____

My Commission expires on _____

Appendix B. Nominating Air Carrier Affidavit for Lost/Unobtainable Pilot Training Records

STATE OF _____

COUNTY OF _____

[Name of Company Representative], being duly sworn, says:

1. On [today's date], I, [Company Representative], [Company Name], certify that I have been unable to find or obtain the training records documenting that [Nominated Contract Check Airman's Name] completed the initial training curriculum with [Company Name] on [date].

2. I have made a good faith effort to obtain such training records. Notwithstanding this effort, I have been unable to find such records. I do not know where such records presently are, or where they may be found. I believe them to be lost or destroyed.

3. I acknowledge that any fraudulent or intentionally false statements concerning aeronautical experience are a basis for suspension or revocation of any certificate or rating I hold, as well as revocation or suspension of this [air carrier certificate/management specifications].

For the above reason, I offer the below statement in lieu of the actual records:

I, [Company Representative], on behalf of [Company Name], attest the information above is accurate, and therefore [Name of Nominated Contract Check Airman] meets the baseline requirements of a(n) [instructor/check airman] as set forth in FAA Order 8900.1, Volume 3, Chapter 54, Section 5; N 8900.271; and 14 CFR part [91K/121/135].

Company Representative's Signature _____

Company Representative's Pilot Certificate Number (if applicable) _____

Company Representative's Name (Print) _____

Company Name and Certificate Number _____

SUBSCRIBED AND SWORN TO before me this _____ day of _____, _____

[Seal]

Notary Public in and for

County _____

State of _____

My Commission expires on _____