



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Air Traffic Organization Policy

ORDER
4040.27

Effective Date:
12/12/2016

SUBJ: FAA Flight Program Standards

1. Purpose of This Order. This order clarifies and further defines minimum operations, pilot qualifications, and airworthiness standards for approved uses of Federal Aviation Administration (FAA) aircraft operated by the FAA Flight Program, as set forth in Order 4040.9 (current edition), FAA Flight Program. FAA aircraft are used to discharge statutory or official responsibilities of the agency, which include: flight inspection; research, development, test, and evaluation; support/logistics; training; and transportation.

2. Audience. The audience for this directive is management personnel with delegated operational control responsibilities in Flight Program Operations, participants in the FAA Flight Program, and Certificate Management Unit (CMU) personnel with oversight and surveillance responsibility for the FAA Flight Program.

3. Where Can I Find This Order? FAA employees can find this order on the MyFAA website at https://employees.faa.gov/tools_resources/orders_notices. It is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Explanation of Policy Changes. Order 4040.9 (current edition), FAA Flight Program, remains in effect. Order 4040.27 supplements Order 4040.9 for the purpose of defining flight program standards.

5. Effective Date. This order is effective on December 12, 2016.

6. Scope. The FAA Administrator delegated responsibility for all aspects of FAA flight program operations, compliance, and policy (including, but not limited to, operation, safety, training, maintenance, administrative services, financial and business management, acquisition, reporting, regulatory compliance, internal, and other requirements) to the Air Traffic Organization (ATO) Flight Program Executive. This order is issued under the authority of the Flight Program Executive, as defined in Order 4040.9 (current edition).

a. Accountability. Management personnel in Flight Program Operations and participants in the FAA Flight Program are accountable to the Flight Program Executive for compliance with the provisions of Order 4040.9 (current edition) and the standards established in this order. The Flight Program Executive is responsible for ensuring compliance with the standards established for each flight program mission.

b. Oversight and Surveillance. In accordance with Order 4040.9 (current edition) and Order 8900.1 (current edition), the Director, Flight Standards Service (AFS-1), as Oversight Executive, is responsible for regulatory oversight of the FAA Flight Program. AFS-1 designates a CMU to conduct regulatory oversight and surveillance of the FAA Flight Program.

7. Approved Uses of FAA Aircraft. Approved uses of FAA aircraft are defined in Order 4040.9 (current edition). Approved uses (missions) include: aircraft certification; currency; flight inspection; research, development, test and evaluation (RDT&E); support; proficiency, qualification and standardization (PQ&S); special observation flights; training; and transportation.

8. Flight Program Manuals. The Flight Program Executive and Flight Program Operations (AJW-3) managers with delegated operational control responsibilities are responsible for ensuring the AJW-3 system of manuals is consistent with the standards in this order; and submitting all manuals and revisions/changes to the CMU. All manuals (or applicable portions of current manuals related to flight program operations) in effect on October 2, 2016, were transferred to the Flight Program Executive and considered part of the AJW-3 system of manuals for the purpose of determining flight program policies and procedures.

9. FAA Flight Program Standards. The Flight Program Executive is responsible for establishing standards for all approved uses of FAA aircraft (owned, leased, rented, etc.) consistent with the highest equivalent operational and maintenance requirements under Title 14 of the Code of Federal Regulations (14 CFR) (e.g., 14 CFR parts 43, 61, 65, 91, 121, 125, 135, 141, 142, 145).

In most cases the standards in this order exceed the legal requirements, which are established by statute or rule, for certain missions. For example, many inherently governmental missions are conducted as public aircraft operations under the applicable statutes. As a matter of policy, the Agency elects to operate in accordance with civil regulatory requirements whenever possible. In some cases, additional approval is required to ensure consistent application of agency policy. Operations, pilot qualifications, and airworthiness standards for approved uses of FAA aircraft (missions) are depicted in Table 1 and further described in paragraphs 10 – 18 of this order.

a. Pilot Qualifications. Pilot qualification standards apply to any participant in the FAA Flight Program serving as a pilot in an FAA aircraft. With the exception of pre-employment flight evaluations, only a participant who serves as a pilot (and holds the qualifications specified in the FAA Flight Program system of manuals) can be assigned as pilot in command (PIC), second in command (SIC), flight instructor, or check pilot/check airman on an AJW-3 flight and manipulate the controls of the aircraft. In the case of a pre-employment flight evaluation conducted in an FAA aircraft, the applicant may manipulate the controls the aircraft under the supervision of a flight instructor or check pilot/check airman assigned as the PIC of the flight. Prior approval of the Flight Program Executive is required, in addition to the approval authority for the flight, for any flight when a subject pilot (non-participant) is required to serve as SIC and manipulate the controls of the aircraft to complete mission requirements.

(1) Aircraft Operations Group (AJW-3300): The pilot must be qualified under the certificate holder's 14 CFR part 135 FAA-approved training program for the duty position assigned, as well as meet the recent experience requirements of § 135.247 for passenger-carrying operations (transportation missions only).

(a) For training, recent flight experience (currency), PQ&S, and support missions, if the pilot is not qualified under the FAA-approved training program, then he or she must be paired with a flight instructor or check pilot/check airman in accordance with the FAA Flight Program system of manuals in order to be assigned to the flight.

(b) Any pilot assigned as a flight instructor or check airman/check pilot must meet the applicable regulatory requirements in order to conduct training, testing, or checking under the FAA-approved training program during training, recent flight experience (currency), and PQ&S flights.

(2) Aviation Safety Training Group (AJW-3200): Participants (pilots) receiving currency/proficiency services from AJW-3, as coordinated by AJW-3200, must meet the qualification and currency requirements of this section.

(a) For aircraft in a category/class that do not require a type rating (e.g., airplane single-engine land (ASEL), airplane multiengine land (AMEL), airplane single-engine sea (ASES), airplane multiengine sea (AMES), Glider, Balloon, Helicopter), the participant (pilot) must receive training in the category/class.

(b) For aircraft that require a type rating, the participant (pilot) must receive training under an FAA formal course delivered by a certificated 14 CFR part 141 pilot school or part 142 training center, or under an FAA-approved training curriculum. For a pilot who serves as a required crewmember in an FAA aircraft, the Flight Program Executive can approve equivalent training in a type rated aircraft when the participant cannot obtain training through one of the methods listed in this paragraph (e.g., Flight Standardization Board).

(c) Each participant (pilot) must be qualified by completion of an aircraft competency check (§ 61.56(a) or § 135.293(b)) within the last 12 months.

(i) When the pilot serves as PIC in an FAA aircraft, the Flight Program Executive will determine when the aircraft competency check is valid for more than one class and/or more than one model.

(ii) When the pilot does not serve as a required crewmember in an FAA aircraft, the line of business/staff office (LOB/SO) determines when the aircraft competency check is valid for more than one class and/or more than one model for purposes of meeting the qualifications necessary for the participant to conduct his or her primary duties in job task (proponent or applicant) aircraft.

(d) Each pilot who conducts operations under Instrument Flight Rules (IFR) must meet instrument experience requirements of § 61.57(c), or complete an instrument proficiency check in accordance with § 61.57(d) or § 135.297 to reestablish instrument currency.

(e) Pilots are not required to be qualified and current for training, currency, or PQ&S missions if the purpose of the flight is to regain § 61.57(a), § 61.57(b), or § 61.57(c) currency, and the pilot is paired with a flight instructor or check pilot/check airman (when more than one pilot is required).

(f) During training, currency, and PQ&S missions, the pilot conducting training, testing, or checking must hold a non-expired Certified Flight Instructor (CFI) Certificate applicable to the category and class of training being conducted, or meet the equivalent FAA Flight Program flight instructor or check pilot/check airman requirements.

(g) When transportation is a secondary mission, the required pilot(s) must meet the recent experience requirements of § 61.57 for passenger-carrying operations.

b. Airworthiness. Maintenance standards are different for FAA-owned and exclusive-use leased aircraft versus rental aircraft.

(1) Aircraft on the Flight Inspection Services (d/b/a Flight Program Operations) Air Operator Certificate or Washington Flight Program (d/b/a Flight Program Operations) Air Carrier Certificate: these aircraft must be maintained to 14 CFR part 135 standards under the Air Operator Certificate or Air Carrier Certificate at all times, unless the aircraft is operated on special flight permit, in accordance with the provisions of 14 CFR 21.197, during a support mission.

(2) Other FAA-owned aircraft (N35, N39, N38, N41, N47, N49): these aircraft must be maintained under 14 CFR parts 43, 91, and 125 (as applicable) in accordance with an FAA-approved maintenance program at all times, unless the aircraft is operated on special flight permit, in accordance with the provisions of 14 CFR 21.197, during a support mission.

(3) Rental Aircraft: Participants must use vendors under the oversight of AFS through a defined surveillance program (e.g., part 135 operator, part 141 pilot school, part 142 training center), or the FAA Flight Program audit system that assures the vendor aircraft meet applicable 14 CFR part 43 and 91 requirements.

c. Deviation from this Order. Any exemption from the standards in this order must be approved by the Flight Program Executive in advance of the flight, in addition to the approval authority required for the flight and/or travel for passengers.

Table 1. FAA Flight Program Standards

Approved Uses of FAA Aircraft	Legal Requirement	Order 4040.27 (FAA Policy)			Limitations
		Operations	Pilot Qualifications	Airworthiness	
Aircraft Certification	Flight Program Executive approval required. Standards determined when mission is approved.				
Currency (Recent Flight Experience)	Public Use Statutes (FAA A/C) Part 91 (Rental A/C)	Part 91	Part 61	Part 43 & 91	
Flight Inspection	Public Use Statutes (FAA A/C)	Part 91/135	Part 135	Part 135	Only Aircraft Operations Group pilots are authorized to operate flights when flight inspection is the primary or secondary mission.
Proficiency, Qualification & Standardization	Public Use Statutes (FAA A/C) Part 91 (Rental A/C)	Part 91	Part 61	Part 43 & 91	
Research, Development, Test & Evaluation (RDT&E)	Public Use Statutes (FAA A/C)	Part 91 or Public Use Statutes	Part 61	Part 43 & 91/125	
Support	Public Use Statutes (FAA A/C) Part 91 (Rental A/C)	Part 91	Part 61	Part 43 & 91	
Training	Public Use Statutes (FAA A/C) Part 91 (Rental A/C)	Part 91	Part 61	Part 43 & 91	
Transportation: Primary Mission	Part 135 (FAA A/C)	Part 135	Part 135	Part 135	Only Aircraft Operations Group pilots, trained under 14 CFR part 135, are authorized to operate flights when transportation is the primary mission.
Transportation: Secondary Mission	Part 91	Part 91	Part 61	Part 43 & 91	Only participants in the FAA Flight Program can be authorized as passengers, or Flight Program Executive approval required.
Special Observation Flights	Standards mirror the standards of the mission that is being observed. Flight Program Executive approval required.				

10. Aircraft Certification. This mission involves qualitative and quantitative testing performed on an aircraft that has been modified and does not conform to its FAA-approved type design. Aircraft certification missions require prior approval of the Flight Program Executive in addition to the approval authority for the flight. The Flight Program Executive will set standards for aircraft certification flights in accordance with applicable directives (e.g., Order 8110.4 (current edition), Type Certification), in consultation with AIR, when the mission is approved.

11. Currency (Recent Flight Experience). This mission involves flight time logged by participants in the FAA Flight Program in order to become or remain current to operate FAA aircraft according to flight program requirements. Currency flights are conducted to 14 CFR part 91 standards.

12. Flight Inspection. This mission provides for evaluation and certification inspection of air navigation aids, landing systems, instrument flight procedures, radars, airports, and other airspace system components.

a. Limitations. Only Aircraft Operations Group (AJW-3300) pilots, who receive required mission-related training, are authorized to operate flights when flight inspection is the authorized primary or secondary mission.

b. Operations. When engaged in flight inspection/flight check activities during flight, flight inspection flights are operated to 14 CFR part 91 standards in accordance with exemptions to part 91 issued by the Administrator. At all other times when conducting this mission, flight inspection flights must be operated to 14 CFR part 135 standards and Aircraft Operations Group manuals.

13. Research, Development, Test, and Evaluation (RDT&E). This mission pertains to flights directly related to research, development, test, and evaluation of new electronic aids, air traffic procedures, aircraft improvement, and aviation medical research, under established agency projects, evaluation of the National Airspace System (NAS), the air traffic control system, NAS programs, NAS systems (including the investigation of radio frequency interference problems), personnel, aircraft, equipment, and procedures.

a. Limitations. Only Aircraft Operations Group (AJW-3300) pilots, who receive required mission-related training, are authorized to operate flights when RDT&E is the authorized primary or secondary mission.

b. Operations. RDT&E flights are operated to 14 CFR part 91 standards, to the maximum extent possible.

14. Proficiency, Qualification, and Standardization (PQ&S). This mission involves flight time in an aircraft (or simulator) used to maintain pilot skills through practice of flight maneuvers, emergency procedures, and instrument approaches, as well as proficiency flights and qualification check flights. PQ&S flights are operated to 14 CFR part 91 standards.

15. Support. This mission provides the FAA Flight Program with the vehicle for flight evaluation of personnel (including pre-employment flight experience and proficiency evaluations of designated personnel prior to selection or assignment to the FAA) on behalf of FAA organizations, as well as maintenance support flights, operational check flights, and movement of personnel/equipment in logistics support of other mission requirements. Support flights are operated to 14 CFR part 91 standards.

16. Training. This mission pertains to flights and flight hours directly related to training courses, including instructor and check pilot/check airman qualification and recurrent training. This mission includes training conducted under an FAA formal course delivered by a certificated 14 CFR part 141 pilot school, part 142 training center, FAA Flight Program, or under an FAA-approved training curriculum. Training flights are operated to 14 CFR part 91 standards.

17. Transportation. This mission involves flight time expended in the movement of people and cargo from point-to-point in order to perform assigned job functions to meet specific government needs.

a. Limitations. The following limitations apply to transportation flights:

(1) Primary Mission: Only Aircraft Operations Group (AJW-3300) pilots, who receive required training under an FAA-approved 14 CFR part 135 training program, are authorized to operate flights when transportation is the primary mission.

(2) Secondary Mission: Only participants in the FAA Flight Program may be carried as passengers when transportation is the secondary mission on a flight operated by a pilot who is not assigned to the Aircraft Operations Group (AJW-3300). Any other passenger on such flights requires prior approval of the Flight Program Executive in addition to the approval authority for that passenger's travel on the FAA aircraft.

b. Operations. Transportation flights are operated to 14 CFR part 135 standards when conducted as a primary mission, or part 91 standards when conducted as a secondary mission.

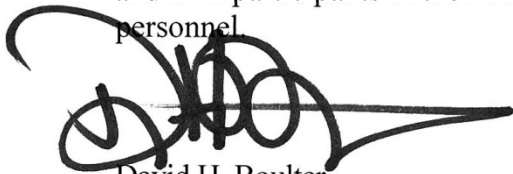
18. Special Observation Flights. This mission involves observation flights scheduled for the primary purpose of demonstrating the operation of FAA aircraft, aircraft equipment, crew, or conduct of a mission to major sponsors and interested parties within the FAA, other government agencies, and industry. Due to the nature of a special observation flight, the standards mirror the standards of the mission that is being observed (as defined in paragraphs 10 – 17 above). Special observation flights require prior approval of the Flight Program Executive in addition to the approval authority for the flight.

19. Unmanned Aircraft Systems (UAS). The Flight Program Executive will authorize the operation of UAS by the FAA Flight Program in order to meet specific mission requirements. FAA Flight Program UAS operations will be conducted in accordance with 14 CFR part 107 to the maximum extent possible.

20. Safety Management System (SMS). The Director of Flight Program Safety will develop and administer the FAA Flight Program SMS in accordance with 14 CFR part 5. The Flight Program Executive is the Accountable Executive for the FAA Flight Program SMS and will delegate responsibilities to the required AJW-3 safety management personnel.

21. Communications. Direct questions regarding this order, Order 4040.9 (current edition), and the FAA Flight Program system of manuals to the Flight Program Executive.

22. Distribution. This directive will be distributed to AFS-1 as the Oversight Executive, AFS and AIR participants in the FAA Flight Program, and Flight Program Operations (AJW-3) personnel

A handwritten signature in black ink, appearing to read 'D. Boulter', with a long horizontal stroke extending to the right.

David H. Boulter
Director, Flight Program Operations, AJW-3
Flight Program Executive