



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Aviation Rulemaking Committee Charter

Effective Date: 05/11/2015

SUBJECT: Pilot Fitness Aviation Rulemaking Committee

1. **PURPOSE.** This charter establishes the Pilot Fitness Aviation Rulemaking Committee (ARC), according to the Administrator's authority under Title 49 of the United States Code (49 U.S.C. § 106(p)(5)). It also establishes a working group composed of medical professionals reporting to the ARC. The sponsor of this ARC is the Associate Administrator for Aviation Safety and this charter outlines the committee's organization, responsibilities, and tasks.
2. **BACKGROUND.** Because of two recent events, Malaysia 370 and German Wings 9525, the Commercial Aviation Safety Team (CAST) is interested in the question of pilot fitness. Because the safety professionals on CAST do not have sufficient expertise to examine the question, the FAA has determined that an ARC and a working group of medical professionals reporting to the ARC will provide the most complete and expeditious review of this issue.
3. **OBJECTIVES AND TASKS OF THE ARC.** The Pilot Fitness ARC will provide a forum for the United States aviation community to discuss and provide recommendations to the FAA and is tasked to review the following questions and provide findings and, if appropriate, recommendations to the Associate Administrator for Aviation Safety.
 - a. What does data show us about changes in awareness and reporting of emotional and mental health issues in the general population?
 - b. If the review completed under Task a. demonstrates a change in awareness and reporting of mental health issues in the general public, can we determine whether a similar change is reasonably expected to have occurred in the pilot community? If not, why not?
 - c. If so, do the changes in the awareness and reporting of emotional and mental health issues reflected in the pilot community indicate increased risks to aviation safety? If so, does that suggest that further review is valuable?
 - d. What methods are used to evaluate the emotional and mental health of pilots today? Do those methods differ depending on the level of certification held by the pilot? If so, are those differences appropriate?
 - e. What methods are used to encourage pilots to report medical conditions, including emotional and mental health issues? What steps are taken when emotional and mental health conditions are reported -- either by the pilot or by family, friends or co-workers who are concerned about the pilot?
 - f. Are there barriers that prevent pilots from reporting medical conditions, including emotional and mental health issues?
 - g. Given the findings under Tasks a. through f.; are there gaps in the methods used today to evaluate the emotional and mental health of pilots?

- h. If there are gaps in current methods of evaluation, what would the ARC recommend to address those gaps?
 - i. Are there medical methods that could be employed to address the gaps?
 - ii. Are there aircraft design improvements that would mitigate the gaps?
 - iii. Are there policies and/or procedures that would mitigate risk during flight?
 - iv. Are there pilot training and/or testing improvements that would mitigate the gaps?
 - v. Are there actions by professional standards groups or other airline or union actions that would mitigate the gaps?
 - vi. Are there training or other improvements for AMEs that would mitigate the gaps?

Recommendation Report. If the Pilot Fitness ARC identifies that there are gaps, it shall make recommendations that may be used by the FAA to improve the emotional and mental health training and certification of pilots in the United States and any improvements to aircraft design. The report should include:

- a. An explanation of the data and research found as a result of the tasks
- b. Proposed mitigation of identified risks for aircraft design and pilot training and testing
- c. Provide revised regulatory language based on identified gaps
- d. Any additional information the ARC considers, associated with the tasks, that would help the FAA further understand the recommendation
- e. Estimated costs associated with improvements to aircraft design and pilot training and testing

4. ARC PROCEDURES.

- a. The Pilot Fitness ARC acts solely in an advisory capacity by advising and providing written recommendations to the Associate Administrator for Aviation Safety and the Director of the Office of Rulemaking.
- b. The Pilot Fitness ARC may propose additional tasks as necessary to the Associate Administrator for Aviation Safety for approval.
- c. **Status Reports.** The Pilot Fitness ARC will provide a status update to the Associate Administrator for Aviation Safety every month.
- d. **Recommendation Report.** The Pilot Fitness ARC will submit a report detailing recommendations within six months from the effective date of the charter.
 - i. The Industry Co-Chair sends the recommendation report to the Associate Administrator for Aviation Safety and the Director of the Office of Rulemaking.
 - ii. The Associate Administrator for Aviation Safety determines when the recommendation report is released to the public.
- e. The ARC may reconvene following the submission of the recommendation report for the purposes of providing advice and assistance to the FAA, at the discretion of the Associate Administrator for Aviation Safety, provided the charter is still in effect.

- 5. **ARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.** The FAA will set up a committee of members of the aviation community. Members will be selected based on their familiarity with emotional and mental health, certification analysis and regulatory compliance.

Membership will be balanced in viewpoints, interests, and knowledge of the committee's objectives and scope.

The provisions of the August 13, 2014 Office of Management and Budget guidance, "Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions" (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their "individual capacity." The revised guidance now allows registered lobbyists to participate on Agency Boards and Commissions in a "representative capacity" for the "express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government." (For further information see the Lobbying Disclosure Act of 1995 (LDA) as amended, 2 U.S.C 1603, 1604, and 1605.)

The Pilot Fitness ARC membership is limited to promote discussion. Attendance, active participation, and commitment by members is essential for achieving the objectives and tasks. When necessary, the Pilot Fitness ARC may set up specialized and temporary task groups that include at least one Pilot Fitness ARC member and invited subject matter experts from industry and government.

The Pilot Fitness ARC will consist of senior safety officials from the airlines, pilot unions, manufacturers and FAA. A working group, made up of medical experts from the organizations on the ARC, will be established at the same time.

- a. The Associate Administrator for Aviation Safety will:
 - 1) Select and appoint industry and the FAA participants as members to the Pilot Fitness ARC,
 - 2) Select an Industry Co-Chair from the membership of the Pilot Fitness ARC,
 - 3) Select the FAA Co-Chair from the FAA line-of-business,
 - 4) Provide the FAA participation and support from all affected lines-of-business,
 - 5) Provide administrative support for the Pilot Fitness ARC, through the Office of Flight Standards Service and the Office of Aerospace Medicine , and
 - 6) Receive all status reports and the recommendations report.

- b. Once appointed, the Industry Co-Chair will:
 - 1) Coordinate required ARC (and task group, if any) meetings in order to meet the objectives and timelines,
 - 2) Provide notification to the members of the time and place for each meeting,
 - 3) Establish and distribute meeting agendas in a timely manner,
 - 4) Keep meeting notes, if deemed necessary,
 - 5) Perform other responsibilities as required to ensure the objectives are met,
 - 6) Provide status reports in writing to the Associate Administrator for Aviation Safety, and
 - 7) Submit the recommendation report to the Associate Administrator for Aviation Safety.

6. **COST AND COMPENSATION.** The estimated cost to the Federal Government for the Pilot Fitness ARC is approximately \$2,500. All travel costs for government employees are the responsibility of the government employee's organization. Non-government representatives, including the Industry Co-Chair, serve without government compensation and bear all costs related to their participation on the ARC.
7. **PUBLIC PARTICIPATION.** Meetings are not open to the public. Persons or organizations outside the Pilot Fitness ARC who wish to attend a meeting must get approval in advance of the meeting from either the Industry Co-Chair or the FAA Co-Chair.
8. **AVAILABILITY OF RECORDS.** Consistent with the Freedom of Information Act, Title 5, U.S.C., section 552, records, reports, agendas, working papers, and other documents that are made available to or prepared for or by the ARC will be available for public inspection and copying at the FAA Office of Flight Standards Service, 800 Independence Ave SW, Washington, D.C. 20591. Fees will be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations, part 7.

You can find this charter on the FAA Committee Database website at:
http://www.faa.gov/regulations_policies/rulemaking/committees/documents/.

9. **DISTRIBUTION.** This charter is distributed to the Office of Flight Standards Service, the Office of Aerospace Medicine, the Office of Aircraft Certification Service, and the Office of Accident Investigation and Prevention, the Office of the Associate Administrator for Aviation Safety, the Office of the Chief Counsel, the Office of Aviation Policy and Plans, and the Office of Rulemaking.
10. **EFFECTIVE DATE AND DURATION.** The Pilot Fitness ARC is effective upon issuance of this charter and will remain in existence for twelve months, unless the charter is sooner suspended, terminated, or extended by the Administrator.

Issued in Washington, D.C. on May 11, 2015.



Michael P. Huerta
Administrator