

**A PILOT'S EXPECTATIONS AND PROTECTIONS UNDER PRIA**  
**Pilot Records Improvement Act (PRIA) of 1996, as amended**  
**Title 49 United States Code (U.S.C.) § 44703 (h) - (j)**

**1. A Pilot's Expectations and Protections under PRIA.**

**a.** All professional pilots, being considered for employment by an air carrier, are provided with certain expectations and protections concerning the request, transfer, receipt, evaluation, and maintenance of their records as provided for in 49 U.S.C. § 44703(h) – (j).

**b.** Aside from those protections specified in the statute, each pilot **should**:

**(1)** expect fair and timely treatment from the FAA, past, present, and future employers, and the National Driver Registry (NDR), concerning the process for the request, transfer, receipt, evaluation, and maintenance of the appropriate PRIA-related records for the purpose of employment at an air carrier.

**c.** According to the statutory provisions, each pilot **shall**:

**(1)** be furnished with (1) a written notification that a request will be made for their PRIA-related records, (2) be asked to sign a consent form for the release of those records, and (3) have an opportunity to request a copy of those records if so desired.

**(a)** The series of official PRIA forms all contain certain sections that have been specifically designed for the fulfillment of the requirements stated in this paragraph. Refer to FAA Forms 8060-10A, 8060-11A, and 8060-12. (49 U.S.C. § 44703(h)(6)).

**(2)** have an opportunity to submit a written comment or memorandum to an air carrier that maintains, or requests and receives the pilot's PRIA-related records when that pilot believes there are inaccuracies in those records. (49 U.S.C. § 44703(h)(9))

**(3)** have the opportunity to review and comment upon their PRIA-related records. The air carrier shall also make available a copy of the requested records within a reasonable period of time, but not later than 30 days after the date of a written request from the pilot. This is especially true where distance prohibits the pilot from reviewing their records in person. (49 U.S.C. § 44703(h)(10))

**(a)** It is a good idea for all pilots contemplating a move from one air carrier to another, if possible, to review their PRIA-related records **before** applying for employment at another air carrier. This can help pilots ensure that their records are in order and all problem areas have been addressed in advance.

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**2. A pilot's Privacy Protections** under PRIA. (49 U.S.C. § 44703(h)(11))

**a.** At the beginning of each PRIA request process, all pilots must first sign a consent for the release of all of their PRIA-related records. This includes the release of the following specific groups of records:

- (1) FAA records.
- (2) Previous air carrier employment records.
- (3) DOT Drug and Alcohol Testing Records.
- (4) Records from the National Driver Register (NDR).

**b.** The **Confidentiality of a Pilot's Records** under PRIA, must be protected in the following manner:

(1) An air carrier receiving the records of an applicant may use such records only to assess the qualifications of that individual in deciding whether or not to hire that individual as a pilot for their company.

(2) Only the company personnel directly involved in the hiring process of the air carrier may view and evaluate the records.

(3) The air carrier in possession of the PRIA-related records, must ensure that other individuals *not* involved in the hiring process do not view or have access to the records, with the one exception of the FAA Principal Operations Inspector (POI) who cannot be denied access to a PRIA-related system of records, for the purpose of surveillance or inspection.

(4) PRIA-related records that have been requested and received from the FAA, previous employers, and the NDR, must be maintained for at least 5 years, and filed in an area separate from other company pilot employment records, or be easily retrievable from the companies primary system of records, in order to better assist both the air carrier and the FAA in verifying compliance with 49 U.S.C. § 44703(h)(4).

**3. Disciplinary Actions** that are unrelated to a termination or release from employment, and have been imposed on a pilot by the employer, should only be reported *if* they involve the individual's *performance as a pilot*, and have not been subsequently overturned. Other employment related actions that have nothing to do with the pilot's flight duties resulting in a disciplinary action, *but not discharge or termination*, should not be reported. (49 U.S.C. § 44703(h)(1)(B)(ii)(II))

**4. Release From Employment Records.** Records concerning any release from employment or resignation, termination, or disqualification with respect to employment *and* which pertain to the individual's performance as a pilot must be reported in accordance with PRIA. (49 U.S.C. § 44703(h)(1)(B)(ii)(III))