

January 7, 2021

Ali Bahrami
Associate Administrator for Aviation Safety
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, DC 20591

Dear Mr. Bahrami:

We write today to respectfully request the FAA extend certain exemptions expiring January 31, 2021 in SFAR 118-2 (Relief for Certain Persons and Operations during the Coronavirus Disease 2019) to allow affected pilots, aircraft owners, and operators to safely continue their important role to the U.S. and worldwide economy and overall public benefit. We request:

1. Additional Extension of Relief from Duration and Renewal Requirements to March 31, 2021 (14 CFR parts 61, 63, and 65)
2. Additional Extension of Relief from Certain Training, Recency, Testing and Checking Requirements to March 31, 2021 (14 CFR parts 61, 91, 125, and SFAR 73)
3. Request reconsideration of additional relief to March 31, 2021 for-
 - a. Expanded Relief for Pilot Flight Reviews under 61.56

On April 30, 2020, SFAR 118 became effective, allowing thousands of private, commercial, and other pilots flying in general aviation and commercial operations to continue operating. Pilots with medicals nearing expiration have been able to continue flying safely, and pilots can retain flight currency to continue operations for the public benefit. These are just a few examples of the successful outcomes for the general and commercial aviation communities and the public because of SFAR 118. The undersigned and its members sincerely appreciate the FAA's hard work in developing and publishing such a monumental SFAR in a very short period.

Due to the continued impact of COVID-19 throughout 2020, the undersigned industry groups saw a need from their membership and the aviation community to request additional extensions for SFAR 118 relief due to the continued impact of COVID-19 social distancing and quarantine restrictions that prevented the completion of renewal, currency, testing, and checking requirements. On May 29, 2020, industry requested an additional three-month extension to the initial SFAR 118 relief.¹ Considering this request, the FAA published Amendment 1 to SFAR 118 (118-1), which provided relief from June 30, 2020 to September 2020. On September 3, 2020, industry requested an extension of a two-month duration to Amendment 1 to SFAR 118.² In response, the FAA published Amendment 2 to SFAR 118 (118-2), which provided relief from October 2020 to January 2021.

We greatly appreciate the FAA's consideration and accommodation in SFAR 118 Amendments 1 and 2. This extended relief has allowed operators and pilots to continue their fight against COVID-19 and to avoid added cost as a result of expiring privileges, especially during the increase in cases in late 2020.

¹ http://download.aopa.org/advocacy/2020/0625_letter.pdf

² http://download.aopa.org/advocacy/2020/0903_sfar_proposal.pdf

We were pleased and heartened to see the hard work by federal, state, and local governments and diverse groups of essential workers resulted in a slowing and reduction of COVID-19 cases during the summer of 2020, along with a lifting of stay at home/shelter in place restrictions and reopening of businesses. Unfortunately, since our last letter, the US has seen an explosion in the numbers of COVID-19 infections and deaths. According to the Centers for Disease Control, the U.S. topped 350,00 COVID-19 related deaths on January 5, 2021³ (an increase of over 80% since our last letter) and continues to recommend limited contact with those outside of your household.⁴ Hospitals and their ICU's are at, or near, capacity with some having to consider rationing of care.⁵ Many states and local governments have reimposed business restrictions and social distancing requirements.^{6, 7} With the recent holidays and colder temperatures, it is expected cases and deaths will continue to rise, just as was seen shortly after Thanksgiving.

Fortunately, in December 2020, the Food and Drug Administration issued Emergency Use Authorizations to two COVID-19 vaccines.⁸ We appreciate the effort of the US government, academia, and the medical industry for developing a vaccine in an accelerated time frame. While this has brought hope to millions of people, there are still challenges ahead. The anticipated timeline for full deployment to the public will take many months.^{9, 10} And, even for initial distribution to health care workers and the elderly, there has already been a delay in distribution.¹¹

Until the vaccine has been fully deployed, and quarantine and social distancing restrictions are ended, continued regulatory relief for pilots, aircraft owners and operators is still necessary. The public remains wary of venturing out, and many aviation stakeholders desire to minimize their risk to exposure.¹² Many pilots serve as essential workforce, who help the economy and transport people and goods,¹³ will continue to face restrictions and challenges to maintain pilot privileges. These restrictions and individual health fears will continue to create burdens and restrictions that will negatively impact the safety and costs to the aviation community until COVID-19 is mitigated.

SFAR 118 Industry Survey

In December 2020, industry conducted a survey to the pilot community that asked for their utilization and opinions of SFAR 118 and its amendments.¹⁴ Overall, of the 965 responses, respondents appreciated the FAA providing extensions due to the challenges caused by COVID-19. However, many identify the need for continued relief well into 2021.

³ <https://covid.cdc.gov/covid-data-tracker/>

⁴ <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

⁵ <https://abcnews.go.com/Health/california-hospitals-rationing-care-due-spike-covid-19/story?id=74934793>

⁶ <https://www.uschamber.com/article/state-by-state-business-reopening-guidance>

⁷ https://www.washingtonpost.com/local/coronavirus-restrictions-maryland-virginia-dc/2020/11/13/d233c168-25b3-11eb-a688-5298ad5d580a_story.html

⁸ <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>

⁹ <https://www.businessinsider.com/when-can-i-get-a-coronavirus-vaccine-timeline-2020-11>

¹⁰ https://coronavirus-download.utah.gov/Health/Vaccine_Timeline.pdf

¹¹ <https://thehill.com/policy/healthcare/532017-pace-of-vaccinations-falls-short-of-estimates-prompting-alerts?userid=397361>

¹² Comments in response to SFAR 118 industry survey distributed and compiled December 2020

¹³ <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

¹⁴ SFAR 118 industry survey distributed and compiled December 2020, see Appendix 2

Industry Requests Additional Extension of Relief from Duration and Renewal Requirements to March 31, 2021 (14 CFR parts 61, 63, and 65)

Relief for medical certificates remains necessary beyond January 2021. While most AMEs are now scheduling appointments, continued social distancing and capacity restrictions create a challenge for timely appointments. Additionally, for the tens of thousands of pilots who are on special issuances or otherwise must supply the FAA with updates to their medical conditions, treating specialists may remain difficult to schedule, as many have additional commitments directly or adjacently related to the COVID-19 pandemic (e.g. cardiologists and pulmonologists). The extensions provided in SFAR 118, 118-1, and 118-2 from the date of certificate expiration has worked well and exposes the airman and the public to minimal risk during the extension period. The results from the industry survey indicate that 21% of respondents utilized the medical certificate extensions (the most utilized of all extensions) and was viewed by most as not having a negative impact on aviation safety. The undersigned organizations are not aware of any accident to date that might have been associated with this extension. Since December 2020, our organizations continue to field inquiries from members about these extensions.

Additionally, relief for pilot knowledge test validity periods should continue. We have heard from many individual members reporting CFIs and DPEs are not comfortable working in close vicinity with students. As more than 57% of DPEs are over the age of 60,¹⁵ a demographic at higher risk for severe effects of the COVID-19 disease, their hesitation is understandable. The industry survey indicates that approximately 4% of respondents utilized this extension, and we continue to field inquiries from members about these extensions. As you can see, general and commercial aviation will continue to face significant challenges in meeting the requirements of the FARs beyond the applicability of SFAR 118/118-1/118-2.

Industry Requests Additional Extension of Relief from Certain Training, Recency, Testing and Checking Requirements to March 31, 2021 (14 CFR parts 61, 91, 125, and SFAR 73)

While the policy coming out of the FAA headquarters is that the FAA remains open and able to conduct business, the reality is much different. FSDO managers have expanded authority to exercise risk assessment and mitigation in the execution of duties. Understandably, the result is an extremely limited ability of inspectors to travel in areas of the country that are most impacted by COVID-19.

In addition, many operators attempting to maintain currency without an FAA inspector also continue to have trouble. For example, training, testing, and checking often require traveling between states to get to a training or testing center, and independent flight instructors. Many states still enforce quarantine restrictions when traveling to areas of the country with high rates of COVID-19. Such mandates result in additional complexity when operators schedule these events. Our industry survey gathered several comments about the difficulty finding available instructors and/or DPE's and the concern of obtaining training or testing in close proximity to another instructor or DPE. This burden is exponentially more difficult for pilots based outside of the U.S. Through the end of 2020, our organizations continue to field inquiries from our members about 61.56 flight reviews and 61.57 instrument currency. In fact, 18% and 13% of survey respondents (respectively) have used those extensions in current and past SFAR relief.

¹⁵ From data compiled by FAA Office of Flight Standards on 5/7/2020

Due to ongoing quarantine restrictions in place around the country, the additional grace months will allow operators to perform functions deemed essential by CISA. Further details of our request are in the table included in Appendix 1.

Industry Requests for Reconsideration of Additional Relief to March 31, 2021

As mentioned earlier, the industry survey reflected positive feedback on the FAA's willingness to provide many areas of relief for pilots and operators nearing the expiration of their privileges. Approximately 29% of survey respondents (half of which were professional pilots) reported negative economic impacts because of COVID-19 restrictions. The relief in SFAR 118 and its amendments provided much needed relief to allow both professional and recreational operators from having to face significant economic costs (e.g., training or checking), while maintaining the highest levels of aviation safety. Over 60% of survey respondents felt that the extensions did not impact aviation safety negatively, and none of the undersigned are aware of any accidents that might be attributable to these extensions.

One of the most frequent comments we received indicated the complexity and limited nature of the 61.56 pilot flight review extension diminished its usefulness. Not only did it create confusion as to whether one could take advantage of this extension, but it significantly limited a large portion of the recreational pilot community, particularly those with health vulnerabilities, from continuing to maintain proficiency without the risk of exposing CFIs and pilots to COVID-19.

Between 2011 and 2014, the General Aviation Joint Steering Committee studied Loss of Control (LOC) accidents, which account for an overwhelming majority of GA fatalities. The two Loss of Control Working Groups it chartered found that a significant factor that was common to many LOC accidents was flight after periods of inactivity, and they wrote a Safety Enhancement plan to specifically address this issue.¹⁶

We feel that continuing to deny relief from the flight review requirement for non-commercial, personal aviation will cause pilots to become inactive, putting them at an elevated risk of accidents and incidents. While recurrent training is an essential part of flight safety, we believe that allowing pilots to stay proficient carries a safety benefit that justifies a modest extension of the flight review duration.

Based on this new data, we urge the FAA to reconsider revising the applicability of the 61.56 relief for clarity and greater applicability for non-commercial, personal aircraft operators.

Duration of Relief

As stated above, the general and commercial aviation community remains impacted by the continuing COVID-19 quarantine and travel restrictions due to a slower than initially predicted recovery. We recognize that two vaccines are now available but will take several months to fully deploy. The mitigations included in SFAR 118 have proven effective and well utilized, and they will allow these operators to continue conducting necessary relief flights safely while accommodating stay at home orders and social distancing requirements.

Therefore, the undersigned associations respectfully request the FAA provide a third amendment to SFAR 118 to provide relief to pilots, operators, and certificate holders who face expiring experience,

¹⁶ <https://www.gajsc.org/wordpress/wp-content/uploads/2013/09/Loss-of-Control-on-Approach-and-Landing-and-Departure-and-Enroute-October-29-2014.pdf>, Pages 17 and A12-25

testing, checking, duration, medical, and renewal requirements in February and March 2021, as outlined above and in Appendix 1. Doing so would also align with the duration of regulatory relief recently granted to air carriers.¹⁷

We appreciate your positive consideration and timely implementation of this request and look forward to working with you to assist in this effort.

Sincerely,

Aircraft Owners and Pilots Association
Air Medical Operators Association
Experimental Aircraft Association

Helicopter Association International
National Agricultural Aviation Association
National Air Transportation Association
National Business Aviation Association

¹⁷ https://www.faa.gov/coronavirus/regulatory_updates/

Appendix 1– Request for Relief in SFAR 118-3

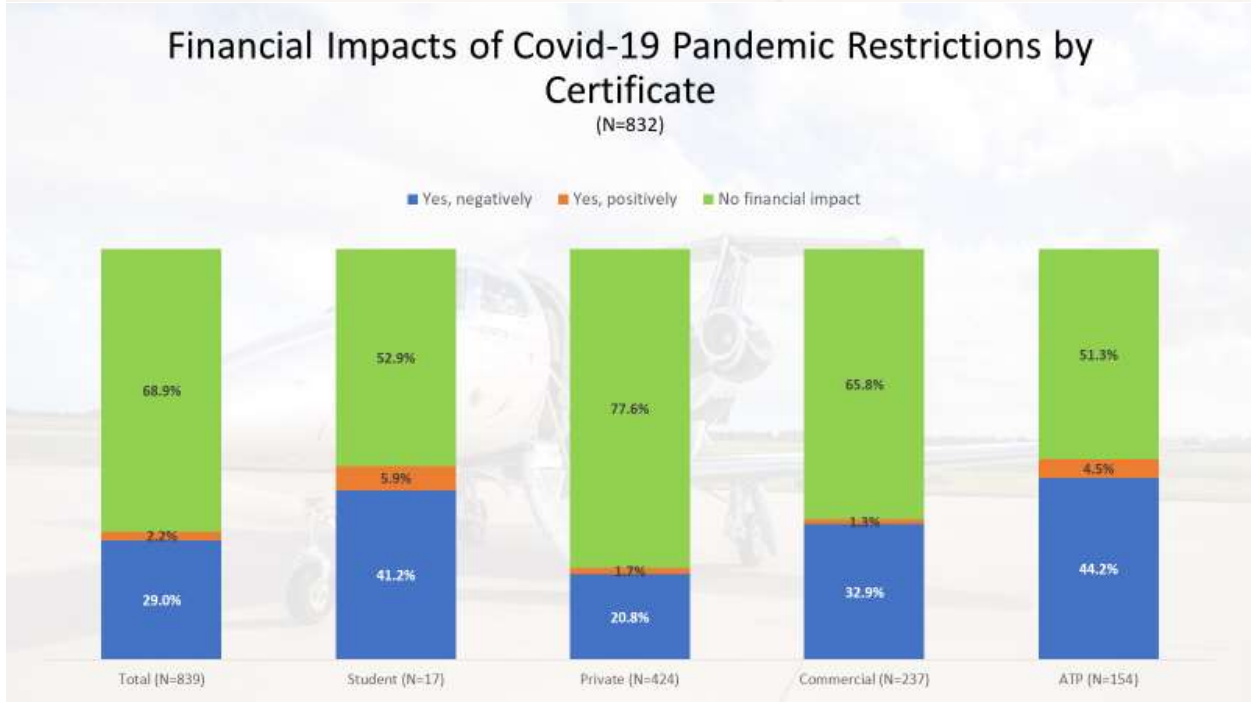
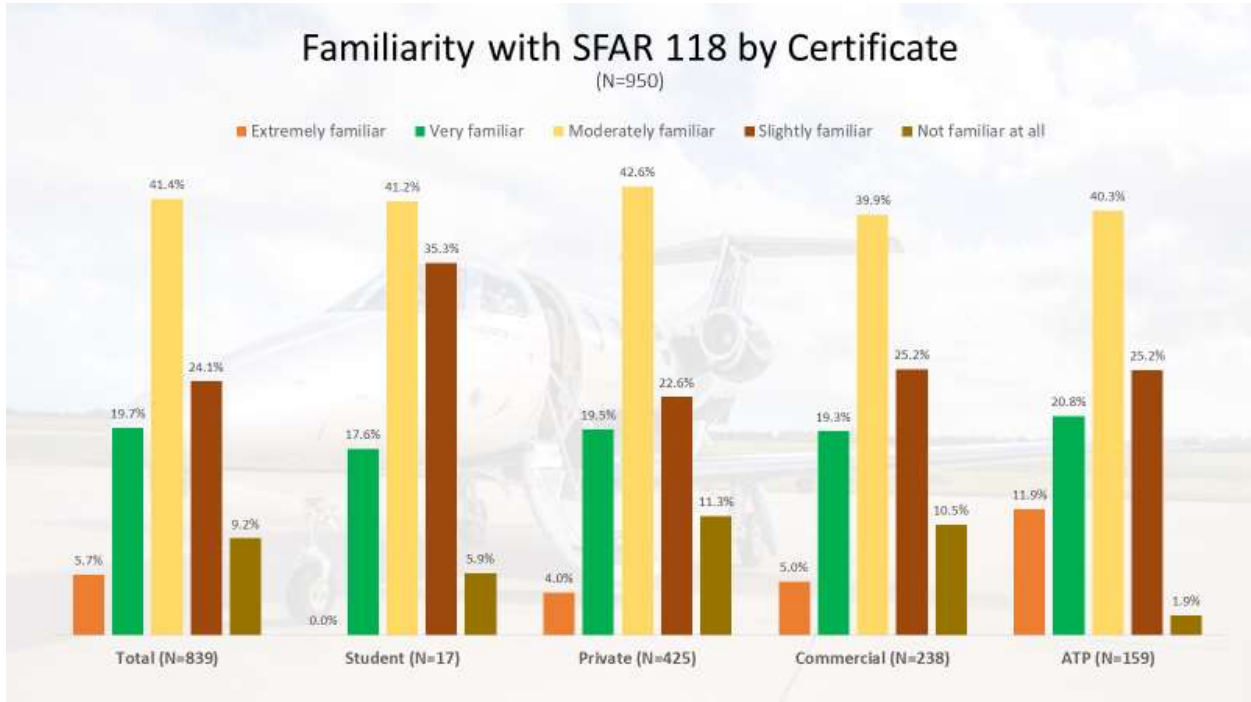
14 CFR AREA OF RELIEF	ORIGINAL SFAR 118 RELIEF	AMENDED SFAR 118-1 RELIEF	AMENDED SFAR 118-2 RELIEF	Requested Additional Relief
61.55 Second-in-Command Pilot Qualifications	Due March-June 2020 has 3-month grace period to complete training	Added pilots due July-September 2020	Added pilots due Oct 2020-Jan 2021, but only 2 total grace months to complete training	Add pilots due Feb - March 2021, but only 2 total grace months to complete
61.56 Pilot Flight Review	Due March-June 2020 has 3-month grace period to complete training	Added pilots due July-September 2020	Added pilots due Oct 2020-Jan 2021, but only 2 total grace months to complete a flight review	Add pilots due Feb - March 2021, but only 2 total grace months to complete
61.57 Pilot Instrument Currency	9-month currency lookback period (instead of 6 months) for flights April 30-June 30, 2020	Added look-back period for flights in July-September 2020	No further relief	Add look-back period for flights in Feb - March 2021
61.58 Pilot-in-Command Proficiency Check	Due March-June 2020 has 3-month grace period to complete check	Added pilots due July-September 2020	Added pilots due Oct 2020-Jan 2021, but only 2 total grace months to complete the check	Add pilots due Feb - March 2021, but only 2 total grace months to complete
Part 91, Subpart K Crewmember Requirements	Due March-June 2020 has 3-month grace period to complete training, recency and checking	Added crewmembers due July-September 2020	Added crewmembers due Oct 2020-Jan 2021, but only 2 total grace months to complete training, recency and checking	Add pilots due Feb - March 2021, but only 2 total grace months to complete
Part 91, Subpart N Mitsubishi MU-2B Series Special Training, Experience and Operating Requirements	Due March-June 2020 has 3-month grace period to complete training and flight review	Added pilots due July-September 2020	Added pilots due Oct 2020-Jan 2021, but only 2 total grace months to complete the training	Add pilots due Feb - March 2021, but only 2 total grace months to complete
107.65 Remote Pilot Aeronautical Knowledge Recency	Due March-June 2020; privileges are renewed for 6 months following completion of online training	Added remote pilots whose privileges are due to expire July-September 2020	No further relief	No further relief requested
Part 125 Flight Crewmember Requirements	Due March-June 2020 has 3-month grace period to complete training, recency and checking	Added crewmembers due July-September 2020	Added crewmembers due Oct 2020-Jan 2021, but only 2 total grace months to complete training, recency and checking	Add pilots due Feb - March 2021, but only 2 total grace months to complete
SFAR 73 Robinson R-22/R-44 Special Training and Experience Requirements	Due March-June 2020 has 3-month grace period to complete flight review	Added pilots due July-September 2020	Added pilots due Oct 2020-Jan 2021, but only 2 total grace months to complete a flight review	Add pilots due Feb-March 2021, but only 2 total grace months to complete a flight review
61.23 Pilot Medical Certificate Duration	Validity of March-May 2020 medicals extended to June 30, 2020	Extends medical validity period by 3 calendar months from expiration. Applies to medicals	Extend medical validity period by 2 calendar months from expiration for pilots whose medicals expire Oct 2020-Jan 2021	Extend medical validity period by 2 calendar months from expiration for pilots whose

		expiring March-September 2020.		medicals expire Feb - March 2021
61.23 Pilot Medical Certificate Duration (Alaska Pilots)	Nothing Alaska-specific – covered under 61.23 (All Pilots)	Nothing Alaska-specific – covered under 61.23 (All Pilots)	Extend medical validity period by 3 calendar months from expiration for pilots that reside in or serve as a pilot of an aircraft in Alaska whose medicals expire Oct 2020-Jan 2021	Extend medical validity period by 2 calendar months from expiration for pilots whose medicals expire Feb - March 2021
61.39 Pilot Knowledge Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Knowledge tests expiring in July-September 2020 added	Knowledge tests expiring Oct 2020-Jan 2021 extended 2 calendar months	Knowledge tests expiring Feb - March 2021 extended 2 calendar months
61.197 Flight Instructor Renewal	Certificate expiration March-May 2020 have until June 30, 2020, to renew	No change	No further relief	No further relief requested
SFAR 100-2 Relief for U.S. Military and Civilian Personnel Who are Assigned Outside the U.S. in Support of U.S. Armed Forces Operations	Eligible persons that returned from overseas October 2019-March 2020 received an extension of 3 calendar months	No change	No further relief	No further relief requested
63.3 Flight Engineer Medical Certificate Duration	Validity of March-May 2020 medicals extended to June 30, 2020	Extend medical validity period by 3 calendar months from expiration applies to medicals expiring March-September 2020	Extend medical validity period by 2 calendar months from expiration for flight engineers whose medicals expire Oct 2020-Jan 2021	Extend medical validity period by 2 calendar months from expiration for pilots whose medicals expire Feb - March 2021
63.3 Flight Engineer Medical Certificate Duration (Alaska Flight Engineers)	Nothing Alaska-specific – covered under 63.3 (All Flight Engineers)	Nothing Alaska-specific – covered under 63.3 (All Flight Engineers)	Extend medical validity period by 3 calendar months from expiration for flight engineers who reside in or serve as a flight engineer of an aircraft in Alaska whose medicals expire Oct 2020-Jan 2021	Extend medical validity period by 2 calendar months from expiration for pilots whose medicals expire Feb - March 2021
63.35 Flight Engineer Written Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Written tests expiring in July-September 2020 added	Written tests expiring in Oct 2020-Jan 2021 extended 2 calendar months	Written tests expiring in Feb - March 2021 extended 2 calendar months
65.55 Dispatcher Knowledge Test Validity Period	Test results expiring March-June 2020 extended 3 calendar months	Knowledge tests expiring in July-September 2020 added	Knowledge tests expiring in Oct 2020-Jan 2021 extended 2 calendar months	Knowledge tests expiring in Feb – March 2021 extended 2 calendar months
65.71 Mechanic Applicant Testing Period	Testing period expires March-June 2020 extended 3 months	Testing period expiring in July-September 2020 added	Testing period expiring in Oct 2020-Jan 2021 extended 2 calendar months	Testing period expiring in Feb - March 2021 extended 2 calendar months

65.93 Mechanic with Inspection Authorization Renewal	3 additional months (April-June 2020) to meet year one renewal requirements	No change	No further relief	No further relief requested
65.117 Military Riggers	Eligible military parachute riggers who were released March- June 2019 have 3 additional months to make application	No change	No further relief	No further relief requested
141.5 Pilot School Certificate Requirements	Provisional certificate expires April-June 2020 extended to Dec. 31, 2020, to apply for a pilot school certificate	No change	No further relief	No further relief requested
141.27 Pilot School Certificate Renewal Requirements	Certificate expires April-June 2020 extended to Dec. 31, 2020, to renew	No change	No further relief	No further relief requested
21.197 Special Flight Permit – Move Aircraft to Storage	April 30-Dec. 31, 2020	No change	Extend relief period to March 31, 2021	No further relief requested

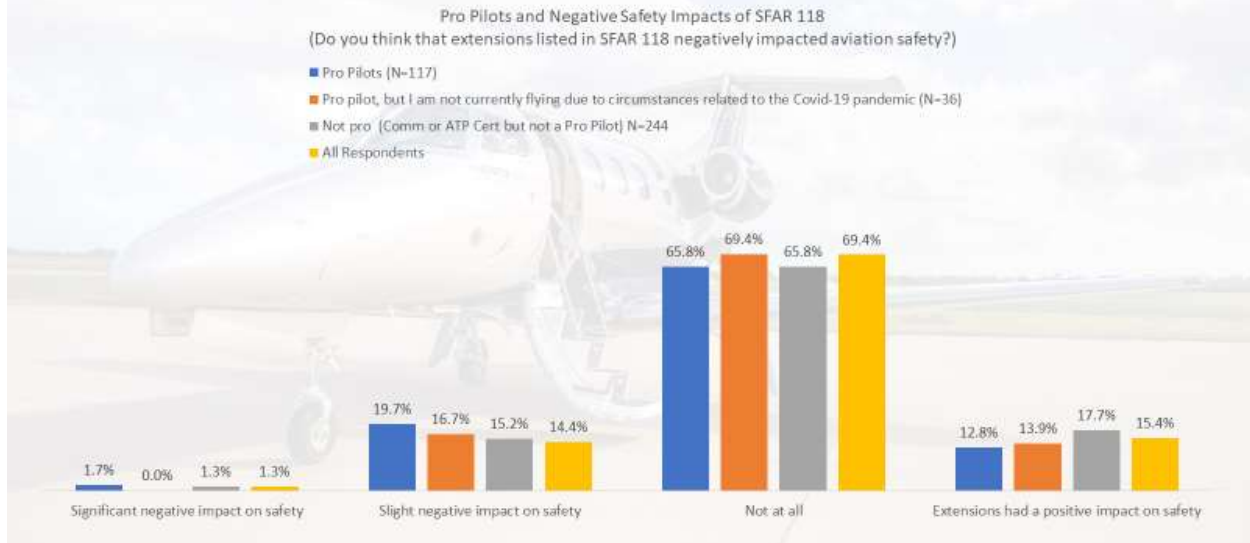
Appendix 2

Excerpts of Data and Responses from SFAR 118 Industry Survey distributed and compiled in December 2020



Safety Impacts of SFAR 118

(Do you think that extensions listed in SFAR 118 negatively impacted aviation safety?)
(N=390)



Methodology

- Survey was launched via email to approximately 22,000. 965 pilots responded for a margin of error based on total pilots of +/-3.15% at a 95% confidence interval – if we ran this survey 100 times with an analogous audience, 95/100 would come back with results within 3.15% of these reported results.
- Limitations include:
 - Data is self-reported and not verified
 - Response bias could be a factor; respondents to surveys tend to have stronger than average opinions about topics they will take time to answer questions about in a survey.