

Fairness for Pilots Act
(Inhofe / Manchin)
Section by Section

Section 1 – Title: Fairness for Pilots Act

Section 2 – Expands the Pilot’s Bill of Rights

- Explicitly states that pilots facing an investigation by FAA can appeal to a federal district court for a *de novo* trial as intended by the original Pilot’s Bill of Rights and clarifies which party bears the burden of proof
- Increases protections for airmen during an FAA investigation by requiring FAA to articulate the specific activity used to begin enforcement proceedings against a pilot
- Requires FAA to provide a copy of the releasable portion of the Enforcement Investigative Report (EIR) when serving an enforcement action or emergency order to an airman; while also defining the portions of an EIR considered releasable

Section 3 – Limitations of Reexamination of Covered Certificate Holders

- When FAA requires the reexamination of a general aviation pilot as the result of the fault of FAA or its designee, FAA must find reasonable grounds that the pilot lacks the qualifications or obtained the certificate through fraudulent or inadequate means
- Directs FAA to provide details as to why such a reexamination is necessary

Section 4 – Expediting Updates to NOTAM Program

- Requires the NOTAM Program to be maintained (not just archived) in a public location that is internet accessible, machine readable, and searchable
- Requires the FAA to include temporary flight restrictions within the NOTAM program
- Directs the FAA to consider the repository of NOTAMs created to be the sole source location for pilots to check for NOTAMs
 - Prevents enforcement action if NOTAM is not included in repository
 - Determines that NOTAMs are announced and published when included in repository
- Prohibits enforcement of NOTAM violations if FAA has not finished its NOTAM improvement program within six months of enactment, while providing an exception for national security

Section 5 – Accessibility of Covered Flight Record Data

- Requires accessibility of flight record data maintained by contract towers, flight service stations, and controller training programs to individuals subject to investigation by FAA for an enforcement action

Section 6 – Flexibility for Resolution of Enforcement Cases

- Increases flexibility to resolve enforcement cases when new information is brought to light