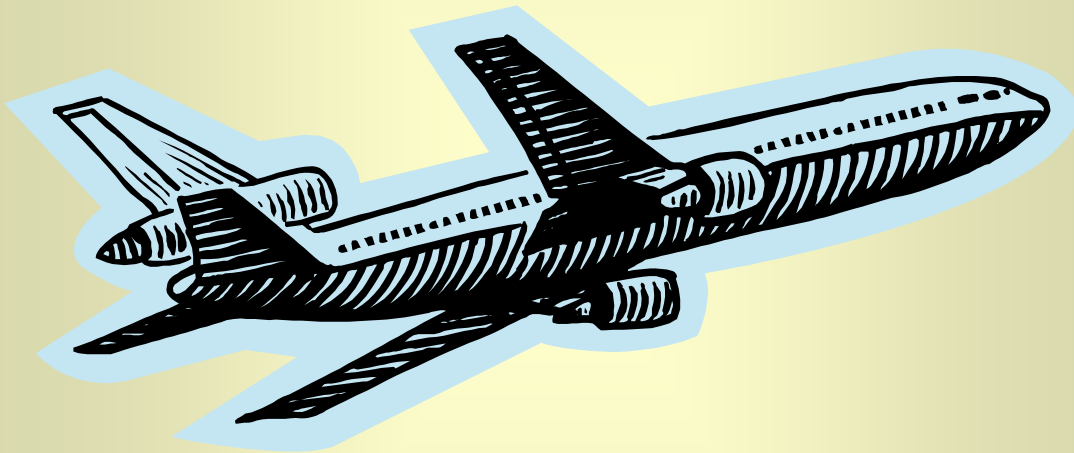


PRIA Office Procedures For The Air Carrier

Pilot Records Improvement Act of 1996



*TransNorthern
Aviation*

**TRANSNORTHERN AVIATION
PRIA OFFICE PROCEDURES FOR THE AIR CARRIER**

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CHAPTER ONE – GENERAL INFORMATION

1-1. BACKGROUND.

a. The Pilot Records Improvement Act of 1996 (PRIA) applies to all U.S. commercial air carriers or U.S. air operators that transport passengers or cargo, provide foreign air transportation, or transport mail by aircraft. This includes U.S. air carriers operating under Title 14 of the *Code of Federal Regulations* 14 CFR parts 121 or 135, or U.S. air operators operating under 14 CFR part 125.

b. With the enactment of PRIA Congress established a public law that requires certain background and other checks to be requested and received for all applicants applying to U.S. air carriers, U.S. air operators, or other ‘persons’ for employment as a pilot.

c. The PRIA statute is unusual because it is a self-executing statute. That is, the statute prescribes what is to be done without the need for the FAA to issue additional regulations, so as a result, PRIA is not found in the Code Of Federal Regulations.

d. A pilot may be hired and begin training with a new employer before the PRIA background checks have been completed. However, all PRIA background checks must have been requested and received before the individual can begin service with that company as a fully trained pilot transporting passengers, cargo, or mail.

1-2. AUTHORITY AND REFERENCES.

a. The *authority* for the Pilot Records Improvement Act of 1996 is found in Public Law 104-264 Section 502 which is codified in Title 49 United States Code (49 U.S.C.) § 44703(h)(i) and (j). Other *references* for PRIA may be found in: (1) the most recent version of FAA Advisory Circular (AC) Number 120-68; in (2) FAA Order 8000.88 PRIA Guidance For FAA Inspectors; and, (3) other documents on the PRIA Web site:

http://www.faa.gov/pilots/lic_cert/pria/

1-3. THE PURPOSE OF PRIA.

a. PRIA requires the requesting, gathering, sharing, and evaluation of information pertaining to a pilots qualifications and other safety and employment records. These records enable the hiring employer to make a more informed decision concerning each pilot/applicant *before* extending a firm offer of employment with its company.

b. Any U.S. air carrier under 14 CFR part 121 or 135, U.S. air operator under part 125, other person, as well as designated agents (DAs) specifically appointed by that company to complete requests on their behalf, are all authorized to request PRIA records.

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c. For the purposes of PRIA, a DA cannot retain any of these records in a system-of-records of its own. All records, once received, must be forwarded to its customer(s).

1-4. SCOPE.

a. The scope of this written office procedure is to provide initial familiarization, consistency of use, and a standardization of the application process concerning records requests in accordance with the Pilot Records Improvement Act of 1996, for the employees of TRANSNORTHERN AVIATION, who have been designated by their company as having the responsibility of completing all PRIA-related duties and functions.¹

b. This written office procedure covers the most prominent aspects of the PRIA statute; however, PRIA Order 8000.88 *PRIA Guidance For FAA Inspectors*, the most recent version of Advisory Circular (AC) 120-68 *Pilot Records Improvement Act Of 1996*, 49 U.S.C. § 44703(h)(i) and (j), as well as numerous other informational documents on the PRIA Web site, should always be consulted for specific details.

c. All other PRIA research and informational resources are located on the PRIA Web site, including power point presentations, PRIA instructions for designated agents, and many other documents that will assist with the request process.

d. **The PRIA Air Carrier Basic Compliance Checklist.** This checklist, which is furnished on the PRIA Web site and is a replica of the FAA inspectors job aid found in FAA Order 8000.88, is an excellent tool to assist the air carrier, air operator, or other person to establish and maintain their request process in a state of readiness for any records surveillance that may be conducted by company management or by the FAA.

1-5. APPLICABILITY.

a. PRIA specifically applies to the following:

(1) For the purpose of *requesting* records, any U.S. air carrier operating under 14 CFR parts 121 or 135, any U.S. air operator under 14 CFR Part 125, or other person that is hiring an individual to be a pilot for their company.

(2) For the purpose of *furnishing* records, any U.S. air carrier operating under 14 CFR parts 121 or 135, any U.S. air operator under 14 CFR part 125, or other person, or trustee in bankruptcy for an operator that employed the individual as the pilot of a civil or public aircraft at any time during the 5-year period before the date of the individual's employment application.

(3) For the purpose of *employment*, any individual who is applying for a position as a pilot with a U.S. air carrier, U.S. air operator, or other person, and has been

¹ It is important to emphasize that the use of this and other PRIA website documents is optional, and is entirely at the discretion of each individual air carrier, air operator, or person, as they deem appropriate.

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employed as the pilot of a civil or public aircraft at any time during the 5-year period preceding the date of that individual's employment application.

b. Determining when PRIA does or does not apply:

(1) PRIA applies if:

(a) The employer is a U.S. 'air carrier' operating under 14 CFR part 121 or 135 as defined in 49 U.S.C. § 40102(a)(2); *or*

(b) The employer is a U.S. 'air operator' under 14 CFR part 125; *and*

(c) The definition of 'air transportation' as defined in 49 U.S.C. § 40102(a)(5) is being fulfilled by determining that:

1 Foreign air transportation is being provided (Flag operation); *or*

2 Air transportation is being provided on an 'interstate' basis; *and*

3 Air transportation of U.S. mail is being provided;

(d) 'Common carriage' or 'holding out' as defined in 49 U.S.C. § 40102(a)(2) is being utilized;

(e) U.S. mail is being transported on an 'interstate' or 'intrastate' basis.

(f) The employer conducts air tour operations under 14 CFR part 91.147 as defined in 14 CFR part 135.1(c).

(2) PRIA does NOT apply if:

(a) Operations are conducted: (1) on an 'intrastate' basis only; *and* (2) mail is *not* transported – even if passengers and cargo are carried, and even if the employer utilizes common carriage, adheres to a schedule, and operates under an air carrier certificate. In other words, the definition of 'air transportation' as defined above, must be fulfilled before PRIA will apply to that operation.

c. Other specific exemptions from PRIA for the purpose of hiring pilots:

(1) Flights or other operations *not* operating under 14 CFR parts 121 or 135, or an air operator under 14 CFR part 125, including those operations expressly excluded from air carrier certification requirements under 14 CFR part 119, § 119.1(e).

(2) Other groups of operators. For example: 14 CFR part 133 external load operators, 14 CFR part 137 agricultural operations, 14 CFR part 91 – subparts F and K, or other unique 14 CFR part 91 operations including 91.147 air tour operations.

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(3) Any entity considered to be an AIR AGENCY.

Note: Provisions of PRIA DOES apply to TRANSNORTHERN AVIATION.

d. Definitions:

(1) **Hired and Employed.** For all practical purposes under PRIA, the terms ‘**hired**’ and ‘**employed**’ both refer to that point in time when a pilot/applicant has been offered, and has accepted, a position as a pilot with a new employer. Whether a pilot has begun training, completed training, or has already been released to begin service as a pilot, has no significant bearing on the definition of ‘**hired**’ or ‘**employed.**’ Both terms are to be interpreted as having the same meaning.

(2) **Placed Into Service.** Upon completion of the required company training, a pilot is released for service to begin performance as a pilot, usually under the supervision of a chief pilot or a training captain, for the prescribed period of time or flight hours. Under PRIA, a pilot cannot be placed into service until the hiring employer has requested, received, and evaluated the required records requested under PRIA, unless a Good Faith Exception or other appropriate provision applies.

(3) **Employer.** For the purpose of this office procedure and elsewhere within the PRIA environment, an *employer* is any operator using pilots either in commercial or non-commercial operation, who is subject to the provisions of PRIA. The term *employer* is used as a collective reference to a U.S. air carrier, U.S. air operator, or other person.

1-6. RESPONSIBILITY.

a. PRIA is a Congressionally mandated statute (law) and therefore, it is mandatory that all *U.S. air carriers* operating under parts 121 or 135, *U.S. air operators* under part 125, or other *person* as defined in 49 U.S.C § 1 and 49 U.S.C. § 40102(a)(33) satisfy the requirements as set forth in Title 49 United States Code 49 U.S.C.:

(1) § 44703 (h) Records Of Employment Of Pilot Applicants.

(2) § 44703 (i) Limitation on Liability, Preemption Of State Law.

(3) § 44703 (j) Limitation On Statutory Construction.

b. As stated above, all hiring employers have the initial responsibility of completing their own PRIA requests. However, they can, if they choose, designate a privately owned and operated verification company (Designated Agent or DA) to complete the checks for them. The responsibility, however, rests with the employer to ensure that the requirements of the statutes are met.

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1-7. ASSIGNMENT OF DUTIES.

a. Each employer should assign one or more company employee(s) as the PRIA Representative(s), as well as the Designated Employer Representative (DER) in accordance with 49 CFR § 40.

TRANSNORTHERN AVIAITON assigns the following personnel:

NAME(S): ASSIGNMENT: DATE OF ASSIGNMENT:

NOT Alan

This is a paid position – DOE! - Check with Andrea

1-8. PILOTS SEEKING EMPLOYMENT.

a. Pilots currently or previously employed.

(1) Individuals currently or previously employed as an air carrier pilot within the previous 5-year period represents the largest population of those seeking other employment. All the provisions of PRIA apply to these pilot/applicants.

b. Military Service.

(1) PRIA contains no statutory requirement for previous records to be requested or provided, if the pilot has been an active member of any branch of the United States Armed Forces for the previous 5-year period before the date of the employment application. (See 49 U.S.C. § 44703(h)(1)(B).) This provision, however, pertains only to the *previous employer* category of requests. Requests must still be forwarded to obtain records from the FAA and from the NDR as required in the PRIA statutes.

c. Good Faith Exception. An air carrier or air operator may *conditionally* hire an individual as a pilot, and allow him to begin service as a pilot 30 calendar days after submitting the request, without first obtaining the required PRIA-related information about that individual from a previous employer that no longer exists or from a foreign government or employer, *if* the hiring employer has made a documented ‘good faith’ attempt to obtain such information. (See 49 U.S.C. § 44703(h)(14)(B).)

(1) Prepare and forward FAA Forms 8060-10, 8060-10A, and 8060-13 (or other appropriate form) as usual. Then prepare FAA Forms 8060-11, 8060-11A, and 8060-12, and mail them (certified, return receipt requested) to the last known address of the previous employer(s).

(2) If the receipt and/or the application package to the *previous employer(s)* is/are returned as undeliverable, it must be added to, and maintained in, the pilot’s PRIA-related records file in order to document the good faith exception.

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(3) The individual may then be *unconditionally hired* 30 days after submitting the good faith exception, and begin service under the provision that all other components of the PRIA request were completed, received, and deemed acceptable to that employer.

d. Pilots of Certain Small Aircraft. Before receiving the records pertaining to a PRIA request, an air carrier *may* allow an individual to begin service for a period *not to exceed 90 days* if certain conditions have been met. (See 49 U.S.C. § 44703(h)(14)(A).)

(1) These conditions are:

(a) That the aircraft used has a *maximum payload capacity* of 7,500 pounds or less, as defined in 14 CFR Part 119.3 or is a helicopter, provided:

(b) That the flight is not in scheduled operation.

(c) That a request for drug and alcohol testing records is submitted and the results are received no later than 30 calendar days after the request was made. If these results are not received before the end of the 30-day period, the 90-day option will be invalidated and the pilot must be pulled from service until the records are received.

(d) That the employer obtains and evaluates the PRIA-related records before the end of the 90-day period.

(e) That the agreement between the pilot and employer contains a condition that makes the continued employment of the pilot dependent upon the successful completion of the receipt, collection, and evaluation of all PRIA-related records.

1-9. PRIA WEB SITE RESOURCES.

a. The Aviation Data Systems Branch, AFS-620, has developed numerous resources that are currently available on the PRIA Web site. Any of these documents can be downloaded and used for familiarization, operational use, other instructional application, or for general information. **Comments for the improvement concerning any of these documents may be directed to the PRIA Program Manager at: (405) 954-6367.**

b. A few of the current resources are:

(1) 'Introduction To PRIA' Power Point Presentation.

(2) 'The PRIA Process Overview.'

(3) 'Information Provided By PRIA, FOIA, and the Privacy Act.'

(4) Public Law 49 U.S.C. § 44703(h), as amended. (The PRIA Statute)

(5) Overview and Use Of All Official FAA PRIA Request Forms.

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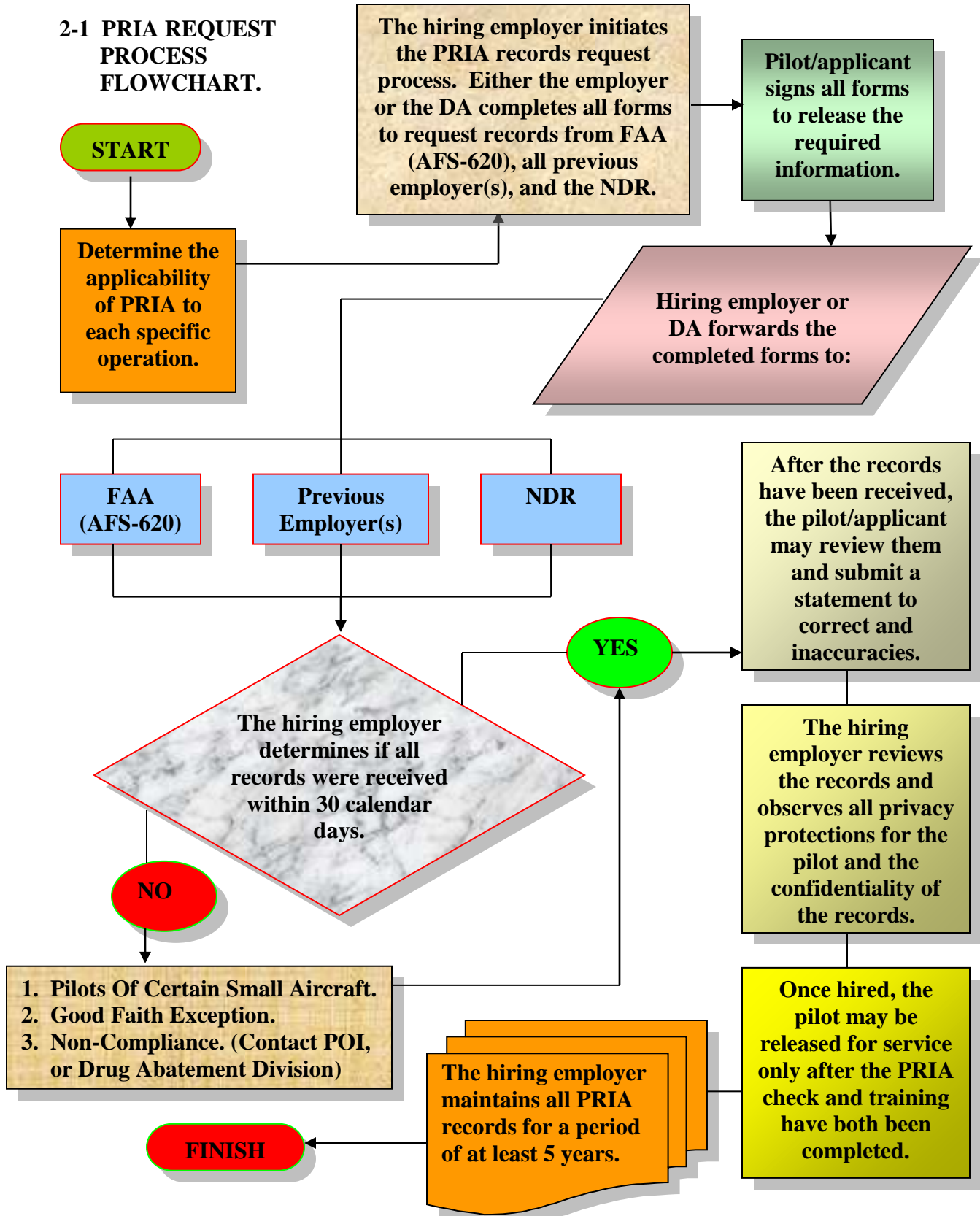
- (6) All Current Official FAA PRIA Request Forms.
 - (7) 'PRIA Instructions For The Designated Agent.'
- c. The PRIA Web site address is:

http://www.faa.gov/pilots/lic_cert/pria/

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CHAPTER TWO – PRIA PROCEDURES

**2-1 PRIA REQUEST
PROCESS
FLOWCHART.**



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a. The following is a brief plain-text overview of the entire PRIA process that is completed by the U.S. air carrier in operation under 14 CFR part 121 or 135, U.S. air operator under 14 CFR part 125, or other person (collectively referred to as the ‘hiring employer’) in order to request and receive PRIA-related records.

(1) The Hiring Employer Initiates the PRIA Records Request Process.

(a) This process is completed by the hiring employer *or* is assigned to a Designated Agent (DA) for completion. The hiring employer or DA requests PRIA-related records from:

- 1 The FAA (AFS-620) by using FAA Form 8060-10.
- 2 The previous employer(s) by using FAA Forms 8060-11 and 8060-12.
- 3 The National Driver Registry (NDR) by using FAA Form 8060-13.

(2) The Pilot/Applicant Completes the Forms.

(a) All pilot/applicants provide written consent for the release of their PRIA-related records by signing FAA Forms 8060-10, 8060-11, 8060-12, and 8060-13 *before* the hiring employer can send the records requests forward.

(b) All pilot/applicants must be notified *in writing* that a request for their PRIA-related records will be made. This is accomplished when the individual completes and signs FAA Forms 8060-10A, 8060-11A, 8060-12, and 8060-13, and is then provided with a completed and signed copy of each form by the hiring employer.

(c) All pilot/applicants must be provided with an opportunity to request a copy of the records that will be furnished with the execution of FAA Forms 8060-10A, 8060-11A, 8060-12, and 8060-13. Once completed, FAA Form 8060-10A is *not* forwarded to the FAA. The original FAA Form 8060-10A is maintained in the pilot’s PRIA-related records file. (See the NOTE below.)

NOTE: Even though the hiring employer does *not* forward FAA Form 8060-10A to the FAA, *all applicants*, regardless of whether they have indicated a preference for the receipt of a copy of their records, will be provided with a courtesy copy of their PRIA Pilot Profile Letter that is maintained by the FAA and furnished, as requested, to the hiring employer. If requested, each previous employer will also provide a copy of PRIA-related records, including those from the NDR.

(d) Even though a liability statement is included within the existing PRIA statutes found at 49 U.S.C. § 44703(i)(1), all pilot/applicants must sign an additional release of liability *if* required by the hiring or former employer.

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(e) Upon completion of all PRIA forms, the hiring employer forwards them as follows:

1 FAA Form 8060-10 is forwarded to the FAA, AFS-620.

2 FAA Form 8060-10A (original) is retained in the pilot/applicant's PRIA-related records file *after* a completed and signed copy has been provided to the applicant.

3 FAA Forms 8060-11, 8060-11A, and 8060-12 are forwarded to all previous employers who used the individual as a pilot within the previous 5 year period.

4 FAA Form 8060-13, or other acceptable request form is forwarded to the State Department of Motor Vehicles (DMV) of the State of Florida, or the DMV of another state as selected by the requesting employer or DA.

(3) The FAA, Previous Employer(s), and NDR Respond to the Records Requests.

(a) *Within 30 calendar days*, AFS-620 forwards the records to the requestor, and an identical copy to all pilot/applicants. As a security measure, all individuals will receive their records at the address as maintained in FAA records.

All pilots should ensure that their current home of record has been reported to the FAA, Airmen Certification Branch, AFS-760, by calling toll-free at (866) 878-2498 or visiting on-line at:

<http://www.registry.faa.gov/>

(b) *Within 30 calendar days*, all previous employers forward the requested records to the hiring employer. The previous employer then sends an identical copy of the records to the pilot/applicant, *if so requested*. The previous employer *may* include a 'statement for payment' to the requesting employer, as well as to the pilot/applicant, in order to recoup the cost of furnishing those records.

(c) *Within 30 calendar days*, the NDR forwards the applicable driving records to the hiring employer. If the pilot/applicant has requested a copy of these records, they must be furnished by the hiring employer once they have been received from the NDR.

(d) Copies of records furnished to the *applicant* within 20 days of receipt of the request, require no additional notification. Records furnished to the *applicant* after 20 days, but no later than 30 days, require a separate written notification in accordance with 49 U.S.C. § 44703(h)(6)(A) and (B).

(4) All Pilot/Applicants May Review Their Records.

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(a) After all records have been received from the respondents, the PRIA statutes have provided for all pilot/applicants to:

- 1 Review all records that have been requested and received; and
- 2 Submit a written statement to correct any inaccuracy or omission.

(5) The Hiring Employer Reviews and Evaluates the Results.

(a) During the review and evaluation process, the hiring employer must:

1 Ensure that all required privacy protections for the pilot applicant are observed. (See 49 U.S.C. § 44703(h)(11).)

NOTE: The hired pilot is released for service ONLY after the PRIA check and other required company training have been completed. (See paragraph 1-8c. for the ‘Good Faith’ exception, and paragraph 1-8d. for exceptions granted to pilots of ‘Certain Small Aircraft.’)

(6) The Hiring Employer Maintains All PRIA-Related Records for Company and FAA Evaluation of Statutory Compliance.

(a) PRIA-related records **should** be maintained separately from other company pilot records *or* be easily retrievable from the company’s primary system of records, to facilitate company review, or records surveillance by the FAA.

(b) PRIA-related records **shall** be maintained for a period of at least 5 years from the date on the application in accordance with 49 U.S.C. § 44703(h)(4).

(c) PRIA-related records **should** be maintained for the duration of the pilot’s employment with the company, plus an additional period of 5 years after the termination of said employment.

(d) In accordance with 49 U.S.C. § 41709 ‘Records Of Air Carriers,’ 14 CFR Part 119.59 ‘Conducting Tests And Inspections,’ and 14 CFR Part 135.73 ‘Inspections And Tests,’ FAA Inspectors are to be allowed unlimited access to an air carrier’s PRIA related system of records at any time, for the purpose of records review or other inspection. (See paragraph 3-7.)

2-2. PRIA REQUEST FORMS.

a. The most current version(s) of the PRIA request forms are provided on the PRIA Web site and should be used instead of previous versions, or other versions that have been self-designed by industry. Self-designed forms should not be used since they do not always guarantee that the regulatory intent of the statutes have been, or will be followed, or will produce the desired results in accordance with the PRIA statutes.

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b. FAA Form 8060-12, used to request drug testing results for pilots only, should be used instead of other similar forms that may be available from either Government or industry. This includes the DOT version that is used for other certificate holders.

c. All PRIA forms were designed by the FAA to foster a more timely and accurate response for all requests, and to comply with the current PRIA statutes and other applicable regulations. The PRIA forms are *not* to be used for Privacy Act, FOIA, mechanic verification, or other 14 CFR part 91 requests from the FAA. PRIA forms used in this manner will be returned by the FAA to the requestor with no action taken.

d. A completed PRIA request consists of three sets of forms. All pilot/applicants must complete, sign, and date all forms, consenting to: (1) the release of their records, (2) acknowledging that a request for their records will be made, and (3) being provided with an opportunity to request a copy of the records, if they so desire.

e. The pilot/applicant should then be furnished with a completed, signed, and legible copy of each form for their personal file.

f. Original signatures on PRIA request forms are not required since the completed forms may be forwarded by fax (with the exception of some requests to the NDR.) When the signature of the pilot/applicant or a requestor is unreadable, the name should be legibly printed near the signature, for the record.

g. A document explaining the specific overview and use of each PRIA form may be found on the PRIA Web site on the page titled: "PRIA Policy, Forms & References."

NOTE: A PRIA request cannot be considered complete and valid, until ALL THREE components of the request have been *returned* from the respondents, have been *assembled*, and have been *prepared for evaluation* by the management of the requesting employer.

h. FAA Forms 8060-10 and 8060-10A.

(1) FAA Forms 8060-10 and 8060-10A are to be sent to the FAA, ATTN: AFS-620, PO Box 25082, OKC, OK 73125; or faxed to: (405) 954-4655 ATTN: PRIA

(2) **IMPORTANT:** With reference to paragraph 2-2g.(1) above, if the pilot/applicant receives *initial notification* of a records request from the hiring employer by being provided with a completed and signed copy of FAA Form 8060-10A, (which serves as a written notification to the airman in accordance with 49 U.S.C. § 44703(h)(6)(A),) ***further distribution of this form is not required.*** When this has been done, only FAA Form 8060-10 needs to be forwarded to the FAA to request records as listed below. The hiring employer then maintains the completed original FAA Form 8060-10A in the pilot's PRIA-related records file for future company reference as well as records surveillance by the FAA.

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(3) All pilot/applicants, regardless of whether they have indicated a preference for the receipt of a copy, will be provided with a courtesy copy of their PRIA Pilot Profile Letter that is maintained by the FAA, and furnished, as requested, to the hiring employer.

(4) **Compliance with 49 U.S.C. § 44703(h)(6)(A) and (B):** (Concerning the pilot/applicant)

(a) *“A person who receives a request for records under paragraph (1) shall provide to the individual who is the subject of the records – (A) on or before the 20th day following the date of receipt of the request, written notice of the request and of the individual’s right to receive a copy of such records; and (B) in accordance with paragraph (10), a copy of such records, if requested by the individual.”*

(b) If the **FAA (AFS-620)**, as the ‘person receiving a request,’ completes the request and provides the pilot/applicant with a copy of the PRIA Pilot Profile Letter *not later than* 20 days after the receipt of the request, the intent of 49 U.S.C. § 44703(h)(6)(A) and (B) has been fulfilled, and no further action is required. (In other words, the records themselves constitute a written notification when provided within the initial 20 days.)

(c) If, however, the processing time will *exceed* 20 days, a written notification to this effect must be provided to the pilot/applicant, in order to satisfy the intent of the statute. (In other words, an additional document, such as a postcard, would be required to provide a written notification to the pilot/applicant if the response time will be between 20 and 30 days.)

(d) The records themselves, however, must be provided *to the requestor* not later than 30 days after receipt of the request, as prescribed by 49 U.S.C. § 44703(h)(5).

(e) As a result, the receipt of a PRIA Pilot Profile Letter *by the pilot/applicant* serves a dual purpose:

1 All pilot/applicants have been provided with a confirmation of their ‘airman notice and right to receive a copy’ as specified in 49 U.S.C. § 44703(h)(6)(A); and

2 Receipt of the records as specified in 49 U.S.C. § 44703(h)(6)(B).

(5) From the FAA records request, you will receive an individual Pilot Profile Letter for each pilot/applicant’s request, that contains the following information from the previous 5-year period:

(a) Medical certificate verification, including issue date, class, and any limitations.

(b) Airman certificate verification, including level, category, class, and type ratings.

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(c) Summaries of *closed* FAA enforcement actions resulting in a finding by the Administrator, of a violation that was not subsequently overturned.

(d) Any certificate revocation, which will be reported for an indefinite period of time.

h. FAA Forms 8060-11 and 8060-11A.

(1) FAA Forms 8060-11 and 8060-11A are to be sent to each of the pilot/applicants previous employer(s) where they worked as a pilot.

(2) **IMPORTANT**: Unlike FAA Form 8060-10A, use of FAA Form 8060-11A is mandatory, so the previous employer will know the pilot/applicant's preference whether or not to receive a copy of their PRIA related records.

(3) The hiring employer, as well as the pilot/applicant – if so indicated, could receive a statement for the cost of being furnished with these records.

(4) **Compliance with 49 U.S.C. § 44703(h)(6)(A) and (B)**: (Concerning the pilot/applicant)

(a) *“A person who receives a request for records under paragraph (1) shall provide to the individual who is the subject of the records – (A) on or before the 20th day following the date of receipt of the request, written notice of the request and of the individual's right to receive a copy of such records; and – (B) in accordance with paragraph (10), a copy of such records, if requested by the individual. ”*

(b) If the **previous employer**, as the ‘person receiving a request,’ completes the request and provides the pilot/applicant with a copy of the requested records *not later than 20 days* after the receipt of the request, the intent of 49 U.S.C. § 44703(h)(6)(A) and (B) has been fulfilled, and no further action is required. (In other words, the records themselves constitute a written notification when provided within the initial 20 days.)

(c) If, however, the processing time will *exceed 20 days*, a written notification to this effect must be provided to the pilot/applicant, in order to satisfy the intent of the statute. (In other words, an additional document, such as a postcard, would be required to provide a written notification to the pilot/applicant if the response time will be between 20 and 30 days.)

(d) The records themselves, however, must be provided *to the requestor* not later than 30 days after receipt of the request, as prescribed by 49 U.S.C. § 44703(h)(5).

(e) As a result, the receipt of the requested records *by the applicant* serves a dual purpose:

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- 1** The applicant has been provided with a confirmation of his/her ‘airman notice and right to receive a copy’ as specified in 49 U.S.C. § 44703(h)(6)(A); and
 - 2** Receipt of the records as specified in 49 U.S.C. § 44703(h)(6)(B).
- (5) From the air carrier records request you should receive, from the previous 5 years:
- (a) Records pertaining to the individual, including drug and alcohol, if applicable.
 - (b) Records pertaining to the individual’s professional performance as a pilot.

i. FAA Form 8060-12.

(1) Concerning the release of the appropriate drug and alcohol testing records, FAA Form 8060-12 is to be completed by the hiring employer, signed by the pilot/applicant, and attached to FAA Forms 8060-11 and 8060-11A before transmitting them to all previous employer(s) over the last 5 years.

(a) A list of the drug and alcohol testing records to be furnished through this release is provided in Part I of FAA Form 8060-12.

(b) A list of questions to be completed by the previous employer and returned to the requestor is provided in Part II of FAA Form 8060-12.

(2) Any ‘NO’ response in Part II of FAA Form 8060-12 requires the previous employer(s) to furnish a copy of the appropriate negative drug or alcohol testing results for that respective question.

(3) To further clarify, copies of both *positive* as well as *negative* DOT testing results from previous employers over the last 5 years are to be provided to the requestor. Obtaining a copy of the form on the DOT Web site, where previous employers simply ‘check off’ that there were no rule violations, is *not* acceptable.

(4) In addition to obtaining records from all previous employers over the last 5 years, the new employer must ask all pilot/applicants about their drug and alcohol testing history under DOT-agency testing rules, in order to satisfy 49 CFR part 40 section 40.25(j). Unlike the time period required under PRIA, this testing history obtained under section 40.25(j) covers a period of only 2 years.

(5) Upon official FAA inspection or review, the FAA inspector should accept the medical review officers (MRO) letter to an entity as the record of the test. It is not necessary to obtain a copy of the chain of custody, random list, or other such documents. 49 CFR section 40.163(b) allows a photocopy of Copy 2 of the Federal Drug Testing

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Custody and Control Form (CCF) to be provided as a written report for each test result under 49 CFR section 163(c).

(6) Under 49 CFR section 40.163(c), an MRO cannot respond to a request that has been prepared *'en masse'* and must instead, provide an individual report for each person tested. While 49 CFR section 40.163(d) permits the report to be conveyed in an electronic data file instead of a letter, there is no provision for reporting multiple results in the same electronic file.

(7) PRIA drug and alcohol testing records are *not* subject to the document retention conditions found in 49 CFR part 40 section 40.333. All PRIA records, including drug and alcohol testing records are required by 49 U.S.C. § 44703(h)(4) to be maintained for at least 5 years.

j. FAA Form 8060-13.

(1) The U.S. air carrier, U.S. air operator, or person, will query the National Driver Registry (NDR) by using the following procedure:

(a) Refer to the instruction page attached to all FAA 8060-13 forms, in addition to these instructions, before beginning the NDR request process.

(b) Contact your preferred State DMV to confirm, request, and receive the proper NDR request form, *if* FAA Form 8060-13 is not being accepted by that State. Many states use a similar form identified as: 'NDR-EMP.' If that state however, has no preference, use FAA Form 8060-13.

(c) Even though you can forward NDR requests to most States, we recommend that you utilize the State of Alaska for the completion of your NDR requests. All requests must be on the original form with original signatures, forwarded by U.S. mail only (no faxes). Notarization is not required, and the use of a certified receipt request to verify the date of delivery, is recommended. The phone number is (850) 617-2606. For regular or expedited mailing respectively, use the following addresses:

STATE OF ALASKA
DIVISION OF MOTOR VEHICLES
ATTN: RESEARCH
1300 W BENSON BOULEVARD, SUITE 200
ANCHORAGE AK 99503-3600

Or via Internet instructions:

<http://www.doa.alaska.gov/dmv/akol/recordfx.htm>

(2) From the National Driver Registry request you should receive:

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- (a) Status of the pilot's current state driver's license. A report without reference to an action taken against the pilot's driver's license is considered a clean report.
- (b) Record of any suspension or revocation from the previous 5 years, if applicable.
- (c) Convictions of driving under the influence of alcohol (DUI), if applicable.
- (d) NDR information is available at:

www.nhtsa.dot.gov/people/perform/driver

(3) Frequently asked questions concerning the NDR:

- (a) Can a state charge for completing your request? YES – since the system of records will vary from state to state, the charge will probably vary as well.
- (b) Is there a difference between the information received from the various states, and the information received from Florida? NO. All reports are about the same.
- (c) Are all NDR checks, regardless of who completes the request and where the request was submitted, sufficient for satisfying the purpose of PRIA? YES

k. Response time of PRIA requests:

(1) The FAA portion of your PRIA records request will be processed and returned by mail within 1 to 2 working days of receiving the request. Any request that requires additional action(s) or clarification will be completed and returned as soon as possible after the corrective action has been completed, but in no case later than 30 days.

(2) All previous employers are required by law to furnish records that have been requested from them, not later than 30 days after receiving the request. (49 U.S.C. § 44703(h)(5).)

(3) Response times from the National Driver Register will vary, but are also required by statute to be furnished not later than 30 days after receiving the request.

(4) Any non-compliance, or other failure to provide records requested under PRIA, should be reported to the PRIA Program Manager at: (405) 954-6367 for limited assistance in resolving the problem. If the problem cannot be resolved at this level, the

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case must be reported by the company to the POI of the offending employer for investigation and possible action as determined by the POI.

2-3. COMPLETING THE PRIA REQUEST PROCESS.

a. Specific instructions for preparing and submitting all PRIA requests for FAA records, will be found attached to FAA Forms 8060-10 and 8060-10A.

b. Specific instructions for preparing and submitting all PRIA requests for Air Carrier and other records will be found attached to FAA Forms 8060-11 and 8060-11A .

c. Specific instructions for preparing and submitting all PRIA requests for the release of DOT drug and alcohol information will be found attached to FAA Form 8060-12.

d. Specific instructions for preparing and submitting all NDR requests will be found attached to FAA Form 8060-13.

e. The most current source for all official PRIA forms as well as the overview and use of those forms, may be found on the PRIA Web site as listed on page 3 and page 8 of this document, and located on the PRIA web page bullet titled: *“PRIA Policy, Forms, & References.”*

2-4. APPLICANT’S WRITTEN CONSENT AND RELEASE FROM LIABILITY.

a. When a pilot has been hired by TRANSNORTHERN AVIATION, and is completing the initial paperwork, it must be stressed that with the completion of the PRIA request forms, the pilot/applicant is considered as having provided written consent for the release of his/her airman’s records from all respondents.

b. PRIA does not require a separate release from liability statement from the applicant since a liability provision is already an integral part of the PRIA statute at 49 U.S.C. § 44703(i). However, the hiring employer does have the option of requiring an additional liability statement, and these releases must be signed and returned by the applicant. Any release from liability form that is acceptable to the employer may be used.

c. If it can be proven that an employer knowingly provided information that was false or was maintained in violation of a criminal statues of the United States, the provisions of 49 U.S.C. § 44703(i)(3) shall *not* apply, and the air carrier may become liable for legal action by the airman, and/or appropriate sanction by the FAA.

2-5. APPLICANT’S RIGHT TO RECEIVE NOTICE AND COPIES OF RECORDS.

a. The act of completing, signing, and receiving a copy of all PRIA application forms from TRANSNORTHERN AVIATION (FAA Forms 8060-10, 8060-10A, 8060-11, 8060-11A,

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8060-12, and 8060-13) is considered as the airman's notice of a records check and the notice of the pilot's right to receive a copy of all records.

NOTE: Refer back to section 2-2, 'PRIA Request Forms.' In order to comply with 49 U.S.C. § 44703(h)(6)(A): 'AIRMAN NOTICE AND RIGHT TO RECEIVE COPY,' the hiring employer *must* provide the pilot with a completed copy of FAA Forms 8060-10A and 8060-11A. With this being accomplished, further distribution of FAA Form 8060-10A *is not required*. Send *only* FAA Form 8060-10 to AFS-620 for the request of FAA records. The employer then maintains the completed original FAA Form 8060-10A in the pilot's PRIA records file for future company reference or FAA records review. FAA Form 8060-11A, however, must still be used to notify the previous employer of the pilot/applicant's preference to receive a copy of their records.

b. Copies of FAA records furnished to the applicant:

(1) All pilot/applicants, regardless of whether they have indicated a preference for the receipt of a copy, *will be sent a courtesy copy* of their PRIA Pilot Profile Letter that is maintained by the FAA, and furnished, as requested, to the hiring employer.

(2) All FAA records furnished to the pilot/applicant will, for security purposes, be mailed to the address as maintained in official FAA records. For this reason, it is imperative that all pilots ensure that their home address is current and accurate in AFS-760 Airmen Certification records. The pilot's home address may be updated by calling (866) 878-2498 toll-free, or updating on-line at: <http://www.registry.faa.gov/>

c. Copies of Air Carrier records furnished to the applicant:

(1) All pilot/applicants must indicate their preference for the receipt of a copy of their air carrier records on Form 8060-11A. If so indicated, the pilot/applicant could receive a statement for the cost of being furnished with this information. Pilot/applicants must enter their current mailing address on Form 8060-11A for receipt of the requested air carrier records.

2-6. RECORDS TO BE FURNISHED IN A PRIA REQUEST.

a. For the purpose of PRIA, 'RECORD' means the individual pilot's records that are maintained by (1) FAA, and (2) an air carrier to meet the statutory requirements of 49 U.S.C. § 44703(h)(1)(A) 'FAA Records,' and 49 U.S.C. § 44703(h)(1)(B) 'Air Carrier and other records.'

(1) **FAA RECORDS:** 49 U.S.C. § 44703(h)(1)(A)

(a) Medical certification including date of issue, class, and any limitations.

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(b) Airman certification including date of issue, level, category, class, and type ratings.

(c) Summaries of CLOSED FAA legal enforcement actions resulting in a finding by the Administrator of a violation that was not subsequently overturned.

(d) Certificate *revocations* will also be reported by PRIA for an indefinite period of time.

(2) **AIR CARRIER AND OTHER RECORDS:** 49 U.S.C. § 44703(h)(1)(B)

(a) ‘Records pertaining to the individual’ that are maintained by an air carrier (other than records relating to flight time, duty time, or rest time) are set forth in the following *Code of Federal Regulations*:

1 14 CFR Part 121.683 – including but not limited to:

- Proficiency and route checks.
- Airplane and route qualifications
- Training.
- Records of each action taken concerning the release from employment or physical or professional disqualification of the flight crewmember that was not subsequently overturned.
- Appendix I and J, maintained in accordance with 49 CFR Part 40 § 40.333.

2 14 CFR Part 125.401 – including:

- Proficiency checks.
- Airplane qualifications.
- Records of each action taken concerning the release from employment or physical or professional disqualification of the flight crewmember that was not subsequently overturned.

3 14 CFR Part 135.63(a)(4) – including but not limited to:

- Full name of the pilot.
- Pilot certificate (by type and number) and ratings held.
- Aeronautical experience.
- Current duties and the date of assignment to those duties.
- Date and result of each of the initial and recurrent competency tests and proficiency and route checks required by part 135 and the type of aircraft flown during that test or check.
- Check pilot authorization, if any.
- Release from employment for physical or professional disqualification that was not subsequently overturned.

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- Date of the completion of the initial phase and each recurrent phase of the training required by part 135.
- Sections 135.251(b) and 135.255(b) – records that pertain to Appendix I and J, part 121, and maintained in accordance with 49 CFR Part 40 § Part 40.333.

(b) Other records pertaining to the ‘**Individual’s Performance As A Pilot**’ that are maintained by an air carrier:

1 Training records, including initial and recurrent training records.

2 Qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated under sections 14 CFR Parts 121.411, 125.295, or 135.337. Examples include:

- Documents that show the individual’s qualifications as instructor/evaluator, check airman, or examiner.
- Records of the individual’s proficiency checks, recurring checks for Captain, First Officer. Or Line Checks.
- Records of any disciplinary action taken with respect to the individual that was not subsequently overturned; and
- Any release from employment or resignation, termination, or disqualification of the individual with respect to employment.

(c) **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.

(d) **Release From Employment Records.** Disciplinary actions, including those that do *not* involve performance as a pilot, must be reported *if* they played any role in the current or future termination, or release from employment of the pilot.

2-7. APPLICANT’S RIGHT TO PRIVACY PROTECTIONS.

a. At the beginning of each PRIA request process, all pilot/applicants must first sign a consent for the release of all PRIA related records. This is accomplished by completing and signing FAA Forms 8060-10, 8060-11, 8060-12, and 8060-13. This includes the release of the following specific groups of records:

- (1) FAA records.
- (2) Previous air carrier employment records.

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(3) DOT Drug and Alcohol Testing Records.

(4) Records from the National Driver Register.

b. PRIA then requires that the privacy of the individual, who is the subject of the records request, and the confidentiality of his/her records, be protected in the following manner:

(1) A hiring employer receiving records of an individual, may use such records *only* to assess the qualifications of that individual, in deciding whether or not to extend to them a firm offer of employment as a pilot with their company.

(2) Only the company personnel *directly involved in the hiring process* of the hiring employer may view the records.

(3) The hiring employer in possession of the PRIA-related records, must also ensure that other individuals outside of the company, *not involved in the hiring process*, are never permitted to view the records. (NOTE: This does *not* include FAA Inspectors. See paragraph 3-7 of this document.)

(4) Once the hiring employer starts to accumulate PRIA-related records, those records must be maintained in a separate filing system from the company's active personnel or other pilot records *or* be easily retrievable from the company's primary system of records, to assist that employer and the FAA in verifying compliance with 49 U.S.C. § 44703(h)(4). These records **shall** be maintained for at least 5 years from the date on the pilot's initial application for employment.

(5) In addition, it is highly recommended that all PRIA-related records be maintained in this manner for the duration of the pilot's employment with the employer, *plus* an additional 5-year period from the date of the pilot's termination of employment with the company.

(6) See 49 U.S.C. § 44703(h)(11) PRIVACY PROTECTIONS.

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CHAPTER THREE - OTHER AIR CARRIER ACTIVITIES AND CONSIDERATIONS

3-1. FURNISHING RECORDS TO ANOTHER AIR CARRIER REQUESTOR

a. In accordance with 49 U.S.C. § 44703(h), TRANSNORTHERN AVIATION will provide PRIA-related records to a requesting employer when FAA Forms 8060-11, 8060-11A, and 8060-12 (or like forms) have been received. If errors or omissions are found, the requestor will be contacted immediately to arrange for the correction of the request. Incomplete requests are NOT be processed without correction.

b. In accordance with 49 U.S.C. § 44703(h)(6), once the request has been determined to be correct and complete, all requested records will be processed and furnished *within 30 calendar days* from the initial receipt, in the following manner:

(1) The appropriate records will be copied for the requesting employer, with an additional copy prepared for the pilot *if so requested* on FAA Form 8060-11A.

(2) A statement for a ‘reasonable copy charge’ will be computed and prepared *if* the furnishing company has decided to impose a charge for the duplication of the records.

(3) If processing time for the *applicant’s copy* will exceed 20 calendar days after receipt of the request, a notification to this effect (such as a postcard) will be sent to the applicant, if copies of the records have been requested.

(4) In order to provide the records to the requester within 30 calendar days of receiving the request as required by law, TRANSNORTHERN AVIATION will *not* withhold records until payment is received. A statement will be attached to the records when furnished to the requestor.

(5) The forms received from the requesting employer, along with any additional records used by to satisfy the request, will be stored in a separate filing system utilized only for PRIA-related records *or* will be easily retrievable from the primary system of records, and maintained for a period of at least 5 years from the date on the pilot’s application for employment.

3-2. FURNISHING RECORDS WHEN REQUESTED BY THE PILOT.

a. In accordance with 49 U.S.C. § 44703(h)(10) an employer shall, upon written request from a pilot who *is or has been employed* by such carrier, within a reasonable time, but not later than 30 calendar days after receiving the request, make available to the pilot for review, any and all PRIA records referred to in paragraph (1)(B) (i) or (ii).

b. If requested for the purpose of review during the course of a PRIA-related request process, copies of such records will be provided to the pilot/applicant not later than 30 calendar days after receiving the request.

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3-3. ESTABLISHING A ‘REASONABLE CHARGE’ FOR THE COPYING OF RECORDS.

a. The statute governing PRIA states only that, “A person who receives a request (for PRIA-related records) *may* establish a reasonable charge for the cost of processing the request and furnishing copies of the requested records.” (49 U.S.C. § 44703(h)(7).)

b. Since the PRIA statute does not address the specific definition of a reasonable charge, the definition from Webster’s Dictionary should apply.

Reasonable: *capable of reasoning; rational; governed by or in accordance with reason or sound thinking; within the bounds of common sense; not extreme or excessive; fair.*

c. Considering these definitions, an employer should never use 49 U.S.C. § 44703(h)(7) as an instrument to inflict excessive charges on another employer who is requesting records in accordance with PRIA, in order to, either excessively profit from the transaction, or to discourage another hiring employer from submitting a request for pilot information.

d. The General Manager of TRANSNORTHERN AVIATION will determination the charge, if any, for providing required PRIA documents on a case by case basis.

3-4. FURLOUGHS AND LEAVES OF ABSENCE.

a. When a pilot is recalled to duty from a furlough, or otherwise returns to work from an extended period of personal leave, military leave, medical leave, or other type of authorized absence, the PRIA statute does not require or provide authority for the current employer to perform any type of background check concerning the status of that pilot.

b. Since PRIA only allows an initial records check to be completed for a new-hire pilot, the PRIA (8060) series of forms must not be used to request unauthorized follow-up background checks for pilots who are returning to work for the *current* employer.

c. If the policy of the current employer does require some type of process to confirm that the pilot still holds a current medical and airman certificate, a request may be sent to the FAA, AFS-620 under the authority of the Privacy Act (PA) or the Freedom Of Information Act (FOIA) to determine the status of those certificates. The PRIA Web site contains an instruction document concerning the completion of PA and FOIA requests.

3-5. ASSIGNMENT OF PRIA DUTIES TO A DESIGNATED AGENT (DA).

a. If a hiring employer chooses not to perform its own PRIA requests, they have the option of assigning those duties to an independent verification company generally known as a Designated Agent or Agency (DA).

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b. Any responsible DA, once contracted by a hiring employer, is authorized to complete all of that companies background requests in accordance with the Pilot Records Improvement Act.

c. The DA, however, CANNOT retain any of these records in a system-of-records of their own. Any records received by that agency MUST be forwarded, in full, to the appropriate employer within the required period of time, using the appropriate measures to ensure the privacy and security of those records.

d. All requests for FAA records (FAA Form 8060-10) must be accompanied by a designation letter (sometimes referred to as a ‘third party letter’) from the respective employer – including the signature of that companies designated representative, to verify that the DA has been contracted for this responsibility.

e. EXCEPTION. If the designated air carrier representative from the employer has *prepared and signed* all of the request forms for FAA records and THEN forwarded the completed requests to the DA for processing, a designation letter is NOT required.

NOTE: Any employment agency, whether or not they have been contracted to complete PRIA requests, are not authorized to initiate these requests on their own, and then maintain their own system of records in anticipation of a request from an air carrier. (See paragraph 3-5c. above.)

f. A guidance document titled: ‘*PRIA Instructions For The Designated Agent*’ may be found and downloaded from the PRIA Web site.

3-6. ACCIDENT, INCIDENT, AND OTHER INFORMATION NOT REPORTED BY PRIA.

a. PRIA does *not* provide information concerning accidents or incidents in which the pilot/applicant may have been involved, as well as formal enforcement cases that are still open, pending, under appeal, or have been reopened. (The PRIA Web site contains a document titled: “*Information Provided by PRIA, FOIA, and the Privacy Act*” that explains the various enforcement actions as well as the conditions and the authority under which they are to be released and reported.)

b. The FAA’s Office of Chief Counsel has determined that releasing these specific reports could be unfair to the pilot because:

(1) They may or may not involve pilot error.

(2) Pilots identified in accident and incident reports do not receive the same due process protections enjoyed by formal legal enforcement actions.

(3) Open cases that have not been fully review by FAA, NTSB, or possibly by a U.S. Court of Appeals, could eventually be dropped or dismissed by the court.

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3-7. ACCESS OF PRIA-RELATED RECORDS TO FAA INSPECTORS.

a. 49 U.S.C. § 44703(h)(11): *“The air carrier shall take such actions as may be necessary to protect the privacy of the pilot and the confidentiality of the records, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.”*

b. Any U.S. air carrier, U.S. air operator or other person cannot use 49 U.S.C. § 44703(h)(11), as stated above, as an instrument to deny an FAA Inspector access to that companies PRIA-related records for the purpose of records audit or surveillance.

(1) The wording of the current version of the statute stating *“...any individual that is not directly involved in the hiring decision...”* may, at first glance, indicate that PRIA-related records are protected from anyone, including the FAA Inspector who is responsible for the surveillance and compliance of that company to FAA regulations.

c. The intent of the statute, however, is to protect the pilot’s privacy and the confidentiality of that pilot’s records from those *not authorized* to see those records, notwithstanding the wording of the statute.

d. 49 U.S.C. § 41709 ‘*Records Of Air Carriers,*’ 14 CFR Part 119.59 ‘*Conducting Tests And Inspections,*’ and 14 CFR Part 135.73 ‘*Inspections And Tests,*’ clearly indicate that the FAA Inspector assigned as the POI for that company, *is authorized* to see those records. As a result, the Inspector is always to be given free and unlimited access to an employers PRIA-related records at any time during the course of that Inspector’s normal surveillance duties.

e. Refusal to provide access to PRIA-related records when requested by the FAA for their review or inspection, could result in the suspension of all or any part of the certificate holder’s operating certificate or operating specifications in accordance with 14 CFR Part 119.59(e).

NOTE: Even though access to PRIA related records cannot be denied to an FAA Inspector, upon their request for the purpose of a records surveillance or inspection, each FAA Inspector, having viewed such records, also becomes subject to the privacy protection conditions as outlined in 49 U.S.C. § 44703(h)(11). Therefore, every effort must be made on the part of the FAA Inspector to protect the privacy of the pilot and the confidentiality of the PRIA-related records of that pilot.

3-8. HIRING PILOTS WITH 14 CFR PART 91 EXPERIENCE.

a. A U.S. air carrier, U.S. air operator, or other person, may occasionally offer an employment opportunity to pilots who, at that early point in their career, have either

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performed solely or in part, within the part 91 environment, either for a part 91 operator or as a self-employed pilot or flight instructor.

b. 14 CFR part 91 applicability. When a pilot *enters* into a part 91 work environment, there is no requirement for the hiring employer to request PRIA-related records. Since these part 91 operators do not meet the definition of an air carrier, PRIA does not apply for the purpose of *requesting* records.

c. However, since all 14 CFR part 91 employers *are* included under the definition of '*person*,' PRIA would apply for the purpose of *releasing* any records that the part 91 operator may have available once a request under PRIA has been received from the part 121, 125, or 135 hiring employer.

d. 14 CFR part 135, 121, and 125 applicability. Since all 14 CFR part 91 employers are included under the definition of '*person*,' those U.S. air carriers under parts 121 or 135, or those U.S. air operators under part 125, hiring a pilot with part 91 experience either solely or in part, *is required* to request records under PRIA from the part 91 operator which provided employment to that applicant.

e. When forwarding a request for pilot records to a part 91 operator, it should be understood that they may not be familiar with the PRIA request process, and may also have either no records or very little other useful information to provide to the requestor. They are required, however, to respond by providing such information that they may have collected and maintained concerning the pilot/applicant.

f. If the part 91 operator has no information at all concerning the pilot/applicant, a brief note to that effect should be forwarded by them to the requestor so that their request process may be completed.

g. Exemption. In cases where the pilot was entirely self-employed during the previous 5-year period, such as a self-employed flight instructor, there would be no operator or previous employer to request records from, and the pilot/applicant should simply document the work experience on a resume to be presented to the hiring employer. The pilot/applicant should also consider including their currency in:

- (1) 14 CFR part 61.23 – (Date and class of last medical certification)
- (2) 14 CFR part 61.56 – (Date of last flight review)
- (3) 14 CFR part 61.58(a) and (b) – (Date(s) of last pilot-in-command currency)
- (4) 14 CFR part 61.58(c) – (Date of last instrument currency)

h. This paragraph refers entirely to training, performance, and other safety records requested from a previous employer. Requests for *all* applicants, notwithstanding their work experience, would still be forwarded to the FAA and NDR without exception.

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3-9. PILOTS FORMERLY EMPLOYED BY A GOVERNMENTAL AGENCY.

a. If the pilot/applicant was previously employed by a governmental agency (Federal, State, or local), you must query that agency for PRIA records even though it is not a standardized PRIA request (company-to-company). However, do *not* use FAA Forms 8060-11 and 8060-11A because these methods are inappropriate for querying a governmental agency. Instead, send a letter requesting the appropriate pilot safety-related records, including any available drug and alcohol testing records.

b. Forward the letter of request to the most recent flight operations manager of the appropriate agency, region, and/or office where the pilot/applicant was employed. Obtain the address of the agency where the pilot/applicant was employed, since there is no central office for the processing of these requests. If these records have already been retired and subsequently sent to a records-holding area, personnel. Or a human resources department, the governmental agency should forward the request accordingly.

c. In the letter, ask for records that would provide any appropriate background information concerning the pilot's flight training, experience and qualifications, proficiency, other related safety history, and drug and alcohol testing records and any subsequent action taken as a result of those tests.

d. Have the pilot/applicant provide a brief statement and a signature consenting to the release of this information, either contained within the letter of request or as a separate attachment to the letter.

e. Governmental agencies do not conduct drug and alcohol testing under the FAA's regulations. Therefore, they will not have the drug and alcohol testing records normally required by PRIA and 49 CFR § 40.25.

f. You must also request records from the FAA ad NDR using FAA Forms 8060-10 and 8060-13 in the usual manner.

3-10. CONTRACT AND/OR SHARED PILOTS.

a. Before allowing an individual to begin service as a pilot, an air carrier or air operator must request and receive PRIA-related records, regardless of whether the pilot is being hired directly or by contract.

b. In all cases, the PRIA burden is on the air carrier or air operator, not the company providing the pilot under a contract, or the individual pilot. In other words, if an air carrier or air operator is going to utilize the temporary services of a contract or shared pilot that is being provided by a staffing-type agency or other concern, the burden remains with the utilizing air carrier or air operator to comply with the PRIA statutes.