

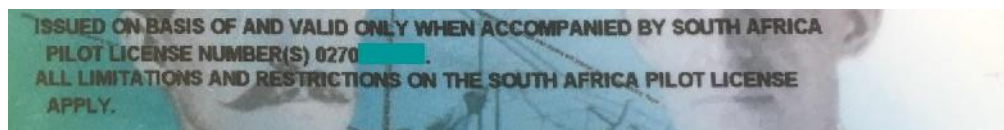
The Small Upside of COVID / FAA licencing update

Suspended until further notice pending an investigation

COVID has changed aviation but also created a small opportunity:

Before COVID travel to the US was required to collect any form of FAA Pilot License. Now during COVID at least **FAA PPL Validations** of any foreign license can be done remotely.

To be clear, licence validations issued by any country's civil aviation authority rely on the holder keeping his original (own country) license valid. The original underlying license is also often referred to as 'mother license', the validation the 'piggy back'. Flying an aircraft with a validation also means that effectively the licensing rules of both countries need to be adhered to i.e. a FAA PPL validation will state:



“issued on the basis of and valid only when accompanied by XYZ-country pilot license number #0270123456” – this is often confused with the FAA licenses being “evergreen”.

- But meeting this clause is a necessary but not sufficient condition to fly:

What is less known (or seldom taught because validations in the US require no FAA air-law exam to be written) is the fact that at the same time as relying on the mother-license validity, the validation is still a FAA license in its own right and the FAA rules for that license need also be adhered to!

In short you have make sure that 1) the mother license is renewed, has a current medical and the recency requirements per category and class are met, plus 2) the FAA requirements of recency per category and class and the need for a biannual Flight Review by an authorised **FAA Certified Flight Instructor** (CFI) are met. Only doing check-rides for the underlying foreign mother-license is necessary but not sufficient. This fact is known by the insurance assessors and can lead to repudiation of claims.

In contrast to validations – license conversions will decouple the converted license from the original mother license. The new license effectively becomes 'stand-alone', and one can let the mother-license lapse and only maintain the newly acquired/converted license as per that country's recency rules per category/class/type and the regular skills/flight-test and medical requirements.

Achieving a license conversion is akin to issuing a new license with the difference of getting some form of credit for prior foreign qualifications and flying experience (all depending on the level of license and type of privileges held and the ones sought to convert).

In the case of most countries and the FAA in particular, conversions to 'stand-alone' licenses and initial license issues can only be done by travelling to the issuing country (there are some exceptions and a lot can be done in preparation of that trip to minimise time and cost). It makes sense from an oversight perspective that Civil Aviation Authorities on this planet so far have not allowed many Australian licenses to be issued in Russia or Madagascan licenses to be issued in South Africa.

EASA and FAA however are making inroads to recognising privileges held by similar license levels. There are also a few dual track schools out there capable of offering integrated FAA+EASA courses but these are exceptions with operations based and approved in both legislative geographies. So for the most validations versus conversions to 'stand-alone' are concepts here to stay.

A few factors make the USA, FAA licenses special:

1. The FAA aircraft register is one of the largest on the planet, a lot of planes are made there, receive their maiden registration there and even operate as far as Africa whilst staying on the original FAA registration.
2. The FAA has a 'two out of three' rule allowing local license holders to fly N-reg aircraft inside the country they hold a license of, i.e. a SA CAA license holder whilst in South Africa can fly a US registered aircraft inside SA provided he is rated on type. The two out three rule means pilot and country are 'two' of the same legislation, 'three' is the US-registered plane. As soon as you have to cross the border outside of South Africa you need to hold at least a FAA PPL Validation as the SA license is outside its jurisdiction and the 'two out three' rule is broken.
3. The FAA license is recognised as mother license by a lot of nations, flag carriers and employers and can therefore easily be validated in most jurisdictions
4. Once a FAA licence is issued it does not expire i.e. the little green card has no expiration date printed on it. Only the right to exercise the privileges of the license lapses 2 (two) years after the last Flight Review has been conducted by a **FAA Certified Flight Instructor** and the PIC's recency requirements to carry passengers or conduct instrument approaches need to be met. No matter how many years pass, if a **FAA Certified Flight Instructor** finds that a candidate meets the standard, he can on successful completion of a Flight Review, endorse the log-book and the pilot is 'good to go'.
5. However contrary to the SA CAA, where any Grade II instructor can perform *initial PPL tests*, the FAA only allows Designated Pilot Examiner (DPE)s to conduct such tests. In fact ANY initial/stand-alone FAA license (PPL, CPL, ATP or CFI) and ANY initial/additional rating (multi-engine, instrument, MEI and CFII) needs to be done by a FAA Designated Pilot Examiner (DPE). In short, the FAA has a tighter handle on who gets issued with initial or 'stand-alone' converted licenses, at least at PPL level that is.
6. In addition, due to 9/11, the US anti-terrorism screening requirement of **non-resident aliens** seeking initial FAA qualifications and more advanced type ratings, have become a bit more cumbersome. The TSA (Transport Security Agency) has an Alien Flight Student Program that vets all training toward a recreational, sport, or private pilot certificate; multiengine or instrument rating or any initial U.S. airman certificate issued by FAA

Here is what has gotten easier: For foreign based FAA PPL Validation COVID has changed the FAA requirement to physically identify oneself at a FAA Flight Service District Office (FSDO) to collect a foreign based PPL Validation. Given the travel restriction and distancing rules this can now be done via zoom call and the required Flight Review to 'activate' the license privileges can be done by a FAA Flight Instructor (of which there are some in SA).

This at least allows for part 91 operations on FAA registered planes, and it is a logical first step (for non-resident aliens) into the FAA licensing system and towards ultimately a converted stand-alone FAA license later (when travel is easier).

The requirements for license conversions or initial issue of a stand-alone license, has not changed. It still requires travel to conduct a written and a flight test with a Designated Pilot Examiner (DPE) in the USA (or elsewhere if you find one in Europe for example). Flight Safety in Le Bourget or Farnborough have testing centres for at least the FAA written exams but flying costs in Europe are more prohibitive than making the extra hop across to the US.

One should note that there is a big difference in time delay and administrative steps required when one arrives in the US for initial training (or a flying training program) to get an initial FAA license issued, as opposed to travelling to the US just for a check-ride/practical test to upgrade an existing

U.S. airman certificate (and already meeting the FAA requirements for that particular test, having trained with an FAA Instructor abroad beforehand).

Different paths to consider:

Option A – jumping on a plane with your foreign PPL to get a stand-alone FAA PPL

Provided the flying experience, night, instrument and cross country hours are all up to FAA standard one could envisage to just travel to the US and re-pass a FAA PPL test.

However, 911 makes this the most onerous of options. These days as FAA PPL level licenses are classified by the TSA as 'initial' issue and fall squarely into the TSA's Alien Flight Student Program needing prior approval before even thinking about getting a ticket.

Here are the steps:

- 1) Identify and enrol with a US based flight school that has approval to accept and train non-resident aliens for initial licenses (needs to be a SEVP approved schools who can issue the I-20 forms and M1 visa applications)
- 2) Here is the rub: try and negotiate recognition of your prior foreign experience with that school and the DPE they use, in order to avoid a whole new PPL course (often SEVP approved schools because of that approval and being part 141/142 audited can't shorten the course and insist on a minimum of \$-based training hours before allowing to test with them for a PPL)
- 3) Register for background check, finger printing etc. with the TSA at www.flightschoolcandidates.gov (30 days)
- 4) Apply for an M1 student Visa – required because you are going for an initial issue license – i.e. arriving for initial FAA PPL on a business or tourist visa the school is not allowed to train you nor is the DPE allowed to test (the visa takes about three weeks back and forth with the Consulate)
- 5) Apply for a student license through the Integrated Airman Certification and Rating Application (IACRA) website (three weeks)
- 6) Get an FAA medical (can be done in SA)
- 7) Finish initial PPL course in the US (hopefully pre-negotiated minimum number of hours as per above)
- 8) Receive all the necessary endorsements from the recommending FAA Flight Instructor to present yourself for the tests (the written and flight/oral) with the DPE
- 9) Pass one written- and one flight test with a FAA DPE for the initial issue standalone FAA PPL VFR (done in the USA)

Note: the FAA flight tests are per category and class i.e. one for Single Engine Land and another to add Multi Engine Land privileges – just passing the multi does not grandfather single engine privileges)

This route can be slightly varied by finding a FAA instructor abroad, who is registered with the TSA Alien Flight Student Program as an approved provider for non-resident alien initial training abroad. That instructor can shave some cost of the process by working hand-in-hand with the US school bringing the candidate up to speed before leaving for the US (even endorsing him/her for the test) and thus minimising US based costs down to just local familiarisation and tests.

Further one could consider then to combine this option with a Europe based dual track FAA/EASA training provider and try to find a Europe based DPE avoiding the US altogether. This route would have lots of moving parts, ifs and buts. –

The only advantage of Option A is that the foreign license does not even have to be valid. Foreign license verification is not even necessary as one basically starts on a clean slate, trying to as much as possible, leverage the prior experience based on the hours in the logbook only to shorten the initial FAA PPL course and jumping straight to a 'stand-alone' issued license, skipping the validation part.

Option B – ‘Validation First’ and then ‘Converting to Stand-Alone’

This is the route that all candidates chose to date, in particular career-pilots seeking higher licenses.

Part 1) Steps for ‘Validation First’:

- 0) Make sure foreign license is valid and current
- 1) Apply for Foreign License Verification (on IACRA website)
- 2) Apply for a PPL ‘foreign based’ (on IACRA website)
- 3) Zoom call with FAA DPE (make sure FSDO is LGB)
- 4) Complete a FAA Flight Review to exercise the privileges of the license (with FAA Certified Flight Instructor locally)

Big advantage of this route is that after step 4) and about two/three weeks of effort the candidate is a U.S. airman certificate holder with all rights and obligations, without even leaving the home-country.

Part 2) Steps for ‘Converting to Stand-Alone’:

- 5) Identify to which level you can/want to convert based on the flying experience and foreign privileges held (On this validation route the FAA allows to apply for the next higher license i.e. CPL VFR single/multi engine land – the PPL is off the table. But the number of tests are still the same as per PPL above: one written test and one flight test per category or class sought)
Note: for a foreigner the effort required to prep for FAA initial PPL versus FAA CPL VFR single engine land is virtually the same (testing standards can be downloaded from the FAA website)
- 6) Option a) Identify and enrol with a US based flight school that has approval to accept and train non-resident aliens and train in the US.
Option b) Train locally with an FAA Instructor towards a higher rating and get endorsed once he /she meets the requirements for a higher license. (i.e. CPL)
- 7) Get an FAA medical (can be done in SA)
- 8) Register for background check, finger printing etc. with the TSA
Note: much quicker and easier when not going for initial training
- 9) Apply for a business or tourist visa (as you are travelling for testing only and not a training course)
- 10) Receive all the necessary endorsements from the recommending FAA Flight Instructor to present yourself for the tests (the written and flight/oral) with the DPE
- 11) Pass one written- and one flight test with a FAA DPE for the standalone FAA CPL VFR (done in the USA)
Note the FAA flight tests are per category and class i.e. one for Single Engine Land and another to add Multi Engine Land privileges, and another written and flight test for IFR – as required

All said and done the advantages of Option B are:

- It’s a proven route well-travelled
- US airman certificate and privileges available within the same time it takes to barely make step 1 in Option A
- Easy access to a higher standard (minimum CPL) standalone license with the same effort and training time as required for PPL
- Training can be done locally by foreign based **FAA Certified Flight Instructor**, (the TSA’s Alien Flight Student Program Provider accreditation is only required for initial PPL or instrument, or multi-engine training)

The difference in effort required and time spent between the two options is significant. Essentially if one already holds a foreign PPL it is easier to get a FAA CPL VFR rather than a standalone FAA PPL.