



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Administrator

800 Independence Ave., SW.
Washington, DC 20591

April 14, 2020

Captain Joseph G. DePete
President, Air Line Pilots Association, International
1625 Massachusetts Avenue, NW.
Washington, DC 20036

Dear Captain DePete:

Thank you for your letter on March 31 and your April 9 letter to Secretary Chao about the health and well-being of your members. Secretary Chao asked me to respond to your concerns. During the current COVID-19 public health emergency, air carrier crewmembers play a critical role in the movement of much-needed supplies and personnel. Their role and confidence in the aviation system has been and will continue to be vital to the nation's recovery. The Federal Aviation Administration (FAA) and the U.S. Department of Transportation (DOT) have worked to ensure that transportation professionals, including pilots, are treated as critical personnel by the U.S. Government.

As you point out, the FAA has statutory authority and responsibility to promote the safe operation of civil aircraft. Aviation safety is our most important priority. While the FAA remains steadfast in its focus on safety of flight, we are not a public health agency. We must look to other U.S. Government agencies for guidance on public and occupational health. As COVID-19 emerged as a growing threat, we knew that the entire commercial air transportation industry would need additional guidance. We worked with the Centers for Disease Control and Prevention (CDC) and the Department of Health and Human Services (HHS) — the U.S. Government public health authority — to publish the first set of crewmember health guidance on February 2, 2020, followed by subsequent updates and information as we learned more about the virus and the situation evolved. As new CDC guidance was issued, we acted swiftly to make sure it reached you and the rest of the aviation industry.

Consistent with past public health threats, the FAA helped inform the CDC guidance on crewmember health monitoring, screening protocols, and aircraft cleaning to ensure demands on air carriers and crews are neither unreasonable nor distracting from our shared safety mission. Much of the guidance in use today has been updated from past health emergencies and expanded to reflect the SARS-CoV-2 virus that causes COVID-19. Strict adherence to this guidance has enabled crewmembers to be exempted from mandatory U.S. Government health screening when arriving from overseas trips.

As the CDC has learned more about the virus and how it is transmitted, the FAA and CDC have continued to modify that guidance for the maximum protection of crewmembers and passengers, while also ensuring vital commercial air transportation operations can continue. Currently, the FAA and CDC are working on a third update of such guidance. That update should further strengthen language, provide clarification, and reflect the growing understanding of pre-symptomatic/asymptomatic transmission, as well as new guidance on face coverings.

The FAA appreciates the information provided in your letter and our subsequent calls with you and your leadership team. The goal of the CDC guidance is to provide airlines with a reasonable and standard approach to maintaining the health of their employees and passengers. Because of the information you provided, we are reviewing the latest draft guidance to ensure that it is sufficiently robust and achieves compliance.

Separately, we are following up with air carriers to reinforce the importance of taking proper precautions to protect the health of their workforce and the traveling public. We will reiterate that adherence to the published guidance should supplement existing occupational health programs.

In addition to providing updated guidance to crewmembers and airlines, the FAA has been doing its part to deliver significant relief for crewmembers to help minimize their exposure to COVID-19, while maintaining safety. These actions include:

- Expiring medical certificates for pilots and flight engineers: The FAA excused airmen with expiring medical certificates from the need to renew their certificates, so those airmen will not have their pilot license suspended or have to get a medical examination done during the grace period.
- Training exemptions: The FAA granted grace periods for completing certain training and qualification requirements, and gave crewmembers relief from having to don protective breathing equipment or oxygen masks in training, checking, or evaluation. This reduces the likelihood of pilot-to-pilot transmission, protects their health, and reduces anxiety over qualification expirations.
- Flight attendant duties: The FAA issued an exemption that enables flight attendants to sit away from their usual seats to maintain social distancing and to reduce equipment demonstration when giving passenger safety briefings. Both actions reduce the risk of crewmember-to-crewmember transmission.
- Oxygen mask final rule: This final rule, published on March 25, revised the requirement for pilots to don cockpit oxygen masks during flight, by raising the threshold altitude at which the existing regulation required a pilot to wear the oxygen mask when the other pilot steps away from the flight controls. That altitude was 25,000 feet and is now 41,000 feet. This reduces the likelihood of pilot-to-pilot COVID-19 transmission and protects pilots' health. In fact, you raised the issue of temporary relief with me back on March 13, leading to aggressive action by the FAA at that time—eventually resulting not only in temporary relief but a permanent change to the requirement in a final rule.
- Expedited Travel of Alleged Sick Crewmembers: DOT and FAA have advocated for crewmembers on several occasions with international authorities, intervening along with interagency partners to levy their assistance to return alleged COVID-positive

crewmembers back to the United States, instead of being held in foreign government-operated quarantine overseas.

- Screening Protocols: Domestically and internationally, DOT continues to support crewmembers by negotiating protocols to reduce intrusive screening requirements and quarantines.

As you know, employee and workplace health are the responsibility of employers. The FAA will continue to focus on the safety of the National Airspace System and the needs of the entire community, including your members. We will continue to ensure that the CDC health guidance provides safeguards for crewmember health, and make clear that following these safeguards can remove unnecessary distractions from the crewmember workplace. As you focus resources and energy on addressing crew complaints with employers, we will continue to emphasize our expectation of full air carrier compliance with the public health recommendations specific to our industry.

We take seriously any allegations of airline failure to adhere to crewmember health guidance; however, airlines are responsible for the occupational health of their workforce. The FAA will engage the airlines on the issues you have identified, to express our concern, explore possibilities for making the guidance more effective, and address any misunderstanding of how to apply the guidance. The FAA will reinforce the importance of airlines heeding CDC guidance and clarify those expectations if needed. We also will determine if additional actions are necessary or feasible to motivate compliance.

The FAA continues to evaluate a large number of requests from across all sectors of the aviation industry to help address COVID-19-related effects. Our actions to date are detailed on our website at <https://www.faa.gov/coronavirus/>. As additional concerns of crewmember health and safety arise, they will be closely examined and considered.

Finally, I wish to emphasize that the FAA remains committed to ensuring that crewmembers benefit from, and help drive, a continued focus on aviation safety during the COVID-19 public health emergency. We are organizing an Aviation Safety Town Hall for that purpose, and we look forward to your participation. A theme of that virtual event will be to examine how airlines are managing through the current difficult and distracting environment, including measures to ensure operational resiliency and protect the workforce.

I look forward to continued collaboration with you. Thank you for your efforts as we all work together during the COVID-19 public health emergency to sustain the safest, most efficient aerospace system in the world, which is more vital than ever to support the national COVID-19 response.

Sincerely,



Steve Dickson
Administrator