



*The Leader In Recreational Aviation*

## Chapter 736 Newsletter for August 2015

### **Fly-In 2015**

This year's event has come and gone. The weather was uncooperative for the most part. We had a break in the rain and the clouds lifted long enough to fly 36 young eagles. About 6 were unable to be flown as the skies closed in before we could accommodate them.

We again thank all the pilots and helpers for their assistance.

### **The FAA and intentional falsification**

#### **How to lose everything you have worked for**

It may be tempting to embellish logbook entries, adding a bit of time here or there or a practice approach for IFR currency that wasn't in simulated or actual IMC, or logging a flight on a different day than when it actually occurred. Beware: This is extraordinarily dangerous territory, one where you can lose what you have worked hard to earn—your certificates and ratings.

The FAA takes intentional falsification very seriously because it demonstrates a lack of care, judgment, and responsibility as well as a disregard for compliance. Intentional falsification means (1) making a false representation, (2) in reference to a material fact, and (3) with knowledge of the falsity of the fact. It does not matter to the FAA whether you have a “good excuse” for doing so, or whether it was one isolated instance. Knowingly falsifying a material fact is a black and white issue from the FAA's perspective.

Airmen who are found to have intentionally falsified records face revocation of all of their certificates and ratings. If losing all of your certificates and ratings isn't enough, you can also face criminal prosecution with fines and imprisonment of up to five years for falsifying or concealing a material fact from the federal government!

FAA enforcement cases are filled with examples of airmen losing it all—private single-engine through ATP certificates and aircraft type ratings. If this happens to you, if you want to fly again you will have to retest to earn your certificates and ratings again, retaking your written.

## **AOPA and EAA fight back on medical reform**

Ill-considered opposition will only make AOPA more determined to get pilots the relief they need from the cumbersome and costly third class medical process, AOPA President Mark Baker said in the wake of the Air Line Pilots Association International's (ALPA) renewed opposition to legislation that would have added medical reform to the Senate highway bill.

Baker and Sen. Jim Inhofe (R-Okla.) met with ALPA President Tim Canoll on July 27, two days after Canoll sent a letter urging senators to oppose a highway bill amendment offered by Sens. Joe Manchin (D-W.Va.) and John Boozman (R-Ark.). Inhofe has strongly championed third class medical reform as well as legal protections for pilots facing enforcement actions through the Pilot's Bill of Rights 2. The amendment closely reflected the language in Pilot's Bill of Rights 2.

"We're going to do whatever it takes to get medical reform and we won't let anyone stand in our way," said Baker. "ALPA's decision to oppose medical reform is way out of step with the rest of the aviation community, Congress, and many of its own members.

AOPA and EAA have fought hard for third class medical reform, winning widespread support from aviation organizations, other pilot unions, pilot groups, GA manufacturers, and the aviation medical community. A strong response from AOPA members has helped Pilot's Bill of Rights 2 legislation win 57 co-sponsors in the Senate and 122 in the House, numbers that keep growing weekly.

"The consensus in the aviation community is clear—third class medical reform will maintain safety, save pilots and the government millions of dollars, and help strengthen GA," Baker said. "ALPA's decision to try to undermine medical reform efforts makes very little sense, especially when many of their arguments aren't based on the facts."

In a letter to Congress and a follow-up message to ALPA members, Canoll asserted that medical reforms would reduce the number of medical conditions that could disqualify a pilot from receiving a medical certificate. He also wrote that if a pilot develops and discloses a serious medical condition, the FAA could not ensure that the pilot seeks treatment. Both of those statements are inaccurate. Medical reform legislation would not change disqualifying medical conditions and pilots would be required to undergo treatment for any serious medical condition.

Late on July 27, an announcement that the House would not take up the Senate highway bill put an end to hopes for the Manchin-Boozman amendment and most of the nearly 260 other proposed amendments to the bill.

"There are bigger issues at play here, and the House decision not to take up the Senate bill is a situation that's beyond our control," said Jim Coon, AOPA senior vice president of government affairs. "But ALPA's decision to oppose reform certainly didn't help."

ALPA sent its letter to Congress days after a group of aviation associations led by AOPA sent a letter to Senate leaders expressing their strong support for medical reform. In addition to AOPA, the letter was signed by the Allied Pilots Association, which represents 15,000 pilots at American Airlines and US Airways; Experimental Aircraft

Association; Flying Dentists Association; Flying Physicians Association; General Aviation Manufacturers Association; Helicopter Association International; National Agricultural Aviation Association; National Association of State Aviation Officials; National Air Transportation Association; National Business Aviation Association; and Southwest Airlines Pilots' Association, which represents more than 8,000 pilots at Southwest Airlines. The NetJets Association of Shared Aircraft Pilots, which represents another 2,700 professional pilots, sent a separate letter of support.

"I sincerely hope ALPA will look at the facts and the dozens of aviation groups representing hundreds of thousands of pilots that support medical reform and reconsider their position," said Baker. "In the meantime, we're pushing ahead with our efforts to get medical reform and this won't slow us down. We want all our members to contact their senators and representatives and ask them to co-sponsor Pilot's Bill of Rights 2. We've got to keep the momentum going and keep this issue on the table."

During an AOPA Pilot Town Hall at EAA AirVenture, Inhofe said that getting more senators to co-sponsor the Pilot's Bill of Rights 2 will increase the chances of bringing the legislation to the Senate floor for a vote—and that AOPA member response could make the difference.

"We need to take full advantage of every opportunity that comes our way, and building co-sponsor support for Pilot's Bill of Rights 2 is the best path forward right now," Baker said. "Factors beyond our control are affecting the political landscape but we have the will to get this done one way or another."

AOPA has come close to getting action on third class medical reform several times in recent weeks, but each time those efforts have been sidelined by larger political issues.

Earlier this month, AOPA was informed that third class medical reform would be included in the House Transportation and Infrastructure's FAA reauthorization legislation. But on the day the legislation was to be introduced, it was pulled because of floor scheduling issues. On that same day, the Department of Justice announced that it would launch an investigation into anti-trust violations involving price fixing by some major airlines. With reauthorization legislation delayed at least until September and the current authorization set to expire Sept. 30, it's likely that the FAA will continue to operate under some form of short-term extension while the House and Senate try to reach agreement on a longer reauthorization.

"When Congress returns in September, we'll continue to work to make sure medical reform is part of any discussion," said Coon. "In the meantime, with the help of our members, we'll keep advancing Pilot's Bill of Rights 2 and looking for every opportunity to make reform a reality. This matters to our members and we won't give up on it—period."

### **Next Meeting**

Our next meeting will be held at Pittsfield Municipal Airport, at Curtis Air on **Monday, Aug 17 at 6:30 pm.**