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Procedures for Conversion of Canadian and U.S. Pilot Certificates Only

Under a new Bilateral Agreement between the United States and Canada, effective December 5, 2006, pilots in the United States and Canada may apply for a new unrestricted airman certificate. This procedure only applies to a Canadian or U.S. pilot holding a private, commercial, or ATP SEL or MEL airman certificate. Glider, helicopter, and balloon ratings are excluded and are not applicable for conversion under the agreement. Read the FAA's **Advisory Circular 61.35, Conversion Procedures and Processes for FAA Pilot Certificates and TCCA Pilot Licenses**, and Transport Canada's **General Aviation Advisory Circular 401-001** for information and instructions.

TSA Alien Flight Training/Citizenship Validation Rule

On September 21, 2004, the Transportation Security Administration (TSA) issued an "**interim final rule**" on flight training for aliens and other designated individuals. When the interim rule was first issued, it required every person to prove his or her citizenship status (including U.S. citizens) prior to undertaking flight training in an aircraft weighing 12,500 pounds or less. Additionally, all foreign flight students were required to complete a background check process with TSA. Not only did the rule apply to flight training, but also to recurrent training under 14 CFR Part 61. This

meant that pilots would have to prove citizenship, and aliens submit background checks, for flight reviews, instrument proficiency checks, and aircraft checkouts.

How to Apply for a U.S. Pilot Certificate or Rating Based on a Foreign Pilot License

Background

14 CFR 61.75 allows a person to be issued a U.S. pilot certificate with private pilot privileges on the basis of a foreign pilot license that is equivalent to or higher than the U.S. private pilot certification level. The foreign pilot license must have been issued by a foreign Civil Aviation Authority (CAA) that is a member state of the International Civil Aviation Organization (ICAO), and the foreign pilot license must be valid. The holder of a valid foreign pilot license issued by an ICAO member state may use that foreign pilot license as the basis for issuance of a U.S. pilot certificate even if the issuing country is now defunct (e.g., the Russian Federation). **Click here** for a current listing of ICAO member states. **FAA Order 8900.1** provides details of this process and is outlined below for easy reference.

Step 1: Determining Applicability and Eligibility

Applicability. This requirement applies if the applicant is applying for a certificate issued on the basis of a foreign license under the provisions of:

- 14 CFR Part 61, Â§ 61.75,
- Special-purpose pilot authorizations under Â§ 61.77,
- Using a pilot certificate issued under Â§ 61.75 to apply for a commercial pilot certificate under Â§ 61.123(h),
- Applying for an airline transport pilot certificate issued under Â§ 61.153(d)(3),
- Applying for a certificate issued on the basis of a foreign license under the provisions of 14 CFR Part 63, Â§ 63.23 and Â§ 63.42.

The applicant must have the Civil Aviation Authority (CAA) that issued those certificates verify the validity and currency of the foreign license and medical certificate or endorsement before applying for an FAA certificate or authorization.

Eligibility; English Language Requirements. Early in the process of issuing a private pilot certificate on the basis of a foreign pilot license, the FAA aviation safety inspector (ASI)

(Operations) or an FAA aviation safety technician (AST) must determine whether the applicant can read, speak, write, and understand the English language. Advisory Circular (AC) 60-28, English Language Skill Standards Required by 14 CFR parts 61, 63, and 65, explains how to determine English language abilities required for pilot certification.

Eligibility; Medical Requirements. A person applying for a U.S. pilot certificate must submit evidence that he or she currently meets the medical standards for the foreign pilot license on which the application for the pilot certificate is based (see Â§ 61.75[f]). Some foreign Civil Aviation Authorities (CAA) enter periodic medical endorsements on their foreign pilot licenses, which affect the license's currency. Therefore, if the foreign pilot license must have a medical endorsement in order to be valid, an FAA medical certificate alone will not satisfy the regulations.

In cases when a medical endorsement is not used, a current medical license from the person's foreign medical examiner or a current FAA airman medical certificate issued under 14 CFR Part 67 will satisfy the requirement.

If the person's foreign pilot license shows a medical endorsement, the person should enter the word "endorsement" on FAA Form 8710-1, Section I, block R, or the equivalent class of medical certificate. If using Airman Certification and/or Rating Application (ACRA)/IACRA, enter the date of that endorsement in block S. If the name of the examiner who administered the medical endorsement is unknown to the applicant because the foreign CAA administered the physical, then simply state "CAA" in block T.

Step 2: Applicant Applies for a U.S. Certificate or Rating

Verifying the Authenticity of a Foreign License or Rating. A person who is applying for a U.S. pilot certificate or rating on the basis of a foreign pilot license must apply for verification of that pilot license at least 90 days before arriving at the designated **FAA flight standards district office** (FSDO) where the applicant intends to receive the U.S. pilot certificate. This initial step is the responsibility of the applicant and not the FSDO. An **optional FAA form** can be used to provide the FAA required information.

The applicant must send the application, including a legible copy of the foreign pilot license and medical license/certificate, to the FAA by mail or by fax; the FAA is unable to accept pre-application documents electronically.

By Mail:

Federal Aviation Administration
Airmen Certification Branch, AFS-760
P.O. Box 25082
Oklahoma City, OK 73125-0082

By Fax:

405/954-9922

Note: The FAA Airmen Certification Branch would prefer to have a copy of the foreign license and medical certificate or endorsement included with all requests for verification of authenticity of the foreign license. When the FAA receives verification from the applicant's Civil Aviation Authority, the applicant will receive written notification that the FAA forwarded a copy to the FSDO designated in the applicant's request. The verification is valid for six calendar months. An applicant may apply for a U.S. certificate at the **designated FSDO** during that period.

Refer to section 1, paragraph (3)(U) of **8700.1, Chapter 29**, for information regarding the use of a temporary mailing address.

United Kingdom Applicants. In addition to the procedures explained under Verification of Authenticity of Foreign license, Rating and Medical Certification above, airmen from the United Kingdom should note the following additional steps that are required by the United Kingdom CAA to complete this verification process. Please visit the **UK CAA Web site**. The additional forms must be completed and sent to the UK CAA before the UK CAA can release any requested information to the Airmen Certification Branch.

Note for UK applicants:

- The applicant must send the completed FAA Verification of Authenticity of Foreign License, Rating and Medical Certification form directly to the FAA's Airmen Certification Branch, not to the UK CAA.
- The applicant must send the information required by the UK CAA directly to the UK CAA and not to FAA's Airmen Certification Branch.

Step 3: FAA Reviews Application

After receiving the applicant's information, the FAA Airmen Certification branch (AFS-760) will:

- Verify the authenticity of the applicant's foreign pilot license and medical license with the foreign CAA.
- Ensure the applicant's foreign pilot license and medical license have not been surrendered, suspended, revoked, or expired.
- Issue the Verification of Authenticity letter to the designated FSDO and send a copy to the applicant. (The Verification of Authenticity letter expires six calendar months from the date month on the letter.)

Step 4: Applicant Visits the FSDO

FSDO Determines Validity of Authenticity Letter. Once the applicant arrives at the FSDO, the FSDO will confirm receipt of the Verification of Authenticity letter and verify that the letter is still valid (within six calendar months of the date on the letter). If the authenticity letter is still valid, the FSDO will review the applicant's **FAA Form 8710-1**. If the authenticity letter is no longer valid, the applicant must pre-apply again.

FSDO Reviews FAA Form 8710-1. The FSDO will ensure that the applicant's **FAA Form 8710-1**, Airman Certificate and/or Rating Application, has been filled out accurately in ink and is legible.

Here are the steps to ensure that Form 8710-1 is filled out accurately:

- In Section I, Application Information, the applicant has checked "Private." If the applicant desires instrument privileges on the U.S. pilot certificate, be sure that "Instrument" is also checked.
- Complete Section II, blocks A through V. Be sure that block D accurately reflects the information on the foreign pilot license.
- Complete Section III, Record of Pilot Time, except for ACRA/IACRA.
- Complete Sections IV and V.

Applicant Provides Required Documentation. Along with the completed FAA Form 8710-1, the applicant must provide the following documentation:

- The applicant's foreign pilot license. A legible English transcription of a foreign pilot license not in English is acceptable.
- Permanent home of record of the applicant. Refer to section 1, paragraph (3)(U) of **8700.1**, **Chapter 29**, for information regarding the use of a temporary mailing address.
- If for reissuance, the U.S. pilot certificate issued under 14 CFR 61.75.

- Foreign medical endorsement/foreign medical license, as appropriate, or an FAA airman medical certificate issued under 14 CFR Part 67.
- Knowledge test results, if applicable.
- Verifiable and positive identification of the applicant (e.g., driver's license, passport, or other acceptable means of identification with a photograph and physical description).
- Copy of the Verification of Authenticity letter issued by the FAA.

FSDO Determines ICAO Member State Status of Applicant's Country. The FSDO will note the country in Section II, block D1, of the Form 8710-1 application to determine if the country is an ICAO member state. If there is any question about a country's status, the FSDO will check the listing of **current ICAO member states**. If the country is not an ICAO member state, the applicant will be informed that the U.S. pilot certificate cannot be issued. The FSDO will return all submitted documents to the applicant and terminate the application process. If the country is an ICAO member state, the FSDO will verify the applicant's identity.

FSDO Verifies the Applicant's Identity. The FSDO will establish the applicant's identity with some form of government-issued photo identification (driver's license, passport, etc.), and compare the identification with the information provided on Form 8710-1. If the applicant's identity cannot be verified because of lack of documentation or inadequate documentation, the FSDO will request that the applicant return with the appropriate identification.

FSDO Determines the Applicant's Eligibility. The FSDO will review the applicant's foreign pilot license for the following:

- Ensure the information on the foreign pilot license is the same as the information provided in the person's identification and on the Form 8710-1, Section II (D).
- Ensure the applicant holds the ratings that he or she is applying for by comparing it to the ratings held on the foreign pilot license.
- If the applicant is requesting an instrument rating, the FSDO will ensure that the applicant's foreign pilot license authorizes instrument privileges that are equivalent to the U.S. instrument rating. If the applicant needs to take the Instrument-Foreign Pilot knowledge test, the applicant will be referred to a **computer testing center** and will be instructed to reapply for the instrument privileges once that test has been passed.
- Verify that the applicant has passed the Instrument-Foreign Pilot knowledge test.
- Review the person's medical endorsement/certificate to determine if it is valid.

If the applicant is not eligible for the U.S. pilot certificate and/or rating sought, or if a discrepancy exists in any of the items indicated above, the FSDO will return Form 8710-1 and any submitted documents to the applicant and will inform the applicant why he or she is not eligible and explain how to obtain the certificate and/or ratings sought. If the applicant is found not eligible for the U.S. pilot certificate because the applicant was unable to read, speak, write, or understand the English language, the FSDO will issue FAA Form 8060-5, Notice of Disapproval.

If the applicant is eligible for the U.S. pilot certificate, the FSDO will issue the U.S. pilot certificate to the applicant.

FSDO Issues a U.S. Pilot Certificate to the Applicant. Once the applicant is issued the U.S. pilot certificate, he or she will be advised about the rules and requirements contained in 14 CFR Part 61, Certification: Pilots, Flight Instructors, and Ground Instructors; and in 14 CFR Part 91, General Operating and Flight Rules.

Applicant Completes a Flight Review. A flight review, required by 14 CFR 61.56, must be administered by the holder of an FAA flight instructor certificate with the appropriate ratings before the foreign pilot may exercise the privileges of his or her U.S. pilot certificate. Proficiency checks administered by a foreign flight instructor do not count as meeting the flight review requirements of 14 CFR 61.56.

Instrument Ratings and Commercial Pilots

Obtaining an Instrument Rating Based on a Foreign License. A U.S. pilot certificate based on an applicant's foreign pilot license may be issued with instrument privileges, provided the applicant has passed the Instrument-Foreign Pilot knowledge test and the applicant's foreign pilot license has the equivalent Instrument [Aircraft] rating. The applicant is required to pass the Instrument-Foreign Pilot knowledge test versus the Instrument-[Aircraft: Airplane, Helicopter, or Powered Lift, as appropriate] knowledge test because the Instrument-Foreign Pilot knowledge test's focus on 14 CFR Part 91, Subpart B that relates to instrument flight rules (IFR)/operational procedures, tests the applicant's knowledge on operating safely in the U.S. National Airspace System.

Obtaining a Standard U.S. Instrument Rating. A U.S. pilot certificate based on an applicant's foreign pilot license may be issued with a standard instrument rating, provided the applicant has passed the Instrument-[Aircraft: Airplane, Helicopter, or Powered Lift, as appropriate] knowledge

test and practical test. The U.S. pilot certificate will be issued with the notation "U.S. TEST PASSED."

Note to Commercial Pilot Certificate Holders. An applicant who holds a commercial pilot certificate that was issued under Â§ 61.75 before August 4, 1997, may continue to hold that pilot certificate; however, any additional ratings applied for on or after August 4, 1997, shall be issued at the private pilot certification level only.

Duration

A U.S. pilot certificate issued on the basis of a foreign pilot license under 14 CFR 61.75 remains in effect as long as the foreign pilot license used to obtain the U.S. pilot certificate is valid.

TSA Alien Flight Training/Citizenship Validation Rule

On September 21, 2004, the Transportation Security Administration (TSA) issued an " **interim final rule**" on flight training for aliens and other designated individuals. When the interim rule was first issued, it required every person to prove his or her citizenship status (including U.S. citizens) prior to undertaking flight training in an aircraft weighing 12,500 pounds or less. Additionally, all foreign flight students were required to complete a background check process with TSA. Not only did the rule apply to flight training, but also to recurrent training under part 61. This meant that pilots would have to prove citizenship, and aliens submit background checks, for flight reviews, instrument proficiency checks, and aircraft checkouts.

AOPA's successful efforts to mitigate the effects of the rule led to several clarifications later issued by TSA. One of them removed "recurrent training" (flight reviews, aircraft checkouts, etc.) from the requirements of the rule. The other redefined "flight training" as training only for the issuance of a recreational pilot, sport pilot, private pilot certificate, multiengine rating (at any level), or instrument rating.

This rule also initially required flight schools and flight instructors to provide **security awareness training** to each ground and flight instructor and any other employee who has a direct contact with a flight school student (regardless of citizenship or nationality) and to issue and maintain records of this training.

Airmen with a foreign certificate may have to meet the TSA Alien Flight Training requirements for U.S. certification.

AOPA's Guide to TSA's Alien Flight Training/Citizenship Validation Rule provides clarification on this rule. For flight training in aircraft weighing more than 12,500 pounds, the TSA has taken the role previously held by the Department of Justice for providing pilot background checks.

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