

# NOTICE

## U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8000.385

National Policy

Effective Date:

07/31/2024

Cancellation Date:

07/31/2025

### SUBJ: Individual Designee Obligation to Report Arrests, Indictments, and Convictions

**1. Purpose of This Notice.** This Notice supplements FAA Order 8000.95C, Designee Management Policy, to implement Section 408(a)(3) of the FAA Reauthorization Act of 2024, Pub. L. No. 118-63 (May 16, 2024) (the Act). Section 408(a)(3) of the Act directs the Federal Aviation Administration (FAA) to revise its orders and policies to clarify that certain individual designees of the FAA Administrator are obligated to report arrests, indictments, or convictions for violation of local, State, or Federal law within a period of time specified by the FAA Administrator. This Notice imposes this requirement on all individual designees authorized to act on behalf of the FAA Administrator and provides implementing instructions to Managing Offices.

**2. Audiences.** The primary audiences for this Notice are FAA individual designees and the FAA offices that manage their performance of authorized functions.

**3. Where Can I Find This Notice.** FAA employees can find this Notice on the MyFAA employee website at [https://employees.faa.gov/tools\\_resources/orders\\_notices/](https://employees.faa.gov/tools_resources/orders_notices/) and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>. The public can find this Notice on the FAA's website at [https://www.faa.gov/regulations\\_policies/orders\\_notices/](https://www.faa.gov/regulations_policies/orders_notices/) and on DRS at [drs.faa.gov](https://drs.faa.gov).

**4. Background.** Section 408(a)(3) of the Act requires the Administrator to revise its orders and policies governing the Designee Management System to clarify that certain individual designees are obligated to report any arrest, indictment, or conviction for violation of a local, State, or Federal law within a period of time to be specified by the Administrator. Section 408(b) of the Act defines affected designees as aviation medical examiners, pilot examiners, and technical personnel examiners.

The FAA has existing policy addressing potential criminal activity by designees. Volume 1, Chapter 2 of FAA Order 8000.95C states that designee applicants will be disqualified from appointment for having certain criminal convictions within the prior 7 years. Vol. 1, Chapter 8 precludes the extension of a designee who has had an arrest or conviction. Vol. 1, Chapter 9 establishes that participation in illegal activity is a form of misconduct, which can lead to termination of a designation for cause. That chapter also states that designee conduct that casts doubt on the designee's judgment, integrity, or character can lead to an investigation and be grounds for termination. That order also contains detailed provisions addressing the FAA's investigation, suspension, and termination of individual designees. 49 USC 44702(d)(2) allows the FAA to rescind a delegation at any time, for any reason the Administrator deems appropriate.

**5. Policy.** While the Act defines the affected designees as aviation medical examiners, pilot examiners, and technical personnel examiners, this Notice imposes the Act's reporting requirement on all individual designees authorized to act on behalf of the Administrator. Therefore, effective with this Notice:

**a.** All individual designees authorized to act on behalf of the Administrator must report in writing any arrest, indictment, or conviction for violation of local, State, or Federal law to their managing specialist (MS) within 30 days of such arrest, indictment, or conviction.

**b.** Upon receipt of the reported arrest, indictment, or conviction, the MS must suspend the designee and initiate an investigation to determine the appropriate course of action.


**c.** The investigation shall be conducted in a timely manner, and termination action or removal of suspension will be timely made based on the results of the investigation and the totality of information and circumstances. If the investigation determines termination of the designation is warranted, the MS will follow the termination procedures in Order 8000.95C, Volume 1, Chapter 9.

**d.** Managing Offices will forward all individual designee reports of arrests, indictments, and convictions and the results of the Managing Office investigation to the Organization Designation Authorization (ODA) Office (AVS-60) at 9-AWA-AVS-Designee-Directives@faa.gov.

**6. Distribution.** This notice is available for general access by FAA staff and the public on the FAA website at [https://www.faa.gov/regulations\\_policies/orders\\_notices/](https://www.faa.gov/regulations_policies/orders_notices/) and DRS.

**7. Deviations.** It is necessary to adhere to the procedures contained in this Notice in order to achieve uniform administration of this directive material. Any deviation to this Notice must be approved by AVS-60.

**8. Disposition.** The FAA expects that the contents of this Notice will be incorporated into Order 8000.95 during the next revision. Direct questions or comments concerning the information in this Notice to 9-AWA-AVS-Designee-Directives@faa.gov. AVS-60 welcomes and will consider all suggestions or comments regarding this Notice.

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David H. Boulter  
Associate Administrator for Aviation Safety