



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 61

[Docket No. FAA-2026-7163; Notice No. 26-10]

RIN 2120-AM35

Removing Obsolete References to Twentieth-Century Airman Certificates

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: FAA proposes to remove obsolete references to pilot certificates and ratings issued more than 50 years ago.

DATES: Send comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Send comments identified by docket number FAA-2026-7163 using any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, S.E., West Building, 5th Floor (W58-213), Washington, D.C. 20590.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58-213 of the West Building Ground Floor at 1200 New Jersey Avenue, S.E., Washington, D.C. 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58-213 of the West Building Ground Floor at 1200 New Jersey Avenue, S.E., Washington, D.C. 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Bradley Zeigler, Flight Standards Service, Federal Aviation Administration, 800 Independence Ave. S.W., Washington, D.C. 20591; telephone (202) 267-1100; email 9-AFS-800-Correspondence@faa.gov.

SUPPLEMENTARY INFORMATION: As part of its implementation of Executive Orders issued by President Trump, including Executive Order 14192, “Unleashing Prosperity through Deregulation,” issued on January 31, 2025, and Executive Order 14219, “Ensuring Lawful Governance and Implementation of the President’s ‘Department of Government Efficiency’ Deregulatory Agenda,” issued on February 19, 2025, the U.S. Department of Transportation (DOT) sought comments and information to assist DOT in identifying existing regulations, guidance, paperwork requirements, and other regulatory obligations to be modified or repealed, consistent with law, to ensure that DOT administrative actions do not undermine the national interest and that DOT achieves meaningful burden reduction while continuing to meet statutory obligations and ensuring the safety of the U.S. transportation system. This request for information was published on April 3, 2025, titled *Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs*.¹ In response to the request for information, the Experimental Aircraft Association (EAA)² recommended FAA remove paragraphs (b) through (e) of 14 CFR 61.11 because certificates issued under these paragraphs would no longer be valid due to pilot age.

FAA agrees with EAA and proposes to remove and reserve § 61.11 *Expired pilot certificates and re-issuance* in its entirety. Section 61.11(a) prohibits pilots from acting as

a pilot in command or as a required pilot flight crewmember of an aircraft of the same category or class that is listed on an expired pilot certificate or rating; however, §§ 61.2(a)(1) and 61.19(a)(1) also provide that no person may exercise the privileges of an expired certificate; therefore § 61.11(a) is redundant. Paragraphs (b) through (e) of § 61.11 refer to airman certificates and ratings issued to pilots prior to 1949 or certificates issued after 1949 containing an expiration date. The FAA Airman Certification Branch has verified that there are no remaining pilot certificate holders with expired pilot certificates issued under § 61.11(b) through (e). Accordingly, § 61.11 is deemed obsolete and may be removed.

In addition, FAA proposes to remove and reserve § 61.7 *Obsolete certificates and ratings*. That section establishes the obsolescence of free-balloon pilot certificates as well as the obsolescence of pilot certificates with certain category ratings that lack an associated class rating. The FAA Airman Certification Branch found that there are only four airmen holding obsolete free-balloon pilot certificates under § 61.7(a). Those four airmen have obtained subsequent certificates and ratings which have the same privileges as the obsolete certificates and therefore do not rely on the obsolete certificates for operational privileges.³ In addition, all four free-balloon certificates were issued as paper certificates⁴ and as such, under § 61.19(g), those certificate holders may no longer exercise the privileges of those certificates. Further, § 61.5 enumerates the certificates or ratings that may be issued under part 61, which no longer includes free-balloon pilot certificates or a category rating without an associated class rating as described in § 61.7(b); therefore, FAA cannot reissue obsolete pilot certificates or ratings in § 61.7. Accordingly, § 61.7 is deemed obsolete and may be removed.

In conclusion, FAA proposes to remove and reserve §§ 61.7 and 61.11 because these regulations are obsolete. FAA does not anticipate these changes would affect the privileges of any airman currently holding a valid pilot certificate.

Authority for This Rulemaking

FAA's authority to issue rules on aviation safety is found in title 49 of the United States Code (U.S.C.). Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of FAA's authority. This proposed rule is promulgated under the authority described in 49 U.S.C. 106(f), which establishes the authority of the Administrator to promulgate, rescind, and revise regulations and rules related to aviation safety.

This proposed rule is promulgated under the authority granted to the Administrator in 49 U.S.C. subtitle VII, part A, subpart III, section 40113 (prescribing general authority of the Administrator of FAA with respect to aviation safety duties and powers to prescribe regulations) and subpart III, chapter 447, sections 44701 (general authority of the Administrator of FAA to promote safe flight of civil aircraft in air commerce by prescribing regulations and minimum standards for cybersecurity and other practices, methods, and procedures the Administrator finds necessary for safety in air commerce and national security), 44702 (general authority of the Administrator of FAA to issue airman certificates), and 44703 (general authority of the Administrator of FAA to prescribe regulations for the issuance of airman certificates when the Administrator finds, after investigation, an individual is qualified for and physically able to perform the duties related to the position authorized by the certificate). This rulemaking proposal is within the scope of that authority.

Regulatory Analyses

Executive Orders 12866 and 13563

Executive Order (E.O.) 12866 ("Regulatory Planning and Review") and E.O. 13563 ("Improving Regulation and Regulatory Review") require agencies to regulate in the "most cost-effective manner," to make a "reasoned determination that the benefits of the intended regulation justify its costs," and to develop regulations that "impose the least

burden on society.” The Office of Management and Budget has determined this rule is not a significant regulatory action as defined in section (3)(f) of E. O. 12866.

FAA proposes to remove and reserve §§ 61.7 and 61.11 because they are obsolete or redundant. This change would not alter pilot privileges. As described in this proposal, removing these sections would not change current certification practices or require any action from existing certificate holders. This proposal involves non-substantive amendments. FAA does not expect any additional costs to the public or the Federal Government because none of the changes in this proposal would change existing regulatory requirements. FAA anticipates minor administrative cost savings due to efficiencies for both industry and FAA by eliminating outdated language.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) (as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, 5 U.S.C. 601 et seq.), agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rulemaking on small entities (i.e., small businesses, small organizations, and small government jurisdictions). No regulatory flexibility analysis is required, however, if the head of an agency certifies that the proposed rule will not have a significant economic impact on a substantial number of small entities. This proposed rule is administrative, removing obsolete references to expired airman certificates and ratings. It imposes no new compliance costs or recordkeeping requirements.

FAA certifies that this rule will not have a significant economic impact on a substantial number of small entities. FAA invites public comment on this certification.

International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. No. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. No. 103-465), prohibits Federal agencies from

establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, they be the basis for U.S. standards. Because the proposed changes would remove unnecessary regulatory text, they do not implicate any issues regarding international regulatory cooperation.

Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or Tribal government or the private sector to incur direct costs without the Federal Government having first provided the funds to pay those costs. FAA determined the proposed rule would not result in the expenditure of \$187,000,000 or more (\$100,000,000 adjusted for inflation using the most current Implicit Price Deflator for the Gross Domestic Product) by State, local, or Tribal governments, in the aggregate, or the private sector, in any one year.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires FAA to consider the impact of paperwork and other information collection burdens imposed on the public. FAA has determined there would be no new requirement for information collection associated with this proposed rule.

International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization

(ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

Environmental Analysis

FAA has analyzed the environmental impacts of this proposed rule pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.). FAA has determined this rule is categorically excluded pursuant to Paragraph B-2.6(f) of Appendix B to FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures.⁵ Categorical exclusions are categories of actions the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental assessment (EA) or environmental impact statement (EIS).⁶ In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS.⁷ This rulemaking, which proposes to remove unnecessary regulatory references to expired airman certificates and ratings, is categorically excluded pursuant to Paragraph B-2.6(f) of FAA Order 1050.1G: “Regulations, standards, and exemptions (excluding those that if implemented may cause a significant impact on the human environment.” FAA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

Executive Order Determinations

Executive Order 13132, Federalism

FAA has analyzed this proposed rule under the principles and criteria of E.O. 13132, Federalism. FAA has determined this action would not have a substantial direct effect on the States, or the relationship between the Federal Government and the

States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, would not have federalism implications.

Executive Order 13609, Promoting International Regulatory Cooperation

E.O. 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of E.O. 13609 and has determined this action would have no effect on international regulatory cooperation.

Executive Order 14192, Unleashing Prosperity Through Deregulation

This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action.

Additional Information

Comments Invited

FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. FAA also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rule. Before acting on this proposal, FAA will consider all comments it receives

on or before the closing date for comments. FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), FAA solicits comments from the public to inform its rulemaking process. FAA posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and is relevant or responsive to this NPRM, it is important you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. Any commentary FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Electronic Access and Filing

A copy of this NPRM, all comments received, any final rule, and all background material may be viewed online at www.regulations.gov using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s website at www.federalregister.gov

and the Government Publishing Office's website at www.govinfo.gov. A copy may also be found at FAA's Regulations and Policies website at www.faa.gov/regulations_policies.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue S.W., Washington, D.C. 20591, or by calling (202) 267-9677. Commenters must identify the docket or notice number of this rulemaking.

All documents FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. No. 104 121) requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local FAA official or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit www.faa.gov/regulations_policies/rulemaking/sbre_act/.

¹ 90 FR 14593.

² Comment from Experimental Aircraft Association, docket No. DOT-OST-2025-0026-0825 (May 6, 2025).

³ Per FAA Airman Certification Branch, no airmen hold obsolete category ratings under § 61.7(b).

⁴ All pilot certificates issued prior to July 2003 were issued as paper certificates. *See Drug Enforcement Assistance* Final Rule, 73 FR 10662 (Feb. 28, 2008).

⁵ 90 FR 29615, (Jul. 3, 2025).

⁶ See DOT Order 5610.1D § 9.

⁷ *Id.* § 9(b).

List of Subjects in 14 CFR Part 61

Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements.

The Proposed Amendment

For the reasons discussed in the preamble, the Federal Aviation Administration proposes to amend chapter I of title 14, Code of Federal Regulations as follows:

PART 61—CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS

1. The authority citation for part 61 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701-44703, 44707, 44709-44711, 44729, 44903, 45102-45103, 45301-45302; Sec. 2307, Pub. L. No. 114-190, 130 Stat. 615 (49 U.S.C. 44703 note); sec. 318, Pub. L. No. 115-254, 132 Stat. 3186 (49 U.S.C. 44703 note); sec. 820, Pub. L. No. 118-63, 138 Stat. 1330 (49 U.S.C. 44939 note); secs. 815 and 828, Pub. L. No. 118-63, 138 Stat. 1328, 1336 (49 U.S.C. 44703 note).

§ 61.7 [Removed and Reserved]

2. Remove and reserve § 61.7.

§ 61.11 [Removed and Reserved]

3. Remove and reserve § 61.11.

Issued under authority provided by 49 U.S.C. 106(f), 40113, and 44701 through 44703 in Washington, D.C.

Hugh J. Thomas,

Executive Director, Flight Standards Service.

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