



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 61

[Docket No. FAA-2026-9177; Notice No. 26-13]

RIN 2120-AM23

### Removal of FAA Third-Class Medical Certificate Requirement for Military Pilot Trainees

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** FAA proposes to amend regulations to extend the existing exception for U.S. military pilots from the requirement to hold an FAA third-class medical certificate to military pilot trainees who already meet U.S. military pilot medical examination requirements. FAA has determined that U.S. military pilot medical examinations meet or exceed the level of safety established by FAA third-class medical certificate standards. Therefore, it is redundant to require military pilot trainees to meet both standards. The proposed rule would support streamlining the U.S. military use of civilian flight schools. The intended effects are to reduce administrative burdens and costs while maintaining safety standards.

**DATES:** Send comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Send comments identified by docket number FAA-2026-9177 using any of the following methods:

- Federal eRulemaking Portal: Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instructions for sending your comments electronically.

- Mail: Send comments to Docket Operations, 1200 New Jersey Avenue, SE, West Building, 5th Floor (W58-213), Washington, DC 20590.
- Hand Delivery or Courier: Take comments to Docket Operations in Room W58-213 of the West Building, 5th Floor, at 1200 New Jersey Avenue, SE, Washington, DC, 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](http://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, 5th Floor, at 1200 New Jersey Avenue, SE, Washington, DC, 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Bradley C. Zeigler, Office of Safety Standards, General Aviation and Commercial Division, Training and Certification Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, D.C. 20591; telephone (202) 267-1100; email [bradley.c.zeigler@faa.gov](mailto:bradley.c.zeigler@faa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Executive Summary**

FAA proposes to revise part 61 of title 14 of the Code of Federal Regulations (14 CFR) to except certain military pilot trainees from the requirement to have an FAA third-class medical certificate if they have an up-to-date U.S. military pilot medical examination authorizing pilot flight status. FAA's proposal, if adopted, would provide military pilot trainees with the same regulatory relief currently afforded to U.S. military pilots, codify existing FAA exemptions that support the U.S. Air Force's use of civilian flight schools for initial pilot training, and extend the deregulatory benefits of those exemptions to all branches of the U.S. Armed Forces.

FAA also proposes to introduce definitions for *military pilot medical examination* and *military pilot trainee* to ensure the proposed exception applies only to military pilot trainees who received a U.S. military pilot medical examination of equivalent or greater stringency to that for an FAA third-class medical certificate and who are currently receiving pilot training in civil aircraft as part of a military flight training program. This relief would extend to U.S. military pilot trainees and to foreign military pilot trainees sponsored by the U.S. Armed Forces who also meet U.S. military pilot medical examination requirements.

## **II. 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, in part, the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of FAA's authority.

Specifically, this rulemaking is issued under the authority described in subtitle VII, part A, subpart III, sections 44701-44703. Under section 44701, FAA is charged with prescribing regulations and minimum standards for cybersecurity and other practices, methods, and procedures the Administrator finds necessary for safety in air commerce. Under sections 44702 and 44703, FAA is also authorized to issue airman certificates, including airman medical certificates, when the Administrator finds, after investigation, the individual is qualified for, and physically able to perform the duties related to the position to be authorized by the certificate. This proposed rule is within the scope of those authorities because it would allow individuals who have already been issued medical authorization by the U.S. military for qualification as a U.S. military pilot trainee to engage in civil flight operations without needing to obtain an FAA third-class medical certificate.

## **III. Background**

### *A. Military Use of Civil Pilot Training*

The United States Air Force (USAF) Air Education and Training Command (AETC) has taken steps to increase flight training capacity by leveraging civilian pilot schools to train military pilot trainees. Under this model, academic institutions provide civilian training programs at pilot schools to supplement USAF military pilot schools. Military pilot trainees graduate from these FAA-certificated pilot schools<sup>1</sup> with an FAA-issued private pilot certificate with an airplane category, multiengine land class rating, and an instrument-airplane rating. The USAF AETC uses this civilian training approach to meet the annual demands for new military pilots reliably, while enhancing flexibility and scalability.

In addition to training U.S. military pilot trainees,<sup>2</sup> USAF and other branches of the U.S. Armed Forces partner with military organizations of other allied countries to train non-U.S. military pilots. These foreign military pilot trainees are members of U.S.-allied military organizations who also receive U.S. Armed Forces-sponsored training at part 141 pilot schools. This flight training is conducted under agreements between the U.S. and foreign governments, and the foreign military pilot trainees are cleared by both the trainee's military organization and the branch of the U.S. Armed Forces sponsoring the training to meet eligibility requirements for security, medical fitness, and aptitude.

Under current FAA regulations, applicants for an FAA pilot certificate or rating, including military pilot trainees, are generally required to have an FAA third-class airman medical certificate to conduct solo flights and take practical tests in civil aircraft.<sup>3</sup>

Therefore, a prospective student of a part 141 pilot school must have at least an FAA

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<sup>1</sup> Pilot schools or provisional pilot schools used under this program are certificated by FAA as meeting the requirements of 14 CFR part 141. They are often referred to as part 141 pilot schools or provisional pilot schools.

<sup>2</sup> FAA proposes to define "military pilot trainee" as a member of the U.S. Armed Forces or of a foreign military who is receiving pilot training sponsored by a branch of the U.S. Armed Forces.

<sup>3</sup> See 14 CFR 61.3(c)(1) and 61.23(a)(3).

third-class medical certificate to be eligible to conduct the solo flights and practical tests required under the pilot school's FAA-approved curriculum leading to the issuance of a private pilot certificate or applicable instrument or class rating.

### *B. Regulatory History and Exemptions*

In 2009, as part of an amendment to part 61 (2009 final rule), FAA revised §§ 61.3(c) and 61.23(b) to relieve military pilots engaged in civil flight operations from the requirement to have an FAA third-class airman medical certificate if they already have an up-to-date military medical examination for pilot status.<sup>4</sup> This change was made because FAA determined the medical examinations provided by a U.S. Armed Forces medical facility to military pilots equal or exceed the content and quality of a third-class medical examination required by FAA.<sup>5</sup> The 2009 final rule, however, did not extend this equivalency to individuals who have not been authorized for military pilot status, such as military pilot trainees.

On October 18, 2018, the USAF Air Force Security Assistance Training (AFSAT) Squadron petitioned FAA for an exemption from the third-class airman medical certificate requirements to allow International Military Students (IMS)<sup>6</sup> conducting civil flight training sponsored by the Department of Defense (DoD)<sup>7</sup> to use their military medical authorizations in lieu of an FAA-issued third-class medical certificate. AFSAT sought this relief to coordinate IMS training in civil aircraft in the United States better

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<sup>4</sup> See the *Pilot, Flight Instructor, and Pilot School Certification* final rule, 74 FR 42500, 42509-10 (Aug. 21, 2009).

<sup>5</sup> *Id.*; see also the *Pilot, Flight Instructor, and Pilot School Certification* NPRM, 72 FR 5806, 5814 (Feb. 7, 2007).

<sup>6</sup> USAF AFSAT referred to training candidates in their petition for exemption as "International Military Students." Because the term "student" or "student pilot" has a specific definition under subpart C of part 61, this NPRM refers to those individuals as "foreign military pilot trainees" outside the discussion of the exemption request.

<sup>7</sup> Department of Defense or DOD is the legal name of the sponsoring agency in this circumstance. On September 5, 2025, the President issued Executive Order 14347, "Restoring the United States Department of War" authorizing the use of the secondary title "Department of War" for the sponsoring agency in non-statutory communications.

and minimize delays resulting from trainees applying for third-class medical certificates after arriving in the U.S. and prior to beginning training. Noting that IMS trainees receive the same level of military medical examination as U.S. Armed Forces pilot trainees, FAA provided the relief AFSAT sought in Grant of Exemption No. 18245, issued on June 6, 2019.<sup>8</sup>

On May 15, 2025, USAF AETC likewise petitioned FAA for relief from the FAA third-class medical certificate requirement for the training of USAF pilot trainees at part 141 pilot schools. In its evaluation of that petition, FAA referenced the AETC assertion that “all USAF student pilots must meet and maintain USAF IFC I [Initial Flying Class I] standards, which are more stringent than USAF Initial Flying Class II (IFC II) standards that are the basis for the § 61.23(b)(11) military pilot carve out.” Based on this determination, and the fact that the circumstances presented in the AETC petition for exemption were similar in all material respects to the previously issued USAF AFSAT grant of exemption, FAA granted Exemption No. 23890 to USAF<sup>9</sup> AETC on May 30, 2025.<sup>10</sup>

#### **IV. Discussion of the Proposal**

FAA proposes to provide military pilot trainees with the same regulatory relief currently afforded to U.S. military pilots, to codify in 14 CFR part 61 the burden-relieving exemptions already extended to the U.S. Air Force, and to extend that

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<sup>8</sup> FAA notes that in Grant of Exemption No. 18245, the question of military medical equivalency was specifically considered with regard to International Military Students, but FAA found that the foreign military pilot trainees received a U.S. military flight physical prior to any civilian or military flight training. Further, FAA notes that in Grant of Exemption No. 18245, FAA provided relief to 14 CFR 61.23(b)(9). Since that relief was issued, § 61.23 was revised so that paragraph (b)(9) is now paragraph (b)(11). Exemption No. 18245 has been extended twice, and most recently Grant of Exemption No. 18245B was issued on June 13, 2024. Docket No. FAA-2018-0968 is available at <https://www.regulations.gov/docket/FAA-2018-0968/document>.

<sup>9</sup> While the existing exemptions have thus far only applied to the USAF, FAA has consulted with other branches of the U.S. Armed Forces to discuss current and future training plans and how the exception proposed in this rulemaking would affect those plans.

<sup>10</sup> See Docket No. FAA-2025-1044 available at <https://www.regulations.gov/document/FAA-2025-1044-0002>.

regulatory relief to all branches of the U.S. Armed Forces. This proposal would apply to military pilot trainees sponsored by the U.S. Air Force, U.S. Army, U.S. Marine Corps, U.S. Navy, U.S. Space Force, U.S. Coast Guard, and National Guard and Reserve units. FAA recognizes the requirement to have an FAA-issued third-class airman medical certificate is unnecessary for those military pilot trainees who have already undergone extensive medical examination through their branch of the U.S. Armed Forces. This proposed rule would remove the administrative burden on the U.S. Armed Forces of the time and expense associated with ensuring military pilot trainees meet the FAA third-class medical certificate requirement. This proposed rule would also reduce the volume of third-class medical certificate applications requiring FAA consideration.

The proposed rule is only intended to apply to military pilot trainees who have received a U.S. military medical examination and are actively receiving flight training under the sponsorship of a branch of the U.S. Armed Forces. While the proposed relief is intended to relieve military pilot trainees from the burden of obtaining an FAA third-class medical certificate to engage in civil pilot training, the relief proposed is not limited to flight training conducted under part 61 or part 141 only. Consistent with the relief presently granted to military pilots, the proposed relief would allow military pilot trainees to act as pilot in command of an aircraft without holding an FAA medical certificate if the flight does not require higher than a third-class medical certificate. For example, a military pilot trainee who obtained his or her private pilot certificate may act as the pilot in command of a recreational flight not associated with the civil pilot training program without holding an FAA medical certificate. This proposed relief would continue as long as that person met the definition of military pilot trainee or became a U.S. military pilot (and, as further discussed in this preamble, has an up-to-date U.S. military pilot medical examination).

FAA proposes to define *military pilot trainee* and *military pilot medical examination* to ensure the exception will only apply in situations where excepting the pilot trainee from the requirements of §§ 61.3(c) and 61.23(a)(3) does not result in a reduction in safety within the National Airspace System (NAS). FAA invites comments on this limited scope of the proposed rule.

*A. Removal of Redundant Medical Certification Requirement*

Currently, § 61.3(c)(2)(xii) provides an exception to the requirement that a required pilot flightcrew member have an FAA third-class medical certificate if that person is a pilot of the U.S. Armed Forces, has an up-to-date U.S. military medical examination, and holds military pilot flight status. Further, § 61.23(b)(11) provides that a military pilot of the U.S. Armed Forces is not required to hold an FAA third class medical certificate when the pilot can show evidence of an up-to-date medical examination authorizing pilot flight status issued by the U.S. Armed Forces, the flight does not require higher than a third-class medical certificate, and the flight conducted is a domestic flight operation within U.S. airspace. As discussed in the preamble to the 2009 final rule, FAA has found that the military medical standards met by pilot applicants—many who will conduct complex military exercises or combat operations—are, by nature and of necessity, more stringent and, therefore, exceed the minimum 14 CFR part 67 third-class medical standards.<sup>11</sup> Current regulations, however, do not provide a similar exception from the requirement to hold an FAA third-class medical certificate for military pilot trainees, despite the fact that they meet the same or higher military medical standards. Thus, military pilot trainees are required to obtain an FAA third-class medical certificate in addition to their U.S. military medical examination to undertake flight training in civil aircraft.

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<sup>11</sup> See 74 FR at 42510.



The issue arising for both U.S. Armed Forces pilot trainees and U.S. Armed Forces-sponsored foreign military pilot trainees is that a military pilot trainee is not a military pilot who is authorized for full military pilot flight status and is therefore not eligible for the exception currently provided in § 61.23(b)(11). This distinction was not intentional; FAA recognizes, as discussed in the existing exemptions and in this proposed rule, the U.S. military's medical requirements for military pilot trainees who will operate in the air meet or exceed the level of safety provided by an FAA third-class medical certificate, where required by FAA. Likewise, in Exemption No. 18245, FAA noted that "International Military Students receive the same DoD Class 1 flight physical that all DoD pilots receive prior to any civilian or military flight training."<sup>12</sup> When U.S. and foreign military pilot trainees undergo and demonstrate to the U.S. military that they meet or exceed requirements of the same medical examination used to qualify military pilots for general pilot flight status, it follows that they are meeting or exceeding the level of safety established by part 67 third-class medical standards.<sup>13</sup>

Accordingly, FAA proposes to extend the medical certificate relief for military pilots in §§ 61.3(c)(2)(xii) and 61.23(b)(11) to include both U.S. military pilot trainees and foreign military pilot trainees sponsored by the U.S. Armed Forces who can show evidence of an up-to-date U.S. military pilot medical examination authorizing pilot flight status issued by the U.S. Armed Forces.

#### *B. Definitions*

FAA airman medical certification ensures that only those pilots who are physically and mentally fit will be authorized to operate aircraft, enhancing aviation safety by mitigating the risk of medical factors as a cause of aircraft accidents. To ensure that the proposed exception from the requirements of §§ 61.3 and 61.23 would only apply

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<sup>12</sup> See Regulatory Docket No. FAA-2018-0968.

<sup>13</sup> See 74 FR at 42510.

where it results in an equivalent level of safety, the rule proposes to add two definitions to § 61.1. First, FAA proposes to define *military pilot trainee* as “a member of the U.S. Armed Forces, or of a foreign military, who is receiving pilot training sponsored by a branch of the U.S. Armed Forces.” Second, FAA proposes to define *military pilot medical examination* as “a medical examination conducted by a branch of the U.S. Armed Forces for the purpose of establishing medical eligibility for a military pilot or military pilot trainee to perform military pilot duties onboard military aircraft.”

In defining *military pilot trainee*, FAA seeks to ensure only military personnel who are actively receiving U.S. military-sponsored pilot training would be excepted from the third-class medical certificate requirement. Military pilot trainees who are voluntarily or involuntarily separated from the training program would no longer qualify for relief under this proposed rule, regardless of whether the military medical examination is still valid. This proposed limitation would be consistent with the scope of the current regulations, which apply to military pilots only if they are authorized for pilot flight status. Further, in some cases, recipients of military pilot medical examinations may receive waivers for certain medical conditions that would otherwise be disqualifying. FAA notes the standards associated with waivers granted under military pilot medical examinations are predicated on access to and interaction with military flight surgeons who are ultimately responsible for ensuring military pilots and military pilot trainees are medically qualified to engage in flight operations. Military pilots and military pilot trainees may receive waivers for conditions on the basis that those individuals are under the care of a military flight surgeon who may actively monitor a specific medical condition and proactively ground the pilot if the condition changes in a way that would make further flight operations unsafe. Individuals who are not engaged in flight training may no longer have access to this medical oversight and could potentially pose a safety risk to the NAS.

FAA also proposes a definition for *military pilot medical examination*. FAA proposes this definition to account for the U.S. Armed Forces conducting military medical examinations for roles other than military pilots or those that would involve attending civil pilot schools as military pilot trainees. The medical examinations required for these positions vary among branches of the U.S. Armed Forces and by role and may not meet or exceed the level of safety established by FAA third-class medical certificate standards in all cases. Therefore, only U.S. Armed Forces medical examinations intended for military pilots who will operate in the air onboard military aircraft and will perform military pilot duties would meet the requirement for a U.S. military medical examination and would except those military pilots or military pilot trainees from the requirement to have an FAA third-class medical certificate.

Accordingly, FAA proposes to define *military pilot medical examination* in § 61.1 for purposes of part 61 as a medical examination conducted by a branch of the U.S. Armed Forces for the purpose of establishing medical eligibility for a military pilot or military pilot trainee performing military pilot duties onboard military aircraft. This proposed definition differentiates the military pilot medical examinations required to perform in-flight pilot duties recognized by FAA as meeting or exceeding the level of safety established by an FAA third-class medical certificate from other U.S. Armed Forces medical examinations. The U.S. Armed Forces have the option to require other personnel to meet the same medical examination requirements used to qualify military pilots or military pilot trainees, and in doing so, would then bring those military personnel under the exception proposed in this rule while those personnel also meet the proposed definition of pilot trainee.

The proposed definition would clarify that these exceptions do not apply to military medical examinations that only authorize remote piloting flight status. The 2009 final rule did not contemplate the use of remote pilots by the U.S. Armed Forces, and

FAA did not evaluate whether military medical examinations conducted for military remote pilots meet or exceed the level of safety established by an FAA third-class medical certificate.

FAA invites comments on whether remote pilots or non-pilot flightcrew members who receive military pilot medical examinations should be granted additional relief from holding an FAA third-class medical certificate under this proposed rule. Further, FAA seeks comment on whether military personnel who receive military medical examinations intended for roles other than pilot flightcrew members should be extended relief from holding an FAA third-class medical certificate.

## **V. Regulatory Notices and Analyses**

### *A. Regulatory Impact Analysis*

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 proposed rule is not a significant regulatory action as defined in section 3(f) of Executive Order 12866.

This proposed rule would provide time savings for U.S. military pilot trainees and U.S. Armed Forces-sponsored foreign military pilot trainees by removing the requirement that these pilot trainees hold an FAA third-class medical certificate when receiving training conducted under part 61 or under part 141.

Based on information provided by the U.S. Air Force about pilot trainees exempted from holding an FAA third-class medical certificate in the past seven years,

FAA estimates 1,850 U.S. Armed Forces military pilot trainees<sup>14</sup> and 150 U.S. Armed Forces-sponsored foreign military pilot trainees would be affected each year, for a total of 2,000 military pilot trainees. FAA assumes, for the purposes of this analysis, these U.S. and foreign military pilot trainees operate under exemptions that expire in year two of the rule.<sup>15</sup> If this rule is not finalized as proposed, by year two, these pilot trainees would be required to obtain an FAA third-class medical certificate. This proposed rule would eliminate that requirement. The U.S. Air Force has identified a further 450 trainees who are not eligible under the current regulatory framework but could be eligible under the proposed rule. Thus, cost savings would be realized in year two of the analysis of this proposed rule.

The 2019 NPRM “Removal of Check Pilot Medical Certificate Requirement”<sup>16</sup> found the cost for an applicant to apply for a medical certificate is \$437<sup>17</sup> per certificate. The U.S. Armed Forces currently bear this cost, which this proposed rule would avert. The 2022 rule “Medical Certification Standards for Commercial Balloon Operations”<sup>18</sup> found the cost to review an application, if the applicant meets the standards for a third-class medical certificate under subpart D of 14 CFR part 67, is \$36<sup>19</sup> per certificate. These cost savings sum to \$946,000<sup>20</sup> per year and would be realized starting in 2027 (year 2 of this analysis). FAA invites comment on these assumptions and figures.

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<sup>14</sup> This figure includes 1,400 pilot trainees training to be pilots, as well as 240 combat systems officers and 210 remotely piloted aircraft pilots who could use civilian flight schools to conduct their initial pilot training.

<sup>15</sup> The current U.S. Air Force exemption is set to expire in 2027, which covers pilot trainees.

<sup>16</sup> Removal of Check Pilot Medical Certificate Requirement NPRM, 84 FR 25499 (Jun. 3, 2019).

<sup>17</sup> This is in 2025 USD. The original figure is \$346 in 2019 USD.  $\$346 \text{ 2019 USD} \times 317.61 \text{ (2025 CPI)} / 251.712 \text{ (2019 CPI)} = \$437 \text{ 2025 USD}$ . This and all following CPIs are from the Bureau of Labor Statistics, using the “All Urban Consumers” series. This can be found at <https://www.bls.gov/cpi/data.htm>.

<sup>18</sup> Medical Certification Standards for Commercial Balloon Operations final rule, 87 FR 71218 (Nov. 22, 2022).

<sup>19</sup>  $\$30 \text{ 2021 USD} \times 317.671 \text{ (2025 CPI)} / 281.148 \text{ (2022 CPI)} = \$36 \text{ 2025 USD}$ .

<sup>20</sup>  $\$437 \text{ from U.S. Armed Forces} + \$36 \text{ from FAA per application} \times 2,000 \text{ applications per year}$ .

Because military pilot trainees undergo rigorous medical examinations, FAA assumes no applicants require a special issuance of an FAA third-class medical certificate. To date, few, if any, military pilot trainees have required a special issuance. Therefore, FAA assumes there would be no cost savings related to the special issuance of FAA third-class medical certificates from this proposed change.

This proposed rule would impose no new costs and would result in cost savings for the U.S. Armed Forces from eliminating the requirement for military pilot trainees to obtain FAA third-class medical certificates and for FAA to review those certificate applications. FAA estimates this proposed rule would result in cost savings of \$2.9 million over five years (\$730,373 annualized) at a seven percent discount rate, or \$3.4 million over five years (\$745,452 annualized) at a three percent discount rate.

#### *B. Regulatory Flexibility Act*

The Regulatory Flexibility Act (RFA) of 1980, (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), and the Small Business Jobs Act of 2010 (Pub. L. 111–240), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term “small entities” comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This proposed rule does not add any new costs to regulated entities, and has only modest cost savings. Furthermore, all regulated entities are not considered small entities by the Small Business Administration. If an agency determines a rulemaking will not result in a significant economic impact on a substantial number of small entities, the head of the agency may so certify under section 605(b) of the RFA. Therefore, as provided in section 605(b) and based on the foregoing, the head of FAA certifies this proposed rule

would not result in a significant economic impact on a substantial number of small entities.

FAA welcomes comments on this certification.

#### *C. International Trade Impact Assessment*

The Trade Agreements Act of 1979 (Pub. L. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. 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.

FAA has assessed the potential effect of this proposed rule and has determined it ensures the safety of the American public and does not exclude imports that meet this objective. As a result, FAA does not consider this proposed rule as creating an unnecessary obstacle to foreign commerce.

#### *D. 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 \$193,000,000 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.

#### *E. Paperwork Reduction Act*

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that FAA consider the impact of paperwork and other information collection burdens imposed on the public. Information collection 2120-0034, Medical Standards and Certification, is the information collection associated with the requirements to obtain an FAA medical certificate. FAA collects this medical information only when an individual initially applies for or renews an FAA medical certificate. Because the military pilot trainees who are the subject of this proposed rule generally have not applied for an FAA third-class medical certificate as part of their military duties because of the exemptions granted to the U.S. Air Force, FAA does not believe there will be any reduction in the burdens associated with this information collection.

#### *F. 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 regulations.

#### *G. 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.<sup>21</sup> Categorical exclusions are categories of actions the agency has determined normally do not significantly affect the quality of the human environment and therefore

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<sup>21</sup> 90 FR 29615 (Jul. 3, 2025).



do not require either an environmental assessment (EA) or an environmental impact statement (EIS).<sup>22</sup> 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.<sup>23</sup> This rulemaking, which proposes to remove the requirement for U.S. military pilot trainees and foreign military pilot trainees sponsored by the U.S. Armed Forces to hold FAA third-class airman medical certificates, 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.

## **VI. Executive Order Determinations**

### *A. E.O. 13132, Federalism*

FAA has analyzed this NPRM under the principles and criteria of Executive Order 13132, Federalism. FAA has determined this action will 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, will not have federalism implications.

### *B. E.O. 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use*

FAA analyzed this NPRM under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use. FAA has determined it is not a “significant energy action” under the Executive order and is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

### *C. E.O. 13609, Promoting International Regulatory Cooperation*

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<sup>22</sup> See DOT Order 5610.1D § 9.

<sup>23</sup> Id. § 9(b).

Executive Order 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 Executive Order 13609 and has determined this action will have no effect on international regulatory cooperation.

*D. E.O. 14192, Unleashing Prosperity Through Deregulation*

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

**VII. Additional Information**

*A. Comments Invited*

FAA invites interested persons to participate in this proposed rulemaking by submitting written comments, data, or views. FAA also invites comments relating to 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 will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. 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 better. FAA posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

#### *B. 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 that is relevant or responsive to this NPRM, it is important that 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 that FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

#### *C. 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](http://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](http://www.federalregister.gov) and the Government Publishing Office’s website at [www.govinfo.gov](http://www.govinfo.gov). A copy may also

be found at FAA's Regulations and Policies website at [www.faa.gov/regulations\\_policies](http://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 NPRM, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

#### *D. Small Business Regulatory Enforcement Fairness Act*

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 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/](http://www.faa.gov/regulations_policies/rulemaking/sbre_act/).

#### **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, FAA 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 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701-44703, 44707, 44709-44711, 44729, 44903, 45102-45103, 45301-45302.

2. Amend § 61.1(b) by adding the definitions of “military pilot medical examination” and “military pilot trainee,” in alphabetical order, to read as follows:

**§ 61.1 Applicability and definitions.**

\* \* \* \* \*

(b) \* \* \*

*Military pilot medical examination* means a medical examination conducted by a branch of the U.S. Armed Forces for the purpose of establishing medical eligibility for a military pilot or military pilot trainee to perform military pilot duties onboard military aircraft.

*Military pilot trainee* means a member of the U.S. Armed Forces, or of a foreign military, who is receiving pilot training sponsored by a branch of the U.S. Armed Forces.

\* \* \* \* \*

3. Amend § 61.3 by revising paragraph (c)(2)(xii) to read as follows:

**§ 61.3 Requirement for certificates, ratings, privileges, and authorizations.**

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(xii) Is a military pilot of the U.S. Armed Forces or a military pilot trainee, has an up-to-date U.S. military pilot medical examination, and holds military pilot or military pilot trainee flight status;

\* \* \* \* \*

4. Amend § 61.23 by revising paragraph (b)(11) introductory text to read as follows:

**§ 61.23 Medical certificates: Requirement and duration.**

\* \* \* \* \*

(b) \* \* \*

(11) When a military pilot of the U.S. Armed Forces or military pilot trainee can show evidence of an up-to-date U.S. military pilot medical examination and—

\* \* \* \* \*

Issued under authority provided by 49 U.S.C. 106(f), 44701(a), 44702, and 44703 in Washington, D.C.

**Hugh J. Thomas,**

*Executive Director, Flight Standards Service.*

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