



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

Office of Inspector General

# Memorandum

Subject: **ACTION**: Falsification of FAA Airman Medical  
Certificate Applications by Disability Recipients

Date: July 22, 2005

From: Kenneth M. Mead  
Inspector General

Reply to  
Attn of:

To: The Secretary  
Deputy Secretary  
Federal Aviation Administrator

Our office, the Social Security Administration (SSA) OIG, and U.S. Attorney Offices in California, with considerable assistance from FAA's Western Pacific Region Flight Surgeon and Chief Counsel offices, conducted an initiative to identify and prosecute egregious cases of certificated pilots who falsified FAA's "Application for Airman Medical Certificate", by not disclosing medical conditions they claimed in obtaining SSA disability benefits. This initiative was an outgrowth of an earlier security-related joint endeavor we conducted with SSA/OIG and other agencies to identify pilots using false social security numbers to obtain their pilot certificates. We believe the results of this California initiative afford the Department the opportunity to proactively address similar falsifications that may exist elsewhere through FAA administrative means, apart from any criminal process, such as that employed in this initiative. To this end, we are making recommendations to FAA, which are included below.

This 18-month initiative, termed "Operation Safe Pilot," resulted in criminal charges being brought against 45 California residents for making false statements to FAA on their Airman Medical Certificate applications<sup>1</sup>; specifically, concealing their disqualifying medical conditions (and, in some instances, criminal histories) in order to obtain and maintain their pilot certificates. As of this date, 40 individuals have been formally charged (see attached U.S. Attorney's Office Press Release for details<sup>2</sup>). FAA has issued Emergency Revocation Orders against 16 of these individuals and notified the

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<sup>1</sup> The charges stemming from this initiative, both felony and misdemeanor, are only allegations and the defendants are presumed innocent unless and until proven guilty beyond a reasonable doubt.

<sup>2</sup> [http://www.usdoj.gov/usao/can/press/html/2005\\_07\\_18\\_Safe\\_pilot.html](http://www.usdoj.gov/usao/can/press/html/2005_07_18_Safe_pilot.html)

remainder that their certificates were being suspended. The following is a breakdown of the 45 individuals being charged by type of FAA certificate held:

- Air Transport Pilot – 4
- Commercial Pilot – 6
- Private Pilot – 28 (including 2 board-certified medical doctors)
- Student Pilot – 7

As further background for this initiative, after providing SSA with a list of approximately 40,000 persons holding current FAA Airman Medical Certificates in Northern California, SSA discovered that approximately 3,220 individuals with pilot certificates were collecting SSA benefits, to include disability benefits. Focusing on the most serious cases meeting criminal prosecutive guidelines—those involving SSA full disability benefits—prosecution of 48 individuals was pursued. These 48 cases involved currently certificated pilots who were collecting full disability for well-documented severe medical conditions, e.g., schizophrenia (including institutionalization), drug or alcohol addiction, and disabling heart and back conditions. In all 48 cases, the individuals failed to disclose their medical conditions to FAA as required in completing and certifying their Airman Medical Certificate applications. In addition to falsifying the FAA application, these pilots also failed to disclose their airman medical examination results to SSA as required. The 48 subject pilots range in age from 25 to 71, with an average age of 53 years, 7 months. We are cognizant of FAA's age 60 rule for certain pilots and note that a full two-thirds of the 48 subject pilots are under 60 years of age.

We coordinated with your Western Pacific Region Aerospace Medicine Division and Counsel's Office, asking that they review the SSA case files<sup>3</sup> of the subject 48 pilots to determine whether their documented disability conditions would disqualify them from holding an Airman Medical Certificate. (SSA case files include physician evaluations, test results, and other medical evidence to support disability claims, as well as SSA initial and recurrent determinations of disability.) *FAA's Regional Flight Surgeon determined that none of the 48 individuals would have passed the airman medical examination had the physicians conducting the examinations on behalf of FAA known about their established disabilities.* Our investigation disclosed evidence that at least several of those being charged had piloted aircraft recently while drawing SSA full disability, including a certificated Air Transport Pilot (ATP) flying cargo long-distance for hire; an air ambulance helicopter ATP; and a corporate ATP flying Lear jets with passengers aboard.

Of these 48 individuals, 45 are being prosecuted criminally, two died during the investigation (both held Commercial Pilot certificates; one died from complications

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<sup>3</sup> In a few instances, SSA case files were not available for review. Alternatively, SSA provided correspondence describing the disabling conditions claimed by the disability recipients.

stemming from his disability condition), and prosecution against the other was declined. Absent some indication from the defendants that their medical disability claims to SSA are fraudulent, FAA's determination supports both the criminal charges and regulatory enforcement action (i.e., certificate revocation).

As the results of this initiative involve only a portion of certificated pilots in California, it is important that FAA take steps to proactively identify and address similar falsifications occurring elsewhere across the greater community of certificated pilots. Presently, FAA does not have a mechanism for (a) identifying certificated pilots who are receiving medical disability benefits from any provider (SSA, the Department of Veterans Affairs, and the Department of Labor); and (b) determining whether the documented medical conditions of those disability recipients would disqualify them from maintaining their Airman Medical Certificates.

We recommend that FAA, working with SSA and the other disability benefits providers, expedite development and implementation of a strategy to carry out these checks and take appropriate certificate enforcement action where falsifications are found. We would be pleased to assist FAA in exploring options for accomplishing this, to include database matching with record systems of the disability benefits providers, or, as an initial step, statistical random sampling. FAA should also consider revising its Application for Airman Medical Certificate in the near future to require applicants to explicitly identify whether they are receiving medical disability benefits from any provider.

We have spoken about this matter with FAA's Associate Administrator for Aviation Safety, who is coordinating a meeting between our organizations to further address these issues. In addition, we would be pleased to brief you on any aspect of Operation Safe Pilot.

We ask that FAA keep our office informed of developments in this matter. If I can answer any questions or be of further assistance, please contact me at x61959, or my Deputy, Todd J. Zinser, at x66767.

Attachment