



## **Recommendation 69-5**

### **Elimination of Duplicative Hearings in FAA Safety De-certification Cases**

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(Adopted October 21-22, 1969)

#### **Recommendation**

The Federal Aviation Administrator has authority to revoke or suspend the licenses of aviation personnel and training facilities, airworthiness certificates, and other permits related to the operation of aircraft. Present procedures contemplate a full trial-type hearing, if one is desired by the respondent, before the Administrator issues an order of suspension or revocation. If an appeal is taken from that order, a second full hearing is afforded by the National Transportation Safety Board. This is wasteful of time and personnel, and is unnecessary as a protection of affected parties.

In order to expedite proceedings bearing directly on public safety, without sacrificing the interests of individual respondents, the Federal Aviation Administrator should discontinue providing hearings in the nature of trials in "certificate actions." This will not result in "punishment before trial," since the effective date of a certificate action order is invariably postponed, except in emergency situations, pending the outcome of proceedings before the National Transportation Safety Board.

#### **Citations:**

\_\_\_ FR \_\_\_\_\_ (2012)

1 ACUS 25

**Note:** This recommendation was not published previously in the Federal Register.