

PERSONNEL—GENERAL

**MEDICAL RESTRICTION FROM FLIGHT DUTY, SUSPENSIONS, FLYING EVALUATION BOARDS AND FLIGHT STATUS REVIEW SYSTEM**

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**Section I. GENERAL**

**1. Purpose.** This regulation prescribes procedures governing medical restriction from flight duty, suspensions, flying evaluation boards and the flight status review system for Army aviators.

**2. Approval.** This regulation has been approved by the Department of Defense Military Pay and Allowance Committee under the provisions prescribed by the Secretary of Defense in accordance with 37 U.S.C. 1001.

**3. Definitions.** For purposes of this regulation, the following definitions apply.

*a. Army aviation.* See AR 320-5.

*b. Army aviator.* See AR 95-1.

*c. Aviation officer.* See AR 95-1.

*d. Student aviator.* An individual undergoing a Department of the Army approved course of flight instruction leading to the award of the aeronautical designation of "Army Aviator."

*e. Flight Status Review Board.* An administrative board of officers appointed by the Deputy Chief of Staff for Personnel in connection with the Flight Status Review System to which cases are

referred to determine the professional qualifications of an Army aviator for continuation on flying status.

*f. Flight status review system.* Annual review of flight and personnel records of Army aviators to determine their professional qualifications for continuation on flying status.

*g. Flying evaluation boards.* A board of officers appointed for the purpose of evaluating the professional qualifications of officers, warrant officers, and warrant officer candidates to be recommended for the award of aeronautical designation of Army aviator or for evaluation of the professional qualification of Army aviators for continuation of flying duty when flying deficiencies or other disqualifying conditions are indicated.

*h. Flying status.* See AR 37-104 and AR 600-106.

*i. Medical restriction from flight duty.* An administrative procedure exercised by a commander upon recommendation of an appropriate medical authority which restricts an Army aviator from

\*This regulation supersedes AR 600-107, 18 July 1956, including C-5, 29 October 1958, and C-4, 14 July 1961.

performance of flight duty during periods of physical incapacity of from 1 day to 3 months duration. Correspondence initiated by an appropriate medical authority recommending medical restriction or removal from such restriction of an Army aviator, and the resultant indorsement by the commanding officer of the aviator concerned, is subsequently filed in the Individual Flight Record File of the aviator as a permanent record.

*j. Permanent removal from the Army Aviation Program.* A condition which may be imposed on aviators indefinitely suspended from flying status which denies consideration for return to flying status. This action is normally associated with suspensions resulting from the personal request of the individual aviator for release from flying status and is announced in suspension orders.

*k. Suspensions.*

- (1) *Temporary suspension.* The temporary removal of an Army aviator from flying

status for 30 days or less for reasons other than medical incapacity.

- (2) *Intermediate suspension.* A suspension of an Army aviator from flying status for more than 30 days but less than 6 months.

- (3) *Indefinite suspension.* A suspension of an Army aviator from flying status for a period which is expected to exceed 6 months.

*l. Termination of suspension.* A means of ending a suspension from flying status. The individual aviator whose suspension is terminated is entitled to incentive pay for the full period of suspension, provided the suspension is terminated within the 3-month period beginning on the day of suspension, and the flight requirements of paragraph 10512a, AR 37-104, are met. When the suspension from flying status exceeds 3 months, there can be no retroactive nullification of the suspension (*see 8 Comp. Gen. 384*).

## Section II. SUSPENSION PROCEDURES

### 4. Authority for suspension of flying status.

In accordance with Executive Order 11157, 24 June 1964, all commanders are authorized to impose temporary suspension or recommend for intermediate or indefinite suspension any Army aviator of their commands who in their opinion are unfit for flying, except that when an aviator has been determined by an appropriate medical authority to be unfit for flying duty as the result of injury, illness or other physical incapacity suspension will not be made because of such incapacity until a 3-month period has elapsed, and further provided that the aviator remains incapacitated.

*a. General.* All actions pertaining to suspensions will be recorded in written orders. *Suspensions will not be ordered as disciplinary measures under any circumstances.* Disciplinary actions required for violation of flying regulations will be accomplished under the Uniform Code of Military Justice. Intermediate and indefinite suspensions require approval of and will be ordered by higher commanders as indicated in *b* and *c* below. Termination of temporary suspension can be ordered by all commanders imposing such suspension without reference to higher authority.

*b. Intermediate suspension.* Recommendation for suspension and reasons therefor will be submitted through channels for approval. Com-

manders in chief of major Army oversea commands; Commanding Generals of major Army commands and Commanding Generals of ZI armies and the Military District of Washington, U.S. Army, and the U.S. Army Aviation Center; and Chief, National Guard Bureau are delegated the authority and responsibility to take final action on intermediate suspensions and terminate such suspensions of Army aviators under their jurisdiction except when the suspension was imposed for the purpose of conducting flying evaluation board proceedings. In such cases, final action on the intermediate suspension will be taken upon receipt of the flying evaluation board review conducted by Headquarters, Department of the Army. Commanders in chief of major oversea commands may further delegate this authority and responsibility to commanding generals of armies and/or logistic commands under their jurisdiction.

*c. Indefinite suspension.* Recommendations for suspension will be submitted through channels to Headquarters, Department of the Army for review and final action for aviators on active duty and for USAR aviators not on active duty. Recommendations for suspension will be submitted to Chief, National Guard Bureau, for final action concerning ARNG aviators not on active duty. Appro-

appropriate orders will be issued confirming final action in all cases.

**5. Suspension procedures.** *a. Conditions for suspension.* An Army aviator will be suspended from flying status when any one of the following conditions exist:

- (1) *Lack of proficiency.* Evidence indicates lack of proficiency in performance of flying duties or failure to perform minimum semi-annual and annual flying proficiency requirements.
- (2) *Lack of incentive for flying (combat or otherwise).* Refusal to fly a specific category of aircraft or certain models; refusal to fly certain mission, combat or otherwise; or any other similar deficiency which would limit an aviator's worldwide assignment potential.
- (3) *Undesirable habits or traits of character.* Evidence exists that the Army aviator possesses emotional instability, or inherent characteristics of personality which may preclude his continued utilization in the performance of useful flying duty.
- (4) *Physical disqualification.*
  - (a) After the expiration of a 3-month period following the date of determination by an appropriate medical authority that the Army aviator is incapacitated for flying duty because of physical injuries or for medical reasons which are not compatible with flying status duty, provided that the aviator remains physically incapacitated. The aviator who remains incapacitated will be intermediately or indefinitely suspended from flying status as appropriate.
  - (b) Medical Corps officers will advise commanders and Army aviators when the aviator is not physically qualified to engage in aerial flight, and will make a determination of the physical condition of aviators who remain in a *medical restriction from flight duty* status upon expiration of the 3-month period provided for in paragraph 3i, and submit written recommendations to commanders as to the type of suspension, inter-

mediate or indefinite, which is appropriate.

- (5) *Flagrant violations of flying regulations.* An Army aviator who commits an act constituting a flagrant violation of flying regulations may be considered to have demonstrated a lack of flying judgment or proficiency to a degree to render him unfit or unqualified for performance of flying duty.
  - (6) *Personal request by an Army aviator for suspension.* An Army aviator may be suspended from flying when he requests, in writing, suspension or termination of his flying status orders.
  - (7) *Academic or flying deficiencies of student aviators.* Student aviators undergoing flight instruction or instrument training leading to the award of the aeronautical designation of Army aviator who fail to satisfactorily complete such training for academic or flying deficiencies will be suspended from flying status. Recommendation of the training facility regarding continued suspension or restoration to flying status will be forwarded to Chief of Personnel Operations, ATTN: OPXAA, Department of the Army, Washington, D.C., 20315, for final review and disposition. In the case of an ARNG student aviator, such recommendation will be forwarded to Chief, National Guard Bureau, for final review and disposition.
  - (8) *Administrative causes.* This condition of suspension is imposed for circumstances not included above.
- b. Notification of suspension.*
- (1) An Army aviator who has been suspended will be so informed in writing by his commanding officer. Written acknowledgment of such suspension will be made immediately by the suspended Army aviator. Recommendations for intermediate or indefinite suspension, together with all pertinent information, will be forwarded to the appropriate authority designated in paragraph 4. The unit commander also will provide the appropriate disbursing office with a copy of suspension orders.

- (2) An Army aviator whose suspension has been terminated will be informed in writing by his commanding officer. The unit commander will provide the aviator under suspension and the disbursing officer with a copy of the termination order received from higher authority on a previously forwarded intermediate or indefinite suspension order.

*c. Duty while suspended.* During the period of suspension an Army aviator will not be assigned to duties requiring the piloting of aircraft.

*d. Action in case of reassignment.* In the event an Army aviator is reassigned while under a suspension for flying status, the former unit commander will include in the individual's field 201 file, for the information of the new commanding officer, a résumé of the case including a copy of the suspension orders.

*e. Automatic suspension because of patient status after 3-month period.* When an Army aviator is in a medical patient status, i.e., sick in hospital, sick in quarters, or sick leave status, the date of automatic suspension will be the first day following the 3-month period after such incapacity is

initially determined by an appropriate medical authority. Notification of automatic suspension will be forwarded by the medical facility concerned to the commanding officer of the individual concerned with recommendations as to the type of suspension, intermediate or indefinite, which is appropriate. All cases which result in the Army aviator being recommended for indefinite suspension from flying status will be forwarded by the commanding officer to the Chief of Personnel Operations, ATTN: OPXAA, or Chief, National Guard Bureau, for ARNG aviators.

*f. Excusal from meeting incentive pay and proficiency requirements when physical incapacity results from an aviation accident.* An Army aviator who is injured or otherwise incapacitated in an aviation accident, is deemed to have met the incentive pay and proficiency requirements for flight duty for no more than 3 months following the date that such incapacity is determined by an appropriate medical authority.

*g. Model orders.* The letter format for suspension orders and termination of suspension orders shown in figures 1 and 2 will be followed by authorities concerned.

### Section III. FLYING EVALUATION BOARDS

**6. Purpose.** This section prescribes the appointment, composition and circumstances applicable to flying evaluation boards. They are appointed as a quasi-judicial body of officers for the purposes described in paragraph 3g.

**7. Appointment authority.** Commanders in chief of major Army oversea commands; commanding generals of major Army commands and Commanding Generals of ZI armies, Military District of Washington, U.S. Army, and the U.S. Army Aviation Center; and the Chief, National Guard Bureau are authorized to appoint flying evaluation boards. Commanders in chief of major oversea commands may delegate this authority to commanding generals of armies and/or logistical commands under their jurisdiction.

**8. When convened.** *a. Convening authorities.* Flying evaluation boards will be convened when required by the commanders listed in paragraph 7, or when directed by Headquarters, Department of the Army, to determine the flying qualification

of Army aviators suspended from flying status, except in cases of suspension for reason of physical incapacity. National Guard flying evaluation boards may be convened by the Adjutants General of the States, Commonwealth of Puerto Rico, and the Commanding General, District of Columbia National Guard.

*b. Circumstances.*

- (1) Flying evaluation board action is mandatory for each Army aviator who requests or who is recommended for indefinite suspension from flying status, except in the case of an Army aviator who is found to be physically disqualified for flying duty or in the case of an Army aviator who is suspended as a result of Flight Status Review Board action. The mandatory requirement may be waived by Headquarters, Department of the Army or Chief, National Guard Bureau, as appropriate, for aviators requesting indefinite suspen-

sion when such action is in the best interest of the Army and will be without prejudice to the individual.

- (2) Flying evaluation board action is mandatory for each Army aviator who has been indefinitely suspended from flying status and who is recommended for restoration to flying status; except in the case of an Army aviator who previously has been found to be physically disqualified for flying duty and who subsequently has been found physically qualified for flying duty by a qualified aviation medical officer, or the case of an Army aviator who is restored to flying status by the Flight Status Review Board.
- (3) Flying evaluation board action will be directed for an Army aviator when his aircraft accident experience indicates that his flying ability or safety is subject to question. Such board action may be directed by the Department of the Army or Chief, National Guard Bureau, as appropriate, or requested by the unit or higher commander of the Army aviator concerned. The unit or higher commander will request flying evaluation board action as a result of any aircraft accident when, in his opinion, the flying ability or safety of an Army aviator under his command or jurisdiction is subject to question.
- (4) When an Army aviator fails or submits a resignation from an advanced course of flight instruction, the school commandant will determine whether or not flying ability or flying safety is in question. If suspension action is considered warranted, the case will be referred to a flying evaluation board. When no grounds exist for questioning flying status the case will be referred to a faculty board for recommendation of retention or elimination from the course of instruction.
- (5) Student aviators who fail resign from primary flight training courses will appear before faculty boards.

**9. Composition.** A flying evaluation board will consist of not less than three Army officers, one of which will be a nonrated officer of the com-

mand, one will be an Army aviator currently on flying status, and one an officer from the Army Medical Corps. The requirement for a medical officer may be waived when the issue is nonmedical. If desired, additional members above the minimum of three officers may be appointed by the appointing authority. In any case where an Army aviator not on active duty is involved, at least one Army aviator board member will be of the same component and duty status as the aviator in question and one board member will be an Army aviator on active duty. National Guard boards must include as a member an Army aviation advisor to the National Guard of a State.

**10. Proceedings.** *a. Conduct of proceedings.* Flying evaluation boards will be conducted, and reports prepared and submitted as prescribed by AR 15-6, with appropriate modification.

*b. Report of proceedings.* Flying evaluation board proceedings will include recommendations regarding future utilization of officers for aviation duty or permanent removal from the Army Aviation Program. An additional recommendation will be made concerning continuance of authority to wear the aviator badge when any of the factors specified in paragraph 94c, AR 672-5-1, are evident in the case.

**11. Final review.** Report of proceedings of flying evaluation boards will be forwarded to the convening authority not later than 30 days from the convening date of the board. Headquarters, Department of the Army will take final action on board proceedings pertaining to aviators on active duty and USAR aviators not on active duty. The Chief, National Guard Bureau, will take final action on board proceedings pertaining to ARNG aviators.

**12. Appeal.** For cogent reasons, based upon additional information or extenuating circumstances an Army aviator may request Headquarters, Department of the Army or Chief, National Guard Bureau for ARNG aviators, to reconsider the final review of a flying evaluation board's recommendations and findings. No further consideration will be made in any case once an appeal has been acted on. In all cases the decision of Headquarters, Department of the Army or Chief, National Guard Bureau, as appropriate, will be final.

## Section IV. FLIGHT STATUS REVIEW SYSTEM

**13. Purpose.** The Department of the Army Flight Status Review System establishes procedures to determine individuals to be suspended from flying status even though physically qualified and in exceptional cases to restore previously suspended aviators to flying status. It provides for elimination from flying status of aviators who—

- a.* Are in excess of requirements, or
- b.* Fail to meet the minimum standards of performance as an Army officer or warrant officer or
- c.* Have insufficient potential for continued aviation duty.

**14. Responsibility for review.** *a.* Any commander having aviators under his command will—

- (1) Establish procedures as necessary to accomplish the requirements in paragraph 5*a.*
- (2) Provide for semiannual review of individual flight record files for accomplishment of the requirements of AR 95-32.

*b.* Major Army oversea commanders, commanders of major Army commands, ZI armies, and Military District of Washington, U.S. Army, will review and forward individual flight records in accordance with AR 95-64.

*c.* Specified commanders may waive flight minimums as authorized by AR 95-32.

*d.* The Deputy Chief of Staff for Personnel, Department of the Army is responsible for—

- (1) Annual review of the personnel records of all aviators in conjunction with those reviews required by title 10, United States Code, section 3781, United States Code, AR 135-215, and AR 635-105.
- (2) Annual review of the flight records of all aviators.
- (3) Appointment of a Flight Status Review Board annually or more often as needed.

*e.* Semiannually Headquarters, Department of the Army will review the requirements for and strengths of aviators in each grade. If the number of aviators exceeds the requirement and forced attrition from flying status is necessary to balance strengths, a flight status review board will be con-

vened at Headquarters, Department of the Army and charged with selecting aviators to be suspended from flying status.

*f.* Chief, National Guard Bureau is responsible for actions contained in *d* and *e* above for ARNG aviators.

**15. Flight Status Review Board.** *a.* This administrative board will be appointed by the Deputy Chief of Staff for Personnel in connection with the Army Flight Status Review System. The Board will be composed of not less than five Army aviators in the grade of lieutenant colonel or above and one AGC officer as recorder without vote. Appointment and composition of Flight Status Review Boards for ARNG aviators will be as directed by Chief, National Guard Bureau.

*b.* The Board will review the flying and personnel records of aviators referred to it. Selection of records to be referred to the Board will be based on the following:

- (1) Current and projected Army aviation requirements.
- (2) Potential of individuals for command and staff aviation assignments.
- (3) Overall performance of duty.
- (4) Accomplishment of flight requirements.
- (5) History of flying evaluation board proceedings.
- (6) History of aircraft accidents.
- (7) Habits, traits of character, and physical qualifications applicable to flying duty.

*c.* The Board will submit findings to the Deputy Chief of Staff for Personnel regarding suspension from, restoration to, or retention on flying status of those individuals whose records are reviewed.

*d.* Officers considered will not appear before the Board. Officers selected for suspension from flying status will be notified accordingly by Headquarters, Department of the Army. Notification of suspension actions concerning ARNG aviators will be made by Chief, National Guard Bureau. Suspension will be effective 90 days from the date that notification is forwarded from Headquarters, Department of the Army.



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