



Pilots for HIMS Reform

P4HR

August 17, 2026

Via Electronic Mail: liam.mckenna@faa.gov

William "Liam" McKenna
Chief Counsel
Office of the Chief Counsel
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Re: Request for Chief Counsel Review — FAA Engagement with Pilots for HIMS Reform

Dear Chief Counsel McKenna:

We write on behalf of Pilots for HIMS Reform ("P4HR"), a pilot-led advocacy organization representing airmen and families affected by the Federal Aviation Administration's Human Intervention Motivation Study ("HIMS") and related aeromedical monitoring practices.

P4HR has repeatedly sought a good-faith stakeholder meeting with Federal Air Surgeon Dr. Susan Northrup and appropriate members of her team concerning systemic issues within the HIMS program and potential paths toward reform. We recently renewed that request and followed up again on August 16, 2026. To date, we have received no acknowledgment or substantive response.

Of particular concern is that legal considerations and FAA Legal have repeatedly been invoked as reasons for limiting or avoiding engagement with P4HR.

Because you are the FAA's Chief Counsel, we believe the appropriate next step is to ask your office directly.

We Are Requesting Clarification of FAA Legal's Position

P4HR respectfully asks whether the Office of the Chief Counsel has advised Dr. Northrup, the Office of Aerospace Medicine, or other FAA personnel that they should not meet with P4HR or otherwise substantively engage with our organization.

If such advice has been given, we respectfully request that your office identify the legal, regulatory, ethical, or procedural concern requiring that restriction.

We are not requesting disclosure of attorney-client privileged communications or internal deliberations. We are simply asking whether FAA Legal's position is that a policy-level stakeholder meeting with P4HR cannot or should not occur and, if so, the legal or procedural basis for that position.



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If FAA Legal has **not** advised against such a meeting, clarification of that fact would likewise be helpful.

This Request Does Not Concern Any Individual Pending Case

We want to remove any possible ambiguity on this point.

P4HR is not requesting a meeting to discuss any individual's pending medical certification case, Special Issuance determination, NTSB proceeding, litigation, enforcement proceeding, or other adjudicative matter.

Any such individual matters can—and should—remain completely outside the scope of the requested meeting.

The proposed discussion concerns program-wide and prospective policy issues, including:

- HIMS monitoring standards and duration;
- objective criteria for progression and eventual unrestricted medical certification;
- transparency regarding standards used to impose or continue monitoring;
- procedural due-process protections;
- independent medical review;
- consistency and accountability in aeromedical decision-making;
- stakeholder participation in the development of HIMS policy;
- prospective administrative and regulatory reform; and
- P4HR's forthcoming petition for rulemaking under 14 C.F.R. Part 11.

These are institutional policy questions affecting a substantial population of FAA-certificated airmen. They are not requests for adjudication of any individual person's case.

Federal Administrative Law Contemplates Participation by Interested Persons

We recognize that neither the Constitution nor the Administrative Procedure Act necessarily entitles every interested organization to compel a particular government official to attend a private meeting on demand.

That is not the position we are asserting.

Nevertheless, federal administrative law reflects a strong policy favoring meaningful participation by interested persons in agency matters.

Under 5 U.S.C. § 555(b), so far as the orderly conduct of public business permits, an interested person may appear before an agency or its responsible employees concerning the presentation,

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adjustment, or determination of an issue, request, controversy, proceeding, or other agency function.

Similarly, 5 U.S.C. § 553(e) guarantees interested persons the right to petition an agency for the issuance, amendment, or repeal of a rule—a right implemented at the FAA through 14 C.F.R. Part 11.

DOT's own regulations are particularly instructive. 49 C.F.R. § 5.19 expressly contemplates meetings and other contacts between DOT personnel and interested members of the public during informal rulemaking. Where material information is provided, the regulation addresses transparency by permitting the substance of the communication to be memorialized in the public docket.

In other words, federal administrative law provides mechanisms for government officials to engage stakeholders without compromising the integrity of formal proceedings or depriving other interested parties of transparency.

That is precisely what P4HR is requesting.

If a Traditional Meeting Is Problematic, Please Provide a Compliant Alternative

If the Office of the Chief Counsel believes that some legal or procedural concern prevents the meeting we have requested, we ask that FAA identify a lawful alternative rather than simply declining to engage.

For example, FAA could elect to conduct:

- a docketed stakeholder meeting;
- a public listening session;
- a meeting accompanied by agency counsel;
- a meeting limited expressly to prospective policy matters;
- a written question-and-answer exchange;
- a meeting memorialized through a memorandum placed in an appropriate public docket;
or
- another process FAA Legal considers consistent with applicable law.

P4HR is willing to work within reasonable procedural safeguards.

What is increasingly difficult to understand is why the existence of “Legal” should result in **no** meaningful engagement at all with an organization representing pilots directly affected by the program.



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P4HR Is Seeking Engagement, Not Confrontation

Our preference remains to work constructively with the FAA.

P4HR's membership continues to grow, and the experiences being reported to us make increasingly clear that the concerns surrounding HIMS are neither isolated nor confined to a handful of dissatisfied pilots. These are systemic questions involving medical certification, transparency, due process, consistency, public confidence, and aviation safety.

We believe everyone with a stake in this system—including the FAA, physicians, treatment professionals, pilot representatives, labor organizations, airlines, and affected airmen—benefits from having those concerns addressed openly and professionally.

P4HR is also moving forward with formal avenues for reform, including a comprehensive petition for rulemaking under Part 11 and continued legislative and oversight efforts. Those processes need not be adversarial to the FAA. To the contrary, meaningful agency participation could substantially improve them.

But meaningful participation requires communication.

Accordingly, we respectfully request that your office:

1. **Confirm whether FAA Legal has advised Dr. Northrup or the Office of Aerospace Medicine not to meet or substantively engage with P4HR;**
2. **If so, identify the legal, regulatory, ethical, or procedural basis for that position to the extent it may be disclosed without revealing privileged communications;**
3. **If no such prohibition exists, assist in facilitating an appropriate stakeholder meeting with Dr. Northrup and relevant FAA personnel; and**
4. **If FAA believes the requested meeting cannot occur in its proposed form, identify an alternative mechanism through which meaningful policy-level engagement can occur.**

We would appreciate acknowledgment of this correspondence and a substantive response within a reasonable period, preferably within ten business days.



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P4HR would much rather pursue reform with the FAA than around it. We believe direct engagement is in everyone's interest.

At the same time, our obligation is to the pilots and families whose experiences brought this organization into existence. Our efforts to obtain transparency, accountability, due process, and meaningful reform will continue regardless of whether the FAA elects to participate in that process.

We hope it will.

Respectfully,

[Redacted]

Co-Founder
Pilots for HIMS Reform

Captain Mike Danford
Co-Founder
Pilots for HIMS Reform

Maurice MacEwen
Co-Founder
Pilots for HIMS Reform

Organizational Contact:
p4hr@pilotsforhimsreform.org
pilotsforhimsreform.org

cc:

Dr. Susan Northrup
Federal Air Surgeon
Federal Aviation Administration

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