July 5, 1994

Mr. R.S. Wilson
Attorney at Law
918 North Yakima Avenue
Tacoma, Washington 98403

Re: Hoirup v. Empire Airways, Inc. King County Cause No: 90-2-15733-4

Dear Mr. Wilson:

In response to your request of this date for information regarding the Federal Aviation Administration (FAA) and its responsibilities relating to the issuance of airman (pilot and medical) certificates and maintenance of records relating thereto, the following is provided:

1. The Air Commerce Act of 1926 authorized the Secretary of Commerce to establish airways, encourage air commerce and, inter alia, license pilots, and certificate aircraft.

2. The Civil Aeronautics Act of 1938 transferred aviation functions of the Commerce Department to the Civil Aeronautics Authority (CAA) and further authorized the CAA to issue air carrier route certificates and regulate airline fares.

3. In 1940, under an executive reorganization plan, the CAA was divided into two agencies -- the Civil Aeronautics Board (CAB), which was responsible for rulemaking, economic regulation of aviation, and accident investigations, and the Civil Aeronautics Administration (CAA), which was made responsible for air traffic control, certification of airmen and air agencies, and enforcement.

4. The Federal Aviation Act of 1958 created the Federal Aviation Agency (FAA), which assumed the former CAA functions as well as the safety rule-making responsibilities of the CAB.

5. The Department of Transportation Act of 1967 created the Department of Transportation (DOT) and renamed the FAA the Federal Aviation Administration, making it a modal administration with the DOT. The Federal Aviation Administration assumed the functions of the Federal Aviation Agency, including those relating to the certification of pilots.

6. Under Section 602 of the Federal Aviation Act of 1958, as amended, (49 U.S.0 App. Section 1422) the Administrator of the FAA is empowered to issue pilot certificates and ratings and medical certificates, specifying the capacity in which the holders thereof are authorized to serve as airmen in connection with aircraft.

7. Within the FAA, the Airman Certification Branch and the Aero medical Certification Division, both located at the Mike Monroney Aeronautical Center, Oklahoma City, Oklahoma, maintain records regarding pilot certificates and ratings and airman medical certification, respectively.

8. As attested to in the attached letter to Mr. Scott Jablon from Ms. Mary N. Hill (signed by Patricia A. Foth), the Airman Certification Branch maintains airman certification information in it's system of records dating as far back as the 1940's.

I hope that the foregoing information will be of assistance to you. Sincerely,

Leland S. Edwards, Jr.
Attorney