U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

NOV 18 2008

Robert Bleadon
4334 Deer Creek Road
Selma, OR 97538-9709

Dear Mr. Bleadon:

Congressman Peter DeFazio asked that the Federal Aviation Administration (FAA) respond to your letter of October 16 regarding your role as a Designated Pilot Examiner for light sport aircraft. Your letter states that two FAA inspectors told you that you did not represent the FAA and that you could not use your designation card to identify yourself as an FAA representative. You also indicated that you have witnessed violations of the Federal Aviation Regulations and sought to inform persons violating the regulations of their actions by identifying yourself using your designee identification.

The FAA designates examiners under the authority of Title 49 of the United States Code, § 44702. That authority is implemented through Title 14 of the Code of Federal Regulations, § 183.23. Designated examiners are not employees of the FAA and may not represent themselves in that capacity.

As indicated in FAA Order 8710.7, the Sport Pilot Examiner's Handbook, such an examiner is a designated representative of the Administrator who is authorized by statute and regulation to perform only the tasks described in § 183.23. A representative is limited to those actions described in the regulation and as individually authorized, including relevant handbooks and agency orders. Designees do not have any authority to act in any other capacity for the agency. Designees have no real or perceived enforcement authority, and may identify themselves as designees only for the limited purposes described in the individual letter of authorization issued by the FAA.

The entire order can be accessed on line at
http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgOrders.nsf/list/8710.7

We trust that this explanation responds to your inquiry. If you have any questions, please contact my staff at 202-267-3073. This response was prepared by Karen Petronis, Senior Attorney for Regulations in the Office of the Chief Counsel, and coordinated with the Sport Aviation Branch of the Flight Standards Service.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel for Regulations, AGC-200

Cc: Congressman Peter DeFazio