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

Office of the Chief Counsel

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

APR -4 2013

John D. Collins CFI, CFII, MEI
[redacted]

Dear Mr. Collins,

This is in response to your email message of January 5, 2013, asking whether a pilot who has a private pilot certificate issued on the basis of a foreign pilot license in accordance with § 61.75 is required to comply with the § 61.56 requirement for a flight review. Additionally, you ask if the § 61.56 review must be accomplished prior to acting as pilot in command of a U.S.-registered aircraft.

Section 61.56 states in pertinent part:

> (c) Except as provided in paragraphs (d), (e), and (g) of this section, no person may act as pilot in command of an aircraft unless, since the beginning of the 24th calendar month before the month in which that pilot acts as pilot in command, that person has--
>
> (1) Accomplished a flight review given in an aircraft for which that pilot is rated by an authorized instructor and
>
> (2) A logbook endorsed from an authorized instructor who gave the review certifying that the person has satisfactorily completed the review.

14 C.F.R. 61.56(c). A holder of a U.S. private pilot certificate that is based on a foreign pilot license as contemplated by § 61.75 would also have to meet the requirements of § 61.56(c). In other words, a person exercising the privileges of a U.S. private pilot certificate that is based on a foreign pilot certificate and satisfies § 61.75 is required to comply with § 61.56(c) before acting as pilot-in-command of a U.S.-registered aircraft. A person is only excepted from the § 61.56(c) requirements if the person has (1) within the period specified in paragraph (c) of § 61.56, passed a pilot proficiency check conducted by an examiner, an approved pilot check airman, or a U.S. Armed Force, for a pilot certificate, rating, or operating privilege; (2) within the period specified in paragraph (c) of § 61.56, satisfactorily accomplished one or more phases of an FAA-sponsored pilot proficiency award program; or (3) if the person is a student pilot undergoing training for a certificate and has a current solo flight endorsement as required under § 61.87. *See* 14 C.F.R. § 61.56 (d), (e), (g).

In your letter, you cite the language in § 61.75(b) indicating that the holder of a foreign license issued by a contracting state to the Convention on International Civil Aviation may

be issued a U.S. private pilot certificate based on the foreign pilot license without any further showing of proficiency. This language should not be viewed as extending beyond issuance of a certificate to other regulatory requirements such as flight reviews under § 61.56 or recent experience requirements under § 61.57. Section 61.75 speaks only to demonstrating proficiency for the purpose of obtaining a U.S. certificate, not requirements for serving as pilot in command of an aircraft once a U.S. certificate has been issued.

I hope this information has been helpful. This interpretation has been coordinated with the Flight Standards Service, General Aviation and Commercial Division. If you have further questions concerning this interpretation, please contact Sabrina Jawed on my staff at 202-267-3073.

Sincerely,

Mark W. Bury
Acting Assistant Chief Counsel for International Law,
Legislation and Regulations Division,
AGC-200