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

Office of the Chief Counsel
800 Independence Ave., SW.
Washington, DC 20591

MAY 30 2013

Francis DeJoseph
[redacted]

Dear Mr. DeJoseph:

This letter responds to your December 11, 2012 request for clarification of FAA Notice 8900.197, which addresses the flight crewmember training provisions of part 135.

In your request for a legal interpretation, you raised several questions regarding the Notice focusing on: (1) the regulatory basis for the notice; and (2) the procedural aspects of the notice. We are concurrently responding to another request for a legal interpretation that raises the same questions with regard to Notice 8900.197. Accordingly, please refer to the enclosed legal interpretation dated today issued to Charles A. Spillner from Mark W. Bury, Acting Assistant Chief Counsel for International Law, Legislation and Regulations.

In addition, you asked for the reasons why FAA Notice 8900.197 was not made applicable to part 121 operations as well as part 135 operations given the similar regulatory text in 14 C.F.R. § 121.402 as compared to § 135.324. The Notice was issued as applicable to part 135 for the reasons stated in the purpose and background sections of the Notice and provided a necessary response to numerous inquiries the agency received in the context of part 135 operations. *See* FAA Notice 8900.197, para. 1 and 5. For additional information on the "credit for training" issue in the context of part 121 operations, please refer to the February 28, 2013 legal interpretation issued to your attention from Mark W. Bury, a copy of which is enclosed.

This response was prepared by Bonnie C. Dragotto, Attorney, Operations Law Branch, International Law, Legislation and Regulations Division of the Office of the Chief Counsel and coordinated with the Air Transportation Division of Flight Standards Service. If you need further assistance, please contact our office at (202) 267-3073.

Sincerely,

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

Enclosures