U.S. Department
of Transportation
Federal Aviation Administration

Office of the Chief Counsel

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

APR 29 2014

Mr. Keith R. Barton
Director of Training
Southern Air Inc.
7310 Turfway Rd., Ste. 400
Florence, KY 41042

Mr. Donald Osmundson
Director of Operations
Southern Air Inc.
7310 Turfway Rd., Ste. 400
Florence, KY 41042

Dear Mr. Barton and Mr. Osmundson:

This letter is provided in response to a Southern Air Inc. request for a legal interpretation sent to this office on April 12, 2010. The request for a legal interpretation included two questions regarding the qualification of "International Relief Officers" or "IROs." For purposes of this legal interpretation, we will consider IROs to be those pilots who relieve an assigned pilot in command or second in command, en route during the cruise portion of a flight.

We understand the two questions to be as follows:

> (1) Is a takeoff and landing from the left seat during operating experience, required for a pilot who relieves the assigned SIC en route during the cruise portion of the flight?
>
> (2) Is PIC proficiency training and evaluation required for pilots who relieve the assigned SIC by serving as SIC en route during the cruise portion of the flight?

These questions involve the application of 14 C.F.R. §§ 121.432(a) and 121.543(b)(3)(ii) to pilots who serve in your operations. Assuming that the pilots identified in both of your questions serve exclusively en route, during the cruise portion of the flight, and provide relief to the assigned SIC only, the answer to both of your questions is no. The enclosed memorandum to AFS-1 dated April 29, 2014, provides the basis for this response.

We appreciate your patience and trust that the above responds to your concerns. If you need further assistance, please contact my staff at (202) 267-3073. This response was prepared by Sara Mikolop, an attorney in the in the International Law, Legislation, and Regulations Division of the Office of the Chief Counsel, and coordinated with the Air Transportation Division of the Flight Standards Service.

Sincerely,

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

Enclosure