

**Congress of the United States**  
**Washington, DC 20515**

August 5, 2014

The Honorable Michael P. Huerta  
Administrator  
Federal Aviation Administration  
800 Independence Ave, SW  
Washington, DC 20591

Dear Administrator Huerta,

We write today to express our concern regarding the Federal Aviation Administration's issuance of Federal Aviation Regulation (FAR) Part 135 Operating Specifications to a Part 121 airline earlier this year and urge the FAA to refrain from issuing additional Part 135 operating specifications or certificates to FAR Part 121 airlines.

As you know, Colgan Air Flight 3407 tragically crashed in Clarence Center, NY in February 2009, claiming the lives of all those on board and an additional individual on the ground. The National Transportation and Safety Board (NTSB) attributed the crash to pilot error and identified significant problems within the regional airline industry including the use of inexperienced pilots with inadequate training, compounded by the common practice of subjecting crews to exhausting schedules and long commutes.

With persistent advocacy from the Flight 3407 families, the Airline Safety and Aviation Extension Act of 2010 was enacted, and contained many of the critical reforms recommended by the NTSB and other stakeholders.

Among those reforms, were more robust pilot qualification standards for FAR Part 121 operations, including a requirement that the first officer hold an Airline Transport Pilot (ATP) certificate, typically attained through 1,500 hours of flight time. This increase from the 250 hours of flight time previously required by the Commercial Pilot License (CPL) represented a key step in restoring the confidence of the flying public in our nation's aviation system.

The intent of the pilot qualification rule, along with those on training, rest requirements, and recordkeeping was to provide one level of safety across the industry. That is why we were disappointed to learn of actions undertaken by the previously referenced regional airline, with the consent of the FAA, to effectively circumvent the pilot qualification rule and undermine this objective.

As you know, this airline modified their aircraft by removing ten seats, in order to meet the nine-seat entry criteria for 135 operations. The FAA's subsequent issuance of the 135 certification allows the regional airline to hire co-pilots with as little as 250 hours of flight time.

Given the NTSB's findings, and the rightful focus on the vulnerabilities of our aviation system as it pertains to regional airlines, we believe that expanding this practice would set a dangerous precedent that would erode hard fought aviation safety reforms. Additionally, it is likely that passengers flying on these flights would be buying these tickets from a major carrier subject to a code share agreement, with no awareness of the significant reduction in entry-level qualifications for the first officer sitting in the cockpit of that flight. Again, that flies in the face of the quest for a true, 'One Level of Safety'.

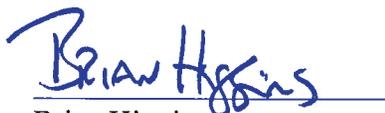
Furthermore, that many of the airlines being granted or seeking these modifications are part of the Essential Air Service (EAS) program, and receive a per-passenger subsidy in exchange for service to small communities, is of additional concern. Such federal funds should not be used to subsidize an operation that is so clearly in conflict with the intent of the aviation safety reforms that were enacted.

Finally, many regional airlines claim that these exemptions are necessary in order to mitigate a "pilot shortage" that has been caused by the new regulations. This assertion ignores the meager salaries, in some cases as little as \$16,500 annually, which regional airlines pay newly-hired first-officers – the true culprit of the supposed shortage.

The carefully crafted pilot qualification standards are a critical component towards the achievement of 'One Level of Safety' between all major and regional carriers. We urge the FAA to withstand industry pressure and refrain from issuing additional FAR 135 Operating certificates or specifications to regional airlines seeking to evade these important requirements.

Thank you for your time and attention to this matter.

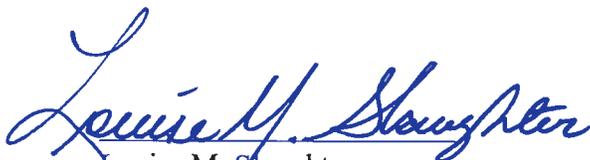
Sincerely,



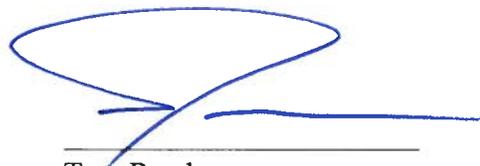
Brian Higgins  
Member of Congress



Chris Collins  
Member of Congress



Louise M. Slaughter  
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