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November 12, 2010

The Honorable Randy Babbitt
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

Dear Administrator Babbitt:

I am writing today to express concern about recent news that the Federal Aviation Administration (FAA) is considering changing the rule for certain on-demand air carriers with regards to flight duty and rest regulations. As a member of the Transportation and Infrastructure Committee who serves on the Aviation Subcommittee I am acutely aware of the importance of pilot and crew rest, and I fought hard to improve safety standards for pilots and crew in the wake of the Colgan Air crash near Buffalo, New York.

The FAA should carefully consider the implications of issuing blanket rules that would treat Part 135 carriers the same as Part 121 carriers. As you are aware, Part 135 carriers are typically small businesses working on shorter schedules differing greatly from Part 121 carriers which are larger carriers with flight plans scheduled long in advance of the actual flight. Given that Part 135 carriers work on different schedules with shorter scheduling times before flights, treating them like larger carriers could present logistical problems. I am urging the FAA to improve the flight duty and rest regulations for each certificate holder, by placing a priority on safety as well as making sure that any new rule or regulation is tailored toward the requirements for each certificate.

I would like to thank you for taking the time to consider my concerns in preparation for any rule changes the FAA sees fit to impose, if you have any questions or concerns please direct them to Andrew Stasiowski on my staff at (202)-225-2711.

Sincerely

Shelley Moore Capito
Member of Congress