



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

55 M Street S.E.
Washington, D.C. 20003

AUG 31 2015

M. Eddie Ochoa
Consultant
Aviation First Consulting, LLC
30214 North 48th Place
Cave Creek, Arizona 85331

eddie@aviation-first.com

Dear Mr. Ochoa:

This letter responds to your inquiry emailed to the Federal Aviation Administration (FAA) Office of the Chief Counsel on June 3, 2015, requesting clarification on whether the “instrument training time” specified in 14 Code of Federal Regulations (CFR) part 141 Appendix C (4) concerning whether or not a student may log all the time flown in a 14 CFR part 141, Appendix C Instrument Rating Course as instrument time toward the 35 hour requirement outlined in the appendix. You also present a scenario in which you ask whether all the training time on a 1.6-hour flight with 1 hour of instrument instruction in simulated instrument conditions and .6 hours of training not in simulated instrument conditions can be counted for the purposes of meeting the 35 hours of instrument training time in part 141 Appendix C.

The Office of Chief Counsel referred your inquiry to the FAA’s General Aviation and Commercial Division (AFS-800) for a response.

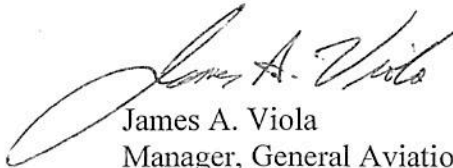
You have provided the following facts. The company you represent holds an FAA air agency certificate with an approved Training Course Outline (TCO) for an Instrument Rating course with Instrument Helicopter rating. You stated that you have been in contact with your jurisdictional Flight Standards District Office (FSDO) and their position on the regulations and FAA policy is that the 35 hours of “instrument training” must include only time flown in which instrument training is received from an authorized instructor under simulated or actual instrument conditions. You also provided excerpts from 14 CFR along with legal interpretations issued by the FAA, with explanations as to your understanding and interpretation of the applicable sections of these documents.

For purposes of this response, the AFS-800 position is that the 35 hours of instrument training and flight training required by part 141 Appendix C is not required to be wholly accomplished under simulated or actual instrument conditions. Therefore, with regard to the scenario you presented, the entire 1.6 hours of training may be counted toward the 35 hours.

The FAA realizes that this regulation, when originally drafted, could have been made clearer with regard to the specific training required within the 35 hours. The FAA will reexamine the policy and guidance on TCO approvals to improve clarity and consistency.

If you have any additional questions, please contact the FAA Airman Certification and Training Branch, AFS-810 at (202) 267-1100.

Sincerely,

A handwritten signature in cursive script that reads "James A. Viola". The signature is written in black ink and is positioned to the left of the printed name.

James A. Viola
Manager, General Aviation and Commercial Division, AFS-800
Flight Standards Service

Cc:

AWP-200
Scottsdale FSDO