



U.S. Department
of Transportation

Federal Aviation
Administration

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Aeronautical Center

P.O. Box 25082
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204 North Robinson, Suite 900
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Re: Eligibility For Recordation Of Certain Documents

Dear Ms. Utecht:

This responds to your letter of August 14, 1997. I apologize for our delay in answering it. As you know, your letter has presented a question of significant general interest. Therefore, I teamed with the International Affairs and Legal Policy Staff (AGC-7) on this response.

As set out in your letter, you want our opinion as to whether a document on which an original executed signature has been permanently affixed by tape, glue, or other similar method ("cut-and-paste signature"), satisfies the requirements of 14 C.F.R. § 49.13 and is eligible for recordation under 49 U.S.C. 44107.

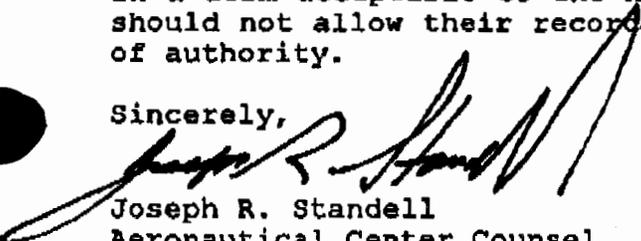
In support of the veracity of the affixation process, you would include with the filing, reliable evidence as to the authority to make the change.

Section 49.13(a) states that "[e]ach signature on a conveyance must be in ink." Section 49.33 states general eligibility requirements for recording conveyances. As pertinent to this discussion, subsection (a) states that a conveyance must be "in a form prescribed by, or acceptable to, the Administrator, for that kind of conveyance."

Regulations should be harmonized with the statutes they implement. 73 C.J.S. Public Administrative Law & Procedure Section 94 (1983). Under 49 U.S.C. 44111 (part of the FAA Drug Enforcement Assistance Act), the Administrator is required to make various modifications to the aircraft registration and recordation system. The statutory language and its legislative history evidence a clear congressional intent to assure the authenticity of records submitted to FAA as a deterrent to fraud. It is our view, that "cut-and-paste signature" would be inconsistent with that congressional intent because it increases rather than deters the possibility of fraud.

Accordingly, it is our opinion that "cut-and-paste signatures" are not in a form acceptable to the Administrator and the FAA Aircraft Registry should not allow their recordation, with or without supporting evidence of authority.

Sincerely,



Joseph R. Standell
Aeronautical Center Counsel