



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

Mike Monroney
Aeronautical Center

P.O. Box 25082
Oklahoma City, Oklahoma 73125

FVI

December 3, 1999

Christi Yowell, Doc. Specialist
Insured Aircraft Title Service, Inc.
P.O. Box 19527
Oklahoma City, OK 73144

Dear Ms. Yowell:

Limited Liability Company Documents

This responds to your letter of November 19, 1999, in which you queried:

It is my understanding that FAA is now requiring LLC documentation for all LLC's even those not affecting registration. However, foreign corporations are allowed to be Lessee's and Secured Party's why can't a foreign LLC?

For your information, documentation evidencing formation, organization, and citizenship is not required for all LLC's. However, as you are aware, the Civil Aviation Registry is entitled to request sufficient information (including documentation) to allow it to perform its statutory duties. For example, Registry management has informed me that documentation will be requested when signature on behalf of the LLC is by a member and the LLC occupies the position of lender/creditor, secured party, or lessee. That documentation must evidence the member's ability to bind the LLC in that transaction. There may be similar situations where documentation will also be requested.

Regarding you query why a foreign LLC cannot be a lessee or a secured party; apparently you are have been misinformed. There are no citizenship requirements for either a lessee under a true lease or a secured party under a security agreement for purposes of filing and recording documents at the Civil Aviation Registry.

In our opinion, a foreign limited liability company may be either a lessee under a true lease or a secured party under a security agreement filed at the Civil Aviation Registry.

If you have further questions regarding practices, policies, and requirements affecting limited liability companies you may wish to contact Civil Aviation Registry management or you may contact the undersigned at (405) 954-3296.

Sincerely,
Joseph R. Standell
Aeronautical Center Counsel

By:



Michael R. Burton
General Attorney