



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

800 Independence Ave., S.W.  
Washington, D.C. 20591

July 27, 2006

Exemption No. 7960B  
Regulatory Docket No. FAA-2001-10191

Lieutenant Colonel Scott T. Taylor, USAF  
Director of Operations  
Department of the Air Force  
1535 Command Drive, Ste D-305  
Andrews AFB, MD 20762-7002

Dear Colonel Taylor:

This letter is to inform you that we have granted your petition to extend and amend Exemption No. 7960, as amended. It explains the basis for our decision and describes its effect.

### **The Basis for Our Decision**

On June 21, 2006, you petitioned the Federal Aviation Administration (FAA) on behalf of the United States Air Force (USAF) for an extension of and amendment to Exemption No. 7960, as amended. That exemption from § 91.209(a)(1) and (b) of Title 14, Code of Federal Regulations allows the USAF to conduct night-vision-goggle (NVG) lights-out training in certain military operations areas. The amendment you request would add the Dolphin military operating area (MOA), which was not operational at the time of the original exemption request.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of and amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the USAF.

AFS-06-495-E

**Our Decision**

The FAA has determined that the justification for the issuance of Exemption No. 7960, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant your petition.

**The Effect of Our Decision**

Our decision extends the termination date of Exemption No. 7960, as amended, to January 31, 2009, unless sooner superseded or rescinded. This exemption will also add the Dolphin MOA to the list of approved MOAs for operations conducted under this exemption.

All conditions and limitations of Exemption No. 7960, as amended, remain the same. This letter must be attached to, and is a part of, Exemption No. 7960.

Sincerely,

/s/

John M. Allen  
Acting Director, Flight Standards  
Service