

August 28, 2004

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

Lt Col. Christopher Ackerson
Chief, Flight Standards Division
Department of the Air Force
1535 Command Drive, Ste D-305
Andrews AFB, MD 20762-7002

Dear Lt Col. Ackerson:

We are pleased to inform you that we have granted your petition to extend and amend Exemption No. 7960. This letter explains the basis for our decision and describes its effect.

The Basis for Our Decision

By letter dated July 7, 2004, you petitioned the FAA on behalf of the United States Air Force (USAF) for an extension of and amendment to Exemption No. 7960. That exemption from § 91.209(a)(1) and (b) of Title 14, Code of Federal Regulations permits the USAF to conduct night-vision-goggle (NVG) lights-out training in certain military operations areas. The amendment you request would allow the participation of other military services while conducting joint operations.

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 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 USAF.

Therefore, under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant the United States Air Force and the aircrew from other participating services when conducting approved joint air operations an exemption

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from 14 CFR 91.209(a)(1) and (b) to conduct NVG lights-out training in certain military operations areas.

The Effect of Our Decision

Our decision amends the relief granted and extends the termination date of Exemption No. 7960 to January 31, 2007, unless sooner superseded or rescinded.

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

Sincerely,

/s/

John M. Allen

Acting Director, Flight Standards Service