



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

Aviation Safety

800 Independence Ave
Washington, DC 20591

June 10, 2021

Exemption No. 7389J
Regulatory Docket No. FAA-2000-8187

Lieutenant Colonel Aaron E. Oliver
Flight Directives Division
Department of the Air Force
5316 South Douglas Blvd.
Oklahoma City, OK 73150

Dear Colonel Oliver:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your petition to extend and amend Exemption No. 7389I. It transmits the FAA's decision, explains the FAA's basis, and gives you the revised conditions and limitations of the exemption, including the date it ends.

The Basis for the FAA's Decision

By letter dated March 9, 2021, you petitioned the FAA on behalf of the Department of the Air Force (USAF) for an extension of and amendment to Exemption No. 7389I. That exemption from § 91.169(b) of Title 14, Code of Federal Regulations (14 CFR) allows the USAF to conduct local area and other flight training missions under instrument flight rules (IFR) without designating an alternative airport. The amendment you request would add additional locations and types of training that utilize this exemption by allowing for current and qualified instrument-rated pilots under the supervision of a supervisor of flying (SOF) to benefit.

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's Decision

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

The amendment allows the USAF to add additional training opportunities at locations that host operational units conducting in-house formal training programs, utilizing current and qualified instrument rated pilots under the supervision of a supervisor of flying (SOF).

AFS-21-00299-E

The FAA has determined that the justification for the issuance of Exemption No. 7389I remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I grant USAF an exemption from 14 CFR § 91.169(b) to allow the USAF to add additional locations and types of training that utilize this exemption by allowing for current and qualified instrument rated pilots under the supervision of a supervisor of flying (SOF) to benefit, subject to the following conditions and limitations.

Conditions and Limitations

1. Helicopters operating under the provisions of this exemption may file an IFR flight plan without designating an alternative airport if, during the period from the estimated time of departure to 1 hour after the estimated time of arrival, the worst weather is forecast to be a ceiling of 700 feet or higher and a visibility of 1 statute mile or more.
2. Fixed-wing aircraft operating under the provisions of this exemption may fly local training missions without designating an alternative airport provided:
 - a. The departure airport and destination airport are the same;
 - b. A current and qualified instrument rated pilot is a crewmember; and
 - c. Weather conditions are reported and forecast to have a ceiling of at least 1,500 feet and visibility of at least 3 statute miles for the estimated time en route plus 2 hours.
3. The exemption provided for in Condition and Limitation No. 2 applies at the following airports that host formal training programs:
 - a. Altus AFB, Oklahoma.
 - b. Columbus AFB, Mississippi.
 - c. Eglin AFB, Florida.
 - d. Fairchild AFB, Washington.
 - e. Holloman AFB, New Mexico.
 - f. Kingsley Field, Oregon.
 - g. Kirtland AFB, New Mexico.
 - h. Lackland AFB, Texas.
 - i. Laughlin AFB, Texas.
 - j. Little Rock AFB, Arkansas.
 - k. Luke AFB, Arizona.

- l. Moody AFB, Georgia.
 - m. Pensacola NAS, Florida
 - n. Randolph AFB, Texas.
 - o. Sheppard AFB, Texas.
 - p. Springfield-Beckley Municipal, Ohio.
 - q. Tucson International Airport, Arizona.
 - r. Tyndall AFB, Florida.
 - s. United States Air Force Academy, Colorado.
 - t. Vance AFB, Oklahoma.
 - u. Any other CONUS location where a Supervisor of Flying (SOF) is directly overseeing local USAF flight operations.
4. This exemption is not valid for operations outside the United States.

If you request an extension to this exemption, please submit your request by using the Regulatory Docket No. FAA-2000-8187 (<http://www.regulations.gov>). In addition, you should submit your request no later than 120 days prior to the exemption's expiration date listed below.

If you require an amendment to this exemption, please submit your request no later than 120 days prior to the date you need the amendment using the process indicated above.

Any extension or amendment request must meet the requirements of § 11.81 of 14 CFR

The Effect of the FAA's Decision

The FAA's decision amends Exemption No. 7389I to 7389J and extends the termination date to April 30, 2024, unless sooner superseded or rescinded.

Sincerely,

/s/

Rick Domingo
Executive Director, Flight Standards Service