

September 25, 1996  
25863

Mr. Frank J. Colson  
Executive Director  
DOD Policy Board on Federal Aviation  
Office of the Secretary of Defense  
Washington, DC 20301

Dear Mr. Colson:

This is in response to your June 12, 1996, letter petitioning the Federal Aviation Administration (FAA) on behalf of the Department of Defense (DOD) for a 3-year extension of Exemption No. 5100, as amended. That exemption from Sections 91.117(a) and (b), 91.159(a), and 91.209(a) of Title 14, Code of Federal Regulations (14 CFR) permits the DOD to continue to conduct air operations in support of drug law enforcement and traffic interdiction without meeting certain FAA regulations governing: (1) aircraft speed, (2) cruising altitudes for flights conducted under visual flight rules, and (3) use of aircraft lights.

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

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 the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the DOD.

The FAA has determined that the justification for the issuance of Exemption No 5100, as amended, remains valid with respect to this exemption.

In consideration of the forgoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. Section 40109, formerly Section 307(e) of the Federal Aviation Act of 1958, as amended, delegated to me by the Administrator (14 CFR Section 11.53), Exemption No. 5100, as amended, is hereby further amended by extending its September 30, 1996, terminations date to September 30, 1999, unless sooner superseded or rescinded.

All other conditions and limitations of Exemption No. 5100, as amended, remain the same. This letter shall be attached to, and is a part of Exemption No. 5100

Sincerely,

Jeff Griffith  
Program Director, Air Traffic  
Airspace Management

