



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

Aviation Safety

800 Independence Ave
Washington, DC 20591

Exemption No. 18673B
Regulatory Docket No. FAA-2002-11939

Colonel Rafael A. Robles
General Counsel
Civil Air Patrol
105 South Hansell Street, Building 714
Maxwell Air Force Base, AL 36112-6332

Dear Colonel Robles:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your petition to extend Exemption No. 18673A. This letter transmits the FAA's decision, explains the FAA's basis, and provides the conditions and limitations of the exemption, including the date the exemption ends.

The Basis for the FAA's Decision

By letter dated October 4, 2024, you petitioned the FAA on behalf of Civil Air Patrol (CAP) for an extension of and amendment to Exemption No. 18673A. That exemption from subpart F of part 91 of Title 14, Code of Federal Regulations (14 CFR) allows CAP to operate small aircraft under subpart F of part 91 and receive limited reimbursement for certain flights within the scope of, and incidental to, the CAP's corporate purposes and United States Air Force Auxiliary status.

The amendment you requested would allow CAP to also conduct "C" mission types (Air Force Assigned Missions or AFAMs). This decision does not address your requested amendment. Your amendment request is still under review at this time. The FAA will issue a subsequent decision to address your 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's Decision

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* with respect to an extension of the relief provided under Exemption No. 18673A. The FAA has determined that good cause exists because the requested

extension of the exemption would not set a precedent and any delay in acting on this petition would be detrimental to CAP operations.

The FAA has determined that the relief provided historically in Exemption No. 18673 was incorrect. Instead of providing relief from 14 CFR part 91, subpart F, Exemption No. 18673 and subsequent iterations should have provided for relief from the requirements of 14 CFR part 119, specifically § 119.1. The FAA notes that this does not in and of itself substantively change the operating parameters for CAP consistent with the historical conditions and limitations applied to CAP.

The FAA has determined that the justification for the issuance of Exemption No. 18673A 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, 44701, which the FAA Administrator has delegated to me, I hereby grant the Civil Air Patrol an exemption from 14 CFR § 119.1 to the extent necessary to allow CAP to receive limited reimbursement for certain flights within the scope of, and incidental to, the CAP's corporate purposes and United States Air Force Auxiliary status, subject to the following conditions and limitations.

Conditions and Limitations

1. The CAP must comply with the operating rules in 14 CFR §§ 91.503 through 91.535, in addition to the applicable general operating rules prescribed in other subparts of part 91, when exercising the privileges of this exemption.
2. The CAP may conduct only the types of operations listed in § 91.501(b) when exercising the privileges of this exemption.
3. The pilot-in-command (PIC) conducting operations under this exemption must hold a commercial pilot certificate with appropriate category and class ratings for the aircraft to be used in the operation. The PIC also must hold an instrument rating except when conducting day visual flight rules flights within 50 nautical miles of the departure airport.
4. The PIC conducting operations under this exemption must hold at least a current second-class medical certificate.
5. The PIC conducting operations under this exemption must hold a current CAP Form 5, CAP Pilot Checkout, issued within the previous 12 months.
6. The aircraft used for operations conducted under this exemption must be maintained and have 100-hour and annual inspections performed in accordance with 14 CFR parts 43 and 91.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

The Effect of the FAA's Decision

The FAA's decision amends Exemption No. 18673A to 18673B and extends the termination date to January 31, 2027, unless superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2002-11939 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days before the expiration date listed above, or the date you need the amendment, whichever is sooner.

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

Sincerely,

/s/

Timothy R. Adams
Deputy Director, Office of Safety Standards
Flight Standards Service