

Operation Enduring Freedom. Because of the expected duration of these assignments, the FAA determined that the flight instructor certificates, inspection authorizations, and airman written test reports held by some U.S. military and civilian personnel may expire before they return to the United States. If so, these individuals would have to reestablish their qualifications. The FAA believes it is unfair to penalize these military and civilian personnel in this manner. For this reason, we adopted a Special Federal Aviation Regulation to provide relief to a narrow range of individuals in a narrow set of circumstances. See SFAR 96—Relief for Participants in Operation Enduring Freedom in parts 61, 63, and 65 of title 14 of the Code of Federal Regulations (67 FR 30524, May 6, 2002).

At the time the FAA adopted SFAR 96, we did not foresee the extent of the mobilization of U.S. Armed Forces around the world. SFAR 96 is aimed at providing relief to those who are mobilized in support of the war on terrorism. That war is ongoing. However, U.S. Armed Forces are engaged in activities, including the international effort to disarm Iraq, that have also resulted in overseas assignments for both military and civilian personnel. These personnel are in the same situation as those who are eligible for relief under SFAR 96. They are located away from the facilities and resources that would allow them to keep their credentials current. It would not be fair to extend relief to those who are fighting terrorism under Operation Enduring Freedom, but not to extend it to those who, although similarly situated, are not assigned to Enduring Freedom. Therefore, the FAA is superceding SFAR 96 with a new SFAR that applies to military and civilian personnel assigned overseas in support of any and all U.S. Armed Forces operations. Those who were eligible for relief under SFAR 96 would continue to be eligible for relief under this SFAR.

The purpose of this SFAR is to respond to the needs of U.S. military and civilian personnel who are assigned outside the United States in support of U.S. Armed Forces operations. Most of these U.S. military and civilian personnel are or will be located at military bases that are away from their normal training or work environment. There are no FAA aviation safety inspectors, designated examiners, or FAA facilities readily available in the areas where these U.S. military and civilian personnel are assigned. The FAA determined that we should provide relief to those U.S. military and civilian personnel who are unable to comply

with the regulatory time constraints of their flight instructor certificate, inspection authorization, or airman written test report as a result of their assignment outside the United States in support of U.S. Armed Forces operations. Under similar circumstances in the past, the FAA has taken similar action. During Operation Desert Shield/Desert Storm, the FAA issued SFAR No. 63 for this same purpose. See 56 FR 27160, June 12, 1991.

As described below, this SFAR is narrowly focused on providing a reasonable amount of regulatory relief to a specific class of individuals while avoiding, to the extent possible and foreseeable, unintended adverse impacts on safety. For example, although the SFAR gives additional time for renewing a flight instructor certificate, the person will still have to meet the proficiency or experience requirements of 14 CFR 61.197 in order to re-qualify.

Who Is Affected by This SFAR?

To be eligible for the relief provided by this SFAR, a person must meet two criteria—one related to the person's assignment and the second related to the expiration of the person's certificate, authorization, or test report.

Assignment. The person must have served in a civilian or military capacity outside the United States in support of U.S. Armed Forces operations some time between September 11, 2001, and June 20, 2005. The term "United States" is defined under 14 CFR 1.1 and means "the States, the District of Columbia, Puerto Rico, and the possessions, including the territorial waters and the airspace of those areas."

"In support of U.S. Armed Forces operations" means an assignment that supports operations being conducted by our U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard, including their regular and reserve components. Members serving without component status are also covered. A person seeking relief under this SFAR must be able to show that he or she had an assignment as described above by providing appropriate documentation that is described below.

Expiration. The person's flight instructor certificate, inspection authorization, or airman written test report must have expired some time between September 11, 2001, and 6 calendar months after returning to the United States, or by June 20, 2005, whichever date is earlier.

Renewing a Flight Instructor Certificate

The FAA regulations governing flight instructor certificates provide that they expire 24 calendar months after the

month of issuance. The regulations also provide that a flight instructor may renew his or her certificate before it expires, but if it expires, the flight instructor must get a new certificate. If you are interested in the details of how to get or renew a flight instructor certificate, please see 14 CFR 61.197 and 61.199.

This SFAR changes the existing regulations for a certain class of individuals by allowing FAA Flight Standards District Offices to accept for a limited amount of time an *expired* flight instructor certificate for the purpose of *renewing* the certificate. Therefore, a person who can show the kind of evidence required by this SFAR (described below) can apply for renewal of a flight instructor certificate under 14 CFR 61.197. A person cannot exercise the privileges of a flight instructor certificate if it has expired, but the person can renew the flight instructor certificate under the limited circumstances described in this SFAR.

Airman Written Test Reports of Parts 61, 63, and 65

Generally, FAA regulations give airmen a limited amount of time to take a practical test after passing a knowledge test. For example, 14 CFR 61.39(a)(1) gives a person 24 calendar months. This SFAR permits an extension of the expiration date of the airman written test reports of parts 61, 63, and 65. The extension can be for up to six calendar months after returning to the United States or June 20, 2005, whichever date is earlier.

Renewing an Inspection Authorization

Under 14 CFR 65.92, an inspection authorization expires on March 31 of each year. Under 14 CFR 65.93, a person can renew an inspection authorization for an additional 12 calendar months by presenting certain evidence to the FAA during the month of March. This SFAR changes the existing regulations for individuals eligible under this SFAR by allowing FAA Flight Standards District Offices to accept for a limited amount of time an *expired* inspection authorization for the purpose of *renewing* the authorization. Therefore, a person who can show the kind of evidence required by this SFAR (described below) can apply for renewal of an inspection authorization under 14 CFR 65.93. If an inspection authorization expires, the person must not exercise the privileges of the authorization until that person renews the authorization. In this case, to meet the renewal requirements the person must attend a refresher course (see § 65.93(a)(4)) or submit to an oral test