



International Civil Aviation Organization

**Thirteenth Meeting of the APANPIRG
ATS/AIS/SAR Sub-group (ATS/AIS/SAR/SG/13)**

Bangkok, Thailand, 23-27 June 2003

Agenda Item 4: Consider problems and make specific recommendations concerning the provision of ATS/AIS/SAR in the Asia Pacific Region

CONTINGENCY PLANNING

(Presented by the United States of America)

SUMMARY

This information paper addresses a proposed amendment to Federal Aviation Administration (FAA) procedures for consideration in the event of a partial or complete shutdown of the United States National Airspace System, which includes international airspace delegated to the United States for the provision of air traffic services.

1. Background

1.1 Following the events of 11 September 2001, contingency procedures were immediately put in place closing all United States sovereign airspace to civil aircraft. During the initial phase, the entire NAS was closed to all civil aircraft. This included international airspace delegated to the United States for the provision of air traffic services.

1.2 The Twelfth Meeting of the ATS/AIS/SAR/SG discussed the importance of appropriate contingency procedures to ensure access to international airspace. The meeting agreed that it is important that the airspace over the high seas remains open to all civil flights. If a State closes its sovereign airspace then the high seas airspace must remain open for flights that do not impact the sovereign airspace of the affected State.

1.3 The International Air Transport Association (IATA) raised concerns on behalf of member airlines that airspace in the U.S. oceanic flight information regions was not accessible to international civil carriers following the events of 11 September 2001.

2.0 Discussion

2.1 The FAA has a responsibility to the American public, U.S. air commerce, and the international aviation community for the safety and efficiency of the National Airspace System (NAS). Certain circumstances may dictate the necessity to affect a partial or total shutdown of the NAS. Events such as a national defense emergency or a severe natural disaster could necessitate a complete/partial shutdown of the NAS, curtailment of services, or the denial of airspace to certain users.

2.2 It was never anticipated that commercial airlines would be used as a weapon of mass destruction; therefore, once the World Trade Center was attacked in New York, immediate action was taken to shut down the NAS until an assessment could be made of the threat. The potential threat

from an aircraft operating in international airspace was part of this assessment, and airspace was re-opened as soon as it was believed to be appropriate.

2.3 In order to ensure that an assessment of the impact on civil aircraft operating in international airspace would be made quickly should such an event occur again, a proposal to amend the contingency checklist has been submitted to the FAA Crisis Response Working Group. The proposed checklist items read as follows:

Should transit of U.S controlled international airspace outside the 12 NM territorial limit be restricted?

- *Assess the ability to continue to provide safe and orderly flow of international air traffic in the event of disruptions of air traffic services and related supporting services.*
- *Take into account the need to preserve the availability of major world air routes within the air transportation system.*
- *Ensure to the greatest extent possible the continuous access to airspace for international civil flights over the high seas.*

2.4 This proposed amendment is currently under consideration.

3.0 Recommendation

3.1 The meeting is invited to note the above information.

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