



Advisory Circular

Subject: Plan for the Emergency Security
Control of Air Traffic (ESCAT)

Date:
Initiated by: AJR-2

AC No: 99-1D

1. **PURPOSE.** This Advisory Circular (AC) provides direction for the security control of civil and military air traffic during an air defense emergency. The ESCAT Plan provides policy, assigns responsibilities, and prescribes procedures to be taken in the interest of national security. The ESCAT Plan supersedes the plan for the Security Control of Air Traffic and Air Navigations Aids (SCATANA) – April 1980.
2. **CANCELLATION.** AC 99-1C, dated April 20, 1989, is canceled.
3. **REFERENCES.**
 - a. Communications Act of 1934, as amended, title 14, Code of Federal Regulations (CFR), part 49.
 - b. Title 32, CFR, part 245.
 - c. Title 14, CFR, part 99.
4. **EFFECTIVE DATE.** This AC becomes effective January 18, 2007.
5. **BACKGROUND.** Title 14, CFR, part 99, prescribes rules for operating civil aircraft into, within, or out of a defense area. Title 14, CFR, part 99, also relates to procedures for special security control of air traffic which may be implemented under certain conditions of national defense.

The North American Aerospace Defense Command (NORAD) is the principle agent of the Department of Defense (DOD) responsible for the air defense of the United States (U.S.). In executing its responsibility, NORAD has adopted certain procedures for movement of aircraft during emergency wartime conditions. ESCAT is an emergency preparedness plan that prescribes the joint action to be taken by appropriate elements of the DOD, the Department of Transportation (DOT), and the Department of Homeland Security (DHS) in the interests of national security to control air traffic under emergency conditions.

6. GENERAL DESCRIPTION OF THE ESCAT PLAN. ESCAT defines the authorities, responsibilities, and procedures to identify and control air traffic within a specified air defense area during air defense emergencies, defense emergency, or national emergency conditions.

- a. For this plan, the appropriate military authorities are as follows:
 - (1) Forty-eight contiguous states, including Washington, D.C., and Alaska - Commander NORAD or individual NORAD region/sector commanders.
 - (2) Hawaii, Guam, Wake Island, other U.S.-Pacific territories and Pacific oceanic airspace over which FAA has air traffic control (ATC) jurisdiction by international agreement - commander, U.S.-Pacific Command (USPACOM) or designated area air defense commander (AADC).
 - (3) Puerto Rico and the U.S. Virgin Islands – Commander, NORAD.
- b. The plan provides for security control of both civil and military air traffic, it is intended to meet threat situations such as:
 - (1) An emergency resulting in the declaration of an air defense emergency by the appropriate military authority. Under this condition, NORAD and USPACOM commanders have authority to implement ESCAT and may consider executing this plan.
 - (2) An adjacent combatant command is under attack and an air defense emergency has not yet been declared. Under these conditions, NORAD and USPACOM commanders may direct implementation of ESCAT for their own area of responsibility (AOR) individually if airspace control measures are warranted and agreed upon by DOD/DHS/DOT.
 - (3) Emergency conditions exist that either threaten national security or national interests vital to the U.S., but do not warrant declaration of defense emergency or air defense emergency. Under these conditions, NORAD and USPACOM commanders may direct implementation of ESCAT for their own AOR individually if airspace control measures are warranted and agreed upon by DOD/DHS/DOT.

7. ESCAT AIR TRAFFIC PRIORITY LIST (EATPL). When ESCAT is implemented, a system of traffic priorities may be required to make optimum use of airspace consistent with air defense requirements. The EATPL defines priorities that may be used for the movement of air traffic in a defined area. Priorities must take precedence in the order listed and subdivisions within priorities are equal.

Priority One:

- The President of the United States, the Prime Minister of Canada, and respective cabinet or staff members essential to national security and other members as approved or designated by the Secretary of Defense and Chief of the Defense Staff.
- Aircraft engaged in active continental defense missions, including anti-submarine aircraft, interceptors, air refueling tanker aircraft, and airborne early warning and control aircraft (e.g., E-3, E-2, and P-3).
- Military retaliatory aircraft, including direct tanker support aircraft executing strategic missions.
- Airborne command elements which provide backup to command and control systems for the combat forces.
- Anchor Annex Flights.

Priority Two:

- Forces being deployed or in direct support of U.S. military offensive and defensive operations, including the use of activated Civil Reserve Air Fleet (CRAF) aircraft as necessary, and or other U.S. and foreign-flag civil air carrier aircraft under mission control of the U.S. military.
- Aircraft operating in direct and immediate support of strategic missions.
- Search and rescue aircraft operating in direct support of military activities.
- Aircraft operating in direct and immediate support of special operations missions.
- Federal flight operations in direct support of homeland security, e.g., law enforcement agencies (LEA), and aircraft performing security for high-threat targets such as nuclear power plants, dams, chemical plants, and other areas identified as high-threat targets.

Priority Three:

- Forces being deployed or performing predeployment training/workups (e.g., Navy field carrier landing practice) in support of the emergency condition.
- Aircraft deployed in support of Continental United States (CONUS) installation/base defense, i.e., aircraft operating in direct/immediate security support, or deploying ground forces for perimeter defense.
- Search and rescue aircraft not included in Priority Two.
- Flight inspection aircraft flights in connection with emergency restoration of airway and airport facilities in support of immediate emergency conditions.
- CONUS Airborne Reconnaissance for Damage Assessment (CARDA) missions in support of immediate emergency conditions.

Priority Four:

- Dispersal of tactical military aircraft.
- Dispersal of U.S. civil air carrier aircraft allocated to the CRAF Program.
- Repositioning of FAA/DOD/Department of National Defense (DND) flight inspection aircraft.
- Flight inspection activity in connection with airway and airport facilities.
- Specific military tactical pilot currency or proficiency in support of homeland defense.
- Military tactical aircraft post-maintenance test flights.
- Federal aircraft post-maintenance check flights in support of homeland security.

Priority Five:

- Air transport of military commanders, their representatives, DOD/DND-sponsored key civilian personnel, non-DOD/DND, or other Federal key civilian personnel who are of importance to national security.
- Dispersal of nontactical military aircraft for their protection.
- Aircraft contracted to and or operated by Federal agencies

Priority Six:

- State and local LEA directly engaged in law enforcement missions.
- Flight operations in accordance with approved Federal and State emergency plans.
- LIFEGUARD and MEDEVAC aircraft in direct support of emergency medical services.
- Flight operations essential to the development, production, and delivery of equipment, personnel, materials, and supplies essential to national security.
- Other essential CARDA missions not covered in Priority Three.

Priority Seven:

- Other military flight operations.

Priority Eight:

- Other flight operations not specifically listed in priorities 1 through 7.

8. POLICY FOR APPLICATION OF EATPL.

- a. Federal, State, and local Government agencies originating an aircraft flight operation under the EATPL must be responsible for determining and verifying the mission meets, the appropriate definition and priority, in accordance with the list described above and ensuring a security check of crew, cargo, and aircraft has been completed prior to takeoff.

- b. The individual filing the flight plan will be responsible for including the priority number, as determined by the originator of the aircraft flight operation, in the remarks section of the flight plan.
- c. Situations may occur that cannot be controlled by the EATPL. Aircraft emergencies and inbound international flights that have reached the point of no return, including foreign air carrier flights en route to safe haven airports in accordance with specific international agreements, are examples of such situations. These events must be treated individually through coordination between ATC and appropriate military authorities in consideration of the urgency of the in-flight situation and existing tactical military conditions.
- d. Exceptions to EATPL:
 - (1) The DOD aircraft in priorities three through seven that do not meet EATPL restrictions may request an exemption from the appropriate military authority. For the 48 contiguous states, Alaska, Puerto Rico, and U.S. Virgin Islands, requests must be submitted to the appropriate NORAD sector. For Hawaii, Guam, Wake Island, other U.S.-Pacific territories, and Pacific oceanic airspace over which FAA has air traffic control jurisdiction by international agreement, requests must be submitted to the designated AADC.
 - (2) For Federal, State, local Government agency aircraft in EATPL priorities three through seven that do not meet EATPL priorities, a SCA may be granted on a case-by-case basis. The FAA recovery desk located in the Air Traffic Control System Command Center will review those requests to determine mission validity. The FAA will then coordinate with the appropriate military authority and assign an SCA number upon approval. Additionally, Requests for EATPL Priority 8 SCA's will be reviewed and coordinated through the FAA recovery desk prior to forwarding those requests to the Transportation Security Administration (TSA) for SCA assignment. TSA will, then, forward those requests that it recommends for approval to the appropriate military authority. Aircraft with a SCA must have a security assurance check prior to takeoff. Specific instruction on how to obtain an SCA will be promulgated in the Notice to Airmen (NOTAM) that implement ESCAT. Additionally, other special instructions may be issued by NOTAM.

9. PROCEDURES FOR MOVEMENT OF AIR TRAFFIC UNDER ESCAT.

Aircraft missions defined in the EATPL will file instrument flight rules or visual flight rules flight plans, assigned a discrete transponder code, and must be in direct radio communication with ATC. The appropriate EATPL number, SCA number, or Standard TSA Security Program will be entered in the remarks section of the flight plan. The EATPL number will be passed with flight plan data from one ATC facility to the next and to the appropriate air defense control facilities.

10. IMPLEMENTATION INSTRUCTIONS.

- a. Prior to any formal ESCAT implementation, the appropriate military authority consults with DOT through the FAA Administrator and DHS through the TSA Administrator to discuss the air traffic management, airspace and/or security measures required. Every effort will be made to obtain the approval of the Secretary of Defense prior to ESCAT declaration, time, and circumstance permitting. Any ESCAT implementation will be passed as soon as possible through the Chairman of the Joint Chiefs of Staff to the Secretary of Defense.
- a. ESCAT may be implemented in phases to facilitate a smooth transition from normal air traffic identification and control procedures to the more restrictive identification and control procedures specific to the situation.
- b. Once ESCAT is implemented, the appropriate military authority will consult regularly with DOT (through the FAA Administrator) and DHS (through the TSA Administrator), as appropriate, regarding any changes in the air traffic management, airspace, and/or security measures required.
- c. Interference with normal air traffic should be minimized.

11. COMMENTS OR SUGGESTIONS SHOULD BE SENT TO.

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