

FAA issues warning notam - Pilots violating restricted, prohibited areas face military action

9/28/01 6:18:16 PM, ET — FAA has issued a notam warning pilots that commercial and private aircraft flying inside or close to restricted or prohibited areas will be intercepted and may be forced down by armed military aircraft. **The military will use deadly force as a last resort after all other means of moving the aircraft away from the sensitive area have been exhausted.** The FAA is also warning pilots that the new restricted and prohibited areas being created will not be shown on current charts.

If a military aircraft approaches a pilot, he must follow the interception procedures in the Aeronautical Information Manual and comply with any instructions given by the military or FAA controllers. Pilots should attempt to establish contact with the intercepting aircraft or air traffic control on 121.5 MHz.

In addition, more sensitive areas will now be protected by added restricted and prohibited areas.

As these new restricted and prohibited areas are added, it is absolutely imperative that pilots check all notams. If implemented as rapidly as indicated, these new areas will not be shown on current charts nor be listed immediately in GPS databases.

### **VFR flight by certificated pilots not permitted in enhanced Class B**

Update: 9/29/01 10:10 AM, ET — The FAA has revised the consolidated notam that clarified a number of previous notams governing operations in the nation's airspace. Pilots should read the actual notam carefully, but in summary, virtually all operations are now permitted outside of enhanced Class B airspace and temporary flight restriction (TFR) areas.

The revised notam is broken into three parts; VFR operations, IFR operations, and cross-boarder operations. The only significant change from the notam issued yesterday is to restore IFR Part 91 operations in the Boston enhanced Class B airspace.

### **The following operations are permitted outside of enhanced Class B airspace:**

IFR/VFR operations (except for specific exclusions listed in the notam)

VFR flight training in non-turbojet aircraft of 12,500 lbs or less

VFR banner towing, airship, balloons, traffic watch, news reporting

VFR pipeline/powerline operations only permitted with assigned beacon code

### **Operations permitted inside enhanced Class B airspace:**

- IFR operations (except for the Washington, New York TFRs and Hawaii enhanced Class B).
- VFR flight training in piston single- and multi-engine non-turbojet aircraft with a gross weight of 6,000 pounds or less (except for the enhanced Boston Class B and the Washington and New York TFRs).
- Supervised student solo flight (except in the Boston enhanced Class B and the Washington and New York TFRs).
- VFR flight by certificated pilots inside enhanced Class B airspace is still prohibited — you read that correctly.

## Presidents Message

I think we can agree that our nation and the world have forever been changed by what took place on Sept. 11. U.S. aviation has been turned upside down by the immediate shutdowns and the continuing restrictions on general aviation.

As G/A pilots we face a period of uncertainty as the powers to be move to somehow reestablish confidence in the national air-transport system. As the airlines seek government loans, the FBO's, Part 91's, and small flight training businesses suffer major financial losses. Airports of all size rushed to deal with security mandates and perceived threats. In some airports the military now man the terminal isles and armed sky marshals are being re-introduced.

At SBP, manager Klaasje Nairne and Martin Pehl faced strict new rules for auto parking that would have meant no vehicles near the terminal. They were able to get FAA permission to be exempt from rules to allow the "Spirit of San Luis" to have customer parking.

G/A pilots must check the constantly changing NOTAMs and recognize that incursions into restricted airspace, and over such sites a nuclear power plants, are no longer tolerated and may mean being brought down by military aircraft.

The AOPA is a strong advocate on behalf of G/A and provides an excellent source of current information via their Internet site. The [www.slopilots.com](http://www.slopilots.com) site provides a link to the AOPA and other info sources.

The SLOPOA Board attended the most recent EAA meeting along with the 99's Chapter Pres. The hope is that the three groups can join in activities and advocacy.

Rick Etzler is coordinating the Christmas holiday dinner and has made reservation for a banquet/dinner at the "A.J. Spurs" restaurant for December 9<sup>th</sup>, (Sunday).

### **FLY IN VACATION San Juan Islands - Wa.**

2 bedr'm cabin on 4100' paved airstrip, Roche Harbor, San Juan Island, Wa. 2 bikes and a good car included along with washer/dryer, stocked kitchen, great view, cleaning after departure

\$168.00/night or 5 nights or more \$148.00/night.  
SLOPA Member - Jim Maul 772-8885, 772-8236  
[jmaulfly@charter.net](mailto:jmaulfly@charter.net)

## Opinion

Our nation's aviation system is in turmoil as government and industry plays catch-up to right the wrongs resulting from the fallout of deregulation. As politicians seek visible enemies to attack, and policies to enact, a root cause remains rarely mentioned.

Both business, and government, is loath to discuss the control of our nations borders and the almost uncontrolled influx of 'legal' and illegal emigrants.

For at least 30 years or so our borders have been made less and less controlled, at the behest of politicians seeking votes, and that our national border patrol and immigration agencies are politically handcuffed.

Several years ago I confronted a very angry and unstable transient who was burning a tree in Laguna Lake Park. He was from the former Soviet Union with obvious mental problems. He had no i.d., visa or passport and professed to be in the US under the INS 'political asylum program'.

I requested that the Border Patrol respond and, instead, a senior INS agent, who just happened to be in the area, showed up. The INS agent conferred by phone and shook his as he told me that, yes, the unstable transient, had come to US and been given political asylum. No passport needed. No accountability, no papers needed. He could just do as he pleases.

This INS agent told me that he was about to retire and could not wait to get out. He spoke of the pressure from his bosses and the politicians (under Reagan) to NOT enforce INS rules. He sadly expressed his concern over the severe situation our nation was facing with this uncontrolled influx of people who had no real interest in becoming part of the nation, but only were here to take.

The rush to embrace a philosophy of one-world and open borders can exist only when all peoples are civilized and when each respects the other. We are not there yet.

Envision our nation as a very nice home on a street with good homes and bad. If we allow our doors and windows to stand open, and welcome any and all to come and visit or stay, we invite disaster. Just as you are selective about who you allow into your home, so should we as a nation be selective.

We have the right and duty to protect our home and controlling what comes through the door is critical.

This past week two 20-year career Border Patrol agents were suspended because they dared to speak out to the media about inadequate personnel and resources along the Canadian border. Their bosses had no comment.

## **AIR SPACE CHANGES - PLEASE READ - FROM FAA**

### **Q: Why is this change being made?**

New national security concerns require that the airspace above some areas in the United States become restricted and/or prohibited to air carrier or private aircraft.

### **Q: What is a “Restricted Area?”**

Restricted Area: Airspace designated under FAA Regulations (FAR Part 73), within which flight of aircraft, while not wholly prohibited, is subject to restriction. Existing restricted areas are clearly depicted on “enroute” charts and are a part of routine trip planning for pilots. However, as the restricted and prohibited areas will now be updated periodically, every pilot must take steps to find out where these zones are located and to observe them scrupulously whenever they fly.

### **Q: What is a “Prohibited Area?”**

Prohibited Area: Airspace designated under FAR Part 73 within which no person may operate an aircraft without permission of the using agency. For example, the US Capitol area is defined as Prohibited area 56 (P-56).

### **Q: What is under the new airspace that is so important?**

Key industrial assets and areas that are important to protect for national security.

### **Q: What specifically is new in the change?**

Prior to September 11, 2001, when an aircraft transited through an active restricted or prohibited area, intentionally or unintentionally, warnings were provided by Air Traffic Control when the aircraft was under surveillance and control. Ultimately, pilot certificate revocation and/or civil penalties by FAA Flight Standards, were possible.

Under the new change, pilots who enter prohibited or restricted airspace — or are flying in a suspicious manner — may be intercepted by military aircraft. In these situations pilots must strictly adhere to interception procedures in the Aeronautical Information Manual and any instructions provided by the military or FAA controllers. Failure to follow these instructions could result in the use of deadly force.

### **Q: What are the exact procedures published in the Aeronautical Information Manual that pilots are to follow if intercepted?**

An aircraft that is intercepted by another aircraft shall immediately:

1. Follow the instructions given by the intercepting aircraft, interpreting and responding to the visual signals.
2. Notify, if possible, the appropriate air traffic services unit.
3. Attempt to establish radio communication with the intercepting aircraft or with the appropriate intercept control unit, by making a general call on the emergency frequency 243.0 MHz and repeating this call on the emergency frequency 121.5 MHz, if practicable, giving the identity and position of the aircraft and the nature of the flight.
4. If equipped with SSR transponder, select MODE 3/A Code 7700, unless otherwise instructed by the appropriate air traffic services unit. If any instructions received by radio from any sources conflict with those given by the intercepting aircraft by visual or radio signals, the intercepted aircraft shall request immediate clarification while continuing to comply with the instructions given by the intercepting aircraft.

### **Q: What is the exact definition of “deadly” or “lethal” force?**

A pilot who enters prohibited or restricted airspace and does not comply with the military intercept procedures could be shot down as a last resort.

### **Q: What are the current rules of engagement and interception when a plane enters prohibited or restricted airspace?**

The FAA has interception policies for a few specific activities such as hijacks in the Airman’s Information Manual, but not for unauthorized entrance into restricted or prohibited areas.

### **Q: How are the new rules different?**

Aircraft operating in the United States have never been subject to intentional “harmful” penalties for entering into a restricted or prohibited area.

### **Q: Does this affect commercial and private pilots?**

Yes. However, air carrier pilots are under the supervision of air traffic control who ensure that flight paths do not conflict with restricted or prohibited airspace.

### **Q: How will pilots be alerted of this change?**

Every step possible will be taken to ensure that private pilots learn of the changes. Airline pilots are always under air traffic control supervision so the main notification concerns are for private pilots. A Notice to Airmen (NOTAM) will be issued which will be sent to every Air Traffic Control Facility and to Flight Service Stations for pilot briefings. NOTAMs are the primary way pilots are contacted with important new changes. In addition, contact with the numerous association groups representing pilots in the U.S. will be made to ensure broad distribution of the new implications of unauthorized entry to Restricted and Prohibited areas. Special notification is being provided to general aviation airports. FAA, DOT and pilot association web sites will publish the information, and the news media will be alerted nationwide. In addition, the Administration intends to call attention to this policy through general news media.

## CALENDAR

**San Luis Obispo Aviation Safety Program Safety  
Tuesday, October 16th 2001 - 6:30 to 9:00 PM**

**“What Every Maintenance Technician, Pilot and Aircraft  
Owner Needs To Know  
About Airworthiness and Maintenance Records”**

FAA Airworthiness Safety Inspector and former NASA research aircraft maintenance specialist Lee Mountz will present an informative seminar on the joint owner-pilot-maintenance technician responsibilities for “Airworthiness” of an aircraft and for the “Maintenance Records” required to verify airworthiness.

## Members Businesses

<b>Air San Luis *</b>	541-1038
Brooks Woodcraft	544-2505
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Cal Coast Flyers Inc.	544-4468
<b>En Vision Optometry *</b>	542-0700
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Propwash is published monthly and mailed to SLOPA members and to local aviation agencies. Members are welcomed and encouraged to submit articles and photos for publication. Submissions should be e-mailed to D.Darbyshire, mailed as typed text to PO Box 292, SLO, Ca. 93406-0292, or given to a SLOPA Board Member.

Address Correction Requested

# *Propwash*

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**September 2001**