MEMORANDUM OF UNDERSTANDING BETWEEN NORAD AND THE FAA

This instruction informs all echelons of the North American Aerospace Defense Command (NORAD) of the Memorandum of Understanding between NORAD and the Federal Aviation Administration (FAA). It applies to all NORAD echelons and military agencies under the operational control of CINCNORAD and is for the guidance and information of other commands having collateral responsibilities in the conduct of air defense. This instruction applies to the Air National Guard and Air Force Reserves.

SUMMARY OF REVISIONS
Administrative update reflecting NORAD regulation change to conform with AF directives.

1. General:

1.1. The attached memorandum sets forth mutually agreed upon arrangements regarding responsibilities and working relationships between FAA and NORAD to ensure accomplishment of the air defense mission.

2. Responsibilities:

2.1. NORAD and the FAA comply with the attached Memorandum of Understanding.

D. FRASER HOLMAN, Major-General, CF
Director of Operations

Attachment:
1. Memorandum of Understanding Between NORAD and the FAA.
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NORTH AMERICAN AEROSPACE DEFENSE COMMAND AND THE FEDERAL AVIATION ADMINISTRATION

1. Purpose: This Memorandum of Understanding contains the mutually agreed upon responsibilities and working relationships of the North American Aerospace Defense Command (NORAD) and the Federal Aviation Administration (FAA) to ensure accomplishment of the air defense mission.

2. General:

2.1. NORAD is charged with the responsibility for defending the North American continent against air attack. In accordance with the NORAD Terms of Reference, CINCNORAD is responsible for the development of plans and policies for the identification and security control of air traffic and the control of electromagnetic radiation. In this regard, CINCNORAD is authorized to coordinate directly with appropriate U.S. and Canadian agencies.

2.2. The authority and responsibilities of the FAA are stated in the Federal Aviation Act of 1958 (Public Law 85-726) 85th Congress. The FAA is charged with the responsibility for the establishment and operation of a common system of air navigation and air traffic control within the United States.

2.3. In discharging its responsibilities, NORAD makes extensive use of United States airspace for a variety of operations. These operations are conducted within the framework of the FAA regulatory provisions and with the active assistance and participation of the FAA. Close coordination between NORAD, its component forces, and the FAA is imperative to carry out air defense requirements effectively without undue restrictions to civil and nontactical aviation.

3. Responsibilities:

3.1. NORAD will:

3.1.1. Coordinate with the FAA on all matters of mutual interest and participation in air defense.

3.1.2. Participate jointly with the FAA in the development of plans implementing instructions and tests for the security control of air traffic and the control of air navigation aids.

3.1.3. Coordinate with the FAA on requirements for prohibiting or restricting flights of aircraft in the interest of air defense.

3.1.4. Exchange with FAA information on nuclear detonations, biological and chemical data and provide fallout prediction data to FAA air traffic control facilities as requested for specific locations.

3.1.5. Provide FAA air route traffic control centers with Defense Conditions (DEFCONs) and air defense warnings when declared by CINCNORAD or when declared by higher authority and affecting the status of NORAD forces.

3.2. The FAA will:

3.2.1. Participate jointly with NORAD in the development of plans, implementing instructions and tests for the security control of air traffic and the control of air navigation aids.

3.2.2. Designate zones or areas essential to the NORAD mission in which it may be necessary to prohibit or restrict flights of aircraft, and the promulgation of regulations for aircraft operation in such zones or areas. Such actions will be requested through the Department of Defense.
3.2.3. Provide liaison to NORAD and its subordinate commands by assigning liaison officers with Headquarters NORAD, NORAD regions and subordinate echelons if required and mutually agreed upon.

3.2.4. Gather, process and furnish air movement data to appropriate air defense facilities in accordance with mutually acceptable procedures for all flights of civil and military aircraft requiring identification in Air Defense Identification Zones and in other areas and conditions as agreed upon.

3.2.5. Provide air traffic control surveillance, radar control service and information in support of air defense requirements as mutually agreed upon.

3.2.6. Exchange with NORAD information on nuclear detonations, biological and chemical data, and provide status and damage information on FAA facilities (includes but is not limited to air route traffic control centers and supporting radar facilities that are solely operated by FAA).

4. Liaison:

4.1. Liaison Officers, assigned to coordinate interagency matters at the Headquarters NORAD, Regions and subordinate echelons (as mutually agreed upon) shall be members of the Commander’s staff. Working through appropriate staff channels, the liaison officers duties shall include:

4.1.1. Advising the HQ NORAD of the current policies, procedures, operational capabilities and limitations of the FAA with respect to air defense matters.

4.1.2. Effecting coordination, with appropriate offices of the FAA on air defense activities.

4.1.3. Participating, in conferences and in the coordination of air defense activities with civil and military agencies, as required.

4.1.4. Assisting in the development, coordination and execution of air defense exercises.

4.1.5. Assisting in the development, coordination and execution of detailed plans for the security control of air traffic and air navigation aids.

4.1.6. In the event of an air defense emergency, be readily available on a 24-hour basis for duty as required by the appropriate headquarters. These personnel will be subject to military security regulations. The FAA will insure that such assigned personnel have a security clearance of SECRET or higher.

5. Administration:

5.1. NORAD will:

5.1.1. Furnish FAA Liaison Officers assigned (as mutually agreed upon) at HQ NORAD, NORAD Regions or subordinate echelons with suitable office space, facilities, equipment and supplies. Facilities, equipment and supplies furnished will be on a nonreimbursable basis and will be funded and budgeted for by the appropriate Regions and Sectors.

5.1.2. Issue appropriate orders to assigned FAA Liaison Officers authorizing necessary transportation (including travel on military aircraft), messing, billeting, and emergency medical treatment as available at military installations. While performing duty for the NORAD agency concerned, FAA Liaison Officers will be accorded those privileges and courtesies normally accorded officers of equivalent rank.
5.2. The FAA will:

5.2.1. Pay all salaries and expenses of FAA Liaison Officers and their secretaries. Administrative control of FAA personnel shall remain with FAA.

5.2.2. Pay for all activities initiated by the FAA.

5.3. Requests for air defense services which require additional FAA personnel, equipment and/or communications for which military funds must be provided will be referred by the FAA to Headquarters NORAD for resolution.