

contiguous 48 U.S. states, Alaska, Puerto Rico, U.S. Virgin Islands and Canada, requests shall 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 shall be submitted to the designated AADC.

(2) For Federal, State, local government agencies and aircraft in priority eight, a Security Control Authorization may be granted on a case-by-case basis. Requests for SCAs will be coordinated through TSA. TSA will forward those requests that it recommends for approval to the appropriate military authority. Aircraft with a SCA shall have a Security Assurance Check prior to take off. Refer to specific SCA procedures provided in separate agreement between the appropriate military authority and TSA.

[71 FR 61889, Oct. 20, 2006; 71 FR 66110, Nov. 13, 2006]

**Subpart F—Procedure for Movement of Air Traffic Under ESCAT**

**§ 245.24 Aircraft assigned an EATPL number 1 or 2.**

Aircraft assigned an EATPL number 1 or 2 will not be delayed, diverted, or rerouted by Combatant Commanders. However, commanders may recommend that this traffic be rerouted to avoid critical or critically threatened areas.

**§ 245.25 Aircraft assigned an EATPL number other than 1 or 2.**

Aircraft assigned an EATPL number other than 1 or 2 may be delayed, diverted, or rerouted by Combatant Commanders to prevent degradation of the air defense system.

**§ 245.26 Aircraft being recovered.**

Aircraft being recovered will be expedited to home or an alternate base. Search and Rescue aircraft may be expedited on their missions. Such aircraft may be diverted to avoid critical areas or takeoff may be delayed to prevent saturation of airspace.

**§ 245.27 Data entry.**

Aircraft will file IFR or VFR flight plans, assigned a discrete transponder code, and must be in direct radio communication with ATC. The appropriate EATPL number 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.

**Subpart G—Test Procedures**

**§ 245.29 Purpose.**

The purpose of establishing training/test procedures is to specify procedures that will allow all participants to determine the time required and assure the capability to notify all agencies/personnel, down to the lowest action level, that ESCAT has been implemented. To ensure the proper level of participation, the appropriate military authority will provide, at a minimum, 30 days notice of a test to the appropriate civil agencies. Testing shall be conducted at least annually.

**§ 245.30 ESCAT test procedures restrictions.**

- (a) Aircraft will not be grounded or diverted.
- (b) Test messages will not be broadcast over air/ground frequencies.
- (c) Radio communications will not be interrupted.
- (d) Navigation Aids will not be affected.

**§ 245.31 ESCAT test.**

For ESCAT testing, the responsible military commander will notify the ATCSCC using the following sample statement:

- (a) Exercise, Exercise, Exercise, this is CONUS NORAD Region with a NORAD exercise message for \_\_\_\_\_ (State exercise name) \_\_\_\_\_.

Simulate implementing ESCAT for \_\_\_\_\_ (Specified Area) \_\_\_\_\_.

The following air control measures are being implemented. (Some examples are: Flight restricted zones, Temporary Flight Restrictions, and/or other specific air control measures for operators.) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

All aircraft not previously mentioned as exemptions are restricted from flight in the affected area until further notice.

and/or

EATPL Priorities \_\_\_\_\_ through \_\_\_\_\_ are being implemented.

ATCSCC will advise the appropriate military commander when the affected FAA ATC facilities have reported simulating ESCAT.

This is an exercise message for \_\_\_\_\_ (State exercise name) \_\_\_\_\_. Exercise, Exercise, Exercise.

(b) ATCSCC will notify ARTCC(s)/CERAP(s).

(c) ARTCC(s)/CERAP(s) will notify all appropriate U.S. civil and military approach control facilities and FSS. Upon completion of all actions, the implementation completion time will be forwarded to the ATCSCC.

(d) ATCSCC will provide completion times to the appropriate military authority.

(e) Tests should normally be conducted in conjunction with scheduled headquarters NORAD approved exercises. Individual NORAD Regions and Sectors may conduct tests when test objectives are local in nature and prior coordination has been effected with the ATCSCC.

(g) A narrative summary of each test will be prepared by the ATCSCC and copies sent to the appropriate military authority. Each military authority will, in turn, forward copies of the summary to HQ NORAD and DHS.

### Subpart H—Authentication

#### § 245.33 Approval.

Authentication will be accomplished via secure communications means between the appropriate military authority and the ATCSCC for the implementation of ESCAT. Implementation will be validated with a call back via secure communications to the appropriate military authority. Further dissemination of information may be accomplished over non-secure communications.

## PART 246—STARS AND STRIPES (S&S) NEWSPAPER AND BUSINESS OPERATIONS

Sec.

- 246.1 Purpose.
- 246.2 Applicability.
- 246.3 Definitions.
- 246.4 Policy.
- 246.5 Responsibilities.
- 246.6 Procedures.
- 246.7 Information requirements.

APPENDIX A TO PART 246—MISSION

APPENDIX B TO PART 246—BUSINESS AND FINANCIAL OPERATIONS

APPENDIX C TO PART 246—PERSONNEL POLICIES AND PROCEDURES

APPENDIX D TO PART 246—EDITORIAL OPERATIONS

APPENDIX E TO PART 246—STARS AND STRIPES (S&S) BOARD OF DIRECTORS

AUTHORITY: 10 U.S.C. 136.

SOURCE: 59 FR 19137, Apr. 22, 1994, unless otherwise noted.

#### § 246.1 Purpose.

This part:

(a) Establishes policy, assigns responsibilities, and prescribes procedures for the S&S organizations owned by designated Unified Commands consistent with 32 CFR part 372.

(b) Supersedes policies and procedures in 32 CFR part 247 about the S&S newspapers.

(c) Authorizes the establishment, management, operation, and oversight of the Stars and Stripes, including the resale of commercial publications necessary to support the overall S&S mission, production, distribution authority, and business operations as mission-essential activities of the Department of Defense and the designated Unified Commands.

(d) Designates the Secretary of the Army as the DoD Executive Agent for providing administrative and logistical support to the American Forces Information Service (AFIS), designated Unified Commands, and the S&S.

(e) Authorizes the Commander in Chief, U.S. European Command, and the Commander in Chief (CINC), U.S. Pacific Command, to establish and maintain a S&S board of directors to address S&S business operations in their Unified Commands.