A More Credible Alternative to FAA’s Proposed Special Flight Rules Area (SFRA) Rule

Executive Order 12866 Meeting
Office of Management and Budget
November 26, 2008

(Updated and amended December 1, 2008)
WHAT IS THE RIGHT STORY?

• As ‘security’ the ADIZ is not credible to anyone

• As ‘emergency communications’ some rules make sense

• Explained correctly, this could make sense to everyone

• Understood correctly, simpler solutions exist
FAA’s PROPOSED ADIZ DOES NOT PROVIDE SECURITY

• Everyone knows the ADIZ provides open access
  – Anyone may enter the ADIZ by following 3 simple rules – 1) File flight plan, 2) Maintain radio contact, and 3) Activate transponder
  – The ADIZ provides insufficient security by allowing open access to within 15 miles of Reagan National Airport, which is too close to intercept or stop
  – Pilots remain unknown

• ADIZ Undermines Security by Revealing its own Limitations
  – >8,000 ADIZ Violations
  – >300 Intercept Scrambles
  – >200 Alerts
  – ~1/3 are US Gov chasing US Gov
  – > 6,000 Waivers so far

• As security the ADIZ is not credible to anyone
PROBLEMS WITH FAA’S PROPOSED RULE

• **DEFIES COMMON SENSE**
  A simpler alternative could address existing security gaps, while reducing costs and impacts

• **IS TOO COSTLY** – To Private and Public Sectors
  – **Significant Federal Burden**
    • >8,000 ADIZ Violations - *80 man-years* processing ADIZ violations
    • >300 Intercept Scrambles
    • >200 Alerts
    • ~1/3 are US Gov chasing US Gov
    • > 6,000 Waivers so far
  – **Broad Economic Impact** - ~$40m /mo $1 Billion from Reagan National restrictions (Link to [NBAA Study](#))
  – **Depressing State & Local business activity**

• **IMPOSES INTENSE MANPOWER WORKLOAD - ACROSS THE BOARD**
  – Pilots, Air Traffic Control, and Security

• **INCREASES CHANCE OF ACCIDENTS and INADVERTENT SHOOT DOWNS**

• **LACKS ECONOMIC DATA TO ASSESS IMPACT**

• **RECEIVED 20,000+ COMMENTS IN OPPOSITION TO PROPOSED RULE**
  (Few, if any comments, were in favor)

THE RULE PROVIDES WHAT BENEFIT AT WHAT COST?
AN ALTERNATIVE TO THE PROPOSED RULE

• WHAT IS NEEDED
  – A MORE CREDIBLE AND MORE SUSTAINABLE DEFENSE POSTURE
  – BETTER FOCUS FOR LIMITED SECURITY RESOURCES

• PROPOSED
  – ESTABLISH A PERMANENT 7 MILE FLIGHT RESTRICTED ZONE (FRZ)
    Use existing Class B airspace around Reagan National (DCA) and Andrews AFB (ADW)
    • Credible and sufficient to warn Pilots away from protected areas downtown
    • Uses existing FRZ protocols – which convey PILOT IDENTITY + IN-COCKPIT CONTROL
  – A MORE EFFECTIVE FRZ COULD BE EXPANDED WHENEVER NECESSARY
    By White House Guidance
    • To existing 30 Mile SFRA limit, or beyond
    • Adjustable to provide more appropriate reaction time to specific aircraft threats
    • Provides flexible safety buffer during times of crisis
  – FRZ WOULD REMAIN ACCESSIBLE TO VETTED PILOTS ONLY

• RESTORES ECONOMIC ACTIVITY ACROSS THE BOARD

• A FLEXIBLE FRZ RENDERS A SEPARATE ADIZ UNNECESSARY

• BETTER SECURITY, LESS BURDEN, MORE SUSTAINABLE FOR ALL CONCERNED
  (Long term sustainability is critical to defense)
FRZ PILOT VETTING & SECURE PROCEDURES
FOUNDATIONS FOR REAL SECURITY

• FRZ sterilizes airspace of unknowns
  – Only Trusted pilots having In-Cockpit Control may enter the airspace
  – Security is provided by knowing / vetting pilots (not by arbitrary boundaries)

• Pilots apply for ‘continual’ Vetting by TSA / FAA

• Vetted pilots are given authentication procedures
  – Pilots use Identify Friend or Foe (IFF) procedures before entering airspace
  – Procedures convey Pilot Identity and In-Cockpit Control of their aircraft
  – Any un-approved airborne movements stand out

• FRZ Protocols provide secure flight operations at will

• Vetting process, airspace procedures, and special protocols have already been developed and are in effect under White House guidance

Protocols allow in-flight identification of authorized pilots, to make possible threats stand out
THE 15-MILE FRZ IN THE PROPOSED RULE PROVIDES A MARGINAL SENSE OF SECURITY

• The 15-Mile “Flight Restricted Zone” (FRZ)
  – Centered on Reagan National Airport is the only FRZ in the USA

• The 15-Mile FRZ is:
  – TOO SMALL – To respond to high speed threats
  – LARGER THAN NECESSARY – to provide the necessary ‘Warning Area’
  – TOO RIGID AND TOO PREDICTABLE

• 15-Mile FRZ depresses economic activity unnecessarily

BUT, A CONTINUOUSLY EXPANDED FRZ IS MUCH TOO COSTLY TO BE SUSTAINABLE
A PERMANENT 7-MILE FRZ USING EXISTING CLASS B AIRSPACE WOULD MORE CREDIBLY AND MORE ACCURATELY DEFINE THE PROTECTED AREAS IN THE NATIONAL CAPITAL REGION

A 7-Mile FRZ provides sufficient and credible warning area around protected areas

Protects commerce by minimizing impacts

Easily avoided by pilots, resulting in fewer airspace incursions

Restores economic activity

- Offers a more sustainable defense posture, which is more credible to friend and foe alike

FRZ & PILOT Vetting has been working since Feb 2002
A FLEXIBLE FRZ COULD BE QUICKLY EXPANDED BY WHITE HOUSE ACTION WHENEVER NEEDED

• COULD BE FLEXIBLY EXPANDED TO STERILIZE AIRSPACE MORE PROPORTIONAL TO SPECIFIC AIRBORNE THREATS

• COULD SERVE AS SECURITY MODEL FOR NATIONAL EVENTS – (ALREADY USED FOR CAMP DAVID)

• VETTED PILOTS USING AUTHENTICATION COULD OPERATE UNDER EXISTING SECURITY PROTOCOLS
RECOMMENDATION

• FAA should not issue a final rule until the DHS Inspector General’s Report on General Aviation is issued (expected within months)

• The DHS IG’s Report may bring more balance to current assumptions about risks from General Aviation; and is unlikely to recommend any significant ratcheting up of GA security

• FAA should publish a Supplemental Proposed Rule
  – With alternatives, including an expandable 7-Mile FRZ (with no ADIZ)
  – Including sunset provisions, to ensure periodic review
  – Explaining emergency communication aspects, for better public acceptance
  – Replacing overly complex procedures and regulatory compliance with operationally and intuitively simple solutions:

    *Example:* “Within 30 miles of DCA, ALL aircraft MUST monitor 121.5 Mhz for emergency broadcasts”

  – *Allowing all routine operations for properly vetted pilots*

• This would provide real security at significantly lower cost

• Industry will concur with a more rational plan
Thank You

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PLEASE ALSO CONSIDER THE FOLLOWING
FAA’s PROPOSED ADIZ DOES ESTABLISH COMMUNICATIONS AS WOULD BE NECESSARY FOR AN EMERGENCY
FAA’s PROPOSED ADIZ

• Applies to ALL aircraft within 30 miles of DCA (SFRA AREA)

• Above 18,000 feet
  – Class A Airspace - All aircraft already operating under “IFR” procedures
  – Already issued individual IFR radar data tags
  – Already communicating with ATC

• Below 18,000 feet
  – Pre 911 Existing Class B airspace
  – Already provides complete individual radar tags
  – Already provides communication with ATC

• Perhaps those that created the ADIZ in a rush
  May not have fully understood
  That the existing Class B airspace around the NCR
  Already achieved most of these Communication objectives?
THE PROPOSED ADIZ RULE
Merely extends Communications Beneath existing Class B airspace

• FILING ADIZ/FRZ FLIGHT PLANS
  – Pilots ‘preload’ radar tag information by filing flight plans with Flight Service
    • ATC would be unable to keep up with filling out so many data tags ‘on the fly’

• ISSUING ATC RADAR DATA TAGS & TRANSPONDER CODES
  – Provide unique radar data tags to each and every aircraft in NCR
  – Allow each aircraft to be individually addressed by ATC, by unique aircraft call sign
    (Legitimate call-sign or not)

• ESTABLISHING OPEN RADIO CHANNELS
  – Between ATC and every aircraft within 30 miles
  – In case of sudden need to empty NCR airspace
    • Un-cooperative aircraft continuing inbound would then stand out

• AVOIDS ATC TRAFFIC SEPARATION RESPONSIBILITY WHERE WORKLOAD NOT NEEDED
  – Avoids unnecessary ATC traffic separation service and workload where not needed or wanted

• STARTS INBOUND TRACKING AT 30 MILES
  – For all movements in the NCR, ADIZ and FRZ

THERE ARE EASIER WAYS TO ACHIEVE THESE OBJECTIVES
Example: “All aircraft MUST monitor 121.5 for emergency broadcasts”
THE FRZ AND THE MD3

- Jets remain unlikely to come aloft from the MD3 airports (College Park, Potomac and Washington Exec)
  - MD3 runways are too short for jets or heavy aircraft
  - MD3 only serve smaller, slower-moving aircraft

THE MD3 AIRPORTS ARE LOCATED BEYOND THE NCR PROTECTED AREAS:
WHY MAKE IT ANY MORE DIFFICULT TO OPERATE BEYOND THOSE LIMITS?
QUESTIONS

• Can a 15 mile boundary provide sufficient warning of a hostile inbound ‘slow-mover?’ (~150 mph)

• Can a 30 mile boundary provide sufficient warning of a hostile inbound ‘fast-mover?’ (~500 mph)

• “Only the threat of destruction gives pause to an attacker”

The only credible threat of destruction to any real attacker, (and therefore the only effective deterrent against any such attack), are implied but unspecified defenses inside the 7 mile ring, which can best and most easily be defined by the Class B airspace around DCA (perhaps including ADW)