

4. Protect declared national disasters for humanitarian reasons in the State of Hawaii (14 CFR Section 91.138).

5. Protect the President, Vice President, or other public figures (14 CFR Section 91.141).

6. Provide a safe environment for space agency operations (14 CFR Section 91.143).

c. Except for hijacking situations, when the provisions of 14 CFR Section 91.137(a)(1) or (a)(2) are necessary, a temporary flight restrictions area will only be established by or through the area manager at the Air Route Traffic Control Center (ARTCC) having jurisdiction over the area concerned. A temporary flight restrictions NOTAM involving the conditions of 14 CFR Section 91.137(a)(3) will be issued at the direction of the service area office director having oversight of the airspace concerned. When hijacking situations are involved, a temporary flight restrictions area will be implemented through the TSA Aviation Command Center. The appropriate FAA air traffic element, upon receipt of such a request, will establish a temporary flight restrictions area under 14 CFR Section 91.137(a)(1).

d. The FAA accepts recommendations for the establishment of a temporary flight restrictions area under 14 CFR Section 91.137(a)(1) from military major command headquarters, regional directors of the Office of Emergency Planning, Civil Defense State Directors, State Governors, or other similar authority. For the situations involving 14 CFR Section 91.137(a)(2), the FAA accepts recommendations from military commanders serving as regional, subregional, or Search and Rescue (SAR) coordinators; by military commanders directing or coordinating air operations associated with disaster relief; or by civil authorities directing or coordinating organized relief air operations (includes representatives of the Office of Emergency Planning, U.S. Forest Service, and State aeronautical agencies). Appropriate authorities for a temporary flight restrictions establishment under 14 CFR Section 91.137(a)(3) are any of those listed above or by State, county, or city government entities.

e. The type of restrictions issued will be kept to a minimum by the FAA consistent with achievement of the necessary objective. Situations which warrant the extreme restrictions of 14 CFR Section 91.137(a)(1) include, but are not limited to: toxic gas leaks or

spills, flammable agents, or fumes which if fanned by rotor or propeller wash could endanger persons or property on the surface, or if entered by an aircraft could endanger persons or property in the air; imminent volcano eruptions which could endanger airborne aircraft and occupants; nuclear accident or incident; and hijackings. Situations which warrant the restrictions associated with 14 CFR Section 91.137(a)(2) include: forest fires which are being fought by releasing fire retardants from aircraft; and aircraft relief activities following a disaster (earthquake, tidal wave, flood, etc.). 14 CFR Section 91.137(a)(3) restrictions are established for events and incidents that would attract an unsafe congestion of sightseeing aircraft.

f. The amount of airspace needed to protect persons and property or provide a safe environment for rescue/relief aircraft operations is normally limited to within 2,000 feet above the surface and within a 3–nautical–mile radius. Incidents occurring within Class B, Class C, or Class D airspace will normally be handled through existing procedures and should not require the issuance of a temporary flight restrictions NOTAM. Temporary flight restrictions affecting airspace outside of the U.S. and its territories and possessions are issued with verbiage excluding that airspace outside of the 12–mile coastal limits.

g. The FSS nearest the incident site is normally the “coordination facility.” When FAA communications assistance is required, the designated FSS will function as the primary communications facility for coordination between emergency control authorities and affected aircraft. The ARTCC may act as liaison for the emergency control authorities if adequate communications cannot be established between the designated FSS and the relief organization. For example, the coordination facility may relay authorizations from the on-scene emergency response official in cases where news media aircraft operations are approved at the altitudes used by relief aircraft.

h. ATC may authorize operations in a temporary flight restrictions area under its own authority only when flight restrictions are established under 14 CFR Section 91.137(a)(2) and (a)(3). The appropriate ARTCC/airport traffic control tower manager will, however, ensure that such authorized flights do not hamper activities or interfere with the event for which restrictions were implemented. However, ATC will