

a location inside the U.S., its territories or possessions.

g. *Transit or transiting U.S. territorial airspace* means any flight departing from a location outside of the U.S., its territories or possessions, which operates in U.S. territorial airspace en route to a location outside the U.S., its territories or possessions without landing at a destination in the U.S., its territories or possessions.

h. *Aeronautical facility*, for the purposes of this section, means a communications facility where flight plans or position reports are normally filed during flight operations.

5-6-4. ADIZ Requirements

a. To facilitate early identification of all aircraft in the vicinity of U.S. airspace boundaries, Air Defense Identification Zones (ADIZ) have been established. All aircraft must meet certain requirements to facilitate early identification when operating into, within, and across an ADIZ, as described in 14 CFR 99.

b. Requirements for aircraft operations are as follows:

1. Transponder Requirements. Unless otherwise authorized by ATC, each aircraft conducting operations into, within, or across the contiguous U.S. ADIZ must be equipped with an operable radar beacon transponder having altitude reporting capability, and that transponder must be turned on and set to reply on the appropriate code or as assigned by ATC. (See 14 CFR 99.13, *Transponder-On Requirements*, for additional information.)

2. Two-way Radio. In accordance with 14 CFR 99.9, *Radio Requirements*, any person operating in an ADIZ must maintain two-way radio communication with an appropriate aeronautical facility. For two-way radio communications failure, follow instructions contained in 14 CFR 99.9.

3. Flight Plan. In accordance with 14 CFR 99.11, *Flight Plan Requirements*, and 14 CFR 99.9, except as specified in subparagraph 5-6-4e, no person may operate an aircraft into, within, or from a departure point within an ADIZ, unless the person files, activates, and closes a flight plan with an appropriate aeronautical facility, or is otherwise authorized by air traffic control as follows:

(a) Pilots must file an Instrument Flight Rules (IFR) flight plan or file a Defense Visual Flight Rules (DVFR) flight plan containing the time and point of ADIZ penetration;

(b) The pilot must activate the DVFR flight plan with U.S. Flight Service and set the aircraft transponder to the assigned discrete beacon code prior to entering the ADIZ;

(c) The IFR or DVFR aircraft must depart within 5 minutes of the estimated departure time contained in the flight plan, except for (d) below;

(d) If the airport of departure within the Alaskan ADIZ has no facility for filing a flight plan, the flight plan must be filed immediately after takeoff or when within range of an appropriate aeronautical facility;

(e) State aircraft (U.S. or foreign) planning to operate through an ADIZ should enter ICAO Code M in Item 8 of the flight plan to assist in identification of the aircraft as a state aircraft.

c. Position Reporting Before Penetration of ADIZ.

In accordance with 14 CFR 99.15, *Position Reports*, before entering the ADIZ, the pilot must report to an appropriate aeronautical facility as follows:

1. IFR flights in controlled airspace. The pilot must maintain a continuous watch on the appropriate frequency and report the time and altitude of passing each designated reporting point or those reporting points specified or requested by ATC, except that while the aircraft is under radar control, only the passing of those reporting points specifically requested by ATC need be reported. (See 14 CFR 91.183(a), *IFR Communications*.)

2. DVFR flights and IFR flights in uncontrolled airspace:

(a) The time, position, and altitude at which the aircraft passed the last reporting point before penetration and the estimated time of arrival over the next appropriate reporting point along the flight route;

(b) If there is no appropriate reporting point along the flight route, the pilot reports at least 15 minutes before penetration: the estimated time, position, and altitude at which the pilot will penetrate; or

(c) If the departure airport is within an ADIZ or so close to the ADIZ boundary that it prevents the