

**ANNEX XI to the
Memorandum of Agreement between
the Transportation Security Administration and
the Federal Aviation Administration**

AIR TRAFFIC

1. Purpose. The Transportation Security Administration (TSA) and the Federal Aviation Administration (FAA) ("the Parties") have a mutual interest in ensuring the security and safety of the U.S. National Airspace System (NAS). To achieve this purpose, the Parties agree to abide by the terms of this Annex, subject to applicable federal laws, regulations, and policies. The Parties will:
 - a. Bring their respective subject matter expertise to bear on transportation security issues that involve aviation.
 - b. Identify potential synergies and avoid duplication in program development and implementation.
 - c. Share areas of mutual interest with respect to airspace/aviation safety and security.
 - d. Provide each other reasonable notice to discuss the effect of proposed flight restrictions and/or waivers to flight restrictions due to security issues.
2. Definitions. As used in this Annex:
 - a. The term "National Airspace System" (NAS) means the common network of U.S. airspace; airports or landing areas; rules, regulations, procedures, air navigation facilities, equipment, and services; aeronautical charts; technical information and manpower and material. Included are system components shared jointly with the military.
 - b. The term "coordinate" means to take action which provides reasonable notice of an agency's activities and which affords the notified agency, when possible, a reasonable opportunity to address concerns raised by such notice.
 - c. The term "reasonable notice" means as soon as possible, preferably prior to action, without placing an activity in jeopardy.
3. Action. The Parties will coordinate with one another regarding the following activities that have the potential to substantially affect the transportation security missions:

- a. Procedures that detail the communications process whereby TSA contacts an Airport Traffic Control Tower when air traffic control assistance is needed to address a particular security threat, such as a breach of airport security.
 - b. Promulgation, revisions, or waivers to security airspace regulations, including temporary flight restrictions, except when the Department of Defense or other Federal agency restricts sharing of information. These restrictions may include, but are not limited to, National Special Security Events and high profile events (such as United Nations General Assembly).
 - c. Crisis response activities associated with aviation security activities and changes in security levels.
 - d. Access to secure parts of the airport areas and to aircraft necessary to carry out the Parties' responsibilities.
 - e. Responsibilities and process for accommodating visitors to air traffic control facilities, when such facilities are located within an airport's secure area.
 - f. Timely exchange of information regarding airport terminal evacuations, re-screenings, checkpoint closures, and responses to breaches of airport security.
 - g. Security requirements that may alter existing air traffic operations policies or plans (such as Common Strategy).
 - h. Coordination of roles, responsibilities, communication requirements, and authority of all persons in the FAA Regional and Washington Operations Centers.
 - i. The above-described coordination will commence as soon as reasonably practicable under the circumstances, preferably at the earliest stage of development. Coordination of the above-described efforts will focus on (1) addressing the missions and interests of the other Party, (2) avoiding duplication or conflict in agency authorities, (3) providing consistent and authoritative information regarding the transportation security needs of the Nation to each other, and (4) furthering the transportation security interests of the United States.
4. Supplemental Standard Operating Procedures (SOPs). The Parties agree that specific SOPs will be needed to address operational matters falling within the scope of the broad categories described in paragraph 3. The Parties also agree that specific SOPs of this type may be discussed and agreed to at a Program Director or equivalent level within their respective organizations.
 5. Multi-Agency Activities. In any instance where TSA or FAA learns of another federal agency engaging in any NAS activity with the potential to substantially affect the

transportation security missions of either Party, the Parties will make good faith continuing efforts to, when appropriate, coordinate the participation of the all affected agencies.

6. Immediate Action. Nothing in the MOA or this Annex will be construed as limiting air traffic's authority to act without delay, when circumstances warrant immediate action.
7. Actions Requiring Departmental Approval. In addition to the coordination described above, if either Party engages in activities which could ultimately result in an action requiring the approval of the head of the Department in which either Party operates, the Parties will follow any applicable Departmental approval and coordination policies.
8. Points of Contact. In initiating coordination required by this Annex, each Party's point of contact, or that point of contact's designee, will coordinate with the other Party's point of contact, or their designee. Subject to updates by the Parties, the following persons will constitute points of contact with respect to this Annex.

TSA:

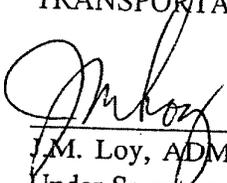
Assistant Administrator for Aviation Operations
Transportation Security Administration
TSA Headquarters
701 South 12th Street
Arlington, VA 22202

FAA:

Director of Air Traffic
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591

APPROVED BY:

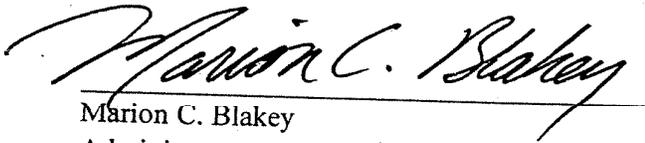
TRANSPORTATION SECURITY ADMINISTRATION



J.M. Loy, ADM
Under Secretary of Transportation for Security

2/28/03
Date

FEDERAL AVIATION ADMINISTRATION



Marion C. Blakey
Administrator

2/28/03
Date