



U.S. Department
of Transportation
**Federal Aviation
Administration**

System Operations Services
800 Independence Avenue, SW.
Washington, DC 20591

9/23/2024

Mr. Jay Stanley
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Dear Mr. Stanley:

This letter responds to your Freedom of Information Act (FOIA) request, 2024-05878, dated May 1, 2024. Your request sought the release of records pertaining to the standards and criteria used by the FAA in determining when to accept or reject a request for a Temporary Flight Restriction (“TFR”), including but not limited to training documents, internal guidance or guideline documents, standard operating procedures, lists of criteria, or rules, regarding 1) the evaluation of TFR requests, 2) the drafting of these TFRs once approved, including any special consideration given to the treatment of members of the media under the TFR, and 3) the review of Special Governmental Interest (SGI) or other exemption requests to TFRs, including any criteria for determining who counts as “media” for the purposes of such requests.

A search was conducted by the Air Traffic Organization, System Operations Services’ ATO Security Directorate. The enclosed 4-page SGI and TFR Procedures document represents all available data responsive to your request.

If you owe fees for the processing of this request, an invoice containing the amount due and payment instructions will be enclosed with this letter.

You have the right to seek assistance from the Federal Aviation Administration (FAA) FOIA Public Liaison via phone (202-267-7799) or email (9-afn-foia-public-liaison@faa.gov).

Sincerely,

for

Daniel Murphy
Vice President, System Operations Services
Air Traffic Organization

Enclosure

FAA 7210-3

19-1-4. PROCESSING CERTIFICATE OF WAIVER OR AUTHORIZATION (FAA FORM 7711-2) REQUESTS

a. Requests for a Certificate of Waiver or Authorization (FAA Form 7711-2) may be accepted by any FAA facility and forwarded, if necessary, to the appropriate office having waiver authority. Those offices making the determination of whether an application should be processed by higher authority may forward the request to the appropriate Service Area Director for action. Those requests that are forwarded to FAA Washington Headquarters for processing must include all pertinent facts, background information, recommendation(s), as well as the basis and reasons for requesting Headquarters action. b. Requests must be coordinated with all concerned FAA elements, prior to approval, by the office that is most convenient to the applicant and having waiver authority, even though the proposed operation will be conducted within or extended into other jurisdictional areas. This procedure is intended to establish one office as the agency contact for an applicant and will preclude the need for the petitioner to deal with the FAA at various locations.

19-1-6. ISSUANCE OF CERTIFICATE OF WAIVER OR AUTHORIZATION (FAA FORM 7711-1)

Waivers and authorizations must be completed in accordance with the following instructions and must be signed only by the appropriate authority (see FIG 19-1-1 and Example). The FAA Form 7711-1 should be: a. Issued to an organization, whenever possible, in preference to an individual but indicate name and title of the individual acting for the organization. b. Specify the operations that are permitted by the waiver or authorization. c. Define the area and specify altitudes at which they may be conducted. d. Specify the regulation, or portion thereof waived by numerical and letter reference as well as title. This section is left blank for authorizations (e.g., unmanned air vehicle operations, etc.). e. Specify the effective and expiration dates, including hours of operation. The specific dates and hours of operation must allow sufficient time for the accomplishment of the operation and, if appropriate, an alternate date to cover cancellations that might be necessary due to adverse weather conditions. 1. ATO issued waivers or authorizations may be made effective for a period of up to 24 calendar months in accordance with Flight Standards and ATO policies. 2. Flight Standards may issue waivers for aerobatic practice areas (APAs) for a period of up to 36 calendar months. f. Restrict the waiver or authorization to the extent required by the operation. Further, any special provisions that are required to provide for an adequate level of flight safety and the protection of persons and property on the surface; for example: limitations, location, time periods, and type aircraft, must be specified and included as part of the waiver or authorization.

21-4-7. UAS SPECIAL GOVERNMENTAL INTEREST (SGI) OPERATIONS

a. Public UAS and, in select cases, civil UAS operations may be needed to support activities which answer significant and urgent governmental interests, including national defense, homeland security, law enforcement, and emergency operations objectives. These operations are authorized through UAS SGI Addendums. b. Requests for UAS SGI operations are processed as either a COA addendum, modification, or a Part 107 authorization and granted through the SGI process managed by System Operations Security, and applied under the authority of their System Operations Support Center (SOSC).

21-5-4. UAS SGI ADDENDUM REQUEST PROCESS AND COORDINATION

a. SGI Qualifying Requirements. Prior to processing a UAS SGI request, the System Operations Support Center (SOSC) must ensure the requestor meets the following conditions: 1. The proponent is operating under the authority of an active COA (including Blanket COAs) or in compliance with Part 107. 2. The UAS operations to be authorized would be conducted within a timeframe incompatible with the processing time required for regular COA or Part 107 processes. 3. The requested operations will be flown by a governmental (public) entity or sponsored/supported by a governmental (public) entity. 4. The operations directly support an active (e.g., not demonstration) homeland security, law enforcement, or emergency operations effort, or some other response, relief, or recovery activity benefiting a critical public Coordination 21-5-1 JO 7210.3DD 4/20/23 good (for example, restoration of an electrical grid or some other critical infrastructure, or media coverage). The fulfillment of this requirement is determined by the SOSC in consultation, as needed, with the FAA's interagency partners. b. If the SGI request does not meet the qualifying requirements for an SGI Addendum, the SOSC will direct requestors to the FAA website at <https://www.faa.gov/uas/>. c. Civil UAS Operations. The SOSC requires qualifying proponents of civil UAS operations to secure support from a governmental entity participating in the response relief or recovery effort, to which the proposed UAS operations will contribute, prior to submitting its request for a SGI Addendum. d. DC FRZ Operations. The SOSC requires qualifying proponents of public UAS SGI operations inside the Washington DC Flight Restricted Zone (DC FRZ) to apply for an FAA/TSA airspace waiver at <https://waivers.faa.gov> prior to submitting the request for a SGI Addendum. 1. In support of the FAA/TSA airspace waiver request, the requestor will upload all pertinent documents, including a completed "FAA REQUEST FORM FOR EXPEDITED SGI WAIVER OR AUTHORIZATION FOR UAS OPERATION". 2. If the FAA/TSA airspace waiver request is approved, the requestor will receive an Airspace Access Program (AAP) airspace approval waiver. e. The SOSC requires all qualifying proponents of UAS operations to request a SGI Addendum as follows: 1. Submit a completed "FAA REQUEST FORM FOR EXPEDITED SGI WAIVER OR AUTHORIZATION FOR UAS OPERATION" to the SOSC via email at 9-ATOR-HQ-SOSC@faa.gov. NOTE- The "FAA REQUEST FORM FOR EXPEDITED SGI WAIVER OR AUTHORIZATION FOR UAS OPERATION" is located on the FAA website at https://www.faa.gov/uas/advanced_operations/emergency_situations/ then via the link for "Emergency Operation Request Form." 2. Confirm receipt of the request with the SOSC via phone at (202) 267-8276. f. The SOSC will review and coordinate the SGI Addendum requests as follows: 1. Conduct a review of the proposed operation and determine any amendments necessary to the current COA requirements (e.g., operating area, altitudes, class of airspace, transponder usage) or any authorizations or waivers under the Part 107 processes. 2. Determine if the request meets all necessary SGI criteria. 3. Coordinate with affected ATC facilities and determine and implement any needed mitigations (e.g., the application of Temporary Flight Restrictions) to reach an acceptable level of safety risk and to minimize impacts on other air traffic operations. g. These mitigations and other authorizations, including deviations from the operator's current COA or Part 107 authorization or waiver, will be implemented through COA addendum or Part 107 authorization/waiver, and other operational measures (e.g., coordinated ATC action and/or the application of Temporary Flight Restrictions). NOTE- LOAs may be used in conjunction with airspace authorizations/waivers when the ATM deems it necessary; they cannot be used in lieu of the SGI process.

Section 2. Temporary Flight Restrictions in the Vicinity of Disaster/Hazard Areas (14 CFR Section 91.137)

20-2-4. ISSUING TFRs

e. TFRs issued for law enforcement activities require approval from the ATO Director of System Operations Security (or designee). NOTE- 1. Law enforcement activities that may warrant TFRs include, but are not limited to, situations where there is a direct hazard to aircraft (for example, shots fired at aircraft) or where the presence of aircraft could exacerbate the danger to personnel on the ground (for example, SWAT or other personnel moving into position, etc.). 2. Law enforcement TFR NOTAMs must include wording that directs the media to contact the FAA Office of Communications (AOC) through the Washington Operations Center at 202-267-3333.

Section 3. Temporary Flight Restrictions in National Disaster Areas in the State of Hawaii (Section 91.138)

20-3-1. PURPOSE

TFRs issued in accordance with 14 CFR Section 91.138 address a determination that an inhabited area within a declared national disaster area in the State of Hawaii needs protection for humanitarian reasons.

20-3-2. REQUESTING AUTHORITIES

The Governor of the State of Hawaii or the Governor's designee may request a TFR under 14 CFR 91.138.

Section 5. Flight Restrictions in the Proximity of the Presidential and Other Parties (14 CFR Section 91.141)

20-5-1. PURPOSE

TFRs issued in accordance with 14 CFR Section 91.141 address air security with respect to airspace over presidential and other parties.

20-5-2. REQUESTING AUTHORITIES

A TFR under 14 CFR Section 91.141 may be requested by the Washington headquarters office of the U.S. Government agency responsible for the protection of the person concerned. This agency will contact FAA Headquarters in accordance with established procedures and request the necessary regulatory action.

Section 6. Flight Limitation in the Proximity of Space Flight Operations (14 CFR Section 91.143)

20-6-1. PURPOSE

TFRs issued in accordance with 14 CFR Section 91.143 segregate nonparticipating aircraft from space flight operations. This includes launch and reentry phases, and Class 2 and Class 3 amateur rocket operations.

20-6-2. ISSUING AUTHORITIES

FAA Headquarters or the Manager of Terminal or En Route and Oceanic Service Area Operations (or designee) having control jurisdiction over the affected airspace can issue a TFR under 14 CFR Section 91.143.

Section 6. Special Security Instruction (SSI) (14 CFR Section 99.7)

21-6-1. PURPOSE

In accordance with 14 CFR Section 99.7, the FAA, in consult with the Department of Defense or other Federal security/intelligence agencies, may issue special security instructions to address situations determined to be detrimental to the interests of national defense.