

Aviation Group Client Update

Date: July 20, 2015

Services Provided in Oceanic Airspace

On [July 1, 2015](#), the Federal Aviation Administration (FAA) published a notice informing airspace users of the type of air traffic control (ATC) service provided in the oceanic airspace controlled by the U.S. consistent with the obligations under the Convention on International Civil Aviation (Chicago Convention). Under the Chicago Convention all contracting States are required to disseminate information regarding the types of ATC services provided in oceanic airspace under their control.

Pursuant to the Chicago Convention, the U.S. accepted responsibility for providing ATC services over the domestic U.S. and within certain areas of the western half of the North Atlantic, the Gulf of Mexico, the Caribbean, and the North Pacific.

The Chicago Convention, is not applicable to state-aircraft (which includes military aircraft). However, Article 3 requires states, when issuing regulations for their state aircraft, to have due regard for the safety of navigation of civil aircraft. The U.S., as a Contracting State, complies with this provision.

The ICAO classes of airspace and associated services provided, to be used by the U.S. within their delegated Oceanic/Arctic areas are:

- (1) Class A airspace area (instrument flight rules (IFR) flights only are permitted, all flights are provided with ATC service and are separated from each other);
- (2) Class E airspace area (IFR and visual flight rules (VFR) flights are permitted, IFR flights are provided with ATC service and are separated from other IFR flights); and
- (3) Class G airspace area (IFR and VFR flights are permitted and receive flight information service if requested). All flights in these airspace areas would receive traffic information as far as is practical

If you have any questions or would like further information regarding this Notice, please contact any of our attorneys or:

Lisa A. Harig +1 703 247 5487
Margaret Giugliano + 1 212 868 6980
Shelley Ewalt +1 703 399 6078

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