

7. Are in receipt of, and are operating in accordance with, an FAA routing authorization if the aircraft is registered in a U.S. State Department–designated special interest country or is operating with the ICAO 3LD of a company in a country listed as a U.S. State Department–designated special interest country, unless the operator holds valid FAA Part 129 operations specifications. VFR and DVFR flight operations are prohibited for any aircraft requiring an FAA routing authorization. (See paragraph 5–6–11 for FAA routing authorization information.)

b. Civil aircraft registered in Canada or Mexico, and engaged in operations for the purposes of air ambulance, firefighting, law enforcement, search and rescue, or emergency evacuation are authorized to transit U.S. territorial airspace within 50 NM of their respective borders with the U.S., with or without an active flight plan, provided they have received and continuously transmit an ATC–assigned transponder code.

c. Civil aircraft registered in Canada, Mexico, Bahamas, Bermuda, Cayman Islands, or the British Virgin Islands with a maximum certificated takeoff gross weight of 100,309 pounds (45,500 kgs) or less are authorized to transit U.S. territorial airspace if in compliance with all of the following conditions:

1. File and are on an active flight plan (IFR, VFR, or DVFR) that enters U.S. territorial airspace directly from any of the countries listed in this subparagraph 5–6–7c. Flights that include a stop in a non–listed country prior to entering U.S. territorial airspace must comply with the requirements prescribed by subparagraph 5–6–7a above, including operating under an approved TSA aviation security program (see paragraph 5–6–10 for TSA aviation program information) or operating with, and in accordance with, an FAA/TSA airspace waiver (see paragraph 5–6–9 for FAA/TSA airspace waiver information).

2. Equipped with an operational transponder with altitude reporting capability and continuously squawk an ATC assigned transponder code;

3. Equipped with an operational ADS–B Out when operating in airspace specified in 14 CFR 91.225;

4. Maintain two–way radio communications with ATC; and

5. Comply with all other applicable ADIZ requirements described in paragraph 5–6–4 and any other national security requirements in paragraph 5–6–2.

d. Civil aircraft registered in Canada, Mexico, Bahamas, Bermuda, Cayman Islands, or the British Virgin Islands with a maximum certificated takeoff gross weight greater than 100,309 pounds (45,500 kgs) must comply with the requirements subparagraph 5–6–7a, including operating under an approved TSA aviation security program (see paragraph 5–6–10 for TSA aviation program information) or operating with, and in accordance with, an FAA/TSA airspace waiver (see paragraph 5–6–9 for FAA/TSA airspace waiver information).

e. Civil aircraft registered in the U.S., Canada, or Mexico with a maximum certificated takeoff gross weight of 100,309 pounds (45,500 kgs) or less that are operating without an operational transponder and/or the ability to maintain two–way radio communications with ATC, are authorized to transit U.S. territorial airspace over Alaska if in compliance with all of the following conditions:

1. Enter and exit U.S. territorial airspace over Alaska north of the fifty–fourth parallel;

2. File and are on an active flight plan;

3. Squawk 1200 if VFR and equipped with a transponder.

4. Comply with all other applicable ADIZ requirements described in paragraph 5–6–4 and any other national security requirements in paragraph 5–6–2.

5–6–8. Foreign State Aircraft Operations

a. Foreign state aircraft are authorized to operate in U.S. territorial airspace if in compliance with all of the following conditions:

1. File and are on an active IFR flight plan;