



# Department of Defense **INSTRUCTION**

**NUMBER** 4500.53

October 20, 2008

*Incorporating Change 1, December 2, 2010*

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USD(AT&L)

**SUBJECT:** DoD Commercial Air Transportation Quality and Safety Review Program

**References:** See Enclosure 1

1. **PURPOSE.** This Instruction:

a. Reissues DoD Directive (DoDD) 4500.53 (Reference (a)) as a DoD Instruction in accordance with the authority in DoDD 5134.01 (Reference (b)) and updates policies and responsibilities for the DoD Commercial Air Transportation Quality and Safety Review Program under section 2640 of title 10, United States Code (U.S.C.) (Reference (c)).

b. Updates the system of management, analysis, inspection, review, and evaluation of the safety and quality practices of commercial air carriers that provide air transportation services to the Department of Defense.

c. Cancels Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) Memorandum (Reference (d)) and Deputy Secretary of Defense Memorandum (Reference (e)).

2. **APPLICABILITY.** This Instruction applies to OSD, the Military Departments (MILDEPs), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands (CCMDs), the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. **DEFINITIONS.** Terms used in this Instruction are defined in the Glossary.

4. **POLICY.** It is DoD policy that in procuring air transportation services for the directed movement of its personnel and cargo, only air carriers demonstrating the highest possible standards of quality and safety will be used for air transportation services as defined in the Glossary.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

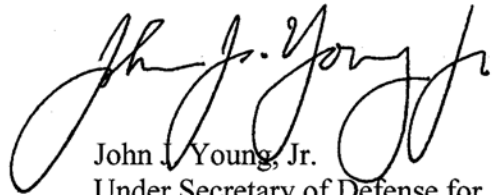
7. INFORMATION REQUIREMENTS

a. The reporting of air transportation quality and safety concerns to the Commander, United States Transportation Command (CDRUSTRANSCOM), are exempt from licensing in accordance with paragraph C4.4.2., DoD 8910.1-M (Reference (f)).

b. The air carrier on-site capability survey and performance evaluation and the pre-flight safety inspection are exempt from licensing in accordance with paragraphs C4.4.2. and C4.4.8. of Reference (f).

8. RELEASABILITY. UNLIMITED. This Instruction is approved for public release. ~~Copies may be obtained through~~ *and is available on* the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

9. EFFECTIVE DATE. This Instruction is effective immediately.



John J. Young, Jr.  
Under Secretary of Defense for  
Acquisition, Technology and Logistics

Enclosures

1. References
2. Responsibilities
3. Procedures
4. Scope and Frequency of Oversight of DoD Air Carriers
5. Specialized Airlift for GCCs and the Commander, USSOCOM
6. Airdrop Operations

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 4500.53, "Department of Defense (DoD) Commercial Air Transportation Quality and Safety Review Program," December 12, 2000 (hereby canceled)
- (b) DoD Directive 5134.01, "Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)),," December 9, 2005
- (c) Section 2640 of title 10, United States Code
- (d) Under Secretary of Defense for Acquisition, Technology, and Logistics Memorandum, "Requirements for Airdrop Operations," January 31, 2003 (hereby canceled)
- (e) Deputy Secretary of Defense Memorandum, "Requirements for Specialized Airlift for Geographic Combatant Commanders," January 10, 2007 (hereby canceled)
- (f) DoD 8910.1-M, "~~DoD~~ *Department of Defense* Procedures for Management of Information Requirements," June 30, 1998
- (g) ~~Title~~ *Part 861 of title* 32, Code of Federal Regulations, ~~Part 861, current edition~~
- (h) Memorandum of Understanding Between the Department of Defense and the Air Transport Association of America for International Code-Share Airline Safety Reviews, August 5, 1999<sup>1</sup>
- (i) ~~Federal Aviation Regulation, current edition Parts 121, 129, and 135 of the Federal Aviation Regulation, current edition~~<sup>2</sup>
- (j) ~~Federal Aviation Regulation, Part 121, "Operating Requirements: Domestic, Flag, and Supplemental Operations"; Part 129, "Operations: Foreign Air Carriers and Foreign Operators of U.S.-Registered Aircraft Engaged in Common Carriage"; and Part 135, "Operating Requirements: Commuter and On Demand Operations and Rules Governing Persons On Board Such Aircraft," current editions~~ *Federal Aviation Regulation, current edition*<sup>2</sup>
- (k) Memorandum of Understanding Between the Department of Defense and the Department of Transportation Concerning Commercial Aviation Programs, November 10, 1998<sup>2</sup>
- (l) ~~Federal Aviation Administration International Aviation Safety Assessment Program, Page 33751 of Volume 65, Federal Register, Volume 65, No. 102, May 25, 2000~~
- (m) Sections 40118 and 41106 of title 49, United States Code

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<sup>1</sup> Reference may be found at: <http://www.acq.osd.mil/log/tp/index.htm>

<sup>2</sup> FAA regulations may be found at: [http://www.faa.gov/regulations\\_policies/faa\\_regulations/](http://www.faa.gov/regulations_policies/faa_regulations/)

ENCLOSURE 2

RESPONSIBILITIES

1. USD(AT&L). The USD(AT&L) shall:

a. Provide policy oversight of the DoD Commercial Air Transportation Quality and Safety Review Program. The USD(AT&L) has authority to grant exceptions to the policies set out in this Instruction.

b. Review foreign air carrier use and nonuse recommendations from USTRANSCOM and the Commercial Airlift Review Board (CARB) and render decisions on the recommendations. Decisions shall be transmitted to the Department of State, the Department of Transportation, the Federal Aviation Administration (FAA), the CARB, and in the case of determinations involving a foreign air carrier to the Department of State. This responsibility may be delegated to a level not lower than the Assistant Deputy Under Secretary of Defense for Transportation Policy.

c. Review and approve or disapprove requests submitted by Geographic Combatant Commanders (GCCs), through or by USTRANSCOM, for the waiver of any other requirement of this Instruction not relating to the transportation of DoD personnel on aircraft chartered by the Department of Defense or by another entity on behalf of the Department of Defense that is not otherwise addressed in this Instruction. Review actions taken by GCCs pursuant to Enclosure 5 as they relate to the transportation of DoD personnel on aircraft obtained by the Department of Defense or by another entity on behalf of the Department of Defense.

2. CDR USTRANSCOM. The CDR USTRANSCOM shall:

a. Manage and execute the DoD Commercial Air Transportation Quality and Safety Review Program and DoD responsibilities contained in part 861 of title 32, Code of Federal Regulations, and the Memorandum of Understanding (References (g) and (h), respectively).

b. Establish the CARB and appoint its members and alternates. The CARB shall consist of four flag officers or Senior Executive Service or equivalent members from USTRANSCOM and its component commands, as appropriate.

c. Act as the decision authority on appeals of CARB decisions filed by air carriers and refer matters requiring decisions by the Secretary of Defense through the USD(AT&L).

d. Maintain liaison with GCCs to determine the impact of CARB decisions in their respective theaters.

e. Review and provide recommendations to USD(AT&L) regarding waiver requests submitted under paragraph 1.c. of this enclosure.

- f. Ensure that the CARB reviews and renders final decisions, as necessary, regarding the qualifications and suitability, including use and nonuse, of air carriers.
- g. Ensure that the CARB convenes, in person or electronically, following any fatal accident or other serious incident involving an air carrier approved to provide charter air transportation services to the Department of Defense. For a fatal accident, ensure that the CARB makes an immediate decision or recommendation as to whether action should be taken. Ensure that the CARB shall convene as soon as possible, but not later than 72 hours following notification of the CARB chairman of an accident or serious incident.
- h. Review matters regarding foreign carrier's air carrier appeals of final CARB decisions, and matters on which the CARB is unable to reach a final decision for further referral, as specified in this Instruction or as otherwise appropriate.
- i. Forward for decision to the USD(AT&L) all air carrier use and nonuse recommendations involving foreign air carriers.
- j. Make recommendations to the USD(AT&L), regarding waivers to the charter transportation provisions of this Instruction in emergency situations.

3. COMMANDER, AIR MOBILITY COMMAND (AMC). The Commander, AMC, acting in the capacity as commander of a component command of USTRANSCOM, shall establish the DoD Commercial Airlift Division. This division shall:

- a. Function as the central office for on-site capability surveys, data collection, analysis, and technical evaluation of data relative to the quality and safety of air transportation services using the criteria listed in Tables 1 and 2 (Enclosure 4 of this Instruction) provided to the Department of Defense.
- b. Develop, coordinate, and implement procedures used to conduct on-site capability surveys, performance evaluations, preflight safety inspections, and operational cockpit observations of air carriers used by the Department of Defense. *In accordance with parts 121, 129, and 135 of Federal Aviation Regulation (FAR) (Reference (i)), the FAA has authorized DoD Commercial Air Carrier Evaluators Headquarters (HQ) AMC/A3B personnel, access to cockpits of commercial air carrier aircraft to conduct cockpit observations on air carriers currently providing or seeking to provide air transportation services to the Department of Defense (as required by Reference (c)). The results of all cockpit observations shall be documented on U.S. Air Force Form AMC228, "AMC-Cockpit Mission Observer Program," and shall be provided to HQ AMC/A3B for inclusion in the Air Carrier Analysis Support System database. The criteria outlined in HQ AMC/A3B operating instructions shall be used to conduct cockpit observations.*
- c. Draft and publish, in coordination with USD(AT&L), the DoD quality and safety review program requirements in Reference (g). These requirements are in addition to standards prescribed by the FAA and the International Civil Aviation Organization (ICAO) and address unique DoD needs.

- d. Develop and implement, in coordination with the USD(AT&L), uniform procedures in accordance with Reference (c) to specify actions that may be taken by the Department of Defense against air carriers that violate ICAO standards, FAA standards, or DoD requirements. These procedures shall be published in Reference (g).
- e. Serve as the principal action office for referring matters to the CARB on air carrier quality and safety issues.
- f. Conduct, participate in, or oversee air carrier technical quality and safety oversight events listed in Table 2 (Enclosure 4 of this Instruction) to assess air carrier compliance with References (g) and ~~the Federal Aviation Regulation (References~~ (i) and ~~the Federal Aviation Regulation~~ (Reference (j)).
- g. Assess U.S. air carrier implementation of the Memorandum of Understanding (Reference (k)).
- h. Develop procedures for determining whether a single incident, multiple incidents, trends, or other indications of conditions affecting air carrier quality and safety warrant referral to the CARB.
- i. Maintain and analyze air carrier quality and safety information from the ICAO, the FAA, the National Transportation Safety Board (NTSB), the DoD Component air transportation customers, Federal Agencies, and other sources, including those in commercial industry.
- j. Develop procedures to share DoD air carrier safety information with U.S. air carriers, the Department of Transportation, the FAA, the NTSB, and other appropriate Federal Agencies and U.S. Government organizations in accordance with References (h) and (k), as appropriate.
- k. Provide a quarterly summary to the Department of State, the Department of Transportation, and the FAA that lists all DoD-approved air carriers. Nonuse and temporary nonuse decisions made by the CARB regarding all U.S. and foreign air carriers shall be provided to the above organizations as soon as practical.
- l. Provide orientation to new CARB members and alternates regarding responsibilities, functions, and procedures of the DoD Commercial Air Transportation Quality and Safety Review Program.

4. GCCs. The GCCs, for operations outside the continental United States (OCONUS), shall:

- a. Report air transportation quality and safety concerns within their geographic area of responsibility to the CDRUSTRANSCOM.
- b. Assist the CDRUSTRANSCOM by providing information to the CARB regarding air carriers from FAA-non-rated countries.

c. Issue exceptions to policy, as appropriate, for OCONUS individual travel on a foreign air carrier in a nonuse status in accordance with paragraph 7.c. of Enclosure 3.

d. In accordance with Enclosure 5, contract with non-CARB-approved foreign carriers for transportation of DoD personnel and cargo in foreign austere locations.

5. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Report air transportation quality and safety concerns to the CDRUSTRANSCOM.

b. Ensure compliance with paragraphs 1 and 3 of Enclosure 3 when the DoD Component is contracting or arranging for the provision of operational support services.

ENCLOSURE 3

PROCEDURES

1. Air carriers that provide or seek to provide air transportation services or operational support services to the Department of Defense, as defined in the Glossary, shall have FAA or the equivalent foreign Civil Aviation Authority (CAA) air carrier or commercial operator certificates and shall remain under FAA and/or CAA regulatory and safety oversight during performance of the services. Installation of any special equipment called for by a DoD contract shall be FAA- or CAA-approved or an appropriate waiver obtained. Air carriers failing to meet these standards shall not be eligible to perform either air transportation or operational support services for the Department of Defense. *Air carriers that provide, or seek to provide, air transportation services or operational support services to the Department of Defense must complete AMC Form 207, "DoD Statement of Intent." The form is self-explanatory and provides pertinent information about the commercial air carrier company. This information is used to conduct a preliminary evaluation of an air carrier's acceptability to perform the type of airlift service it seeks to provide to the Department of Defense. The form is available on the DoD Commercial Airlift Division public website at <http://www.amc.af.mil/library/businesscustomers.asp>. The air carrier shall mail or fax the completed form to USTRANSCOM/Directorate of Acquisition (AQ) or HQ AMC/A3B for review.*

2. The CARB is responsible for safety oversight of air transportation services that are capable of meeting the requirements of ~~parts 121, 129, and 135 of the Federal Aviation Regulation (FAR)~~ (Reference ~~(j)(i)~~) or foreign CAA equivalent, to include routine medical evacuation services, charter airlift, and group travel. This also includes travel arranged by the Military Services Academies, foreign military sales, nonappropriated fund instrumentalities, and other DoD and non-DoD activities for DoD personnel. The intent of meeting the aforementioned FAR parts is to ensure that the carrier operates and maintains the aircraft to the applicable standards of ~~parts 121, 129, and 135 of~~ Reference ~~(j)(i)~~, regardless of whether the operation is certificated by the FAA under the applicable FAR part. In the event there is no FAA oversight under ~~parts 121, 129, or 135 of~~ Reference ~~(j)(i)~~, or oversight by a CAA under regulations equivalent to ~~parts 121, 129, or 135 of~~ Reference ~~(j)(i)~~, the contracting agency will provide safety oversight between biennial DoD Commercial Airlift Division visits. The policies contained in this Instruction shall not apply to individually procured, discretionary air travel, such as that associated with military or civilian leave or pass.

3. In addition to the standards of service in paragraph 1 of this enclosure, air carriers providing charter air transportation services to the Department of Defense shall meet all applicable requirements specified in Reference (g), before the Department of Defense will consider a carrier for use to transport DoD personnel or cargo.

a. Fixed-wing aircraft used shall have at least two engines and be operated by at least two qualified pilots. Where a single-engine/pilot airplane is the only way to satisfy a DoD airlift



requirement, a waiver of the requirement shall be obtained from the CARB. Due to critical, time-sensitive emergency requirements, there may be times when it is not possible to obtain a waiver ahead of time. In these instances, after-the-fact notification will be provided in writing to the CARB. Single-engine/pilot operations shall be limited to visual flight rules (VFRs) only in accordance with Reference (h)(j) or CAA equivalent.

b. Operation of single-engine/pilot rotary-wing aircraft with less than 10 passenger seats, for flights other than emergency medical evacuation, is restricted to daylight hours only and VFR in accordance with Reference (h)(j). Rotary-wing aircraft flights for emergency medical evacuation are authorized at any time.

4. All air carriers that provide, or seek to provide, air transportation services for the Department of Defense shall be reviewed in accordance with Table 2 (Enclosure 4 of this Instruction) and applicable sections of Reference (g) or Reference (h)(j). Should international political exigencies preclude an on-site capability survey of a foreign air carrier, the CARB may direct alternative requirements instead of the requirements at Enclosure 4 of this Instruction.

a. Except where prohibited in Enclosure 4 of this Instruction, the CARB may authorize an on-site capability survey to be conducted by U.S. Government agencies or entities other than the DoD Commercial Airlift Division. Another U.S. Government agency, a U.S. code-share air carrier, a third party, or any combination thereof, may be used to collect data regarding the safety and quality of an air carrier that may provide air transportation services to the Department of Defense. On-site capability surveys of foreign carriers by the Department of Defense require approval of the carrier involved.

b. When approved by the CARB, a performance evaluation may be conducted by any source identified in paragraph 4.a. of this enclosure, and at a minimum shall examine safety, operations, and maintenance areas. Other relevant areas shall be reviewed at the discretion of the DoD Commercial Airlift Division. Adverse findings in a performance evaluation shall be brought to the attention of the CARB.

5. DoD Components contracting or arranging for operational support services are responsible for safety oversight of air carriers providing operational support services. The DoD Component must ensure that air carriers providing such support services are properly certificated and develop a safety oversight program or confirm that safety oversight is being exercised by the FAA, CAA, or other appropriate authority.

6. Air carriers from FAA-non-rated or FAA-rated Category 1 countries (~~under~~ pursuant to page 33751 of Volume 65, Federal Register (Reference (l))) may be used by DoD official travelers for individual travel on scheduled service routes in accordance with travel policies contained in other DoD issuances, unless otherwise restricted by the Department of Defense.

a. A GCC may request that the CARB review an air carrier from a non-rated or Category 1 country if there are concerns regarding the quality and safety of the carrier.

b. When a nonuse recommendation is considered, the CDRUSTRANSCOM may request the carrier's voluntary participation in a DoD on-site capability survey. If the carrier does not consent to an on-site survey, the CARB will consider all available information to make a use or nonuse recommendation. After considering all available pertinent information, if the board determines a nonuse recommendation is appropriate, the recommendation will be forwarded in accordance with paragraph 2 of Enclosure 2. When more than one carrier in a country is reviewed, the CARB shall rank-order the carriers, based on available data, and provide it to the Geographic CCMD to aid in determining use of a particular carrier.

7. Air carriers from Category 2 countries are in nonuse status for DoD personnel due to the uncertainty of oversight provided by the carrier's CAA and may not be used to provide air passenger transportation services except as authorized in this paragraph.

a. Due to heightened FAA oversight of air carriers from Category 2 countries that operate to and from the United States, DoD personnel may travel on the last leg into and the first leg out of the United States on such carriers.

b. When there is an expectation that the country will remain in Category 2 status for an extended period of time and placement of the air carrier in nonuse will significantly impact the DoD mission, an on-site survey may be requested and performed as indicated in paragraph 4.a. of this enclosure. The CARB shall review the results of any such on-site capability survey and forward a recommendation ~~in~~ to the CDRUSTRANSCOM.

c. In extenuating circumstances, where no acceptable alternative exists to using a foreign air carrier placed in nonuse status solely because it is from a Category 2 country, and the travel is mission-essential, the Commander of the CCMD for the geographic area of travel may authorize the use of the foreign carrier by waiving, in writing, the prohibition in this paragraph 7. Waivers will not exceed 90 days in duration and will be specific to the airlines to be used. Waivers may be renewed for additional periods of up to 90 days by the Combatant Commander if warranted. Such waivers are limited in all cases to individual travel and shall not apply to DoD charter operations or group travel. The authority to grant a waiver or extend a waiver may not be delegated below the Deputy to the Commander of the Geographic CCMD.

8. When mission-essential specialized airlift needs in austere foreign locations are identified and cannot be fulfilled by a CARB-approved carrier in a timely manner, the GCC or the Commander, United States Special Operations Command (USSOCOM), may contract with a non-CARB-approved foreign carrier for transportation of personnel and cargo. The criteria for using a non-CARB-approved foreign carrier in such circumstances are provided in Enclosure 5 of this Instruction.

9. Certificated air carriers approved by the CARB must be used for all DoD interstate airdrop operations. For intrastate or foreign airdrop operations, CARB-approved certificated carriers will be used if reasonably priced and reasonably available. If CARB-approved certificated carriers are not reasonably priced and reasonably available for intrastate or foreign operations, other commercial operators may be used provided they have been inspected by trained representatives from the MILDEPs and approved by the MILDEP designated approval authority. USSOCOM may conduct its own inspection program and designate an approval authority. Only inspected and approved commercial operators may be used. Commercial operators that have been approved by the United States Parachute Association may be used in competitions. Additional criteria for using non-CARB-approved commercial operators for intrastate or foreign airdrop operations are provided in Enclosure 6 of this Instruction.

10. Information voluntarily provided by an air carrier may be withheld from public disclosure in accordance with Reference (c) but may be provided to the head of another Federal Agency upon request. If information is provided, other Federal Agencies are restricted from further release by Reference (c).

11. In accordance with Reference (c), the senior military officer on board a chartered commercial aircraft may order members of the ~~Armed Forces Military Services~~ to leave the aircraft when, in the absence of a representative of the AMC or other contracting agency, that officer determines a condition exists on the aircraft that may endanger the safety of the members.

12. The inspection and oversight requirements applicable to air carriers providing air transportation services do not apply to aircraft engaged in medical transport services when a CARB-approved carrier is not available and if airlift is procured under emergency conditions to save life, limb, or eyesight, or in the event that serious threat of significant deterioration in medical condition exists, or when the Department of Defense is not involved in the procurement of the medical transportation services. This includes, for example, situations where the Department of Defense, through TRICARE or otherwise, pays for such transportation as part of the costs of medical services provided.

ENCLOSURE 4SCOPE AND FREQUENCY OF OVERSIGHT OF DoD AIR CARRIERSTable 1. Air Carrier Categories and Descriptions

Air Carrier Categories and Descriptions	
Category	Description
I	<ul style="list-style-type: none"> <li>• <i>Civil Reserve Air Fleet (CRAF)</i> air carriers that perform scheduled service or charter operations to transport DoD personnel*</li> <li>• Non-CRAF, U.S. air carriers providing scheduled service through the General Services Administration Domestic City Pair Program that transport DoD personnel</li> <li>• Foreign flag (international) air carriers under charter contract to transport DoD personnel*</li> <li>• Nonscheduled air carriers, U.S. and foreign (non-international), under charter contract and utilizing aircraft with 10 or more seats to transport DoD personnel*</li> </ul>
II	<ul style="list-style-type: none"> <li>• Scheduled service foreign code-share air carriers that transport DoD passengers through the General Services Administration International City Pair Program</li> </ul>
III	<ul style="list-style-type: none"> <li>• Nonscheduled service air carriers, U.S. and foreign, that utilize aircraft with nine or fewer seats and transport at least 3 percent of the annual DoD traffic in this type aircraft*</li> </ul>
IV	<ul style="list-style-type: none"> <li>• U.S. air carriers under charter contract to the Department of Defense that transport cargo only</li> </ul>
V	<ul style="list-style-type: none"> <li>• U.S. and foreign air carriers not indicated in the above categories, and transporting DoD personnel or cargo including carriers used under paragraph 8 of Enclosure 3 and Enclosure 5</li> </ul>
VI	<ul style="list-style-type: none"> <li>• U.S. and foreign air carriers not indicated in the above categories or providing operational support services</li> </ul>
* On-site Capability Surveys must be performed by the DoD Commercial Airlift Division	

Table 2. Oversight Scope and Frequency

Oversight Scope and Frequency					
Air Carrier Categories	On-site Capability Survey	Performance Evaluation	Performance Assessment <sup>1</sup>	Preflight Safety Inspection	Operational Cockpit Observation
I	I, B, D	I, S, D		M, P	D
II	D	I, S, D	I, B		
III	I, B+, D	I, S, D			
IV	I, D	I, A, D			D
V	E	E			E
VI	D or E	D or E		D or E	D or E
I – Initial S – Semiannual A – Annual B – Biennial + – Performed to the greatest extent practical utilizing the sources in paragraph 4.d.(1) D – As directed by the CARB E – As directed by the DoD Component approval authority responsible for contracting or arranging for operational support services M – Each international charter mission departing the United States P – Each domestic charter mission to the greatest extent practical					
<sup>1</sup> In accordance with Reference (h)					

ENCLOSURE 5

SPECIALIZED AIRLIFT FOR GCCs AND THE COMMANDER, USSOCOM

1. In accordance with paragraph 8 of Enclosure 3, when specialized airlift needs are identified and cannot be fulfilled by a CARB-approved carrier in a timely manner, the geographic CCMD or USSOCOM may contract with a non-CARB-approved foreign carrier for transportation of DoD personnel and cargo in foreign austere locations when use of the foreign carrier is determined to be essential to the accomplishment of the mission.

2. Use of a non-CARB-approved foreign carrier in such circumstances is subject to the following criteria:

a. Compliance with the Fly America Act (section 40118 of title 49, U.S.C.) (Reference (m)) and the Fly CRAF Act (section 41106 of Reference (m)).

b. U.S.- or foreign-scheduled service is not readily available or does not meet mission requirements.

c. Organic airlift is not reasonably available or does not meet mission requirements.

d. Approval is limited to airlift within the CCMD's area of responsibility and is for short-notice, short-term, small airplane airlift needs in austere locations.

e. *The maximum payload capacity weight for rotary-wing cargo-only aircraft shall not exceed 10,000 lbs. Rotary/fixed-wing passenger aircraft are limited to 7,500 lb maximum payload capacity and shall not be configured for more than 19 passenger seats.*

f. Two pilots shall be required for passenger missions.

g. CCMD-designated evaluators must conduct an on-site carrier safety assessment using a USTRANSCOM-approved checklist before the carrier may be used.

3. The DoD Commercial Airlift Division will conduct initial or biennial recurring training and provide baseline inspection checklists for CCMD-designated evaluators. Evaluators shall be appointed in writing with a date of appointment, initial training date, and recurring training due date identified. Initial and recurring training shall not be waived or extended. A USTRANSCOM-approved baseline checklist shall include minimum programs to be evaluated on-site. The CCMDs or the designated evaluators shall not remove any requirements from the baseline checklist, but may add mission-specific requirements as needed. The DoD Commercial Airlift Division shall remain available for consultation.

4. CCMD-designated evaluators shall conduct on-site assessments of potential foreign commercial air carriers and brief assessment results to the CCMD approving official. The CCMD has the authority to approve or disapprove the prospective carrier. This authority may not be delegated below the three-star flag officer level.

5. CCMDs must notify and provide the results of their assessment, in writing, to the USD(AT&L) and USTRANSCOM when a foreign air carrier is approved for use. The initial approval is limited to 6 months. If the CCMD projects a requirement for use of an air carrier beyond 6 months, USTRANSCOM will make every effort to contract with a CARB-approved carrier to fulfill the CCMD airlift requirement. If a CARB-approved carrier cannot be procured during the initial 6 months and the airlift requirement cannot be met with organic airlift assets, the CCMD, in consultation with the CDRUSTRANSCOM may extend the carrier beyond the initial 6-month period. However, use of that carrier beyond the initial 6-month period is authorized only after the CCMD revalidates compliance with the criteria in paragraph 2 of this enclosure and coordinates the results with the USD(AT&L) and USTRANSCOM. Extensions beyond the initial 6-month period will be for no more than 6-month increments and will require the CCMD to consult with the CDRUSTRANSCOM for revalidation of the extension.

ENCLOSURE 6

AIRDROP OPERATIONS

1. Only inspected and approved commercial operators may be used for airdrop operations. Commercial operators that have been approved by the United States Parachute Association may be used in competitions, pre-competition training, and air show demonstrations.
  
2. Certificated carriers approved by the CARB shall be used for all DoD interstate airdrop operations.
  
3. For intrastate or foreign airdrop operations, CARB-approved certificated carriers will be used if reasonably priced and reasonably available.
  
4. If CARB-approved certificated carriers are not reasonably priced and reasonably available for intrastate or foreign operations, other commercial operators may be used, provided they have been inspected by trained MILDEP representatives and approved by the MILDEP designated approval authority.
  - a. USSOCOM may conduct its own inspection program and designate an approval authority.
  
  - b. USTRANSCOM will identify the minimum requirements that must be met by commercial paratroop operators inspected by MILDEP or USSOCOM representatives. In addition to those requirements, the following operating parameters apply to such operations:
    - (1) The operator must regularly engage in air drops for hire to the general public.
  
    - (2) The operator must be experienced in conducting air drops in the geographic area of the intended drop zone and must itself be based in the same geographic area.
  
    - (3) The air drops will occur only during VFR conditions.
  
    - (4) The operator will not engage in interstate air transportation during the mission.
  
  - c. When the MILDEPs conduct their own inspections, only inspectors from the MILDEPs that have been trained by the DoD Commercial Airlift Division or personnel trained by Service-designated trainers will be used. Biennial inspections will be conducted of all commercial operators that have been approved by a MILDEP inspector. Commercial operators inspected and approved for parachute jumps by one MILDEP may be used by all MILDEPs. The MILDEPs and USSOCOM will make available to all DoD users a list of their approved commercial operators. Any commercial operator having a major accident shall not be used until re-inspected



and approved by the appropriate authority. USTRANSCOM will biennially review the MILDEPs and USSOCOM programs for compliance with the above requirements.

GLOSSARYPART I. ABBREVIATIONS AND ACRONYMS

AMC	Air Mobility Command
CAA	Civil Aviation Authority
CARB	Commercial Airlift Review Board
CCMD	Combatant Command
CDRUSTRANSCOM	Commander, United States Transportation Command
<i>CRAF</i>	<i>Civil Reserve Air Fleet</i>
FAA	Federal Aviation Administration
GCC	Geographic Combatant Commander
<i>HQ</i>	<i>headquarters</i>
ICAO	International Civil Aviation Organization
MILDEP	Military Department
NTSB	National Transportation Safety Board
OCONUS	outside the continental United States
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics
U.S.C.	United States Code
USSOCOM	United States Special Operations Command
USTRANSCOM	United States Transportation Command
VFR	visual flight rule

PART II. DEFINITIONS

The following definitions are for the purposes of this Instruction only.

air carrier. In addition to the definition in Reference (m), for DoD purposes, commercial air carriers and commercial air operators include carriers that operate commercial fixed- and rotary-wing aircraft in accordance with References (i) and (j) or foreign CAA equivalent. Commercial air carriers under contract with or operating on behalf of the Department of Defense shall have FAA certificates or foreign CAA equivalent, as appropriate, to engage in air transportation or provide operational support services.

air transportation services. The transport of DoD personnel or cargo by fixed- or rotor-wing commercial aircraft, where such services are acquired primarily for the transportation of DoD personnel and cargo, through donation or any form of contract, charter, tender, blanket ordering

agreement, Government charge card, Government or commercial transportation request, bill of lading, or similar instruments. It does not include the transportation of DoD personnel or cargo when such transportation is: (1) incidental to the primary purpose of a contract (e.g., the occasional carriage of a DoD employee on a charter flight arranged by a contractor to transport its employees to and from a contractor-operated location); and (2) the number of DoD passengers or amount (by weight) of DoD cargo moved is not expected to exceed 10 percent of the total number of passengers moved or 10 percent of the total amount of cargo carried, over the life of the contract.

*cockpit observations.* Defined as “operational checkrides” in Reference (c).

code-sharing. Code-sharing is a marketing arrangement in which an air carrier places its designator code on a flight operated by another air carrier and sells tickets for that flight.

FAA International Safety Assessment Program categories. This FAA program (Reference (1)) assesses the ability of a foreign country’s CAA to adhere to international standards established by the ICAO. The FAA has established ratings for the status of countries as follows:

Category 1 - complies with ICAO standards. A country’s CAA has been found to license and oversee air carriers in accordance with ICAO aviation safety standards.

Category 2 - does not comply with ICAO standards. A country’s CAA does not meet ICAO standards for aviation oversight. Operations to the United States by a carrier from a Category 2 country are limited to those in effect at the time a country is classified as Category 2 and are subject to heightened FAA surveillance. Expansion or changes in services to the United States are not permitted while a country is in Category 2 status, unless the carrier arranges to have new services conducted by an air carrier from a Category 1 country. Category 2 countries that do not have operations to the United States at the time of the FAA assessment are not permitted to commence such operations unless it arranges to have its flights conducted by an air carrier from a Category 1 country.

non-rated. A country’s CAA is labeled “non-rated” if it has not been assessed by the FAA.

group travel. Twenty-one or more passengers traveling on orders from the same organization, on the same date, to the same destination, to attend the same function.

operational support services. Missions performed by commercial operators that use fixed- or rotary-winged aircraft to provide services other than air transportation services as defined in this ~~enclosure~~*Glossary*. Examples include, but are not limited to, paratroop drops, range instrumentation and services, target towing, sling loads, chaff dispensing, and electronic countermeasures target flights. Only individuals performing functions in conjunction with an operational services support mission may be transported.