



CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

J-3

DISTRIBUTION: A, B, C, J, S

CJCSI 3610.01A

1 June 2001

AIRCRAFT PIRACY (HIJACKING) AND DESTRUCTION OF DERELICT AIRBORNE OBJECTS

References: See Enclosure D.

1. Purpose. This instruction provides guidance to the Deputy Director for Operations (DDO), National Military Command Center (NMCC), and operational commanders in the event of an aircraft piracy (hijacking) or request for destruction of derelict airborne objects.
2. Cancellation. CJCSI 3610.01, 31 July 1997.
3. Applicability. This instruction applies to the Joint Staff, Services, unified commands, and the US Element, North American Aerospace Defense Command (USELEMNORAD).
4. Policy.
 - a. Aircraft Piracy (Hijacking) of Civil and Military Aircraft. Pursuant to references a and b, the Administrator, Federal Aviation Administration (FAA), has exclusive responsibility to direct law enforcement activity related to actual or attempted aircraft piracy (hijacking) in the "special aircraft jurisdiction" of the United States. When requested by the Administrator, Department of Defense will provide assistance to these law enforcement efforts. Pursuant to reference c, the NMCC is the focal point within Department of Defense for providing assistance. In the event of a hijacking, the NMCC will be notified by the most expeditious means by the FAA. The NMCC will, with the exception of immediate responses as authorized by reference d, forward requests for DOD assistance to the Secretary of Defense for approval. DOD assistance to the FAA will be provided in accordance with reference d. Additional guidance is provided in Enclosure A.

b. Aircraft Piracy (Hijacking) Preventive Measures for Military and Military Contract Aircraft. Reference c outlines general policy and authority of military commanders to protect and secure property under their command. References f and g provide policy and guidance for commanders on dealing with terrorism, and information for reducing vulnerability of DOD personnel, their family members, facilities, and materiel to acts of terrorism. Additional guidance is provided in Enclosure B.

(1) A concerted effort will be made to prevent piracy (hijacking) of military or military contract aircraft by initiating security measures designed to minimize vulnerabilities and by stopping potential hijackers before they board the aircraft.

(2) If preventive measures fail, any attempt to hijack a military aircraft will, if practicable, be resisted.

(3) Assistance to hijacked aircraft will be rendered, as requested, by the aircraft commander, and as approved by the authority exercising operational control of the counter hijacking effort.

c. Destruction of Derelict Airborne Objects. Derelict airborne objects (for example, unmanned free balloons, moored balloons or kites, unmanned non-nuclear rockets or missiles, unmanned aerial vehicles (UAV) or remotely operated vehicles (ROV)) are a potential threat to public safety. Military personnel may, upon request, be required to track and destroy such objects. The NMCC is the focal point for any requests for DOD assistance in tracking and destroying derelict airborne objects. With the exception of immediate responses as authorized by reference d, the NMCC will forward all requests for such assistance to the Secretary of Defense for approval. Enclosure D provides additional guidance.

5. Definitions. Terms used in this instruction are in the Glossary.

6. Responsibilities. The DDO, NMCC, is designated as the DOD coordinating authority between the FAA and operational commanders. As such, the DDO will forward all requests or proposals for DOD military assistance to the Secretary of Defense for approval, with the exception of immediate responses as defined by reference d. The Services, unified commands, and USELEMNORAD are responsible for compliance with this instruction and any other directives, laws, or international agreements involving aircraft piracy (hijacking) or derelict airborne object incidents. Records and logs for aircraft piracy

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(hijacking) and destruction of derelict airborne object situations will be maintained for a minimum of 90 days to permit later reconstruction of the sequence of events. Records and logs requiring longer retention by other directives will be retained accordingly.

7. Summary of Changes

- a. Unmanned vehicles (UAV, ROV) added to the description of possible derelict airborne objects.
- b. Statutory Authority for Responding to Aircraft Piracy enclosure removed and added to reference list.
- c. In various places throughout the document, "USELEMNORAD" was replaced with "NORAD."
- d. FAA Order 7610.4J, 3 November 1998, "Special Military Operations," was added as a reference.

8. Releasability. This instruction is approved for public release; distribution is unlimited. DOD components (to include the combatant commands), other Federal agencies, and the public may obtain copies of this instruction through the Internet from the CJCS Directives Home Page--<http://www.dtic.mil/doctrine>. Copies are also available through the Government Printing Office on the Joint Electronic Library CD-ROM.

9. Effective Date. This instruction is effective upon receipt.



S. A. FRY
Vice Admiral, U.S. Navy
Director, Joint Staff

Enclosures:

- A--Instructions for Use in Piracy (Hijacking) of Civil Aircraft and Military Aircraft
- B--Instructions for Aircraft Piracy (Hijacking) Preventive Measures for Military and Military Contract Aircraft
- C--Instructions for Destruction of Derelict Airborne Objects
- D--References

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ENCLOSURE A

INSTRUCTIONS FOR USE IN PIRACY (HIJACKING) OF CIVIL AIRCRAFT
AND MILITARY AIRCRAFT

1. Purpose. These instructions constitute actions to be taken by the DDO, NMCC, unified commanders, and the Commander, NORAD, in the event of a civil and military aircraft piracy (hijacking) incident.

2. Coordination with Civil Authorities

a. When an aircraft becomes the subject of an aircraft piracy offense within the US special aircraft jurisdiction, the FAA and the Department Defense will provide support in accordance with paragraph 3 of this enclosure. In addition, for military aircraft and military contract aircraft, the Department of Defense will take action to prevent the hijacking attempt and promptly notify the FAA and appropriate federal agencies. The Department of Defense will provide the FAA with all pertinent information involving onboard documents, equipment, weapons of mass destruction (WMD), or material that the Department of Defense has determined to be highly sensitive.

b. When the aircraft piracy (hijacking) situation is outside of the special aircraft jurisdiction, the Department of Defense will take appropriate action, consistent with Federal law and applicable status of forces and other international agreements.

c. The DDO, NMCC, and FAA will maintain coordination during the aircraft piracy situation.

3. Procedures

a. General. Military personnel will provide the following types of support: intercept, surveillance, lift, equipment, and communications. Military personnel may not participate in a search, seizure, arrest, or other similar activity. This restriction would include the apprehension of aircraft hijackers or use of military aircraft (fixed-wing or helicopter) or other vehicles as platforms for gunfire or the use of other weapons against suspected hijackers. In addition, assistance may not be provided under this enclosure if it could adversely affect national security or military preparedness.

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b. Support. When notified that military assistance is needed in conjunction with an aircraft piracy (hijacking) emergency, the DDO, NMCC, will:

(1) Determine whether or not the assistance needed is reasonably available from police or commercial sources. If not, the DDO, NMCC, will notify the appropriate unified command or NORAD to determine if suitable assets are available and will forward the request to the Secretary of Defense for approval in accordance with DODD 3025.15, paragraph D.7 (reference d).

(2) If suitable assets from a unified command or NORAD are not reasonably available, the DDO, NMCC, will coordinate with the appropriate Military Service operations center to provide military assistance.

c. Military Escort Aircraft

(1) When notified that military escort aircraft are needed in conjunction with an aircraft piracy (hijacking) emergency, the DDO, NMCC, will notify the appropriate unified command or USELEMNORAD to determine if suitable aircraft are available and forward the request to the Secretary of Defense for approval in accordance with DODD 3025.15, paragraph D.7 (reference d).

(2) Pursuant to reference j, the escort service will be requested by the FAA hijack coordinator by direct contact with the NMCC. Normally, NORAD escort aircraft will take the required action. However, for the purpose of these procedures, the term "escort aircraft" applies to any military aircraft assigned to the escort mission. When the military can provide escort aircraft, the NMCC will advise the FAA hijack coordinator of the identification and location of the squadron tasked to provide escort aircraft. NMCC will then authorize direct coordination between FAA and the designated military unit. When a NORAD resource is tasked, FAA will coordinate through the appropriate Air Defense Sector/Regional Air Operations Center.

(3) If the hijacked aircraft destination is Cuba, flight-following aircraft will maintain surveillance in case an emergency occurs over international waters and will notify USSOUTHCOM or NORAD immediately of any action taken. USSOUTHCOM or the Commander, USELEMNORAD, may terminate any escort activities south of 24N whenever appropriate to avoid Cuban airspace. For all foreign countries, including Cuba, flight-following aircraft should break away before entering the US-recognized territorial airspace of another country (or the land border if the other country is contiguous to the United States) and

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await overflight clearance as necessary. See reference h for further information on US-recognized territorial airspace.

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ENCLOSURE B

INSTRUCTIONS FOR AIRCRAFT PIRACY (HIJACKING) PREVENTIVE MEASURES FOR MILITARY AND MILITARY CONTRACT AIRCRAFT

1. Purpose. These instructions provide the Services, unified commands, and USELEMNORAD with the basic procedural guidance for preventing and resisting attempts to hijack military and military contract aircraft. This includes all civil aircraft while wholly and exclusively supporting the Services under contract, charter, or other arrangements.

2. Policy. DOD policy (references e, f, and g) outlines general procedures and authority of military commanders to protect and secure property under their command and deal with terrorism and provides information for reducing the vulnerability of DOD personnel, their family members, facilities, and materiel to acts of terrorism.

3. Preventive Measures

a. The Services, unified commands, and USELEMNORAD will take measures designed to prevent unauthorized possession of weapons, explosives, or incendiary devices aboard aircraft.

b. Through the use of training, briefings, and other means, all travelers will be reminded that:

(1) Carrying weapons, explosives, or incendiary devices aboard military or military contract aircraft is prohibited, except when authorized by proper authority.

(2) Passengers and baggage are subject to inspection as a condition of travel.

c. A passenger screening process will be established to ensure positive identification of travelers and authenticity of travel documents. Personnel engaged in passenger processing and surveillance activities will be instructed to watch for and report any discrepancies, particularly the possible unauthorized possession of weapons, explosives, or incendiary devices.

d. Passengers and baggage accessible in flight will be inspected. All baggage will be screened as thoroughly as available resources permit (X-ray, explosive detector dogs, etc.) and will be accompanied by a boarding passenger. When inspection indicates cause for suspicion, a

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complete examination of the suspected person and accompanying baggage is mandatory.

e. Screening procedures will take into account the travel status of passengers. Neuropsychiatric patients, military prisoners, and emotionally disturbed personnel require special vigilance.

f. The Services, unified commands, and USELEMNORAD will intensify security programs to prevent unauthorized access to aircraft by hijackers who bypass the passenger processing system. Military agencies administering airlift contracts with civil air carriers operating at civil airfields will consult with appropriate authorities to ensure mutually acceptable procedures for controlling access to the contract aircraft.

4. Resisting Aircraft Piracy

a. The Services, unified commands, and USELEMNORAD will establish procedures to report any suspected or actual acts of aircraft piracy immediately to the NMCC.

b. When an act of air piracy involves a military installation, military aircraft, or military contract aircraft, the response should be according to the following guidelines until the FAA assumes active direction of efforts to regain control of the hijacked aircraft:

(1) Any attempt to hijack a military aircraft will be resisted. Resistance may range from simple discussion through deception and subterfuge to direct physical confrontation, including the prudent use of weapons or deadly force.

(2) If practicable, aircraft movement will be delayed to allow time for ground personnel and the aircrew to establish communication and execute coordinated resistance actions. Aircrews faced with an aircraft piracy (hijacking) threat will notify ground agencies by any means available as soon as practicable and will follow up with situation reports, when possible.

(3) The Chiefs of the Services and CINCs will identify in their planning documents the levels of command authorized to discontinue delaying actions (e.g., installation commander, senior officer on scene). Within this authorization, the commander at the highest available level will determine whether delaying actions should be discontinued.

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(4) Ground personnel will positively prevent takeoff when nuclear weapons are aboard the aircraft. The presence of hostages will not deter taking prompt, effective action, including the use of deadly force, to prevent unauthorized access or removal or to recover a WMD.

c. The many variables of an aircraft piracy (hijacking) attempt preclude providing a specific counter hijacking procedure to be followed by aircrew. However, within the basic policy of resistance, the individual Services will identify and issue guidance to aircrews consistent with reference h.

(1) Factors to be considered include the nature of the threat, imminent danger to the aircraft in flight, destination indicated by the hijacker(s), and the presence of sensitive material aboard the aircraft.

(2) Some counter hijacking techniques the aircrew should consider are:

(a) Convincing the hijacker(s) to discontinue the course of action.

(b) Proposing more favorable alternatives, such as landing in a neutral rather than an unfriendly country.

(c) Exploiting any reasonable opportunity to physically incapacitate or overcome the hijackers including the prudent use of firearms. Aircrews are authorized to make such an attempt if they consider that escape is their only hope. The aircrew must weigh carefully the unique circumstances of the terrorist situation and all aspects of a decision to attempt escape. See reference i.

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ENCLOSURE C

INSTRUCTIONS FOR DESTRUCTION OF DERELICT AIRBORNE OBJECTS

1. Purpose. These instructions constitute actions to be taken by the DDO, NMCC, unified commanders, and the Commander, USELEMNORAD, for destruction of derelict airborne objects.
2. Policy. This instruction provides guidance for the destruction of derelict objects (e.g., unmanned free balloons, moored balloons, kites, unmanned non-nuclear rockets or missiles, UAV or ROV) over United States or international airspace.
 - a. For unmanned derelict airborne objects that become a hazard to domestic air navigation or a threat to domestic ground facilities or public safety, military personnel may be required to perform surveillance and/or destroy the unmanned derelict airborne object.
 - b. Destruction of derelict airborne objects over foreign airspace requires a request or permission by the foreign government and approval by the Secretary of Defense. The DDO, NMCC, will be notified by the most expeditious means when control of an object is lost, if an object becomes a hazard to air navigation, or if the FAA (or another agency) desires the military to destroy the hazard. The notifications will be made by the FAA, NORAD, or the agency that has employed the object.
3. Procedures
 - a. When notified of a derelict airborne object, the DDO, NMCC, will direct a derelict object conference and poll NORAD or the FAA for position, altitude, time, and fuel exhaustion, if available and applicable.
 - b. The DDO, NMCC, will determine the appropriate unified command (or NORAD) capable of effecting destruction in the event destruction is subsequently required.
 - c. If destruction is required, the DDO, NMCC will, forward all requests or proposals for DOD military assistance to the DOD Executive Secretary and appropriate OSD staff offices, and then to the Secretary of Defense for approval in accordance with DODD 3025.15, paragraph D.7 (reference d).

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d. The DDO, NMCC, will notify the appropriate CINC or Service of execution instructions. After destruction, the appropriate CINC or Service will record time of destruction, method used, and an estimated point of destruction.

ENCLOSURE D

REFERENCES

- a. 49 USC 46501, "Definitions"
- b. 49 USC 44903(e) "Exclusive Responsibility Over Passenger Safety"
- c. MOU between the Department of Transportation and Department of Defense, 7 August 1978, "Aircraft Piracy"
- d. DOD Directive 3025.15, 18 February 1997, "Military Assistance to Civil Authorities"
- e. DOD Directive 5200.8, 25 April 1991, "Security of DOD Installations and Resources"
- f. DOD Directive 2000.12, 15 September 1996, "DOD Combating Terrorism Program"
- g. DOD Directive 0-2000.12-H, 19 February 1993, with change 1, dated 21 May 1993 and change 2, dated 3 October 1997, "Protection of DOD Personnel and Activities Against Acts of Terrorism and Political Turbulence"
- h. DOD Directive 2005.1M, January 1997, "Maritime Claims Reference Manual"
- i. DOD Directive 1300.7, 8 December 2000, "Training and Education Measures Necessary to Support the Code of Conduct"
- j. FAA Order 7610.4J, 3 November 1998, "Special Military Operations"

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GLOSSARY

PART I--ABBREVIATIONS AND ACRONYMS

DDO	Deputy Director for Operations
DODD	Department of Defense directive
FAA	Federal Aviation Administration
NMCC	National Military Command Center
NORAD	North American Aerospace Defense Command
ROV	remotely operated vehicles
UAV	unmanned aerial vehicles
USELEMNORD	US Element, North American Aerospace Defense Command
USC	US Code
WMD	Weapons of Mass Destruction

PART II--DEFINITIONS

DOD installation. A fixed area controlled by the Department of Defense, including the military air operations area of a joint installation.

DOD aircraft. Any aircraft operated by, for, or under the control of the Department of Defense.

moored balloon. A balloon moored to the surface of the earth, or any object that has a diameter of 6 feet or gas capacity of more than 115 cubic feet.

moored kite. A kite weighing more than 5 pounds flown at the end of a rope or cable (e.g., "gyroglider").

United States. The 50 states, District of Columbia, Commonwealth of Puerto Rico, possessions and territories, including the territorial waters and overlying airspace.

unmanned free balloon. A balloon carrying a payload of more than 4 pounds, or two or more packages weighing more than 12 pounds, and

equipped with a suspension device (e.g., rope) that requires an impact force of more than 50 pounds to separate payload from balloon.

unmanned rocket. Any rocket, except aerial firework displays and model rockets, using not more than 4 ounces of a slow burning-propellant made of paper, wood, or breakable plastic containing no substantial parts weighing more than 16 ounces, including the propellant.

NOTE: These terms have not been approved for inclusion in Joint Pub 1-02, "Department of Defense Dictionary of Military and Associated Terms," and apply only within the scope or context of this document.