



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D C 20350-1000

SECNAVINST 3770.1C
N88
15 December 1992

SECNAV INSTRUCTION 3770.1C

From: Secretary of the Navy

Subj: USE OF DEPARTMENT OF THE NAVY AVIATION FACILITIES BY OTHER
THAN UNITED STATES DEPARTMENT OF DEFENSE AIRCRAFT

Ref: (a) Sections 1107 and 1108 of Federal Aviation Act of 1958
(72 Stat 798 as amended, 49 USC 1507, 1508)
(b) NAVCOMPT Manual, Volume 3 (NOTAL)
(c) OPNAVINST 5500.11C of 12 Nov 63 (NOTAL)

Encl: (1) Processing Procedures for Civil Aircraft Landing
Permits

1. Purpose. To revise the policy and procedures for the use of Navy and Marine Corps aviation facilities by aircraft other than United States Department of Defense aircraft.

2. Cancellation. SECNAV INSTRUCTION 3770.1B, and forms OPNAV 3770/1 and NAVFAC 7-11011/36.

3. Definitions of Terms. For the purpose of this instruction, certain terms are defined as follows:

a. Alternate Use. Use of the aviation facility, specified in the flight plan, to which an aircraft may divert when a landing at the point of first intended landing becomes impractical because of weather. (Aircraft may not be dispatched, prior to takeoff from the airport of origin, to a facility licensed for alternate use.)

b. Civil Aircraft. Domestic or foreign aircraft operated by private individuals or corporations, or foreign government-owned aircraft operated for commercial purposes. This includes:

(1) Contract Aircraft. Civil aircraft operated under charter or other contract to any U.S. Government department or agency.

(2) Leased Aircraft. U.S. Government-owned aircraft delivered by the Government to a lessee subject to terms prescribed in an agreement which does not limit the lessee's use of the aircraft to Government business.



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c. Civil Aviation. All flying activity by civil aircraft including:

(1) Commercial Aviation. Transportation by aircraft of passengers or cargo for hire and the ferrying of aircraft as a commercial venture.

(2) General Aviation. All types of civil aviation other than commercial aviation as defined above.

d. Facility. A separately located and officially defined area of real property in which Navy exercises a real property interest and which has been designated as a Navy or Marine Corps aviation facility by cognizant authority; or where the Department of the Navy has jurisdiction over real property agreements, expressed or implied, with foreign governments, or by rights of occupation. (This definition does not include aircraft carriers nor any other type of naval vessel with a landing area for aircraft.)

R] e. Government Aircraft. Public aircraft used exclusively in the service of any government or of any political subdivision thereof, including the government of any State, Territory, or possession of the United States, or the District of Columbia, but not including any government owned aircraft engaged in carrying persons or property for commercial purposes. For purposes of this paragraph, "used exclusively in the service of" means, for other than the Federal Government, an aircraft which is owned and operated by a governmental entity for other than commercial purposes or which is exclusively leased by such governmental entity for not less than 90 continuous days. Government aircraft includes:

(1) Military Aircraft. Aircraft used in the military services of any government.

(2) Bailed Aircraft. U.S. Government-owned aircraft delivered by the Government to a Government contractor for a specific purpose directly related to a Government contract.

(3) Loaned Aircraft. U.S. Government-owned aircraft delivered gratuitously by any Department of Defense agency to another Government agency, to a U.S. Navy and Marine Corps Flying Club, or to a U.S. Army or Air Force Aero Club.

f. Joint-Use Facility. A Navy or Marine Corps facility where a specific agreement between the Department of the Navy and a civilian community, or between the U.S. Government and a foreign government, provides for civil aircraft use of the runways and taxiways. Civil aircraft terminal, parking, and

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servicing facilities are established and controlled by civil authorities in an area separate from those of the Navy or Marine Corps.

g. Official Business. Business, in the interest of the U.S. Government, which personnel aboard an aircraft must transact with U.S. Government organizations or personnel at or near the naval aviation facility concerned. Use of a facility to solicit U.S. Government business is not "official business."

h. Provisional Use. Use of a naval aviation facility for the purpose of providing adequate service to a community where, because of repair, construction or the performance of other work, the regular civil airport servicing the community is not available for an extended period. (An aircraft may be dispatched prior to takeoff from the airport of origin to a naval aviation facility authorized for provisional use.)

i. Scheduled Use. Use of a facility on a scheduled or regularly recurring basis by an air carrier certified by the Civil Aeronautics Board to provide passenger and cargo service to a community or area.

j. Services in Connection with Government Contracts. This type of operation, cited on the Landing Permit, indicates the use of a facility for transporting the contractor's supplies and personnel for the performance of work at the facility under the terms of a specific U.S. Government contract.

k. Technical Stop. An enroute landing for the purpose of obtaining fuel, oil, minor repairs, or crew rest. This does not include passenger accommodations nor passenger/cargo enplaning or deplaning privileges unless specifically authorized by the Chief of Naval Operations.

l. User. An individual, corporation, or company named in the Landing Permit, Hold Harmless Agreement, and the Certificate of Insurance. [A

4. Authority. Section 1107(a) of reference (a) states that "Air navigation facilities owned or operated by the United States may be made available for public use under such conditions and to such extent as the head of the department or other agency having jurisdiction thereof deems advisable and may by regulation prescribe." (See paragraph 12 of this instruction for restrictions imposed by reference (a).)

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5. Policy. Navy and Marine Corps aviation facilities are established to support the operation of Navy and Marine Corps aircraft. Equipment, personnel, and material are maintained only at a level necessitated by these requirements and shall not be used to support the operation or maintenance of civil aircraft or non U.S. Government aircraft, except as noted below. (Nothing in this instruction, however, should be interpreted to prohibit any aircraft from landing at any suitable Navy or Marine Corps aviation facility in case of a bona fide emergency.) (See paragraph 6i.)

a. General. Subject to the procedures established elsewhere in this instruction, civil aircraft and government aircraft, other than those belonging to the U.S. Government may use Navy or Marine Corps facilities, if necessary, provided that:

(1) They do not interfere with military requirements, and the security of military operations, facilities, or equipment is not compromised.

(2) No adequate civil airport is available. (Exception to this provision may be made when the aircraft is operated in connection with official business as defined in this instruction.)

(3) Pilots comply with regulations promulgated by the cognizant military agency and the commanding officer of the facility.

(4) Civil aircraft users assume the risk in accordance with the provisions of the Landing Permit.

(5) Each aircraft is equipped with two-way radio which provides a capability for voice communications with the control tower on standard Navy/Marine Corps frequencies.

(6) The user, or requesting government, has obtained permission through diplomatic channels from the host country wherein the facility of intended landing is located, if applicable.

A] b. Types of Civil Use. Listed below are specific types of civil use the U.S. Navy normally authorizes. Others may be considered if sufficient justification is provided.

(1) Contractor or Subcontractor Personnel. A U.S. or foreign contractor or subcontractor, operating corporate or personal aircraft, who uses a U.S. Navy installation to fulfill the terms of a U.S. Government contract.

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Verification. The contractor or subcontractor must indicate on the DD 2401 the current government contract numbers; the U.S. Navy installation required for each contract; a brief description of the work to be performed; and, the name, telephone number, and address of the government contracting officer.

NOTE: Potential contractors may not land at U.S. Navy installations for the purpose of pursuing or presenting an unsolicited proposal for procurement of government business.

(2) Demonstration Flights. Permits an aircraft or aircraft component manufacturer to display or demonstrate aircraft (nonaerobatic) or installed components to U.S. Government representatives who have procurement interest or authority, or certification responsibilities.

Verification. Nonaerobatic demonstration or display must be a contractual provision or presented at the request of an authorized U.S. Government representative. The name, address, and telephone number of the requesting government representative or contracting officer and contract number must be included on the DD 2401.

(3) Active Duty U.S. Military. Authorizes active duty U.S. military members, operating their own aircraft or aircraft leased at their own expense, to use any U.S. Navy installation for official duty transportation (temporary duty, permanent change of station, etc.). Under no conditions shall such aircraft be allowed to base or operate from a facility for personal convenience nor base at a facility under guise of official business.

Verification. A copy of current travel orders or other official travel certification must be on board the aircraft.

(4) Reserve Forces. Permits members of the U.S. Reserve Forces (including Reserve Officer Training Corps and National Guard) operating their own aircraft or aircraft leased at their own expense, to use a specific U.S. Navy installation where their assigned unit is located to fulfill their official duty commitment or for travel duty (TDY) at other installations when on official travel orders.

Verification. Request routed through commander for an endorsement which validates military status and requirement for use of U.S. Navy installations listed on permit application. When appropriate, travel orders must be on board the aircraft.

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(5) Civilian Employees of the U.S. Government. Permits civilian employees of the U.S. Government, operating their own aircraft or aircraft leased at their own expense, to use U.S. Navy installations only for official government business travel.

Verification. A copy of current travel orders or other official travel certification must be on board the aircraft.

(6) Special Conveyance. Permits government personnel to use a chartered aircraft for single flights between two or more points for official business only. The official directing the travel must authorize use of special conveyance and arrangements for hiring the aircraft must be made by a transportation office.

Verification. A copy of official orders citing the special conveyance authorization must be on board the aircraft.

(7) Air Shows. Permits civil aircraft operators to participate in air shows at Navy and Marine Bases.

Verification. Participation in air shows is at the invitation of the installation commanding officer only.

(8) Civil Air Patrol (CAP). Permits aircraft owned and operated by the CAP to use designated U.S. Navy installations for official CAP activities.

Verification. Endorsement of the application by Headquarters, Civil Air Patrol, U.S. Air Force, Director of Operations, Maxwell Air Force Base, Alabama 36112-5572.

(9) U.S. Navy and Marine Corps Flying Club and U.S. Army/U.S. Air Force Aero Club Members. Permits individuals to operate their own aircraft into and out of the U.S. Navy airfield where they hold active aero/flying club membership.

Verification. Written endorsement on the DD 2401 by the aero/flying club manager which validates the individual's aero/flying club membership. (Members using U.S. Navy flying club facilities located on a civil airfield must provide the endorsement, and DD 2400 and DD 2402 to the local commander. DD 2401 is not required.)

(10) Weather Alternate Airport. Permits scheduled air carriers to divert to a specified U.S. Navy installation when weather conditions require a change from the original destination while in flight. Aircraft may not be dispatched from the point of departure to a U.S. Navy airfield which has been designated as an approved weather alternate.

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Verification. Actual use is predicated on weather conditions at scheduled destination. Scheduled route structure must encompass the U.S. Navy airfield requested for use.

(11) Military Airlift Command (MAC) Contract or Charter. Permits an air carrier to use a U.S. Navy installation under the terms of a MAC contract.

Verification. International flights must have a MAC Form 8, Civil Aircraft Certificate, on board the aircraft. Domestic flights must have either a Certificate of LOGAIR Operations (U.S. Air Force, Air Force Logistics Command), Certificate of QUICKTRANS (U.S. Navy), a Certificate of Courier Service Operations (MAC), or a Certificate of Intra-Alaska Operations on board the aircraft.

(12) U.S. Government Contract or Charter Operator. Permits an air carrier to use a U.S. Navy installation under the terms of a U.S. Government contract or charter agreement by a U.S. Government department or agency other than the Department of Defense.

Verification. Carrier must identify the chartering agency and provide the name, address, and telephone number of the government official procuring the transportation. An official government document must be on board the aircraft to substantiate that the flight is operating for a U.S. Government department or agency.

(13) Contractor or Subcontractor Charter Operator. An operator who uses a U.S. Navy installation for the transportation of U.S. or foreign contractor or subcontractor personnel or cargo in support of a current U.S. Government contract.

Verification. The contractor or subcontractor must provide written validation to the approving authority that the charter operator will be operating on their behalf in fulfilling the terms of a government contract, to include current government contract numbers and titles; the U.S. Navy installations which are required; and, the name, telephone number, and address of the government contracting officer.

(14) DOD Charter. A civil aircraft operator who uses a U.S. Navy installation for the official transportation of DOD personnel or cargo.

Verification. Tender of service approved by the Military Transportation Management Command (MTMC) and an SF 1169 or 1103, U.S. Government Bill of Lading, on the aircraft to validate the

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operation is for the DOD. (Passenger charters arranged by the MTMC are assigned a commercial air movement (CAM) or civil air freight movement number each time a trip is awarded. Installations will normally be notified by message at least 24 hours in advance of a pending CAM operation.)

(15) Media. Permits representatives of the media to gather information about a U.S. Government operation or event. Use will be considered on a case-by-case basis; for example, if other forms of transportation would preclude meeting a production deadline or if use would be in the best interest of the U.S. Government, authorization would be warranted.

Verification. Concurrence of the installation commander, base operations officer, and public affairs officer.

(16) Other. Under certain circumstances, based on the justification provided, use of U.S. Navy installations may be authorized for:

(a) Aircraft certification testing as required by Federal Aviation Regulations (FARs) which does not involve use of Navy testing hardware.

(b) Commercial development testing at Navy flight test facilities.

(c) Commercial charter operations.

(d) Commercial aircrew training flights.

(e) Private, nonrevenue producing flights for personal or company convenience.

(f) Temporary scheduled air service.

(g) Foreign government charter.

(h) Flights transporting foreign military sales (FMS) material. (Hazardous, oversized, or classified cargo only.)

Verification. Cargo information must be provided as specified in paragraph 24. Application must also include the Department of Transportation exemption number when hazardous cargo is to be transported, if required.

(i) Certified flight record attempts.

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(j) Political candidates. (For security reasons only.) Aircraft either owned or chartered explicitly for a Presidential or Vice Presidential candidate, including not more than one accompanying overflow aircraft for the candidate's staff and press corps. Candidate must be a Presidential or Vice Presidential candidate being aboard one of the aircraft (either on arrival or departure). Normal landing fees will be charged. Fuel may be sold on a cash or credit basis. To reduce conflict with U.S. statutes and U.S. Navy operational requirements, and to provide expeditious handling of aircraft and passengers, the following guidance applies for the installation commander:

1. Minimum official (base officials) welcoming party.
2. No special facilities are to be provided.
3. No on-base political rallies or speeches.
4. No official transportation should be provided for unauthorized personnel (press, local populace, etc.).

Verification. The Secret Service must confirm that use has been requested in support of their security responsibilities.

(k) Aircraft either owned or personally chartered for transportation of the President, Vice President, or a past President of the United States; the head of any U.S. federal department or agency; or a member of the Congress. Use by other than the President or Vice President must be for official government business.

D] 6. Conditions Governing Use of Aviation Facilities of Civil Aircraft

a. Risk. The use of Navy or Marine Corps aviation facilities by civil aircraft shall be at the risk of the operator. Except as hereinafter provided for U.S. Government contractors, the Department of the Navy shall assume no liability or responsibility by reason of the condition of the landing area, taxiways, radio and navigational aids, or other equipment or for notification of such condition; or by the acts of its agents in connection with the granting of the right to use such naval facility. No responsibility is assumed for the security of or damage to aircraft while on property owned or controlled by the U.S. Government.

b. Military Rules. Operators of civil aircraft utilizing a Navy or Marine Corps aviation facility shall be required to

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comply with the air and ground rules promulgated by the Department of the Navy and the commanding officer of the aviation facility. Such compliance shall pertain specifically to clearance authorization for the entry, departure, or movement of aircraft within the confines of the terminal area normally controlled by the commanding officer of the aviation facility.

c. Federal Aviation Regulations. Operators of civil aircraft shall be required to comply with all Federal Aviation Administration (FAA) rules and regulations including filing of flight plans. When such flight plans are required, they shall be filed with the commanding officer or his/her authorized representative prior to the departure of the aircraft. When such a flight plan is not required, a list of passengers and crew members, the airport of first intended landing, the alternate airport, and fuel supply in hours shall be placed on file prior to takeoff, with the commanding officer or with the local company representative as appropriate.

d. Hours of Operation. The use of a Navy/Marine Corps aviation facility by civil aircraft shall be limited to the hours when the facility is normally in operation.

e. Weather Minimums. Civil aircraft shall comply with weather minimums as follows:

(1) Visual Flight Operations shall be conducted in accordance with FAR, Part 91.105 (NOTAL). If more stringent visual flight rules minimums have been established for the point of departure or destination, as noted in the aerodrome remarks section of the Department of Defense Flight Information Publication (enroute) Instrumentation Flight Rules - Supplement (NOTAL), then the ceiling and visibility must be at or above these minimums in the applicable control zone.

(2) Instrument flight operations shall be conducted in accordance with FAR, Part 91.116 (NOTAL).

f. Inspection. The commanding officer may conduct such inspection of a transiting civil aircraft and its crew, passengers and cargo as he or she may consider appropriate or necessary to the carrying out of his or her duties and responsibilities.

g. Customs, Immigration, Agriculture, and Public Health Inspection

(1) The civil aircraft commander shall be responsible for compliance with all applicable customs, immigration, agriculture,

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and public health laws and regulations. He/she shall also be responsible for paying fees, charges for overtime services, and for all other costs connected with the administration of such laws and regulations.

(2) The commanding officer of the Navy/Marine Corps aviation facility will inform the appropriate public officials of the arrival of civil aircraft subject to such laws and regulations. He/she will not issue clearances for a civil aircraft to takeoff until such laws and regulations have been complied with. Procedures for insuring compliance with such laws and regulations shall be as mutually agreed to by the commanding officer of the aviation facility and the local public officials.

h. Weather Alternate. If a Navy/Marine Corps aviation facility has been approved for use as an alternate airport, radio clearance must be obtained from such facility as soon as the decision is made enroute for such use.

i. Emergency Landings. Any aircraft may land at a Navy/Marine Corps aviation facility when necessary as a result of a bona fide emergency. However, whenever the nature of the emergency permits the pilot to select the time and place the landing, it is preferred that the pilot land his/her aircraft at a civil field.

(1) The commanding officer of the aviation facility will require that the pilot of the aircraft pay all fees and charges and execute the Landing Permit (DD 2401). A statement explaining the circumstances of the emergency landing must be noted in paragraph 4 of the permit application. If a narrative report from the pilot is available, it may be attached to the application.

(2) Clearance of Runway. The Department of the Navy reserves the right to use any method to clear a runway of aircraft or wreckage consistent with operational requirements. Care will be exercised to preclude unnecessary damage in removing wrecked aircraft; however, the Navy assumes no liability as a result of such removal.

(3) Repairs

(a) Aircraft requiring major repairs may be stored temporarily in damaged condition. If repairs cannot be completed within a reasonable time, the aircraft must be removed from the facility by the owner or operator of the aircraft without delay.

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(b) No aircraft will be given a major or minor overhaul.

(c) Engine or airframe minor components may be furnished, when not available through commercial sources, provided such supplies can be spared and are not known to be in short supply. The issuance of such supplies must be approved by the commanding officer.

(d) Minor components in short supply or major components for which there is a repeated demand can be furnished only on message authority obtained from the Aviation Supply Office, Philadelphia, Pennsylvania (for continental facilities) or local fleet air command or major aviation supply depot (for extra-continental facilities). Complete engines, airplane wings, or other major items of equipment shall not be furnished under this authority.

(e) If the commanding officer believes it is desirable to furnish requested material or services in excess of the restrictions stated here, he/she shall request instructions from the Chief of Naval Operations (OP-55), giving a brief description of the material or services requested together with his/her recommendations.

(4) Reimbursement for Costs

(a) The civil user making an emergency landing will be billed in accordance with paragraphs 032500-032503 of reference (b) for payment of all costs incurred by the Government as a direct result of the emergency landing. Such costs will include those associated with labor, material, rental of equipment, vehicles or tools, etc., for:

1. Spreading foam on runway before the aircraft attempts emergency landing.
 2. Fire and crash control and rescue.
 3. Movement and storage of aircraft or wreckage.
 4. Damage to runway, lights, navigation aids,
- etc.

(b) There will be no charge for naval meteorological services and naval communications facilities for the handling of arrival and departure reports, air traffic control messages, position reports and safety messages.

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(c) The determination as to whether landing fees shall be charged pursuant to an emergency landing for maintenance or repair shall be the prerogative of the commanding officer of the facility.

7. Approving Authority for Landings at Navy/Marine Corps Aviation Facilities

a. Except as limited in subparagraphs 7b and 7c, the commanding officer of a Navy or Marine Corps aviation facility may approve or disapprove applications and issue permits (DD 2401) for landings of civil aircraft at their facility when such landing is:

(1) Directly connected with or in support of U.S. Government business (except those listed in paragraph c below.

(2) In connection with U.S. Government interests on an infrequent basis when no adequate civil airport is available.

(3) By aircraft owned and operated by Navy/Marine Corps Flying Clubs or U.S. Army or Air Force Aero Clubs which are operated as instrumentalities of the U.S. Government.

(4) By aircraft owned and operated by U.S. Government personnel when such use is in accordance with paragraph 5b(1) and 5(b)2.

(5) By civil aircraft either owned or personally chartered by:

(a) The President or Vice President of the United States or a past President of the United States.

(b) The head of any federal department or agency.

(c) A Member of Congress.

(6) By a bailed, leased, or loaned aircraft (as defined in paragraph 3) when operated in connection with official business only.

(7) By aircraft owned and operated by states, counties or municipalities of the United States when used for official business of the owner.

b. Except as limited by subparagraph c below, the Commander in Chief, U.S. Naval Forces, Europe; Commander in Chief, U.S.

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D] Atlantic Fleet; Commander in Chief, U.S. Pacific Fleet; Chief of Naval Education and Training; Commander, Pacific Missile Range; Commander, Marine Corps Air Bases, Eastern Area; Commander, Marine Corps Air Bases, Western Area; and Commander, Marine Corps Air Bases, Pacific may approve civil aircraft use of any active aviation facility under their control. (At overseas locations, aircraft landing authorizations must be in consonance with the provisions of applicable international agreements.)

R] c. The Chief of Naval Operations may approve any of the above requests, and is the only agent empowered to approve all other requests for use of naval facilities by civil and government aircraft, for example:

(1) Application for use of more than one facility when the facilities are not under the control of one major command.

(2) Application for use of naval aviation facilities when participating in U.S. Government or Department of Defense single-manager contract and charter airlift operations; i.e., Military Airlift Command (MAC) or Military Traffic Management and Terminal Service (MTMTS).

(3) Application for a facility to be used as a regular civil airfield for a community, by either commercial or general aviation.

(4) Requests for use of a facility by foreign civil or government aircraft when:

(a) Such use is not covered by an agreement between the U.S. Government and the government of the aircraft's registry, or

(b) the facility is located in a country other than that in which the foreign aircraft is registered.

(5) The Chief of Naval Operations has designated the Commander, Naval Facilities Engineering Command (COMNAVFACENGCOM) to serve as his agent for approving or disapproving applications and issuing permits for landings of civil aircraft at Department of the Navy facilities.

8. How to Request Use of Naval Aviation Facilities

A] a. Application Procedures. The prospective user can obtain a copy of this regulation and the required forms from a U.S. Navy

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air installation. The user is responsible for reviewing the regulation and accurately completing the forms before submitting them to the approving authority (paragraph 7). The types of use normally authorized are specified in enclosure (1). The verification required for each type of use must be included with the application. To allow time for processing, all documents shall be submitted at least 30 days before the date of the first intended landing. The name of the user must be the same on all forms. Original handwritten signatures, not facsimiles, are required on all forms. Prospective civil users of a U.S. Navy installation must apply for authorization as follows:

(1) Have the insurance company or its authorized agent complete and sign DD 2400. The user name in item 3 of the DD 2400 must correspond with the user name in item 1 of DD 2401. All coverage must be stated in U.S. dollars. See paragraph 8b for required minimum coverage. The DD 2400 is valid until 1 day before insurance expiration date. A DD 2400 with the statement "until canceled" in lieu of a specific expiration date is valid for 3 years from the effective date. Upon expiration, the DD 2400 must be resubmitted along with DD 2401 for continued use of U.S. Navy installations. The DD 2400 shall be sent to the approving authority by the user together with the other required forms. [A

(2) Prepare, sign, and submit DD 2401 in an original and three copies. [A

(a) Provide, in alphabetical order, the name and location of each U.S. Navy installation requested for use. (The statement "Any U.S. Navy Installation Worldwide" is acceptable for users performing MAC charters. "Any U.S. Navy Installation Within the CONUS" or "Any U.S. Naval Installation East (West) of the Mississippi" is acceptable, if warranted by official government business, for other users.) [A

(b) Provide a brief explanation of purpose of use, with verification for each type of use, as specified in enclosure (1). When the purpose for use does not correspond with the categories listed in enclosure (1), it may be considered if sufficient justification is provided. [A

(c) Aircraft registration numbers are required unless the DD 2400 indicates coverage for "any aircraft of the listed model owned and or operated" in lieu of specific registration numbers (paragraph 8b). All other aircraft information must be provided. [A

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A] (d) The period of use is determined by the insurance expiration date shown on a completed DD 2400. Except where an earlier date of expiration is indicated on the permit, the landing permit will expire 1 day before the insurance coverage expiration date shown on DD 2400, or 3 years from the date the permit is issued when the insurance expiration date either exceeds 3 years or is indefinite (for example, "until canceled").

A] (e) Once the DD 2401 has been approved and distributed, users may make no further entries or amendments without the consent of the approving authority.

A] (f) Upon expiration, resubmit DD 2401 along with DD 2400 for continued use of U.S. Navy installations.

A] (3) Complete, sign, and send original DD 2402 to the approving authority. When the user is a corporation, the DD 2402 must be completed and signed by a second corporate officer (other than the officer executing DD 2402) to certify the signature of the first officer. Once the completed and signed DD 2402 has been accepted by an approving authority, and unless rescinded for cause, it is valid until obsolete, and need not be resubmitted to the same approving authority.

A] b. Insurance Requirements. Each user who applies for permission to land at a U.S. Navy installation must present proof of third-party liability insurance on DD 2400, with the amounts stated in U.S. dollars. The policy number, effective date, and expiration date are required. The statement "until canceled" may be used in lieu of a specific expiration date. The geographical area of coverage must include the area where the U.S. Navy installation of proposed use is located. If several aircraft or aircraft types are included under the same policy, a statement such as "all aircraft owned," "all aircraft owned and/or operated," or "all aircraft operated," may be used in lieu of aircraft registration numbers. To meet the insurance requirements, either Split Limit coverage for Bodily Injury, Property Damage, and Passengers or a Single Limit coverage is required. The coverage carried will be at the expense of the user with an insurance company acceptable to the U.S. Navy and must be current during the period the U.S. Navy installation will be used. The liability required is computed on the basis of aircraft maximum gross takeoff weight (MGTOW) and passenger or cargo configuration. Minimum coverage will not be less than the amount indicated in the instructions provided with DD 2400.

(1) Any insurance presented as a single limit of liability or a combination of primary and excess coverage will be

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an amount equal to or greater than the minimums required for bodily injury, property damage, and passengers for each accident as indicated in the instructions provided with DD 2400.

(2) Each user's policy will specifically provide that:

(a) The insurer waives any right of subrogation he or she may have against the U.S. by reason of any payment made under the policy for injury, or property damage that might arise out of or in connection with the insured's use of any U.S. Navy installation.

(b) The insurance afforded by the policy applies to the liability assumed by the insured under DD 2402.

(c) If the insurer or the insured cancels or reduces the amount of insurance afforded under the listed policy before the expiration date indicated on DD 2400, the insurer will send written notice of policy cancellation or coverage reduction to the approving authority at least 30 days before the effective date of the cancellation or reduction. The policy must state that any cancellation or reduction will not be effective until at least 30 days after such notice is sent.

c. Exceptions to the foregoing requirement are:

(1) Aircraft owned and/or operated by departments or agencies of the U.S. Government for official business.

(2) Aircraft owned and operated for non-commercial purposes by agencies of a foreign government, except in cases where the foreign government charges fees for U.S. Government aircraft.

(3) Aircraft owned and operated by states, possessions, and territories of the United States and political subdivisions, thereof, when used for official business of the owner.

(4) Aircraft owned and operated by either Navy/Marine Corps Flying Clubs or Aero Clubs of other military services which are operated as instrumentalities of the U.S. Government.

(5) Bailed aircraft, provided the bailment contract specifies that the U.S. Government is the insurer for liability.

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d. Preparation of Forms

R] (1) The license application, DD 2401, will be completed in quadruplicate by the applicant in accordance with detailed instructions provided with the form.

(2) The Certificate of Insurance, DD 2400, will be completed by the insurer in accordance with the detailed instructions provided with the form. Only the signed original certificate and one copy are required to be submitted.

(3) The Hold Harmless Agreement, DD 2402, will be completed and signed by the applicant in accordance with the instructions provided with the form. Only the signed original will be submitted.

e. Submission of Forms

A] (1) The forms executed by the applicant shall be submitted to the approving authority at least 30 days prior to the first intended landing. In those instances when the applicant requires use of a single Navy air installation, the form shall be submitted directly to the commanding officer of the installation involved. Requests for permits which shall be valid at more than one Navy air installation shall be submitted to the Commander, Naval Facilities Engineering Command who shall process the forms on behalf of the Chief of Naval Operations. In those instances when there is not sufficient time for the Commander, Naval Facilities Engineering Command to process a permit application, the commanding officer of a air installation may issue a one time permit upon receipt of all required forms properly executed by the applicant.

A] (2) Once the DD 2400 is on file with an executing authority, it is valid until insurance expiration date and may be used by that executing authority as a basis for his/her action on any subsequent DD 2401s submitted for approval.

A] f. Non-Exclusive Use Airports. When neither the Chief of Naval Operations nor the Commandant of the U.S. Marine Corps has exclusive operational control over a landing area, the aircraft operator will obtain permission to land from the appropriate civil or military authority.

A] 9. Processing Procedures. Upon receipt of an application (DD 2400, DD 2401, and DD 2402) for use of a U.S. Navy installation, the approving authority:

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a. Determines the availability of the installation and its capability to accommodate the type of use requested.

b. Determines the validity of the request and ensures all entries on DD 2400, DD 2401, and DD 2402 are in conformance with this regulation.

c. Approves DD 2401 (with conditions or limitations listed) by completing all items in the approving authority section. Installation commanders assign a permit number comprised of the last three letters of the installation's International Civil Aviation Organization code identifier, the last two digits of the calendar year, a four-digit number sequentially assigned, and a letter suffix (enclosure (1)) indicating the type of use; such as ADW 90-0001. Approving authorities listed in paragraph 7b and 7c use a three-position organization abbreviation; such as CNO 90-0002. COMNAVFACENGCOM uses the abbreviation NFR.

d. Disapproves the request if:

(1) Use interferes with current operations, security, or safety.

(2) Adequate civil facilities are collocated or available in the proximity of the requested U.S. Navy installation when use is not required for official government business (paragraph 5a(2)).

(3) Use could result in substantial competition with civil airports or air carriers.

(4) Civil user has not fully complied with this regulation.

e. Distributes the approved DD 2401 before the first intended landing, when possible:

(1) Retains original plus one; and

(2) Returns one copy to the user.

f. Extension of Permits

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(1) Permits can be extended for additional periods of time without having to reapply when there are no major changes involved. To obtain an extension, the applicant must provide to the approving authority:

(a) A new Certificate of Insurance (DD 2400).

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(b) A letter requesting an amendment to extend the current permit to coincide with the expiration date of the new Certificate of Insurance.

(c) Both the new Certificate of Insurance and the letter requesting the amendment must be received together by the approving authority.

(d) Amendments to extend permits may be issued up to 3 years after the expiration date of a license provided there are no major changes involved.

(e) Requests for extensions must be received by the approval authority at least 2 calendar weeks prior to the expiration of the permit or 2 weeks prior to the date of the next intended landing if the permit has expired previously. Requests for extension received after this time may result in the applicant not being able to land at a naval installation. It is the sole responsibility of the applicant to ensure a timely submission for extension.

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g. Conversion from Permit Valid at a Single to Multiple Installations. Permits issued by a commanding officer which are valid at a single installation may be converted to a permit valid at more than one installation through the following procedure:

(1) The applicant submits a letter to the approving authority at the installation where the current permit was issued requesting the change. Included in the request should be a new DD 2401 which includes all information required to obtain approval to use the additional installations. In addition, a new DD 2400 may be required if the coverage on the existing DD 2400 does not cover the installation(s) requested for use.

(2) The installation shall transmit the new application together with the file containing the current original DD 2400 and DD 2402, together with a copy of the current DD 2401 to COMNAVFACENGCOM.

(3) Upon issuance of the new permit, the Commander, Naval Facilities Engineering Command will notify the approving authority of the original permit, that the permit has been superseded and is no longer valid.

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10. Use of More Than One Navy Air Facility. Civil Aircraft Landing Permits are valid only at installations designated on the permit. In the case where more than one Navy installation is listed on the permit or the permit states "Any U.S. Navy

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Installation Within the CONUS", "Any U.S. Navy Installation East (West) of the Mississippi River" or "Any U.S. Navy Installation Worldwide", it is the responsibility of the civil user to provide to the installation commanding officer, a copy of the current permit prior to landing at the installation. Commanding officers will keep on file copies of current landing permits submitted to them. If there is any question concerning the permit, the installation commanding officer will verify with the approving authority.

11. Cancellation or Suspension of the Civil Aircraft Landing Permit, DD 2401

a. Cancellation

(1) If the user fails to comply with the terms of the Landing Permit DD 2401 or of any applicable regulations, all current Landing Permits for that user will be canceled. A canceled Landing Permit cannot be reinstated; a new application must be submitted for approval as explained in paragraph 8 of this instruction. [R]

(2) If the commanding officer of a naval aviation facility has reason to believe that the use of a Landing Permit is not in accordance with the terms of the permit he should immediately notify the Chief of Naval Operations, giving the name of the user, the Landing Permit number, and citing the circumstances of the misuse. All such instances shall be documented by the commanding officer. [R]

b. Suspension. The approving authority, or the commanding officer of the facility, may suspend an approved Landing Permit when such licensed use would be inconsistent with Navy/Marine Corps or national defense interests. Whenever possible, the Department of the Navy will avoid suspension of permits which have been issued for official business or scheduled air carrier use. In all cases, suspensions will be lifted as quickly as possible. A suspension will not have the effect of extending the expiration date of an approved Landing Permit.

c. Notification. Upon cancellation or suspension of a Landing Permit which is valid at more than one Navy installation, the approving authority will notify the effected Naval air installations of the cancellation or suspension.

12. Fees for Landing, Parking, and Storage

a. The commanding officer of a facility will collect landing, parking, and storage fees, as applicable, from all users

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required to have a Landing Permit by paragraph 8 of this instruction except for the following:

(1) Government aircraft (see definition paragraph 3g) except that foreign government aircraft will be charged fees if their government charges similar fees for the U.S. Government aircraft.

(2) Aircraft being produced under a contract of the U.S. Government.

(3) Any contract aircraft (see definition paragraph 3b(1) or other civil aircraft which is authorized to use the facility on official business.

(4) Aircraft employed to train operators in the use of precision approach systems (GCA, ILS, et al) provided full-stop or touch-and-go landings are not performed.

(5) Aircraft owned and operated by either Navy/Marine Corps Flying Clubs or Aero Clubs of other military services which are operated as instrumentalities of the U.S. Government.

(6) Aircraft owned and operated by military personnel on active duty regular and reserve (see paragraph 5b1).

(7) Landing fees incident to emergency landings for which the landing fee has been waived by the commanding officer in accordance with paragraph 6i(5)(c).

b. Fee for Unauthorized Landing. If an aircraft lands at a Navy/Marine Corps aviation facility without obtaining prior permission (except for a bona fide emergency landing), a landing fee in excess of the normal landing fee will be charged to cover the additional expenses incurred due to special handling and processing. The fee for an unauthorized landing will be as follows:

- R] (1) For aircraft weighing less than 12,500 pounds: \$250.
- R] (2) For aircraft weighing 12,500 pounds but less than 40,000 pounds: \$500.
- R] (3) For aircraft weighing 40,000 pounds but less than 100,000 pounds: \$1,000.
- R] (4) For aircraft weighing above 100,000 pounds: \$1,500.

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c. Normal Landing Fee. The normal landing fee is based on the aircraft maximum authorized gross takeoff weight, to the nearest 1,000 pounds. The maximum gross takeoff weight may be determined either from items 5e of DD 2401 or from the "Airplane Flight Manual" carried aboard each aircraft. If the weight cannot be determined, it should be estimated.

Charge per Landing

Inside CONUS - 1.50/1,000 pounds or any portion thereof with a minimum of \$20.00. [R]

Outside CONUS - 1.70/1,000 pounds or any portion thereof with a minimum of \$25.00. [R]

d. Parking and Storage Fees. Fixed and rotary wing aircraft parking and storage fees are based upon the gross takeoff weight of the aircraft as follows:

(1) Outside a Hangar. Charges begin 6 hours after the aircraft lands. The rate is 10 cents per thousand pounds for each 24 hour period or fraction thereof, with a minimum charge of \$20.00 per aircraft. [R]

(2) Inside a Hangar. Charges begin as soon as the aircraft is placed inside the hangar. The rate is 20 cents per 1,000 pounds for each 24 hour period or fraction thereof, with a minimum charge of \$20.00 per aircraft. [R]

e. Reimbursement. Collections incident to direct (out of pocket) costs will be credited to local operating and maintenance funds. All other collections, such as for landing, parking, and storage fees will be credited to Navy General Fund Receipt Account 172426. Accumulation of costs and preparation of billing documents are prescribed in paragraphs 032500-032503 of reference (b).

f. Security Deposit. All users, other than those listed in paragraph 12a, contemplating more than one landing per month, will be required to provide a security deposit in the form of a [R]

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certified check payable to the "Treasurer of the United States" in payment of the estimated costs of landing, hangar, and outside parking fees, for 3 months in advance, calculated as provided in paragraphs 10c and 10d. Security deposits will be handled as set forth in paragraph 032102 of reference (b).

13. Unauthorized Landings. Any aircraft that lands at a Navy/Marine Corps aviation facility without obtaining prior permission from an approving authority, except in a bona fide emergency, is in violation of this instruction. Civil aircraft landing in violation of this regulation will have to pay the fee prescribed in paragraph 10b of this instruction. In those cases where an unauthorized landing is made at a facility within a Naval Defense Area, proclaimed as such by Executive Order of the President, civil aircraft may be impounded and the operator prosecuted as indicated in reference (c). In any event, before the aircraft is authorized to depart, the commanding officer of the facility will:

a. Inform the aircraft operator of the provision of this instruction and reference (d), if applicable.

b. Require the aircraft operator (or owner), before takeoff, to pay all fees and charges and to comply with the following procedure:

(1) Execute DD 2401, explaining in item 6 of that form the reason for landing.

(2) In lieu of submitting a Certificate of Insurance, DD 2400, the insurer must furnish evidence of sufficient insurance to include waiver of any right of subrogation against the United States, the United States, and that such insurance applies to the liability assumed by the insured under DD 2401.

(3) When it appears that the violation may have been deliberate, or is a repeated violation, departure authorization must be obtained from the Chief of Naval Operations.

(4) Waiver of the requirements in 11b(1) and (2) above may be obtained from the Chief of Naval Operations to expedite removal of these aircraft when such waiver is considered appropriate.

14. Sale of Aviation Fuel, Oil, Services, and Supplies

a. General Policy. In accordance with reference (a), Navy/Marine Corps Aviation fuel, oil, services, and supplies are

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not sold to civil aircraft in competition with private enterprise. Reference (a), however, does authorize the sales of fuel, oil, equipment, supplies, mechanical service, and other assistance by reason of an emergency. Such sales will be made only where there is no commercial source and only in the amount necessary for the aircraft to continue on its course to the nearest airport operated by private enterprise.

b. Contract Aircraft. The sale of aviation fuel, oil, supplies, etc., to aircraft under U.S. Government contract or charter is permitted at, and limited to, points where passengers or cargo are loaded into or discharged from the aircraft under terms of the contract or charter. Sales are not authorized at naval aviation facilities where commercial supplies and services are available.

15. Forms. DD 2400 (11-90), Civil Certificate of Insurance, DD 2401 (11-90), Civil Aircraft Landing Permit, and DD 2402 (11-90), Civil Aircraft Hold Harmless Agreement, may be obtained from COMNAVFACENGCOM (Code 241JB).



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Under Secretary of the Navy

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Processing Procedures for Civil Aircraft Landing Permits

Table 1

Processing Permit Applications - DD 2400, DD 2401, and DD 2402 (Renewal applications require DD 2400 and DD 2401)

	A	B	C	
R U L E	If use is requested for	and is verified by	Then approval authority is CNO Instl Cdr* (see note 5)	
1	contractor or subcontractor personnel (see para 5b(1))	contract number; brief description of work; name, address, and telephone number of government contracting officer	X	X
2	demonstration flights (see para 5b(2))	name, address, and telephone number of government sponsor; or if contractual requirement, rule 1 applies	X	X
3	active duty U.S. military (see para 5b(3))	social security number	X	X
4	reserve forces (see para 5b(4))	commander's endorsement and TDY orders on board the aircraft if assigned unit is not located on airfield	X	X
5	civilian employees of the U.S. Government (see para 5b(5))	TDY orders, which may only be available to approving authority upon arrival at installation (see note 1)	X	X
6	special conveyance (see para 5b(6))	copy of official orders on board the aircraft (see note 1)	X	X
7	air shows (see para 5b(7))	invitation from base commanding officer to participate in air show	X	X

Enclosure (1)

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Processing Procedures for Civil Aircraft Landing Permits

Table 1

Processing Permit Applications - DD 2400, DD 2401, and DD 2402 (Renewal applications require DD 2400 and DD 2401)

	A	B	C	
R U L E	If use is requested for	and is verified by	Then approval authority is CNO Instl Cdr* (see note 5)	
8	civil air patrol (see para 5b(8))	endorsement by HQ CAP-USAF/DO	X	X
9	aero club member (see para 5b(9))	endorsement by aero club manager	X	X
10	weather alternate airport (see para 5b(10))	scheduled air carrier status (see notes 2 and 3)	X	X
11	MAC contract or charter (see para 5b(11))	MAC Form 8; Certificate of LOGAIR; Certificate of QUICKTRANS; Certificate of Courier Service, or Certificate of Intra-Alaska Operations on board the aircraft	X	
12	U.S. Government contract or charter operator (see para 5b(12))	name of government agency sponsoring flight and official government document on board the aircraft to substantiate flight is chartered by U.S. Government (see note 4)	X	X
13	contractor or subcontractor charter operator (see para 5b(13))	written validation by contractor or subcontractor that charter is operating in their behalf plus information in rule 1	X	X

Enclosure (1)

15 DEC 1992

Processing Procedures for Civil Aircraft Landing Permits

Table 1

Processing Permit Applications - DD 2400,
DD 2401, and DD 2402 (Renewal applications
require DD 2400 and DD 2401)

	A	B	C	
R U L E	If use is requested for	and is verified by	Then approval authority is CNO Instl Cdr* (see note 5)	
14	DOD charter (see para 5b(14))	approval by Military Traffic Management Command (MTMC) and official government document on board the aircraft to substanti- ate flight is chartered by U.S. Government (see note 4)	X	X
15	media (see para 5b(15))	concurrence of installa- tion commander, public affairs, and base opera- tions	X	
16	certification testing (see para 5b(16)(a))	nonspecific	X	
17	development testing (see para 5b(16)(b))	compliance with AFR 80-19	X	
18	commercial charter (see para 5b(16)(c))	nonspecific		
19	commercial training (see para 5b(16)(d))	memorandum of under- standing with sponsor for use of specific airfield	X	
20	private, non- revenue (see para 5b(16)(e))	nonspecific	X	

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Processing Procedures for Civil Aircraft Landing Permits

Table 1

Processing Permit Applications - DD 2400, DD 2401, and DD 2402 (Renewal applications require DD 2400 and DD 2401)

	A	B	C	
R U L E	If use is requested for	and is verified by	Then approval authority is CNO Instl Cdr* (see note 5)	
21	scheduled air service (see para 5b(16)(f))	written request by local government officials or airport authority normally limited to use when local airport is temporarily unavailable)	X	
22	foreign government charter (see para 5b(16)(g))	nonspecific	X	
23	foreign military sales (FMS) charter (see para 5b(16)(h))	FMS case number with cargo categorized as classified, hazardous, or oversized	X	
24	certified flight record (see para 5b(16)(i))	certification by the National Aeronautics Association	X	
25	political candidate (see para 5b(16)(j))	Secret Service request for a post-convention	X	
26	appointed or elected officials (see para 5b(16)(k))	official government business	X	

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NOTES:

1. Annotate on DD 2401 that TDY orders must be on board the aircraft.
2. Landing fees must be charged. Airfield must be designated for weather alternate use by CNO.
3. An approved DD 2401 must include the following statement: "Weather alternate use permits the diversion to and use of a U.S. Navy airfield only when unforecast weather conditions require a diversion while in flight from the original destination. Aircraft may not be dispatched from the point of departure to a U.S. Navy airfield approved for weather alternate use."
4. An approved DD 2401 must include the following statement:
"A certificate of operations, U.S. Government bill of lading, cargo manifest, transportation request, or other official government document must be on board the aircraft and will be presented with the DD 2401 to substantiate that use is for a U.S. Government agency. Loading enroute or terminal stops at Navy airfields will be only for unloading or offloading U.S. Government passengers or cargo unless the contract or charter agreement expressly permits landing for another purpose."
5. *Valid only at installation which issued the permit.

CNO = Chief of Naval Operations
Instl Cdr = Installation Commander

Enclosure (1)