

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Air Traffic Organization Policy

N JO 7210.918

Effective Date:
January 2, 2020

Cancellation Date:
January 30, 2020

SUBJ: Automatic Dependent Surveillance-Broadcast (ADS-B) Related Changes

1. Purpose of This Notice. This notice amends FAA Order JO 7210.3, providing ATC facilities with new and updated procedures related to ADS-B; specifically, the removal of Duplicate ICAO Address reporting requirements, facility accommodation of certain non-ADS-B equipped aircraft, and guidance concerning ADS-B Out OFF Operations for sensitive missions.

2. Audience. This notice applies to the following Air Traffic Organization (ATO) service units: Air Traffic Services, System Operations Services, Safety and Technical Training, and all associated air traffic control facilities.

3. Where Can I Find This Notice? This notice is available on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices/ and on the air traffic publications website at http://www.faa.gov/air_traffic/publications/.

4. Cancellation. This notice cancels upon the publication of FAA Order JO 7210.3BB, Change 1, on January 30, 2020.

5. Explanation of Policy Change. This change deletes Paragraph 2-1-14, subparagraph b, concerning facility reporting requirements for aircraft broadcasting duplicate ICAO address events within the same ADS-B Service Volume, corrects the email address used for reporting civil aircraft call sign issues, and updates the name of "Mission Support Services, Aeronautical Information Management" to "Mission Support Services, Aeronautical Information Services." This change also adds two new paragraphs providing facilities with guidance concerning aircraft operator requests to access ADS-B designated airspace without ADS-B Out equipment installed and concerning accommodating certain U.S. Government sensitive missions.

6. Procedures/Responsibilities/Action. Amend FAA Order JO 7210.3 to read as follows:

2-1-14. AIRCRAFT IDENTIFICATION PROBLEMS

Title through a.2., no change

3. Civil aircraft other than air carrier: Advise Mission Support Services, Aeronautical Information Services, at Callsigns@faa.gov when two or more designated call signs are found to be phonetically similar or difficult to pronounce and are causing a flight identification problem.

Delete subparagraph a.3.(a), and all of subparagraph b.

No further changes to paragraph

5-4-2. REQUESTS FOR DEVIATION FROM ADS-B OUT REQUIREMENTS

This provision is designed to accommodate those civil, non-governmental operators who may have a legitimate reason for not equipping their aircraft with ADS-B Out in accordance with the requirements of 14 CFR § 91.225, and who seek an ATC authorization to operate in ADS-B airspace under the provisions of § 91.225(g). Any U.S. governmental operators seeking relief from any ADS-B requirements must contact FAA System Operations Security via email at 9-ATOR-HQ-IFOS@faa.gov for authorization.

NOTE-

As used in this section, "U.S. government" is defined as special U.S. Federal, State and local government flight operations, inclusive of special flights contracted by U.S. Federal, State or local governments.

REFERENCE-

FAA Order JO 7210.3, 5-4-9, ADS-B Out OFF Operations

a. Aircraft requesting ATC authorization to deviate from the ADS-B Out equipage requirements must be transponder equipped to utilize this provision. For non-transponder equipped aircraft, operators and facilities must follow the existing procedures contained in Paragraph 5-4-1, REQUESTS FOR DEVIATION FROM TRANSPONDER REQUIREMENTS.

b. Any authorization granted under this provision that satisfies an operator's regulatory requirements under 14 CFR § 91.225(g) does not guarantee that the aircraft will receive an ATC clearance. Controllers are not responsible for approving or tracking such authorizations, and may issue or deny clearances to such aircraft as they normally would on the basis of workload, surveillance availability, other traffic, and any other factors, as appropriate.

c. Operators requesting preflight ATC authorization to deviate from ADS-B Out equipage requirements for single or infrequent events should be referred to the FAA's automated authorization request web portal at <https://sapt.faa.gov>.

d. A facility ATM or their designee may approve or disapprove long-term requests for ATC authorization to deviate from ADS-B Out requirements.

NOTE-

A long-term request would be one of a frequent, repeated nature, such as agricultural or fringe airport operations.

e. Facilities must limit authorizations to the airspace for which it is responsible by having the aircraft enter/exit the affected airspace through its delegated airspace.

NOTE-

Facility managers may consider other methods for processing authorization requests that may involve another ATC facility; e.g., the affected facility could delegate their approval authority for a given fringe airport to the originating facility, and this could be incorporated into a facility letter of agreement.

f. Pilots/operators may be required to comply with reasonable conditions as necessary to maintain an acceptable level of safety. Such conditions may include:

1. Filing a flight plan.
2. Maintaining radio contact with ATC.
3. Notifying ATC prior to entering the affected airspace.

g. The following are examples of operations for which long-term authorizations may be issued:

1. Antique aircraft not otherwise excepted by the regulation.

2. Agricultural aircraft whose proposed areas of operations will not adversely impact other traffic in the airspace.

3. Operations conducted in facility-defined areas with no surveillance coverage.

4. Operations conducted by aircraft based at a fringe airport, provided that they:

(a) Will not adversely impact other operations receiving ATC services in the area,

(b) Are restricted to altitudes below 2,500 feet AGL,

(c) Are not coincidental with controlled traffic flows within the terminal area, such as SIDs and STARs, and

(d) Are conducted in the airport traffic pattern and via the most direct routing out of the Mode C veil, consistent with existing traffic and noise abatement procedures.

NOTE–

A fringe airport is an airport that is approximately 25 NM or farther from a Class B airspace primary airport and is not served by a scheduled air carrier, or is an airport outside the Mode C veil at which aircraft operations in the traffic pattern routinely enter the Mode C veil.

h. All long-term authorizations must be incorporated into an LOA, which must be reviewed annually. Multi-signature LOAs should be used in situations involving two or more individual operators or multiple facilities. New, revised, or canceled LOAs must be emailed to AFS-400 at 9-awa-equip.2020@faa.gov with “ADS-B LOA” in the subject line for aircraft compliance purposes, and must include the following information:

1. PIC or other requesting person’s contact information:

(a) First and last name;

(b) Phone number;

(c) Email address;

2. Aircraft Make(s) and Model(s);

3. Aircraft registration number(s);

4. Aircraft base airport or destination airport;

5. Reason for deviation request (e.g., agricultural aircraft, exhibition aircraft, fringe airport operations, etc.);

6. Any necessary restrictions on operations (e.g., time of day or geographical area limitations, altitude limits, notification or recall requirements, flight plan and communication requirements); and

7. Authorizing ATC facility & person.

NOTE–

1. *Annual evaluations will allow facilities to determine if the operations authorized under the LOA are creating an undue burden on the NAS and should be discontinued.*

2. *Flight Standards has the automated capability to correlate NAS flights to aircraft ADS-B transmissions (or “squits”). Aircraft registration numbers will be entered into this tool from the forwarded LOAs to prevent any unnecessary compliance actions being taken against an aircraft operator acting in good faith.*

No further changes to paragraph

Old paragraphs 5–4–2 through 5–4–7: renumber as 5–4–3 through 5–4–8

5-4-9. ADS-B OUT OFF OPERATIONS

Operators of aircraft with functional ADS-B Out avionics installed and requesting an exception from the requirement to transmit at all times must obtain authorization from FAA System Operations Security (AJR-22). ATC facilities must not approve any such pilot or operator request to operate ADS-B Out OFF. Authorized operators must inform ATC facilities impacted by these operations as directed in FAA Order JO 7110.67.

NOTE-

14 CFR Section 91.225 requires, in part, that “each person operating an aircraft equipped with ADS-B Out must operate this equipment in the transmit mode at all times unless otherwise authorized by the FAA when that aircraft is performing a sensitive government mission for national defense, homeland security, intelligence or law enforcement purposes, and transmitting would compromise the operations security of the mission or pose a safety risk to the aircraft, crew, or people and property in the air or on the ground.”

a. ATMs should notify any controllers whose area of jurisdiction may be impacted by known authorized ADS-B Out OFF operations.

b. Direct any U.S. government requestors to contact FAA System Operations Security via email (9-ATOR-HQ-IFOS@faa.gov) for ADS-B Out OFF authorization. Inform non-U.S. government requestors that they do not qualify for ADS-B Out OFF authorization.

NOTE-

As used in this section, “U.S. government” is defined as special U.S. Federal, State and local government flight operations, inclusive of special flights contracted by U.S. Federal, State or local governments.

c. Inform operators checking on the status of sensitive U.S. government ADS-B Out OFF authorizations tied to a national security event to review the content of the 14 CFR 99.7 Special Security Instructions NOTAM associated with that national security event.

No further changes to paragraph

7. Distribution. This notice is distributed to the following organizations: Air Traffic Services, Technical Operations, System Operations Services, Safety and Technical Training, Mission Support Services, Air Traffic Safety Oversight Service, William J. Hughes Technical Center, Mike Monroney Aeronautical Center, National Air Traffic Controllers Association, Professional Aviation Safety Specialists, National Association of Government Employees, and interested public aviation entities.

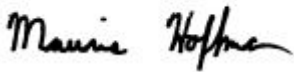
8. Background. Automatic Dependent Surveillance-Broadcast (ADS-B) is a key NextGen technology in the effort to modernize the National Airspace System (NAS). After January 1, 2020, aircraft flying in most U.S. domestic controlled airspace must be equipped with ADS-B Out. However, the next scheduled publication of FAA Order JO 7210.3 will not become effective until January 30, 2020. This Notice consolidates the work of three separate document change proposals.

Each aircraft or ground vehicle equipped with ADS-B is expected to transmit a unique 24-bit ICAO address. ATC automation systems alert controllers when a duplicate ICAO address occurs within the same ADS-B service volume. Such events are rare, and field observations have found that controllers are often unable to identify the second aircraft or vehicle. Recent changes to the ADS-B Performance Monitor (APM), which records every ADS-B transmission for quality analysis purposes, will allow for the automatic collection and reporting of Duplicate ICAO address events. Controller and facility reporting of Duplicate ICAO Address events is therefore no longer required.

There can be justifiable reasons for certain aircraft not already legally excepted from the equipage requirements to operate in ADS-B airspace without appropriate equipment on board, and 14 CFR § 91.225 contains a provision that allows an aircraft operator to request an authorized deviation from the equipage requirements from ATC. The FAA has developed a web-based tool to handle infrequent authorizations for certain reasons, such as ferrying aircraft or aircraft movement for the purpose of ADS-B Out installation or repair. However, operations of a more repetitive nature, such as those of agricultural aircraft or flights into or out of an airport near the perimeter of a Mode C Veil, may justify a letter of agreement (LOA) with a local ATC facility. This new paragraph provides facility managers with guidance for developing those LOAs, expanding upon existing guidance that provides for accommodating non-transponder equipped aircraft.

As originally enacted, 14 CFR § 91.225 subparagraph (f) stated, "Each person operating an aircraft equipped with ADS-B Out must operate this equipment in the transmit mode at all times." This was recently amended by adding, in part, "unless otherwise authorized by the FAA when that aircraft is performing a sensitive government mission for national defense, homeland security, intelligence or law enforcement purposes, and transmitting would compromise the operations security of the mission or pose a safety risk to the aircraft, crew, or people and property in the air or on the ground." The conditions under which an aircraft may operate without transmitting ADS-B are very narrow. Facility managers may receive inquiries regarding such operation, but the FAA has determined that FAA System Operations Security is solely responsible for approving these authorizations. This new paragraph is mostly explanatory information for facility managers, who may receive inquiries from operators unfamiliar with the correct procedure for obtaining an ADS-B Out OFF authorization.

9. Related Publication. FAA Order JO 7110.65, paragraphs 5-1-13, 5-2-1, 5-2-13, 5-2-17, 5-2-23, 5-2-25, 5-2-26, 5-2-27, 5-3-2, 5-3-3, and three terms in the Pilot/Controller Glossary.



Maurice Hoffman
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12/11/19

Date Signed