



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

National Policy

**ORDER  
JO 7000.6A**

Effective Date:

**MAY 30 2008**

**SUBJ:** Identification and Notification of Differences Between ATO Products and Services and ICAO Documents

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**1. Purpose of this Order.** This order establishes procedures for personnel from the Air Traffic Organization (ATO) to identify and report differences between applicable Federal Aviation Administration (FAA) directives and applicable International Civil Aviation Organization (ICAO) Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS). This order satisfies the requirements of FAA Order 1240.11, dated November 6, 2007, which directs FAA Lines of Business (LOBs) to implement standard operating procedures to evaluate new and amended ICAO SARPs for impact on National Airspace Systems (NAS) and procedures, make implementation decisions, and file any resulting differences, if applicable.

**2. Audience.** This order applies to all ATO Service Units and Directorates responsible for processes and/or functions that are impacted by ICAO SARPs and/or PANS.

**3. Where Can I Find this Order?** You can find this order at:  
[https://employees.faa.gov/tools\\_resources/orders\\_notices/](https://employees.faa.gov/tools_resources/orders_notices/)

**4. Distribution.** This Order is distributed to all ATO Service Units and Directorates.

**5. Cancellation.** This Order cancels FAA Order 7000.6, Differences Between FAA Directives and ICAO Documents, dated February 5, 2003.

**6. Explanation of Policy Changes.** Preparation for the November 2007 Universal Safety Oversight Audit conducted by ICAO exposed weaknesses in FAA/ATO identification and reporting of differences as required by Article 38 of the ICAO Chicago Convention, much of which can be attributed to a lack of clarity in organizational roles and responsibilities in this realm. FAA Order 7000.6 predates the establishment of the ATO; therefore, this update reflects changes to both organizational structure and roles and responsibilities. Additionally, the previous version of this Order required appropriate Lines of Business to assess their compliance with ICAO documents only in response to updates received from ICAO. ATO Order 7000.6A requires an annual assessment, to include and address the possibility that changes made to the National Airspace System (NAS) may have affected our compliance with existing ICAO standards, practices, and/or procedures even if ICAO documentation has not changed. Lastly, this Order codifies the role of the ATO Operations Planning International Office (ATO International) to coordinate and oversee the processes contained therein, and requires ATO Service Units to identify points of contact to whom SARPs and PANS issues should be addressed.

**7. Background.** ICAO was established on December 7, 1944 by the Convention on International Civil Aviation in Chicago, Illinois. As such, ICAO operates under an agreement known as the

Chicago Convention, and in accordance with Article 37 thereof, adopts and amends the SARPs necessary to secure among all its member states the highest practicable degree of interoperability and uniformity in regulations, standards, procedures, and organization in relation to air navigation and transportation. These SARPs are documented in the 18 Annexes to the Convention. By treaty, the United States Government (USG) is a signatory to the Chicago Convention, and as such, is obligated to comply with its standards and procedures. However, when the USG finds it impracticable to comply in all respects with any such international standard or procedure, it is obligated under Article 38 of the Chicago Convention to give notification of the nature of the difference to ICAO.

The USG collaborates with ICAO and other Contracting States in all levels of problem solving that may result in the development or amendment of SARPs. Typically, ICAO establishes panels and study groups that may propose new or amended SARPs, which, upon adoption by the Council, are sent to all Member States by the ICAO Secretary General for comment. States are required to comply with the SARPs or file differences in accordance with the aforementioned Article 38.

## **8. Definitions.**

**a.** ICAO – A specialized agency of the United Nations that sets international standards; develops harmonized procedures necessary for the safety, security, efficiency and regularity of air transport; and serves as the facilitator for cooperation in all fields of civil aviation among its 190 Contracting States. The United States is signatory to the Convention on International Civil Aviation (The Convention) and, therefore, a Contracting State. The Council, a permanent body composed of 33 Contracting States elected by the ICAO Assembly for a 3-year term, governs ICAO. One of the major duties of the Council is to adopt (and/or approve changes to) international SARPs and PANS.

**b.** Difference – A departure from accepted international standards or procedures, as defined in Article 38 of The Convention, which reads:

“Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.”

A difference is categorized as one of the following:

1. Category A – An FAA regulation or procedure that is more exacting or exceeds the ICAO standard, recommended practice, or procedure;

2. Category B – An FAA regulation or procedure that is different in character or complies by other means; or
3. Category C – An FAA regulation or procedure that is less protective than or partially implements/does not implement an ICAO standard, procedure, or recommended practice.

c. SARPs – Standards and Recommended Practices are adopted by the ICAO Council in accordance with Articles 37, 54, and 90 of the Chicago Convention and are contained within Annexes. There are 18 Annexes that contain SARPs pertaining to specific portions of international civil aviation, seven of which pertain directly to the provision of Air Navigation Services:

- Annex 2 – Rules of the Air
- Annex 3 – Meteorological Services for International Air Navigation
- Annex 4 – Aeronautical Charts
- Annex 5 – Units of Measurement to be Used for Ground and Air Operations
- Annex 10 – Aeronautical Telecommunications
- Annex 11 – Air Traffic Services
- Annex 15 – Aeronautical Information Services

Two others (Annex 1 – Personnel and Licensing and Annex 14 – Aerodromes) are led by other FAA lines of business but require ATO input as necessary.

The uniform application by Contracting States of the specifications contained in these International Standards is recognized as necessary for the safety or regularity of international air navigation. The uniform application of the specifications in the Recommended Practices is regarded as desirable in the interest of safety, regularity, or efficiency of international air navigation.

d. PANS – Procedures for Air Navigation Services do not have the same status as the SARPs but are considered complementary to the Annexes. They are supplemented, when necessary, by regional procedures contained in the Regional Supplementary Procedures (Doc 7030). PANS specify, in greater detail than in the SARPs, the actual procedures to be applied by air traffic services units in providing the various air traffic services to air traffic. ATO is responsible for establishing compliance with the PANS Air Traffic Management (PANS ATM, Doc. 4444).

## 9. Responsibilities.

a. Air Traffic Organization International Office (AJP-4) – The ATO International office works with the ATO service units and FAA lines of business to plan and coordinate international activities that affect the ATO, including the documenting and configuration management of differences to ICAO SARPs and PANS. The ATO International Office coordinates Air Traffic Safety Oversight Service (AOV) and Air Traffic Organization Safety Services (AJS) concurrence with proposed differences, and coordinates activities between the FAA and ICAO through the Interagency Group on International Aviation (IGIA) Secretariat in the FAA Office of International Aviation (API).

**b.** The Office of International Aviation (API) – The FAA Office of International Aviation has been delegated responsibility as the IGIA Secretariat. As such, it receives State Letters from ICAO, including the notification of proposed amendments to ICAO documents, and distributes them for comment and/or action to the other IGIA member organizations and relevant FAA LOBs. Upon completion of the indicated suspense on a SARPs-related State Letter, API collates information received from the distribution and prepares the formal response to ICAO, which may include a notification of differences to SARPs.

**c.** The Office of the Chief Counsel International Affairs and Legal Policy (AGC-7) – The Office of the Chief Counsel plays a role in determining that the FAA conforms to the requirements and obligations resulting from the Articles 37 and 38 of the ICAO Convention. AGC-7 is responsible for ensuring that the processes devised by the LOBs and offices meet those needs.

**d.** Air Traffic Organization Safety Services (AJS) – FAA Order JO 1000.37, Air Traffic Organization Safety Management System, identifies ATO Safety Services as the ATO's primary interface with the Air Traffic Safety Oversight Service. The Order also requires ATO-S to review and provide a statement of concurrence or non-concurrence from a safety perspective on all ATO differences to be filed with ICAO.

**e.** Air Traffic Safety Oversight Service (AOV) – The FAA Administrator has established the Air Traffic Safety Oversight Service to oversee the safety of the ATO and the provision of air traffic services in the United States of America. FAA Order 1100.161, Air Traffic Safety Oversight, requires the ATO to obtain AOV concurrence on any notification of proposed differences to ICAO Standards to be filed with ICAO.

**f.** ATO Offices of Primary Responsibility (OPR) – The OPR is the office having the primary responsibility for the systems, processes, functions, policies, or procedures governed by ICAO SARPs/PANS. For the purpose of this Order, an OPR is the ATO Service Unit and/or Directorate responsible for devising and implementing necessary systems and procedures to ensure the implementation of ICAO SARPs/PANS, and, if applicable the determination of any differences.

It is the responsibility of the OPR to collaborate, coordinate, or otherwise work with the necessary support offices to determine compliance and/or file differences of SARPs/PANS when warranted. OPRs submit proposed differences to the ATO International Office, in accordance with the procedures outlined in this order. Upon notification of the completion of the IGIA process from ATO International, it is the responsibility of the OPR to update the U.S. Aeronautical Information Publication as necessary in accordance with the procedures documented in Order 7000.5.

**g.** ATO Service Units – Specifically, those affected by SARPs/PANS, are required to provide two points of contact (POCs), primary and backup, to the ATO International Office for the purpose of communicating and coordinating information related to the SARPs/PANS provisions for which they are the OPR. These points of contact will be revalidated on at least an annual basis at the request of ATO International, or at the discretion of the affected Service Unit to ensure the validity of necessary communication channels.

## 10. Procedures

a. On an annual basis, in accordance with FAA Order 1240.11, and in conjunction with ICAO publication amendment release dates and a corresponding publication cycle for the U.S. Aeronautical Information Publication (AIP), the ATO International Office will send out a call for Service Unit POCs to analyze the SARPs/PANS provisions for which their Service Unit has been identified as the OPR for changes in compliance status.

i) This call will include any pertinent State Letters received from ICAO as well as the final analysis from the previous cycle, including the current list of differences. This updated analysis must take into account both ICAO amendments, proposed or enacted, and modifications to ATO products and/or services within the National Airspace System.

b. OPRs will work with supporting Service Units or FAA Lines of Business as necessary to coordinate their responses with other offices responsible for similar ICAO standards, recommended practices, and/or procedures. For example, there is significant overlap between Annex 2 Rules of the Air and Annex 11 Air Traffic Services. For any given standard, recommended practice, or procedure, the absence of a difference implies an assurance of compliance.

c. Upon completion of this analysis, the resulting documentation will be provided to ATO International, forwarded to AOV and ATO-S for review and packaged for IGIA processing.

ii) Upon completion of the necessary packaging, ATO International will forward it to AOV and ATO-S for processing in accordance with their responsibilities as outlined in FAA Order 1100.161 and FAA Order JO 1000.37 respectively.

iii) If AOV and/or ATO-S do not concur with the package as written, ATO-S will facilitate a discussion between AOV and the ATO OPR to resolve issues.

iv) Upon receipt of AOV and ATO-S concurrence, ATO International will send the package to API for IGIA processing. If the IGIA process yields comments or changes from other FAA lines of business or government entities, ATO International will facilitate a discussion between API and/or the commenting organization and the ATO OPR to resolve issues.

d. Upon completion of the IGIA process, the ATO International Office will update its ATO Compliance Database and provide the OPR with direction to make any necessary changes to the U.S. AIP in accordance with FAA Order 7000.5.



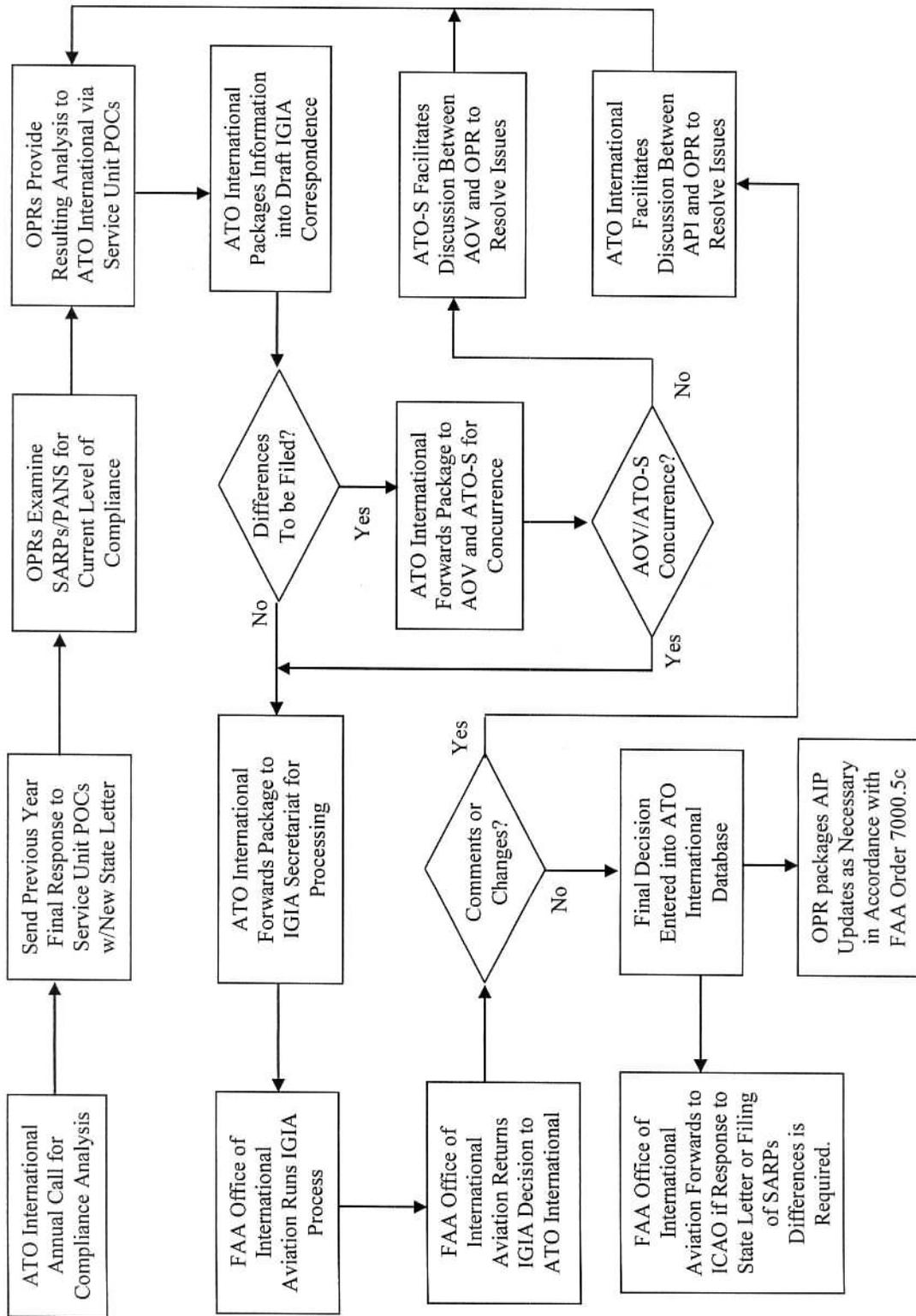
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APPENDIX 2 – Acronyms

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**APPENDIX 2 - Acronyms**

AIP	Aeronautical Information Publication
AGC	FAA Chief Counsel's Office
AJS	Air Traffic Organization Safety Services
AJP	Air Traffic Organization Operations Planning
AOV	Air Traffic Safety Oversight Service
API	FAA Office of International Aviation
ATO	Air Traffic Organization
ATM	Air Traffic Management
FAA	Federal Aviation Administration
ICAO	International Civil Aviation Organization
IGIA	Interagency Group on International Aviation
LOB	Line of Business
NAS	National Airspace System
OPR	Office of Primary Responsibility
PANS	Procedures for Air Navigation Services
POC	Point of Contact
SARPs	Standards and Recommended Practices
SUPPS	Supplementary Procedures
USG	United States Government
USOAP	Universal Safety Oversight Audit Program