Federal Aviation Administration

Memorandum

Date: ***July 17, 2015 (Original signed document on file)***

To: [redacted], Director, Air Traffic Operations, Central Service Area South, AJT-CS

From: [redacted], Director, Air Traffic Procedures, AJV-8

Subject: Interpretation, JO 7110.65, Paragraph 4-8-1, Approach Clearance

We have reviewed the request for interpretation submitted by the Albuquerque Air Route Traffic Control Center dated January 23, 2015 concerning the January 8, 2015 change to FAA JO 7110.65, Chapter 4, Section 8, Paragraph 1, Subparagraphs 'j' and 'k'. Albuquerque stated that the language in this change is ambiguous and possibly contradictory. Additionally Albuquerque noted that controllers were unsure if RNAV operations could continue during published times of GPS testing and, if GPS operations were suspended, when could controllers resume normal operations. Specifically, ZAB's questions were:

1. *If a pilot advises the controller that he /she still wants the RNAV approach, is the controller allowed to issue the RNAV approach?*

Yes. If a pilot is receiving a signal, it is usable. Under 14 CFR Part 91.3(a): "The pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft". Therefore, if the pilot has determined that he/she is receiving a suitable GPS signal and requests a GPS-based RNAV approach, the controller may issue it.

2. *What triggers the statement, "Do not resume RNAV approach operations until certain that GPS interference is no longer a factor or such GPS testing exercise has ceased"? When does a controller need to discontinue issuing RNAV approaches?*

The times published within the GPS testing NOTAM triggers both. The discontinuance of the GPS-dependent RNAV approach means you must not automatically assign the GPS approach to the pilot, but must advise the pilot that GPS may not be available and request the pilot's intentions. Until the testing organization advises that testing has been terminated or until the times of the testing period has expired, continue advising aircraft that GPS may not be available and request their intentions.

3. *Does this new paragraph apply to all RNAV procedures including RNAV STARS, RNAV SIDS, RNAV (RNP), RNAV (GPS), and GPS approaches?*

No, this paragraph only applies to GPS-dependent RNAV approaches.

If you have any further questions, please contact [redacted], AJV-83, En Route Standards and Procedures at [redacted].

cc: [redacted], Air traffic Manager, Albuquerque ARTCC