



U.S. Department
of Transportation
Federal Aviation
Administration

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

OCT 14 1994

Dr. Assad Kotaite
President of the Council
International Civil Aviation Organization
1000 Sherbrooke Street West
Montreal, Quebec, Canada H3A 2R2

Dear Dr. Kotaite:

This letter supersedes my letter of April 14, 1994.

I would like to commend, on behalf of the United States, the Committees on Future Air Navigation Systems (FANS) of the International Civil Aviation Organization (ICAO) for pioneering progress in the development of global satellite navigation for civil aviation. I note in this regard that the ICAO Council, on December 11, 1991, requested the Secretary General of ICAO to initiate an agreement between ICAO and Global Navigation Satellite System (GNSS) provider states concerning the duration and quality of the future GNSS.

I would like to take this opportunity to reiterate my Government's offer of the Standard Positioning Service (SPS) of the United States Global Positioning System (GPS) for use by the international community. As the United States made clear at the ICAO Tenth Air Navigation Conference and the 29th ICAO Assembly, the United States intends, subject to the availability of funds as required by United States law, to make GPS-SPS available for the foreseeable future, on a continuous, worldwide basis and free of direct user fees. This offer satisfies ICAO requirements for minimum duration of service (10 years) and freedom from direct charges. This service, which will be available as provided in the United States Government's technical sections of the Federal Radio Navigation Plan on a nondiscriminatory basis to all users of civil aviation, will provide horizontal accuracies of 100 meters (95 percent probability) and 300 meters (99.99 percent probability). The United States shall take all necessary measures to maintain the integrity and reliability of the service and expects that it will be able to provide at least 6 years notice prior to termination of GPS operations or elimination of the GPS-SPS.

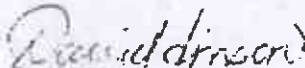
The GPS/SPS is a candidate component of the future GNSS as envisioned by FANS. The United States believes that making the GPS available to the international community will enable states to develop a more complete understanding of this valuable technology as a component of the GNSS. The availability of GPS-SPS, of course, is not intended in any

way to limit the rights of any state to control the operations of aircraft and enforce safety regulations within its sovereign airspace.

In the coming years, the international community must decide how to implement an international civil global navigation system based on satellite technology. The United States pledges its full cooperation in that endeavor and in working with ICAO to establish appropriate standards and recommended practices (SARPs) in accordance with Article 37 of the Convention on International Civil Aviation (Chicago Convention). Consistent with this goal, the United States expects that SARPs developed by ICAO will be compatible with GPS operations and vice versa and that states will be free to augment GPS-SPS in accordance with appropriate SARPs. The United States will also undertake a continuing exchange of information with ICAO regarding the operation of the GPS to assist the ICAO Council in carrying out its responsibilities under the Chicago Convention.

I would be grateful if you could confirm that International Civil Aviation Organization is satisfied with the foregoing, which I submit in lieu of an agreement. In that event this letter and your reply will comprise mutual understandings regarding the Global Positioning System between the Government of the United States of America and the International Civil Aviation Organization.

Sincerely,


David R. Hinson
Administrator