FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION PRIORITIES
SPECTRUM & DATA

SPECTRUM

**Priority:** Include language around spectrum, notably to avoid another situation like the recent 5G rollout and interference. Language should include interagency coordination and command and control (C2) link requirements (including FCC 5030-5091 MHz rulemaking).

Overview and Problem

Spectrum needs for both civil and military aviation remain an issue. We have repeatedly seen issues within FAA related to spectrum, notably the 5G meltdown in 2021. There are several efforts underway to open certain spectrum for use by UAS, which is the product of industry collaboration with FAA and Federal Communications Commission. FCC has issued two notices critical to UAS and spectrum. Our goal is to ensure that FAA’s Spectrum Engineering & Policy Office has the resources required to accommodate the UAS and AAM industries.

FCC issued its long awaited NPRM on the proposed C-band rules for drone command and control (C2). Simply put, the 5030-5091 MHz band (the “C-band”) has long been allocated for UAS use, but has no existing service/licensing rules. The Aerospace Industries Association (AIA) filed a petition for rulemaking to establish service and licensing rules for the band. On September 7, 2022, FCC Chairwoman issued an NPRM on this issue on circulation. The NPRM also covers other UAS-related spectrum issues.

Additionally, FCC released its Seventh Report and Order (R&O) and Ninth Further Notice of Proposed Rulemaking (FNPRM) in a proceeding about the 4.9 GHz band. This spectrum band has long been allocated for public safety but is underutilized, and FCC has been considering moving to a nationwide band manager framework for the band and allowing non-public safety entities to lease spectrum in the band to maximize its usage. In the Eighth FNPRM in this proceeding, FCC sought comment on allowing aeronautical mobile use in the band, but expressly excluded UAS from that proposal. Excluding UAS from the proposal was consistent with language in the Sixth FNPRM, where FCC said it would be “premature” to permit UAS usage of the band for a variety of reasons, including the limitations in Part 107 as it existed in March 2018, and the lack of service rules for UAS in any other spectrum band. In the current Seventh R&O and Ninth FNPRM, FCC has decided to designate a Band Manager for the band and to allow leasing of unused 4.9 GHz spectrum to non-public safety entities. This development has also prompted FCC to reconsider its prior conclusions against UAS use in the band.

DATA

**Priority:** Direct FAA to develop processes and procedures to permit the release of primary and secondary surveillance radar data to trusted U.S. agents for management and redistribution.
Overview and Problem

The National Airspace System (NAS) lacks infrastructure that would enable the industry to safely conduct higher risk level missions and increase airspace density. AUVSI believes more emphasis should be placed on this problem. FAA also needs to share its robust surveillance datasets as generated by NAS assets, including federal radars, which would better inform the industry and operations moving forward. Congress must put pressure on FAA to share critical surveillance data and other robust data sets.

AUVSI requests that Congress directs FAA to develop processes and procedures to permit the real time release of primary and secondary surveillance radar data to trusted U.S. agents for management and redistribution. FAA has extensive radar coverage throughout the U.S. - all of which are taxpayer funded - and provide a substantial layer of safety for large uncrewed systems flying at medium to high altitudes. FAA should include processes to identify and filter out all national security sensitive operations, while providing data to qualified public and civil operators of large UAS.