

FCC Adopts Notice Proposing to Allocate Spectrum for Unmanned Aircraft Use

January 9, 2023

The Federal Communications Commission (FCC), following a petition for rulemaking from the Aerospace Industries Association and a separate FCC report analyzing the possibility of unmanned aircraft system (UAS) operations in the 5030 – 5091 MHz band, released a [Notice of Proposed Rulemaking](#) (the notice) seeking comment on whether it should take steps to facilitate UAS use on flexible-use wireless networks. The FCC collaborated with the Federal Aviation Administration and the National Telecommunications and Information Administration and developed the notice within the federal government's Interdepartment Radio Advisory Committee process.

The FCC asked for comment on the following topics, which it believes will help promote the growth and safety of UAS operations:

- Examining the FCC's proposal to adopt service rules permitting UAS communications links in the 5030 – 5091 MHz band and whether it will provide the reliability necessary to support safety-critical UAS communications.
- Assessing what steps must be taken to ensure that UAS use can coexist with terrestrial service spectrum operations, like mobile wireless networks.
- Requiring UAS operators to obtain licenses in the aeronautical very high frequency band (117.975 – 137 MHz) to communicate with air traffic control and other aircraft while maintaining the integrity of the band.
- Promoting the safe integration of UAS operations in controlled airspace and facilitating flight coordination.

Those involved in the unmanned aircraft industry should consider participating in the FCC's proceeding. The FCC is likely to provide spectrum that will be a critical input for remote pilots to communicate with UAS, but the specific terms of the rules will affect how UAS can be manufactured and operated.

Comments and reply comments will be due 30 days and 60 days, respectively, after the notice is published in the Federal Register.

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