



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airports Safety and Standards

800 Independence Ave., SW
Washington, DC 20591

May 7, 2019

Dear Airport Sponsor:

This letter supplements the FAA's July 19, 2018, letter distributed to all airport sponsors, a copy of which is attached for your reference. The FAA understands the airports authorities' safety and security concerns relative to malicious or errant use of unmanned aircraft systems (UAS) especially in light of events at Gatwick. We share this concern. Accordingly, this letter provides additional information useful to airport operators interested in evaluating, demonstrating or otherwise installing UAS detection systems or who already have detection systems on or near their airports. It also provides information regarding the prohibition on non-federal use of countermeasure or mitigation technologies (generally referred to as counter-UAS or C-UAS) at or around airports. FAA currently does not support the usage of C-UAS systems, which include active interdiction capabilities, by any entities other than the federal departments with explicit statutory authority to use this technology.

To assist airport sponsors, I am providing the following informational documents:

- Attachment 1: July 19, 2018, Letter From FAA Office of Airports on Guidance on Use of Counter UAS Systems at Airports.
- Attachment 2: The FAA's answers to some frequently asked questions regarding UAS detection and countermeasure/mitigation systems and technologies.
- Attachment 3: Technical questions and considerations FAA has used to assess the technical readiness level of UAS detection technologies, as it may also be helpful to airport operators.

Entities seeking to evaluate or deploy UAS detection systems should be aware the evaluation or deployment of such systems, even systems that are marketed as passive detection systems, may implicate provisions of law (such as title 18 of the United States Code) on which the FAA cannot authoritatively opine. Therefore, the FAA cannot confirm the legality of any UAS detection system. An entity considering installing a UAS detection system may wish to seek system-specific and site-specific guidance from its legal counsel and/or the appropriate authorities.

Turning to aviation laws, the installation or deployment of UAS detection systems may implicate requirements under 49 U.S.C. § 44718, as implemented by 14 CFR part 77. Entities proposing construction or alteration of existing structures in the vicinity of an airport must file notice with the FAA. See also, FAA Order 7400.2M, Procedures for Handling Airspace Matters (February 28, 2019). The required notice allows the FAA to conduct an aeronautical study of the potential for the height of a proposed structure and any electromagnetic broadcast signals that create a hazard to air navigation, including interference with aircraft and navigational aids.

Moreover, the installation or deployment of UAS detection systems by sponsors of commercial service airports may also implicate other regulatory requirements under title 14 of the Code of Federal Regulations. Holders of Airport Operating Certificates issued under 14 CFR Part 139 must protect navigational aids. *See* 14 CFR § 139.333. Commercial service airport operators may also need to update the contents of their airport certification manuals to include operating procedures for the use of a UAS detection system. *See* 14 CFR § 139.203.

Finally, federally obligated airports may need to assure the installation or deployment of a UAS detection system is consistent with applicable grant assurance obligations. Grant Assurance 20, Hazard Removal and Mitigation, requires airport sponsors to take appropriate action to assure that such terminal airspace as is required to protect operations to the airport will be adequately cleared and protected by mitigating existing airport hazards and preventing future hazards. Grant Assurance 29, Airport Layout Plan requires an airport sponsor to maintain an up-to-date Airport Layout Plan showing airport facilities and structures.

Coordination prior to the installation and/or deployment of UAS detection systems enables the FAA to provide technical assistance regarding regulatory and grant assurance compliance. Further, the operational use of UAS detection systems may provoke response actions that disrupt air traffic operations at your airport or otherwise introduce undesirable safety and efficiency impacts. These potential second-order effects can be effectively addressed through risk-based procedures coordinated with the FAA.

In addition to ongoing near-term work to provide airport sponsors with supplemental information regarding the use of UAS detection systems, the U.S. Government is working to develop the federal response to a persistent UAS disruption at a major airport. Additional information will be provided on this interagency effort in the near future along with opportunities for feedback and collaboration. The FAA also expects to supplement this letter with additional information related to UAS detection system coordination as we refine our processes and procedures for safe UAS detection system use at or around airports.

For assistance with questions about UAS detection system demonstrations, evaluations, installation or deployment at airports, please contact Jim Patterson at 609-485-4989.

If you have any other questions, please feel free to contact me at 202-267-3053.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Dermody". The signature is stylized and cursive, with a large initial "J" and "D".

John R. Dermody, P.E.
Director
Office of Airport Safety and Standards

Attachments:

Attachment 1, July 19, 2018, Letter From FAA Office of Airports on Guidance on Use of Counter UAS Systems at Airports

Attachment 2, Frequently Asked Questions and Answers Concerning UAS Detection Systems

Attachment 3, Unmanned Aircraft Systems Detection – Technical Considerations