

October 6th, 2025

Docket Operations, M-30;
U.S. Department of Transportation (DOT),
1200 New Jersey Avenue SE,
Room W12-140, West Building Ground Floor,
Washington, DC 20590-0001



RE: NORMALIZING UNMANNED AIRCRAFT SYSTEMS BEYOND VISUAL LINE OF SIGHT OPERATIONS

The Alaska Airmen's Association is a non-profit General Aviation (GA) organization representing over 2,000 members. Our mission is to "Promote, Protect, and Preserve General Aviation in Alaska." Our membership includes pilots, mechanics, aircraft owners, and other aviation enthusiasts. On behalf of our members, please accept the following written comments regarding the proposed normalization of Beyond Visual Line Of Sight (BVLOS) operations for unmanned aircraft.

The Alaska Airmen's Association supports the advancement of aviation technologies and agrees with President Trump that the United States must achieve drone dominance. However, we join with other prominent aviation organizations in expressing our concerns about the implementation of BVLOS rules and procedures outlined in the Notice of Proposed Rulemaking. Please see the attached Manned Aviation Statement of Alignment.

Primarily, the Alaska Airmen's Association's concerns center around Detect and Avoid (DAA) strategies and proposed changes to Right-of-Way (ROW) rules. For over 100 years, the aviation industry has adhered to the current ROW rules with minimal modifications. Whenever a new entrant to aviation emerges, it has always been incumbent on the newcomer to integrate into the aviation system. It has never been the responsibility of the pre-existing party to upend their operations to accommodate the new entrant. This proposal flips this history upside down, requiring existing operators to equip, at their own expense, with ADS-B technology to accommodate newcomers. Manned aircraft should always have the ROW over unmanned vehicles, not only for safety but also for the liability exposure for the unmanned operation. The idea that ADS-B out be required to maintain ROW is offensive to manned operations and is a poorly fielded attempt at a back-door equipage mandate. ADS-B out equipage levels in Alaska are less than 30%, significantly lower than the rest of the country, primarily due to concerns about privacy. Repeatedly, the Alaska Airmen's Association has asked the FAA to address these privacy issues and was told by FAA Administrator Bedford in a public meeting in Anchorage on August 12th, 2025, with Secretary of Transportation Duffy, Senator Sullivan, and Rep. Begich in attendance that "pilots need to sacrifice privacy for safety." This comment demonstrates to the Alaska aviation community that FAA Headquarters is out of touch and unwilling to take our concerns seriously.

Furthermore, the Alaska Airmen's Association has requested an Electronic Conspicuity (EC) solution for years, much like what the FAA is now proposing as a possible mitigation to ROW and DAA concerns; however, we have repeatedly been told no. There is currently no approved EC solution, and no standard exists for an EC solution in the United States. As such, it is a Red Herring, disingenuous, and a distraction from the concerns of the Alaska GA Community. Suppose the FAA is serious about a possible EC option. In that case, an EC standard must be in place, and a reasonably priced EC solution must be available to the industry so we can equip before BVLOS operations can be allowed. Our more than 2,000 members value the ability EC would give to deconflict with other traffic, manned or unmanned. We also highly value the privacy that EC would afford and are aware that it would not meet the requirements of 14 CFR 91.225.

With the February 2026 deadline looming (240 days since the Executive Order for BVLOS was issued) and a Government shutdown occurring, the Alaska Airmen's Association is concerned that EC will be sidelined and not implemented, leaving us with nothing more than a backdoor ADS-B mandate to maintain ROW over BVLOS drones.

Regardless of timelines or implementation, ADS-B and a possible EC DAA solutions would not be without problems here in Alaska, particularly with the increased tempo of military GPS interference testing and the majority of the state being NOTAM'd as "GPS unreliable" during these events. Any GPS-based DAA solution is unwise in Alaska. It is also confusing to GA that we must be equipped with some form of EC to maintain ROW, but drones are prohibited from doing so. How are we, the manned aviation community, supposed to DAA drones? We understand the bandwidth overload theory for 1090 MHz, but is it also applicable to 978 MHz? The FAA's position on this is illogical and inconsistent.

Many of the possibilities mentioned for Automated Data Service Providers (ADSPs) will not work in Alaska. Alaska lacks the cell phone and data coverage necessary to provide strategic deconfliction, and satellite communications are likely to experience latency issues, making that conduit problematic. The concept that ADSPs will check flight plans in the system to detect conflicts, adjusting the drone's flight plan altitude, routing, or departure times until a conflict-free route is found, is also tricky in Alaska. Unfortunately, the FAA has not invested in Alaska's infrastructure to the same extent as it has in the Lower 48. Consequently, Alaskan GA is left to make decisions with limited information or outside support. This results in it being normal for us to operate without a flight plan and at lower altitudes (often below 500' AGL), in broader ranges of weather conditions, and to take off and land at off-airport sites that are impossible to catalog.

DAA in a Lost Link scenario is also a significant concern for Alaska GA. If DAA capabilities are not built into the vehicle, what occurs during a Lost Link? The aircraft might lose its ability to DAA and, depending on the situation, could continue to operate blindly until command and control links are restored. Therefore, DAA capabilities must be onboard the vehicle conducting BVLOS operations. Anything less than this unnecessarily endangers the public.

As a nation, we do not obtain drone dominance by shortcutting safeguards for technological advancement at the expense of the protection of human life. The concerns and issues we and other aviation organizations bring forward must be taken seriously to ensure that human life is protected. This may result in a short delay in the normalization of unmanned aircraft systems operating beyond visual line of sight.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam White", with a stylized flourish at the end.

Adam White
Government Affairs,
Alaska Airmen's Association

MANNED AVIATION STATEMENT OF ALIGNMENT

REGARDING PART 108

This document presents a unified statement from general aviation businesses and stakeholders outlining recommendations for ensuring the safe commercialization of drone technologies into the National Airspace System (NAS) through the FAA's Notice of Proposed Rulemaking (NPRM) for Normalizing Unmanned Aircraft Systems (UAS) for Beyond Visual Line of Sight (BVLOS) Operations ("Part 108").

As we scale and assert U.S. drone dominance¹, it is equally critical to maintain an existing aviation ecosystem that is the safest and most technologically advanced on the planet, recognizing the interests of existing airspace users. To further that mission, we highly suggest that FAA amend the proposed Part 108 rule in a way that mitigates safety gaps and ambiguities while also enhancing the existing operations that contribute greatly to the American way of life.

We are concerned the current rule as recommended by the FAA may contribute to unintended consequences for the NAS. We would be supportive of an additional NPRM being proposed as a supplement to the current proposal, taking into account the varied comments received by industry.

RIGHT-OF-WAY (ROW) AND DETECT AND AVOID (DAA) REQUIREMENTS

The NPRM erroneously suggests that no manned aircraft operations can safely occur within 400 feet of a structure. *FAA must recognize the abundance of manned aircraft operating safely below 400 feet and near (within 50 ft of) infrastructure.*

The NPRM complicates ROW determinations and deviates from the maneuverability-based criteria in 91.113. *FAA must extend ROW to manned aircraft in all airspace, including shielded areas, requiring BVLOS drone operators to utilize DAA sufficient to avoid all manned aircraft, regardless of the airspace in which the operations occur. Making this change will allow FAA to simplify the proposed ROW rules, reducing the risk of mid-air collisions.*

The NPRM includes an inconsistent application of non-ADS-B based DAA requirements for BVLOS drones. Requiring non-ADS-B based DAA capabilities in Class B and C airspace, but removing the requirement in other airspace, could lead to unintended safety consequences. *FAA must extend the DAA requirement to BVLOS drones in all airspace.*

ELECTRONIC CONSPICUITY (EC) AND ADS-B REQUIREMENTS

The NPRM makes many references to EC and relies on this technology for DAA capabilities, but it fails to adequately define required specifications. Further, there is reasonable concern that the Part 108 final rule could be implemented before EC devices become widely available. *FAA must ensure the rapid development and approval of EC devices, providing detailed specifications for acceptable EC solutions to vendors and allowing the devices to be tested, proven, and widely available—potentially as part of a phased approach—prior to ADS-B Out/EC playing a role in DAA compliance and traffic deconfliction.*

The NPRM proposes that manned aircraft will need to equip with either ADS-B Out or EC to maintain ROW in all airspace. *We believe that manned aircraft must always maintain right of way over UAS.*

The NPRM does not explicitly state that BVLOS drones must have ADS-B In installed on-aircraft, despite its strong reliance on ADS-B and EC for DAA capabilities. Due to low-altitude line-of-sight issues, FAA must require BVLOS drones to equip with ADS-B In onboard and integrate broadcast ADS-B data from other aircraft into traffic deconfliction systems.

¹ <https://www.whitehouse.gov/presidential-actions/2025/06/unleashing-american-drone-dominance/>

AIRSPACE ACCESS AND ENFORCEMENT

The proposed rule lacks specific enforcement mechanisms for the 400-foot altitude limit for UAS and provides insufficient detail on Authorized Data Service Provider (ADSP) oversight and conflict-of-interest prevention. Additionally, the 100-foot buffer between 400-foot UAS operations and potential 500-foot manned aircraft operations is insufficient for safety, adverse weather, or emergencies. *FAA must establish robust ADSP auditing procedures with clear conflict-of-interest prohibitions and specific enforcement protocols for altitude violations.*

DATA TRANSPARENCY AND SUPPORTING ANALYSIS

The NPRM was developed based upon a number of what FAA deemed “non-hazardous” determinations. *FAA should provide transparency and public access to comprehensive data on UAS operations and incidents that informed rule development. Additionally, FAA should provide an accessible database of authorized non-government based UAS BVLOS operations and operators for manned aircraft pilots to make informed flight path decisions.*

Clear educational materials distinguishing Part 107 and Part 108 requirements are also necessary. *FAA should consider how Part 108 concepts will be included in Airmen Certification Standards and provide guidance to current pilots.*

OTHER CONSIDERATIONS

- UAS Operations Supervisors, Flight Coordinators, and Maintenance Professionals: *FAA should require standardized licensing or certification of these personnel or identify a defined training standard with which all operators must adhere, to ensure a base level of knowledge and quality and to encourage trust within the pilot community.*
- Airport Definitions: *FAA must address the fact that the current airport definition (14 CFR § 1.1) creates challenges for geofencing around unlisted facilities, seaplane bases, and private airports. Additionally, an efficient reporting mechanism is needed for areas fitting the current airport 14 CFR §1.1 definition.*
- Regulatory Impact Assessment: *FAA should evaluate the NPRM in relation to existing regulatory burdens, not in isolation, as new BVLOS certificates will place a significant strain upon FAA personnel.*

CONCLUSION

The undersigned urge the FAA to address these critical safety concerns, ensuring that the integration of BVLOS operations prioritizes safety above all other considerations. We believe that further collaboration between FAA and industry stakeholders is crucial before finalizing this proposed rule.

Aircraft Owners and Pilots Association (AOPA)

Vertical Aviation International (VAI)

National Air Transportation Association (NATA)

Experimental Aircraft Association (EAA)

National Agricultural Aviation Association (NAAA)

Balloon Federation of America (BFA)

Alaska Airmen's Association (AAA)

United States Parachute Association (USPA)

Pilot Institute

United Aerial Firefighters Association (UAFA)