



January 3, 2022

Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
Sent via email to: Jessica.Rosenworcel@fcc.gov

RE: Jan. 1, 2022, Federal Communication Commissioner statements on C-Band 5G

Dear Chair Rosenworcel:

The Air Line Pilots Association, International (ALPA), represents the safety interests of more than 61,000 professional airline pilots flying for 38 airlines in the United States and Canada. We are the world's largest pilots' union and non-governmental aviation safety organization. Our pilots, who are trained for life, have worked to make the U.S. aviation system the safest on the planet—and we are going to work tirelessly to keep it that way.

As you can imagine, we noted with great interest the social media posting of a letter from Commissioner Brendan Carr to the Department of Transportation (DOT) Secretary on Jan. 1, 2022. While ALPA continues to call for a collaborative environment between the DOT, the FCC, the wireless industry, and aviation stakeholders, the letter has had the opposite effect. In fact, it has further elevated the safety concerns that our organization has with the planned deployment of C-BAND 5G wireless signals on Jan. 5, 2022—[concerns that were raised with the FCC in May 2018](#).

ALPA and other government and industry aviation safety experts have asked the FCC on numerous occasions to sit down and collaborate on a suitable path forward so that aviation is not negatively affected by a C-Band deployment. ALPA continues to support the deployment of 5G, assuming it does not impact safety or cause disruptions to an aviation system already struggling due to COVID. In fact, our support has been included in nearly every submission to the FCC since 2018. We have respectfully requested to have access to data to ensure that all safety issues have been fully addressed prior to C-Band 5G deployment.

To date, the FCC has ignored our requests. Years later and on the brink of C-Band 5G deployment, the FCC has still not provided (nor made public) a point-by-point analysis and resolution of each of the aviation safety concerns. Rather, one of your members is publicly making light of the very serious safety and operational concerns 5G deployment raises, concerns validated by the Federal Aviation Administration's Airworthiness (FAA) Directives issued in December 2021.

As noted, ALPA initially raised safety concerns to the FCC's docket #18-122 on May 31, 2018. Unlike other Agencies who utilize the rulemaking process as established by the administrative procedures act, the FCC did not specifically address ALPA's initial concerns. When subsequent documentation of the safety threat that C-Band 5G radio frequencies will have on transport category aircraft equipped with radar altimeters was submitted, the FCC once again ignored our questions or concerns and dismissed them.

While FCC staff of each of the four Commissioners met with aviation industry stakeholders, including ALPA, in December 2021 and listened to our concerns, the meetings that lasted about 20 minutes or so did not result in the data exchange that we requested, even at such a late hour in the process. We take exception to the assertion in Saturday's letter to the DOT Secretary that the FCC can and will act as the sole arbitrator of spectrum policy when aviation industry safety concerns have not been publicly adjudicated as part of the licensing process. My pilots are the sole arbiters of safety when it comes time to make a decision whether it's safe to fly any given flight. And that "pilot in command" authority is guaranteed in law and regulation, and under the jurisdiction of the FAA, not the FCC.

ALPA pilots and aviation stakeholders in Canada had their safety concerns addressed when C-Band 5G was activated in Canada, because their radio spectrum and aviation safety government agencies collaborated proactively to figure out how to do it right. The two government agencies provided detailed explanations of their plans to ensure aviation safety. In addition, we are aware that there are other countries that have brought aviation stakeholders, the wireless industry, and regulators together to safely deploy 5G; we would urge the FCC to follow that model here in the United States of America.

The FCC's lack of disclosure of critical information is making ALPA very concerned. Instead of providing data that the aviation industry requested so we can evaluate risk and manage it to ensure passenger safety, the FCC is investing precious time publicly distracting attention away from the most important issue we face: the safety and operational integrity of the U.S. aviation system. The level of concern is elevating with each passing day as we read the inter-governmental communications from FCC commissioners.

Chair Rosenworcel, we ask that you direct the appropriate staff to immediately share with us all data and information that the FCC has, including the safety risk assessment, the data used to conduct that assessment, and the rationale for the mitigations that the FCC believes are adequate to ensure safety of passengers and flight crews. If there is a need for a legal framework or agreement with ALPA so that we can access this information, we are ready to work with you on that as well.

As airline pilots we need to know exactly what risks exists, and we need the data so that we can review it and come away with the assurance that 5G can be deployed in a safe and responsible way.

Sincerely,



Captain Joseph G. DePete
President
Air Line Pilots Association, Int'l