



Willie Walsh
Director General

19 April 2022

Honorable Pete Buttigieg
U.S. Secretary of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590
United States of America

Dear Secretary Buttigieg,

The International Air Transport Association (IATA) and our more than 290 member airlines, the majority of which fly to, from, and within the US, greatly appreciate the support that the US Department of Transportation (DOT) and its Federal Aviation Administration (FAA) have provided in the effort to mitigate the risk of interference to aircraft radio altimeters caused by the deployment of 5G in the C-Band. The voluntary agreement with AT&T and Verizon outlined in your 3 January 2022 letter and term sheet, along with the continued efforts of the FAA to work with both companies and aviation stakeholders to facilitate and issue alternative methods of compliance (AMOCs), have provided much needed temporary protections against the potential threat to aviation safety posed by 5G deployment.

As you are well aware, the voluntary commitments undertaken by Verizon and AT&T are scheduled to end on 5 July 2022. Under the term sheet, DOT and FAA have agreed not to seek or demand delays of 5G deployment beyond 5 July and AT&T and Verizon state that, absent any additional commitments on their part, they intend to deploy the spectrum under the original terms of their 2021 Federal Communications Commission (FCC) licenses.

We are unaware of any agreement between Verizon, AT&T, and the Department to extend the voluntary agreement past 5 July. Your 3 January letter states the expectation is that the two companies would work with the FCC "to further memorialize the additional mitigations you are putting in place." We are unaware of what, if anything, has been agreed to in terms of this memorialization of mitigations. We also understand there is little expectation that DOT will be able to reach an understanding with the FCC that mitigates the demonstrated safety implications associated with full 5G C-Band deployment contemplated in the 2021 license grant.

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Airlines simply cannot operate safely without the certainty that measures are in place to mitigate the potential risk of interference to radio altimeters and other critical aircraft systems caused by the deployment of 5G. AMOCs and a temporary agreement do not provide that certainty. We are not aware of any assurances that we will not be facing the same disruptions post 5 July 2022, that were inevitable in January before the temporary agreement was established. Moreover, in December 2023, we will face an even more dangerous potential outcome when 18 additional telecommunications companies – not part of the existing voluntary agreement – are able to deploy their own services in spectrum that is even closer to the spectrum used by radio altimeters than what is being used by Verizon and AT&T.

Given the short time before the July deadline, we urge the Department to take whatever steps are necessary to secure a permanent agreement on policies and procedures needed to mitigate the FAA's very real safety concerns about the anticipated July 2022 and the December 2023 5G deployments. Clearly, it would have been preferable for the FCC to include mitigation requirements in their original licenses – similar to what was done in countries like Canada, France, and Japan. We believe the DOT and FAA already have the authority under existing law and regulation to require licensees to provide notice if they plan to deploy service that could adversely affect aviation and to require an aeronautical study to determine the extent of any adverse impact on the safe and efficient use of the airspace, facilities or equipment. More generally, it is important that a permanent agreement be in place between the FAA and the FCC on procedures to ensure that future licenses do not impact the safety of the national airspace system. Unfortunately, this potential longer-term solution does not address the shorter-term challenge of the July and December deployments.

We applaud the Biden-Harris Administration's strong support for the deployment of a nationwide 5G network. We also understand that your options for securing a permanent agreement to implement needed mitigation measures for already-issued licenses are limited. However, without such an agreement, all airlines that fly to, from, and within the United States will be unable to safely meet the needs of the traveling public and supply chains at a time when the industry is beginning to recover from the COVID-19 crisis, and as we are entering the busiest travel season of the year. IATA and our member airlines stand ready to support you and the Department in any way you deem useful in this critical task.

Thank you for your consideration.

Most respectfully,

Willie Walsh
Director General
International Air Transport Association

cc: Acting FAA Administrator Billy Nolen