



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 1, 74, 91, and 107

[Docket No. FAA-2026-4558; Notice No. 26-03A]

RIN 2120-AL33

Designation – Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility; Extension of Comment Period

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM); Extension of comment period.

SUMMARY: This action extends the comment period for the NPRM titled “Designation – Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility” that was published in the *Federal Register* on May 6, 2026, to allow commenters additional time to analyze the proposed rule and prepare a response. In the NPRM, FAA proposed a process for operators and proprietors of certain fixed site facilities to request an unmanned aircraft flight restriction (UAFR); criteria to demonstrate the UAFR is necessary for: aviation safety, protection of people and property on the ground, national security, or homeland security; and identified the types of operations allowed in the UAFR.

DATES: The comment period for the NPRM published on May 6, 2026, at 91 FR 24650, and scheduled to close on July 6, 2026, is extended until August 5, 2026.

ADDRESSES: Send comments identified by docket number FAA-2026-4558 using any of the following methods:

- Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

- Mail: Send comments to Docket Operations; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue S.E., Room W58-213, West Building 5th Floor, Washington, D.C. 20590-0001.
- Hand Delivery or Courier: Take comments to Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue S.E., Washington, D.C., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- Fax: Fax comments to Docket Operations at 202-493-2251.

Docket: Background documents or comments received may be read at <https://www.regulations.gov/> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58-213 of the West Building 5th Floor at 1200 New Jersey Avenue S.E., Washington, D.C., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Michelle Ferritto, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue S.W., Washington, D.C. 20591; Phone: (844) 359-6982; Email: 2209-UAFR@faa.gov.

SUPPLEMENTARY INFORMATION:

A. Comments Invited

FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. The agency also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, FAA will consider all comments it receives on or before the closing date for comments. FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), FAA solicits comments from the public to better inform its rulemaking process. FAA posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov*, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at *www.dot.gov/privacy*.

B. Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and is relevant or responsive to this NPRM, it is important you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. Any commentary FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

If your comment contains classified, controlled unclassified information not intended for public release, sensitive security information, or other information, contact

the person named in the **FOR FURTHER INFORMATION CONTACT** section of this document for information on how to securely provide that comment to FAA.

C. Availability of Rulemaking Documents

A copy of the NPRM, all comments received, any final rule, and all background material may be viewed online at *www.regulations.gov* using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *www.federalregister.gov* and the Government Publishing Office's website at *www.govinfo.gov*. A copy may also be found at FAA's Regulations and Policies website at *www.faa.gov/regulations_policies*. Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue S.W., Washington, D.C. 20591, or by calling (202) 267-9680. Commenters must identify the docket or notice number of this rulemaking.

All documents FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

Background

On May 6, 2026, FAA published a NPRM titled “Designation-Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility” in the *Federal Register* (91 FR 24650). In that proposed rule, the FAA proposed the implementation of section 2209 of the FAA Extension, Safety and Security Act of 2016 (Pub. L. No. 114-190), by establishing a process for operators and proprietors of certain fixed site facilities to request and maintain an unmanned aircraft flight restriction. The proposal also established requirements for applicants to demonstrate the UAFR is necessary for: aviation safety, protection of people and property on the ground, national

security, or homeland security. Lastly, the proposal identified the types of operations that are allowed in the UAFR. Commenters were instructed in the NPRM to provide comments on or before July 6, 2026 (i.e., 60 days after the date of publication of the NPRM).

Since publication of the NPRM, FAA has received a request from the Office of the Attorney General of the State of New York (OAG) to extend the comment period by an additional thirty (30) days. The OAG requested more time to review the proposed rule, develop comments and recommendations, and coordinate those comments among their stakeholders.¹

The OAG stated the proposed rule raises questions concerning the UAFR process, including implications for critical site security, public safety, interplay with State and local laws, and impacts on State-authorized drone missions. The OAG noted that developing its comments requires coordination and consultation with multiple State and local agencies. Additionally, the OAG identified recent developments that it asserted require evaluation time, specifically a new provision added to the New York Penal Law on May 27, 2026, addressing offenses relating to the unlawful use of a drone, and public reports of more than 300 drone seizures at FIFA World Cup match venues since June 11, 2026. The OAG stated the proposed rule introduces a new regulatory regime spanning 16 critical infrastructure sectors, and that the initial 60-day comment period contains three federal holiday weekends.

Extension of Comment Period

FAA has reviewed, and grants, the request for an extension of the comment period. FAA recognizes the importance of the proposed rule, and that an extension would help commenters craft complete and thoughtful responses. Therefore, FAA finds that an

¹ The request is in the docket.

additional thirty (30) days will provide sufficient opportunity for the public to review the NPRM and provide comments.

Additionally, in the NPRM, FAA requested comments on the economic impact to commercial unmanned aircraft system (UAS) operators if they are not allowed to transit UAFRs. In extending the comment period, FAA is also requesting data to estimate the compliance costs for UAS operators, including small operators, to transit the proposed UAFRs.

Accordingly, the comment period for the NPRM published on May 6, 2026, at 91 FR 24650 (FR Doc. 2026-08943), is extended from July 6, 2026, until August 5, 2026.

Issued under authority provided by 49 U.S.C. 106(f), 40101(d), 40103(a)(2), 40103(b), 44701(a)(5), and 44802 note in Washington, D.C.

Michelle Ferritto,

Director, Airmen and Airspace Rules Division, Office of Rulemaking.

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