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Via Federal Express, e-mail and via www.regulations.gov

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Re: Designation—Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility, 91 Fed. Reg. 24,650 (May 6, 2026)
Docket No. FAA-2026-4558
Request for 30-Day Extension of Time to Submit Public Comments

Dear Liam McKenna and Michelle Ferritto:

The Office of the Attorney General of New York (OAG) respectfully requests a 30-day extension of the July 6, 2026 deadline for submission of public comments on the Federal Aviation Administration (Administration or FAA)'s notice of proposed rulemaking titled *Designation—Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility* (the "Proposed Drone Restrictions Rule" or the "Rule"), which the Administration published in the Federal Register on May 6, 2026.¹ This request is supported by good cause and is in the public interest.

The Proposed Drone Restrictions Rule raises critical questions for New York, and likely many other states and governmental stakeholders, concerning the FAA's proposed unmanned aircraft flight restriction (UAFR) process. Among these questions are the implications of the Rule's implementation for the security of critical sites and public safety within our state; the prospective Rule's interplay with state and local laws that restrict drone operations as an exercise of traditional state police power; and the impact of the FAA's prospective Rule on State-authorized drone missions for critical State activities including law enforcement,

¹ *Designation—Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility*, 91 Fed. Reg. 24,650 (May 6, 2026).

emergency response, and natural resource protection. The careful consideration of such issues in the development of comments by the OAG on the proposed Rule requires coordination and consultation with multiple state and local agencies.

Important developments in recent weeks have introduced new considerations in the OAG's development of prospective comments to the FAA on the Proposed Drone Restrictions Rule. These developments, described below, provide support for the requested extension.

First, on May 27, 2026, New York added a new provision to its Penal Law addressing *Offenses Relating to Unlawful Use of a Drone*. This new state law, which is made effective as of August 25, 2026, now provides that it is a criminal misdemeanor in New York for a person either to “operate[] a drone in a nefarious manner” or to “operate[] a drone over prohibited space without express prior approval from someone the person reasonably believes has the authority to grant such approval.”² Accordingly, New York now requires additional time to evaluate the proposed Rule's impact, if adopted, on its new statute imposing criminal sanctions for unlawful drone use.

The other very recent development that bears on the OAG's need for additional time to prepare comments on the proposed Rule relates to the seizures of multiple drones at venue cities of FIFA World Cup soccer matches since June 11, 2026, including in the New York City metropolitan area. According to public reports, as of June 22, 2026, the estimate of drones seized nationwide at FIFA World Cup events exceeds 300 drones.³ The OAG requires additional time to consult with relevant public safety and law enforcement agencies about these recent drone seizures to help inform its comments to the FAA on aspects of the Proposed Drone Restrictions Rule, including the Rule's provision that “a stadium or venue where the events may be covered by temporary flight restrictions” would not be eligible to apply to FAA for a UAFR flight restriction within the “commercial facilities” sector.⁴

With the backdrop of these recent—and salient—developments, the OAG needs additional time to develop comments to the FAA beyond the current July 6, 2026 deadline. The lengthy notice of proposed rulemaking would introduce an entirely new regulatory regime (at 14 C.F.R. Part 74) that spans 16 distinct critical infrastructure sectors. Although the FAA has provided a 60-day comment period, there are three federal holiday weekends included within that period: Memorial

² N.Y. Penal Law § 280.05.

³ David Shepardson, Reuters, June 23, 2026, *US Agencies Have Seized More Than 300 Drones Near World Cup Sites*, TSA Says, <https://www.reuters.com/sports/soccer/us-agencies-have-seized-more-than-300-drones-near-world-cup-sites-tsa-says-2026-06-23/>.

⁴ 91 Fed. Reg. at 24,688.

Day, Juneteenth, and the upcoming Fourth of July holiday, which coincides with the commemoration of the 250th anniversary of the United States. Indeed, the FAA has declared that “America250” events are “No Drone Zones,”⁵ and it is important for the OAG to incorporate into its comments, if possible, additional feedback to FAA based on any experience of state and/or local law enforcement in helping enforce these “No Drone Zones” restrictions at upcoming America250 events in New York.

A 30-day extension for comments would align this rulemaking with the total 90-day baseline period that FAA has initially provided for public comments on highly technical proposed rules or matters of great public interest, such as those governing light-sport aircraft and FAA’s 2023 civil aviation noise policy review.⁶ Further, the FAA and other federal agencies have recently granted extension requests for the public to comment on proposed regulations and environmental reviews,⁷ and we ask the Administration to grant the present extension request.

Accordingly, good cause exists for the Administration to grant a 30-day extension of time, through at least August 5, 2026, for the public (including the OAG) to submit comments on the Proposed Drone Restrictions Rule. If the Administration extends the date for submitting comments on the Proposed Drone Restrictions Rule, the OAG requests that FAA timely notify the public of the

⁵ <https://www.faa.gov/america250>

⁶ See, e.g., FAA, *Modernization of Special Airworthiness Certification*, 88 Fed. Reg. 68,507 (Oct. 4, 2023); FAA, *Civil Aviation Noise Policy*, FAA, *Request for Comments on the Federal Aviation Administration’s Review of the Civil Aviation Noise Policy*, 88 Fed. Reg. 26,641 (May 1, 2023); FAA, *Request for Comments in Minimum Seat Dimensions Necessary for Safety of Air Passengers (Emergency Evacuation)*, 87 Fed. Reg. 47,494 (Aug. 3, 2022).

⁷ See, e.g., FAA, *Notice of Extension of Public Comment Period for the Draft Programmatic Environmental Assessment for Drone Package Delivery Operations in the United States*, 91 Fed. Reg. 327 (Jan. 5, 2026); FAA, *Notice of Extension of Public Comment Period on the Draft Environmental Impact Statement for the SpaceX Starship-Super Heavy Vehicle at Launch Complex 39A, at Kennedy Space Center in Merritt Island, Florida*, 90 Fed. Reg. 45975 (Sept. 24, 2025); EPA, *Notice of Extension of Comment Period on National Emission Standards for Hazardous Air Pollutants: Crude Oil and Natural Gas Production Facilities and Natural Gas Transmission and Storage Facilities; Technology Review and Reconsideration*, 91 Fed. Reg. 37,065 (June 22, 2026); PHMSA, *Hazardous Materials: Preemption Application From Exxon Mobil Corporation; Extension of Comment Period*, 91 Fed. Reg. 5988 (Feb. 10, 2026); EPA, *Phasedown of Hydrofluorocarbons: Reconsideration of Certain Regulatory Requirements Promulgated Under the Technology Transitions Provisions of the American Innovation and Manufacturing Act of 2020; Extension of Comment Period*, 90 Fed. Reg. 51042 (Nov. 14, 2025); Navy Department, *Notice of Extension of Comment Period for the Draft Amended Analysis to the Final Environmental Impact Statement for EA-18G “Growler” Airfield Operations at Naval Air Station Whidbey Island Complex*, 90 Fed. Reg. 17248 (Apr. 24, 2025).

extension by publishing a notice of the extension in the Federal Register by no later than July 3, 2026.

Respectfully submitted,

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