

# Insiders View on Congressional Activities: A Briefing on the Upcoming FAA Reauthorization

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## Todd Bertoson

- 5 Year Member of Dentons Advocacy Practice
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# Overview

- I. Review of Congressional Activity in the 114th Congress
- II. Federal Aviation Administration (FAA) Reauthorization in the 115th Congress
- III. Potential FAA Reauthorization Provisions Impacting UAS Operations
- IV. Other Congressional Activity Impacting UAS Operations
- V. Questions

# I. Review of Activity in the 114th Congress

- **Failure to Pass Comprehensive FAA Reauthorization**
  - Disagreement over ATC Privatization
- **Passage of 14-month Extension through September 30, 2017**
  - **Several UAS Provisions Included**
    - Standards for UAS Identification
    - Safety Statements
    - Interference with Emergency Response and Law Enforcement
    - Pilot Project for Airport Safety and Airspace Hazard Mitigation
    - Emergency Exemption Process
    - UAS Traffic Management
    - Restrictions over Critical Infrastructure
    - Operations Associated with Critical Infrastructure
    - UAS Aircraft Collision Research

## II. FAA Reauthorization in the 115th Congress

- **FAA Authorization Expires on September 30, 2017**
  - 23 short-term extensions before 2012 passage
- **Major Policy Issues in FAA Reauthorization**
  - ATC Reform
  - Aircraft Certification
  - UAS Regulation
- **Pathway for House Passage**
- **Pathway for Senate Passage**

## III. Potential FAA Reauthorization Provisions Impacting UAS Operations

- Integration of UAS into National Airspace
- Privacy Review of UAS Operations
- FAA and NIST Development of UAS Safety Standards
- Additional Rulemaking Authority for Micro UAS under 4.4lbs
- Modifications to Section 336 - Special Rule for Model Aircraft
- UAS Registration - Impact of Taylor Case
- UAS Knowledge and Safety Test
- Rule Authorizing the Carriage of Property for Hire

## IV. Other Congressional Activity Impacting UAS Operations

- S.631/H.R. 1526 Drone Aircraft Privacy and Transparency Act
  - Sponsored by Sen. Ed Markey (D-MA) and Rep. Peter Welch (D-VT)
  - Would Require Standards for Informing the Public on Location and Ownership of UAS.
  - Would Require Privacy Protections Related to Data Collection
- S. 1272 - A bill to Preserve State, Local and Tribal Authorities and Private Property Rights with Respect to Unmanned Aircraft Systems
  - Sponsored by Senators Dianne Feinstein (D-CA), Mike Lee (R-UT), Richard Blumenthal (D-CT) and Tom Cotton (R-AK)
  - Gives Authority to States, Local Municipalities and Tribes to Place Restrictions on Drones within 200ft of Ground or Structure
- Administration Proposal to Identify, Track and Destroy UAS that are Deemed a Security Threat

Questions?