

General

1. The Presidential Memorandum asks stakeholders to develop best practices concerning privacy, transparency, and accountability for a broad range of Unmanned Aircraft Systems (UAS) platforms and commercial practices.

The safeguarding of personal information (data) in today's electronically pervasive and technologically invasive environment is a societal challenge that extends far beyond issues relating to the operation of unmanned aircraft and the limited scope of the Presidential Memorandum.

Many of the questions posed in this notice prematurely presume that the operation of unmanned aircraft within our communities pose a unique and sizeable threat to privacy. The Academy of Model Aeronautics (AMA) believes that this is a question that first needs to be addressed, answered and assessed alongside other data collection technologies before deciding upon any mitigation factors and/or a regulatory approach to unmanned aircraft as it relates to privacy. The technology platform itself does not pose a substantial privacy threat, but rather certain behaviors that might be conducted with the unmanned aircraft. The latter should be the focus of regulatory action.

As such the AMA would offer the following:

Primary Issue

The safeguarding of personal information for which the individual has a reasonable expectation of privacy from unwanted and unauthorized procurement.

Subject at Hand

Personal Data: Imagery, sound, printed documentation or electronically transmitted information of a personal nature and for which an individual or business entity has a reasonable expectation of privacy

And, the legal or illicit capturing of personal data through electronic means, the storing and archiving of such data, and the dissemination of personal data through electronic communication, or conversion to any audible, readable or viewable format.

How should the group's work be structured?

Any work should include the voices of all UAS stakeholders, including industry representatives, government agencies and end users of the technology, commercial users, private/personal users and public entities.

4. *What existing best practices or codes of conduct could serve as bases for stakeholders' work?*

Founded in 1936, the Academy of Model Aeronautics has successfully and effectively managed the recreational unmanned aircraft (model aircraft) community for over 78 years. Through its community-based programming the AMA has created the best practices guidelines and safety standards for the aeromodeling community, a community that has achieved an excellent safety record and that has operated transparently and harmoniously within our communities for decades.

In 2012, the Academy established a Privacy Policy for its members that has proven effective in assuring continued responsible behavior while operating UAS, and to our knowledge, to date there has not been a single incident of an AMA member involved in intruding upon the privacy of another through the operation of his/her unmanned aircraft.

A copy of AMA's Privacy Policy has been included with these comments.

Privacy

5. *Do some UAS-enabled commercial services raise unique or heightened privacy issues as compared to non-UAS platforms that provide the same services?*
For example, does UAS-based aerial photography raise unique or heightened privacy issues compared to manned aerial photography?

Arguably, unmanned aircraft systems are not unlike a myriad of other technologies that provide the ability to capture personal data. The question to be asked is whether or not unmanned aircraft present an ability to capture data that is unique to this particular platform and that is unlike other technologies. Two unique abilities that seem to be apparent are the versatility afforded the user in obtaining a vantage point for gathering data, and in the case of some platforms the ability to loiter over a given location for an extended period of time. Whether or not these are significant issues that need to be addressed are dependent upon the type of operation and the behavior of the operator.

The use of UAS can be either legitimate or illegitimate. The illegitimate or illicit use of UAS is perhaps the easiest to address as it is best resolved through regulation and legislative measures. The task for the workgroup should be to examine applicable constitutional provisions, federal statutes and privacy regulations to determine if existing rules and regulation are adequate to address illicit behavior in the use of UAS.

The legitimate use of UAS can be for commercial, personal or public purposes. It's unfortunate that the public/government use of UAS is not being considered by this workgroup as over the past decade it's been the government's involvement in capturing and archiving personal data that has come into question.

Commercial Use

The commercial operation of unmanned aircraft can be either the operation of UAS for direct monetary compensation or economic gain, or the business use of USA as part of ongoing company operations. Privacy concerns related to the commercial use of UAS are best addressed through licensure and the application of consensus-based standards.

Personal Use

The personal use of unmanned aircraft is the private use of UAS for recreation or amateur endeavors, personal use that is ancillary to a business activity or the use of UAS by an educator as a tool in teaching science, technology, engineering and mathematics (STEM). Privacy concerns related to the personal use of UAS are best addressed through programing established by a nationwide community-based organization and the application of community-based standards. (See Public Law 112-95; Sec 336)

7. What specific best practices would mitigate the most pressing privacy challenges while supporting innovation?

AMA agrees with the Association for Unmanned Aircraft Systems International (AUVSI) in that new privacy best practices and policies should focus on how data is collected and used rather than focusing on the specific platform that is doing the collecting.

Transparency and Accountability

Transparency and accountability are broad far-reaching topics that envelop the entire spectrum of safeguarding personal information in a very challenging and highly technological environment. These issues are in no way unique to the operation of UAS. AMA recommends that these two issues not be applied independently to UAS, but rather integrate the use of unmanned aircraft in gathering personal data into the global issues of transparency and accountability.

In regards to transparency the AMA offers the following suggestions:

8. Transparent UAS operation can include identifying the entities that operate particular UAS, the purposes of UAS flights, and the data practices associated with UAS operations.

AMA supports the registration of commercial unmanned aircraft platforms and UAS operators with the Federal Aviation Administration (FAA). The identification of UAS platforms and the credentialing of individuals operating UAS for personal use should be handled through and managed by a nationwide community-based organization as they have been for the past 78 years.

National Telecommunications and Information Admin. (NTIA) - Docket 150224183-5183-01
Privacy, Transparency and Accountability in Regards to the Commercial and Private use of UAS
Comments submitted on behalf of the *Academy of Model Aeronautics*
By: Richard Hanson, AMA Government and Regulatory Affairs

How can companies, model aircraft clubs, and UAS training programs ensure that oversight procedures for commercial and private UAS operation comply with relevant policies and best practices?

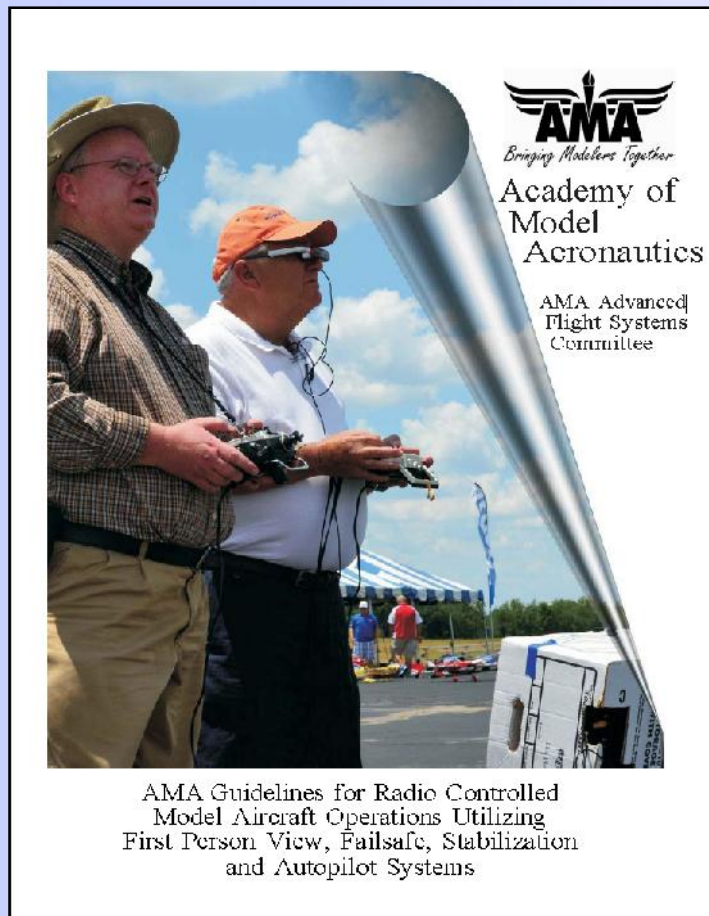
AMA has an existing club chartering process and leadership structure that ensures compliance with AMA community-based guidelines, a structure that has been successful and effective for decades. Individual compliance is also assured through the members' agreement as a condition of membership.

10. *How can companies and individuals best provide notice to the public regarding where a particular entity or individual operates UAS in the NAS?*

UAS involved in the capturing of personal data should be highly visible with unique lighting and markings that identifies the device's intended use. It may also be possible for such devices to be identified through RFI or similar transmission/detection technology that can interface with and provide user information via a smartphone application.

AMA currently requires its members to place their membership number on or within their aircraft.

AMA's Privacy Policy



“The use of imaging technology for aerial surveillance with radio control model aircraft having the capability of obtaining high-resolution photographs and/or video, or using any types of sensors, for the collection, retention, or dissemination of surveillance data or information on individuals, homes, businesses, or property at locations where there is a reasonable expectation of privacy is strictly prohibited by the AMA unless written expressed permission is obtained from the individual property owners or managers.”