

AERWAZE

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National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW
Room 4725
Attn: UAS RFC 2015
Washington, DC 20230

Dear Sirs and Madams:

This letter is in response to your request for public comments on “Privacy, Transparency, and Accountability Regarding Commercial and Private Use of Unmanned Aircraft Systems.” The following comments are provided by section from your request. Please contact either of us if you have any questions or need any clarification.

Section 3. In our opinion, the idea of dividing UAS platforms into three classes by weight only serves to confuse the privacy, transparency, and accountability issues. These issues are driven by UAS capability, not weight. While there is some correlation between these capabilities and weight with larger platforms perhaps posing greater threats to privacy through more advanced sensors but enabling greater capacity for transparency and accountability measures, these technologies are all moving targets with a strong trend towards lower weight, lower cost, and higher capabilities. By concentrating on capabilities, for instance, a UAS with a camera system might be held to a higher standard on transparency and accountability than those without such systems. Any rational division of UAS systems by weight as a proxy for capabilities is likely to be obsolete within months.

Sections 4, 7, 13, and 16. Unmanned aircraft systems are undergoing rapid technological change while their numbers are quickly growing. While the request for comments probably did not intend to do so, the focus on best practices undermines paying attention to concepts, technologies, and practices on the near horizon which may be far superior to existing best practices. Because this field is so new, identifying (even informally) codified practices, let alone the best among them is difficult and opening a broader aperture that treats current best practices and emerging concepts, technologies, and practices on a more equal footing would likely produce better policy recommendations.

Sections 8 and 10. Providing information to the public for transparency and accountability is important. The factor that does not seem to emerge from these two sections is the timeliness of such notifications. Should a member of the public be able to find out in near real time who is flying a UAS close to his or her home, perhaps looking in windows, or should such information be made available only after a delay perhaps including a vetted request with a justification. We strongly prefer near real time solutions which

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are becoming technologically feasible but realize that both the UAS owner or operator and the affected members of the public both have privacy concerns which might differ on the timeliness of notifications.

Sections 1 through 15 and particularly 16. While nothing in the request for comment requires concepts which entail a uniform federal policy or regulation, nothing addresses the latitude that state and local governments should and will be provided to tailor such policies and regulations for their local circumstances and preferences. One of the enduring advantages of federalism is the ability to the ability to allow diversity of practice across states to account for differing circumstances and preferences. Another is the laboratory effect wherein this diversity allows differing ideas and concepts to be tried on a smaller scale allowing eventual best practices to emerge—a proving ground for innovation. We believe that the multi-stakeholder process should explicitly address this issue. While we believe privacy, transparency, and accountability are areas ripe for state and local variations, we recognize many other possibilities exist: uniform federal policy, federal minimum requirements which states and localities can add to, significant state and local latitude with explicit federal limitations (minimums or maximums) in specific areas, etc.

Sincerely,

Charles Marshall

Donald Henry