

April 17, 2015

Sent via email UASrfc2015@ntia.doc.gov

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

**Re: Privacy, Transparency, and Accountability Regarding Commercial
and Private Use of Unmanned Aircraft Systems, Docket No. 150224183–5183–01**

CTIA - The Wireless Association® (“CTIA”) welcomes the opportunity to provide input in response to the National Telecommunications and Information Administration’s (“NTIA”) March 5, 2015 request for public comment on Unmanned Aircraft Systems (“UAS”). The February 15, 2015 Presidential Memorandum, “Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems” directed NTIA to begin a multi-stakeholder process to develop best practices for UAS.

CTIA is an international nonprofit trade association that has represented the wireless communications industry since 1984. CTIA’s members – carriers, equipment manufacturers, and software service companies – develop and deliver a host of products and services that are part of the rapidly developing ecosystem of connected devices, including UAS. The wireless ecosystem provides robust contributions to the national economy, significant productivity gains, and is a highly competitive market. The mobile industry has a strong record of developing and voluntarily adopting industry best practices and guidelines for wireless applications, which include, among others, CTIA’s Best Practices and Guidelines for Location-Based Services (“LBS”), which apply to all LBS providers and implement the customer notice and consent structure utilized by the Federal Trade Commission in its Fair Information Practice Principles. As the White House’s February 23, 2012 *Privacy and Innovation Blueprint* recognizes, the wireless industry’s model of voluntary self-regulation and successful implementation of best practices and guidelines can best respond to the consumer privacy needs of a changing technological environment, and provides the best path for a successful multi-stakeholder process leading to consensus-driven, voluntary best practices for UAS.

UAS will provide significant commercial and societal benefits. UAS provide greater operational flexibility and lower capital and operating costs, which make them a potentially transformative technology, offering wide-ranging benefits. The development and deployment of UAS has already begun to provide efficiencies and new capabilities in numerous sectors: communications, infrastructure inspection, agriculture, package delivery, recreation, news and entertainment, disaster response, and rescue operations. Stakeholders should develop privacy best practices that allow the beneficial uses of UAS to thrive.

CTIA recognizes the need to address privacy concerns from the outset in order to achieve the full potential of UAS technology. The Presidential Memorandum states that UAS has implications for privacy, civil rights, and civil liberties and directs NTIA to address these issues through a multi-stakeholder process. CTIA supports NTIA's effort to promote privacy best practices concerning the commercial and private use of UAS, including transparency and accountability for privacy best practices, and CTIA looks forward to participating in the multi-stakeholder process.

While the NTIA convened the mobile transparency and facial recognition technology processes to produce binding and enforceable codes of conduct, the President directed the NTIA to convene stakeholders to develop a set of best practices for the commercial and private use of UAS. The differing purposes of the mobile transparency and facial recognition multi-stakeholder processes, on the one hand, and the UAS process, on the other, reflect key distinctions between the technology and commercial practices at issue. While mobile technology is established in the marketplace and facial recognition technology is being deployed, UAS is nascent technology that has yet to be approved for commercial use.

The structure and scope of the work of the UAS multi-stakeholder process should reflect its particular mission and the emerging state of commercial UAS, which dictate a focus on high-level principles to guide the development of this yet-to-be-deployed technology. Mandating detailed privacy mechanisms would be premature at this juncture. A principles-based approach would also serve all stakeholders' interest in moving expeditiously. The UAS group can reach consensus on high-level principles and practices more promptly than detailed and prescriptive directives.

Avoiding delay is especially important in the context of UAS technology. Companies are, right now, actively designing and building UAS technology. Everyone – industry and consumers alike – benefits if businesses in the process of creating UAS can be guided sooner rather than later by the best practices to emerge from the UAS group. This strongly counsels in favor of a high-level, principles-based approach.

We caution against extensive technological briefings and demonstrations before the UAS group can begin to develop best practices. In addition to delaying the work of the group, technology briefings on UAS would be impractical and of limited utility, as UAS technology is still largely under development and use cases are evolving quickly. Any effort to understand the capabilities of today's UAS rapidly will be obsolete, just as an explanation original mobile phones would not have provided useful understanding of the capabilities of smartphones. Thus, it would not be a good use of resources to get a snapshot of current capabilities because policies based on the current understanding of UAS are likely to be overtaken by the rapid evolution of UAS and their applications.

NTIA asks whether it would be helpful for the UAS group to distinguish between micro (under 4.4 lbs.), small (between 4.4 and 55 lbs.), and large (over 55 lbs.) UAS platforms. CTIA believes that all UAS platforms should be considered together. While the size of the UAS platform is naturally relevant to a number of aviation issues, the privacy issues are the same or

substantially alike across UAS platforms. Like in other areas, CTIA supports development of privacy policy in a technology-neutral way for UAS.

Wireless technology will have a significant role in the operation of UAS, as both (1) an access point for internet connectivity and (2) to provide a way to interact with UAS. First, UAS-based Internet service is similar to broadband internet services available today on transportation platforms, such as trains or aircraft. Internet connectivity on trains, airplanes and other vehicles allow devices to use unlicensed spectrum to connect devices within the vehicle to terrestrial wireless or satellite networks that provide Internet service. UAS-based Internet service would simply be a service like any wireless antenna or hotspot that improves connectivity and coverage, with the added convenience that the UAS is mobile. UAS-based Internet service would not raise unique or heightened privacy issues compared to other Internet services.

Second, wireless networks will connect UAS to operators and other devices. UAS connectivity to terrestrial wireless networks would most likely rely upon existing global industry standards promulgated by the 3rd Generation Partnership Project (3GPP). UAS connectivity will be used for two purposes – delivery of payload and command and control of the UAS itself. Many existing mobile platforms rely upon such connectivity for terrestrial vehicular and maritime applications, and some aeronautical applications. Neither purpose raises any unique or heightened privacy concerns.

UAS technology presents enormous and exciting potential benefits in diverse areas of the economy. CTIA recognizes that this technology will reach its full potential only if privacy issues are appropriately addressed. We support the NTIA's effort to do so and recommend that the multi-stakeholder process be used to develop high-level privacy principles to address the unique privacy challenges of this emerging technology.

Respectfully submitted,

By: Debbie Matties
Vice President, Privacy
CTIA - The Wireless Association®
1400 Sixteenth Street, NW, Suite 600
Washington, D.C. 20036
(202) 736-3654