

Proposed Notice Language offered by the National Association of Mutual Insurance Companies and other Participants to the National Telecommunications and Information Administration (NTIA) Multi-Stakeholder Meeting on Privacy, Transparency, and Accountability Regarding Commercial and Private UAS

Purpose: Section 4 of the Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems of February 15, 2015 which established this multi-stakeholder engagement process project.

The Memorandum specifically provides that the memorandum is “not intended to supersede existing laws and policies”, “shall be implemented consistent with applicable law”, and “is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party.” The underlying premise of all work by this multi-stakeholder engagement process pursuant to that Memorandum has been that these best practices will not have the force of law.

To ensure that this direction and understanding cannot be later misunderstood for any proposed law, regulation or judicial consideration, the following language – or similar language to this effect – should be incorporated in the best practices or other result reported by this multi-stakeholder engagement process.

NOTICE:

The legal extent of privacy is defined and explained in the laws, regulations and judicial opinions of local, state and federal government and should apply to drone privacy questions.

In the event that the commercial or recreational use of drones results in a unique situation in which existing privacy laws, regulations and judicial opinions are not practically applicable, these best practices represent a compendium of the opinions of certain industry, civil society, and academia representatives in 2016.

As directed by the Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems of February 15, 2015, these results of this multi-stakeholder engagement process do not represent an advisory committee to any governmental or judicial authority, are not intended to supersede existing laws and policies, are to be implemented consistent with applicable law, and do not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party.