

May 31, 2016

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

RE: Voluntary Best Practices for UAS Privacy, Transparency, and Accountability

Dear Assistant Secretary Strickling and Deputy Assistant Secretary Simpson:

The undersigned organizations represent manufacturers of over 80% of the civilian UAS in operation, associations representing some of the largest groups of commercial UAS end-users, and community organizations comprising the largest groups of recreational UAS operators in the United States.

The emergence of new technologies has always generated public policy questions related to privacy. The development and adoption of UAS technology is no different – answering questions about responsible behavior and appropriate use will help ensure continued growth in this exciting and innovative sector. As such, we applaud your efforts to work with various stakeholders to identify voluntary privacy “best practices” for UAS operators.

It is important to note, however, that technologies deployed by UAS may be identical in their use to existing technologies. For example, a camera deployed on a UAS may provide the exact same images as a cellphone camera, a tripod-mounted digital SLR, or a merchant’s security camera. In such cases, existing rules of societally acceptable conduct should be applied to the collection and use of images and other data without regard to the technology used to obtain such data.

The NTIA-led, multi-stakeholder effort to establish Voluntary Best Practices for UAS Privacy, Transparency, and Accountability resulted in months of constructive discussion about how to address privacy concerns related to UAS. We participated in that effort and believe a common understanding of societally acceptable behavior as it relates to UAS is valuable. Unfortunately, the multi-stakeholder process did not create across-the-board consensus, as the final “consensus document” would suggest. The document does not recognize what we believe is fundamental to privacy as it relates to UAS operations – that UAS technologies are often used in ways that are comparable to many existing technologies, and in those instances should not be subject to heightened requirements, even those that are voluntary.

We believe privacy best practices for UAS operations should apply only when operations afford data collection capabilities beyond those available by other means. The “consensus document” as drafted and submitted by the drafting sub-group would apply higher standards to all UAS technology, which discriminates against a specific technology rather than addresses problematic conduct that raises legitimate concerns.

We agree with many aspects of the “consensus document,” but believe strongly that operators of UAS should have easy-to-understand rules that do not create more questions than answers. Asking them to

create new procedures and consider higher standards just to use UAS technology in the same way they would use a camera and a ladder does not make sense. More seriously, the higher standards may deter operators from realizing the countless safety and societal advantages with no benefit to privacy interests.

Again, we believe privacy best practices can and will help ensure UAS operations continue to drive economic growth and societal benefits for communities, companies, and individuals worldwide. We fully support modeling self-governing conduct in ways that protect and respect privacy interests, and we inform our users and colleagues that they should follow societal expectations of privacy as well as all applicable laws. Yet, we urge operators, industry, privacy advocates, policy makers and the rest of the UAS ecosystem to recognize that data collected by UAS should not be treated differently than identical data collected by other means just because the device used happens to be a “drone.”

We appreciate the opportunity to comment on the best practices as proposed by the drafting sub-group, and thank you for your time and efforts.

Sincerely,



Academy of Model Aeronautics



DJI



Drone Manufacturers Alliance

Drone Manufacturers Alliance



Drone Pilots Federation



Drone User Group Network



Hobbico



Horizon Hobby



MEASURE

Measure



Tesla Foundation



U.S. Association of Unmanned Aerial Videographers



Yuneec