



Drone Safe Communities Newsletter

Hello, and welcome to the first edition of the Drone Safe Communities (DSC) Newsletter. As you may know, we are in the process of organizing an association to better coordinate advocacy efforts for sensible policies to address the growing safety and security risks of unauthorized drones. The newsletter will serve to:

1. Provide in-depth analysis on policy developments regarding unauthorized drones
2. Update you on the latest critical news on unauthorized drones
3. Offer highlights on our progress

We hope this newsletter serves as a valuable resource to keep you updated on this important issue and further details are available to DSC members. However, we cannot do this alone and are in the process of bringing together state and local public and corporate partners to support this effort. Please visit our [website](#) to learn more and join our efforts or simply [email](#) us. We welcome your feedback and look forward to collaborating with you toward the common goal of keeping Americans safe.

Federal Legislative Update

The U.S. has only just begun to reconcile the economic and recreational benefits of the growing number of unmanned aerial systems (UAS, or 'drones') with appropriate security/safety measures. Over the past 2 years Congress has begun to authorize in very limited circumstances the use of technology to interdict—or forcibly remove—unauthorized drones by physical or electronic means (referred to as 'counter-drone,' or C-UAS). These authorizations are required as exemptions to a dozen or more laws including aircraft hijacking statutes written long before drones were envisioned. The recent actions, passed in late [2016](#) (pp.641, 758) and late [2017](#) (p.506), have been limited to U.S. Department of Defense (DOD) and U.S. Department of Energy personnel for use in protection of certain sensitive military and nuclear facilities/operations. Testing of C-UAS technology by the Federal Aviation Administration at airports has also been authorized.

However, media reports continue to highlight extraordinary cases of unauthorized- and sometimes brazen- drone flights, demonstrating the widely unaddressed safety and security risks of unauthorized drone operations in the U.S. Based on discussions with public safety officials, many more incidents happen daily in local communities that go unreported. At the same time, drone operators are seeking even greater permissions to fly without a tether—beyond the visual line-of-sight and at night.

2018 OUTLOOK

In this 2nd Session of the 115th Congress, we expect legislative proposals in both houses of Congress dealing with unauthorized drones. The Trump Administration is expected to make a proposal soon, likely trimmed back from [the one it purportedly made last year](#). A similar House of Representatives proposal is expected to expand existing counter-drone authorities to additional federal agencies and is expected to have bipartisan support. Members in both houses are considering legislation to authorize certain state and local public safety officials to use C-UAS.

To date most federal legislation has remained technology-neutral as to drone interdiction approach, including electronic signal manipulation, lasers, microwave emissions, net-guns, or other. However, some proposals might implicitly have an impact on available technologies. For example, C-UAS technology involving electronic signal emissions may be subject to Federal Communications Commission jurisdiction if authorizations for its use expand to persons outside of the federal government.

Two related bills that have drawn much attention are the “[Drone Federalism Act](#)” (effectively allowing municipalities and other local jurisdictions to regulate drones within 200’ above ground level in their jurisdiction, removing this authority from the FAA) and the somewhat similar “[Drone Innovation Act of 2017](#)” (requiring the Secretary of Transportation to publish guidelines on the limits of federal drone regulations and partner with 20-30 local jurisdictions to test more locally-tailored rules while maintaining federal regulation over drones). The bipartisan Drone Federalism Act has backing from many towns and communities, but it is opposed by drone manufacturers and interests as well as other major aviation stakeholders because of its proposed devolution of FAA’s sole regulation of the airspace—an anti-preemption policy they oppose in principle. Even if passed in their current forms, neither expands any existing C-UAS authorizations.

OUR ANALYSIS

Recent piecemeal legislative actions show a tepid willingness by Congress to start to address ever-growing risks of unauthorized drones, however, this environment could change instantly, even in a shortened election-year session of Congress. For example, a deadly incident in the U.S. involving a drone may spark action by Congress. Many industry professionals believe it is only a matter of time before this happens, given patterns seen around the world. If and when it does, Congress may move quickly to address it. As such, it is important to educate policymakers in advance—before such an incident—to ensure new policy decisions are not made in a relative vacuum without input from the public safety community, including officials, partners, C-UAS technology companies and others with first-hand knowledge of the situation on the ground in our communities. After last year’s experience with proposed C-UAS legislation, White House personnel working on this issue have acknowledged to us that a coordinated campaign has the best chances of success in Congress.

Drone Safe News Roundup

Some of the most notable recent drone safety/security news & policy articles:

"Basically No One Is Getting Fined for Flying Drones Without a License," [Gizmodo](#), 2/9/18

"US regulator: Rules should come this year to help identify drones and their pilots," [CNBC](#), 2/9/18

"Was A Frontier Airlines Jet Almost Hit By A Drone Over Las Vegas?" [Forbes](#), 2/6/18

"The Drone Industry in 2018: A Forecast for Key Regulatory Developments," [Unmanned Aerial Online](#), 1/22/18

"Oklahoma officials warn against drones near air force base," [Fox News/Associated Press](#), 1/17/18

"South Korea Preps Serious Anti-Drone Measures Ahead of Winter Olympics," [Gizmodo](#), 1/31/18

"Pyeongchang Games organizers probe possible cyberattack," [Reuters](#), 2/9/18

"New Jersey mulls law against operating drone while drunk," [CNET](#), 1/7/18

"Black Market Sold Drones Used in Russian Base Attack," [The Daily Beast](#), 1/10/18

Please contact me with any questions - thank you!

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For more information, visit us at www.DroneSafeCommunities.org