

Albany
Atlanta
Brussels
Denver
Los Angeles
Miami
New York

McKenna Long & Aldridge^{LLP}

1900 K Street, NW
Washington, DC 20006
Tel: 202.496.7500
mckennalong.com

Northern Virginia
Orange County
Rancho Santa Fe
San Diego
San Francisco
Seoul
Washington, DC

Meeting with OIRA: Small UAS Rulemaking **December 15, 2014**

Thank you for the opportunity to meet to discuss the FAA's proposed rulemaking on Operation and Certification of Small Unmanned Aircraft Systems (sUAS), which would adopt specific rules for the operation of sUAS in the national airspace system. These changes would address the classification of small unmanned aircraft, certification of their pilots and visual observers, registration, approval of operations, and operational limits in order to increase the safety and efficiency of the national airspace system.

In the interest of time, we have identified a few issues for discussion, as well as attached information about the attendees.

We appreciate this opportunity to discuss the following issues:

FEDERAL PREEMPTION OF STATE AND LOCAL LAWS REGARDING UAS

On October 10, 2014, members of McKenna Long & Aldridge's UAS Advisory Group asked the FAA to include a preemption provision in its forthcoming proposed sUAS rules (see Att. 1). That provision would preempt state and local governments from enacting or continuing in effect any requirement, prohibition, or restriction relating to design, sale, distribution, use, or operation of sUAS. An FAA preemption regulation is essential so that the agency can achieve its statutory mandate of safely integrating sUAS into the national airspace. The rapidly spreading, potentially conflicting patchwork of state sUAS statutes and regulations (see Att. 2), regardless of their purpose (e.g., protection of privacy), can only undermine the FAA's ability to achieve a nationally uniform regulatory system that maintains aviation safety and is understood and followed by sUAS manufacturers, distributors, and users. As our letter discusses, the FAA has authority to promulgate a preemption regulation, and we firmly believe that such a provision should be included in the proposed rule.

ATTENDEES

McKenna, Long & Aldridge LLP

McKenna Long & Aldridge LLP (MLA) is an international law firm with more than 500 attorneys and public policy advisors in 15 offices and 13 markets, including an extremely active UAS practice group that has established itself as the "go-to" counsel for UAS manufacturers, operators and users. The firm has assembled and leads an external UAS Advisory Group consisting of representatives from various industry segments – manufacturers, users, and operators of UAS – who have a strong interest in the upcoming sUAS rule and the attendant policy issues. The firm held a UAS Symposium in June 2014 attended by 170 registrants from 80 companies.

Nicholas Sabatini

Nick Sabatini became the FAA Associate Administrator for Aviation Safety, effective October 15, 2001, and remained in that position until he retired on January 3, 2008. He was responsible for the certification, production approval, and continued airworthiness of aircraft, as well as the certification of pilots, mechanics, and others in safety-related positions. He was also responsible for certification of all operational and maintenance enterprises in domestic civil aviation, development of regulations, civil flight operations, and the certification and safety oversight of over 7,000 U.S. commercial airlines and air operators.

Rockwell Collins

Rockwell Collins is a pioneer in the design, production and support of innovative solutions for our customers in aerospace and defense. Our expertise in flight-deck avionics, cabin electronics, mission communications, information management and simulation and training is strengthened by our global service and support network spanning 27 countries. Working together, our global team of nearly 20,000 employees shares a vision to create the most trusted source of communication and aviation electronics solutions.

Motion Picture Association of America

The MPAA is a not-for-profit trade association founded in 1922 to address issues of concern to the motion picture industry. The MPAA's member companies are: Paramount Pictures Corp., Sony Pictures Entertainment Inc., Twentieth Century Fox Film Corp., Universal City Studios LLC, Walt Disney Studios Motion Pictures, and Warner Bros. Entertainment, Inc. These companies and their affiliates are the leading producers and distributors of filmed entertainment in the theatrical, television, and home entertainment markets.

UASolutions Group, Inc.

UASolutions Group, Inc. provides affordable, innovative solutions to safe and efficient UAS integration. UASolutions Group has selected a highly specialized team with a thorough understanding of FAA regulatory and policy challenges as well as providing insight into trends and emerging markets. UASolutions Group provides assistance with obtaining Section 333 Exemptions and Certificates of Waiver or Authorization, as well as the development of safety management systems, procedural and safety manuals, and training curricula.

Alaris

ALARIS is a veteran-owned small business that provides support for the most difficult integration projects for both small and large unmanned systems. ALARIS is actively engaged in FAA rulemaking and serves in leadership positions supporting FAA Subcommittee SC-228 in the creation of Minimum Operation Performance Standards (MOPS) for UAS Detect and Avoid (DAA). Our knowledge of airspace integration challenges has enabled us to work closely with the FAA in expanding the typical COA boundaries to provide the best value for our customers.