



Airlines for America
We Connect the World

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Re: Comments of Airlines for America Regarding Agency Information Collection Activities for the Safety Statement Requirement for Manufacturers of Small Unmanned Aircraft (FAA-2019-0334)

Airlines for America (“A4A”), on behalf its Members,¹ submits the following comments regarding the Federal Aviation Administration’s (“FAA”) Agency Information Collection Activity for the Safety Statement Requirement for Manufacturers of Small Unmanned Aircraft (“Safety Statement”).² Our Members have safety and security interests in the Safety Statement because of their substantial operations in the National Airspace System (“NAS”) where small unmanned aircraft systems (“sUAS”) operate. The FAA must ensure safety and efficiency of the NAS.³ The Safety Statement is an important safety and oversight tool to ensure that sUAS manufacturers are compliant with FAA-accepted consensus safety standards, while imposing minimal burden upon the sUAS industry.

To be clear, A4A supports the safe and efficient integration of sUAS into the NAS. In fact, some of our Members use sUAS, including for aircraft inspections and package delivery. However, all stakeholders have expressed a heightened concern about drones, and sUAS in particular, impacting the safe and efficient operation of manned aircraft, especially at airports. The number of incidents of sUAS interfering with airport operations that directly put the traveling public at risk cannot be ignored and must be a priority for the FAA. Moreover, a substantial numbers of sUAS—which the FAA estimates to be at least 1.29 million—⁴ are model aircraft whose operators may not be aware of the airspace and operational safety requirements. Most alarming, drones have

¹ A4A’s members are Alaska Airlines, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Federal Express Corp.; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Continental Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

² See 84 Fed. Reg. 19,989 (Apr. 1, 2019) (Correction) (originally published April 30, 2019, 84 Fed. Reg. 18,335).

³ See 49 U.S.C. § 40101(d)(4).

⁴ See FAA, FAA Aerospace Forecast, Fiscal Years 2019-2039, at 43, available at https://www.faa.gov/data_research/aviation/aerospace_forecasts/media/FY2019-39_FAA_Aerospace_Forecast.pdf. FAA estimates model aircraft could increase by 30% and reach 1.66 million by 2023. *Id.*

been recently proposed as a tool for intentional disruption of operations at airports for the purpose of civil unrest.⁵

These increased risks and threats underscore the importance and need for FAA to implement consensus safety standards for sUAS, as well as the considerations that Congress obligated FAA to take into account, including: (i) “[t]echnologies or standards related to geographic limitations, altitude limitations, and sense and avoid capabilities”; (ii) “[d]etectability and identifiability to pilots, the Federal Aviation Administration, and air traffic controllers, as appropriate”; and (iii) “[m]eans to prevent tampering with or modification of any system, limitation, or other safety mechanism or standard under this section or any other provision of law, including a means to identify any tampering or modification that has been made.”⁶ These risks are present and such considerations are critical regardless of whether the sUAS may be operated within the visual line of sight, and no exemption should be granted to such sUAS.⁷

Manufacturers’ failure to adhere to the consensus safety standards will increase the sUAS risk to manned aircraft. Accordingly, for oversight, enforcement, and most importantly safety, FAA must have the information that manufacturers provide in the Safety Statement to ensure that sUAS are manufactured in a manner compliant with the consensus safety standards. Additionally, the burden on manufacturers to provide the Safety Statement, including the Congressionally-mandated provisions,⁸ will be minimal. Manufacturers will simply have the identifying information about the sUAS and the consensus safety standards against that were used, while statements of conformity will not require additional production of information to the FAA.

In sum, we stress the importance of sUAS consensus safety standards, manufacturers compliance with such standards, and the FAA’s oversight of manufacturers’ compliance with such standards, which will be greatly facilitated by the Safety Statement.

We appreciate the opportunity to submit these comments and thank you for your consideration.

Respectfully submitted,



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AIRLINES FOR AMERICA

⁵ See BBC News, Extinction Rebellion plans Heathrow drone protest (May 31, 2019) *available at* <https://www.bbc.com/news/uk-england-london-48470623> (last visited June 28, 2019).

⁶ See FAA Reauthorization Act of 2018, Pub. L. No. 115-254, Title 3, Subtitle B, § 345.

⁷ *Id.*

⁸ *Id.*