

# United States Senate

WASHINGTON, DC 20510

April 29, 2019

The Honorable Elaine Chao  
Secretary, U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Secretary Chao,

We write to urge the Federal Aviation Administration (FAA) to swiftly publish a proposed rule for remote identification of unmanned aircraft systems (UAS), or drones. Remote identification will enhance safety, security, and privacy, and serve as a critical tool for law enforcement to respond to and address reports of illegal and unauthorized drone operations.

In recent months, a series of UAS sightings in safety-sensitive areas have underscored the need to quickly adopt and implement remote identification. In December, a reported drone sighting at Gatwick Airport in London led to the grounding or diversion of more than 1,000 flights, disrupting the travel of nearly 140,000 passengers. Just a few weeks later, reported drone sightings at London's Heathrow Airport and at Newark Liberty International Airport in New Jersey forced airport officials to halt flights. In April, a drone flew over Fenway Park in Massachusetts during a Boston Red Sox game, potentially endangering fans enjoying the game.

Section 2202 of the FAA Extension, Safety, and Security Act of 2016 (P.L. 114-190) directed the FAA to facilitate the development of consensus standards for remotely identifying UAS operators and owners. Within two years of enactment – by July 2018 – the FAA was to issue regulations or guidance based on those standards. Today, nearly a year after that deadline, the FAA has published no such regulations or guidance. In fact, the Department's March 2019 report on rulemakings pushed back the date on which the FAA expects to publish a notice of proposed rulemaking (NPRM) from May 1, 2019, to July 21, 2019.

Remote identification is not only a critical tool for safety, security, and privacy, but will also serve as the linchpin for additional rulemakings, including the recently published NPRM for commercial small UAS operations over people. The rulemaking explicitly states it cannot move forward without a remote identification rule in place. Remote identification is also essential to the development of an unmanned aircraft traffic management system, which is imperative to achieving the safe and efficient integration of UAS operations in the airspace.

Thank you for your attention to this important matter. We respectfully request that you provide a written response detailing what steps must be taken between now and July 21 for the FAA to release an NPRM for remote identification.

Sincerely,

  
Edward J. Markey  
United States Senator

  
John Thune  
United States Senator