United States Senate
WASHINGTON, DC 20510

November 25, 2014

Mr. Michael P. Huerta, Administrator
Federal Aviation Administration
800 Independence Ave. SW
Washington, DC 20591

Dear Administrator Huerta,

We write to request an update on the Federal Aviation Administration's (FAA) ongoing process to regulate Unmanned Aerial Systems (UAS). Mindful of the great task the FAA has in front of it to regulate the commercial use of UAS within the federal air space for the first time, we remain concerned about the impacts that continued delays in the process are having on the American UAS industry and the national economy, and the safety risk posed by expanding unlicensed operations.

The United States has a growing UAS industry that has a significant impact on local economies, creating thousands of jobs, and benefiting areas such as search and rescue, commercial businesses, and energy production. To research UAS technology and determine appropriate industry regulations and standards, Congress charged the FAA with establishing six UAS Test Sites. These test sites are located in our states and are an integral part of determining the safest and most efficient way of opening our national airspace to UAS technology. The work being done at the test sites is critical for the industry to further develop and advance UAS technology, and for the operators and manufacturers of these state of the art systems to ensure they meet the safety and privacy standards necessary for wide-spread use.

While the industry waits for the FAA to catch up and issue draft regulations, UAS operators can permissibly fly a UAS in federal air space by receiving a Certificate of Authorization (COA) to operate at a designated UAS Test Site, or by receiving a Section 333 exemption, like the one recently issued to the Hollywood film industry. We appreciate that the FAA has these two processes to allow the commercial exploration of UAS; however, it has come to our attention that both processes consist of long and frustrating delays. These delays force those manufacturers and operators who play by the rules to sit on the sidelines while they wait for approval while others chance fines and operate without any certification from the FAA, which raises serious concerns about public safety. Failure to improve the COA application process and prioritize COA applications to operate within designated UAS Test Sites raises concerns that the test sites will fail to materialize the way Congress intended and valuable research and testing will be stalled.

We remain concerned that the FAA will miss their September 2015 deadline for its U.S. integration strategy, setting this industry back even further. We understand the difficulties faced

by many federal agencies that lack the resources and staffing necessary to keep up with demand, but in this ever growing area, it is imperative that the FAA work closely with the industry to ensure that it is not creating a burdensome roadblock to innovation and defeating the intent of establishing UAS Test Sites.

Given that this industry is still in its infancy and mindful of the challenge this regulatory process presents the FAA, we understand that there is a long way to go and appreciate that the FAA is proceeding with great care. To gain a better understanding of where the FAA currently is in this process, we ask that you provide us with, 1) an update on the FAA's timeline for releasing draft regulations for the commercial use of UAS; 2) a response to the concerns that the application process for COAs and Section 333 exemptions are lengthy and arduous; 3) your plan for handling future applications to ensure expediency going forward; and 4) what steps you will take to make it easier for the test sites to work with private industry on commercial applications for UAS and encourage the test sites full potential.

This industry cannot continue to grow without further direction and guidance from the FAA on its planned regulations. We look forward to your response to our questions and to working with the FAA in the future as this exciting industry takes flight.

Sincerely,

Ron Wyden
United States Senator

Jeff Merkley
United States Senator

Heidi Heitkamp
United States Senator

John Hoeven
United States Senator

Cory A. Booker
United States Senator