

WRITTEN STATEMENT OF

AIR LINE PILOTS ASSOCIATION, INTERNATIONAL (ALPA)

TO THE

SUBCOMMITTEE ON AVIATION

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES

April 4, 2017

**“BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA:
ENABLING INNOVATION IN THE NATIONAL AIRSPACE”**

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**Written Statement of
Air Line Pilots Association, International
to the Subcommittee on Aviation
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“Building a 21st Century Infrastructure for America:
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The Air Line Pilots Association, International (ALPA) is the largest professional association representing airline pilots in the world, and represents over 55,000 pilots at 32 U.S. and Canadian airlines. "Schedule with Safety" has been the ALPA motto since the birth of our Association in 1931. While technology has continued to advance, ALPA's focus on safety has remained unchanged, and as we see new entrants into the airspace in the form of unmanned aircraft systems (UAS). These UAS includes operation of "drones" that operate completely autonomously or aircraft that are remotely piloted (RPA) by a pilot on the ground. ALPA's focus is on the safe and secure integration of UAS aircraft into the U.S. national airspace system (NAS).

As a strong proponent for the safe and secure integration of UAS, ALPA has worked with the FAA and industry stakeholders to ensure that all new regulations continue to maintain or improve the overall safety of our national airspace. The U.S. NAS is the most dynamic and diverse airspace system in the world. The safety of the airspace must be maintained in order to provide the safest and most efficient air transportation services in the world.

With the safety and security of the flight crews, passengers, and cargo in mind, ALPA believes that the following issues must be considered.

Registration Must Start At Point Of Sale

ALPA supports the FAA's implementation of a UAS operator registration requirement for all but the smallest unmanned aircraft. Gathering basic information about the identity of the individual purchasing the UAS not only allows law enforcement and aviation authorities to identify the owner if the UAS were to encounter a problem, but it helps make clear the serious nature of operating a UAS in the public airspace and the responsibility to safeguard public safety.

It is clear from the FAA's own statistics that the current registration process has weaknesses and many operators are failing to follow the requirement. While registration is required, it is effectively voluntary in that it relies on the owner/operator to satisfy the requirement *after* the sale of a UAS. No practical means currently exists to cross-reference sales with registrations to ensure compliance. According to the FAA, there have been 770,000 registrations¹ but they estimate 2.5 million UAS were sold in 2016 alone.² It is doubtful that all registrants own more

¹ FAA Administrator Huerta Speech - Unmanned Aircraft Systems Symposium Opening Remarks – March 27, 2017

² FAA News & Update - FAA Releases 2016 to 2036 Aerospace Forecast - <https://www.faa.gov/news/updates/?newsId=85227>

than 2 drones. ALPA recommends that the FAA immediately modify the registration process so that it begins at the point of sale.

This method will ensure the greatest possible compliance with the registration requirements. Requiring the purchaser to provide their name and address at the point of sale, and providing the purchaser with instructions on how to complete the registration will allow the FAA to follow-up with the purchasers after a specific period of time to remind the purchaser of the registration requirement. This would result in increased registrations and close a significant loophole in the effort to capture all UAS that need to be registered.

This registration process is a critical first step in ensuring the safety of the NAS as the FAA uses the “registration process to educate users about how to safely operate their UAS in the NAS. Prior to completing the process, registrants read and acknowledge safety guidelines, which include instructions prohibiting flight near manned aircraft and within visual line-of-sight of the operator.”³

FAA Issued the Small UAS Rule (sUAS), But More Work Needed

The FAA has taken meaningful steps to allow sUAS to begin operating in the airspace with multiple restrictions intended to mitigate risk, but additional regulations are needed. In June 2016, the FAA published 14 CFR Part 107, which established a framework for most commercial and recreational operators to operate their sUAS. Unfortunately, the regulations that govern many of the small UAS aircraft somewhat missed their mark in ensuring safety.

Throughout the rulemaking process, ALPA urged the FAA to take a strong stance on training and testing, to ensure that those who remotely pilot sUAS for commercial purposes are fully trained and are able to demonstrate knowledge via written test *and skills via flight test* before they are issued a commercial pilot certificate for sUAS, just as pilots of manned aircraft operated for commercial purposes do. We remain concerned that Part 107 is too weak in the requirements for sUAS pilots to learn in-flight skills. There is no requirement to demonstrate their skills safely operating a sUAS in the NAS to an examiner.

While these regulations contain beneficial safety provisions, such as limiting operations to line of sight, no night-time operations, and not exceeding 400 feet in altitude, ALPA believes that more can be done to further advance the safe integration of sUAS for both commercial operators and hobbyists.

All sUAS Must Be Fully Regulated by the FAA

The sUAS rule (14 CFR Part 107) formally established the definition of a sUAS, established pilot qualifications, and created operational limitations. It specifically addressed commercial small UAS operations and those operations that do not fall under an exemption established by Congress. By failing to address all drones, the FAA does not capture and fully regulate all recreational/hobbyist operators. A key component in helping to strengthen aviation safety would be for Congress to give the FAA the ability to fully regulate all hobbyists and recreational flyers of sUAS under Part 107, without exception. ALPA has been a strong advocate

³ Office of Inspector General – Audit Report - AV-2017-018 – December 1, 2016

for correcting this legislative condition as it is imperative that the FAA is able to consistently regulate the safe operation of unmanned aircraft systems for all airspace users.

Geographical And Altitude Limiting Technology For UAS

Technology exists to limit the geographical and vertical limits of unmanned aircraft operations, independent of the performance capability of the aircraft itself. This feature should be required for all UAS that are not intended to operate in airspace occupied by “pilot on board” aircraft or in the vicinity of airports and other sensitive areas, regardless of whether the UAS is flown for business or recreation. Until the FAA mandates the use of such technology, the effectiveness of this solution will be somewhat limited.

Safety And Security Regulations Must Be Exempt From Executive Order 13771

On January 20, 2017, President Trump signed Executive Order 13771, which requires for every one new regulation issued, at least two prior regulations be identified for elimination, and, in addition, the total incremental cost of all new regulations, including repealed regulations, to be finalized this year shall be no greater than zero. The executive order makes no provisions for important aviation safety and security regulations, especially those that must be promulgated to account for new technologies never envisioned in the existing body of regulations.

For the FAA and UAS, this ‘2 for 1’ executive order has sidelined important safety regulations. On April 1, 2016, the Micro UAS Aviation Rulemaking Committee (ARC) issued its final report and recommendations to the FAA on how to safely operate micro UAS over people who are not directly participating in the operation of the UAS. The FAA was slated to release a notice of proposed rulemaking for ‘Operations of Small Unmanned Aircraft Over People’, but this activity has been delayed indefinitely under the President’s ‘2 for 1’ executive order.

The Administration needs to take action now by exempting aviation safety and security rules from Executive Order 13771.

Conclusions

ALPA remains dedicated to working with the FAA, industry, and Congress to safely integrate UAS into the North American airspace system. However, the integration needs to be done so in a way that ensures that aviation safety is not compromised and so that the target level of safety for commercial air travel in the NAS is proactively, not reactively, protected. We will continue collaborative work to further advance the safe integration of sUAS for both commercial operators and hobbyists. ALPA remains steadfast in our commitment to advancing the unparalleled safety record of U.S. aviation.

On behalf of the more than 55,000 pilots whose top priority is safe transportation, we thank the Committee for the opportunity to provide a statement on this important subject and look forward to working together to ensure the safety of our air transportation system.