

July 24, 2024

The Honorable Pete Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary Buttigieg:

The undersigned industry organizations respectfully request that the Federal Aviation Administration (FAA) swiftly issue rules enabling beyond visual line of sight (BVLOS) operations for unmanned aircraft systems (UAS or drones). BVLOS rules would meet the Congressional intent in passing the FAA Reauthorization Act of 2024 Act, unlock the benefits of BVLOS operations, and catalyze aviation innovation, while securing the safety of people and property. Our organizations represent a wide range of stakeholders that would significantly benefit from a timely and effective BVLOS final rule. We urge the FAA to expeditiously issue and finalize rules to enable routine BVLOS operations to unleash innovation and the numerous benefits stemming from this type of operation.

On May 16, 2024, President Biden signed the FAA Reauthorization Act of 2024 into law. Section 930 of the Act directs the FAA to finalize a rule to enable routine BVLOS operations within 20 months of enactment. This rulemaking would build on years of work by the FAA, stakeholders, and other federal agencies including the issuance of BVLOS waivers and exemptions, standards setting, and recommendations published in the final report of the Beyond Visual Line of Sight Aviation Rulemaking Committee.

A final BVLOS rule would grant the business community the necessary certainty to unlock the full benefits of BVLOS operations while enhancing public safety, reducing unnecessary costs, and bolstering economic competitiveness.

Failure to move quickly will allow the current regulatory framework to remain in place. The current regulatory framework limits the ability of operators to utilize drones for certain safety-enhancing applications and operate at scale.¹ For instance, drones can improve the safety of tower inspections and construction by mitigating risks to workers. Following a natural disaster, a critical infrastructure owner and operator could use drones to inspect critical infrastructure, conduct damage assessments, minimize risk to the public and quickly restore key services to communities. BVLOS would also enhance the ability of the news media to safely report on natural disasters and other matters of pressing public interest.

¹ See 14 CFR Part 107 (Part 107 requires the drone operator or a visual observer) to see the unmanned aircraft throughout the entire flight to know certain information about the drone including location, proximity to any hazards, altitude, direction of flight, and other information. Waivers and exemptions can be granted by the FAA on a case by case basis).

A rule would also limit unnecessary costs. Current law requires applicants to seek a waiver or exemption from the FAA's Part 107 rules to conduct BVLOS operations.² To date, the FAA has issued several BVLOS waivers and exemptions for purposes including infrastructure monitoring and inspection, delivery, and public safety. While a case-by-case approach was initially necessary to enable limited operations and strengthen understanding of BVLOS operations, the waiver and exemption processes is costly, time consuming, and cumbersome. A BVLOS rule will streamline processes and provide greater certainty for industry.

The FAA should also issue a rule to bolster economic competitiveness. Part 107's restriction on BVLOS operations limits the economic potential of drones. Enabling widespread BVLOS operations will strengthen economic competitiveness by unlocking new business models, increasing productivity, and creating economic opportunities for small businesses. For example, drone delivery would enable small businesses to access new consumers and deliver goods more efficiently, and drones can be used to more effectively inspect and build infrastructure. Moreover, regulatory certainty from a BVLOS rule will incentivize greater investment in the American drone industry, bolstering U.S. global leadership in this critical sector.

We urge the DOT and FAA to promptly issue an NPRM and promulgate a rule to enable BVLOS operations. This action would further the safe and secure integration of UAS into the national airspace and bolster American economic competitiveness across a wide range of industry sectors. We appreciate DOT's attention to this matter, and please reach out to Matt Furlow at mfurlow@uschamber.com if you have any questions.

Sincerely,

American Council of Engineering Companies
American Gas Association
American Fuel and Petrochemical Manufacturers
American Petroleum Institute
American Property Casualty Insurance Association
Association of American Railroads
Association for Uncrewed Vehicle Systems International
Commercial Drone Alliance
Consumer Technology Association
CTIA – The Wireless Association
Edison Electric Institute
IAAPA – The Global Association for the Attractions Industry
Interstate Natural Gas Association of America
Motion Picture Association
NATE: The Communications Infrastructure Contractors Association
National Association of Manufacturers
National Press Photographers Association

² See 14 CFR Part 107.200; 49 U.S.C. § 44807.

National Retail Federation
NCTA – The Internet & Television Association
News/Media Alliance
Retail Industry Leaders Association
Security Industry Association
The Small UAV Coalition
U.S. Chamber of Commerce
Wireless Infrastructure Association

cc: The Honorable Michael Whitaker, Administrator, Federal Aviation Administration
The Honorable Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security
The Honorable Merrick B. Garland, Attorney General, U.S. Department of Justice
The Honorable Jake Sullivan, National Security Advisor, Executive Office of the President