



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

December 3, 2014

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

Dear Administrator Huerta:

The recent reports of near-collisions between drones and manned aircraft in our nation's airspace are alarming. I urge you to vigorously enforce safety laws and regulations against the unsafe operation of drones and to warn operators about the potential hazards and consequences of their reckless behavior.

In July, I wrote to express my deep concern about the dangers posed by expanded domestic drone use in the national airspace. I requested data from the Federal Aviation Administration so I could get a full sense of the problem we face. Last week, I received data from your staff that corroborated my concerns about expanded domestic drone use.

According to this data, more than 190 incidents have been reported to the FAA over the last nine months. Since July, the reports average more than one incident per day. These numbers include more than two dozen reports of near mid-air collisions with other aircraft and more than 100 reports of drones spotted in proximity to other aircraft. In addition, the reports reveal a litany of drone crashes, overflights of stadiums and a power plant, and unlawful commercial use. Examples from this year include:

- October 12: an aircraft came within 10-20 feet of a drone and took evasive action to avoid collision at 4,800 feet in elevation near Oklahoma City.
- September 30: an aircraft inbound to LaGuardia Airport reported a drone that "almost hit" the aircraft at 4,000 feet in elevation;

- August 23: in Burbank, California, an aircraft reported a drone “off [its] left wing passing opposite direction while [north] bound at 8,000 feet”;
- May 29: two aircraft on approach to Los Angeles International Airport (LAX) reported seeing a “trash can sized” drone at 6,500 feet;

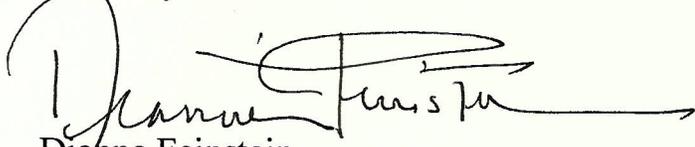
It is clear that we have a serious potential safety problem which could cause a serious threat to life. Yet, very few of these incidents resulted in FAA enforcement actions, according to reports, even though the drones’ operations appear to have been plainly illegal. For example, many reports indicate commercial activity, flights above 400 feet in elevation, operation within 5 miles of an airport without authorization, flights outside the operator’s line of sight, or careless and reckless activity.

I recognize that the proliferation of highly-capable, inexpensive drones operated by untrained individuals is a new challenge. But the FAA is responsible for the safety of the airspace, and it must aggressively confront this challenge now, before an airliner is brought down. I urge you to pursue vigorous enforcement and strong safety regulations, and to warn operators about the consequences of their behavior.

It is my intent to introduce legislation to codify and expand the moratorium on private drone use without specific authority from the FAA that is already in place. This expanded moratorium would cover any such use that could threaten the airspace, it would require a safety certification for expansions of private drone use, and it would be backed up by substantial criminal penalties if manned aircraft or people are put at risk. I would very much appreciate your comments and technical assistance on such legislation.

Thank you for your full attention to this matter. Please respond to this letter by no later than December 15, 2014.

Sincerely,



Dianne Feinstein
United States Senator