



Written by [Brian Koenig](#) on February 8, 2012

Bill Authorizes Use of Unmanned Drones in U.S. Airspace

Big Brother is set to adopt a new form of surveillance after a bill passed by Congress will require the Federal Aviation Administration (FAA) to open U.S. airspace to drone flights under a new four-year plan. The bill, which passed the House last week and received bipartisan approval in the Senate on Monday, will convert radar to an air traffic control system based on GPS technology, shifting the country to an age where satellites are central to air traffic control and unmanned drones glide freely throughout U.S. airspace.



By using GPS technology, congressional leaders argued, planes will land and take off more efficiently, as pilots will be able to pinpoint the locations of ground obstacles and nearby aircraft. The modernization procedures play into the FAA's ambitious plan to achieve 50-percent growth in air traffic over the next 10 years. This legislation is "the best news that the airline industry ever had," [applauded](#) Sen. Jay Rockefeller (D-W.Va.). "It will take us into a new era."

Transportation Secretary Ray LaHood added that it "will provide the stability and predictability to ensure critical aviation safety programs ... and infrastructure investments move forward."

The legislation allocates \$63.4 billion to the FAA, including about \$11 billion for the modernization of the air traffic system. It expedites the modernization project by requiring the FAA to generate new arrival procedures by June 2015 at the country's 35 busiest airports, so planes will have the ability to land using the new GPS navigation systems. Other [provisions](#) in the bill include:

- Roughly \$3 billion annually for the next phase of transforming the U.S. air traffic system from one based on radar to one relying on global positioning satellites.
- A congressional statement opposing a controversial European Union law that makes airlines globally pay for emissions from their aircraft when flying over Europe. The Obama administration also opposes the measure and is trying to get European states to resolve the matter at the United Nations.
- A provision permitting the Transportation Department to offer loan guarantees to airlines to help them pay for air traffic modernization equipment needed on their planes.
- A \$190-million annual outlay for subsidizing airline service to rural communities.

The FAA Reauthorization Act, which awaits a signature from President Obama, requires the FAA to establish regulations for the testing and licensing of commercial drones, as well as expediting the authorization process for the use of drones by police and other agencies. The Associated Press [reported](#):

The FAA is also required under the bill to provide military, commercial and privately-owned drones with expanded access to U.S. airspace currently reserved for manned aircraft by Sept. 30, 2015. That means permitting unmanned drones controlled by remote operators on the ground to fly in the same airspace as airliners, cargo planes, business jets and private aircraft.



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Currently, the FAA restricts drone use primarily to segregated blocks of military airspace, border patrols and about 300 public agencies and their private partners. Those public agencies are mainly restricted to flying small unmanned aircraft at low altitudes away from airports and urban centers.

Within nine months of the bill's passage, the FAA is required to submit a plan on how to safely provide drones with expanded access.

The U.S. Customs and Border Protection, an agency within the Department of Homeland Security, operates nine drones, which are used primarily for border and counter-narcotics surveillance authorized under four FAA certificates. Domestic use of drones beyond border protection is very limited. But Congress's new bill will change that.

Drone manufacturers, industry groups, and local governments have been longtime critics of the FAA's modest efforts in permitting unmanned aircraft to fly in U.S. airspace. "There is a huge potential market for civilian and commercial uses of unmanned aircraft systems," [said](#) Ben Gielow, Government Relations Manager at the Association for Unmanned Vehicle Systems International.

"We are looking at border security using UAV (unmanned aerial vehicles) research, law enforcement, firefighting, just to name a few," [asserted](#) Sen. Kay Bailey Hutchison (R-Texas). "There are going to be more and more uses for unmanned aerial vehicles to be able to do the surveillance and photographing that have taken helicopter pilots and small general aviation and even large aircraft to do in the past."

But safety experts have raised serious concerns about whether sensors aboard the drones will accurately detect nearby planes, as well as taking immediate measures to avoid midair collisions. "At some point, the FAA has to get its arms" around such concerns "and answer those basic questions," [warned](#) Lee Moak, president of the Air Line Pilots Association.

Furthermore, privacy advocates worry that the bill will open the door to widespread use of drones for surveillance by law enforcement and, eventually, by the private sector. Some analysts predict that the commercial drone market in the U.S. could be worth hundreds of millions of dollars once the FAA authorizes their use, and that 30,000 drones could be flying domestically by 2020. "There are serious policy questions on the horizon about privacy and surveillance, by both government agencies and commercial entities," [said](#) Steven Aftergood, director of the Project on Government Secrecy at the Federation of American Scientists.

The Electronic Frontier Foundation, a digital rights advocacy and legal group, also is "concerned about the implications for surveillance by government agencies," affirmed attorney Jennifer Lynch, and it is "a huge push by lawmakers and the defense sector to expand the use of drones" in U.S. airspace.

"Congress — and to the extent possible, the FAA — need to impose some rules to protect Americans' privacy from the inevitable invasions that this technology will otherwise lead to," wrote American Civil Liberties Union policy analyst Jay Stanley. "We don't want to wonder, every time we step out our front door, whether some eye in the sky is watching our every move."



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