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ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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December 10, 2015

Ms. Margot Kaminski
Assistant Professor
Moritz School of Law
Ohio State University
55 West 12th Avenue
Columbus, OH 43210

Dear Ms. Kaminski,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Thursday, November 19, 2015, to testify at the hearing entitled "The Disrupter Series: The Fast-Evolving Uses and Economic Impacts of Drones."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Thursday, December 24, 2015. Your responses should be mailed to Dylan Vorbach, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Dylan.Vorbach@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Michael C. Burgess, M.D.
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment

Attachment - Additional Questions for the Record

The Honorable Tony Cárdenas

1. Would you agree that the largest companies have the greatest ability to acquire the most sophisticated unmanned aircraft and thus also to engage in the most far-reaching surveillance?
2. Could Congress condition authorization to fly on a pledge to respect privacy? For example if the FAA insists that before receiving permission to operate an unmanned aircraft, a business or individual first would have to commit to observing applicable privacy laws?
3. Would this give the FAA the discretion to rescind the operator's flight credentials, upon submission of proof that a court or similar body has faulted the operator for serious privacy violations under state law?
4. Since violations occur under state law, this would mean that states would do the regulating. State regulators would do the litigating and state courts the adjudicating. The FAA would only get into the mix in extreme cases, correct?
5. Would this system of litigation be effective given that the violating companies with the most sophisticated unmanned aircrafts are best situated to withstand—injunctions, and money damages?
6. Would this proposal deter privacy violations—in advance of wholesale domestic drone integration, and in advance of long and uncertain litigation in state courts?