

Daniel K. Elwell,
Acting Administrator
Federal Aviation Administration
U.S. Department of Transportation
800 Independence Ave., SW
Washington, DC 20591

July 16, 2018

Dear Acting Administrator Elwell,

We write to formally request that you make available to the public a live or archived audio recording of the upcoming meeting of the Drone Advisory Committee. The FAA's Drone Advisory Committee plays a key role in setting public policy on drone deployment for the United States, yet the public is largely excluded from this process. This secrecy is of particular concern given ongoing public concerns about the deployment of drones in the United States.

EPIC believes that strong privacy and safety rules are vital for the safe integration of drones in the National Air Space. Secretary Chao has also recently acknowledged the need to establish a "safe path forward" for drones in the United States.¹ This is an issue of significant public interest, yet the public has not been given the access necessary to participate in the policymaking process.²

According to the Federal Register notice, the Drone Advisory Committee will hold a meeting tomorrow open to those able to travel to Santa Clara, California. *See* July 17, 2018 Drone Advisory Committee (DAC) Meeting, 83 Fed. Reg. 31,254 (July 3, 2018).³ The notice does not indicate that the meeting will be open to members of the public who are not able to attend in person.

Livestreaming enables full and timely public participation in an advisory committee's proceedings. It also allows the press, policy makers, and others to more fully understand the agency's work. Federal advisory committees commonly livestream their meetings to satisfy their obligations under § 10(a) of the Federal Advisory Committee Act. *See, e.g.,* [Advisory Committee on Automation in Transportation \(ACAT\), Transportation.gov](#) (Apr. 13, 2017), ("Watch the livestream of the first ACAT meeting[.]"); [Presidential Advisory Commission on Election Integrity](#), The White House (July 13, 2017) ("This meeting will be livestreamed for remote viewing[.]").

¹ Elaine L. Chao, *Creating a Safe Path Forward for Drones*, Richmond Times-Dispatch (May 31, 2018), https://www.richmond.com/opinion/their-opinion/guest-columnists/elaine-l-chao-column-creating-a-safe-path-forward-for/article_7ddf199a-1575-5444-91eb-fb36f85c8242.html.

² *See* EPIC, *EPIC v. Drone Advisory Committee* (2018), <https://www.epic.org/privacy/litigation/faca/epic-v-drone-advisory-committee/default.html>.

³ <https://www.federalregister.gov/documents/2018/07/03/2018-14394/july-17-2018-drone-advisory-committee-dac-meeting>.

Moreover, the FAA regularly livestreams important agency events. *See, e.g.,* [Media Advisory](#), Federal Aviation Administration (Aug. 26, 2016) ("The briefing will be available via livestream on YouTube[.]"); [@FAANews](#), Twitter (May 9, 2018) ("Join . . . #FAA Acting Administrator Dan Elwell, elected officials, and #drone industry stakeholders at 2:30 PM ET today for the announcement of the #DronePilot selectees. Watch via [@USDOT's](#) livestream[.]").

We request that you provide livestreaming for the meeting this week in Santa Clara and for all public Drone Advisory Committee meetings going forward.

Respectfully Submitted,

/s/ Marc Rotenberg
Marc Rotenberg
EPIC President

/s/ Jeramie D. Scott
Jeramie D. Scott
EPIC National Security Counsel

/s/ Alan Butler
Alan Butler
EPIC Counsel

/s/ John Davisson
John Davisson
EPIC Counsel