

# ANTONELLI LAW

35 East Wacker Drive  
Suite 1875  
Chicago, IL 60601  
Tel. 312.201.8310  
Fax. 888.211.8624  
jeffrey@antonelli-law.com

16 April 2018

By fax: (202)228-4611

Senator Tammy Duckworth  
524 Hart Senate Office Building  
Washington, DC 20510  
Re: Preserving Section 336 of the FAA Act

Dear Senator Duckworth,

I am writing to you to preserve Section 336 of the 2012 FAA Modernization and Reform Act, also known as the Special Rule for Model Aircraft, in the upcoming reauthorization bill for the Federal Aviation Administration (FAA). The Special Rule for Model Aircraft allows hundreds of thousands of aviation model hobbyists like myself to fly within the safety programming of a community-based organization (CBO), essentially providing an alternative for some hobbyists that is equitable – if not more rigid – than what the FAA offers to those who do not operate within a CBO. I fly in St. Charles, IL with the Fox Valley Aero Club and am a member of the AMA.

As the founding attorney of a nationally-known commercial UAS/ “drone” law practice, I have also gotten to know many people across the country – and represented more than 100 drone companies and individuals in FAA matters – many of whom first benefitted from Section 336 hobby flights of traditional radio-controlled aircraft and drones and later became engineers, A&P mechanics, professional manned aircraft pilots and commercial drone pilots. This includes people from some of the largest companies in America, as well as smaller companies in the cinematography, real estate, and newsgathering industries.

Put another way, Section 336 is the “feeder school” for a host of academic and commercial careers in science, technology, and aviation. And it is under attack by big Silicon Valley money including Google (Alphabet company’s subsidiaries Project Wing and X) though the Commercial Drone Alliance who seeks to repeal Section 336 for their air-robot dreams.

From what I have read, and in my opinion, the efforts by the Commercial Drone Alliance and others who seek to repeal Section 336 are engaging in classic “rent-seeking” behavior; that is, they seek to obtain special access to our public skies in ways that are only possible by reducing the rights of hundreds of thousands of us who currently benefit from Section 336. By lobbying to repeal Section 336, they appear to be seeking to impose regulatory burdens such as pilots licenses and technology requirements on the

hundreds of thousands of Americans who currently fly under Section 336 in order to fulfill their dreams of autonomous flying unmanned, long endurance flights, in our nation's airspace.

You may have learned of the very tragic Uber accident which recently killed a pedestrian walking her bicycle. This Uber vehicle supposedly had superior autonomous technology that was supposed to be better than the average driver at avoiding other vehicles and people! Obviously, this was not the case and the public has been put at risk. Similarly, Google and others who currently seek to repeal Section 336 wish to take away the current status quo of hundreds of thousands of Section 336 hobbyists, for their plans which are uncertain and not yet proven to be safe. We should not take away the current rights and privileges embodied in Section 336 for those companies including Google who have not proven their own plans are safe, and a net benefit to the public.

In my opinion and that of others, autonomous (unmanned) flying, especially for flights going far beyond what the human eye can see, should be done with aircraft and aircraft systems that can truly integrate with our existing airspace systems and users. What do I mean by truly integrating into the existing airspace systems and users? For example, when jet engine powered aircraft entered into use, general aviation aircraft and pilots were not required to have new licenses or to put on new technology such as radar on their aircraft. It was jet aircraft that was required to integrate, by having special pilots licenses for jet engine powered aircraft. Not the other way around. If Google and others who currently wish to repeal Section 336 for their dream of autonomous flights without humans aboard, they should be required to have special certificated aircraft and systems that they must pay for. Taxpayers and the current beneficiaries of Section 336 should not be burdened, just as the general aviation industry was not burdened when jet aircraft came into being.

Model aviation enthusiasts have been the cradle of innovation for both the manned and unmanned communities for decades. The AMA community (Academy of Model Aeronautics, the 83 year old organization with an impeccable safety record) has helped to develop and advance aircraft platforms since the 1930s. Even today, as technology continues to improve, modelers are dreaming up new ways to apply and use aircraft technology every day. Eliminating the Special Rule for Model Aircraft (Section 336) would be a devastating blow to innovation.

Lastly, allowing CBOs (Community Based Organizations) like AMA to manage our own communities frees up scarce FAA resources, which in turn helps keep our skies safe for everyone. Eliminating the Special Rule for Model Aircraft will exacerbate the demand on the agency's resources, which may have negative implications for the safety of our skies.

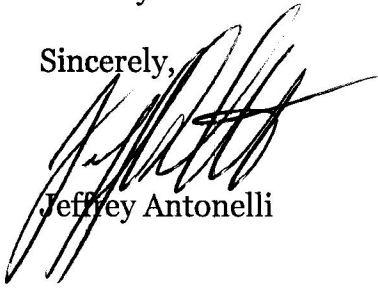
As a long-time modeler, I urge you to preserve Section 336, the Special Rule for Model Aircraft, in the upcoming FAA reauthorization bill and protect this long-standing hobby. Companies like Google should "pay the freight" and prove to the FAA they can operate autonomously safely, without putting the rest of us at risk and without imposing new regulatory burdens and revoking our airspace rights as members of the public.

Finally, I encourage you to please consider including express federal preemption in the new FAA Act to stop the plethora of local and state drone laws that are uninformed and intrusive on the FAA's authority to govern our national aviation system.

Please feel free to telephone me or have me come to your office to discuss.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Antonelli', written over the printed name.

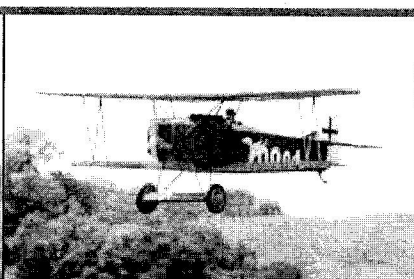
Jeffrey Antonelli

# Fox Valley



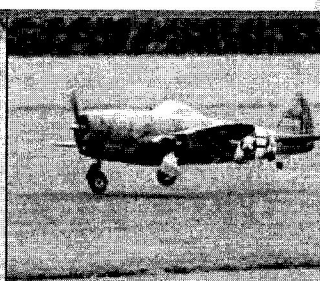
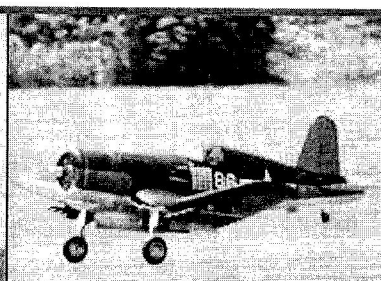
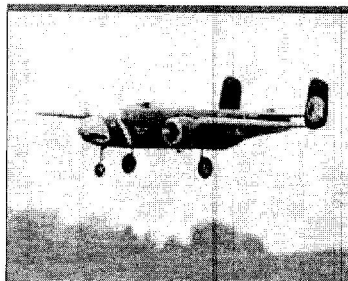
# Aero Club

**June 21-23, 2018  
5th Annual Event**



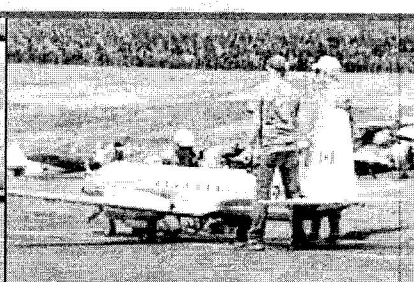
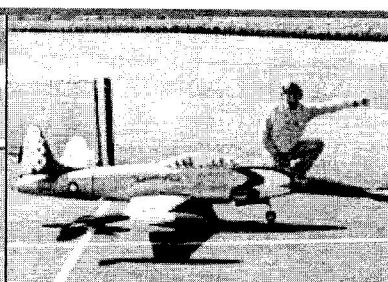
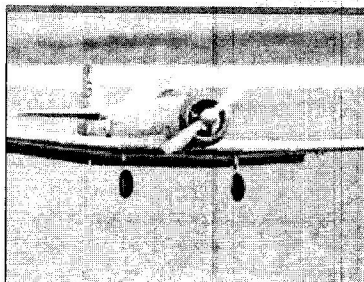
## WW I Warbirds

Fox Valley Aero Club  
in St Charles IL



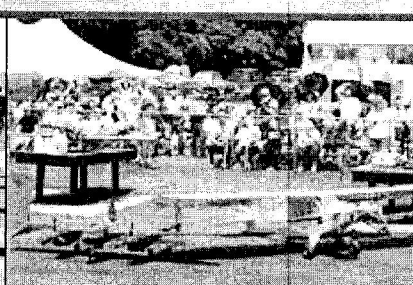
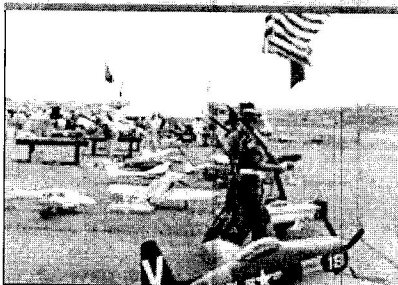
## WW II Warbirds

Go to  
[www.foxvalleyaero.com](http://www.foxvalleyaero.com)  
for more information



## Classics & Giant Scale

9am to 5pm



## Please Join us for the Fox Valley Aero Club's 2018, 5th Annual Windy City Warbirds and Classics R/C Air Show

- \$5.00 Adults - Kids 12 and Under FREE
- Food Vendors Onsite, Lots of Restaurants and Shopping Nearby
- Incredible RC Aircraft, Wingspans 80" and Larger - Warbirds and Classics

- Skilled and Safe Pilots, with as many as 6 Planes Flying at Once - Great Family Fun
- Exhibition Flights with Special Aircraft
- Noon Time Shows - Bring a Lawnchair
- Show Thursday thru Saturday 9am-5pm

Fox Valley Aero Club, St. Charles IL, 3821 Karl Madsen Drive