



U.S. Department
of Transportation
**Federal Aviation
Administration**

System Operations Services
800 Independence Avenue, SW.
Washington, DC 20591

SEP 4 2007

Mr. Andrew V. Cebula
Executive Vice President, Government Affairs
Aircraft Owners and Pilots Association
421 Aviation Way
Frederick, MD 21701-4798

Dear Mr. Cebula:

Thank you for your letter of May 9 about requiring the use of a chase plane at Beale Air Force Base (AFB), and for all other unmanned aircraft (UA) operated in civil airspace below 18,000 feet mean sea level. I apologize for the delay in responding to your letter.

The Federal Aviation Administration understands your concerns about protecting all users of the National Airspace System (NAS). To protect the NAS users, the FAA uses various techniques to mitigate the risks associated with aviation operations, including temporary flight restrictions (TFR).

A detailed safety analysis was conducted on the operating environment of the Beale AFB unmanned aircraft system (UAS) before issuing the TFR. The safety analysis was based on the capabilities of the UAS and the local flying environment, including civil air traffic operations. The FAA considered the long and well-documented history of using TFRs for aircraft and believes the use of a TFR in this situation is appropriate and supports national security. The FAA is exploring alternative safety mitigations to eliminate the use of TFRs at Beale AFB.

Unmanned aircraft operations are an evolving technology that present challenging issues for the FAA. As part of that understanding, the FAA adopted a "do no harm" policy for UA operations. While the policy is intended to safeguard the flying public, it does not guarantee the use of a TFR will not inconvenience the flying public. TFRs are implemented to support various missions, including firefighting, law enforcement, and national security. The appropriate use of TFRs has a proven track record of ensuring safety for all flight operations.

We have reviewed the "near miss" you referenced in your letter. We have coordinated with the local air traffic control facility and determined the pilot did not file a "near miss" report, and there was actually 500 feet separating the civil air traffic and the UA in question. This incident was caused by the pilot failing to comply with the instructions for use of the TFR

area, including direct radio contact with the Northern California Consolidated Terminal Radar Approach Control (NCT) and to broadcast a discrete beacon code assigned by NCT.

As part of our responsibility to ensure the safety for all NAS users, the FAA will address the concerns and interest of the Aircraft Owners and Pilots Association (AOPA). We were pleased to learn AOPA participated in our UAS meeting in Washington, D.C. As the FAA continues to integrate UASs into the NAS, we look forward to building on that relationship.

If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Cirillo".

Michael A. Cirillo
Vice President, System Operations Services
Air Traffic Organization