

# Digital Content Next

Legal and Legislative Committee  
March 10, 2015

Dial-in: 866.740.1260  
Code: 4731000

# Agenda

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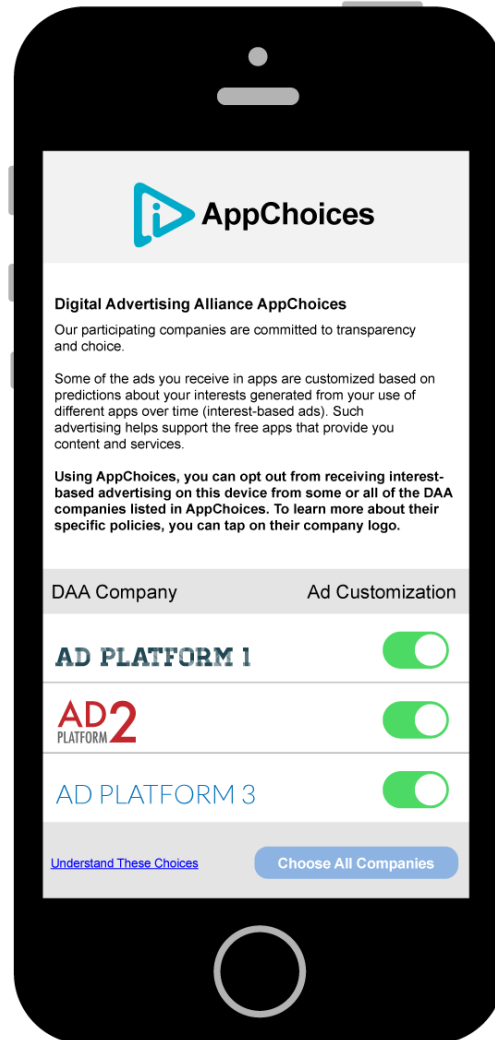
- DAA AppChoices and New Mobile Opt Out Site
- Consumer Privacy Bill of Rights – Legislative Framework
- FAA's Proposed Drone Regulations

DAA released two new products on Feb 25

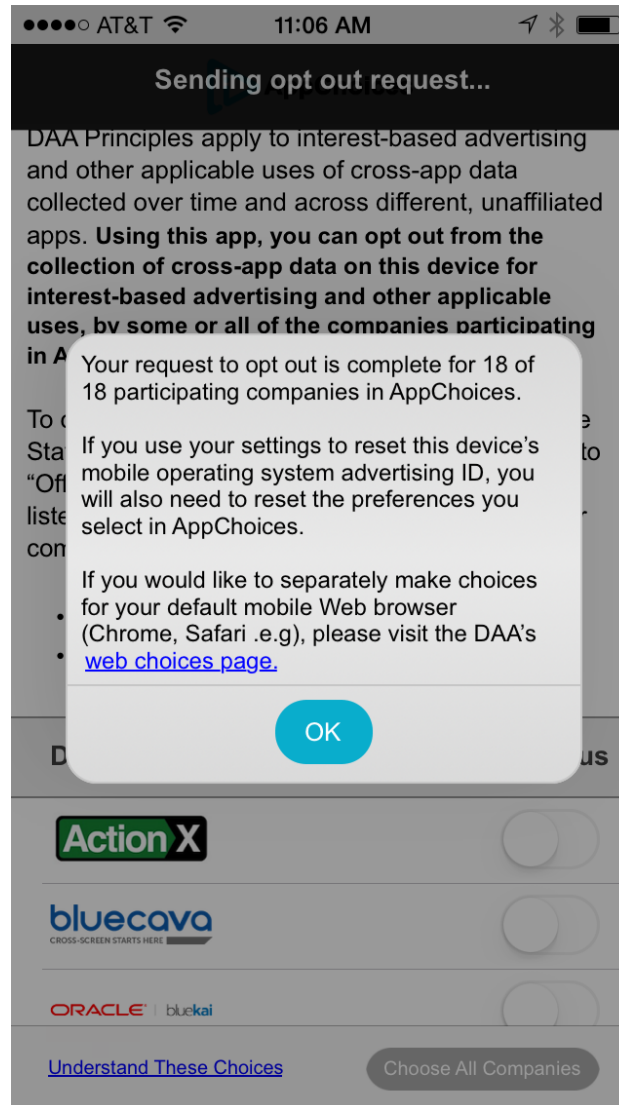
- Will allow consumers to opt out of targeted ads on mobile and on apps
- Implementation requirement delayed until mid-summer

# DAA AppChoices

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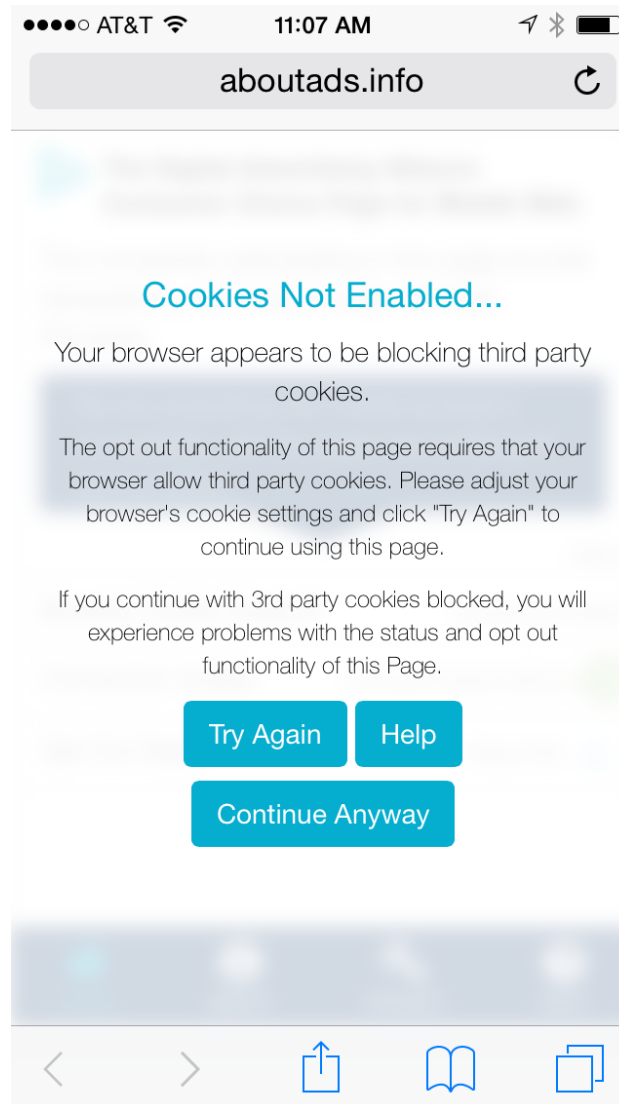


# DAA AppChoices

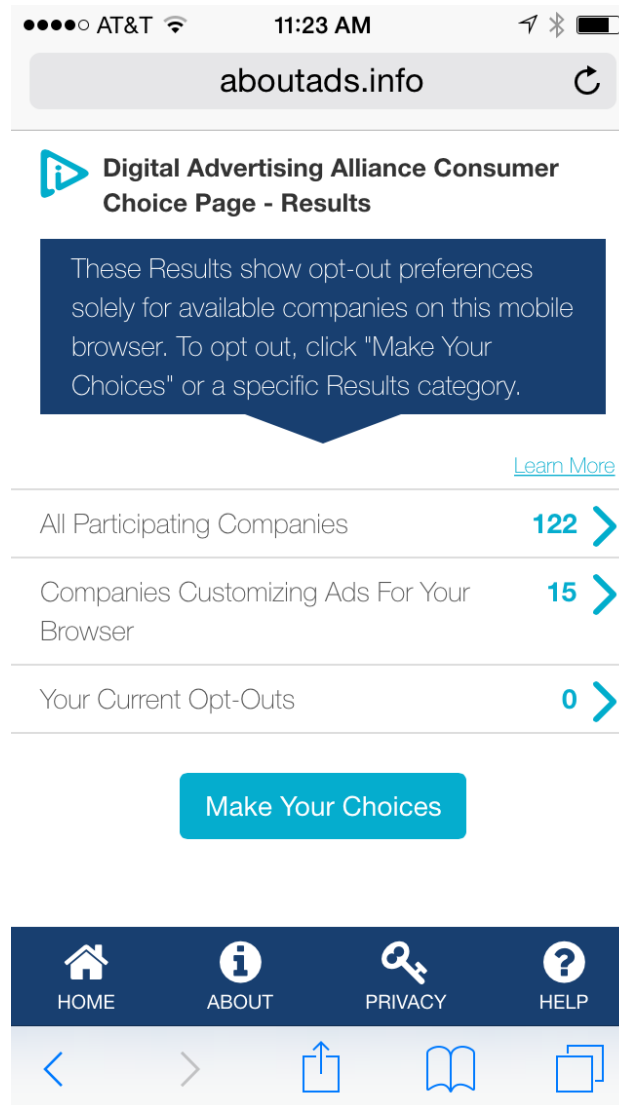


# DAA New Mobile Opt Out Site

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# DAA New Mobile Opt Out Site




# DAA New Mobile Opt Out Site

••••• AT&T 11:23 AM

aboutads.info

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 There are 15 participating companies reporting that they have enabled interest-based ads for this Web browser.




[A - G](#) | [H - L](#) | [M - T](#) | [U - Z](#) [Select All Listed](#)

<a href="#">Adara Media, Inc.</a>	<input type="checkbox"/>
<a href="#">Adobe Media Optimizer</a>	<input type="checkbox"/>
<a href="#">AdRoll</a>	<input type="checkbox"/>
<a href="#">AOL Advertising</a>	<input type="checkbox"/>
<a href="#">Atlas Solutions, LLC.</a>	<input type="checkbox"/>

[Choose All Companies](#) [Submit Your Choices](#)

[Understand What These Choices Mean](#)

[HOME](#) [ABOUT](#) [PRIVACY](#) [HELP](#)

< >   



All companies should provide transparency around data collection/use

- “concise and easily understandable language”
- 7 categories of info

Context

- Data collected in one context should not be used in another context w/o providing transparency or consumer controls

Access and Control

- Consumers can request deletion/correction of any personal data

## Security

- Calls for federal data security standard to preempt state law

## Would allow “safe harbors”

- Any self-regulatory body or company could apply to the FTC for a safe harbor
- Process Requirements included

## No private right of action

- State AGs could bring suits

## Federal preemption of state privacy laws

## Federal Aviation Administration – Small UAS Notice of Proposed Rulemaking

Gregory S. Walden  
Senior Counsel  
Akin Gump Strauss Hauer & Feld  
Small UAV Coalition

# Scope of sUAS rulemaking & rulemaking process

- Addresses only small UAVs – no heavier than 55 pounds, with payload
- Does not address operation of UAVs by modelers and hobbyists
- Comments due by April 24, 2015
- Final rule not expected until 2016-17
- Section 333 exemption process provides only avenue for commercial operation of UAVs until final rule is effective
- . . . Unless Congress steps in

# Key benefits of sUAS proposed rule

- Operator of UAS need not have any manned aircraft flying experience and self-certifies physical and mental fitness (operator must pass aeronautical knowledge test at FAA-approved testing facility)
- Airworthiness determined by pre-flight inspection
- No communication with Air Traffic Control required for operations in Class G airspace below 500 feet Above Ground Level (AGL)

# Notable Restrictions in sUAS Proposed Rule

- Operations limited to within visual line of sight of the operator
  - FAA invites comments on BVLOS capabilities and circumstances in which BVLOS operations might be allowed
- Operations limited to daylight hours
- Requires 3 miles of flight visibility
- Operations may not be conducted over any person not directly involved with the operation
  - FAA invites comments on microUAS option under which UAVs under 4.4 lbs. can be operated over people (but must be made of frangible material & subject to other restrictions)
- Operations in any controlled airspace (proximity to airports) require ATC permission
- UAVs must yield to manned aircraft

# General Observations

- Where “see and avoid” responsibility works, FAA is not inclined to require any technological capability
- Where “sense and avoid” applies – beyond the visual line of sight – FAA is not prepared *at this time* to accept any technological capability
- FAA proposes very light touch on airworthiness of UAV while it proposes a heavy regulatory hand on UAS operational parameters
- Significant technological developments and empirical observations are expected during long rulemaking gestation period