American Bar Association’s (ABA) Forum on Air & Space Law
ABA Drone Law Conference 2018
June 5, 2018

8:00 AM  REGISTRATION AND CONTINENTAL BREAKFAST

8:45 AM – 9:00 AM  WELCOME AND OPENING REMARKS
Jennifer Trock, Chair, ABA 2018 Drone Law Symposium

9:00 AM -10:00 AM  SAFETY CHALLENGES & ACCIDENT REPORTING

Unmanned aircraft systems (UAS) and automated vehicles (AV) are the next phase of innovation, but coupled with the advancement in technology is the likelihood of an accident resulting in a National Transportation Safety Board (NTSB) investigation. This panel will focus on the NTSB process from investigation through litigation and potential pitfalls.

Moderator
Rebecca Lipe, Associate, Steptoe & Johnson, Washington, DC

Panelists
Bill English, NTSB, Washington, DC
Jim Rodriguez, Senior Counsel, Holland & Knight, Washington, DC
Dane Jaques, Partner, Steptoe & Johnson, Washington, DC

10:00 AM– 10:15 AM  COFFEE BREAK

10:15 AM – 11:15 AM  CYBER SECURITY IN THE SKIES

When it comes to the risks and liabilities of drones, regulatory and legal eyes have been focused on the aircraft in the sky. Often overlooked are the lurking cybersecurity (malware, ransomware, and breach) threats posed by drone operation software, systems, and generated data. The technologies that provide advanced imagery, flight location control, and data analytics capabilities are subject to the same vulnerabilities as any other connected device or source code. From malicious actors interfering with flight operations to hackers hijacking video feeds to the breach of collected and stored data, manufacturers, developers, service providers, operators, and regulators must think about and address the inherent associated security risks and responsibilities within a multi-stakeholder environment. This panel will go beyond the drone aircraft to discuss the cybersecurity issues, risks, and legal implications with the software, systems, and data of drone operations.

Moderator
Elizabeth Wharton, Senior Assistant City Attorney, City of Atlanta and Hartsfield-Jackson International Airport, Atlanta, GA

Panelists
Joel Roberson, Partner, Holland & Knight, Washington, DC
Tiffany Rad, Anatrope, Inc. & Professor, University of Southern Maine, Portland, ME
Harley Geiger, Director of Public Policy, Rapid, Washington, DC
Counter-Drone Solutions to Public Safety Concerns

Expert panelists will address the need to integrate counter-drone technology into the National Airspace System—and the legal challenges (including with current law and pending legislation) involved with doing so. Federal, state, and local agencies are charged with public safety and security responsibilities. Panelists will discuss whether the patchwork of current law gives these agencies the legal authority they need to use state-of-the-art counter-drone technology to protect the public from nefarious use, as well as inadvertent misuse of drones in the United States. Hear from the experts regarding the need for counter-drone technology and the state of the law as it relates to national security, homeland security, and airport security, as well as receive an update on current law and pending legislation.

Moderator
Stephanie Giese, CACI International Inc, Vice President, Deputy General Counsel, Arlington, VA

Panelists
Hayley Chang, Deputy General Counsel, U.S. Department of Homeland Security, Washington, DC
Elizabeth Wharton, Senior Assistant City Attorney, Aviation Practice Group, City of Atlanta Department of Law, Atlanta, GA
Stephanie A. Roy, Partner, Steptoe & Johnson LLP, Internet, Telecom & Media, and Cybersecurity & Privacy Practice Groups, Washington, DC
Naveen Rao, Congressional Staff, Washington, DC

12:30 PM – 1:15 KEYNOTE LUNCHEON SPEAKER
Bill Goodwin, General Counsel, Airmap

1:15 PM – 2:15 PM Preemption & the Intersection of Federal and State Drone Regulation

As the use of drones grows, so will the number of incidents, prompting law makers at the local, state, and federal levels to take action at all levels of government. While the lines for preemption in traditional aviation have been drawn (with some recent changes), the scope of federal preemption in the drone arena is largely undefined. The federal government has already recognized certain legal areas that will remain in the province of the states – e.g., police powers – but, the growing body of laws at the state level, including tort laws, will demonstrate the need for the drone preemption line to be set for the industry to grow and be compliant.

Moderator
Ken Quinn, Partner, Baker McKenzie, Washington, DC

Panelists
Bob Brock, Kansas DOT, Director of Aviation, Kansas City, MO
Jennifer Trock, Partner, Baker McKenzie, Washington, DC
2:15 PM – 2:30 PM   BREAK

2:30 PM – 3:30   National Security & International Arms Regulatory Panel: Policy Considerations Impacting Global Drone Markets

It is clear that the technological advances of Unmanned Aerial Vehicles have surpassed the development of effective regulations. This panel will focus on the federal policy implications that breed some uncertainty in the drone market. The United States continues inflexible export controls on military drones, as well as related sub-systems, software, and technology, under the International Traffic in Arms Regulations (ITAR). Unmanned aerial vehicles and systems that are not controlled by the ITAR, i.e., intended for commercial or dual use reasons, are subject to the Export Administration Regulations (EAR). The navigation of these regulatory waters continues to be a challenge for industry and government participants. Our panel members bring a depth of knowledge and diverse backgrounds to best analyze the implications of future policies on International Arms Regulations and strategies in protecting the global interest.

Moderator
Mike Ginsberg, CACI, Arlington, VA
Panelists
Laura Fraedrich, Partner, Jones Day, Washington, DC
Brent Connor, Senior Counsel, Thompson Hine, Washington, DC

3:30 – 3:45   BREAK

3:45 – 5:00   Regulatory Update

It has been nearly two years since the FAA promulgated Part 107 and the FAA is moving forward with possible rulemaking in the areas of remote ID requirements and allowing operations over people. Other flights, allowable by waiver only, such as Beyond Visual Line of Sight, are also in high demand. The details may still be unclear but the track is identifiable.

The subsequent drone integration steps could include “Large UAS”, high altitude operations, and drones operating alongside manned aircraft. This panel will explore what would be logical next steps for the agency, potential regulatory structures for those operations, and possible challenges.

Moderator
Charles Raley, FAA Senior Attorney & UAS Team Lead for Enforcement, Policy, and Outreach, Washington, DC
Panelists
Lynn Ray, Ray Aerospace Solutions LLC, Washington, DC
Anne Bechdolt, Senior Attorney, Regulatory Affairs, FedEx Express, Washington, DC
Dean E. Griffith, Of Counsel, Jones Day, Washington, DC
Conference Information

1. **LOCATION:** The conference will be held at Baker McKenzie Baker & McKenzie LLP 815 Connecticut Avenue, N.W., Washington, DC 20006-4078

2. **PROGRAM REGISTRATION:** To register for all programs and events described in this brochure, please visit our website at [Insert] or you may mail your completed form to the ABA Registration ~ AS1806 Drones, 321 N. Clark St. MS 19.1, Chicago, IL 60654; fax 312-988-5850. In order to be included in the list of program attendees, you must register before June 1, 2018 (5:00 pm – CST). Registration includes admission to the one-day program, continental breakfast, coffee break, on-line course materials and the evening reception. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses (including lodging, transportation or meals).

3. **ON-SITE REGISTRATION** is available for those persons who miss the registration deadline. If you plan to register at the door, please call David Israel at 312-988-5655 to confirm that space is still available. Failure to call in advance may preclude admission to the conference.

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13. **For latest program information**: Please visit the Forum on Air and Space Law Website: [http://www.americanbar.org/groups/air_space.html](http://www.americanbar.org/groups/air_space.html)
ABA Drone Law Conference
June 8, 2018

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