

119TH CONGRESS
1ST SESSION

H. R. 5061

To reauthorize and reform counter-unmanned aircraft system authorities, to improve transparency, security, safety, and accountability related to such authorities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 29, 2025

Mr. GARBARINO (for himself, Mr. THOMPSON of Mississippi, Mr. GRAVES, Mr. LARSEN of Washington, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize and reform counter-unmanned aircraft system authorities, to improve transparency, security, safety, and accountability related to such authorities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Counter-UAS Authority Security, Safety, and Reauthor-
6 ization Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Protection of certain facilities and assets from unmanned aircraft systems.
- Sec. 4. FAA counter-UAS activities.
- Sec. 5. Additional limited authority for detection, identification, monitoring, and tracking.
- Sec. 6. Counter-UAS mitigation law enforcement pilot program.
- Sec. 7. Counter-UAS system planning and deployment at airports.
- Sec. 8. UAS detection and mitigation enforcement authority.
- Sec. 9. Reporting on counter-UAS activities.
- Sec. 10. Drone safety statement modernization.
- Sec. 11. Applicability.

3 **SEC. 2. DEFINITIONS.**

4 (a) APPLICATION OF TERMS.—Unless otherwise spec-
 5 ified, the terms in section 44801 of title 49, United States
 6 Code, shall apply to this Act.

7 (b) IN GENERAL.—In this Act:

8 (1) APPROPRIATE COMMITTEES OF CON-
 9 GRESS.—The term “appropriate committees of Con-
 10 gress” means—

11 (A) the Committee on Homeland Security,
 12 the Committee on the Judiciary, and the Com-
 13 mittee on Transportation and Infrastructure of
 14 the House of Representatives; and

15 (B) the Committee on the Judiciary, the
 16 Committee on Homeland Security and Govern-
 17 mental Affairs, and the Committee on Com-
 18 merce, Science, and Transportation of the Sen-
 19 ate.

1 (2) COVERED AIRPORT.—The term “covered
2 airport” means—

3 (A) a large hub airport (as defined in sec-
4 tion 47102 of title 49, United States Code) that
5 qualifies as a large hub airport on or after Jan-
6 uary 1, 2025;

7 (B) a medium hub airport (as defined in
8 section 47102 of title 49, United States Code)
9 that qualifies as a large hub airport on or after
10 January 1, 2025; or

11 (C) an airport with a total annual landed
12 weight of all cargo of more than 7,500,000,000
13 pounds in 2023 or any year thereafter.

14 (3) COVERED ENTITY.—The term “covered en-
15 tity” means—

16 (A) the owner or proprietor of a covered
17 site; and

18 (B) with respect to a covered event, the—

19 (i) organizing entity of such event; or

20 (ii) the entity responsible for security

21 at such event.

22 (4) COVERED EVENT.—The term “covered
23 event” means an event—

1 (A) taking place at the location of an eligi-
 2 ble large public gathering (as described in sec-
 3 tion 44812(c) of title 49, United States Code);

4 (B) with respect to which a flight restric-
 5 tion is maintained pursuant to section 521 of
 6 division F of the Consolidated Appropriations
 7 Act, 2004 (49 U.S.C. 40103 note); or

8 (C) to prepare, test, train, or practice with
 9 counter-UAS detection and mitigation systems,
 10 equipment, and technology at a location de-
 11 scribed in subparagraphs (A) and (B) for a lim-
 12 ited period of time.

13 (5) COVERED SITE.—The term “covered site”
 14 means a fixed site facility related to—

15 (A) critical infrastructure, such as energy
 16 production, transmission, distribution facilities
 17 and equipment, and railroad facilities;

18 (B) oil refineries and chemical facilities;

19 (C) amusement parks; or

20 (D) State prisons.

21 **SEC. 3. PROTECTION OF CERTAIN FACILITIES AND ASSETS**
 22 **FROM UNMANNED AIRCRAFT SYSTEMS.**

23 Section 210G of the Homeland Security Act of 2002
 24 (6 U.S.C. 124n) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (A) by inserting
3 “or unmanned aircraft” after “During the
4 operation of the unmanned aircraft sys-
5 tem”;

6 (ii) in subparagraph (D) by striking
7 “Seize or exercise control of” and inserting
8 “Seize, exercise control of, or otherwise
9 confiscate”;

10 (iii) by striking subparagraph (E);

11 and

12 (iv) by redesignating subparagraph
13 (F) as subparagraph (E); and

14 (B) by striking paragraphs (2) through (4)
15 and inserting the following:

16 “(2) COORDINATION.—

17 “(A) IN GENERAL.—The Secretary and the
18 Attorney General shall coordinate with the Ad-
19 ministrator of the Federal Aviation Administra-
20 tion before exercising the authority described in
21 paragraph (1).

22 “(B) DETERMINATION OF AUTHORITY.—In
23 authorizing the actions described in subsection
24 (b), the Administrator shall ensure that each
25 such authorized action would not result in an

1 adverse impact on aviation safety, civil aviation
2 and aerospace operations, aircraft airworthi-
3 ness, or the use of the national airspace system.

4 “(C) AUTHORIZING DETERMINATION.—If
5 the Administration determines under subpara-
6 graph (B) that an action would not result in
7 such an adverse impact, the Secretary and the
8 Attorney General may take or authorize the
9 taking of such action.

10 “(D) MITIGATING ACTIONS.—If the Ad-
11 ministrator determines such action would result
12 in an adverse impact, the Secretary and the At-
13 torney General shall coordinate with the Admin-
14 istrator to take any necessary action to ensure
15 that such an adverse impact can be sufficiently
16 mitigated.

17 “(3) RESEARCH, TESTING, TRAINING, AND
18 EVALUATION.—

19 “(A) IN GENERAL.—The Secretary, the
20 Attorney General, and the Secretary of Trans-
21 portation shall conduct research on, testing on,
22 training on, and evaluation of equipment, in-
23 cluding electronic equipment, and technology to
24 determine the capability and utility of such
25 equipment or technology for any action de-

scribed in paragraph (1), including prior to the initial use of such equipment or technology.

“(B) COORDINATION.—The Secretary, the Attorney General, and the Secretary of Transportation shall coordinate activities under this paragraph and mutually share data and results from such activities.

“(4) LIST OF AUTHORIZED EQUIPMENT AND TECHNOLOGIES.—

“(A) LIST.—Not later than 1 year after the date of enactment of the Counter-UAS Authority Security, Safety, and Reauthorization Act, the Secretary, in coordination with the Attorney General and the Administrator of the Federal Aviation Administration, shall maintain a list of approved makes and models of counter-UAS detection and mitigation systems, equipment, and technology. Such list shall include the following:

“(i) A description of the specific detection or mitigation functions of each such system, equipment, or technology that enable each such system, equipment, or technology to carry out an action described in paragraph (1).

1 “(ii) Whether each such system,
2 equipment, or technology is authorized for
3 an action described in subparagraph (A),
4 (B), (C), or (D) of paragraph (1).

5 “(iii) Any conditions or restrictions
6 generally applicable to the use, location, or
7 positioning of each such system, equip-
8 ment, or technology, including whether and
9 how each such system, equipment, or tech-
10 nology may be suitable for use in terminal
11 airspace.

12 “(B) IMPACT DETERMINATION BY ADMIN-
13 ISTRATOR.—A counter-UAS detection or miti-
14 gation system, equipment, or technology may
15 not be included on the list maintained under
16 subparagraph (A) unless the Administrator of
17 the Federal Aviation Administration makes a
18 written determination that—

19 “(i)(I) the system, equipment, or tech-
20 nology meets any applicable minimum per-
21 formance requirements as described in sec-
22 tion 44810(e) of title 49, United States
23 Code; and

24 “(II) the use of such system, equip-
25 ment, or technology does not present an

1 adverse impact on aviation safety, civil
2 aviation and aerospace operations, aircraft
3 airworthiness, or the use of the national
4 airspace system; or

5 “(ii) in the event the Administrator
6 identifies such an adverse impact from
7 such system, equipment, or technology,
8 such an adverse impact can be sufficiently
9 mitigated and the mitigation activities are
10 described in the list maintained under sub-
11 paragraph (A) or in a manner determined
12 by the Administrator.

13 “(C) SPECTRUM IMPACT CONSULTATION.—

14 The Secretary, the Attorney General, and the
15 Administrator of the Federal Aviation Adminis-
16 tration shall consult with the Federal Commu-
17 nications Commission or the Administrator of
18 the National Telecommunications and Informa-
19 tion Administration, as appropriate, to deter-
20 mine whether the use of a counter-UAS detec-
21 tion or mitigation system, equipment, or tech-
22 nology on the list maintained under subpara-
23 graph (A)—

24 “(i) does not present an adverse im-
25 pact on civilian telecommunications, com-

1 communications spectrum, internet technology,
2 or radio communications networks or sys-
3 tems; or

4 “(ii) in the event that such an adverse
5 impact is identified, such impact can be
6 sufficiently mitigated, or the system, equip-
7 ment, or technology is excluded from the
8 list maintained under subparagraph (A)
9 until such an adverse impact is sufficiently
10 mitigated.

11 “(D) LIMITATION ON INCLUSION OF
12 COUNTER-UAS SYSTEMS MANUFACTURED BY
13 CERTAIN FOREIGN ENTERPRISES.—

14 “(i) LIMITATION.—The Secretary may
15 not include on the list maintained under
16 subparagraph (A) a counter-UAS detection
17 and mitigation system, equipment, and
18 technology, manufactured or developed by
19 a covered manufacturer.

20 “(ii) INTERNATIONAL AGREE-
21 MENTS.—This subsection shall be applied
22 in a manner consistent with the obligations
23 of the United States under international
24 agreements in effect as of the date of en-

1 actment of the Counter-UAS Authority Se-
2 curity, Safety, and Reauthorization Act.

3 “(iii) AUTHORIZED UTILIZATION.—
4 Upon the inclusion of a counter-UAS de-
5 tection or mitigation system, equipment, or
6 technology on the list maintained under
7 subparagraph (A), the Secretary and the
8 Attorney General may utilize such system,
9 equipment, or technology for any action
10 described in paragraph (1).

11 “(iv) EXCEPTION.—The Secretary of
12 Homeland Security is exempt from the lim-
13 itation under this subsection if the Sec-
14 retary determines that the operation or
15 procurement of such system, equipment, or
16 technology is for the sole purpose of re-
17 search, evaluation, training, testing, or
18 analysis.

19 “(v) DEFINITIONS.—In this subpara-
20 graph:

21 “(I) COVERED MANUFAC-
22 Turer.—The term ‘covered manufac-
23 turer’ means an entity that is owned
24 by, controlled by, is a subsidiary of, or
25 is otherwise related legally or finan-

1 cially to, a person based in a country
2 that—

3 “(aa) is identified as a non-
4 market economy country (as de-
5 fined in section 771 of the Tariff
6 Act of 1930 (19 U.S.C. 1677))
7 as of the date of enactment of
8 the Counter-UAS Authority Se-
9 curity, Safety, and Reauthoriza-
10 tion Act;

11 “(bb) was identified by the
12 United States Trade Representa-
13 tive in the most recent report re-
14 quired under section 182 of the
15 Trade Act of 1974 (19 U.S.C.
16 2242) as a priority foreign coun-
17 try under subsection (a)(2) of
18 such section; and

19 “(cc) is subject to moni-
20 toring by the United States
21 Trade Representative under sec-
22 tion 306 of the Trade Act of
23 1974 (19 U.S.C. 2416).

24 “(II) OTHERWISE RELATED LE-
25 GALLY OR FINANCIALLY.—The term

1 ‘otherwise related legally or finan-
2 cially’ does not include a minority
3 stake relationship or investment.

4 “(E) RULES OF CONSTRUCTION.—Nothing
5 in this paragraph may be construed to—

6 “(i) prevent the Secretary, the Attor-
7 ney General, or the Administrator of the
8 Federal Aviation Administration from ex-
9 ercising any authority to counter un-
10 manned aircraft systems in effect prior to
11 the date of enactment of the Counter-UAS
12 Authority Security, Safety, and Reauthor-
13 ization Act; or

14 “(ii) require the disclosure of the list
15 maintained under subparagraph (A) to the
16 general public.”;

17 (2) in subsection (d) by striking paragraph (2)
18 and inserting the following:

19 “(2) COORDINATION.—The Secretary, the Sec-
20 retary of Transportation, and the Attorney General
21 shall coordinate to develop their respective regula-
22 tions and guidance under paragraph (1) before
23 issuing any such regulation or guidance.”;

24 (3) in subsection (e)—

1 (A) by striking paragraph (3) and insert-
2 ing the following:

3 “(3) records of such communications are dis-
4 posed of immediately following an action described
5 in subsection (b)(1) to mitigate a credible threat re-
6 ferred to in subsection (a), except that if the Sec-
7 retary or the Attorney General determines that
8 maintenance of such records is necessary to inves-
9 tigate or prosecute a violation of law as required by
10 Federal law or for the purpose of litigation, such
11 records may be maintained for not more than 90
12 days;” and

13 (B) in paragraph (4)—

14 (i) in the matter preceding subpara-
15 graph (A) by striking “are not disclosed
16 outside the Department of Homeland Se-
17 curity or the Department of Justice un-
18 less” and inserting “are not shared outside
19 of the department in possession of such
20 communications, except if”; and

21 (ii) in subparagraph (B) by striking
22 “of, or any regulatory, statutory, or other
23 enforcement action relating to an action
24 described in subsection (b)(1)”;

1 (4) in subsection (f) by striking “within the De-
2 partment of Homeland Security or the Department
3 of Justice”;

4 (5) in subsection (g)—

5 (A) in paragraph (1) by striking “the Sec-
6 retary and the Attorney General shall, respec-
7 tively,” and inserting “the Secretary, the Attor-
8 ney General, and the Secretary of Transpor-
9 tation shall jointly”;

10 (B) by striking paragraphs (2) and (3) and
11 inserting the following:

12 “(2) CONTENT.—Each briefing required under
13 paragraph (1) shall include the following:

14 “(A) The number of instances and a de-
15 scription of each instance in which actions de-
16 scribed in subsection (b)(1) have been taken, in-
17 cluding all such instances that—

18 “(i) equipment, system, or technology
19 disrupted the transmission of radio or elec-
20 tronic signals, including and disaggregated
21 by whether any such disruption was mini-
22 mized;

23 “(ii) may have resulted in harm, dam-
24 age, or loss to a person or to private prop-
25 erty, including and disaggregated by

1 whether any such harm, damage, or loss
2 was minimized;

3 “(iii) resulted in successful seizure,
4 exercise of control, or confiscation under
5 subsection (b)(1)(D); or

6 “(iv) required the use of reasonable
7 force under subsection (b)(1)(E).

8 “(B) The frequency and nature of in-
9 stances in which communications were inter-
10 cepted or acquired during the course of actions
11 described in subsection (b)(1), including the fol-
12 lowing:

13 “(i) The approximate number and na-
14 ture of incriminating communications
15 intercepted.

16 “(ii) The approximate number and
17 nature of other communications inter-
18 cepted.

19 “(C) The total number of instances in
20 which records of communications intercepted or
21 acquired during the course of actions described
22 in subsection (b)(1) were—

23 “(i) shared with the Department of
24 Justice or another Federal law enforce-

1 ment agency, including a list of receiving
2 Federal law enforcement agencies; or

3 “(ii) maintained for more than 90
4 days.

5 “(D) The number of instances and a de-
6 scription of each instance in which the Sec-
7 retary, Secretary of Transportation, or the At-
8 torney General have engaged with Federal,
9 State, or local law enforcement agencies to im-
10 plement the authority under this section, in-
11 cluding the number of instances that resulted in
12 a criminal investigation or litigation.

13 “(E) Information on the implementation of
14 paragraphs (3) and (4)(A) of subsection (b), in-
15 cluding regarding equipment or technology, in-
16 cluding electronic equipment to address emerg-
17 ing trends and changes in unmanned aircraft
18 system or unmanned aircraft system-related se-
19 curity threats.”;

20 (C) in paragraph (5)—

21 (i) in the first sentence—

22 (I) by striking “new technology”
23 and inserting “counter-UAS detection
24 and mitigation system, equipment, or

1 technology approved under subsection
 2 (b)(4)”; and

3 (II) by striking “the Secretary
 4 and the Attorney General shall, re-
 5 spectively,” and inserting “the Sec-
 6 retary, in coordination with the Sec-
 7 retary of Transportation and the At-
 8 torney General, shall”; and

9 (ii) in the second sentence, by striking
 10 “to the national airspace system” and in-
 11 serting “to the safety and operation of the
 12 national airspace system”; and

13 (D) by redesignating paragraphs (4) and
 14 (5) as paragraphs (3) and (4), respectively;

15 (6) by striking subsection (i) and inserting the
 16 following:

17 “(i) TERMINATION.—The authority under this sec-
 18 tion shall terminate on October 1, 2030.”;

19 (7) in subsection (k)—

20 (A) in paragraph (1)(B) by striking “the
 21 Committee on Energy and Commerce,”;

22 (B) in paragraph (3)—

23 (i) in subparagraph (A) by striking
 24 “the Secretary or the Attorney General, in
 25 coordination with the Secretary of Trans-

1 portation” and inserting “the Secretary, in
2 coordination with the Secretary of Trans-
3 portation and the Attorney General,”;

4 (ii) in subparagraph (C)—

5 (I) in clause (i)—

6 (aa) in subclause (II), by
7 striking “or” after the semicolon;
8 and

9 (bb) by adding at the end
10 the following:

11 “(IV) the security or protection
12 functions for facilities, assets, and op-
13 erations of Homeland Security Inves-
14 tigations; or

15 “(V) the security and protection
16 of public airports (as such term is de-
17 fined in section 47102 of title 49,
18 United States Code) under section 7
19 of the Counter-UAS Authority Secu-
20 rity, Safety, and Reauthorization
21 Act;” and

22 (II) in clause (ii)—

23 (aa) in subclause (I)—

24 (AA) in item (aa), by
25 striking “section 533 of title

1 28, United States Code”
 2 and inserting “paragraph
 3 (2) or (3) of section 533 of
 4 title 28, United States Code,
 5 and that is limited to a spec-
 6 ified period of time and loca-
 7 tion”; and

8 (BB) in item (bb), by
 9 inserting before the semi-
 10 colon the following: “, and
 11 that is limited to a specified
 12 period of time and location”;
 13 and

14 (bb) in subclause (III), by
 15 striking “, as specified in” and
 16 inserting “pursuant to”;

17 (C) in paragraph (6), by striking “pur-
 18 poses of subsection (a)” and inserting “pur-
 19 poses of subsection (a) and paragraph (4) of
 20 subsection (e)”; and

21 (D) in paragraph (8) in the matter pre-
 22 ceding subparagraph (A)—

23 (i) by striking “and efficiency of the
 24 national airspace system” and inserting “,

1 efficiency, and operation of the national
2 airspace system”; and

3 (ii) by striking “the Secretary or the
4 Attorney General, respectively,” and in-
5 serting “the Secretary, in coordination
6 with the Secretary of Transportation and
7 the Attorney General,”;

8 (8) by striking subsection (l) and inserting the
9 following:

10 “(l) ANNUAL REPORT.—Not later than 1 year after
11 the date of enactment of the Counter-UAS Authority Se-
12 curity, Safety, and Reauthorization Act, and annually
13 thereafter, the Secretary, in coordination with the Sec-
14 retary of Transportation and the Attorney General, shall
15 submit to the appropriate congressional committees a re-
16 port that contains the following:

17 “(1) The information required under subsection
18 (g)(2).

19 “(2) A description of any guidance, policies,
20 programs, and procedures to mitigate or eliminate
21 any adverse impact of the activities carried out pur-
22 suant to this section, or the use of any counter-UAS
23 detection or mitigation system, equipment, or tech-
24 nology, on aviation safety, civil aviation and aero-

1 space operations, aircraft airworthiness, or the use
2 of the national airspace system.

3 “(3) A description of the guidance, policies,
4 programs, and procedures established to address pri-
5 vacy, civil rights, and civil liberties issues implicated
6 by the activities carried out pursuant to this sec-
7 tion.”; and

8 (9) by adding at the end the following:

9 “(m) COUNTER-UAS SYSTEM TRAINING.—The At-
10 torney General, in coordination with the Secretary of
11 Homeland Security (acting through the Director of the
12 Federal Law Enforcement Training Centers) may—

13 “(1) provide training relating to measures to
14 take the actions described in subsection (b)(1); and

15 “(2) establish or designate 1 or more facilities
16 or training centers for the purpose described in
17 paragraph (1).

18 “(n) COUNTER-UAS DETECTION AND MITIGATION
19 SYSTEM OPERATOR QUALIFICATION AND TRAINING CRI-
20 TERIA.—

21 “(1) IN GENERAL.—The Secretary and Attor-
22 ney General, in coordination with the Administrator
23 of the Federal Aviation Administration, not later
24 than 180 days after the date of enactment of the
25 Counter-UAS Authority Security, Safety, and Reau-

1 thorization Act, shall establish standards for initial
2 and recurring training programs or certifications for
3 individuals seeking to operate counter-UAS detection
4 and mitigation systems, equipment, or technology
5 under this section or the Counter-UAS Authority Se-
6 curity, Safety, and Reauthorization Act.

7 “(2) TRAINING CRITERIA.—In carrying out
8 paragraph (1), the Secretary and the Attorney Gen-
9 eral shall, at a minimum—

10 “(A) consider the potential impacts of such
11 systems, equipment, or technology to aviation
12 safety, civil aviation and aerospace operations,
13 aircraft airworthiness, or the civilian use of air-
14 space, and appropriate actions to maintain avia-
15 tion safety, as determined by the Administrator;

16 “(B) establish interagency coordination re-
17 quirements prior to deployment of such sys-
18 tems, equipment, or technology;

19 “(C) establish the frequency at which an
20 individual authorized to operate counter-UAS
21 detection and mitigation systems, equipment, or
22 technology shall complete and renew such train-
23 ing or certification; and

24 “(D) consult with counter-UAS detection
25 and mitigation system manufacturers and any

1 other stakeholders determined appropriate by
2 the Secretary and Attorney General.”.

3 **SEC. 4. FAA COUNTER-UAS ACTIVITIES.**

4 (a) IN GENERAL.—Section 44810 of title 49, United
5 States Code, is amended to read as follows:

6 **“§ 44810. Counter-UAS activities**

7 “(a) AUTHORITY.—

8 “(1) IN GENERAL.—The Administrator of the
9 Federal Aviation Administration may take such ac-
10 tions as described in paragraph (2) that are nec-
11 essary to—

12 “(A) detect or mitigate a credible threat
13 (as defined by the Secretary of Homeland Secu-
14 rity and Attorney General, in consultation with
15 the Administrator) that an operation of an un-
16 manned aircraft or an unmanned aircraft sys-
17 tem poses to the safe and efficient operation of
18 the national airspace system; or

19 “(B) test or evaluate the potential adverse
20 impacts or interference of a counter-UAS detec-
21 tion or mitigation system, equipment, or tech-
22 nology on or with safe airport operations, air-
23 craft navigation, air traffic services, or the safe
24 and efficient operation of the national airspace
25 system.

1 “(2) AUTHORIZED ACTIONS.—In carrying out
2 paragraph (1), the Administrator may take the fol-
3 lowing actions:

4 “(A) Detect, identify, monitor, and track
5 an unmanned aircraft system or unmanned air-
6 craft, without prior consent from the operator
7 of such system or aircraft, including by means
8 of intercept or other access of a wire, oral, or
9 electronic communication used to control the
10 unmanned aircraft system or unmanned air-
11 craft.

12 “(B) Contact or warn the operator of an
13 unmanned aircraft system of a potential
14 counter-UAS action authorized under this sub-
15 section.

16 “(C) Seize, exercise control of, or otherwise
17 confiscate an unmanned aircraft system or un-
18 manned aircraft.

19 “(D) Disrupt control of, disable, damage,
20 or destroy an unmanned aircraft or unmanned
21 aircraft system, including by means of intercept
22 or other access of a wire, oral, or electronic
23 communication used to control the unmanned
24 aircraft or unmanned aircraft system.

25 “(b) APPLICABILITY OF OTHER LAWS.—

1 “(1) IN GENERAL.—Section 46502 of this title
2 or sections 32, 1030, and 1367 and chapters 119
3 and 206 of title 18 shall not apply to activities au-
4 thorized by the Administrator pursuant to this sec-
5 tion.

6 “(2) PRIVACY PROTECTION.—In implementing
7 the requirements of this section, the Administrator,
8 in coordination with the Attorney General and Sec-
9 retary of Homeland Security, shall ensure that—

10 “(A) the interception or acquisition of, or
11 access to, or maintenance or use of, commu-
12 nications to or from an unmanned aircraft sys-
13 tem under this section is conducted in a man-
14 ner consistent with the First and Fourth
15 Amendments to the Constitution of the United
16 States and applicable provisions of Federal law;

17 “(B) communications to or from an un-
18 manned aircraft system are intercepted or ac-
19 quired only to the extent necessary to support
20 an action as described under subsection (a)(2);

21 “(C) records of such communications are
22 disposed of immediately following herein au-
23 thorized activity to mitigate a credible threat,
24 unless the Administrator, the Secretary of

1 Homeland Security, or the Attorney General de-
2 termines that maintenance of such records—

3 “(i) is necessary to investigate or
4 prosecute a violation of law;

5 “(ii) would directly support the De-
6 partment of Defense, a Federal law en-
7 forcement agency, or the enforcement ac-
8 tivities of a regulatory agency of the Fed-
9 eral Government in connection with a
10 criminal or civil investigation of, or any
11 regulatory, statutory, or other enforcement
12 action relating to, an action described in
13 subsection (a)(2);

14 “(iii) is between the Secretary of
15 Homeland Security and the Attorney Gen-
16 eral in the course of a security or protec-
17 tion operation of either agency or a joint
18 operation of such agencies; or

19 “(iv) is otherwise required by law; and

20 “(D) to the extent necessary, the Secretary
21 of Homeland Security and the Attorney General
22 are authorized to share threat information,
23 which shall not include communications de-
24 scribed in this subsection, with State, local, ter-

1 ritorial, or Tribal law enforcement agencies in
2 the course of a security or protection operation.

3 “(c) OFFICE OF COUNTER-UAS ACTIVITIES.—

4 “(1) IN GENERAL.—There is established within
5 the Federal Aviation Administration an Office of
6 Counter-UAS Activities for purposes of managing
7 and directing the counter-UAS activities of the Ad-
8 ministration.

9 “(2) DIRECTOR.—The Administrator shall des-
10 ignate a Director of Counter-UAS Activities, who
11 shall be the head of the Office.

12 “(3) DUTIES.—In carrying out the activities de-
13 scribed in paragraph (1), the Director shall—

14 “(A) coordinate with other offices of the
15 Administration to ensure that such activities do
16 not adversely impact aviation safety or the effi-
17 ciency of the national airspace system;

18 “(B) lead the development and implemen-
19 tation of counter-UAS activity strategic plan-
20 ning within the Federal Aviation Administra-
21 tion;

22 “(C) serve as the Administration’s primary
23 point of contact for coordinating counter-UAS
24 activities, including such activities of—

25 “(i) Federal and State agencies;

1 “(ii) covered airports; and

2 “(iii) other relevant stakeholders; and

3 “(D) carry out other such counter-UAS ac-
4 tivities as the Administrator may prescribe.

5 “(d) INTERAGENCY COORDINATION.—

6 “(1) IN GENERAL.—The Administrator shall co-
7 ordinate with the Secretary of Homeland Security
8 and the Attorney General to carry out this section,
9 subject to any restrictions of the Secretary or Attor-
10 ney General’s authority to acquire, deploy, and oper-
11 ate counter-UAS systems, equipment, or technology.

12 “(2) NONDELEGATION.—Nothing under this
13 section shall permit the Administrator to delegate
14 any authority granted to the Administrator to any
15 other Federal agency.

16 “(e) COUNTER-UAS DETECTION AND MITIGATION
17 SYSTEM PERFORMANCE REQUIREMENTS.—

18 “(1) IN GENERAL.—Not later than 270 days
19 after the date of enactment of the Counter-UAS Au-
20 thority Security, Safety, and Reauthorization Act,
21 the Administrator, in coordination with the Sec-
22 retary and the Attorney General, shall establish min-
23 imum performance requirements for the safe and re-
24 liable deployment or use of counter-UAS detection

1 and mitigation systems, equipment, and technology
2 within the national airspace system.

3 “(2) CONSIDERATIONS.—

4 “(A) AVIATION SAFETY.—In establishing
5 minimum performance requirements under
6 paragraph (1), the Administrator shall—

7 “(i) leverage data collected in testing
8 and evaluation activities conducted under
9 this section and any other relevant testing
10 and evaluation data determined appro-
11 priate by the Administrator;

12 “(ii) determine the extent to which a
13 counter-UAS detection or mitigation sys-
14 tem, equipment, or technology can safely
15 operate without disrupting or interfering
16 with the operation of aircraft or other na-
17 tional airspace system users; and

18 “(iii) establish specific requirements
19 for the deployment and use of such sys-
20 tems, equipment, or technology in terminal
21 airspace.

22 “(B) EFFICACY.—In establishing minimum
23 performance requirements under subsection (a),
24 the Administrator shall consider criteria, as de-
25 termined by the Secretary of Homeland Secu-

1 rity, to determine the degree to which counter-
2 UAS detection and mitigation systems, equip-
3 ment, or technology is reliable and effective in
4 detecting or mitigating unauthorized unmanned
5 aircraft system operations independent of data
6 or information provided by the system manufac-
7 turer of such unmanned aircraft system.

8 “(C) OTHER INTERFERENCE.—In estab-
9 lishing minimum performance requirements
10 under subsection (a), the Administrator shall
11 consider criteria, as determined by the Federal
12 Communications Commission, to determine the
13 extent to which counter-UAS detection and
14 mitigation systems, equipment, or technology
15 can be safely operated without disrupting or
16 interfering with the operation of civilian com-
17 munications and information technology net-
18 works and systems, including such networks
19 and systems that rely on radio frequency or cel-
20 lular network communications links.

21 “(3) RULE OF CONSTRUCTION.—Nothing in
22 paragraph (1) shall require the Administrator to
23 conduct a rulemaking in publishing minimum per-
24 formance requirements under such paragraph.

1 “(f) COUNTER-UAS SYSTEM TESTING, EVALUATION,
2 AND VALIDATION.—

3 “(1) EVALUATION AND VALIDATION.—The Ad-
4 ministrator may conduct such testing, evaluation,
5 and validation of counter-UAS detection and mitiga-
6 tion systems, equipment, and technology as nec-
7 essary to ensure—

8 “(A) such systems, equipment, and tech-
9 nology will not have an adverse impact on the
10 safe and efficient operation of the national air-
11 space system or transportation safety; and

12 “(B) such systems, equipment, and tech-
13 nology meet minimum performance require-
14 ments under subsection (e).

15 “(2) TESTING AND TRAINING.—Prior to the
16 commencement of any training or testing of counter-
17 UAS systems, equipment, and technology used for
18 detection or mitigation purposes, an agreement shall
19 be established between the testing or training entity
20 and the Administrator to ensure aviation safety.

21 “(3) DEMONSTRATION.—The Administrator
22 shall develop a standardized process by which a
23 manufacturer or end user of a counter-UAS detec-
24 tion or mitigation system, equipment, or technology
25 may demonstrate that such system, equipment, or

1 technology meets the requirements established pur-
2 suant to subsection (e) which may include validation
3 by an independent third party.

4 “(4) AIRSPACE HAZARD MITIGATION PRO-
5 GRAM.—

6 “(A) TESTING PROGRAM.—In order to test
7 and evaluate counter-UAS systems, equipment,
8 or technology that detect or mitigate potential
9 aviation safety risks posed by unmanned air-
10 craft, the Administrator shall deploy such sys-
11 tems or technology at 5 airports, as appro-
12 priate, and any other location the Administrator
13 determines appropriate.

14 “(B) TESTING AND EVALUATION.—Not-
15 withstanding section 46502 of this title or sec-
16 tions 32, 1030, and 1367 and chapters 119 and
17 206 of title 18, the Administrator of the Fed-
18 eral Aviation Administration shall conduct test-
19 ing and evaluation of any counter-UAS detec-
20 tion or mitigation system, equipment, or tech-
21 nology to assess potential impacts on, or inter-
22 ference with, safe airport operations, aircraft
23 and air traffic navigation, air traffic services, or
24 the safe and efficient operation of the national
25 airspace system.

1 “(C) COORDINATION.—In carrying out this
2 paragraph, the Administrator shall coordinate
3 with the Secretary of Homeland Security and
4 the head of any other Federal agency that the
5 Administrator considers appropriate.

6 “(g) VOLUNTARY VERIFIED OPERATOR PROGRAM.—

7 “(1) IN GENERAL.—Not later than 180 days
8 after the date of enactment of the Counter-UAS Au-
9 thority Security, Safety, and Reauthorization Act,
10 the Administrator shall establish a voluntary verified
11 unmanned aircraft system operator program.

12 “(2) PURPOSE.—Under the voluntary verified
13 operator program established under paragraph (1),
14 the Administrator shall—

15 “(A) determine criteria for operators of
16 unmanned aircraft systems participating in the
17 program to access different categories of air-
18 space, including special use airspace, in which
19 the operation of such systems is otherwise sub-
20 ject to limitations or prohibitions;

21 “(B) enable routine access to airspace de-
22 scribed in subparagraph (A) via digital means;
23 and

24 “(C) ensure such program serves as a re-
25 pository of unmanned aircraft systems opera-

tors that have met criteria established by the Administrator relating to the establishment of safety programs, managerial competence, and compliance.

“(3) CRITERIA.—In establishing the criteria under paragraph (2)(A), the Administrator—

“(A) may consider—

“(i) an operator’s establishment of safety programs, managerial competence, and record of compliance;

“(ii) the nature of an operator’s facilities, unmanned aircraft systems, and operations; and

“(iii) the sensitivity of different categories of airspace described in such paragraph; and

“(B) shall assume that an unmanned aircraft systems operator that holds a certificate issued under part 135 of title 14, Code of Federal Regulations (or any successor regulation) meets such criteria and allow such operator to participate in the voluntary verified operator program established under this subsection without imposing any additional requirements.

1 “(4) DATA.—The Administrator shall ensure
2 that voluntary verified operator program participant
3 information is current, comprehensive, and available
4 via digital means to such entities as the Adminis-
5 trator determines appropriate, including other pro-
6 gram participants, to improve aviation safety and
7 streamline unmanned aircraft systems access to and
8 identification in airspace in which such systems may
9 otherwise be subject to limitations or prohibitions.

10 “(5) RULE OF CONSTRUCTION.—Nothing in
11 this subsection shall be construed to—

12 “(A) require a rulemaking to implement;

13 “(B) impose additional requirements on
14 unmanned aircraft systems operators or oper-
15 ations that—

16 “(i) are otherwise permitted through
17 other mechanisms or regulatory frame-
18 works; or

19 “(ii) do not participate in the vol-
20 untary verified operator program estab-
21 lished under this subsection; or

22 “(C) restrain the authority of the Adminis-
23 trator to manage the use of or restrict navi-
24 gable airspace under section 40103(b).

1 “(h) LIMITATIONS ON OPERATION OF COUNTER-UAS
2 SYSTEMS MANUFACTURED BY CERTAIN FOREIGN ENTER-
3 PRISES.—

4 “(1) LIMITATION.—Notwithstanding any other
5 provision of this section, the Administrator may not
6 acquire, deploy, or operate, or authorize the acquisi-
7 tion, deployment, or operation of, a counter-UAS
8 system or any associated elements, including soft-
9 ware, manufactured or developed by a covered man-
10 ufacturer.

11 “(2) INTERNATIONAL AGREEMENTS.—This sub-
12 section shall be applied in a manner consistent with
13 the obligations of the United States under inter-
14 national agreements in place on the date of enact-
15 ment of the Counter-UAS Authority Security, Safe-
16 ty, and Reauthorization Act.

17 “(3) EXCEPTION.—The Secretary of Transpor-
18 tation is exempt from the limitation under this sub-
19 section if the Secretary determines that the oper-
20 ation or procurement of such system supports the
21 safe, secure, or efficient operation of the national
22 airspace system or maintenance of public safety, in-
23 cluding activities carried out under the Federal
24 Aviation Administration’s Alliance for System Safety
25 of UAS through Research Excellence Center of Ex-

1 cellence, FAA-authorized unmanned aircraft systems
2 test ranges, and any other testing and evaluation ac-
3 tivity deemed to support the safe, secure, or efficient
4 operation of the national airspace system or mainte-
5 nance of public safety, as determined by the Sec-
6 retary.

7 “(4) DEFINITIONS.—In this subsection:

8 “(A) COVERED MANUFACTURER.—The
9 term ‘covered manufacturer’ means an entity
10 that is owned by, controlled by, is a subsidiary
11 of, or is otherwise related legally or financially
12 to, a person based in a country that—

13 “(i) is identified as a nonmarket econ-
14 omy country (as defined in section 771 of
15 the Tariff Act of 1930 (19 U.S.C. 1677))
16 as of the date of enactment of the
17 Counter-UAS Authority Security, Safety,
18 and Reauthorization Act;

19 “(ii) was identified by the United
20 States Trade Representative in the most
21 recent report required by section 182 of
22 the Trade Act of 1974 (19 U.S.C. 2242)
23 as a priority foreign country under sub-
24 section (a)(2) of that section; and

1 “(iii) is subject to monitoring by the
2 Trade Representative under section 306 of
3 the Trade Act of 1974 (19 U.S.C. 2416).

4 “(B) OTHERWISE RELATED LEGALLY OR
5 FINANCIALLY.—The term ‘otherwise related le-
6 gally or financially’ does not include a minority
7 stake relationship or investment.

8 “(i) BRIEFINGS.—

9 “(1) SEMIANNUAL BRIEFINGS AND NOTIFICA-
10 TIONS.—

11 “(A) IN GENERAL.—The Administrator
12 shall provide the specified committees of Con-
13 gress a briefing not less than once every 6
14 months on the activities carried out pursuant to
15 this section.

16 “(B) CONTENT.—Each briefing required
17 under this paragraph shall include—

18 “(i) the number of instances and a de-
19 scription of each instance in which actions
20 described in subsection (a)(2) have been
21 taken, including all such instances that—

22 “(I) equipment, systems, or tech-
23 nology disrupted the transmission of
24 radio or electronic signals, including

1 and disaggregated by whether any
2 such disruption was minimized;

3 “(II) may have resulted in harm,
4 damage, or loss to a person or to pri-
5 vate property, including and
6 disaggregated by whether any such
7 harm, damage, or loss was minimized;

8 “(III) resulted in the successful
9 seizure, exercise of control, or confis-
10 cation under subsection (a)(2); or

11 “(IV) required the use of reason-
12 able force under subsection (a)(2);

13 “(ii) the frequency and nature of in-
14 stances in which communications were
15 intercepted or acquired during the course
16 of actions described in subsection (a)(2),
17 including—

18 “(I) the approximate number and
19 nature of incriminating communica-
20 tions intercepted;

21 “(II) the approximate number
22 and nature of other communications
23 intercepted; and

24 “(III) the total number of in-
25 stances in which records of commu-

1 communications intercepted or acquired dur-
2 ing the course of actions described in
3 subsection (a)(2) were—

4 “(aa) shared with the De-
5 partment of Justice or another
6 Federal law enforcement agency,
7 including a list of receiving Fed-
8 eral law enforcement agencies; or

9 “(bb) maintained for more
10 than 90 days;

11 “(iii) the number of instances and a
12 description of each instance in which Ad-
13 ministrator of the Federal Aviation Admin-
14 istration has engaged with Federal, State,
15 or local law enforcement agencies to imple-
16 ment the authority under this section, in-
17 cluding the number of instances that re-
18 sulted in a criminal investigation or litiga-
19 tion; and

20 “(iv) information on the actions car-
21 ried out under subparagraphs (C) and (D)
22 of subsection (a)(2), including equipment
23 or technology to address emerging trends
24 and changes in unmanned aircraft system

1 or unmanned aircraft system-related secu-
2 rity threats.

3 “(C) CLASSIFICATION.—

4 “(i) IN GENERAL.—Each briefing re-
5 quired under this subsection shall be in an
6 unclassified form, but shall be accom-
7 panied by an additional classified briefing
8 at the request of the Chair or Ranking
9 Member of any specified committee of Con-
10 gress.

11 “(ii) CONTENT OF BRIEFINGS.—Such
12 briefings shall include, at a minimum—

13 “(I) a description of instances in
14 which an active mitigation action
15 under this section has been taken, in-
16 cluding all such instances that may
17 have resulted in harm, damage, or
18 loss to an individual or to private
19 property; and

20 “(II) a description of each cov-
21 ered site, including the capabilities of
22 counter-UAS systems used at such
23 sites.

24 “(2) NOTIFICATION.—Beginning 180 days after
25 the date of enactment of the Counter-UAS Authority

1 Security, Safety, and Reauthorization Act, the Ad-
2 ministrator shall—

3 “(A) notify the specified committees of
4 Congress of any newly authorized acquisition,
5 deployment, or operation of a counter-UAS sys-
6 tem, equipment or technology under this section
7 not later than 90 days after such newly author-
8 ized acquisition, deployment, or operation; and

9 “(B) in providing a notification under sub-
10 paragraph (A), include a description of options
11 considered to mitigate any identified impacts to
12 the national airspace system related to the use
13 of any counter-UAS system, technology, or
14 equipment operated at a covered site, including
15 the minimization of the use of any technology,
16 equipment, or system that disrupts the trans-
17 mission of radio or electronic signals.

18 “(j) DEFINITIONS.—In this section:

19 “(1) SPECIFIED COMMITTEES OF CONGRESS.—
20 The term ‘specified committees of Congress’
21 means—

22 “(A) the Committee on Transportation and
23 Infrastructure, the Committee on Homeland Se-
24 curity, and the Committee on the Judiciary of
25 the House of Representatives; and

1 “(B) the Committee on Commerce,
2 Science, and Transportation, the Committee on
3 Homeland Security and Governmental Affairs,
4 and the Committee on the Judiciary of the Sen-
5 ate.

6 “(2) STATE.—The term ‘State’ means a State,
7 the District of Columbia, and a territory or posses-
8 sion of the United States.

9 “(k) SUNSET.—This section ceases to be effective on
10 October 1, 2030.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 448 of title 49, United States Code, is amended by
13 striking the item relating to section 44810 and inserting
14 the following:

 “44810. Counter-UAS activities.”.

15 **SEC. 5. ADDITIONAL LIMITED AUTHORITY FOR DETECTION,**
16 **IDENTIFICATION, MONITORING, AND TRACK-**
17 **ING.**

18 (a) IN GENERAL.—The Secretary of Homeland Secu-
19 rity, in coordination with the Administrator of the Federal
20 Aviation Administration and the Attorney General, may
21 authorize the acquisition, deployment, and operation of
22 approved counter-UAS detection systems, equipment or
23 technology intended to be used for the detection of un-
24 manned aircraft systems by a covered entity.

25 (b) REQUIRED APPLICATION.—

1 (1) IN GENERAL.—In carrying out this section,
2 the Secretary of Homeland Security, in coordination
3 with the Administrator and the Attorney General,
4 not later than 180 days after the establishment of
5 this Act, shall establish an application process to au-
6 thorize the acquisition, deployment, and operation of
7 an approved counter-UAS detection system, equip-
8 ment, or technology by covered entities, at covered
9 sites or covered events.

10 (2) APPLICATION REQUIREMENTS.—The appli-
11 cation described in paragraph (1) shall contain—

12 (A) a justifiable need (based on a threat
13 posed by an unmanned aircraft or unmanned
14 aircraft system to a covered site or covered
15 event) to detect an unmanned aircraft system
16 with an approved counter-UAS detection sys-
17 tem, equipment, or technology;

18 (B) a plan for the acquisition, deployment,
19 and operation of such counter-UAS detection
20 system, equipment, or technology, that shall—

21 (i) be subject to the approval of the
22 Secretary of Homeland Security, the Ad-
23 ministrator of the Federal Aviation Admin-
24 istration, and the Attorney General; and

25 (ii) include—

1 (I) a description of the covered
2 site or covered event at which the
3 counter-UAS detection system, equip-
4 ment, or technology will be deployed
5 and operated;

6 (II) a description of the time pe-
7 riods and dates during which the
8 counter-UAS detection system, equip-
9 ment, or technology will be operated;

10 (C) a written agreement between the cov-
11 ered entity and a Federal, State, local, or Trib-
12 al law enforcement agency to operate such ap-
13 proved counter-UAS detection system, equip-
14 ment, or technology at a covered site or covered
15 event on behalf of such covered entity;

16 (D) proof of completion of initial and re-
17 current training or certification requirements
18 under section 210G(n) of the Homeland Secu-
19 rity Act of 2002 (6 U.S.C. 124n(n)); and

20 (E) any other requirements the Secretary
21 determines appropriate.

22 (3) LAW ENFORCEMENT PARTICIPATION WAIV-
23 ER.—The Secretary of Homeland Security, in co-
24 ordination with the Administrator of the Federal
25 Aviation Administration and the Attorney General,

1 may waive the requirements of paragraph (2)(C)
2 upon application from a covered entity if such cov-
3 ered entity demonstrates, to the satisfaction of the
4 Secretary, that such covered entity has the expertise
5 and ability to safely and lawfully operate an ap-
6 proved counter-UAS detection system, equipment, or
7 technology under this section.

8 (4) APPLICATION TIMELINE.—The Secretary of
9 Homeland Security shall approve or reject an appli-
10 cation submitted under this subsection not later
11 than 45 days after receiving such application (or 90
12 days if such application requests a waiver pursuant
13 to paragraph (3)).

14 (c) AGREEMENTS.—Upon approval of an application
15 required under subsection (b) by the Secretary of Home-
16 land Security, the Secretary shall enter into an agreement
17 with the applicable covered entity to authorize the acquisi-
18 tion, deployment, and operation of an approved counter-
19 UAS detection system, equipment, or technology, that
20 shall specify, at a minimum—

21 (1) the approved counter-UAS detection system,
22 equipment, or technology to be operated;

23 (2) the covered site or covered event at which
24 the system, equipment, or technology may be oper-
25 ated;

1 (3) the time periods, dates, and circumstances
2 during which the counter-UAS detection system,
3 equipment, or technology may be operated; and

4 (4) any terms and conditions on the deployment
5 and operation of an approved counter-UAS detection
6 system, equipment, or technology the Secretary de-
7 termines necessary to ensure public safety.

8 (d) REVOCATION.—The Secretary shall revoke the
9 authorization or approval for the deployment and oper-
10 ation of an approved counter-UAS detection system,
11 equipment, or technology pursuant to this section for any
12 reason the Secretary determines necessary, including if
13 the Secretary determines that the covered entity has not—

14 (1) maintained, as applicable, an agreement
15 that is acceptable to the Secretary with a Federal,
16 State, local, or Tribal law enforcement agency to op-
17 erate such approved counter-UAS detection system,
18 equipment, or technology on behalf of the covered
19 entity;

20 (2) complied with the initial and recurrent
21 training or certification requirements under section
22 210G(n) of the Homeland Security Act of 2002 (6
23 U.S.C. 124n(n));

1 (3) complied with the privacy protections under
2 section 210G(e) of the Homeland Security Act of
3 2002 (6 U.S.C. 124n(e)); or

4 (4) operated an approved counter-UAS detec-
5 tion system, equipment, or technology in a safe man-
6 ner.

7 (e) COORDINATION.—The Secretary shall coordinate
8 with the Administrator of the Federal Aviation Adminis-
9 tration and the Attorney General in carrying out the appli-
10 cation and agreement processes under this section.

11 (f) APPLICABILITY OF OTHER LAWS.—Section 46502
12 of title 49, United States Code, or sections 32, 1030, and
13 1367 and chapters 119 and 206 of title 18, United States
14 Code, shall not apply to activities authorized by the Sec-
15 retary under this section or section 6.

16 (g) PREVIOUSLY ACQUIRED COUNTER-UAS SYS-
17 TEMS.—If the Administrator finds that a covered entity
18 acquired and operated a counter-UAS detection system,
19 equipment, or technology prior to the date of enactment
20 of this Act, the Secretary may authorize the use of such
21 system, equipment, or technology if—

22 (1) such system, equipment, or technology
23 meets the minimum performance requirements
24 issued pursuant to section 44810(e) of title 49,
25 United States Code; and

1 (2) such covered entity submits an application
2 under subsection (b) and enters into required agree-
3 ments under subsection (c).

4 (h) AUDITS.—Not later than 18 months after the
5 date of enactment of this Act, and every 18 months there-
6 after, the inspectors general of the Department of Trans-
7 portation, the Department of Homeland Security, and the
8 Department of Justice shall conduct a joint audit of the
9 implementation of the requirements of this section, section
10 6, or section 7.

11 (i) REPORT TO CONGRESS.—Not later than 90 days
12 after the date on which the inspectors general complete
13 each audit required under subsection (h), the inspectors
14 general shall submit to the appropriate committees of Con-
15 gress a report on the findings of such audit and any rec-
16 ommendations related to the administration of this sec-
17 tion.

18 (j) TERMINATION OF AUTHORITY.—The authorities
19 under this section shall terminate on October 1, 2030.

20 (k) SAVINGS CLAUSE.—

21 (1) RULES OF CONSTRUCTION.—

22 (A) SAFETY AND EFFICIENCY.—Nothing
23 in this section or section 6 shall be construed
24 to limit or restrict the Administrator of the
25 Federal Aviation Administration from ensuring

1 the safety and efficiency of the national air-
2 space system.

3 (B) PRECLUSION.—Nothing in this section
4 or section 7 shall be construed to preclude a
5 covered entity or public-use airport from acquir-
6 ing and operating an approved counter-UAS de-
7 tection system, equipment, or technology with-
8 out an authorization if the lawful operation of
9 such system, equipment, or technology does
10 not—

11 (i) require the relief provided under
12 subsection (f); and

13 (ii) adversely impact the safe oper-
14 ation of the national airspace system.

15 (2) SUSPENSION OF AUTHORITY.—

16 (A) IN GENERAL.—The Administrator of
17 the Federal Aviation Administration, in con-
18 sultation with the Attorney General, may sus-
19 pend the authority provided under this section
20 or section 6 if the Administrator—

21 (i) determines that the exercise of
22 such authority threatens the safety or effi-
23 ciency of the national airspace system; and

1 (ii) conveys in writing the determina-
2 tion to the Secretary of Homeland Secu-
3 rity.

4 (B) REPORTING.—The Administrator shall
5 notify the appropriate committees of Congress
6 within 48 hours of suspending the authority
7 provided under this section under subparagraph
8 (A).

9 (I) APPROVED COUNTER-UAS DETECTION SYSTEM
10 DEFINED.—In this section, the term “approved counter-
11 UAS detection system” means a counter-UAS detection
12 system approved under section 210G(b)(4) of the Home-
13 land Security Act of 2002 (6 U.S.C. 124n(b)(4)) and that
14 meets the minimum performance requirements established
15 pursuant to section 44810(e) of title 49, United States
16 Code.

17 **SEC. 6. COUNTER-UAS MITIGATION LAW ENFORCEMENT**
18 **PILOT PROGRAM.**

19 (a) IN GENERAL.—Subject to the availability of ap-
20 propriations for such purpose, not later than 60 days after
21 the first determination that a counter-UAS system with
22 mitigation capabilities meets the requirements of section
23 44810(e) of title 49, United States Code, the Secretary
24 of Homeland Security, in coordination with the Attorney
25 General and the Administrator of the Federal Aviation

1 Administration, shall establish a pilot program to assess
2 the efficacy of approved counter-UAS mitigation systems
3 at covered sites and covered events and determine the ap-
4 propriate policies, procedures, and protocols necessary to
5 allow State and covered local law enforcement agencies (in
6 coordination with the Secretary, Attorney General, and
7 Administrator) to acquire, deploy, and operate approved
8 counter-UAS mitigation systems and mitigate unauthor-
9 ized UAS operations on behalf of covered entities.

10 (b) REQUIRED APPLICATION.—

11 (1) IN GENERAL.—In carrying out this section,
12 the Secretary of Homeland Security, in coordination
13 with the Attorney General and the Administrator,
14 shall establish an application process to authorize
15 the acquisition, deployment, and operation of an ap-
16 proved counter-UAS mitigation system, equipment,
17 or technology by a State or covered local law en-
18 forcement agency, in partnership with a covered en-
19 tity, at a covered site or covered event.

20 (2) APPLICATION REQUIREMENTS.—The appli-
21 cation described in paragraph (1) shall contain—

22 (A) a justifiable need (based on a threat
23 posed by an unmanned aircraft or unmanned
24 aircraft system to a covered site or covered
25 event) to mitigate an unmanned aircraft system

1 with an approved counter-UAS mitigation sys-
2 tem, equipment, or technology;

3 (B) a plan for the acquisition, deployment,
4 and operation of such counter-UAS mitigation
5 system, equipment, or technology, that shall—

6 (i) be subject to the approval of the
7 Secretary of Homeland Security, the Attor-
8 ney General, and the Administrator of the
9 Federal Aviation Administration; and

10 (ii) include—

11 (I) a description of the covered
12 site or covered event at which the
13 counter-UAS mitigation system,
14 equipment, or technology will be de-
15 ployed and operated; and

16 (II) a description of the time pe-
17 riods and dates during which the
18 counter-UAS mitigation system,
19 equipment, or technology will be oper-
20 ated;

21 (C) a written agreement between the cov-
22 ered entity and a State or covered local law en-
23 forcement agency to operate such approved
24 counter-UAS mitigation system, equipment, or

1 technology at a covered site or covered event on
2 behalf of such covered entity;

3 (D) proof of completion of initial and re-
4 current training or certification requirements
5 under section 210G(n) of the Homeland Secu-
6 rity Act of 2002 (6 U.S.C. 124n(n));

7 (E) proof that the airspace above such cov-
8 ered site or covered event is restricted by a tem-
9 porary flight restriction, a determination under
10 section 2209 of the FAA Extension, Safety, and
11 Security Act of 2016 (49 U.S.C. 44802 note),
12 or any other similar restriction determined ap-
13 propriate by the Secretary;

14 (F) an endorsement from the chief execu-
15 tive of the State or territory within which the
16 applicant has jurisdiction; and

17 (G) any other requirements the Secretary
18 determines appropriate.

19 (c) AGREEMENTS.—Upon approval of an application
20 required under subsection (b) by the Secretary of Home-
21 land Security, the Secretary shall enter into an agreement
22 with the applicable covered entity and State or covered
23 local law enforcement agency to authorize the acquisition,
24 deployment, operation of an approved counter-UAS miti-

1 gation system, equipment, or technology, that shall speci-
2 fy, at a minimum—

3 (1) the approved counter-UAS mitigation sys-
4 tem, equipment, or technology to be operated;

5 (2) the covered site or covered event at which
6 the system, equipment, or technology may be oper-
7 ated;

8 (3) the time periods, dates, and circumstances
9 during which the counter-UAS mitigation system,
10 equipment, or technology may be operated;

11 (4) any terms and conditions on the deployment
12 and operation of an approved counter-UAS mitiga-
13 tion system, equipment, or technology the Secretary
14 determines necessary to ensure public safety;

15 (5) the frequency with which the appropriate
16 Federal agency representatives shall conduct peri-
17 odic site visits to ensure compliance with the ap-
18 proved terms and conditions of deployment and op-
19 erations of the approved counter-UAS mitigation
20 system, equipment, or technology;

21 (6) the required Federal coordination prior to
22 the mitigation of an unmanned aircraft system by a
23 State or covered local law enforcement agency de-
24 scribed in subsection (d)(1); and

1 (7) the post-event reporting requirements speci-
2 fied in subsection (d)(3).

3 (d) REQUIRED COORDINATION AND NOTIFICA-
4 TION.—

5 (1) IN GENERAL.—Until the date that is 270
6 days after the initial deployment of an authorized
7 counter-UAS system, equipment, or technology, the
8 Secretary of Homeland Security shall expressly ap-
9 prove, on a case-by-case basis, the mitigation of un-
10 manned aircraft system by a State or covered local
11 law enforcement agency under this section.

12 (2) VERIFICATION AND NOTIFICATION.—In car-
13 rying out paragraph (1), the Secretary of Homeland
14 Security shall—

15 (A) verify that there is a justifiable threat
16 that warrants the use of such counter-UAS sys-
17 tem, equipment, or technology;

18 (B) verify that the use of such counter-
19 UAS system, equipment, or technology will—

20 (i) be conducted in a manner con-
21 sistent with the agreement between the
22 Secretary and the State or covered local
23 law enforcement agency; and

24 (ii) abide by all safety protocols,
25 terms, and conditions established for the

1 use of such system, equipment, or tech-
2 nology at the covered site or covered event;
3 and

4 (C) immediately notify the Administrator
5 of the Federal Aviation Administration of the
6 approval provided under this paragraph.

7 (3) REPORT.—

8 (A) IN GENERAL.—Not later than 24
9 hours after each mitigation of a UAS conducted
10 under the authorities in this section, the rel-
11 evant State or covered local law enforcement
12 agency shall submit to the Secretary of Home-
13 land Security, the Administrator of the Federal
14 Aviation Administration, and the Attorney Gen-
15 eral a post-event report.

16 (B) CONTENTS.—The report under sub-
17 paragraph (A) shall include all relevant infor-
18 mation pertaining to the event, including the
19 drone operation, and subsequent mitigation and
20 enforcement actions, and subsequent enforce-
21 ment actions, as specified by the Secretary.

22 (e) REVOCATION.—The Secretary shall revoke the
23 authorization or approval for the deployment and oper-
24 ation of an approved counter-UAS mitigation system,

1 equipment, or technology pursuant to this section if the
2 Secretary determines that the covered entity has not—

3 (1) maintained an agreement that is acceptable
4 to the Secretary with a State or covered local law
5 enforcement agency to operate such approved
6 counter-UAS mitigation system, equipment, or tech-
7 nology on behalf of the covered entity;

8 (2) complied with the initial and recurrent
9 training or certification requirements under section
10 210G(n) of the Homeland Security Act of 2002 (6
11 U.S.C. 124n(n));

12 (3) complied with the privacy protections under
13 section 210G(e) of the Homeland Security Act of
14 2002 (6 U.S.C. 124n(e)); or

15 (4) otherwise operated an approved counter-
16 UAS mitigation system, equipment, or technology in
17 a safe and lawful manner.

18 (f) COORDINATION.—The Secretary shall coordinate
19 with the Administrator of the Federal Aviation Adminis-
20 tration and the Attorney General in carrying out the appli-
21 cation, agreement, and revocation processes under this
22 section.

23 (g) EVALUATION.—Before the initiation of the pilot
24 program under this section, the Secretary of Homeland
25 Security, in coordination with the Attorney General and

1 the Administrator of the Federal Aviation Administration,
2 shall establish objectives, metrics, and success criteria for
3 evaluating the results of pilot program in the areas of
4 homeland security, public safety, aviation safety, airspace
5 access for lawful aircraft operators, privacy, and civil lib-
6 erties.

7 (h) SELECTION CRITERIA.—

8 (1) AIRSPACE CONSIDERATIONS.—

9 (A) IN GENERAL.—The Administrator of
10 the Federal Aviation Administration, in coordi-
11 nation with the Secretary of Homeland Security
12 and the Attorney General, shall make a site-
13 specific determination for each covered site or
14 covered event selected under the pilot program
15 established under this section to ensure that
16 any potential use of counter-UAS mitigation
17 systems, equipment, or technology at the cov-
18 ered site or covered event will not adversely im-
19 pact the safe operation of the national airspace
20 system, including any airport that is located
21 near the covered site or covered event.

22 (B) INELIGIBILITY FOR PARTICIPATION.—

23 If an adverse impact is identified under sub-
24 paragraph (A) and cannot be safely mitigated
25 to the satisfaction of the Administrator, the

covered site or covered event is not eligible for participation in the pilot program established under this section.

(2) PROGRAM SIZE, REVIEW, AND EXPANSION.—

(A) INITIAL SIZE.—The program established under subsection (a) may include not more than 5 State or covered local law enforcement agencies.

(B) RESTRICTION.—A State or covered local law enforcement agency participating in the pilot program established under subsection (a) may operate approved counter-UAS mitigation systems, equipment, or technology at—

(i) no more than 4 covered sites; and

(ii) covered events.

(C) REVIEW AND EXPANSION.—The Secretary, in coordination with the Administrator and the Attorney General—

(i) shall review the preliminary results of such pilot program against the objectives, metrics, and success criteria established in subsection (g); and

(ii) may, if appropriate, take such actions as may be necessary to revise or ex-

1 pand, subject to the availability of trained
2 personnel, the number of law enforcement
3 agencies permitted to participate in the
4 program—

5 (I) by 10, not sooner than 18
6 months after approved counter-UAS
7 mitigation systems, equipment, or
8 technology are deployed for use by
9 State or covered local law enforcement
10 agencies participating in the pilot pro-
11 gram established under subsection (a);
12 and

13 (II) by an additional 12 not soon-
14 er than 18 months after the date de-
15 scribed in subclause (I).

16 (i) REQUIRED BRIEFING.—

17 (1) IN GENERAL.—Not later than 6 months
18 after the establishment of the pilot program under
19 this section, and every 6 months thereafter, the Sec-
20 retary shall brief the appropriate committees of Con-
21 gress on the progress and findings of the pilot pro-
22 gram established under this section, including a de-
23 scription of all mitigation events reported under sub-
24 section (d) and objectives, metrics, and success cri-
25 teria under subsection (g).

1 (2) RESTRICTION ON PROGRAM EXPANSION.—If
2 an agency fails to provide a briefing or report re-
3 quired under this Act, including under paragraph
4 (1), the time periods after which the Secretary may
5 expand the pilot program under subsection (h)(2)(C)
6 shall be extended by 6 months for each required
7 briefing the Secretary fails to provide.

8 (j) SPECIAL PROGRAM FOR COVERED MULTI-
9 NATIONAL SPORTING EVENTS.—

10 (1) COVERED MULTINATIONAL SPORTING
11 EVENT DEFINED.—In this section, the term “cov-
12 ered multinational sporting event” means a large
13 public gathering hosted in a stadium or other venue
14 that is organized by or directly on behalf of a cov-
15 ered entity responsible for organizing 1 of the fol-
16 lowing events:

17 (A) The 2026 FIFA World Cup.

18 (B) The Games of the XXXIV Olympiad.

19 (C) The 18th Summer Paralympic Games.

20 (2) ESTABLISHMENT.—Not later than 60 days
21 after the date of enactment of this Act, the Sec-
22 retary of Homeland Security, in coordination with
23 the Attorney General and the Administrator of the
24 Federal Aviation Administration, shall establish a
25 program to enable the deployment and operation of

1 approved counter-UAS mitigation systems by State
2 and covered local law enforcement agencies respon-
3 sible for securing covered multinational sporting
4 events against unauthorized unmanned aircraft sys-
5 tem operations.

6 (3) SELECTION.—The Secretary, in consulta-
7 tion with the Governor of a State in which a covered
8 multinational sporting event is occurring, shall select
9 which State and local law enforcement agencies may
10 apply to deploy and operate approved counter-UAS
11 mitigation systems on behalf of a covered entity
12 under this subsection.

13 (4) APPLICABILITY.—Subsections (c) through
14 (f) shall apply to the program established under this
15 section.

16 (5) DURATION.—The authority of the Secretary
17 to authorize a State or local law enforcement agency
18 to deploy or operate an approved counter-UAS miti-
19 gation system under this subsection shall terminate
20 upon the conclusion of the relevant covered multi-
21 national sporting event.

22 (6) NOTIFICATION.—Not later than 30 days
23 prior to the commencement of a covered multi-
24 national sporting event, the Secretary, in coordina-
25 tion with the Attorney General and the Adminis-

1 trator of the Federal Aviation Administration, shall
2 notify the appropriate committees of Congress of the
3 approval and denial of all applications from State
4 and local law enforcement agencies under this sub-
5 section.

6 (7) BRIEFING.—Not later than 3 months after
7 the conclusion of a covered multinational sporting
8 event, the Secretary, Attorney General, and Admin-
9 istrator shall provide a briefing to the appropriate
10 committees of Congress on—

11 (A) the actions taken by the Secretary and
12 State or local law enforcement agencies under
13 the program; and

14 (B) lessons learned that the Secretary in-
15 tends to integrate into the administration of the
16 pilot program established under subsection (a).

17 (8) TRANSFER INTO LAW ENFORCEMENT PILOT
18 PROGRAM.—

19 (A) IN GENERAL.—Upon the conclusion of
20 the relevant multinational sporting event, the
21 Secretary may transfer the following State or
22 covered local law enforcement agencies to the
23 pilot program established under subsection (a):

24 (i) 11 State or covered local law en-
25 forcement agencies associated with the

1 multinational sporting event described in
2 paragraph (1)(A).

3 (ii) 2 State or covered local law en-
4 forcement agencies associated with the
5 multinational sporting event described in
6 paragraph (1)(B).

7 (B) PROGRAM SIZE.—A State or covered
8 local law enforcement agency that is transferred
9 to such pilot program under subparagraph (A)
10 shall not be counted for purposes of the pilot
11 program size restrictions in subparagraph (A)
12 or (C) of subsection (h)(2).

13 (C) AGENCY SELECTION.—In selecting
14 agencies to transfer to the pilot program estab-
15 lished under subsection (a), the Secretary shall,
16 to the maximum extent practicable, ensure that
17 1 State or covered local law enforcement agency
18 with jurisdiction over each of the sites of a mul-
19 tinational sporting event is selected.

20 (D) RESTRICTION.—The Secretary shall
21 not transfer an agency under subparagraph (A)
22 if the Secretary, in coordination with the Attor-
23 ney General and the Administrator of the Fed-
24 eral Aviation Administration, finds that an

1 agency participating in the program established
2 under this subsection—

3 (i) violated the terms of an agreement
4 under subsection (c); or

5 (ii) takes an action that would lead to
6 a revocation under subsection (e).

7 (k) SUNSET.—Except as provided in subsection
8 (j)(5), the authority under this section shall terminate on
9 October 1, 2030.

10 (l) ASSESSMENT.—

11 (1) Not later than 3 years after the initiation
12 of the pilot program established under this section,
13 the Secretary of Homeland Security, the Attorney
14 General, and the Administrator of the Federal Avia-
15 tion Administration shall conduct and submit to the
16 appropriate committees of Congress an assessment
17 containing—

18 (A) an evaluation of the results of the pilot
19 program, including as it relates to the objec-
20 tives, metrics, and success criteria under sub-
21 section (g);

22 (B) a determination as to whether—

23 (i) counter-UAS authorities should
24 continue to be extended to State and cov-
25 ered local law enforcement agencies;

1 (ii) counter-UAS authorities should
2 not continue to be extended to States and
3 covered local law enforcement agencies; or

4 (iii) additional information is needed
5 to determine whether counter-UAS au-
6 thorities should continue to be extended to
7 State and covered local law enforcement
8 agencies; and

9 (C) if a determination under subparagraph
10 (B)(i) is made, recommendations on a proposed
11 permanent regulatory structure relating to
12 counter-UAS authorities for States and covered
13 local law enforcement agencies, including—

14 (i) the size and scope of such regu-
15 latory structure;

16 (ii) proposed criteria or qualifications
17 for such agencies seeking to utilize such
18 regulatory structure; and

19 (iii) how such regulatory structure en-
20 sures the continuation of—

21 (I) training, certification, and
22 Federal oversight requirements to en-
23 sure the safe and effective use of ap-
24 proved counter-UAS mitigation sys-
25 tems;

1 (II) required coordination with
2 the Administrator to prevent any ad-
3 verse impact on aviation safety, civil
4 aviation and aerospace operations, air-
5 craft airworthiness, or the use of the
6 national airspace system; and

7 (III) privacy protections and re-
8 quirements relating to the protection
9 of civil liberties.

10 (2) UNCLASSIFIED FORM.—The report required
11 under paragraph (1) shall be submitted in unclassi-
12 fied form, but may contain a classified annex.

13 (m) DEFINITIONS.—In this section:

14 (1) APPROVED COUNTER-UAS MITIGATION SYS-
15 TEM.—The term “approved counter-UAS mitigation
16 system” means a counter-UAS detection system ap-
17 proved under section 210G(b)(4) of the Homeland
18 Security Act of 2002 (6 U.S.C. 124n(b)(4)) and that
19 meets the minimum performance requirements es-
20 tablished pursuant to section 44810(e) of title 49,
21 United States Code.

22 (2) COVERED LOCAL LAW ENFORCEMENT
23 AGENCY.—The term “covered local law enforcement
24 agency” means a local law enforcement agency that

1 has jurisdiction over an area containing a population
2 of at least 650,000 people.

3 **SEC. 7. COUNTER-UAS SYSTEM PLANNING AND DEPLOY-**
4 **MENT AT AIRPORTS.**

5 (a) STRATEGIC AIRPORT PLANNING.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Administrator
8 of the Federal Aviation Administration, in coordina-
9 tion with the Secretary of Homeland Security and
10 the Attorney General, shall develop a plan for oper-
11 ations at covered airports of counter-UAS detection
12 and mitigation systems, equipment, or technology
13 that meet the performance requirements described in
14 section 44810(e) of title 49, United States Code, for
15 purposes of—

16 (A) ensuring the safety and security of air-
17 craft; and

18 (B) responding to a persistent disruption
19 of air traffic operations caused by unmanned
20 aircraft system activity.

21 (2) CONTENTS.—The plan required under para-
22 graph (1) shall consider, at a minimum—

23 (A) the roles and responsibilities of—

1 (i) Federal agency personnel, includ-
2 ing air traffic control personnel and Fed-
3 eral Air Marshal resources;

4 (ii) relevant airport personnel; and

5 (iii) any other stakeholder the Admin-
6 istrator determines appropriate in the ter-
7 minal airspace;

8 (B) operational procedures, protocols, poli-
9 cies, and guidelines pertaining to the deploy-
10 ment of such systems, equipment, or tech-
11 nology;

12 (C) minimum performance requirements
13 for such systems, equipment, or technology;

14 (D) funding responsibilities and mecha-
15 nisms for the acquisition, deployment, and oper-
16 ation of such systems, equipment or technology;

17 (E) the operational approval process by
18 which such systems, equipment, or technology
19 may be deployed;

20 (F) reporting requirements associated with
21 the use of such systems, equipment, or tech-
22 nology;

23 (G) initial operator training and recurrent
24 training requirements;

1 (H) how the remote identification of un-
2 manned aircraft systems can be leveraged for
3 the operation of counter-UAS systems, equip-
4 ment or technology;

5 (I) how data and information obtained
6 from counter-UAS equipment can be shared in
7 a timely manner with airports; and

8 (J) any other content as determined nec-
9 essary by the Administrator, the Secretary, and
10 the Attorney General.

11 (3) COORDINATION.—In developing the plan de-
12 scribed in paragraph (1), the Administrator—

13 (A) shall coordinate with the Secretary of
14 Homeland Security and the Attorney General to
15 consider, and if determined appropriate by the
16 Administrator, include requirements and proce-
17 dures for—

18 (i) conducting and updating airport-
19 specific vulnerability assessments;

20 (ii) developing airport-specific coordi-
21 nation and communication requirements
22 with Federal agencies, local law enforce-
23 ment, and airport personnel appropriate
24 for the scope of such plan;

1 (iii) tactical response and status re-
2 porting during events within the scope of
3 such plan; and

4 (iv) acquisition and deployment of
5 counter-UAS systems, equipment, or tech-
6 nology within the scope of such plan; and

7 (B) shall consult with airport and law en-
8 forcement stakeholders, including the exclusive
9 bargaining representative of air traffic control-
10 lers certified under section 7111 of title 5,
11 United States Code, as appropriate.

12 (4) PERIODIC UPDATE.—In carrying out this
13 subsection, the Administrator shall review and up-
14 date such plan not less than annually.

15 (b) COUNTER-UAS DETECTION SYSTEMS AT AIR-
16 PORTS.—

17 (1) IN GENERAL.—Pursuant to the plan re-
18 quired in subsection (a) and subject to available ap-
19 propriations, the Administrator, in coordination with
20 the Secretary of Homeland Security, the Attorney
21 General, and other relevant Federal agencies, shall
22 provide for the deployment of approved counter-UAS
23 detection systems, equipment, or technology within
24 the terminal airspace of—

1 (A) each large hub airport (as defined in
2 section 47102 of title 49, United States Code),
3 not later than 30 months after the publication
4 of the performance requirements described in
5 section 44810(e) of title 49, United States
6 Code;

7 (B) a minimum of 3 airports that each
8 have a total annual landed weight of all-cargo
9 of more than 7,500,000,000 pounds in 2021 or
10 any year thereafter, not later than 12 months
11 after the publication of the guidance described
12 in subsection (a); and

13 (C) each medium hub airport (as defined
14 in section 47102 of title 49, United States
15 Code), not later than 4 years after the publica-
16 tion of the performance requirements described
17 in section 44810(e) of title 49, United States
18 Code.

19 (2) PREDEPLOYMENT ACTIVITIES.—The Ad-
20 ministrator of the Federal Aviation Administration,
21 in consultation with the Federal Communications
22 Commission, the National Telecommunications and
23 Information Administration, and other Federal
24 agencies as appropriate, shall conduct site-specific
25 spectrum and suitability assessments for each se-

1 lected airport under the program, based on the spe-
2 cific counter-UAS detection systems, equipment, or
3 technology intended to be deployed.

4 (c) COUNTER-UAS MITIGATION AT AIRPORTS.—

5 (1) ESTABLISHMENT.—Pursuant to the plan
6 required in subsection (a), the Secretary of Home-
7 land Security, jointly with the Administrator of the
8 Federal Aviation Administration and in coordination
9 with the Attorney General, shall, subject to the
10 availability of appropriations, establish a pilot pro-
11 gram to assess the feasibility of deploying approved
12 counter-UAS mitigation systems, equipment, and
13 technology capable of mitigating unmanned aircraft
14 and unmanned aircraft systems for purposes of re-
15 sponding to a credible threat caused by unauthorized
16 unmanned aircraft system activity impacting airport
17 operations.

18 (2) DEPLOYMENT AND OPERATION OF
19 COUNTER-UAS MITIGATION SYSTEMS.—

20 (A) IN GENERAL.—The pilot program shall
21 include deployment and operation of approved
22 counter-UAS mitigation systems, equipment, or
23 technology at up to 5 covered airports not later
24 than 2 years after the publication of the per-

1 formance requirements described in section
2 44810(e) of title 49, United States Code.

3 (B) PARTICIPATION OF AIRPORT PO-
4 LICE.—The Secretary of Homeland Security
5 and the Administrator of the Federal Aviation
6 Administration may, subject to such conditions
7 and restrictions as the Secretary and Adminis-
8 trator determine necessary, authorize a law en-
9 forcement agency with jurisdiction over an air-
10 port to deploy and operate approved counter-
11 UAS mitigation systems, equipment, or tech-
12 nology at 2 of the covered airports under sub-
13 paragraph (A).

14 (3) SELECTION.—The Secretary shall coordi-
15 nate with the Administrator and the Attorney Gen-
16 eral to develop a list of covered airports eligible for
17 inclusion in the pilot program, based on the suit-
18 ability of each such airport for counter-UAS system,
19 equipment, or technology deployment.

20 (4) PRE-DEPLOYMENT ACTIVITIES.—The Ad-
21 ministrator shall, in consultation with the Federal
22 Communications Commission, the National Tele-
23 communications and Information Administration,
24 and other Federal agencies as appropriate, conduct
25 site-specific spectrum and suitability assessments for

1 each selected airport under the program, based on
2 the specific counter-UAS mitigation systems, equip-
3 ment, or technology to be deployed, prior to the op-
4 eration of such systems at each selected airport.

5 (5) LIMITATIONS ON MITIGATION ACTIVITIES.—

6 (A) AUTHORIZATION OF MITIGATION.—No
7 activity to mitigate the operation of an un-
8 manned aircraft or unmanned aircraft system
9 under the pilot program may be carried out
10 without authorization from both the Secretary
11 of Homeland Security and the Administrator.

12 (B) EMERGENCY, TEMPORARY DEPLOY-
13 MENT.—The Secretary of Homeland Security or
14 the Administrator, may, on a case-by-case
15 basis, authorize an emergency, temporary de-
16 ployment and operation of systems, equipment,
17 or technology capable of mitigating unmanned
18 aircraft and unmanned aircraft systems to a
19 public airport (as defined under section 47102
20 of title 49, United States Code) not partici-
21 pating in the pilot program for purposes of re-
22 sponding to a persistent disruption of air traffic
23 operations caused by unauthorized unmanned
24 aircraft system activity.

25 (d) SITE-SPECIFIC PLANNING.—

1 (1) IN GENERAL.—Prior to the deployment and
2 operation of a counter-UAS detection or mitigation
3 system, equipment, or technology at an airport as
4 described in subsection (b) and paragraph (1) of
5 subsection (c), the Secretary and the Administrator
6 shall coordinate with airport personnel, including the
7 exclusive bargaining representative of air traffic con-
8 trollers certified under section 7111 of title 5,
9 United States Code, State law enforcement, and
10 other relevant stakeholders to develop a site-specific
11 plan for the use of counter-UAS detection and miti-
12 gation systems, equipment, or technology at such
13 airport.

14 (2) RESPONSIBILITIES.—A plan required under
15 paragraph (1) shall include—

16 (A) roles and responsibilities of—

17 (i) Federal agency personnel, includ-
18 ing air traffic control personnel;

19 (ii) airport law enforcement and secu-
20 rity personnel;

21 (iii) State law enforcement personnel;

22 (iv) other relevant airport personnel,
23 as determined by the Secretary and the
24 Administrator; and

1 (v) any other stakeholder in a ter-
2 minal airspace the Secretary and Adminis-
3 trator determine appropriate;

4 (B) operational procedures, protocols, poli-
5 cies, and guidelines pertaining to the deploy-
6 ment, use, and maintenance of such systems,
7 equipment, or technology;

8 (C) the operational approval process by
9 which such systems, equipment, or technology
10 may be actively deployed and operated;

11 (D) reporting requirements associated with
12 the use of such systems, equipment, or tech-
13 nology;

14 (E) initial and recurring counter-UAS op-
15 erator training requirements;

16 (F) information-sharing mechanisms to
17 provide airports with timely access to data and
18 information obtained from counter-UAS equip-
19 ment;

20 (G) appropriate consideration of, and up-
21 dates to, counter-UAS emergency response
22 plans for an airport; and

23 (H) any other content as determined nec-
24 essary by the Secretary and the Administrator.

1 (e) RESTRICTION.—No Federal agency may require
2 an airport operator to procure, acquire, deploy, or operate
3 an approved counter-UAS detection system, equipment, or
4 technology, or approved counter-UAS mitigation system,
5 equipment, or technology for or on behalf of the Federal
6 agency.

7 (f) PREVIOUSLY ACQUIRED COUNTER-UAS SYS-
8 TEMS.—If the Administrator finds that an airport ac-
9 quired and operated a counter-UAS detection system,
10 equipment, or technology prior to the date of enactment
11 of this Act, the Administrator may authorize the use of
12 such system, equipment, or technology under this sub-
13 section if—

14 (1) such system, equipment, or technology
15 meets the minimum performance requirements
16 issued pursuant to section 44810(e) of title 49,
17 United States Code; and

18 (2) such airport agrees to such terms and con-
19 ditions as the Administrator may prescribe under
20 this subsection.

21 (g) DEFINITIONS.—In this section:

22 (1) APPROVED COUNTER-UAS DETECTION SYS-
23 TEM DEFINED.—The term “approved counter-UAS
24 detection system” means a system approved under
25 section 210G(b)(4) of the Homeland Security Act of

1 2002 (6 U.S.C. 124n(b)(4)) and that meets the min-
 2 imum performance requirements established pursu-
 3 ant to section 44810(e) of title 49, United States
 4 Code.

5 (2) APPROVED COUNTER-UAS MITIGATION SYS-
 6 TEM DEFINED.—The term “approved counter-UAS
 7 mitigation system” means a system approved under
 8 section 210G(b)(4) of the Homeland Security Act of
 9 2002 (6 U.S.C. 124n(b)(4)) and that meets the min-
 10 imum performance requirements established pursu-
 11 ant to section 44810(e) of title 49, United States
 12 Code.

13 **SEC. 8. UAS DETECTION AND MITIGATION ENFORCEMENT**
 14 **AUTHORITY.**

15 (a) IN GENERAL.—Chapter 448 of title 49, United
 16 States Code, is amended by adding at the end the fol-
 17 lowing:

18 **“§ 44815. Unmanned aircraft system detection and**
 19 **mitigation enforcement**

20 “(a) PROHIBITION.—

21 “(1) IN GENERAL.—No person may carelessly
 22 or recklessly operate a system, equipment, or tech-
 23 nology to detect, identify, monitor, track, or mitigate
 24 an unmanned aircraft system or unmanned aircraft
 25 in a manner that adversely impacts or interferes

1 with safe airport operations, navigation, or air traf-
2 fic services, or the safe and efficient operation of the
3 national airspace system.

4 “(2) ACTIONS BY THE ADMINISTRATOR.—The
5 Administrator of the Federal Aviation Administra-
6 tion may take such action as may be necessary to
7 address the adverse impacts or interference of oper-
8 ations that violate paragraph (1).

9 “(b) RULE OF CONSTRUCTION.—The term ‘person’
10 as used in this section does not include—

11 “(1) the Federal Government or any bureau,
12 department, instrumentality, or other agency of the
13 Federal Government; or

14 “(2) an officer, employee, or contractor of the
15 Federal Government or any bureau, department, in-
16 strumentality, or other agency of the Federal Gov-
17 ernment if the officer, employee, or contractor is au-
18 thorized by the Federal Government or any bureau,
19 department, instrumentality, or other agency of the
20 Federal Government to operate a system or tech-
21 nology referred to in subsection (a)(1).”.

22 (b) PENALTIES RELATING TO THE OPERATION OF
23 UNMANNED AIRCRAFT SYSTEM DETECTION AND MITIGA-
24 TION TECHNOLOGIES.—Section 46301(a) of title 49,

1 United States Code, is amended by adding at the end the
 2 following:

3 “(9) PENALTIES RELATING TO THE OPERATION OF
 4 UNMANNED AIRCRAFT SYSTEM DETECTION AND MITIGA-
 5 TION TECHNOLOGIES.—Notwithstanding paragraphs (1)
 6 and (5) of subsection (a), the maximum civil penalty for
 7 a violation of section 44815 committed by a person de-
 8 scribed in such section, including an individual or small
 9 business concern, shall be the maximum civil penalty au-
 10 thorized under subsection (a)(1) of this section for persons
 11 other than an individual or small business concern.”.

12 (c) CLERICAL AMENDMENT.—The analysis for chap-
 13 ter 448 of title 49, United States Code, is amended by
 14 adding at the end the following:

“44815. Unmanned aircraft system detection and mitigation enforcement”.

15 **SEC. 9. REPORTING ON COUNTER-UAS ACTIVITIES.**

16 (a) REQUIREMENT.—Not later than 180 days after
 17 the date of enactment of this Act, and annually thereafter,
 18 the Secretary of Homeland Security shall issue, in coordi-
 19 nation with the Administrator of the Federal Aviation Ad-
 20 ministration and the Attorney General, a public report
 21 summarizing the results of all counter-UAS detection and
 22 mitigation activities conducted pursuant to this Act during
 23 the previous year.

24 (b) CONTENTS.—The report under subsection (a)
 25 shall contain—

1 (1) to the extent unrelated to any pending
2 criminal proceedings, information on any violation
3 of, or failure to comply with, this Act or the amend-
4 ments made by this Act by personnel authorized to
5 conduct detection and mitigation activities, including
6 a description of any such violation or failure;

7 (2) data on the number of detection activities
8 conducted, the number of mitigation activities con-
9 ducted, and the number of instances of communica-
10 tions interception from an unmanned aircraft sys-
11 tem;

12 (3) whether any unmanned aircraft that experi-
13 enced mitigation was engaged in First Amendment-
14 protected activities, and whether any unmanned air-
15 craft or unmanned aircraft systems were properly or
16 improperly seized, disabled, damaged, or destroyed
17 as well as methods used to seize, disable, damage, or
18 destroy such aircraft or systems; and

19 (4) a description of the efforts of the Federal
20 Government to protect privacy and civil liberties
21 when carrying out counter-UAS detection and miti-
22 gation activities.

23 (c) FORM.—The Secretary shall submit each report
24 under subsection (a) in unclassified form and post such
25 report on a publicly available website.

1 **SEC. 10. DRONE SAFETY STATEMENT MODERNIZATION.**

2 (a) IN GENERAL.—Section 44805 of title 49, United
3 States Code, is amended—

4 (1) in subsection (h) by inserting “(excluding
5 requirements under subsection (i))” after “require-
6 ments of this section”; and

7 (2) by adding at the end the following:

8 “(i) SAFETY STATEMENTS.—

9 “(1) IN GENERAL.—The manufacturer of a
10 small unmanned aircraft system shall—

11 “(A) make available to the initial operator
12 of such system the safety statement described
13 in paragraph (2) at the time such operator acti-
14 vates such system for the first time; and

15 “(B) require such operator to electronically
16 acknowledge that the operator has read and un-
17 derstands each component of the safety state-
18 ment.

19 “(2) REQUIREMENTS.—The Administrator shall
20 develop, maintain, and periodically review and revise
21 requirements for the safety statement required
22 under paragraph (1). Such statement shall include—

23 “(A) information on, and sources of, laws
24 and regulations applicable to the operation of
25 small unmanned aircraft systems, including—

1 “(i) authorizations or regulations de-
2 pending on the type of operation an indi-
3 vidual is conducting and the qualifications
4 or certification of the individual operating
5 such system; and

6 “(ii) requirements regarding the oper-
7 ation of a small unmanned aircraft system
8 under section 44809;

9 “(B) information on temporary flight re-
10 strictions, airspace restrictions specific to un-
11 manned aircraft systems, and other types of
12 airspace restrictions;

13 “(C) methods approved by the Adminis-
14 trator for determining whether the operation of
15 a small unmanned aircraft system in particular
16 airspace is lawful or unlawful;

17 “(D) recommendations for using small un-
18 manned aircraft systems in a manner that pro-
19 motes the safety of persons and property;

20 “(E) potential consequences for operating
21 a small unmanned aircraft system in an unsafe
22 or unlawful manner, including—

23 “(i) potential consequences for oper-
24 ating such system in restricted airspace;
25 and

1 “(ii) any enforcement action the Ad-
 2 ministrator may pursue against an indi-
 3 vidual operating a small unmanned aircraft
 4 system who endangers the safety of the na-
 5 tional airspace system; and

6 “(F) the date on which the safety state-
 7 ment was created or last modified.

8 “(3) EXAMPLE STATEMENT.—

9 “(A) IN GENERAL.—Not later than 120
 10 days after the date of enactment of the
 11 Counter-UAS Authority Security, Safety, and
 12 Reauthorization Act, the Administrator shall
 13 issue and thereafter maintain an example safety
 14 statement that satisfies the requirements of
 15 paragraph (2).

16 “(B) RESTRICTION.—The Administrator
 17 may not require a manufacturer of a small un-
 18 manned aircraft system to use the example
 19 statement issued and maintained under sub-
 20 paragraph (A).”.

21 (b) UPDATE OF SAFETY STATEMENT.—Not later
 22 than 18 months after the date of enactment of this Act,
 23 and annually thereafter, the Administrator of the Federal
 24 Aviation Administration shall review and revise the exam-
 25 ple safety statement for small unmanned aircraft systems

1 as required under section 44805(i)(3)(A) of title 49,
2 United States Code (as added by subsection (a)).

3 (c) CONFORMING AMENDMENT.—Section 2203 of the
4 FAA Extension, Safety, and Security Act of 2016 (49
5 U.S.C. 44801 note) and the item relating to such section
6 in section 1(b) of such Act are repealed.

7 **SEC. 11. APPLICABILITY.**

8 Section 553 and 554 of title 5, United States Code,
9 shall not apply to any determinations made or guidance
10 issued by the Secretary of Homeland Security, the Attor-
11 ney General, or the Administrator of the Federal Aviation
12 Administration under—

13 (1) section 5 or 6 of this Act;

14 (2) subsection (b)(4) and subsection (n) of sec-
15 tion 210G of the Homeland Security Act of 2002 (6
16 U.S.C. 124n); or

17 (3) section 44810(e) of title 49, United States
18 Code.

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