

**AMENDMENT TO H.R. 8610**

**OFFERED BY MR. GRAVES OF MISSOURI**

Page 18, line 7, strike “2028” and insert “2029”.

Page 28, beginning on line 24, strike “The Administrator” and insert “Not later than 270 days after the date of enactment of the Counter-UAS Authority Security, Safety, and Reauthorization Act, the Administrator”.

Page 31, after line 8, insert the following:

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

Page 40, line 17, strike “2028” and insert “2029”.

Page 41, line 15, insert “not later than 180 days after the establishment of the list of approved makes and models of counter-UAS detection systems, equipment, and technology,” before “shall establish”.

Page 45, line 2, strike “or section 6” and insert “, section 6, or section 7”.

Page 46, line 6, strike “2028” and insert “2029”.

Page 46, strike lines 8 through 12 and insert the following:

1 (1) RULES OF CONSTRUCTION.—

2 (A) SAFETY AND EFFICIENCY.—Nothing  
3 in this section or section 6 shall be construed  
4 to limit or restrict the Administrator of the  
5 Federal Aviation Administration from ensuring  
6 the safety and efficiency of the national air-  
7 space system.

8 (B) PRECLUSION.—Nothing in this section  
9 or section 7 shall be construed to preclude a  
10 covered entity from acquiring and operating an  
11 approved counter-UAS detection system, equip-  
12 ment, or technology without an authorization if  
13 the lawful operation of such system, equipment,  
14 or technology does not—

15 (i) require the relief provided under  
16 subsection (f); and

17 (ii) adversely impact the safe oper-  
18 ation of the national airspace system.

Page 47, line 14, strike “**STATE**”.

Page 47, beginning on line 23, strike “at not more than 5 covered sites”.

Page 47, line 25, strike “such”.

Page 48, line 2, insert “and covered local” after “State”.

Page 48, line 15, insert “or covered local” after “State”.

Page 49, line 19, insert “or covered local” after “State”.

Page 50, after line 2, insert the following (and re-designate the subsequent subparagraph accordingly):

1           (E) proof that the airspace above such cov-  
2           ered site is restricted by a temporary flight re-  
3           striction, a determination under section 2209 of  
4           the FAA Extension, Safety, and Security Act of  
5           2016 (49 U.S.C. 44802 note), or any other  
6           similar restriction determined appropriate by  
7           the Secretary; and

Page 50, line 8, insert “or covered local” after “State”.

Page 51, line 7, insert “or covered local” after “State”.

Page 51, line 18, insert “or covered local” after “State”.

Page 52, line 5, insert “or covered local” after “State”.

Page 52, line 18, insert “or covered local” after “State”.

Page 53, line 10, insert “or covered local” after “State”.

Page 54, line 14, insert “, including any airport that is located near the covered site”.

Page 54, strike line 21 and all that follows through page 55, line 7, and insert the following:

1           (2) PROGRAM SIZE, REVIEW, AND EXPAN-  
2           SION.—

3           (A) INITIAL SIZE.—The program estab-  
4           lished under subsection (a) may include not  
5           more than 5 State or covered local law enforce-  
6           ment agencies.

7           (B) RESTRICTION.—No State or covered  
8           local law enforcement agency participating in  
9           the pilot program established under subsection  
10          (a) may operate approved counter-UAS mitiga-  
11          tion systems, equipment, or technology at more  
12          than 4 covered sites.

13          (C) REVIEW AND EXPANSION.—Not later  
14          than 18 months after approved counter-UAS

1 mitigation systems, equipment, or technology  
2 are deployed for use by State or covered local  
3 law enforcement agencies participating in the  
4 pilot program established under subsection (a),  
5 the Secretary, in coordination with the Admin-  
6 istrator and the Attorney General, shall review  
7 the preliminary results of such pilot program  
8 and, if appropriate, take such actions as may be  
9 necessary to revise or expand, subject to the  
10 availability of trained personnel, the number of  
11 law enforcement agencies permitted to partici-  
12 pate in the program by 10.

Page 55, line 16, strike “2028” and insert “2029”.

Page 55, strike lines 17 through 19 and insert the  
following:

13 (j) DEFINITIONS.—In this section:

14 (1) APPROVED COUNTER-UAS DETECTION SYS-  
15 TEM.—The term “approved counter-UAS detection  
16 system” means a counter-UAS detection

Page 55, after line 24, insert the following:

17 (2) COVERED LOCAL LAW ENFORCEMENT  
18 AGENCY.—The term “covered local law enforcement  
19 agency” means a local law enforcement agency that

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

Page 58, line 25, insert “including the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code,” before “as appropriate”.

Page 63, beginning on line 6, strike “air traffic personnel” and insert “including the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code”.

Page 64, after line 17, insert the following (and redesignate the subsequent subsection accordingly):

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

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

1 such system, equipment, or technology under this sub-  
2 section if—

3           (1) such system, equipment, or technology  
4           meets the minimum performance requirements  
5           issued pursuant to section 44810(e) of title 49,  
6           United States Code; and

7           (2) such airport agrees to such terms and con-  
8           ditions as the Administrator may prescribe under  
9           this subsection.

