

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3935
OFFERED BY MR. NEHLS OF TEXAS**

At the end of subtitle A of title VI, add the following:

**1 SEC. 6 ____ . SMALL UNMANNED AIRCRAFT PILOT RESEARCH
2 FOR PUBLIC SAFETY.**

3 (a) IN GENERAL.—Chapter 448 of title 49, United
4 States Code, is amended by adding at the end the following:
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**6 “§ 44811. Small unmanned aircraft pilot research for
7 public safety**

8 “(a) PROHIBITION REGARDING WEAPONS.—The prohibition regarding unmanned aircraft armed with dangerous weapons under section 363 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44802 note) is reaffirmed.
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12 “(b) PILOT RESEARCH PROGRAM.—

13 “(1) IN GENERAL.—Not later than 12 months
14 after the date of enactment of this section, the Administrator of the Federal Aviation Administration
15 shall initiate a pilot research program to study the
16 potential use of non-lethal de-escalation unmanned
17 aircraft by law enforcement agencies.
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1 “(2) CONTENTS.—The study required under
2 subsection (b) shall address—

3 “(A) the process of assessing and vali-
4 dating non-lethal de-escalation equipment that
5 may be attached to unmanned aircraft;

6 “(B) training protocols for law enforce-
7 ment and agents of the Administration; and

8 “(C) operational and safety protocols for
9 operators of non-lethal de-escalation unmanned
10 aircraft and agencies directly overseeing the op-
11 eration of such unmanned aircraft.

12 “(3) PARTNERSHIPS.—The Administrator shall
13 enter into interagency agreements with the Depart-
14 ments of Justice, Department of Homeland Security,
15 or State agencies with regard to the pilot research
16 program established under this subsection. The Ad-
17 ministrator may consider unmanned aircraft test
18 ranges designated under section 44803, or Federal
19 or State law enforcement training facilities as loca-
20 tions for such program.

21 “(4) REPORT.—Not later than 2 years after the
22 date of enactment of this Act, the Administrator
23 shall submit to the Committee on Transportation
24 and Infrastructure of the House of Representatives
25 and the Committee on Commerce, Science, and

1 Transportation a report on the results of the pilot
2 research program that includes a description of a
3 potential process through which an applicant to such
4 program may seek permission from the Adminis-
5 trator to operate non-lethal de-escalation unmanned
6 aircraft.

7 “(c) RULEMAKING.—Not later than 6 months after
8 receiving the report set required under subsection (b)(4),
9 the Administrator shall initiate a rulemaking to create a
10 process through which the Administrator may provide ap-
11 proval to operate non-lethal de-escalation unmanned air-
12 craft.

13 “(d) MANUFACTURING REQUIREMENT.—Any non-le-
14 thal de-escalation unmanned aircraft used under the pilot
15 research program shall be manufactured in the United
16 States, as defined by the Federal Trade Commission under
17 part 323 of title 16, Code of Federal Regulations.

18 “(e) DEFINITIONS OF NON-LETHAL DE-ESCALATION
19 UNMANNED AIRCRAFT.—In this section:

20 “(1) NON-LETHAL DE-ESCALATION UNMANNED
21 AIRCRAFT.—The term ‘non-lethal de-escalation un-
22 manned aircraft’ means an unmanned aircraft
23 equipped with 1 or more non-lethal weapons or de-
24 vices that is—

1 “(A) used by law enforcement personnel in
2 scenarios that present significant risk to human
3 life, including the life of law enforcement per-
4 sonnel, captives, uninvolved individuals, the
5 public, or a suspected criminal; and in which
6 the suspected criminal is in an position through
7 which he or she could potentially escalate the
8 situation and expose human life to a high level
9 of risk.

10 “(2) NON-LETHAL WEAPON.—The term ‘non-le-
11 thal weapon’ has the meaning given the term in used
12 in DOD Directive Number 300.03E, issued on Au-
13 gust 31, 2018, by the Department of Defense.”.

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

“44811. Small unmanned aircraft pilot research for public safety.”.

