

118TH CONGRESS  
1ST SESSION

# H. R. 5879

To amend title 49, United States Code, to permit small, unmanned aircraft pilot research for public safety, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2023

Mr. NEHLS (for himself, Mr. HUNT, Mr. FINSTAD, Mr. GUEST, Mr. DAVIS of North Carolina, Mr. HIGGINS of Louisiana, and Mr. STAUBER) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To amend title 49, United States Code, to permit small, unmanned aircraft pilot research for public safety, 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.**

4 This Act may be cited as the “Drone Research and  
5 Innovation for Law Enforcement Act of 2023”.

1 **SEC. 2. 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 fol-  
5 lowing:

6 **“§ 44811. Small unmanned aircraft pilot research for**  
7 **public safety**

8 “(a) PROHIBITION REGARDING WEAPONS.—The pro-  
9 hibition regarding unmanned aircraft armed with dan-  
10 gerous weapons under section 363 of the FAA Reauthor-  
11 ization Act of 2018 (49 U.S.C. 44802 note) is reaffirmed.

12 “(b) PILOT RESEARCH PROGRAM.—

13 “(1) IN GENERAL.—Not later than 3 months  
14 after the date of enactment of this section, the Ad-  
15 ministrator of the Federal Aviation Administration  
16 shall initiate a pilot research program to study the  
17 potential use of non-lethal de-escalation unmanned  
18 aircraft by law enforcement agencies.

19 “(2) CONTENTS.—The study required under  
20 subsection (b) shall address—

21 “(A) the process of assessing and vali-  
22 dating conducted energy devices or other non-  
23 lethal de-escalation equipment that may be at-  
24 tached to unmanned aircraft;

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

1           “(C) operational and safety protocols for  
2           operators of non-lethal de-escalation unmanned  
3           aircraft and agencies directly overseeing the op-  
4           eration of such unmanned aircraft.

5           “(3) PARTNERSHIPS.—The Administrator shall  
6           enter into interagency agreements with the Depart-  
7           ments of Justice, Department of Homeland Security,  
8           and State large metropolitan and rural law enforce-  
9           ment agencies with regard to the pilot research pro-  
10          gram established under this subsection. The Admin-  
11          istrator shall designate the Center of Excellence for  
12          Unmanned Aerial Systems designated under section  
13          44814, in collaboration with Federal, State, and  
14          large metropolitan law enforcement as well as rural  
15          law enforcement training facilities, as the location  
16          for such program.

17          “(4) CONSULTATION.—The Administrator shall  
18          solicit input from, and coordinate with, relevant  
19          stakeholders as appropriate in carrying out the pilot  
20          research program established under this subsection.

21          “(5) 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 plan outlining a  
3       proposed process through which a law enforcement  
4       applicant to such program may seek permission from  
5       the Administrator to operate non-lethal de-escalation  
6       unmanned aircraft.

7       “(c) RULEMAKING.—Not later than 90 days after  
8       submitting the report set required under subsection (b)(5),  
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 may 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

6           “(B) in which the suspected criminal is in  
7 an position through which he or she could po-  
8 tentially escalate the situation and expose  
9 human life to a high level 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.’”.

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