

RECREATIONAL DRONE EMPOWERMENT ACT

MARCH 16, 2026.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRAVES, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6460]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 6460) to amend title 49, United States Code, to clarify exceptions for limited recreational operations of unmanned aircraft, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 6460 is to amend title 49, United States Code, to clarify exceptions for limited recreational operations of unmanned aircraft, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

In section 349 of the *FAA Reauthorization Act of 2018* (P.L. 115–254) (*FAARA18*), Congress classified model aircraft as recreational unmanned aircraft systems (UAS).¹ The legislation laid out the conditions that small UAS (sUAS) must meet in order to safely operate without specific certification or authorization from the Federal Aviation Administration (FAA). Such conditions included: (1) the sUAS being flown strictly for recreational purposes; (2) the sUAS is flown within the visual line of sight of the operator; (3) the sUAS is operated in a manner that does not interfere with manned aviation; (4) in Class G, uncontrolled airspace, the sUAS is flown not more than 400 feet above ground level (a.g.l.).² Conversely, persons operating a sUAS for recreational purposes from a fixed site in controlled airspace (Class B, Class C, Class D, or within the lateral boundaries of the surface area of Class E airspace designated for an airport) must make the location of the fixed site known to the FAA and establish mutually agreed upon operating procedures with the appropriate air traffic control facility.³

It is important to note the varying sectors of Class E, controlled airspace, generally begins where Class G (uncontrolled airspace) ends unless such airspace is associated with an airport surface area or a surface level extension to another class of airspace. Class E airspace is comprised of multiple sectors of airspace, including Class E2, Class E3, Class E4, and Class E5 airspace. As captured in the language of *FAARA18*, Class E2 airspace is a surface level extension designated for an airport. Class E3 airspace is an extension to a Class C surface area, Class E4 is an extension to Class D or Class E surface area, and Class E5 airspace begins above class G airspace, typically at either 700 or 1,200 feet a.g.l.⁴

Since passage of *FAARA18*, model aeronautics associations have been working with the Federal Aviation Administration (FAA) to ensure proper implementation of the law to safely expand recreational sUAS operations in the National Airspace System. The *FAA Reauthorization Act of 2024* (P.L. 118–63) (*FAARA24*) built on the foundation of *FAARA18* and required the FAA, in concert with community-based organizations (CBOs) sponsoring such recreational operations, to develop a process to approve requests for recreational sUAS to exceed the maximum altitude listed on UAS Facility Maps published by the FAA.⁵

Unfortunately, the FAA’s new interpretation of *FAARA18* and *FAARA24* conflicted with Congressional intent. The FAA’s interpretation of the language resulted in the agency only authorizing recreational sUAS operations in Class E2 airspace designated for an

¹ *FAA Reauthorization Act of 2018*, Pub. L. No. 115–254, 132 Stat. 3297.

² *Id.*

³ *Id.*

⁴ FEDERAL AVIATION ADMINISTRATION, CLASS E AIRSPACE, available at https://www.faa.gov/sites/faa.gov/files/uas/resources/events_calendar/archive/How_To_Understand_and_Operate_in_Class_E.pdf.

⁵ *FAA Reauthorization Act of 2024*, Pub. L. No. 118–63, 138 Stat. 1363.

airport, leaving several previously FAA-approved CBOs and recreational drone clubs across the country unable to legally operate sUAS in certain areas. Congress' intent was to safely expand recreational sUAS operations, not confine them to Class E2 airspace.

H.R. 6460, the *Recreational Drone Empowerment Act*, allows model aircraft clubs to request permission from the FAA to operate recreational sUAS in Class E2, E3, E4, and E5 airspace, as it does for all other classifications of airspace. The *Recreational Drone Empowerment Act* does not require the FAA to automatically grant such a request for operations, it merely authorizes the agency, through its approval process, to permit such a request.

HEARINGS

The following hearing was used to develop or consider H.R. 6460: On Thursday, March 30, 2023, the Subcommittee on Aviation held a two-panel hearing entitled, "*FAA Reauthorization: Harnessing the Evolution of Flight to Deliver for the American People*." During the first panel, Members received testimony from Mr. Adam Woodworth, Chief Executive Officer, Wing; Dr. Catherine Cahill, Ph.D., Director, The Alaska Center of UAS Integration, University of Alaska Fairbanks; Chief Roxana Kennedy, Chief of Police, Chula Vista Police Department; Dr. Stuart Ginn, M.D., Medical Director for WakeMed Innovations, WakeMed Health and Hospitals. During the second panel, Members received testimony from Mr. Kyle Clark, Founder and Chief Executive Officer, BETA Technologies; Mr. JoeBen Bevirt, Founder and Chief Executive Officer, Joby Aviation; Mr. Christopher Bradshaw, President and Chief Executive Officer, Bristow Group, *on behalf of the Helicopter Association International*; Mr. Clint Harper, AAM Expert and Community Advocate. The hearing focused on the need for a robust framework that enables advanced aviation operations within the National Airspace System.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 6460, the "*Recreational Drone Empowerment Act*", was introduced in the United States House of Representatives on December 4, 2025, by Representative Tracey Mann (R-KS) and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 6460 was referred to the Subcommittee on Aviation. The Subcommittee on Aviation was discharged from further consideration of H.R. 6460 on December 18, 2025.

The Committee considered H.R. 6460 on December 18, 2025, and ordered the measure to be reported to the House with a favorable recommendation, without amendment.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

No recorded votes were requested.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 6460 from the Director of the Congressional Budget Office:

H.R. 6460, Recreational Drone Empowerment Act			
As ordered reported by the House Committee on Transportation and Infrastructure on December 18, 2025			
By Fiscal Year, Millions of Dollars	2026	2026-2030	2026-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
	Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Mandate Effects
Contains intergovernmental mandate?			No
Contains private-sector mandate?			No
* = between zero and \$500,000.			

H.R. 6460 would expand the areas in which recreational drones are authorized to fly. CBO expects that implementing the bill could affect the Federal Aviation Administration's costs to regulate and enforce the use of drones; however, we estimate that those costs would total less than \$500,000 over the 2026–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Aaron Krupkin. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to amend title 49, United States Code, to clarify exceptions for limited recreational operations of unmanned aircraft, and for other purposes.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 6460 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act* was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

PREEMPTION CLARIFICATION

Section 423 of the *Congressional Budget Act of 1974* requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 6460 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the definition of Section 5(b) of the appendix to Title 5, United States Code, are created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “*Recreational Drone Empowerment Act*.”

Section 2. Clarifying recreational operations of drone systems

This section amends title 49, United States Code, section 44809(c)(2)(C) to ensure that the Federal Aviation Administration has the statutory authority to, if appropriate, approve recreational sUAS operations in all sectors of Class E airspace.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

TITLE 49, UNITED STATES CODE

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SUBTITLE VII—AVIATION PROGRAMS

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PART A—AIR COMMERCE AND SAFETY

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SUBPART iii—SAFETY

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CHAPTER 448—UNMANNED AIRCRAFT SYSTEMS

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§ 44809. Exception for limited recreational operations of unmanned aircraft

(a) IN GENERAL.—Except as provided in subsection (e), and notwithstanding chapter 447 of title 49, United States Code, a person may operate a small unmanned aircraft without specific certification or operating authority from the Federal Aviation Administration if the operation adheres to all of the following limitations:

- (1) The aircraft is flown strictly for recreational purposes.

(2) The aircraft is operated in accordance with or within the programming of a community-based organization's set of safety guidelines that are developed in coordination with the Federal Aviation Administration.

(3) The aircraft is flown within the visual line of sight of the person operating the aircraft or a visual observer co-located and in direct communication with the operator.

(4) The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft.

(5) In Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, the operator obtains prior authorization from the Administrator or designee before operating and complies with all airspace restrictions and prohibitions.

(6) Except for circumstances when the Administrator establishes alternative altitude ceilings or as otherwise authorized in section (c), in Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace and flight restrictions and prohibitions established under this subtitle, such as special use airspace designations and temporary flight restrictions.

(7) The operator has passed an aeronautical knowledge and safety test described in subsection (g) and maintains proof of test passage to be made available to the Administrator or law enforcement upon request.

(8) The aircraft is registered and marked in accordance with chapter 441 of this title and proof of registration is made available to the Administrator or a designee of the Administrator or law enforcement upon request.

(b) OTHER OPERATIONS.—Unmanned aircraft operations that do not conform to the limitations in subsection (a) must comply with all statutes and regulations generally applicable to unmanned aircraft and unmanned aircraft systems.

(c) OPERATIONS AT FIXED SITES.—

(1) IN GENERAL.—The Administrator shall establish a process to approve, and publicly disseminate the location of, fixed sites at which a person may carry out recreational unmanned aircraft system operations.

(2) OPERATING PROCEDURES.—

(A) CONTROLLED AIRSPACE.—Persons operating unmanned aircraft under paragraph (1) from a fixed site within Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, or a community-based organization sponsoring operations within such airspace, shall make the location of the fixed site known to the Administrator and shall establish a mutually agreed upon operating procedure with the air traffic control facility.

(B) ALTITUDE.—The Administrator, in coordination with community-based organizations sponsoring operations at fixed sites, shall develop a process to approve requests for recreational unmanned aircraft systems operations at fixed sites that exceed the maximum altitude contained in a UAS Facility Map published by the Federal Aviation Administration.

(C) UNCONTROLLED AND CLASS E AIRSPACE.—Subject to compliance with all airspace and flight restrictions and prohibitions established under this subtitle, including special use airspace designations and temporary flight restrictions, persons operating unmanned aircraft systems from a fixed site designated under the process described in paragraph (1) may operate within Class G airspace, *Class E airspace above Class G airspace, or a Class E airspace designated as an extension to a Class B, Class C, Class D, or Class E surface area*—

(i) up to 400 feet above ground level, without prior authorization from the Administrator; and

(ii) above 400 feet above ground level, with prior authorization from the Administrator.

(3) UNMANNED AIRCRAFT WEIGHING 55 POUNDS OR GREATER.—A person may operate an unmanned aircraft weighing 55 pounds or greater, including the weight of anything attached to or carried by the aircraft, if—

(A) the unmanned aircraft complies with standards and limitations developed by a community-based organization and approved by the Administrator; and

(B) the aircraft is operated from a fixed site as described in paragraph (1).

(4) FAA-RECOGNIZED IDENTIFICATION AREAS.—In implementing subpart C of part 89 of title 14, Code of Federal Regulations, the Administrator shall prioritize the review and adjudication of requests to establish FAA Recognized Identification Areas at fixed sites established under this section.

(d) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as expanding the authority of the Administrator to require a person operating an unmanned aircraft under this section to seek permissive authority of the Administrator, beyond that required in this section, prior to operation in the national airspace system.

(e) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action against a person operating any unmanned aircraft who endangers the safety of the national airspace system.

(f) EXCEPTIONS.—Nothing in this section prohibits the Administrator from promulgating rules generally applicable to unmanned aircraft, including those unmanned aircraft eligible for the exception set forth in this section, relating to—

(1) the operational parameters for unmanned aircraft in subsection (a);

(2) the registration and marking of unmanned aircraft;

(3) the standards for remotely identifying owners and operators of unmanned aircraft systems and associated unmanned aircraft; and

(4) other standards consistent with maintaining the safety and security of the national airspace system.

(g) AERONAUTICAL KNOWLEDGE AND SAFETY TEST.—

(1) IN GENERAL.—The Administrator, in consultation with manufacturers of unmanned aircraft systems, community-based organizations, and other industry stakeholders, shall develop, maintain, and update, as necessary, an aeronautical knowledge and safety test. Such test shall be administered

electronically by the Administrator or a person designated by the Administrator.

(2) REQUIREMENTS.—The Administrator shall ensure the aeronautical knowledge and safety test is designed to adequately demonstrate an operator's—

(A) understanding of aeronautical safety knowledge; and

(B) knowledge of Federal Aviation Administration regulations and requirements pertaining to the operation of an unmanned aircraft system in the national airspace system.

(h) COMMUNITY-BASED ORGANIZATION DEFINED.—In this section, the term “community-based organization” means a membership-based association entity that—

(1) is recognized by the Administrator of the Federal Aviation Administration;

(2) is described in section 501(c)(3) of the Internal Revenue Code of 1986;

(3) is exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

(4) the mission of which is demonstrably the furtherance of model aviation;

(5) provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodelling operations within the national airspace system and the protection and safety of individuals and property on the ground, and may provide a comprehensive set of safety rules and programming for the operation of unmanned aircraft that have the advanced flight capabilities enabling active, sustained, and controlled navigation of the aircraft beyond visual line of sight of the operator;

(6) provides programming and support for any local charter organizations, affiliates, or clubs; and

(7) provides assistance and support in the development and operation of locally designated model aircraft flying sites.

(i) RECOGNITION OF COMMUNITY-BASED ORGANIZATIONS.—In collaboration with aeromodelling stakeholders, the Administrator shall publish an advisory circular within 180 days of the date of enactment of this section that identifies the criteria and process required for recognition of community-based organizations.

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