erated under the FAA [Federal Aviation Administration] Contract Tower Program.

''(c) BRIEFING TO CONGRESS.—The Administrator shall provide an annual briefing to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives] on the status of the partnership authorized under this section, including detailing any barriers to the commercialization of innovative technologies in the Gulf of Mexico.

''(d) DEFINITIONS.—In this section:

''(1) ELIGIBLE AIRPORT AUTHORITY.—The term 'eligible airport authority' means an AIP-eligible airport authority that is—

''(A) located in a state bordering the Gulf of Mexico which does not already contain a UAS Test Range;

''(B) has an air traffic control tower operated under the FAA Contract Tower Program;

''(C) is located within 60 miles of a port; and

''(D) does not have any scheduled passenger airline service as of the date of the enactment of this Act [May 16, 2024].

''(2) INNOVATIVE TECHNOLOGIES.—The term 'innovative technologies' means unmanned aircraft systems and powered-lift aircraft.

''(3) UAS.—The term 'UAS' means an unmanned aircraft system.''

[For definition of ''unmanned aircraft system'' as used in section 937 of Pub. L. 118–63, set out above, see section 44801 of this title, as made applicable by section 901 of Pub. L. 118–63, which is set out as a note under section 44502 of this title.]

§ 44804. Unmanned aircraft in the Arctic

(a) IN GENERAL.—The Secretary of Transportation shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where unmanned aircraft may operate 24 hours per day for research and commercial purposes.

(b) PLAN CONTENTS.—The plan under subsection (a) shall include the development of processes to facilitate the safe operation of unmanned aircraft beyond the visual line of sight.

(c) REQUIREMENTS.—Each permanent area designated under subsection (a) shall enable overwater flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

(d) AGREEMENTS.—To implement the plan under subsection (a), the Secretary may enter into an agreement with relevant national and international communities.

(e) AIRCRAFT APPROVAL.—

(1) IN GENERAL.—Subject to paragraph (2), not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this section, the Secretary shall work with relevant national and international communities to establish and implement a process for approving the use of a unmanned aircraft in the designated permanent areas in the Arctic without regard to whether the unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.

(2) EXISTING PROCESS.—The Secretary may implement an existing process to meet the requirements under paragraph (1).

(Added Pub. L. 115–254, div. B, title III, § 344(a), Oct. 5, 2018, 132 Stat. 3290; amended Pub. L. 118–63, title IX, § 902(a), May 16, 2024, 138 Stat. 1341.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 332(d) of Pub. L. 112–95, which was set out in a note under section 40101 of this title, prior to repeal by Pub. L. 115–254, div. B, title III, § 341(b)(2), Oct. 5, 2018, 132 Stat. 3287. The remainder of the note comprised of subtitle B of title III of Pub. L. 112–95 was transferred and is set out under section 44802 of this title.

AMENDMENTS

2024—Pub. L. 118–63, § 902(a)(1), substituted ''Unmanned'' for ''Small unmanned'' in section catchline. Catchline was editorially conformed to the style used in this title.

Subsecs. (a), (b), (e)(1). Pub. L. 118–63, § 902(a)(2), struck out ''small'' before ''unmanned aircraft'' wherever appearing.

§ 44805. Small unmanned aircraft safety standards

(a) FAA PROCESS FOR ACCEPTANCE AND AUTHORIZATION.—The Administrator of the Federal Aviation Administration shall establish a process for—

(1) accepting risk-based consensus safety standards related to the design, production, and modification of small unmanned aircraft systems;

(2) authorizing the operation of a small unmanned aircraft system make and model designed, produced, or modified in accordance with the consensus safety standards accepted under paragraph (1);

(3) authorizing a manufacturer to self-certify a small unmanned aircraft system make or model that complies with consensus safety standards accepted under paragraph (1); and

(4) certifying a manufacturer of small unmanned aircraft systems, or an employee of such manufacturer, that has demonstrated compliance with the consensus safety standards accepted under paragraph (1) and met any other qualifying criteria, as determined by the Administrator, to alternatively satisfy the requirements of paragraph (1).

(b) CONSIDERATIONS.—Before accepting consensus safety standards under subsection (a), the Administrator of the Federal Aviation Administration shall consider the following:

(1) Technologies or standards related to geographic limitations, altitude limitations, and sense and avoid capabilities.

(2) Using performance-based requirements.

(3) Assessing varying levels of risk posed by different small unmanned aircraft systems and their operation and tailoring performance-based requirements to appropriately mitigate risk.

(4) Predetermined action to maintain safety in the event that a communications link between a small unmanned aircraft and its operator is lost or compromised.

(5) Detectability and identifiability to pilots, the Federal Aviation Administration, and air traffic controllers, as appropriate.

(6) Means to prevent tampering with or modification of any system, limitation, or other safety mechanism or standard under this section or any other provision of law, includ-