

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Counter-UAS Spectrum Authority for State,)
Local, Tribal, and Territorial Law Enforcement)
and Correctional Agencies under the SAFER)
SKIES Act)
Unleashing American Drone Dominance) GN Docket No. 26-74

ORDER

Issued: July 2, 2026

Effective: July 2, 2026

By the Chief, Wireless Telecommunications Bureau; Chief, Office of Engineering and Technology; Chief, Public Safety and Homeland Security Bureau; Chief, Space Bureau; and Acting Chief, Media Bureau:

I. INTRODUCTION

1. Today, we take expedited action to enhance national security by facilitating the use of counter-unmanned aircraft systems (C-UAS) where necessary to address the ever-growing threat posed by the negligent or malicious use of drones. By this Order, the Wireless Telecommunications Bureau (WTB), Office of Engineering and Technology (OET), Public Safety and Homeland Security Bureau (PSHSB), Space Bureau (SB), and Media Bureau (MB) (collectively, the Bureaus) conditionally grant Special Temporary Authority (STA) on our own motion for 180 days to State, local, Tribal, and territorial (SLTT) law enforcement and correctional agencies to conduct C-UAS operations that comply with the SAFER SKIES Act. Pursuant to sections 1.3 and 1.925 of the Commission’s rules and the conditions described below, the Bureaus also waive Commission rules to the extent necessary to permit these C-UAS activities.

2. As described in greater detail below, this Order provides spectrum authorization in the near term for SLTTs to deploy C-UAS systems on the Authorized Systems List jointly maintained by multiple agencies under the SAFER SKIES Act. The systems on the Authorized Systems List operate on a range of spectrum bands that will continue to evolve in response to emerging UAS threats. Therefore,

1 See generally National Defense Authorization Act for Fiscal Year 2026, Pub. L. 119-60, §§ 8601–07, 139 Stat. 718, 1938–45 (2025) (SAFER SKIES Act); see also 6 U.S.C. § 124n (codifying § 8602 of the SAFER SKIES Act). SLTT law enforcement and correctional agencies’ authority to conduct C-UAS activities pursuant to the SAFER SKIES Act currently terminates December 31, 2031. 6 U.S.C. § 124n(j)(2).

2 See 47 CFR §§ 1.3, 1.925(a).

3 The Authorized Systems List “identifies specific systems, at the make and model level, that have completed interagency evaluation within those technology categories and stated operating restrictions.” U.S. Dept. of Homeland Security & U.S. Dept. of Justice, Counter-UAS Authority for State, Local, Tribal, and Territorial Law Enforcement and Correctional Agencies, Interim Final Rule, Fed. Reg. Doc. No. 2026-13609, at 6 CFR § 124.7(a) (July 1, 2026), (DHS/DOJ Interim Final Rule), available at https://www.federalregister.gov/public-inspection/2026-13609/counter-unmanned-aircraft-system-authority-for-state-local-tribal-and-territorial-law-enforcement. The Authorized Systems List will be available on the Federal Bureau of Investigation’s Law Enforcement Enterprise Portal (LEEP).

this Order provides broad FCC authorization to SLTTs to operate systems on the Authorized Systems List, subject to operating restrictions on that list and the conditions below. We find that this action will serve the public interest and advance the critical Administration priority of ensuring the safety and security of U.S. airspace by enabling SLTT law enforcement and correctional agencies to conduct specified C-UAS activities that “are necessary to mitigate a credible threat that an unmanned aircraft system [(UAS)] or unmanned aircraft poses to the safety or security of people, facilities, and assets, a venue or set of venues used for large-scale public gatherings or events, critical infrastructure, or correctional facilities.”⁴

II. BACKGROUND

3. Passed by Congress and signed into law by the President as part of the National Defense Authorization Act for Fiscal Year 2026, the SAFER SKIES Act permits SLTT law enforcement and correctional agencies to conduct specified authorized C-UAS activities, subject to certain requirements.⁵

4. In particular, and among other requirements, when conducting C-UAS activities under the SAFER SKIES Act, SLTT law enforcement and correctional agencies must use authorized “systems or technologies” that are included on one of two lists maintained jointly by the Department of Justice (DOJ), Department of Homeland Security (DHS), Department of Defense, Department of Transportation, National Telecommunications and Information Administration, and the Federal Communications Commission (FCC or Commission).⁶ SLTT law enforcement and correctional agency officers must satisfy training and certification procedures by the DOJ as well as certain notification, oversight, and other requirements, before conducting certain C-UAS activities.⁷ SLTT law enforcement and correctional agencies also must notify the Attorney General and Secretary of Homeland Security of “any mitigation action” that the agency takes within 48 hours of taking such action.⁸ The report must contain certain details (e.g., date, time, geographic location, description of action taken) and be filed in a “streamlined and secure submission mechanism” established by the Attorney General and Secretary of Homeland Security.⁹

5. On July 1, 2026, DOJ and DHS released an interim final rule (IFR) implementing the SAFER SKIES Act.¹⁰ The IFR makes clear that, because the SAFER SKIES Act “does not displace 47

⁴ 6 U.S.C. § 124n(a)(2); *see also* Executive Order 14305, “Restoring American Airspace Sovereignty,” June 2025, <https://www.whitehouse.gov/presidentialactions/2025/06/restoring-american-airspace-sovereignty/> (“[C]riminals, terrorists, and hostile foreign actors have intensified their weaponization of [UAS] technologies, creating new and serious threats to our homeland. Drug cartels use UAS to smuggle fentanyl across our borders, deliver contraband into prisons, surveil law enforcement, and otherwise endanger the public. Mass gatherings are vulnerable to disruptions and threats by unauthorized UAS flights. Critical infrastructure, including military bases, is subject to frequent—and often unidentified—UAS incursions. Immediate action is needed to ensure American sovereignty over its skies and that its airspace remains safe and secure.”).

⁵ *See* 6 U.S.C. § 124n(a)(2) (permitting SLTT law enforcement and correctional agencies to conduct C-UAS activities “after completing the training detailed in subsection (d)(2)”).

⁶ 6 U.S.C. § 124n(d)(2)(A)(iii).

⁷ 6 U.S.C. § 124n(d)(2)(A)(i)-(ii) (requiring SLTT law enforcement and correctional officers to satisfy training and certification procedures before taking any actions described in section 124n(b)(1) and further requiring that only SLTT law enforcement and correctional officers trained and certified through a “national schoolhouse . . . may exercise authorities in subsection 124n(b)(1)(C), (D), and (F)”). The SAFER SKIES Act requires the Attorney General to develop the training and certification procedures in coordination with the Secretary of Homeland Security, Secretary of Defense, and Secretary of Transportation. 6 U.S.C. § 124n(d)(2)(A)(ii).

⁸ 6 U.S.C. § 124n(d)(2)(C)(i).

⁹ 6 U.S.C. § 124n(d)(2)(C)(i)-(ii).

¹⁰ *See generally* DHS/DOJ Interim Final Rule (publishing the IFR for public inspection in the Federal Register on July 1, 2026).

U.S.C. [§] 301, an SLTT law enforcement or correctional agency must obtain the authorization it needs from the FCC before operating a C-UAS system that emits radio waves” and, therefore, “FCC coordination alone does not suffice.”¹¹ The IFR further emphasizes that the “Departments and the FCC will work to establish standing or categorical authorizations . . . that reduce the need for per-operation FCC approval” following publication of the IFR.¹²

6. The IFR implements the SAFER SKIES Act requirement to maintain a list of authorized “systems or technologies” by establishing two complementary lists: (1) the Authorized Technologies List, which “identifies the technology categories authorized for SLTT law enforcement and correctional agency C-UAS operations;” and (2) the Authorized Systems List, which “identifies specific systems, at the make and model level, that have completed interagency evaluation within those technology categories and stated operating restrictions.”¹³ The Authorized Technologies List and Authorized Systems List will be maintained on the Law Enforcement Enterprise Portal (LEEP), maintained by the Federal Bureau of Investigation.¹⁴ The IFR also makes clear that the Authorized Systems List will be populated on a phased basis, “drawing first on systems with existing Federal operational deployment and interagency coordination history . . . that have been assessed and approved for operational use by Federal agencies.”¹⁵ The IFR further states that “[e]ach RF-emitting system listed on the Authorized Systems List will have completed a system-level spectrum evaluation through the interagency process before listing.”¹⁶

III. DISCUSSION

7. To facilitate authorized C-UAS activities that fulfill a vital public safety and national security purpose consistent with the SAFER SKIES Act,¹⁷ we grant on our own motion an STA for 180 days for SLTT law enforcement and correctional agencies¹⁸ to conduct C-UAS activities nationwide using any system on the Authorized Systems List jointly maintained by DOJ, DHS, Department of Defense, Department of Transportation, National Telecommunications and Information Administration, and the

¹¹ *Id.* at III.B (describing Section 124.9—Advance coordination, notification, and authorization)..

¹² *Id.*

¹³ *Id.* at 6 CFR § 124.7(a).

¹⁴ LEEP accounts are available to personnel affiliated with the criminal justice system, intelligence community, and the armed forces, including SLTT law enforcement and correctional agency personnel. To apply for a LEEP account, visit the following website and complete the online application: <https://www.cjis.gov/>.

¹⁵ DHS/DOJ Interim Final Rule at III.B (describing Section 124.7—Authorized technologies); *see also id.* at 6 CFR § 124.2.

¹⁶ *Id.* at 6 CFR § 124.7(f).

¹⁷ In addition to this STA, the Commission has also taken other, concurrent actions to address and clarify the application of the Communications Act of 1934, as amended, and the Commission’s rules to C-UAS activities and equipment, including SLTT law enforcement and correctional agencies’ use of C-UAS under the SAFER SKIES Act. *See Office of Engineering and Technology Announces Waiver of Certain Prohibitions on Importation, Marketing, and Operation of Authorized Counter-Unmanned Aircraft Systems*, GN Docket No. 26-74, Order, DA 26-656 (OET July 2, 2026); *Application of Section 333 of the Communications Act to the Testing of Counter-Unmanned Aircraft Systems Technologies*, GN Docket No. 26-74, Declaratory Ruling, DA 26-654 (WTB/OET July 2, 2026); *Application of Section 333 of the Communications Act to Development or Operations of Counter-Unmanned Aircraft Systems for the Federal Government and under the SAFER SKIES Act*, GN Docket No. 26-74, Declaratory Ruling, DA 26-655 (WTB July 2, 2026).

¹⁸ The SAFER SKIES Act defines: (1) “SLTT law enforcement agency” as “a State, local, Tribal or territorial law enforcement agency;” and (2) “correctional agency” as “a Federal, State, local, Tribal, or territorial government body responsible for operating correctional facilities or a private party that is under contract with a State, local, Tribal, or territorial law enforcement agency to operate such facilities.” SAFER SKIES Act, § 8606(c)(1)-(2); *see also* 6 U.S.C. § 124n, Statutory Notes and Related Subsidiaries.

FCC.¹⁹ Given the immediate need for SLTTs to conduct C-UAS activities permitted under the SAFER SKIES Act, we find that extraordinary circumstances support this grant and would serve the public interest.

8. To enable C-UAS activities conducted pursuant to the SAFER SKIES Act in the near term, we also waive the rules contained in the following Commission rule parts, to the extent necessary, on our own motion:²⁰ parts 1, 2, 15, 22, 24, 25, 27, 30, 73, 74, 78, 80, 87, 90, 95, 96, 97, and 101.²¹ Given the unique factual circumstances of the instant case, we find that good cause exists to waive these rules,²² and application of the rules in these parts would be “contrary to the public interest.”²³ Recognizing the growing threat that misuse of UAS and unmanned aircraft pose to public safety and national security,²⁴ Congress expressly authorized SLTT law enforcement and correctional agencies to conduct specified C-UAS activities pursuant to the SAFER SKIES Act, including but not limited to activities that rely on the use of “radio[] or electromagnetic means.”²⁵ Congress also expressly gave the Commission a role in jointly maintaining the lists of authorized systems and technologies to conduct such C-UAS activities, and we find that our ongoing role in jointly maintaining these lists and the conditions of operation for systems and technologies on these lists supports this waiver.²⁶ Consistent with the goals of the SAFER SKIES Act, and given our role overseeing communications by radio,²⁷ we find that waiver of the rules contained in these rule parts, to the extent necessary, will facilitate statutorily-sanctioned C-UAS activities that “are necessary to mitigate a credible threat that [a UAS] or [an] unmanned aircraft poses to the safety or security of people, facilities, and assets, a venue or set of venues used for large-scale public gatherings or events, critical infrastructure, or correctional facilities.”²⁸

9. SLTT law enforcement and correctional agencies’ authority to conduct C-UAS actions pursuant to this Order is subject to the following conditions:

- A. SLTT law enforcement and correctional agencies may only conduct C-UAS actions that are authorized by and comply with the SAFER SKIES Act and its implementing regulations.²⁹
- B. SLTT law enforcement and correctional agencies must operate systems in accordance with any stated operating restrictions provided for on the Authorized Systems List.
- C. The STA will commence on July 2, 2026, and continue for 180 days.³⁰

¹⁹ See 6 U.S.C. § 124n(d)(2)(A)(iii) (“Technologies used by [SLTT] law enforcement or correctional agencies to take actions described in [6 U.S.C. § 124n(b)(1)] shall be limited to systems or technologies that are included on a list of authorized technologies maintained jointly by the Department of Justice, the Department of Homeland Security, the Department of Defense, the Department of Transportation, the Federal Communications Commission, and the National Telecommunications and Information Administration.”).

²⁰ 47 CFR §§ 1.3 (“Any provision of the rules may be waived by the Commission on its own motion . . . if good cause . . . is shown.”), 1.925(a) (“The Commission may waive specific requirements of the rules on its own motion.”).

²¹ 47 CFR pts. 1, 2, 15, 22, 24, 25, 27, 30, 73, 74, 78, 80, 87, 90, 95, 96, 97, and 101.

²² 47 CFR § 1.3.

²³ 47 CFR § 1.925(b)(3)(ii).

²⁴ DHS/DOJ Interim Final Rule at II (Executive Summary).

²⁵ *Id.*

²⁶ 6 U.S.C. § 124n(d)(2)(A)(iii); *see also* DHS/DOJ Interim Final Rule at II, 6 CFR § 124.2.

²⁷ See 47 U.S.C. §§ 151, 301 *et seq.*

²⁸ 6 U.S.C. § 124n(a)(2).

²⁹ 6 U.S.C. § 124n(b)(1)(A)-(F); DHS/DOJ Interim Final Rule; 6 CFR § 124.1 *et seq.*

³⁰ 47 CFR § 1.931(a)(3), (b)(1) (limiting STAs to 180 days).

- D. This Special Temporary Authorization may be terminated at the Bureaus' discretion, without a hearing, if conditions warrant.

IV. ORDERING CLAUSES

10. Accordingly, IT IS ORDERED, pursuant to sections §§ 154(i), 301, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 301, and 303, and section 1.931 of the Commission's rules, 47 CFR § 1.931, that special temporary authority is GRANTED to the extent described and subject to the conditions specified above.

11. Further, IT IS ORDERED, pursuant to sections 154(i), 301, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 301, and 303, and sections 1.3 and 1.925 of the Commission's rules, 47 CFR §§ 1.3 and 1.925, that waiver of the Commission's rule parts listed in paragraph 8 of this Order is GRANTED to the extent necessary and subject to the conditions described above.

12. This action is taken under delegated authority pursuant to sections 0.31, 0.51, 0.61, 0.131, 0.191, 0.241, 0.261, 0.283, 0.331, and 0.392 of the Commission's rules, 47 CFR §§ 0.31, 0.51, 0.61, 0.131, 0.191, 0.241, 0.261, 0.283, 0.331, and 0.392.

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