

COUNTERING DRONES: A DECISION BRIEF

U.S. DEPARTMENT
OF JUSTICEU.S. DEPARTMENT OF
HOMELAND SECURITY

Effective July 1, 2026

Decision brief · v1.0

What the new rule lets you do, how to fund it, how far to opt in —
for law enforcement and correctional leaders.

Page 1 of 2

THE THREAT TO YOUR JURISDICTION

Nearly every drone overhead is lawful — flown by public safety, industry, and the hundreds of thousands of hobbyists who fly responsibly every day. Your mission is not to police all drone use, but to find the few that rise to a credible threat to the people, facilities, and events you protect. The **SAFER SKIES Act interim final rule** lets your agency lawfully meet those threats where they most often appear:

Correctional facilities

Contraband and narcotics drops over jail and prison walls are now a routine smuggling method.

Mass gatherings & events

Stadiums, parades, and events face surveillance and weaponized drones under flight restrictions.

Critical infrastructure

Energy, transportation, and government sites are surveilled and probed from the air.

WHAT CHANGES FOR YOUR AGENCY

This is an opt-in authority — participation is voluntary; no agency is required to adopt it. Federal laws — on interception, computer access, and aircraft — otherwise make it unlawful to use certain detection methods or disable a drone; the rule's purpose is to grant authorized agencies relief from those prohibitions. Until now, your operators could act only within a federal task force; the rule lets an authorized state, local, tribal, or territorial (SLTT) agency detect — and, when separately certified, mitigate (stop) — threatening drones on its own authority, to protect its own jurisdiction. **Opting in is a new operational and legal responsibility — not simply a new tool.**

TWO PATHS IN — SIZED TO YOUR AGENCY

DETECTION & WARNING CERTIFICATION

Broad, low-cost, fast to field

Find, track, and identify drones; no interference. A **free, 90-minute online course** from the FBI's National Counter-UAS Training Center (NCUTC) — **the entry point for most agencies.**

MITIGATION CERTIFICATION

A deliberate onramp — not for every agency

Authority to stop a threatening drone. Requires **resident certification** by the NCUTC, plus complex equipment and heavier oversight — best matched to agencies that can sustain it.

FORCE MULTIPLIER

Only a Mitigation-certified operator may carry out the mitigation itself — but that operator can be supported by many **Detection & Warning**-certified personnel. A single mitigation graduate anchors a much larger team.

FOR CORRECTIONS

The full **Mitigation Certification** already covers correctional facilities. A narrower, correctional-only mitigation certification — for jails and prisons — is **under development.** § 124.5(e)

HOW YOUR AGENCY GETS AUTHORIZED

1

Adopt the policy

Use the model policy on the portal.

§ 124.6

2

Attest

Portal attestation; your gate to accreditation.

§ 124.6

3

Certify personnel

Detection & Warning, online.

§ 124.5

4

Consider mitigation

Resident certification at NCUTC.

§ 124.5

5

Before you operate

Advance Notification + OPLAN.

§§ 124.8–124.9

6

After you operate

Post-Operation Report.

§ 124.13

THE DECISION — COST, FUNDING & WHAT TO WEIGH

THE REAL COST IS PEOPLE AND EQUIPMENT, NOT PAPERWORK

C-UAS is a **complex, specialized technical discipline**. Equipment can be expensive, and operators need significant, recurring time to train and stay proficient — time that competes with their other assigned duties. The reporting burden below is real, but the **smallest part of the total**; actual training and operational hours run many multiples higher.

ESTIMATED ANNUAL REPORTING BURDEN • PAPERWORK ONLY – EXCLUDES TRAINING & OPERATIONS

POLICY ADOPTION ~16 hrs one-time	ANNUAL ATTESTATION ~15 min per year	ADV. NOTIF. + OPLAN ~2 hrs per operation	POST-OP REPORT ~45 min per operation	SEMIANNUAL SUMMARY ~3 hrs per year (2x)
---	--	---	---	--

Basis. Assumes ~10 planned operations per agency per year — roughly 45 reporting hours in year one, less after.

FUNDING • FEMA C-UAS GRANT PROGRAM

\$500M • FY26–27

FY2026 • \$250M ✓ AWARDED

Already disbursed to jurisdictions supporting the FIFA World Cup and America 250 events.

FY2027 • \$250M OPEN SOON

Open to all 56 states and territories; applications expected this fall through your State Administrative Agency (SAA).

Detection & tracking is broadly eligible; **mitigation** funding requires personnel trained or scheduled at the FBI NCUTC. Costs follow FEMA's POETE framework (Planning, Organization, Equipment, Training & Exercises). Separately, DOJ JAG and COPS funds may also buy authorized C-UAS systems with prior Bureau of Justice Assistance (BJA) approval.

BEFORE YOU DECIDE

You don't have to go it alone

Under mutual aid, an accredited agency can cover non-accredited neighbors by written arrangement. Nothing requires a small or resource-limited agency to buy equipment or seek accreditation.

§ 124.4(c)

What you can't outsource

Only your personnel may operate C-UAS systems or make threat determinations. Contractors may maintain and train — never operate or decide. You can't lend your accreditation to let a contractor or another agency run operations in your name. § 124.4(a)–(d)

Your liability exposure

Penalties are graduated. Acting outside the authority risks a civil fine up to **\$100,000 per violation** and suspension.

Good faith is protected. A first procedural violation, self-reported in good faith, draws no penalty. § 124.16

What stays the same

Task forces continue. Existing task force and deputization arrangements need no accreditation — the strongest federal–SLTT pairing for high-threat events.

Non-intercept detection is unaffected. Cameras, radar, acoustic, and Remote ID sensors still don't need legal relief. § 124.7

EFFECTIVE

July 1, 2026

SUNSETS

Dec 31, 2031

COMMENT ON THE RULE

Submit by Sep 4, 2026 at [regulations.gov/docket/FBI-2026-0001](https://www.regulations.gov/docket/FBI-2026-0001)GET
STARTED

INTERIM FEDERAL C-UAS COORDINATION PORTAL

justiceconnect.cjis.gov/communities/community/cuas

PROGRAM QUESTIONS

cuas@fbi.gov

GRANT APPLICATIONS

Through your State Administrative Agency (SAA)



JOINTLY ISSUED BY

The **U.S. Departments of Justice** and
Homeland Security, under the SAFER SKIES Act.



PORTAL OPERATED BY

The **Federal Bureau of Investigation**,
Critical Incident Response Group.

The United States does not endorse or certify any vendor, system, or manufacturer. This is a plain-language summary; the interim final rule (**6 & 28 CFR Part 124**) is the controlling text and the FEMA C-UAS Grant Program NOFO governs grant eligibility.