



Public Data Briefing

Proposed Amendment on Unmanned Aircraft

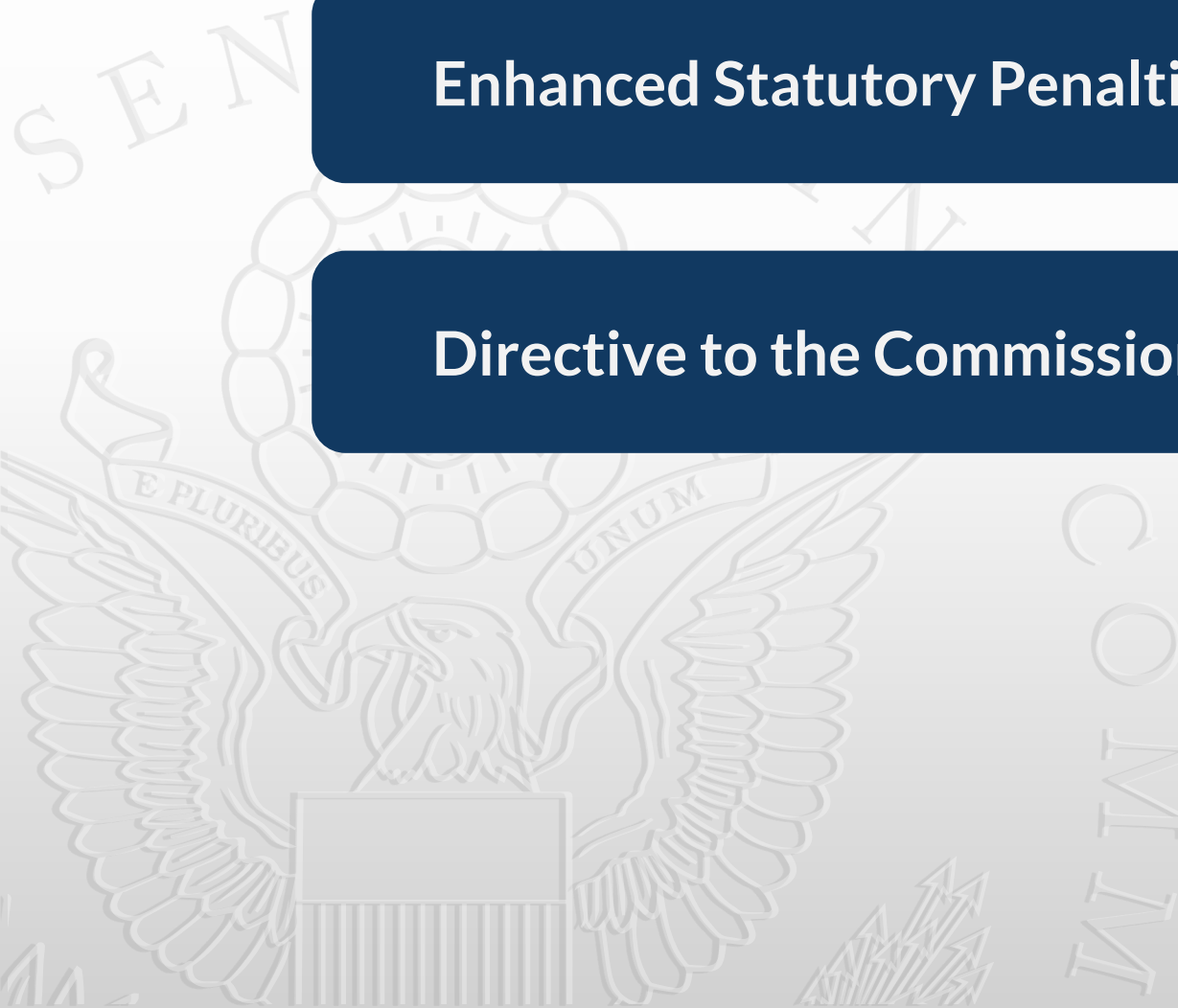
May 2026

SAFER SKIES Act

Pub L. No. 119-60, § 8605 (2025)

Enhanced Statutory Penalties

Directive to the Commission



SAFER SKIES Act: Enhanced Statutory Penalties

6 U.S.C. § 124n-1(c) & (d); 49 U.S.C. § 46307

49 U.S.C.
§ 46307

Violation of National Defense Airspace (49 U.S.C. § 46307)

Felony (5-Year Maximum)

second or successive convictions

6 U.S.C.
§ 124n-1(d)

Providing Contraband in Prison (18 U.S.C. § 1791)

5-Year Increase to Statutory Maximum

knowingly used an unmanned aircraft to provide a prohibited object to an inmate of a prison

6 U.S.C.
§ 124n-1(c)

Felony Offenses (Not Based Solely on Operating Unmanned Aircraft)

Double Statutory Maximum or 5-Year Increase (whichever is less)

knowingly operated an unmanned aircraft during, in relation to, or in furtherance the offense

SAFER SKIES Act: Directive

6 U.S.C. § 124n-1(e)

To carry out the purposes of this section, . . . the Commission shall . . . promulgate guidelines, or amendments to guidelines, that *substantially increase the sentencing range for all offenses involving the use of an unmanned aircraft . . .*

**Enhanced Penalties
of Subsection (c)
Apply**

At Least 6 Levels

All Other Cases

At Least 4 Levels

Proposed Amendment on Unmanned Aircraft

Adjustment at §3B1.6 (Use of Unmanned Aircraft)

Appendix A References for 49 U.S.C. § 46307



Adjustment for Use of Unmanned Aircraft

Proposed §3B1.6

[6]-Level Increase

Option 1

Statutory sentencing enhancement under 6 U.S.C. § 124n-1(c) applies

Option 2

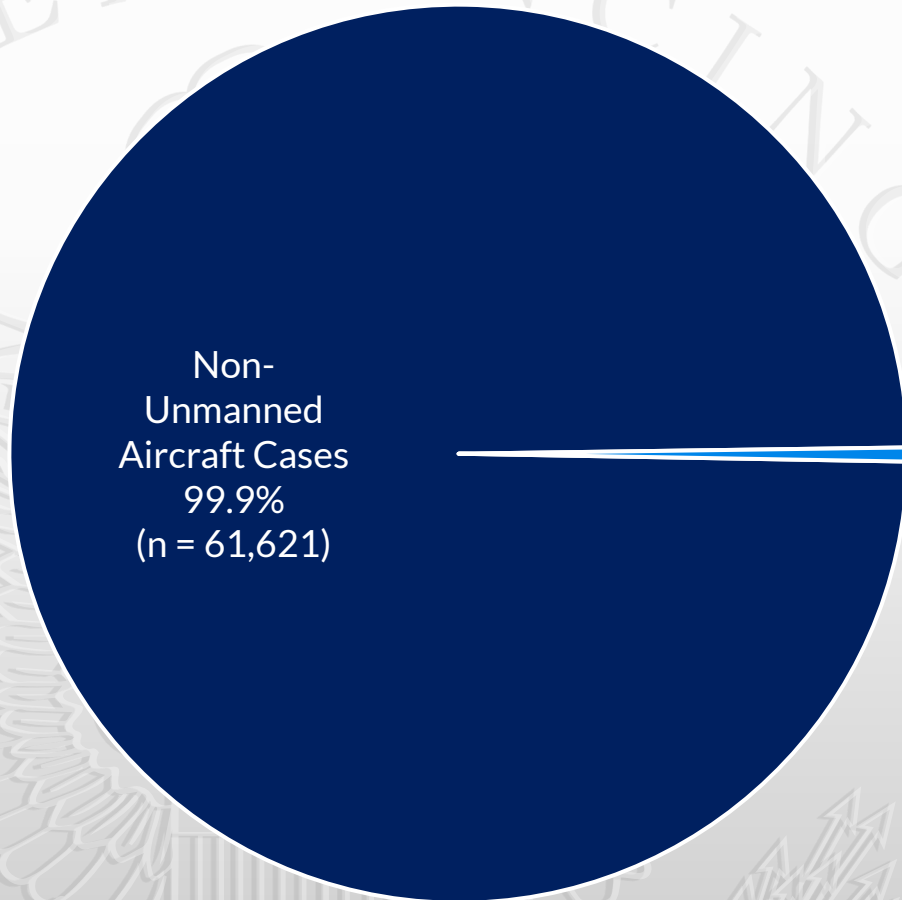
Convicted of a felony not based solely on the operation of an unmanned aircraft; *and*
Knowingly operated unmanned aircraft during, in relation to, or in furtherance of that offense

[4]-Level Increase

Offense involved the use of an unmanned aircraft

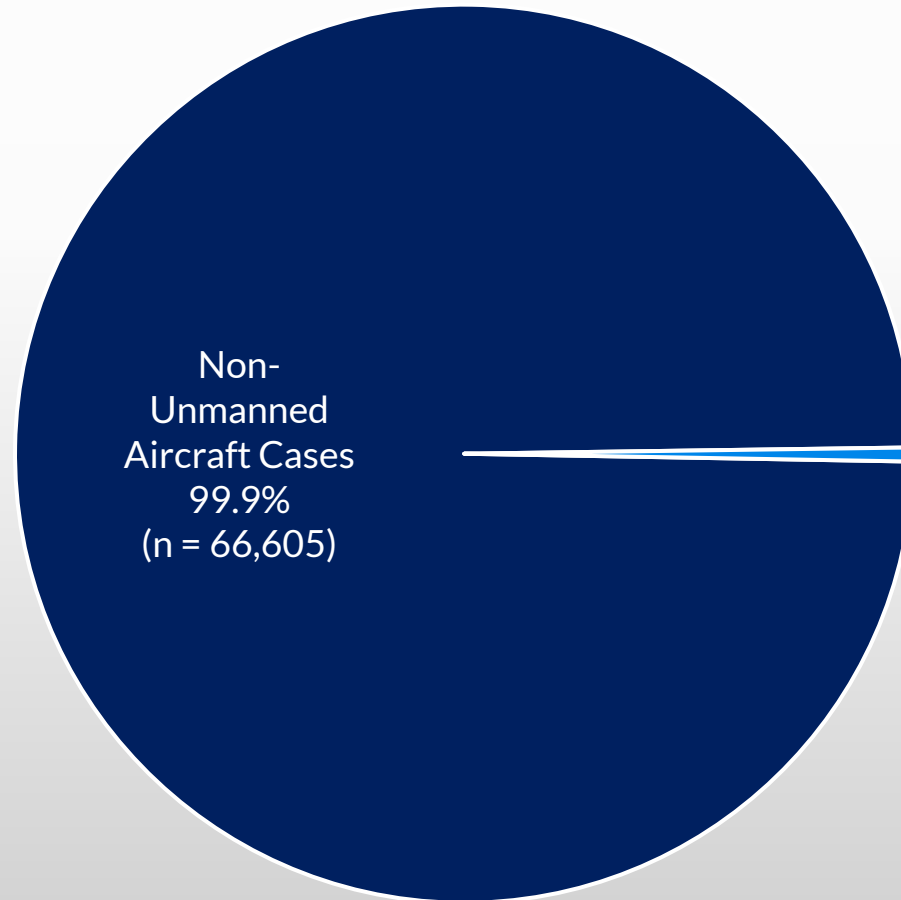
Offenses Involving Unmanned Aircraft Fiscal Years 2024 - 2025

Fiscal Year 2024
N = 61,678



Unmanned
Aircraft
Cases 0.1%
(n = 56)

Fiscal Year 2025*
N = 66,662



Unmanned
Aircraft
Cases 0.1%
(n = 57)

Demographics

FY24-FY25

n = 113

Race	
White	26%
Black	19%
Hispanic	49%
Other	6%

Gender	
Male	84%
Female	16%

Citizenship	
U.S. Citizen	79%
Non-U.S. Citizen	21%

Age	
Average Age	34

Criminal History Category

FY24-FY25

n = 113

58%



Category I

8%



Category II

11%



Category III

7%



Category IV

7%

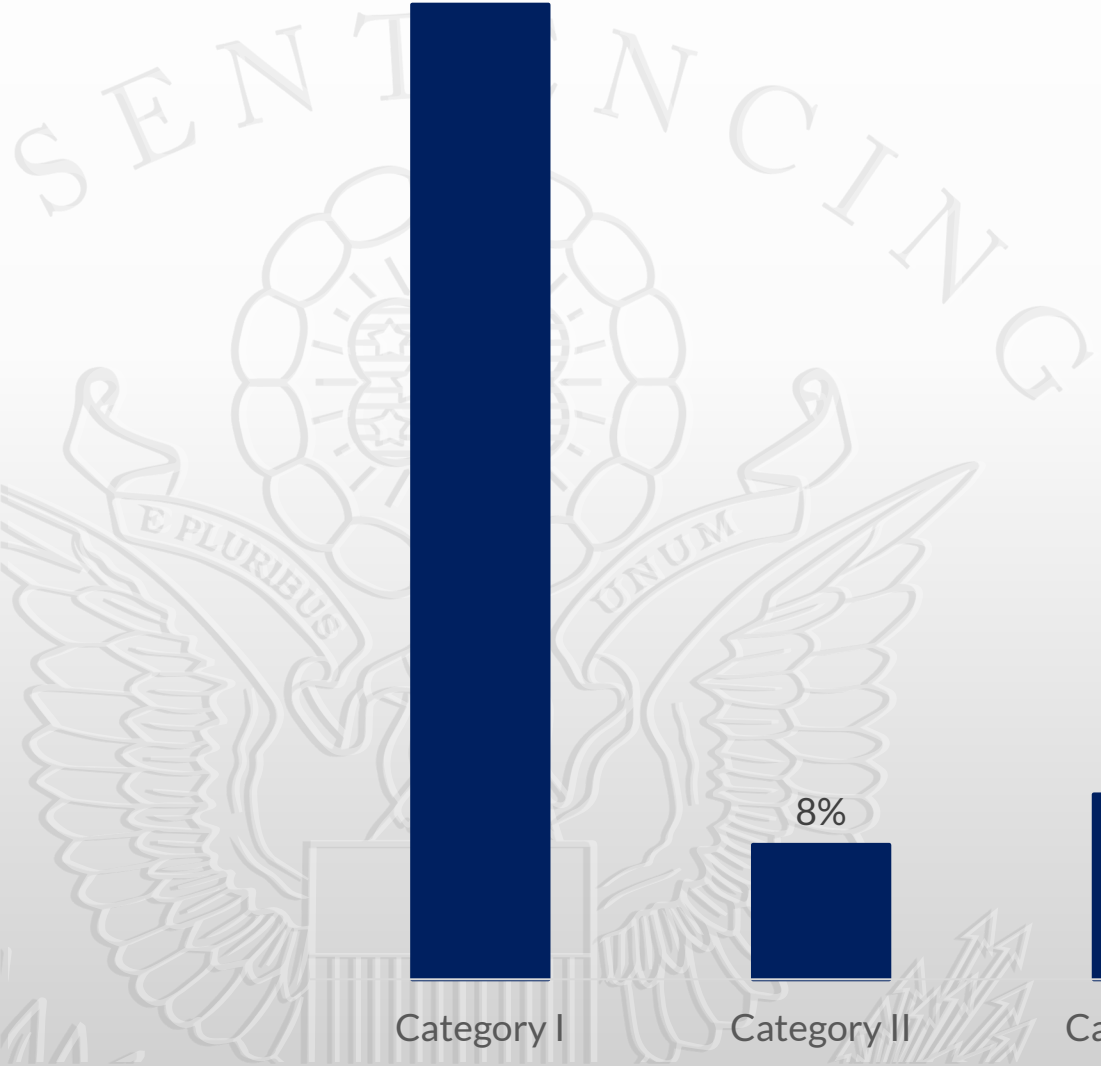


Category V

9%



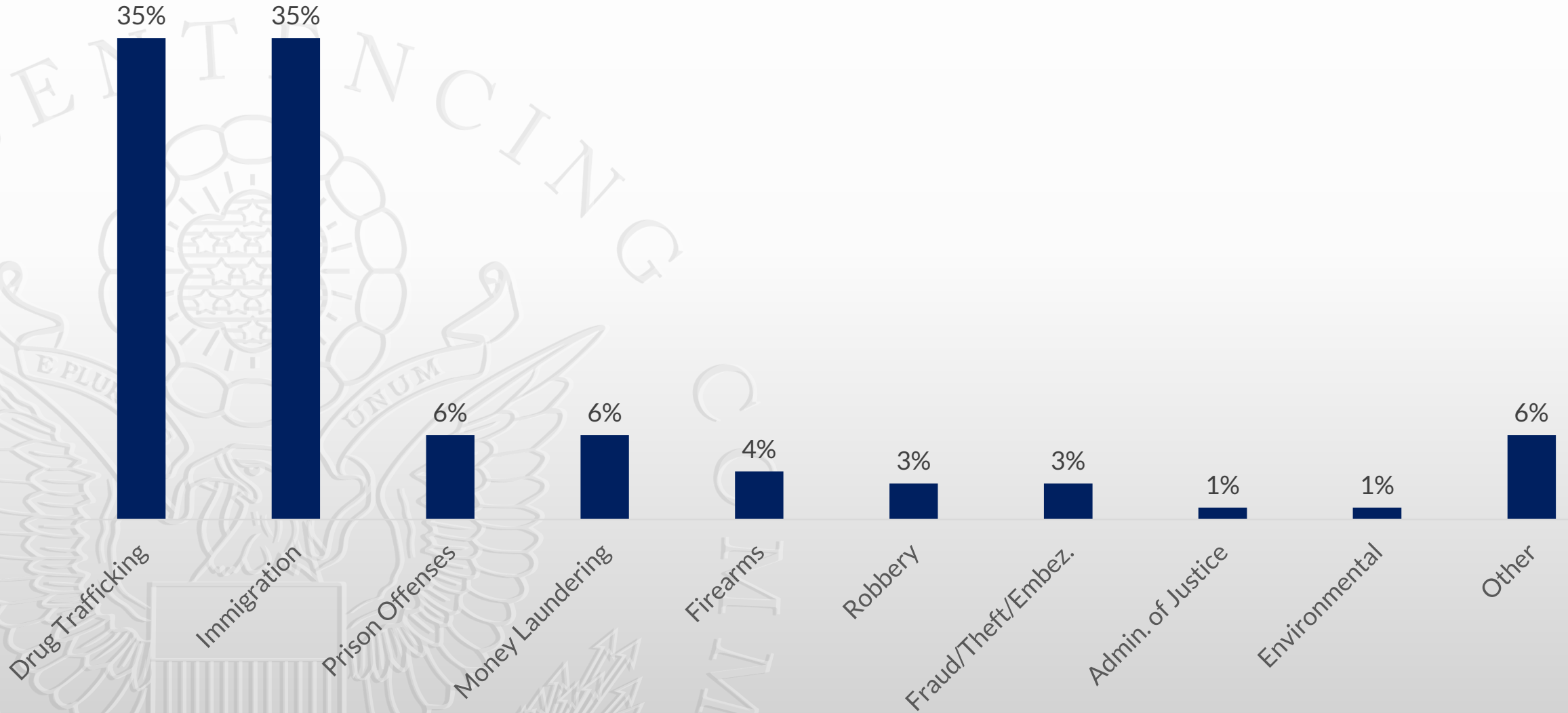
Category VI



Primary Crime Type

FY24-FY25

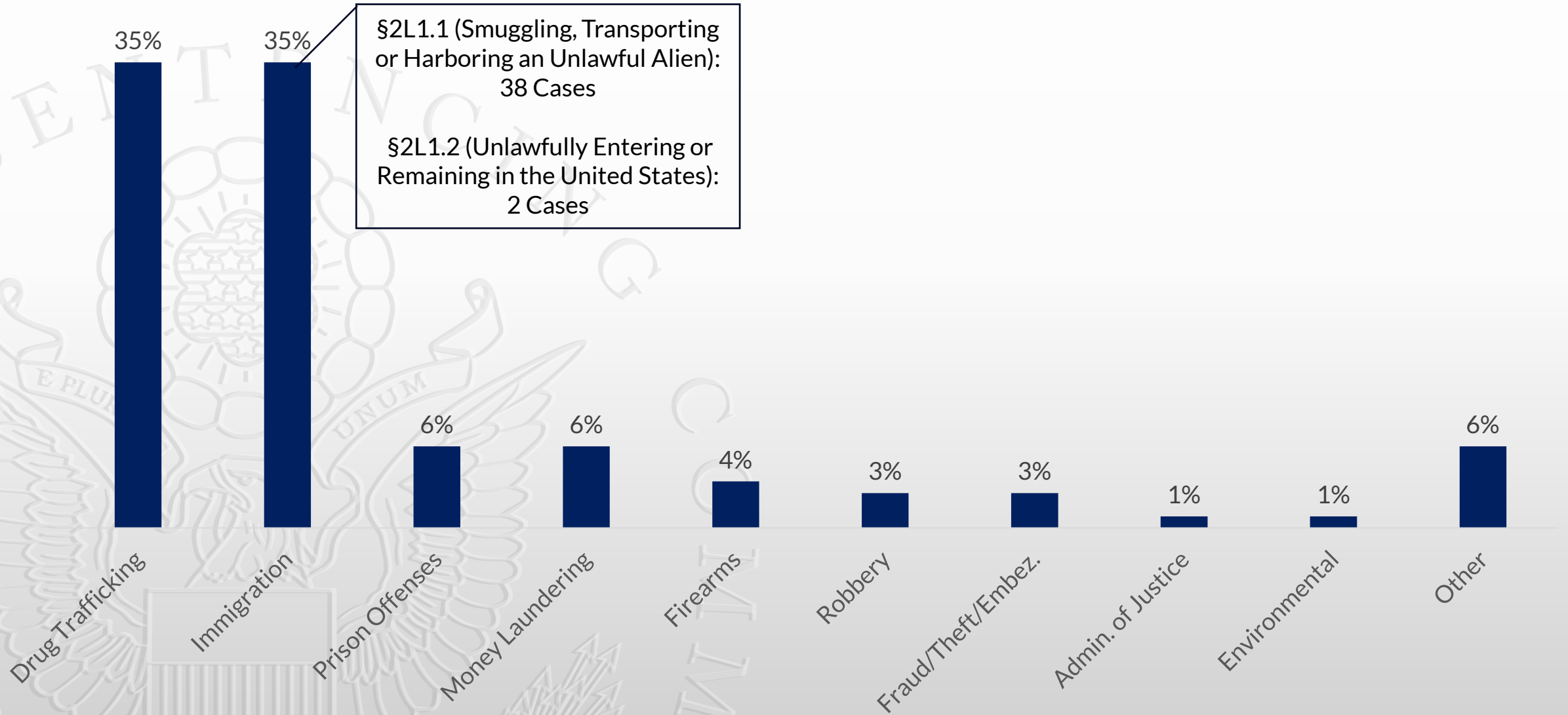
n = 113



Primary Crime Type

FY24-FY25

n = 113



Sentencing Enhancements Applied

FY24-FY25

n = 110

Enhancement	Number of Cases
Weapon Enhancement	16
Aggravating Role (§3B1.1)	10
Mitigating Role (§3B1.2)	13
Obstructing or Impeding the Administration of Justice (§3C1.1)	3
Reckless Endangerment During Flight (§3C1.2)	2
Use of Minor in Commission of a Crime (§3B1.4)	1
18 U.S.C. § 924(c)	1

Selected Specific Offense Characteristics (SOCs)

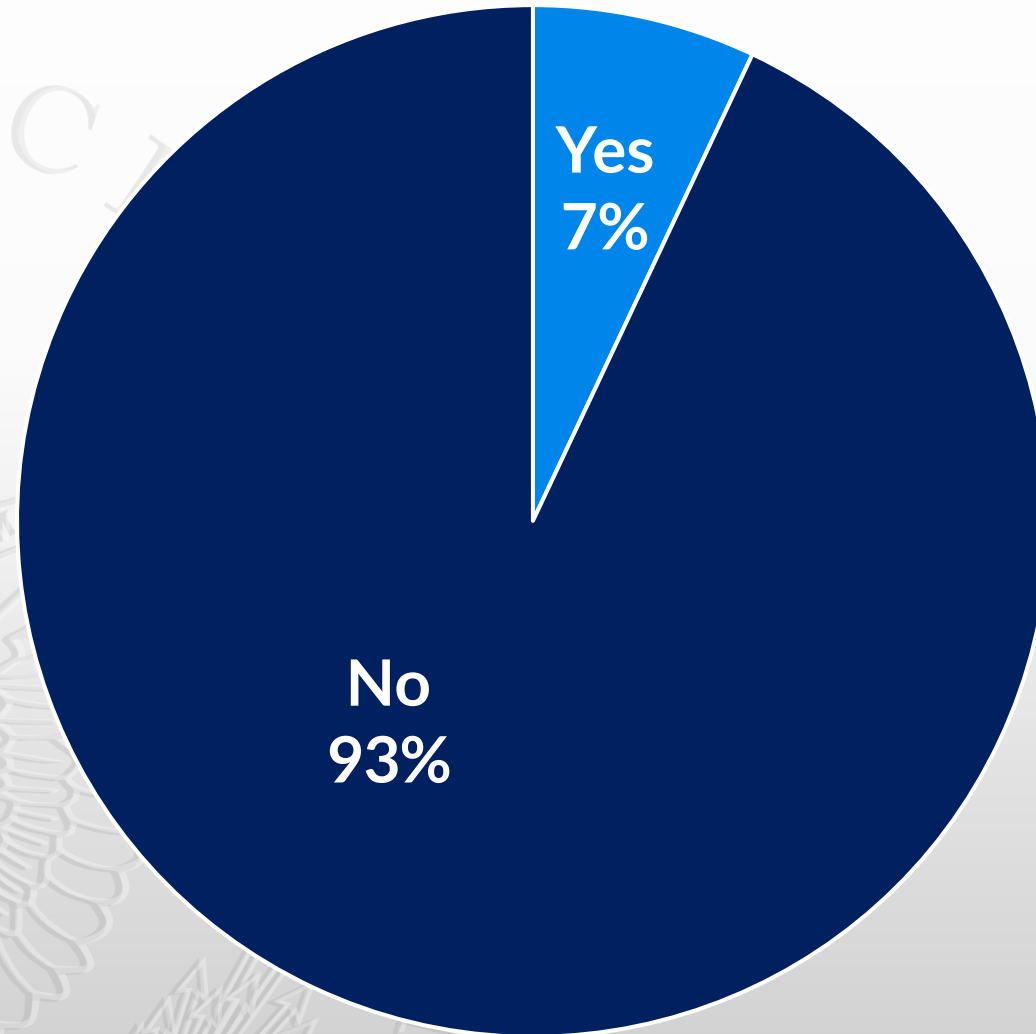
FY24-FY25

Specific Offense Characteristic	Number of Cases
§2B1.1(b)(10)(C) The offense otherwise involved sophisticated means and the defendant intentionally engaged in or caused the conduct constituting sophisticated means	2
§2D1.1(b)(3)(A) An aircraft other than a regularly scheduled commercial air carrier was used to import or export the controlled substance	1
§2D1.1(b)(4) If the object of the offense was the distribution of a controlled substance in a prison, correctional facility, or detention facility	22

Offense Based Solely on the Operation of an Unmanned Aircraft

FY24-FY25

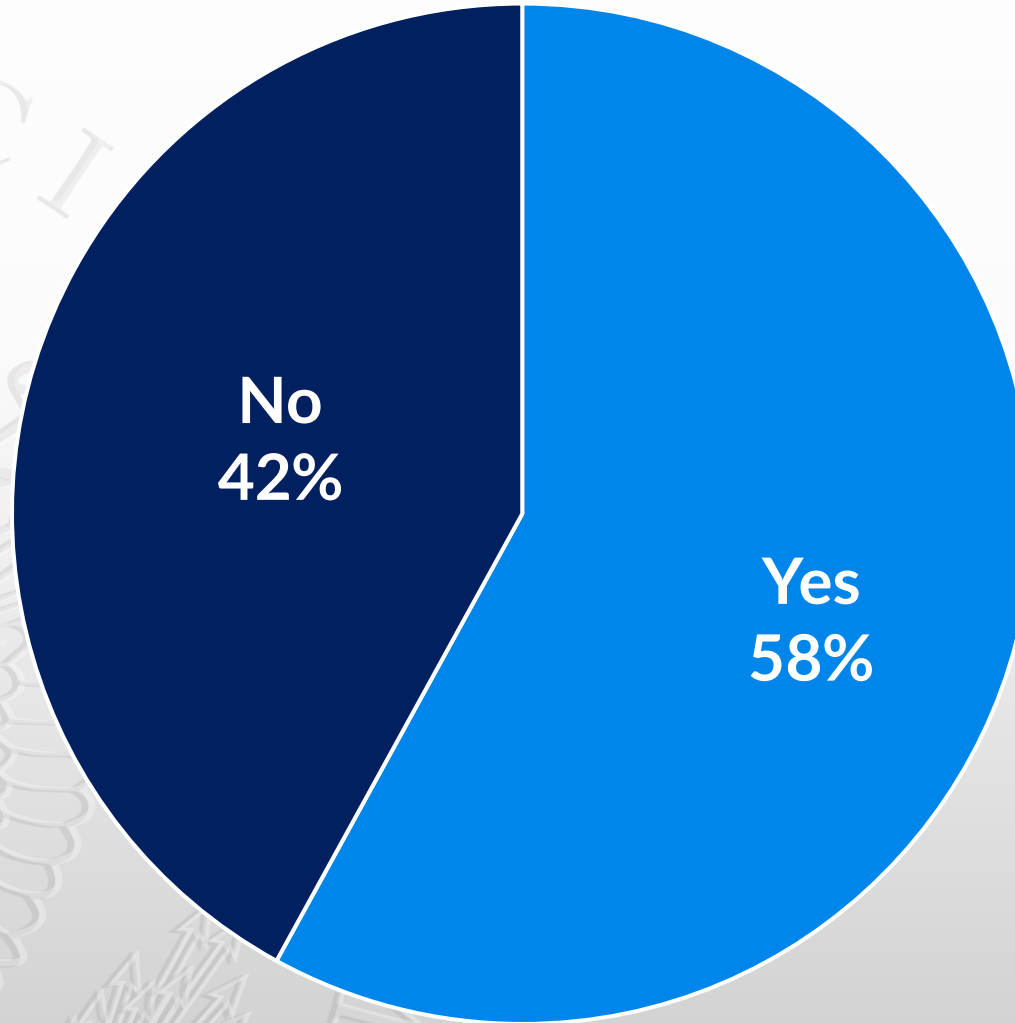
n = 113



Sentenced Individual's Conduct Involved the Use of Unmanned Aircraft

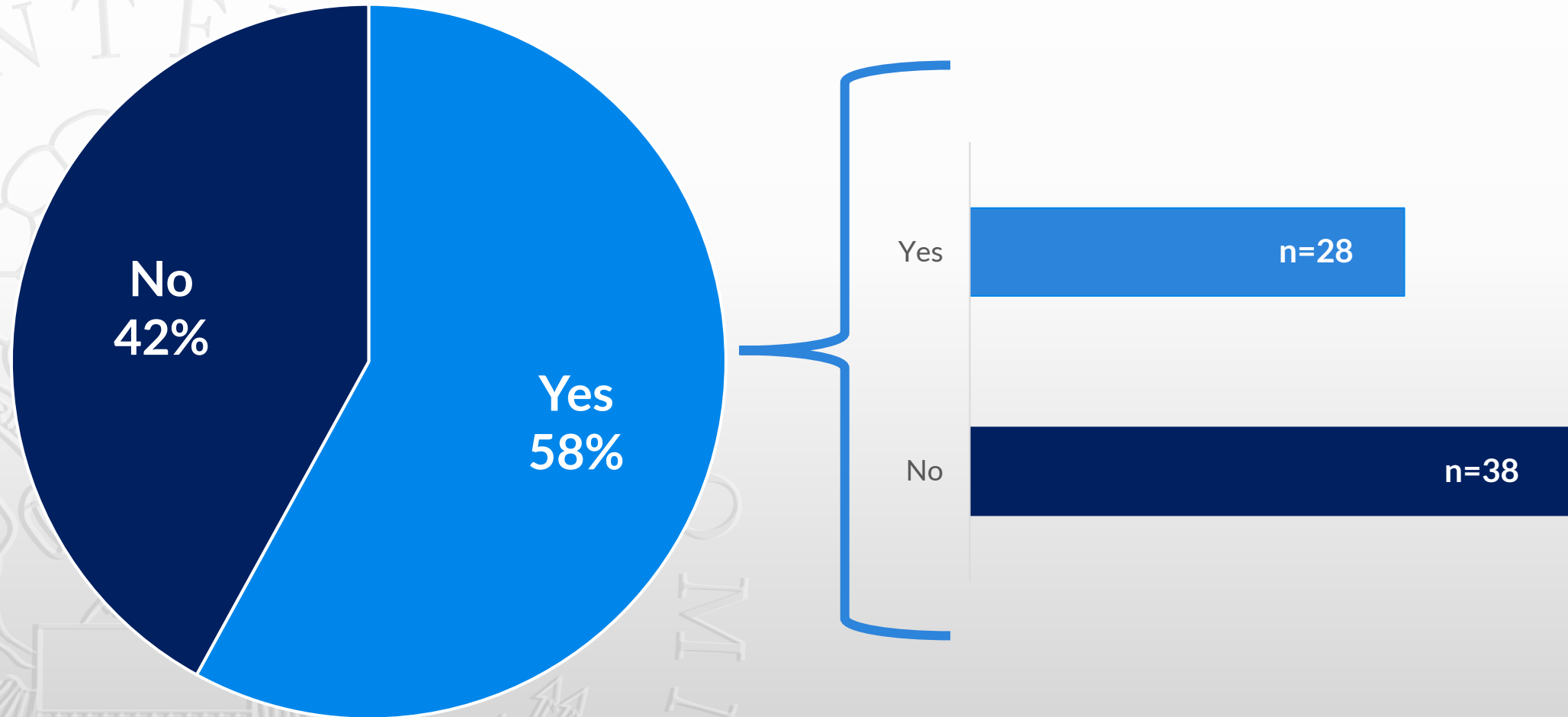
FY24-FY25

n = 113



Sentenced Individual Personally Operated Unmanned Aircraft

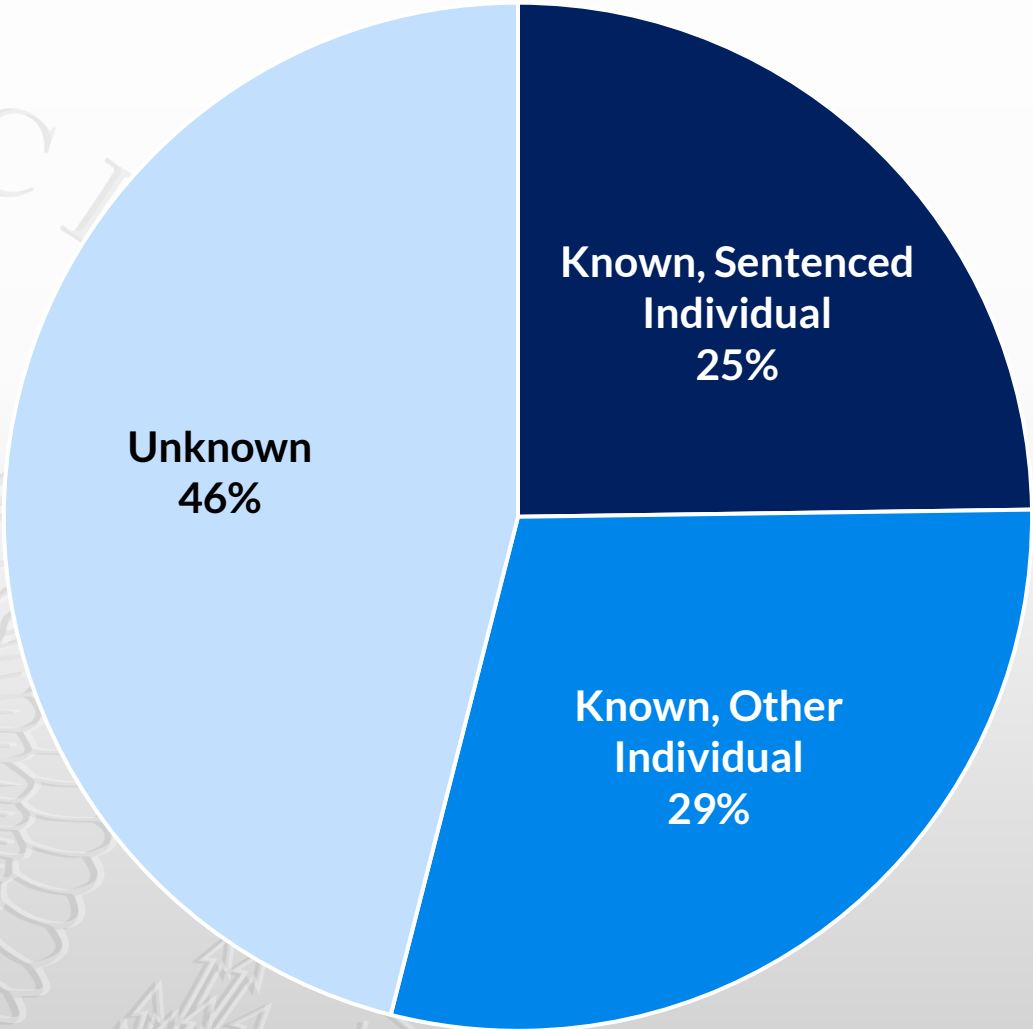
FY24-FY25



Identity of the Unmanned Aircraft Operator

FY24-FY25

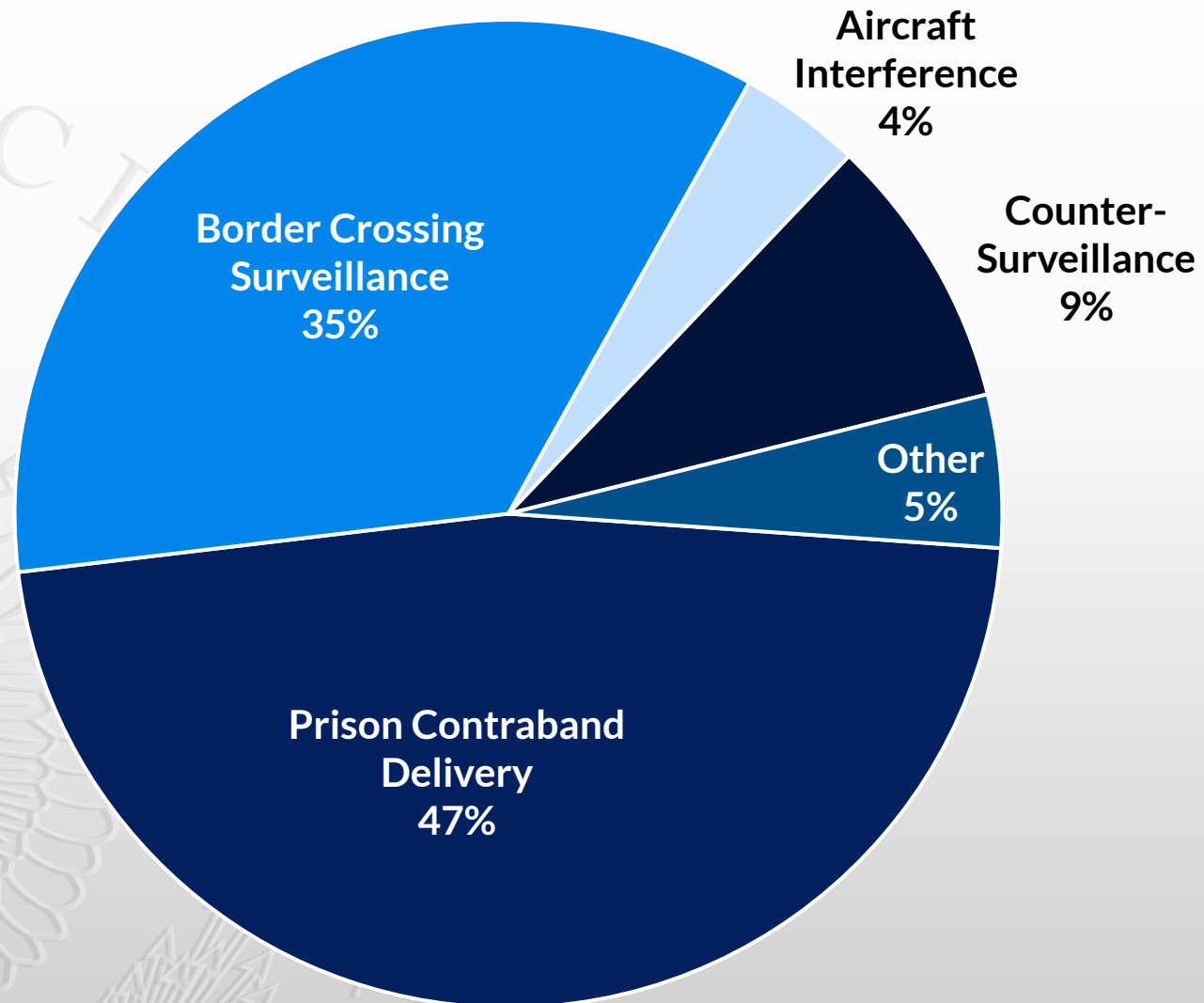
n = 113



How the Unmanned Aircraft Was Used

FY24-FY25

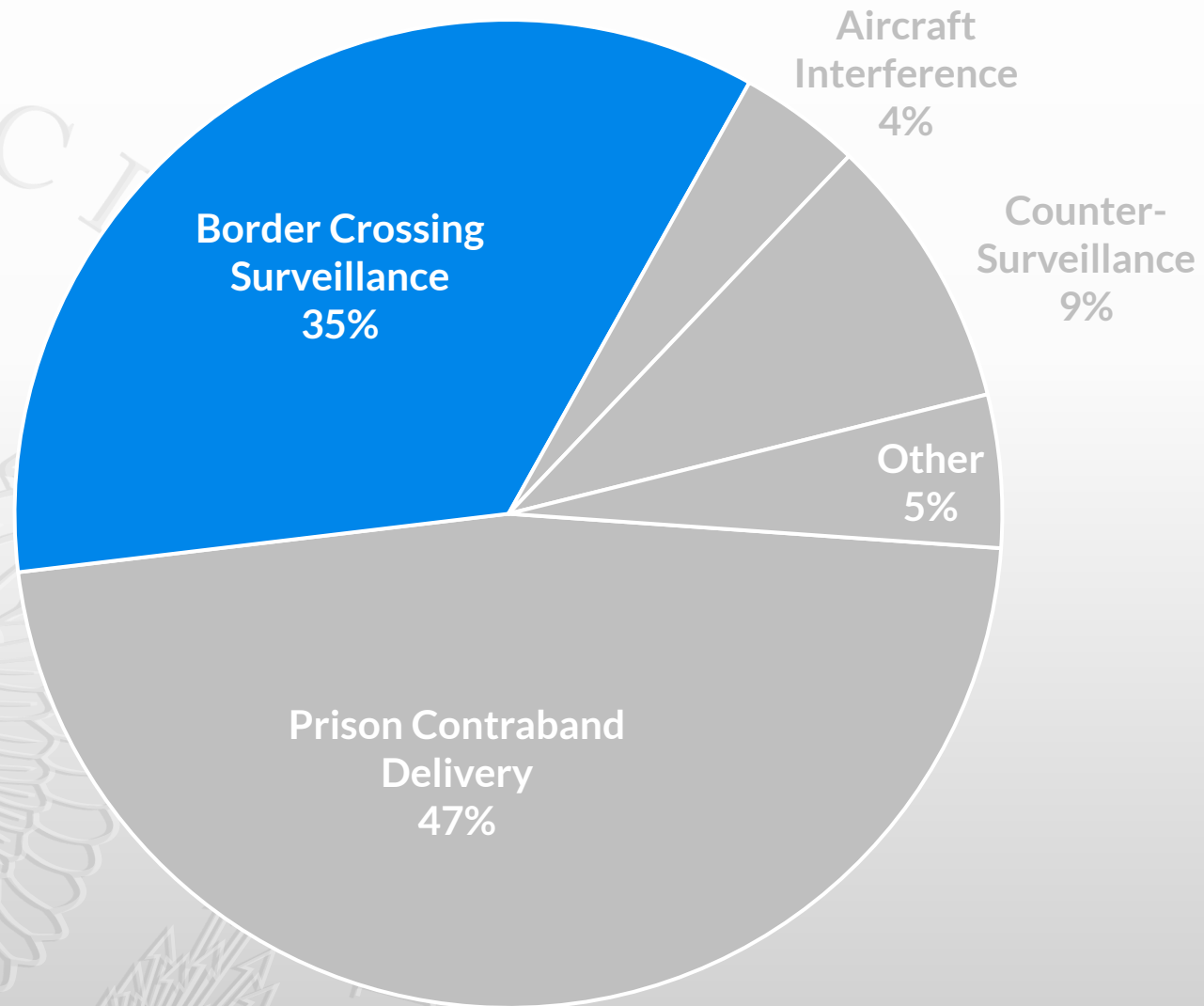
n = 113



How the Unmanned Aircraft Was Used

FY24-FY25

n = 113



Border Crossing Offenses Involving Unmanned Aircraft

FY24-FY25
n = 40

Transport of undocumented individuals
83%

Transport of drugs
13%

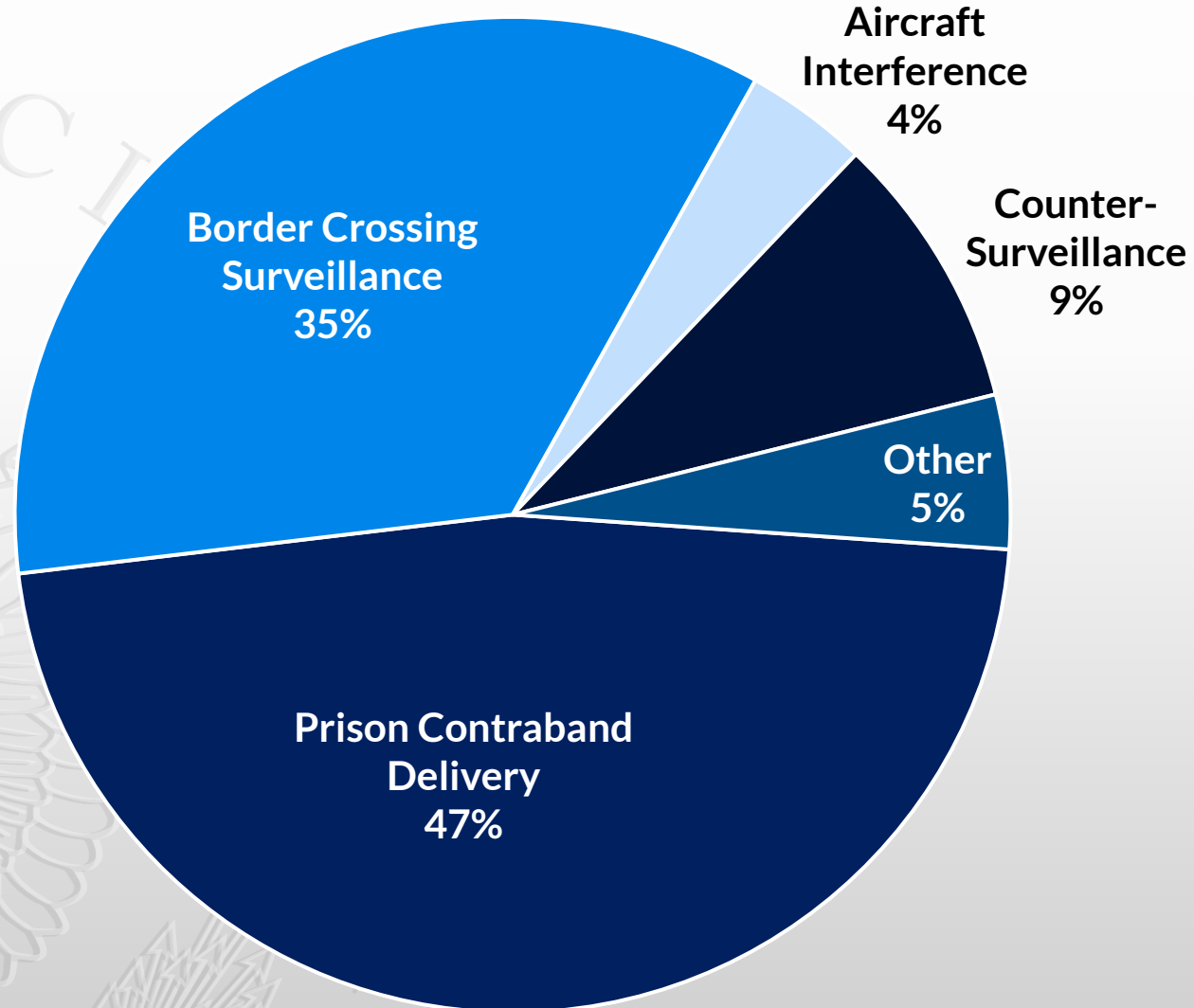
Both 5%



How the Unmanned Aircraft Was Used

FY24-FY25

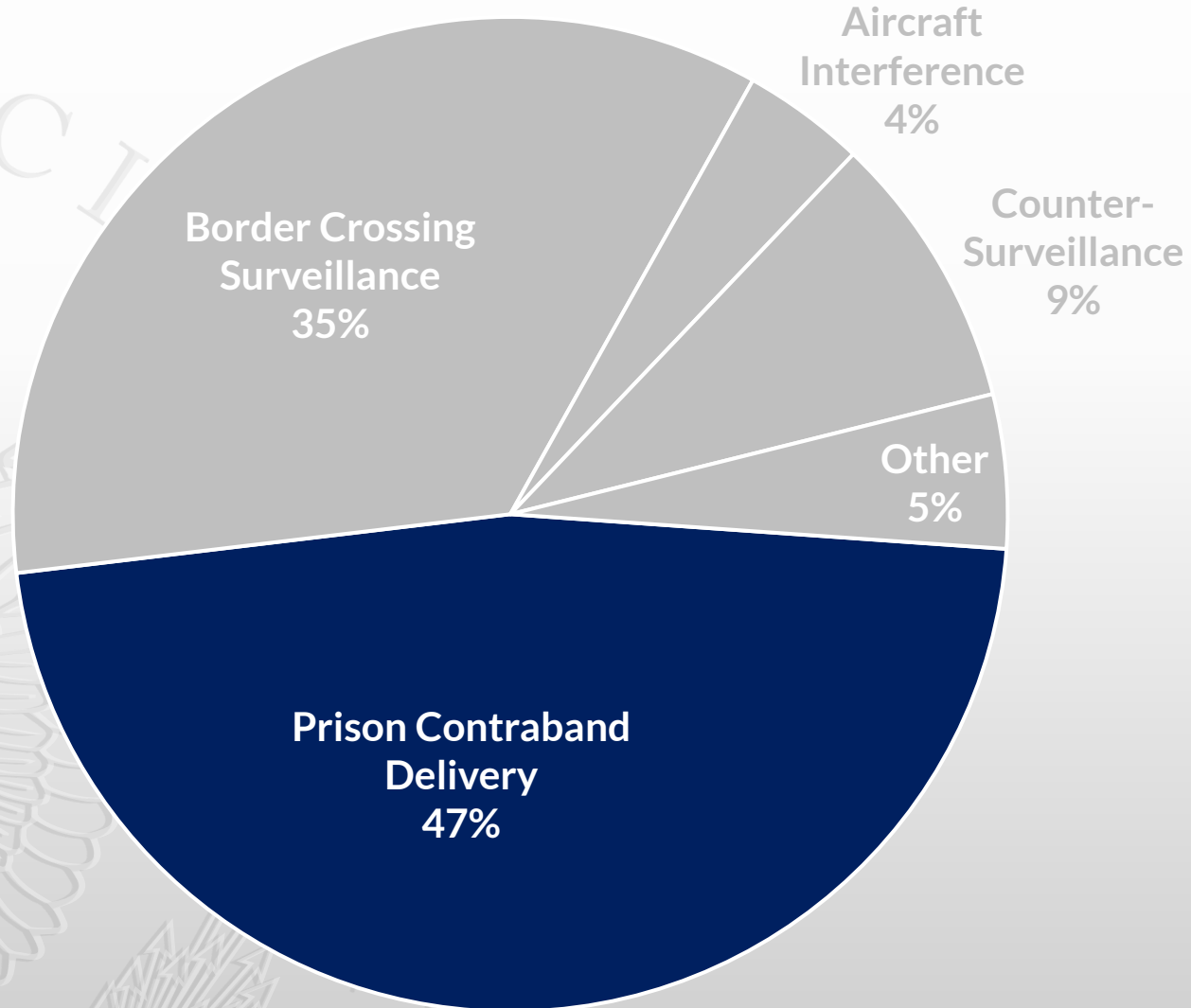
n = 113



How the Unmanned Aircraft Was Used

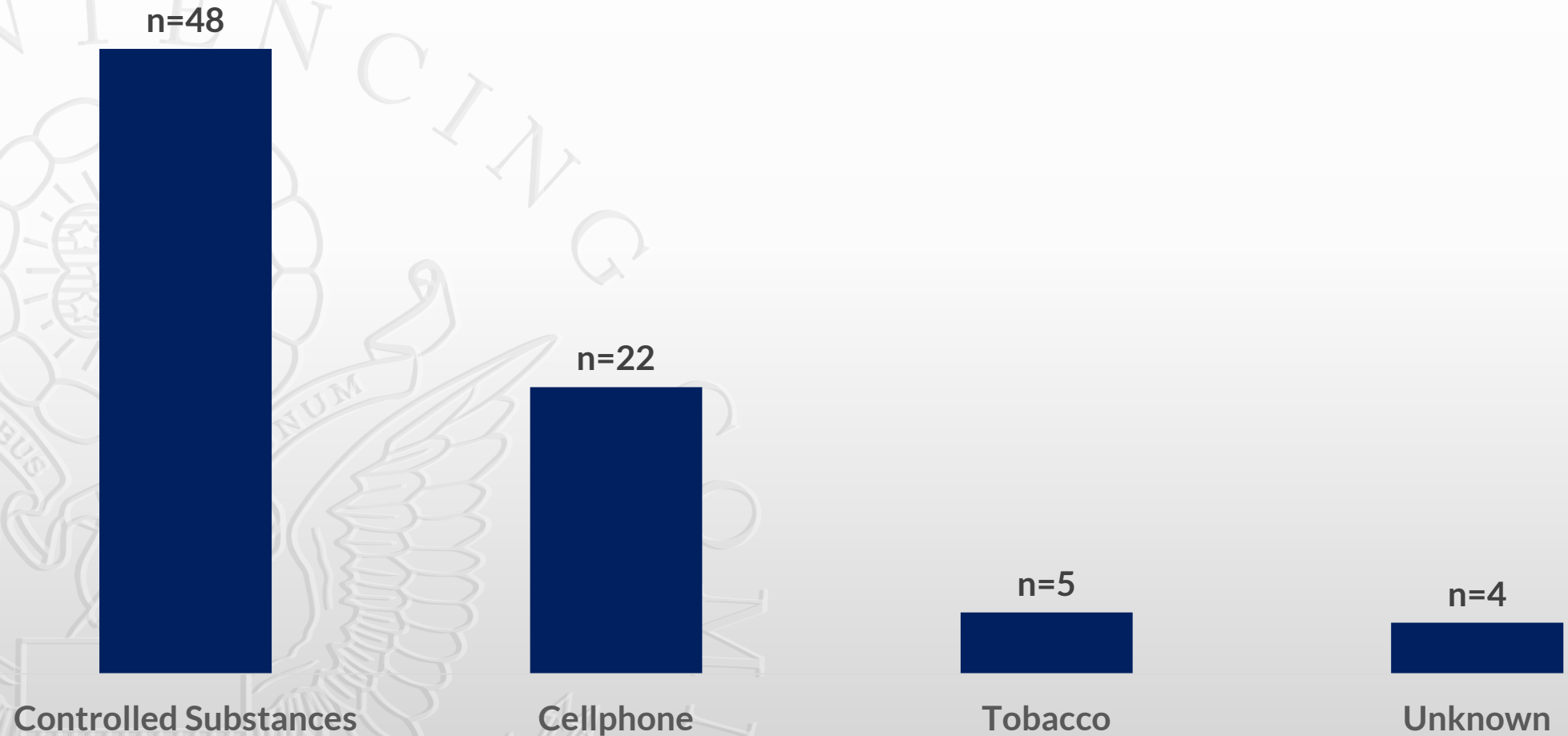
FY24-FY25

n = 113



Prison Contraband Cases: Type of Contraband

FY24-FY25
n = 53



Prison Contraband Cases: Incarceration Status of Sentenced Individual

FY24-FY25

n = 53

Not Incarcerated
83%

Incarcerated
13%



Prison Contraband Cases: Federal Correctional Facility

FY24-FY25

n = 53



Facility Type	Percentage
Federal Facility	34%
Non-Federal Facility	66%

Federal Facility
34%

Non-Federal
Facility
66%

Sentence Relative to the Guideline Range

FY24-FY25

n = 113

Substantial Assistance (\$5K1.1)
5%

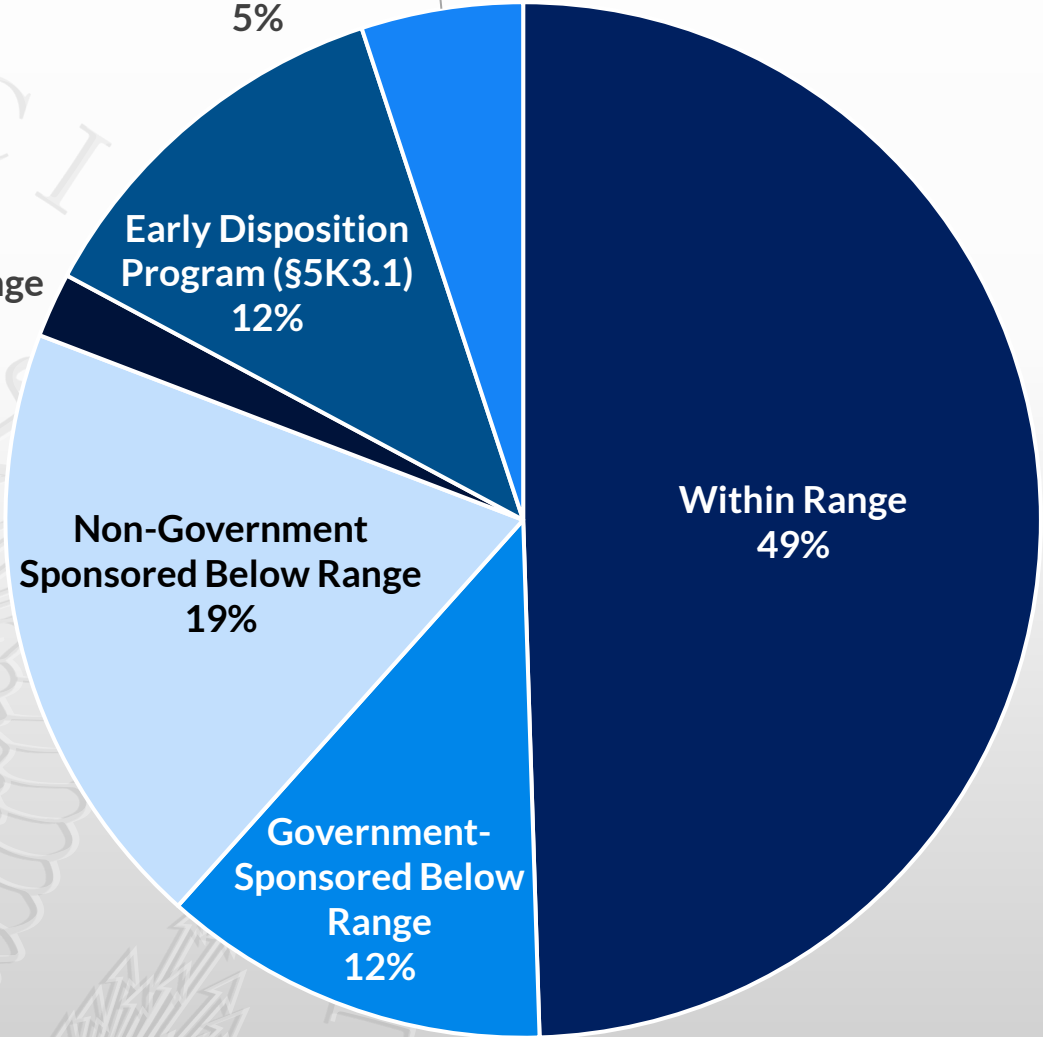
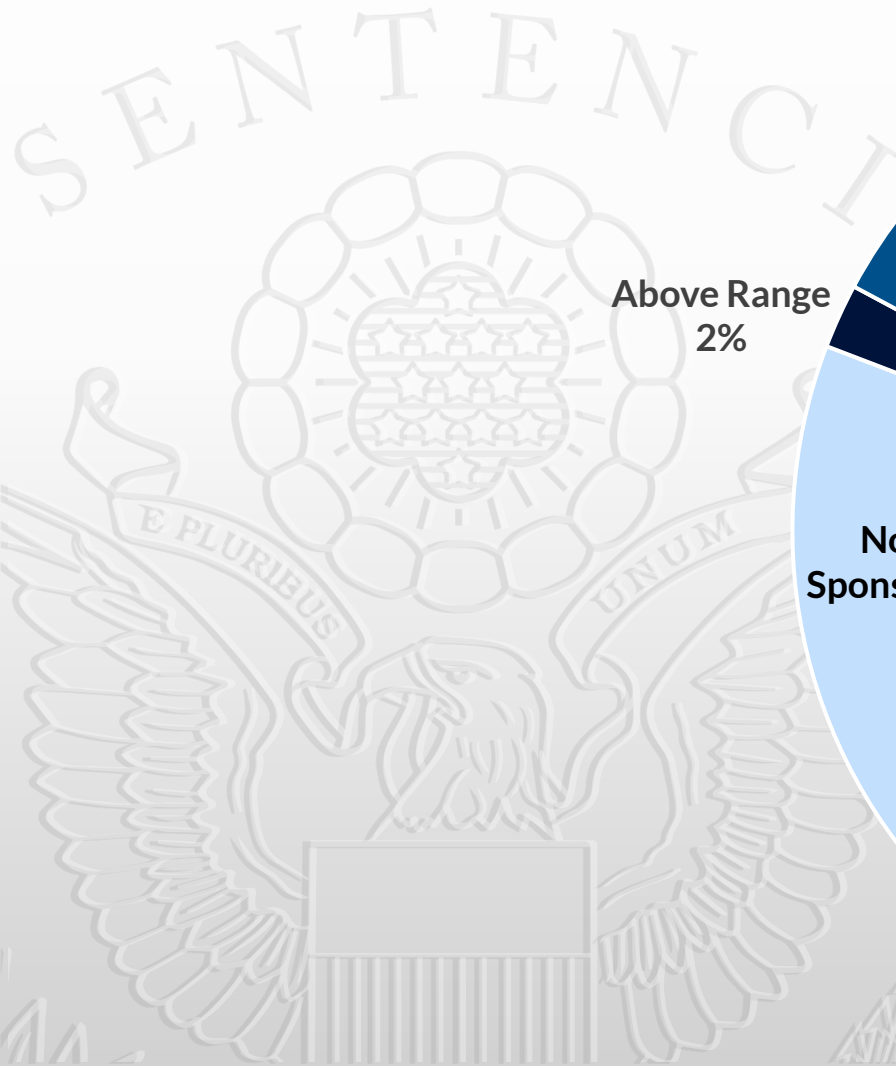
Early Disposition Program (\$5K3.1)
12%

Above Range
2%

Non-Government Sponsored Below Range
19%

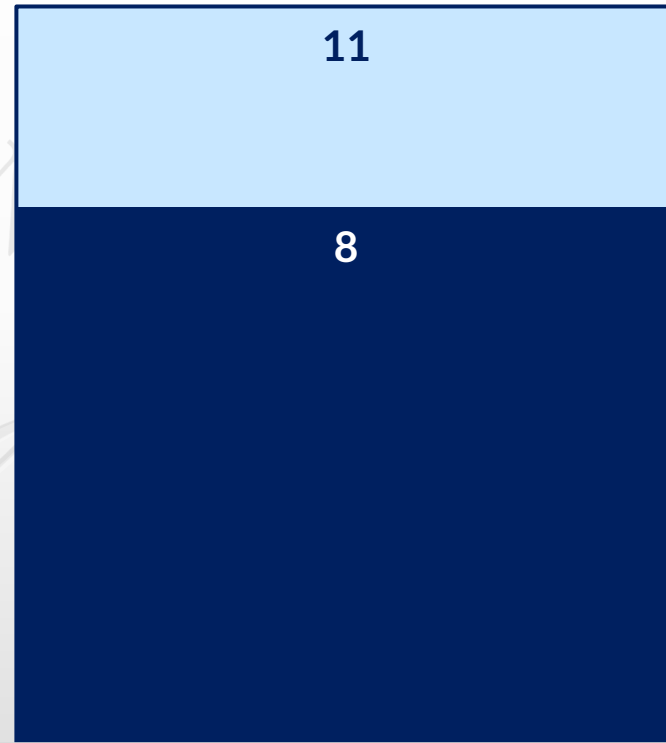
Government-Sponsored Below Range
12%

Within Range
49%



Average Sentence and Guideline Minimum for Immigration Cases

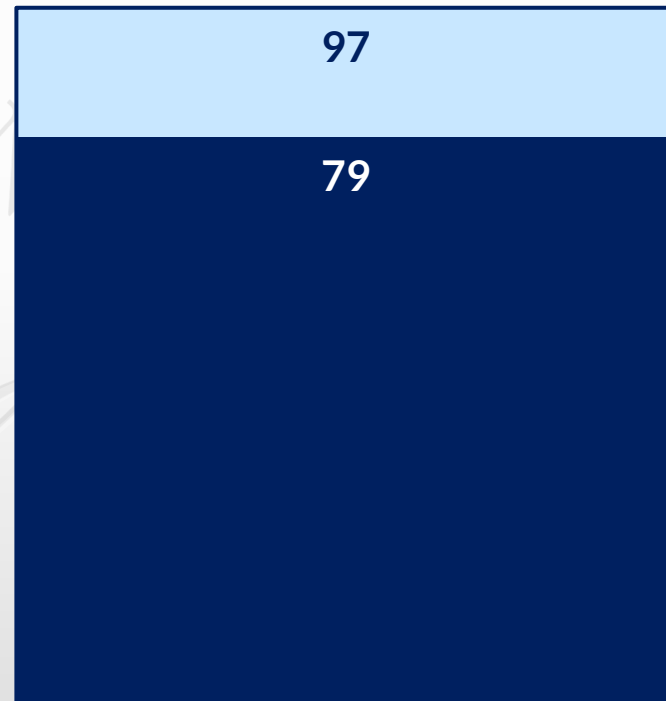
FY24-FY25



Immigration
(n = 40)

□ Guideline Minimum ■ Sentence

Average Sentence and Guideline Minimum for Drug Trafficking Cases FY24-FY25



Drug Trafficking
(n = 40)

□ Guideline Minimum ■ Sentence



The Commission is accepting public comment on this proposal through June 18, 2026.

comment.ussc.gov

United States Sentencing Commission
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Washington, DC 2002-8002