

119TH CONGRESS
1ST SESSION

S. 3481

To expand the authority to use counter-unmanned aircraft system technologies to State, local, Tribal, and territorial law enforcement and correctional agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2025

Mr. PETERS (for himself, Mr. GRASSLEY, Mr. JOHNSON, and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To expand the authority to use counter-unmanned aircraft system technologies to State, local, Tribal, and territorial law enforcement and correctional agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SAFER SKIES Act”.

5 **SEC. 2. DRONE COUNTERMEASURES TO PROTECT PUBLIC**
6 **SAFETY AND CRITICAL INFRASTRUCTURE.**

7 Section 210G of the Homeland Security Act of 2002
8 (6 U.S.C. 124n) is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) AUTHORITIES.—

4 “(1) AUTHORITY OF THE DEPARTMENT OF
5 HOMELAND SECURITY AND DEPARTMENT OF JUSTICE.—Notwithstanding section 46502 of title 49,
6 United States Code, or sections 32, 1030, 1367 and
7 chapters 119 and 206 of title 18, United States
8 Code, the Secretary and the Attorney General may,
9 for their respective Departments, take and may au-
10 thorize personnel to take such actions as are de-
11 scribed in subsection (b)(1) that are necessary to en-
12 force the law, protect the public, or to mitigate a
13 credible threat that an unmanned aircraft system or
14 unmanned aircraft poses to the safety or security of
15 a covered facility or asset.

17 “(2) AUTHORITY OF STATE, LOCAL, TRIBAL,
18 AND TERRITORIAL LAW ENFORCEMENT AND COR-
19 RECTIONAL AGENCIES.—Notwithstanding section
20 46502 of title 49, United States Code, or sections
21 32, 1030, 1367 and chapters 119 and 206 of title
22 18, United States Code, notwithstanding the laws of
23 any particular State, local, Tribal, or territorial ju-
24 risdiction, and after completing the training detailed
25 in subsection (d)(2), any State, local, Tribal, or ter-

1 ritorial law enforcement or correctional agency may,
 2 subject to subsection (d)(2), take, and authorize per-
 3 sonnel with assigned duties that include the security
 4 or protection of people, facilities, or assets, to take
 5 such actions as are described in subsection (b)(1)
 6 that are necessary to mitigate a credible threat that
 7 an unmanned aircraft system or unmanned aircraft
 8 poses to the safety or security of people, facilities,
 9 and assets, a venue or set of venues used for large-
 10 scale public gatherings or events, critical infrastruc-
 11 ture, or correctional facilities.”;

12 (2) in subsection (b)(1)(B), by striking “and
 13 electromagnetic means” and inserting “electro-
 14 magnetic means, and through the use of remote
 15 identification broadcast or other means”;

16 (3) in subsection (c)—

17 (A) by inserting “pursuant to subsection
 18 (a)(1)” after “Attorney General”;

19 (B) by striking “Any unmanned” and in-
 20 serting the following:

21 “(1) FEDERAL AGENCIES.—Any unmanned”;

22 and

23 (C) by adding at the end the following:

24 “(2) OTHER AGENCIES.—Any unmanned air-
 25 craft system or unmanned aircraft described in sub-

1 section (a) that is seized by a State, local, Tribal, or
 2 territorial law enforcement or correctional agency
 3 pursuant to subsection (a)(2) is subject to forfeiture
 4 under the laws of the agency’s jurisdiction.”;

5 (4) in subsection (d)—

6 (A) in paragraph (1), by striking “or the
 7 Attorney General” and inserting “, the Attor-
 8 ney General, or any State, local, Tribal, or ter-
 9 ritorial law enforcement or correctional agen-
 10 cy”;

11 (B) by redesignating paragraph (2) as
 12 paragraph (3); and

13 (C) by inserting after paragraph (1) the
 14 following:

15 “(2) STATE, LOCAL, TRIBAL, AND TERRITORIAL
 16 LAW ENFORCEMENT TRAINING AND CERTIFI-
 17 CATION.—

18 “(A) TRAINING AND CERTIFICATION RE-
 19 QUIRED.—

20 “(i) IN GENERAL.—Only State, local,
 21 Tribal, or territorial law enforcement and
 22 correctional officers who have been trained
 23 and certified by the Attorney General, or
 24 the Attorney General’s designee, in coordi-
 25 nation with the Secretary of Homeland Se-

1 curity through a national schoolhouse
2 which will serve as the sole certifying au-
3 thority for State, local, Tribal, territorial,
4 and correctional officers in the use of the
5 authority granted under subsection (a)(2),
6 may exercise authorities in subsection
7 (b)(1)(C), (D), and (F).

8 “(ii) TRAINING AND CERTIFICATION
9 PROCEDURES.—The Attorney General, in
10 coordination with the Secretary of Home-
11 land Security, the Secretary of Defense,
12 and the Secretary of Transportation, shall,
13 not later than 180 days after the date of
14 enactment of the SAFER SKIES Act, de-
15 velop training and certification procedures
16 for the use of the authority described in
17 subsection (a)(2) that State, local, Tribal,
18 and territorial law enforcement and correc-
19 tional officers shall be required to satisfy
20 before taking any actions described in sub-
21 section (b)(1).

22 “(iii) TECHNOLOGIES.—Technologies
23 used by State, local, Tribal, and territorial
24 law enforcement or correctional agencies to
25 take actions described in subsection (b)(1)

1 shall be limited to systems or technologies
2 that are included on a list of authorized
3 technologies maintained jointly by the De-
4 partment of Justice, the Department of
5 Homeland Security, the Department of De-
6 fense, the Department of Transportation,
7 the Federal Communications Commission,
8 and the National Telecommunications and
9 Information Administration.

10 “(B) OVERSIGHT.—The Attorney General,
11 in coordination with the Secretary of Homeland
12 Security and the Administrator of the Federal
13 Aviation Administration, shall oversee compli-
14 ance with the requirements set forth in sub-
15 section (e) with respect to the use of the au-
16 thority granted under subsection (a)(2) by each
17 State, local, Tribal, and territorial law enforce-
18 ment agency that has been certified pursuant to
19 the training and certification requirements de-
20 scribed in subparagraph (A).

21 “(C) STATE, LOCAL, TRIBAL, AND TERRI-
22 TORIAL LAW ENFORCEMENT AND CORREC-
23 TIONAL AGENCIES MITIGATION NOTIFICATION
24 REQUIREMENT.—

1 “(i) IN GENERAL.—Any State, local,
2 Tribal, or territorial law enforcement or
3 correctional agency exercising authority
4 under subsection (a)(2) shall, within 48
5 hours of taking any mitigation action de-
6 scribed in subsection (b)(1), submit a noti-
7 fication to the Attorney General and the
8 Secretary of Homeland Security con-
9 taining—

10 “(I) the date, time, and geo-
11 graphic location of the mitigation ac-
12 tion;

13 “(II) a brief description of the
14 credible threat or safety concern ne-
15 cessitating such action;

16 “(III) the type of mitigation ca-
17 pability employed; and

18 “(IV) any known operational ef-
19 fects, including the seizure, disabling,
20 or destruction of an unmanned air-
21 craft system or unmanned aircraft.

22 “(ii) REPORT MECHANISM.—The At-
23 torney General and the Secretary of Home-
24 land Security shall establish a streamlined
25 and secure submission mechanism to sup-

1 port the notification requirement under
2 clause (i).

3 “(D) REPORTS.—Not later than 1 year
4 after the date of enactment of the SAFER
5 SKIES Act, and biannually thereafter, the At-
6 torney General, in coordination with the Sec-
7 retary of Homeland Security and the Secretary
8 of Transportation, shall submit to the appro-
9 priate congressional committees an unclassified
10 report with a classified annex on activities car-
11 ried out by State, local, Tribal, and territorial
12 law and correctional enforcement agencies exer-
13 cising the authority granted under subsection
14 (a)(2) and subject to the training and certifi-
15 cation requirements described in subparagraph
16 (A), including—

17 “(i) a description of the training and
18 certification procedures developed and im-
19 plemented pursuant to subparagraph
20 (A)(ii);

21 “(ii) a list of State, local, Tribal, and
22 territorial law enforcement and correc-
23 tional agencies that applied for and were
24 certified to exercise the authorities granted
25 by subsection (a)(2);

1 “(iii) a list of currently authorized
2 technologies pursuant to subparagraph
3 (A)(iii);

4 “(iv) the frequency, location, and cir-
5 cumstances of State, local, Tribal, terri-
6 torial, and correctional officers mitigation
7 deployments and types of mitigation em-
8 ployed;

9 “(v) a list of any aviation security or
10 safety incidents that occurred due to State,
11 local, Tribal, territorial, and correctional
12 officers deployment of counter-UAS tech-
13 nologies;

14 “(vi) recommendations for improving
15 State, local, Tribal, and territorial law and
16 correctional agencies counter-UAS train-
17 ing, oversight, compliance, and execution
18 and the compliance audits required by sec-
19 tion 6(b)(2) of the SAFER SKIES Act;
20 and

21 “(vii) a determination on if State,
22 local, Tribal, and territorial law and cor-
23 rectional agencies are able to fully protect
24 critical infrastructure from the drone
25 threat and if not, recommendations on how

1 to expand counter-UAS authorities to crit-
2 ical infrastructure owners.”;

3 (5) in subsection (e)—

4 (A) in the matter preceding paragraph (1),
5 by striking “or the Attorney General” and in-
6 serting “, the Attorney General, or any State,
7 local, Tribal, or territorial law enforcement or
8 correctional agency”;

9 (B) in paragraph (3)—

10 (i) by striking “or the Attorney Gen-
11 eral” and inserting “, the Attorney Gen-
12 eral, or any State, local, Tribal, or terri-
13 torial law enforcement or correctional
14 agency”;

15 (ii) by inserting “, State, local, Tribal,
16 or territorial” after “Federal”; and

17 (iii) by inserting “(as applicable)”
18 after “law”;

19 (C) in paragraph (4), in the matter pre-
20 ceding subparagraph (A), by striking “or the
21 Department of Justice” and inserting “the De-
22 partment of Justice, or the State, local, Tribal,
23 or territorial law enforcement or correctional
24 agency”; and

25 (D) in paragraph (5)—

1 (i) by striking “tribal” and inserting
 2 “Tribal”; and

3 (ii) by inserting “other than those of
 4 an aeronautical communications system, as
 5 allowed for in section 2511(2)(g)(ii)(IV) of
 6 title 18, United States Code, or informa-
 7 tion readily available to the public” after
 8 “which shall not include communications”;
 9 (6) in subsection (g)(3)(G)—

10 (A) by inserting “Tribal, territorial,” after
 11 “State,”; and

12 (B) by inserting “, including those exer-
 13 cised under subsection (a)(2)” after “authori-
 14 ties”;

15 (7) by redesignating subsections (j), (k), and (l)
 16 as subsections (k), (l), and (m);

17 (8) by striking subsection (i) and inserting the
 18 following:

19 “(i) APPLICABILITY OF OTHER LAWS TO ACTIVITIES
 20 RELATED TO THE MITIGATION OF THREATS FROM UN-
 21 MANNED AIRCRAFT SYSTEMS OR UNMANNED AIR-
 22 CRAFT.—Sections 32, 1030, and 1367 and chapters 119
 23 and 206 of title 18, United States Code, and section
 24 46502 of title 49, United States Code, may not be con-

1 strued to apply to activities of the Coast Guard, whether
 2 under this section or any other provision of law, that—

3 “(1) are conducted outside the United States;

4 and

5 “(2) are related to the mitigation of threats
 6 from unmanned aircraft systems or unmanned air-
 7 craft.

8 “(j) TERMINATIONS.—

9 “(1) COUNTER-UAS AUTHORITY.—The author-
 10 ity to carry out this section with respect to a covered
 11 facility or asset, protecting the public, and enforcing
 12 the law shall terminate on September 30, 2031.

13 “(2) STATE, LOCAL, TRIBAL, AND TERRITORIAL
 14 LAW ENFORCEMENT AND CORRECTIONAL AGEN-
 15 CIES.—Authority of State, local, tribal, and terri-
 16 torial law enforcement and correctional agencies
 17 under subsection (a)(2) shall terminate on December
 18 31, 2031.”;

19 (9) in subsection (l), as so redesignated—

20 (A) in paragraph (3)(C) by inserting “a
 21 Federal law enforcement, correctional, and
 22 homeland security agency mission necessary to
 23 enforce the law, protect the public or to” after
 24 “directly relates to”;

1 (B) by striking paragraph (6) and insert-
2 ing the following:

3 “(6)(A) For purposes of subsection (a)(1), the
4 term ‘personnel’ means officers, employees, contrac-
5 tors, detailed personnel, and deputized personnel
6 who perform Federal law enforcement, correctional,
7 homeland or national security duties.

8 “(B) For purposes of subsection (a)(2), the
9 term ‘personnel’ means officers and employees of
10 State, local, Tribal, and territorial law enforcement
11 and correctional agencies.”; and

12 (C) by adding at the end the following:

13 “(9) The term ‘correctional facility’ means any
14 jail, prison, or any other penal or detention facility
15 operated by a State, local, Tribal, or territorial law
16 enforcement agency, or by a private party that is
17 under contract with a State, local, Tribal, or terri-
18 torial law enforcement agency, and used to house in-
19 dividuals who have been arrested, detained, held, or
20 charged with or convicted of criminal offenses.

21 “(10) The term ‘critical infrastructure’ has the
22 meaning given the term in subsection (e) of the Crit-
23 ical Infrastructures Protection Act of 2001 (Public
24 Law 107–56).”; and

25 (10) by adding at the end the following:

1 “(n) REIMBURSEMENT PROGRAM.—Not later than
 2 180 days of after the date of enactment of the SAFER
 3 SKIES Act, the Secretary of Homeland Security and the
 4 Attorney General shall provide the appropriate congres-
 5 sional committees with a plan to establish a reimburse-
 6 ment program for Federal agencies providing counter-
 7 UAS protection to events that are not organized or oper-
 8 ated by the Federal Government.”.

9 **SEC. 3. USE OF GRANT FUNDS FOR UNMANNED AIRCRAFT**
 10 **AND COUNTER UNMANNED AIRCRAFT SYS-**
 11 **TEMS.**

12 Section 501(a)(1) of the Omnibus Crime Control and
 13 Safe Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is
 14 amended by adding at the end the following:

15 “(J) Programs to purchase and operate
 16 unmanned aircraft systems (as defined in sec-
 17 tion 44801 of title 49, United States Code) to
 18 benefit public safety.

19 “(K) Programs to purchase and operate
 20 counter-UAS systems (as defined in section
 21 44801 of title 49, United States Code) included
 22 on the list of technologies established by sub-
 23 section (d)(2)(A)(iii) section 210G of the
 24 Homeland Security Act of 2002 (6 U.S.C.
 25 124n(d)(2)(A)(iii)) to exercise the authority

1 granted under subsection (a)(2) of such sec-
2 tion.”.

3 **SEC. 4. USE OF GRANT FUNDS FOR UNMANNED AIRCRAFT.**

4 Section 1701(b) of the Omnibus Crime Control and
5 Safe Streets Act of 1968 (34 U.S.C. 10381(b)) is amend-
6 ed—

7 (1) by redesignating paragraphs (23) and (24)
8 as paragraphs (24) and (25), respectively;

9 (2) by inserting after paragraph (22) the fol-
10 lowing:

11 “(23) to purchase and operate unmanned air-
12 craft systems (as such term is defined in section
13 44801 of title 49, United States Code) to benefit
14 public safety;”; and

15 (3) in paragraph (24), as so redesignated, by
16 striking “(22)” and inserting “(23)”.

17 **SEC. 5. PENALTIES.**

18 (a) DEFINITION.—In this section, the term “un-
19 manned aircraft” has the meaning given the term in sec-
20 tion 44801 of title 49, United States Code.

21 (b) FELONY PENALTY FOR REPEAT VIOLATION OF
22 NATIONAL DEFENSE AIRSPACE.—Section 46307 of title
23 49, United States Code, is amended by adding at the end
24 the following: “If a person is convicted of a second or sub-
25 sequent offense under this section, the punishment shall

1 be imprisonment for not more than 5 years, a fine under
2 title 18, or both.”.

3 (c) INCREASED PENALTIES FOR OPERATION OF UN-
4 MANNED AIRCRAFT TO FACILITATE FELONY OFFENSE.—

5 If a person who is convicted of a felony offense (other than
6 an offense based solely on the operation of an unmanned
7 aircraft) knowingly operated an unmanned aircraft dur-
8 ing, in relation to, or in furtherance of such offense, the
9 maximum imprisonment otherwise provided by law for
10 that offense shall be doubled or increased by 5 years,
11 whichever is less.

12 (d) INCREASED PENALTIES FOR USE OF UNMANNED
13 AIRCRAFT TO INTRODUCE CONTRABAND INTO PRIS-
14 ONS.—If a defendant who is convicted under section 1791
15 of title 18, United States Code, knowingly used an un-
16 manned aircraft to provide a prohibited object to an in-
17 mate of a prison, the maximum imprisonment otherwise
18 provided by law for that offense shall be increased by 5
19 years.

20 (e) DIRECTIVE TO UNITED STATES SENTENCING
21 COMMISSION: ENHANCED SENTENCING RANGE FOR USE
22 OF UNMANNED AIRCRAFT.—

23 (1) IN GENERAL.—To carry out the purposes of
24 this section, during the Sentencing Commission’s
25 amendment cycle in progress at the time this Act is

1 enacted, the Commission shall, under section 994 of
2 title 28, United States Code—

3 (A) promulgate guidelines, or amendments
4 to guidelines, that substantially increase the
5 sentencing range for all offenses involving the
6 use of an unmanned aircraft; and

7 (B) as necessary, promulgate policy state-
8 ments, or amendments to policy statements to
9 assist in the application of this section.

10 (2) ENHANCED PENALTIES.—In any case in
11 which the enhanced penalties of subsection (c) apply,
12 the guidelines and amendments issued under para-
13 graph (1) shall call for an increase of at least 6 lev-
14 els in the base offense level and in all other cases,
15 the base offense level shall be increased by at least
16 4 levels.

17 (f) PENALTIES FOR UNAUTHORIZED COUNTER-UAS
18 ACTIONS.—Any entity or individual authorized to take
19 such actions to mitigate the threat posed by an unmanned
20 aircraft system or unmanned aircraft pursuant to section
21 210G of the Homeland Security Act of 2002 (6 U.S.C.
22 124n) who knowingly engages in such actions without
23 Federal coordination as required by those statutes, shall
24 be subject to—

25 (1) a civil fine up to \$100,000 per violation; or

1 (2) suspension of counter-UAS authority pend-
2 ing review by the Attorney General or Secretary of
3 Homeland Security.

4 (g) CIVIL ENFORCEMENT.—The Attorney General is
5 authorized to bring a civil action in a United States dis-
6 trict court to collect fines and enforce civil penalties im-
7 posed under this section.

8 (h) EFFECTIVE DATE.—This section and the amend-
9 ments made by this section shall take effect 30 days after
10 enactment of this Act.

11 **SEC. 6. RULEMAKING AND IMPLEMENTATION.**

12 (a) RULEMAKING AUTHORITY.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this Act, the Sec-
15 retary of Homeland Security and the Attorney Gen-
16 eral, in coordination with the Secretary of Defense
17 and the Secretary of Transportation, shall develop
18 and publish regulations governing counter-UAS au-
19 thority for SLTT law enforcement agencies and cor-
20 rectional agencies under this Act and the amend-
21 ments made by this Act.

22 (2) ROLE OF FAA.—In carrying out the rule-
23 making in paragraph (1), the Secretary of Home-
24 land Security and the Attorney General shall coordi-
25 nate with the Administrator of the Federal Aviation

1 Administration on any aspect of the rulemaking that
2 affects aviation safety, civilian aviation and aero-
3 space operations, aircraft airworthiness, or the use
4 of airspace.

5 (3) SAVING CLAUSE.—Nothing in this section
6 shall be construed to vest in the Secretary or the At-
7 torney General any authority of the Secretary of
8 Transportation or the Administrator of the Federal
9 Aviation Administration.

10 (4) AUTHORIZED EQUIPMENT AND TECH-
11 NOLOGY.—The Secretary of Homeland Security, the
12 Attorney General, the Secretary of Defense, in co-
13 ordination with the Administrator of the Federal
14 Aviation Administration, the Chairman of the Fed-
15 eral Communications Commission, and the Adminis-
16 trator of National Telecommunications and Informa-
17 tion Administrator shall authorize equipment and
18 technology to be used for actions in subparagraphs
19 (B), (C), (D), and (F) of section 210G(b)(1) of the
20 Homeland Security Act of 2002.

21 (b) TRAINING AND COMPLIANCE.—

22 (1) IN GENERAL.—The Attorney General, in co-
23 ordination with the Secretary of Homeland Security,
24 the Secretary of Defense, and the Department of
25 Transportation, shall approve standards for training

1 programs for SLTT law enforcement agencies or
2 correctional agencies for the safe and lawful inter-
3 ception of drones. Such training programs shall in-
4 clude instruction on the legal, operational, and tech-
5 nological aspects of counter-UAS operations.

6 (2) COMPLIANCE AUDITS.—The Attorney Gen-
7 eral and the Secretary of Homeland Security shall
8 periodically conduct compliance audits to prevent
9 misuse of counter-UAS authority.

10 (c) DEFINITIONS.—In this section:

11 (1) SLTT LAW ENFORCEMENT AGENCY.—The
12 term “SLTT law enforcement agency” means a
13 State, local, Tribal, or territorial law enforcement
14 agency.

15 (2) CORRECTIONAL AGENCY.—The term “cor-
16 rectional agency” means a Federal, State, local,
17 Tribal, or territorial government body responsible for
18 operating correctional facilities or a private party
19 that is under contract with a State, local, Tribal, or
20 territorial law enforcement agency to operate such
21 facilities.

22 (3) CORRECTIONAL FACILITY.—The term “cor-
23 rectional facility” means any jail, prison, or any
24 other penal or detention facility operated by a State,
25 local, Tribal, or territorial law enforcement agency,

1 or by a private party that is under contract with a
2 State, local, Tribal, or territorial law enforcement
3 agency, and used to house individuals who have been
4 arrested, detained, held, or charged with or con-
5 victed of criminal offenses.

6 **SEC. 7. SEVERABILITY.**

7 If any provision of this Act, or the application of any
8 provision of this Act to any person or circumstance is held
9 invalid, the application of such provision or circumstance
10 and the remainder of this Act shall not be affected there-
11 by.

