

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3334
OFFERED BY MR. STEIL OF WISCONSIN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “USCP Empowerment
3 Act of 2025”.

4 SEC. 2. AUTHORITY OF UNITED STATES CAPITOL POLICE
5 WITH RESPECT TO UNMANNED AIRCRAFT
6 AND UNMANNED AIRCRAFT SYSTEMS.

7 (a) **AUTHORITY.**—Notwithstanding section 46502 of
8 title 49, United States Code, or sections 32, 1030, and
9 1367 and chapters 119 and 206 of title 18, United States
10 Code, the Capitol Police Board may take, and may author-
11 ize personnel in the United States Capitol Police with as-
12 signed duties that include the security or protection of
13 people, facilities, or assets to take, such actions as are de-
14 scribed in subsection (b)(1) that are necessary to mitigate
15 a credible threat, as defined by the Capitol Police Board,
16 that an unmanned aircraft system poses to the safety or
17 security of a covered Capitol Police facility or asset.

18 (b) **ACTIONS DESCRIBED.**—

1 (1) IN GENERAL.—The actions authorized in
2 subsection (a) are the following:

3 (A) During the operation of the unmanned
4 aircraft system, detect, identify, monitor, and
5 track the unmanned aircraft system, without
6 prior consent, including by means of intercept
7 or other access of a wire communication, an
8 oral communication, or an electronic commu-
9 nication used to control the unmanned aircraft
10 system.

11 (B) Warn the operator of the unmanned
12 aircraft system, including by passive or active,
13 and direct or indirect physical, electronic, radio,
14 and electromagnetic means.

15 (C) Disrupt control of the unmanned air-
16 craft system, without prior consent, including
17 by disabling the unmanned aircraft system by
18 intercepting, interfering, or causing interference
19 with wire, oral, electronic, or radio communica-
20 tions used to control the unmanned aircraft sys-
21 tem.

22 (D) Seize or exercise control of the un-
23 manned aircraft system.

24 (E) Seize or otherwise confiscate the un-
25 manned aircraft system.

1 (F) Use reasonable force, if necessary, to
2 disable, damage, or destroy the unmanned air-
3 craft system.

4 (2) REQUIRED COORDINATION.—

5 (A) IN GENERAL.—The Capitol Police
6 Board shall develop the actions described in
7 paragraph (1) in coordination with the Sec-
8 retary of Transportation.

9 (B) FEDERAL AVIATION ADMINISTRA-
10 TION.—The Capitol Police Board shall coordi-
11 nate with the Administrator of the Federal
12 Aviation Administration when any action au-
13 thorized by this section may affect aviation
14 safety, civilian aviation or aerospace operations,
15 aircraft worthiness, or the use of the airspace.

16 (3) RESEARCH, TESTING, TRAINING, AND EVAL-
17 UATION.—The Capitol Police Board may conduct re-
18 search, testing, training on, or evaluation of any
19 equipment, including any electronic equipment, to
20 determine the capability or utility of the equipment
21 prior to the use of the equipment or the technology
22 included in the equipment for any action described
23 in subsection (b)(1).

1 (c) FORFEITURE.—Any unmanned aircraft system
2 described in subsection (a) seized pursuant to this section
3 is subject to forfeiture to the United States.

4 (d) REGULATIONS AND GUIDANCE.—

5 (1) IN GENERAL.—In coordination with the
6 Secretary of Transportation, the Capitol Police
7 Board may prescribe regulations and shall issue
8 guidance to carry out this Act.

9 (2) FEDERAL AVIATION ADMINISTRATION.—
10 The Capitol Police Board shall coordinate with the
11 Administrator of the Federal Aviation Administra-
12 tion to issue any guidance or otherwise implement
13 this section if such guidance or implementation may
14 affect aviation safety, civilian aviation or aerospace
15 operations, aircraft airworthiness, or the use of air-
16 space.

17 (e) PRIVACY PROTECTION.—The regulations or guid-
18 ance issued to carry out the actions authorized under sub-
19 section (b) shall ensure that—

20 (1) the interception or acquisition of, or access
21 to, or maintenance or use of, communications to or
22 from an unmanned aircraft system under this sec-
23 tion is conducted in a manner consistent with the
24 First and Fourth Amendments to the Constitution

1 of the United States and applicable provisions of
2 Federal law;

3 (2) communications to or from an unmanned
4 aircraft system are intercepted or acquired only to
5 the extent necessary to support an action described
6 in subsection (b)(1);

7 (3) records of such communications are main-
8 tained only for as long as necessary, and in no event
9 for more than 180 days, unless the Capitol Police
10 Board determines that maintenance of such records
11 is necessary to investigate or prosecute a violation of
12 law, directly support an ongoing security operation,
13 is required under Federal law, or for the purpose of
14 any litigation;

15 (4) such communications are not disclosed out-
16 side the United States Capitol Police unless the dis-
17 closure—

18 (A) is necessary to investigate or prosecute
19 a violation of law;

20 (B) would support the Department of De-
21 fense, a Federal law enforcement agency, or the
22 enforcement activities of a regulatory agency of
23 the Federal Government in connection with a
24 criminal or civil investigation of, or any regu-
25 latory, statutory, or other enforcement action

1 relating to an action described in subsection
2 (b)(1); or

3 (C) is otherwise required by law; and

4 (5) to the extent necessary, the United States
5 Capitol Police may share threat information, which
6 shall not include communications referred to in sub-
7 section (b), with State, local, territorial, or tribal law
8 enforcement agencies in the course of a security or
9 protection operation.

10 (f) REPORT TO CONGRESS.—

11 (1) IN GENERAL.—Not later than 6 months
12 after the date of the enactment of this section, and
13 every 6 months thereafter, the Chief of the Capitol
14 Police, or another individual designated by the Cap-
15 itol Police Board, shall provide to the appropriate
16 congressional committees a written report on the ac-
17 tivities of the Capitol Police Board carried out under
18 this section.

19 (2) CONTENT.—The report described in para-
20 graph (1) shall include—

21 (A) policies, programs, and procedures to
22 mitigate or eliminate impacts of such activities
23 to the National Airspace System;

24 (B) a description of instances in which ac-
25 tions described in subsection (b)(1) have been

1 taken, including all such instances that may
2 have resulted in harm, damage, or loss to a per-
3 son or to private property;

4 (C) a description of the guidance, policies,
5 or procedures established to address privacy,
6 civil rights, and civil liberties issues implicated
7 by the actions allowed under this section, as
8 well as any changes or subsequent efforts that
9 would significantly affect privacy, civil rights or
10 civil liberties;

11 (D) a description of options considered and
12 steps taken to mitigate any identified impacts
13 to the national airspace system related to the
14 use of any system or technology, including the
15 minimization of the use of any technology that
16 disrupts the transmission of radio or electronic
17 signals, for carrying out the actions described
18 in subsection (b)(1);

19 (E) a description of instances in which
20 communications intercepted or acquired during
21 the course of operations of an unmanned air-
22 craft system were held for more than 180 days
23 or shared outside of the United States Capitol
24 Police;

25 (F) how the Capitol Police Board has—

1 (i) informed the public as to the pos-
2 sible use of authorities under this section;
3 and

4 (ii) engaged with Federal, State, and
5 local law enforcement agencies to imple-
6 ment and use such authorities; and

7 (G) a description of any new technology or
8 equipment deployed by the Capitol Police Board
9 to carry out the actions described in subsection
10 (b)(1) and the options considered to mitigate
11 any identified impacts to the national airspace
12 system related to the use of the technology or
13 equipment.

14 (3) UNCLASSIFIED FORM.—The report de-
15 scribed in paragraph (1) shall be in unclassified
16 form, but may be accompanied by an additional clas-
17 sified annex.

18 (g) RULES OF CONSTRUCTION.—

19 (1) Nothing in this section may be construed to
20 vest in the Capitol Police Board any authority of the
21 Secretary of Transportation or the Administrator of
22 the Federal Aviation Administration.

23 (2) Nothing in this section may be construed to
24 vest in the Secretary of Transportation or the Ad-

1 administrator of the Federal Aviation Administration
2 any authority of the Capitol Police Board.

3 (h) TERMINATION.—The authority to carry out this
4 section with respect to a covered Capitol Police facility or
5 asset described in subparagraph (C) of subsection (j)(2)
6 shall terminate on the date identified in section 210G(i)
7 of the Homeland Security Act of 2002 (6 U.S.C. 124n).

8 (i) SCOPE OF AUTHORITY.—The Capitol Police
9 Board may not operate any other program to mitigate a
10 credible threat posed by an unmanned aircraft system
11 other than the program under this section.

12 (j) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means the following:

16 (A) The Committee on House Administra-
17 tion of the House of Representatives.

18 (B) The Committee on Rules and Adminis-
19 tration of the Senate.

20 (2) COVERED CAPITOL POLICE FACILITY OR
21 ASSET.—The term “covered Capitol Police facility or
22 asset” means—

23 (A) the Capitol Buildings as described in
24 section 5101 of title 40, United States Code;

1 (B) the United States Capitol Grounds as
2 described in section 5102 of title 40, United
3 States Code; or

4 (C) any area described in section 9A(a) of
5 the Act entitled “An Act to define the area of
6 the United States Capitol Grounds, to regulate
7 the use thereof, and for other purposes”, ap-
8 proved July 31, 1946 (2 U.S.C. 1966(a)), as di-
9 rected by the Capitol Police Board.

10 (3) ELECTRONIC COMMUNICATION; INTERCEPT;
11 ORAL COMMUNICATION; WIRE COMMUNICATION.—
12 The terms “electronic communication”, “intercept”,
13 “oral communication”, and “wire communication”
14 have the meaning given those terms in section 2510
15 of title 18, United States Code.

16 (4) UNMANNED AIRCRAFT SYSTEM.—The term
17 “unmanned aircraft system” has the meaning given
18 such term in section 44801 of title 49, United
19 States Code.

