

115TH CONGRESS
1ST SESSION

H. R. 1138

To amend title 18, United States Code, to provide a criminal penalty for launching drones that interfere with fighting wildfires affecting Federal property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. COOK (for himself, Mr. ROYCE of California, Ms. BROWNLEY of California, and Mr. AGUILAR) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide a criminal penalty for launching drones that interfere with fighting wildfires affecting Federal property, 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 “Wildfire Airspace Pro-
5 tection Act of 2017”.

1 **SEC. 2. INTERFERENCE WITH WILDFIRE SUPPRESSION,**
2 **LAW ENFORCEMENT, OR EMERGENCY RE-**
3 **SPONSE EFFORT BY OPERATION OF UN-**
4 **MANNED AIRCRAFT.**

5 (a) IN GENERAL.—Chapter 65 of title 18, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 **“§ 1370. Interference with wildfire suppression, law**
9 **enforcement, or emergency response ef-**
10 **fort by operation of unmanned aircraft**

11 “(a) OFFENSE.—Except as provided in subsection
12 (b), an individual who operates an unmanned aircraft and
13 in so doing knowingly or recklessly interferes with a wild-
14 fire suppression, law enforcement, or emergency response
15 effort shall be fined under this title or imprisoned not
16 more than 5 years, or both.

17 “(b) EXCEPTIONS.—This section does not apply to
18 the operation of an unmanned aircraft conducted by a unit
19 or agency of the United States Government or of a State,
20 tribal, or local government (including any individual con-
21 ducting such operation pursuant to a contract or other
22 agreement entered into with the unit or agency) for the
23 purpose of protecting the public safety and welfare, includ-
24 ing firefighting, law enforcement, or emergency response.

25 “(c) DEFINITIONS.—In this section, the following
26 definitions apply:

1 “(1) WILDFIRE.—The term ‘wildfire’ has the
2 meaning given that term in section 2 of the Emer-
3 gency Wildfire Suppression Act (42 U.S.C. 1856m).

4 “(2) WILDFIRE SUPPRESSION.—The term ‘wild-
5 fire suppression’ means an effort to contain, extin-
6 guish, or suppress a wildfire.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 for chapter 65 of title 18, United States Code, is amended
9 by adding at the end the following new item:

“1370. Interference with wildfire suppression, law enforcement, or emergency re-
sponse effort by operation of unmanned aircraft.”.

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