

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.”.

○