

116TH CONGRESS  
2D SESSION

# H. R. 5040

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IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2020

Received

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## AN ACT

To direct the Director of the Bureau of Land Management to study the effects of drone incursions on wildfire suppression, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Aerial Incursion Re-  
3 percussion Safety Act of 2020” or the “AIR Safety Act  
4 of 2020”.

5 **SEC. 2. STUDY ON EFFECTS OF DRONE INCURSIONS ON**  
6 **WILDFIRE SUPPRESSION.**

7 (a) **STUDY REQUIRED.**—The Director of the Bureau  
8 of Land Management, in consultation with the Chief of  
9 the Forest Service, the Administrator of the Federal Avia-  
10 tion Administration, and the National Association of State  
11 Foresters, shall conduct a study on the effects of drone  
12 incursions on the suppression of wildfires with respect to  
13 lands managed by the Department of the Interior or the  
14 Department of Agriculture.

15 (b) **STUDY CONTENTS.**—In conducting the study re-  
16 quired under subsection (a), the Director shall—

17 (1) determine, for each of the five most recently  
18 completed calendar years, the number of occurrences  
19 in which a drone incursion interfered with wildfire  
20 suppression and the effect of each such occurrence  
21 on—

22 (A) the length of time required to achieve  
23 complete suppression;

24 (B) the effectiveness of aerial firefighting  
25 responses; and

1 (C) the amounts expended by the Federal  
2 Government; and

3 (2) evaluate the feasibility and effectiveness of  
4 various actions to prevent drone incursions, includ-  
5 ing—

6 (A) temporary flight restrictions of the  
7 Federal Aviation Administration; and

8 (B) the dissemination of education mate-  
9 rials relating to the effects of drone incursions  
10 on wildfire suppression.

11 (c) REPORT.—Not later than 18 months after the  
12 date of the enactment of this Act, the Director shall sub-  
13 mit to the Committee on Natural Resources and the Com-  
14 mittee on Transportation and Infrastructure of the House  
15 of Representatives and the Committee on Energy and  
16 Natural Resources and the Committee on Commerce,  
17 Science, and Transportation of the Senate a report on the  
18 findings of the study required under subsection (a) and  
19 any recommendations of the Director relating to such  
20 findings.

21 (d) DEFINITIONS.—In this section:

22 (1) DRONE.—The term “drone” means an un-  
23 manned aircraft system, as defined in section 44801  
24 of title 49, United States Code, owned by a private  
25 individual or entity.

1           (2) DRONE INCURSION.—The term “drone in-  
2           cursion” means the operation of a drone within any  
3           airspace for which the Administrator of the Federal  
4           Aviation Administration has issued a temporary  
5           flight restriction because of a wildfire.

6           (3) WILDFIRE SUPPRESSION.—The term “wild-  
7           fire suppression” has the meaning given such term  
8           in section 46320(d) of title 49, United States Code.  
          Passed the House of Representatives December 10,  
2020.

Attest:

CHERYL L. JOHNSON,

*Clerk.*