

AMENDMENT TO RULES COMMITTEE PRINT

117-57

OFFERED BY MR. GRAVES OF LOUISIANA

At the end of division C add the following (and update the table of contents accordingly):

1 **TITLE IV—AERIAL FIRE-**
2 **FIGHTING INNOVATION AND**
3 **IMPROVEMENT**

4 **SEC. 401. SENSE OF CONGRESS ON DRONE USE FOR WILD-**
5 **FIRE RESPONSE EFFORTS.**

6 It is the sense of Congress that—

7 (1) the use of unmanned aircraft systems has
8 tremendous potential to improve wildfire response ef-
9 forts, including wildfire mitigation, detection, and
10 suppression;

11 (2) promoting the use of unmanned aircraft
12 systems in wildfire response efforts, and removing
13 barriers to such use, could increase public safety and
14 reduce damage, injuries, and fatalities attributable
15 to wildfires;

16 (3) the Administrator should remove such bar-
17 riers to, and facilitate the use of, unmanned aircraft
18 systems in aerial firefighting by improving the be-

1 yond visual line of sight waiver request process
2 through the Federal Aviation Administration for un-
3 manned aircraft systems operations supporting wild-
4 fire response efforts;

5 (4) the processing time for the beyond visual
6 line of sight waiver request through the Federal
7 Aviation Administration for approving unmanned
8 aircraft systems operations supporting wildfire re-
9 sponse efforts should reflect the time-sensitive na-
10 ture of such operations and the danger that unmiti-
11 gated wildfires pose to public safety; and

12 (5) the Administrator should collaborate with
13 public entities to remove any regulatory, communica-
14 tion, or technological barriers that inhibit or pre-
15 clude the use of unmanned aircraft systems in wild-
16 fire response efforts.

17 **SEC. 402. INTERAGENCY COORDINATION.**

18 Not later than 180 days after the date of enactment
19 of this Act, the Administrator shall seek to enter into the
20 necessary agreements to provide a liaison of the Federal
21 Aviation Administration to the National Interagency Fire
22 Center.

1 **SEC. 403. BEYOND VISUAL LINE OF SITE USE OF UN-**
2 **MANNED AIRCRAFT SYSTEMS IN WILDFIRE**
3 **DETECTION.**

4 (a) **IN GENERAL.**—Not later than 1 year after the
5 date of enactment of this Act, the Administrator shall de-
6 velop a plan and initiate a process to collaborate with pub-
7 lic entities to—

8 (1) identify areas of public land with high po-
9 tential for wildfires; and

10 (2) within such areas, designate areas in which
11 public entities may operate unmanned aircraft sys-
12 tems beyond visual line of sight in order to detect
13 wildfires.

14 (b) **PLAN CONTENTS.**—The plan developed under
15 subsection (a) shall include the development of processes
16 to facilitate the safe operation of unmanned aircraft sys-
17 tems beyond the visual line of sight in wildfire response
18 efforts.

19 (c) **PLAN SUBMISSION.**—Upon development of the
20 plan under subsection (a), the Administrator shall submit
21 such plan to the appropriate committees of Congress.

22 (d) **AIRCRAFT DESIGNATION.**—A public entity shall
23 be permitted to operate an unmanned aircraft system pur-
24 suant to subsection (a)(2) regardless of whether such air-
25 craft is being operated as a public unmanned aircraft sys-
26 tem or civil aircraft.

1 **SEC. 404. BEYOND VISUAL LINE OF SITE USE OF UN-**
2 **MANNED AIRCRAFT SYSTEMS DURING WILD-**
3 **FIRE SUPPRESSION OPERATIONS.**

4 (a) **IN GENERAL.**—Not later than 1 year after the
5 date of enactment of this Act, the Administrator shall de-
6 velop a plan and initiate a process to collaborate with pub-
7 lic entities to reduce the required separation distance be-
8 tween unmanned aircraft systems being operated to aid
9 in wildfire suppression operations and other disaster relief
10 aircraft below that which would otherwise be required.

11 (b) **APPLICABILITY.**—This section shall only apply to
12 unmanned aircraft systems that—

13 (1) are operated by, or on behalf of, a public
14 entity;

15 (2) are being operated in airspace covered by a
16 wildfire-related temporary flight restriction under
17 section 91.137 of title 14, Code of Federal Regula-
18 tions; and

19 (3) are under the operational control of, or oth-
20 erwise are being operationally coordinated by, an au-
21 thorized aviation coordinator responsible for coordi-
22 nating disaster relief aircraft within the airspace
23 covered by such temporary flight restriction.

24 (c) **PLAN SUBMISSION.**—Upon development of the
25 plan under subsection (a), the Administrator shall submit
26 such plan to the appropriate committees of Congress.

1 **SEC. 405. UPDATES.**

2 The Administrator shall, as necessary, update and
3 improve the processes initiated under sections 403 and
4 404 to ensure that public entities are able to effectively
5 and efficiently use unmanned aircraft systems to aid in
6 wildfire mitigation, detection, and suppression operations.

7 **SEC. 406. RECOMMENDATIONS FOR WILDFIRE BEYOND VIS-**
8 **UAL LINE OF SIGHT REQUESTS TO ENSURE**
9 **AVIATION SAFETY.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date on which the first plan is submitted under either sec-
12 tion 403 or section 404, the Administrator shall develop
13 recommendations for submitting a request for a waiver
14 from a requirement under section 107.31 of title 14, Code
15 of Federal Regulations, for public entities that use un-
16 manned aircraft systems for aerial wildfire detection, miti-
17 gation, and suppression.

18 (b) PUBLICATION.—Upon development of the rec-
19 ommendations under subsection (a), the Administrator
20 shall publish such recommendations on a publicly available
21 website of the Federal Aviation Administration.

22 (c) UPDATES.—The Administrator shall, as nec-
23 essary, update and improve the recommendations devel-
24 oped under subsection (a) to ensure that public entities
25 are able to safely, effectively, and efficiently use unmanned

1 aircraft systems to aid in wildfire mitigation, detection,
2 and suppression operations.

3 **SEC. 407. ANNUAL REPORTS.**

4 Not later than 1 year after the date of enactment
5 of this Act, and at least once every fiscal year through
6 fiscal year 2025, the Administrator shall submit to the ap-
7 propriate committees of Congress a report detailing the
8 efforts of the Administrator to implement this title, includ-
9 ing actions taken to—

10 (1) develop processes to facilitate the safe oper-
11 ation of unmanned aircraft systems beyond the vis-
12 ual line of sight for wildfire mitigation, detection,
13 and suppression; and

14 (2) reduce the required separation distance be-
15 tween unmanned aircraft systems being operated to
16 aid in wildfire suppression operations and other dis-
17 aster relief aircraft.

18 **SEC. 408. RULE OF CONSTRUCTION.**

19 Nothing in this title shall be construed to grant the
20 Administrator any authority to regulate the operation of
21 a public unmanned aircraft system that was not otherwise
22 authorized before the date of enactment of this Act.

23 **SEC. 409. DEFINITIONS.**

24 In this title:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Aviation Administration.

4 (2) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means the Committee on Transportation and
7 Infrastructure of the House of Representatives and
8 the Committee on Commerce, Science, and Trans-
9 portation of the Senate.

10 (3) PUBLIC ENTITY.—The term “public entity”
11 means—

- 12 (A) a Federal agency;
13 (B) a State;
14 (C) a local government;
15 (D) a Tribal government; and
16 (E) a territorial government.

17 (4) PUBLIC LAND.—The term “public land”
18 has the meaning given such term in section 205 of
19 the Sikes Act (16 U.S.C. 670k).

20 (5) PUBLIC UNMANNED AIRCRAFT SYSTEM.—
21 The term “public unmanned aircraft system” has
22 the meaning given such term in section 44801 of
23 title 49, United States Code.

24 (6) UNMANNED AIRCRAFT SYSTEM.—The term
25 “unmanned aircraft system” has the meaning given

1 such term in section 44801 of title 49, United
2 States Code.

