

## **Summary of the Drone Act of 2022**

Drone technology has the potential to revolutionize commerce, military operations, law enforcement, and recreation in general. However, drones also present increased risks to public safety and national security, as drone technology is being increasingly used by drug and human traffickers to facilitate their operations and even by criminals to deliver contraband into prisons. The Drone Act of 2022 would, for the first time, create comprehensive federal criminal law prohibiting the most dangerous uses of drones.

Most importantly, the Drone Act of 2022 would prohibit attaching a weapon to a drone. Currently at the federal level, only a \$25,000 FAA penalty prohibits such weaponization. Meanwhile, international drug-trafficking organizations are now using drones to drop bombs on competing drug-trafficking organizations, and federal criminal law should do everything it can to stop such an arms race before it has a chance to start. Drug traffickers and terrorists should not have their own air forces. The Drone Act of 2022 would subject anyone arming or using a drone to discharge a firearm, explosive, dangerous weapon, restricted electromagnetic weapon, or weapon of mass destruction to a 10-year prison sentence. Anyone using a drone to cause serious bodily harm or more than \$5,000 worth of property damage would be subject to a 20-year prison sentence.

The Drone Act of 2022 would also prohibit the willful removal of drone identification numbers and the disabling of their transmissions and anti-collision lights. More and more, international drug-trafficking organizations are using drones for reconnaissance purposes at the border and even to smuggle drugs into the country. In one quarter-mile stretch of the Rio Grande Valley at the southern border, Customs and Border Patrol agents commonly identify up to 500 drone border crossings each day. One of the ways drug-trafficking organizations do this is by disabling drone-identification transmissions and even putting electrical tape over their lights so it's harder for authorities to see them. Anyone willfully disabling a drone in such ways to avoid detection would be subject to a five-year prison sentence.

Bad actors are also using drones to infiltrate prisons with contraband. In the last half of 2021, the U.S. Bureau of Prisons identified 116 drones around its facilities, 16 of which were recovered with substantial contraband, usually consisting of drugs, cell phones, or SIM cards. The Drone Act of 2022 would subject anyone trying to get a prohibited object into a prison by way of a drone with a 10-year prison sentence.

The Drone Act of 2022 would also update current law to prohibit drone operators from interfering with and causing damage to other vehicles. Under current law, drone operators are subject to various penalties for knowingly or recklessly interfering with airplanes and runways. The Drone Act of 2022 would apply the same penalties to drone operators who knowingly or recklessly interfere with motor vehicles, boats, and spacecraft. Moreover, current law prohibits with up to a two-year prison sentence the reckless or knowing interference by a drone operator of a wildfire-suppression effort. The Drone Act of 2022 would apply the same penalty to the reckless or knowing interference of another emergency-response activity, law-enforcement activity, or military operation.