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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend title 51, United States Code, to authorize certain actions to protect certain facilities and assets from unmanned aircraft, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SOTO introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend title 51, United States Code, to authorize certain actions to protect certain facilities and assets from unmanned aircraft, 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 “Stopping Theft and
5 Aerospace Reconnaissance Act” or the “STAR Act”.

1 **SEC. 2. PROTECTION OF CERTAIN FACILITIES AND ASSETS**
2 **FROM UNMANNED AIRCRAFT.**

3 (a) **AUTHORITY TO PROTECT CERTAIN NASA FA-**
4 **CILITIES AND ASSETS FROM UNMANNED AIRCRAFT.—**

5 (1) **IN GENERAL.**—Subchapter II of chapter
6 201 of title 51, United States Code, is amended by
7 adding at the end the following new section:

8 **“§ 20118. Authority to take actions to protect certain**
9 **NASA facilities and assets from un-**
10 **manned aircraft**

11 “(a) **AUTHORITY.**—Notwithstanding any other provi-
12 sion of law, the Administrator may take, and may author-
13 ize officers and employees of the Administration to take,
14 such actions as are described in subsection (b) that are
15 necessary to mitigate the threat an unmanned aircraft sys-
16 tem or unmanned aircraft poses to the safety or security
17 of a covered facility.

18 “(b) **ACTIONS DESCRIBED.**—The actions described in
19 this subsection are the following:

20 “(1) Detect, identify, monitor, and track an un-
21 manned aircraft system or unmanned aircraft, with-
22 out prior consent.

23 “(2) Warn the operator of such unmanned air-
24 craft system or unmanned aircraft, as the case may
25 be.

1 “(3) Disrupt control of such unmanned aircraft
2 system or unmanned aircraft, as the case may be,
3 without prior consent, including by disabling such
4 unmanned aircraft system or unmanned aircraft, as
5 the case may be, by intercepting electronic commu-
6 nications or otherwise interfering with such commu-
7 nications.

8 “(4) Seize or exercise control of such unmanned
9 aircraft system or unmanned aircraft, as the case
10 may be.

11 “(5) Seize or otherwise confiscate such un-
12 manned aircraft system or unmanned aircraft, as
13 the case may be.

14 “(6) Use reasonable force to disable, damage,
15 or destroy such unmanned aircraft system or un-
16 manned aircraft, as the case may be.

17 “(c) FORFEITURE.—Any unmanned aircraft system
18 or unmanned aircraft described in subsection (a) and
19 seized by the Administrator is subject to forfeiture to the
20 United States.

21 “(d) SIGNAGE.—The Administrator shall display on
22 each covered facility a sign that includes information relat-
23 ing to the following:

24 “(1) The actions that may be taken pursuant to
25 subsection (a).

1 “(2) Forfeiture under subsection (c).

2 “(e) POLICY DEVELOPMENT.—The Administrator, in
3 coordination with relevant offices of the Administration
4 and the Attorney General, the Secretary of Defense, the
5 Secretary of Homeland Security, and the Administrator
6 of the Federal Aviation Administration, shall develop uni-
7 form policy for the following:

8 “(1) The actions that may be taken pursuant to
9 subsection (a).

10 “(2) The actions that may be taken pursuant to
11 subsection (a) of section 50925.

12 “(f) DETERMINATION.—Each year, the Adminis-
13 trator shall consult with the local law enforcement agency
14 for each covered facility to determine the most effective
15 and least hazardous means to take actions pursuant to
16 subsection (a).

17 “(g) LIABILITY.—Neither the Administrator nor the
18 officers and employees of the Administration are entitled
19 to assert any form of absolute or qualified immunity as
20 a defense to liability under this section, but if an un-
21 manned aircraft system or unmanned aircraft poses a
22 threat described in subsection (a) and an action is taken
23 pursuant to such subsection to mitigate such threat, the
24 operator of such unmanned aircraft system or unmanned

1 aircraft, as the case may be, is liable for damages caused
2 by such action.

3 “(h) REPORTS.—

4 “(1) LOCAL LAW ENFORCEMENT AGENCIES.—

5 Not later than 30 days after an instance in which
6 an action described in paragraphs (3) through (6) of
7 subsection (b) is taken pursuant to subsection (a),
8 the Administrator shall submit to the local law en-
9 forcement agency for the jurisdiction in which such
10 action was taken a report on such instance, in a
11 form specified by such agency.

12 “(2) SPECIFIED ENTITIES.—Not later than one
13 year after the date of the enactment of this section
14 and annually thereafter, the Administrator shall sub-
15 mit to the specified entities a report that includes
16 for the annual period covered by such report infor-
17 mation relating to the following:

18 “(A) The actions, if any, described in para-
19 graphs (3) through (6) of subsection (b) and
20 taken pursuant to subsection (a), including an
21 identification of each instance in which such an
22 action was so taken and the means through
23 which such action was so taken.

24 “(B) The actions, if any, described in
25 paragraphs (3) through (6) of subsection (b) of

1 section 50925 and taken pursuant to subsection
2 (a) of such section, including an identification
3 of each instance in which such an action was so
4 taken and the means through which such action
5 was so taken.

6 “(C) For each action referred to in sub-
7 paragraph (A) or (B), the justification for so
8 taking such action.

9 “(D) The efforts by the Administrator to
10 protect privacy and civil liberties with respect to
11 the following:

12 “(i) The actions that may be taken
13 pursuant to subsection (a).

14 “(ii) The actions that may be taken
15 pursuant to subsection (a) of section
16 50925.

17 “(i) DEFINITIONS.—In this section:

18 “(1) COVERED FACILITY.—The term ‘covered
19 facility’ means any facility that satisfies the fol-
20 lowing requirements:

21 “(A) Is under the jurisdiction of the Ad-
22 ministration.

23 “(B) Is identified by the Administrator as
24 a facility critical to a function of the Adminis-
25 tration.

1 “(2) LOCAL LAW ENFORCEMENT AGENCY.—The
2 term ‘local law enforcement agency’ means the law
3 enforcement agency of a county or county-equivalent
4 entity.

5 “(3) SPECIFIED ENTITIES.—The term ‘specified
6 entities’ means the following:

7 “(A) The Committee on Energy and Com-
8 merce and the Committee on Science, Space,
9 and Technology of the House of Representa-
10 tives.

11 “(B) The Committee on Commerce,
12 Science, and Transportation of the Senate.

13 “(C) The Attorney General.

14 “(D) The Secretary of Defense.

15 “(E) The Secretary of Homeland Security.

16 “(F) The Administrator of the Federal
17 Aviation Administration.

18 “(4) UNMANNED AIRCRAFT; UNMANNED AIR-
19 CRAFT SYSTEM.—The terms ‘unmanned aircraft’
20 and ‘unmanned aircraft system’ have the meanings
21 given such terms in section 44801 of title 49.”.

22 “(2) CLERICAL AMENDMENT.—The table of sec-
23 tions for chapter 201 of title 51, United States
24 Code, is amended by inserting after the item relating
25 to section 20117 the following new item:

“20118. Authority to take actions to protect certain NASA facilities and assets from unmanned aircraft”.

1 (b) AUTHORITY TO PROTECT SPACE LAUNCH PROP-
2 ERTY FROM UNMANNED AIRCRAFT.—

3 (1) IN GENERAL.—Chapter 509 of title 51,
4 United States Code, is amended by adding at the
5 end the following new section:

6 **“§ 50925. Authority to take actions to protect space**
7 **launch property from unmanned aircraft**

8 “(a) AUTHORITY.—Subject to section 20118 and not-
9 withstanding any other provision of law, a covered entity
10 may take, and may authorize officers and employees of
11 such entity to take, such actions as are described in sub-
12 section (b) that are necessary to mitigate the threat an
13 unmanned aircraft system or unmanned aircraft poses to
14 the safety or security of the covered property of such enti-
15 ty.

16 “(b) ACTIONS DESCRIBED.—The actions described in
17 this subsection are the following:

18 “(1) Detect, identify, monitor, and track an un-
19 manned aircraft system or unmanned aircraft, with-
20 out prior consent.

21 “(2) Warn the operator of such unmanned air-
22 craft system or unmanned aircraft, as the case may
23 be.

1 “(3) Disrupt control of such unmanned aircraft
2 system or unmanned aircraft, as the case may be,
3 without prior consent, including by disabling such
4 unmanned aircraft system or unmanned aircraft, as
5 the case may be, by intercepting electronic commu-
6 nications or otherwise interfering with such commu-
7 nications.

8 “(4) Seize or exercise control of such unmanned
9 aircraft system or unmanned aircraft, as the case
10 may be.

11 “(5) Seize or otherwise confiscate such un-
12 manned aircraft system or unmanned aircraft, as
13 the case may be.

14 “(6) Use reasonable force to disable, damage,
15 or destroy such unmanned aircraft system or un-
16 manned aircraft, as the case may be.

17 “(c) FORFEITURE.—Any unmanned aircraft system
18 or unmanned aircraft described in subsection (a) and
19 seized by a covered entity is subject to forfeiture to the
20 local law enforcement agency for the jurisdiction in which
21 such unmanned aircraft system or unmanned aircraft, as
22 the case may be, was so seized.

23 “(d) SIGNAGE.—A covered entity shall display on
24 each covered property of such entity a sign that includes
25 information relating to the following:

1 “(1) The actions that may be taken pursuant to
2 subsection (a).

3 “(2) Forfeiture under subsection (c).

4 “(e) DETERMINATION.—Each year, a covered entity
5 shall consult with each local law enforcement agency for
6 the covered property of such entity to determine the most
7 effective and least hazardous means to take actions pursu-
8 ant to subsection (a).

9 “(f) LIABILITY.—If an unmanned aircraft system or
10 unmanned aircraft poses a threat described in subsection
11 (a) and an action is taken pursuant to such subsection
12 to mitigate such threat, the operator of such unmanned
13 aircraft system or unmanned aircraft, as the case may be,
14 is liable for damages caused by such action.

15 “(g) REPORTS.—Not later than 30 days after an in-
16 stance in which an action described in paragraphs (3)
17 through (6) of subsection (b) is taken pursuant to sub-
18 section (a), the covered entity through which such action
19 was so taken shall carry out the following:

20 “(1) Submit to the local law enforcement agen-
21 cy for the jurisdiction in which such action was so
22 taken a report on such instance that satisfies the
23 following requirements:

24 “(A) Is in a form specified by such agency.

1 “(B) Includes information relating to the
2 justification for so taking such action.

3 “(2) Submit to the Administrator a report on
4 such instance that satisfies the following require-
5 ments:

6 “(A) Is in a form specified by the Adminis-
7 trator.

8 “(B) Includes information relating to such
9 justification.

10 “(C) Includes an identification of the
11 means through which such action was so taken.

12 “(h) DEFINITIONS.—In this section:

13 “(1) COVERED ENTITY.—The term ‘covered en-
14 tity’ means a person or entity licensed under this
15 chapter to conduct launch, reentry, testing, or man-
16 ufacturing activities.

17 “(2) COVERED PROPERTY.—The term ‘covered
18 property’ means any real property, including air-
19 space over such property, that is owned, leased, or
20 under the control of a covered entity and is a site
21 where launch, reentry, testing, or manufacturing ac-
22 tivities occur.

23 “(3) LOCAL LAW ENFORCEMENT AGENCY.—The
24 term ‘local law enforcement agency’ means the law

1 enforcement agency of a county or county-equivalent
2 entity.

3 “(4) UNMANNED AIRCRAFT; UNMANNED AIR-
4 CRAFT SYSTEM.—The terms ‘unmanned aircraft’
5 and ‘unmanned aircraft system’ have the meanings
6 given such terms in section 44801 of title 49.”

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions for chapter 509 of title 51, United States
9 Code, is amended by adding at the end the following
10 new item:

“50925. Authority to take actions to protect space launch property from un-
manned aircraft”.