

Union Calendar No. 243

116TH CONGRESS
1ST SESSION

H. R. 4753

[Report No. 116–301]

To prohibit the Secretary of Homeland Security from operating or procuring foreign-made unmanned aircraft systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2019

Mr. CRENSHAW (for himself, Ms. TORRES SMALL of New Mexico, and Mr. ROGERS of Alabama) introduced the following bill; which was referred to the Committee on Homeland Security

NOVEMBER 19, 2019

Additional sponsors: Mr. TAYLOR, Mr. MULLIN, Mr. MAST, and Mr. JOHNSON of Louisiana

NOVEMBER 19, 2019

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To prohibit the Secretary of Homeland Security from operating or procuring foreign-made unmanned aircraft systems, 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 “Drone Origin Security
5 Enhancement Act”.

6 **SEC. 2. PROHIBITION ON OPERATION OR PROCUREMENT**
7 **OF FOREIGN-MADE UNMANNED AIRCRAFT**
8 **SYSTEMS.**

9 (a) PROHIBITION ON AGENCY OPERATION OR PRO-
10 CUREMENT.—The Secretary of Homeland Security may
11 not operate, provide financial assistance for, or enter into
12 or renew a contract for the procurement of—

13 (1) an unmanned aircraft system (UAS) that—

14 (A) is manufactured in a covered foreign
15 country or by a corporation domiciled in a cov-
16 ered foreign country;

17 (B) uses flight controllers, radios, data
18 transmission devices, cameras, or gimbals man-
19 ufactured in a covered foreign country or by a
20 corporation domiciled in a covered foreign coun-
21 try;

22 (C) uses a ground control system or oper-
23 ating software developed in a covered foreign
24 country or by a corporation domiciled in a cov-
25 ered foreign country; or

1 (D) uses network connectivity or data stor-
2 age located in or administered by a corporation
3 domiciled in a covered foreign country; or

4 (2) a system manufactured in a covered foreign
5 country or by a corporation domiciled in a covered
6 foreign country for the detection or identification of
7 covered unmanned aircraft systems.

8 (b) WAIVER.—The Secretary of Homeland Security
9 may waive the prohibition under subsection (a) on a case
10 by case basis by certifying in writing to the Committee
11 on Homeland Security of the House of Representatives
12 and the Committee on Homeland Security and Govern-
13 mental Affairs of the Senate that the operation or procure-
14 ment that is the subject of such a waiver is required—

15 (1) in the national interest of the United
16 States;

17 (2) for counter-UAS surrogate testing and
18 training; or

19 (3) for intelligence, electronic warfare, or infor-
20 mation warfare operations, testing, analysis, and or
21 training.

22 (c) DEFINITIONS.—In this section:

23 (1) COVERED FOREIGN COUNTRY.—The term
24 “covered foreign country” means a country labeled
25 as a strategic competitor in the “Summary of the

1 2018 National Defense Strategy of the United
2 States of America: Sharpening the American Mili-
3 tary’s Competitive Edge” issued by the Department
4 of Defense pursuant to section 113 of title 10,
5 United States Code.

6 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—
7 The term “unmanned aircraft system” has the
8 meaning given such term in section 331 of the FAA
9 Modernization and Reform Act of 2012 (Public Law
10 112–95; 49 U.S.C. 44802 note).

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