AMENDMENT TO RULES COMMITTEE PRINT 115–23

OFFERED BY MR. DUNN OF FLORIDA

Strike section 1695 and insert the following new section:

SEC. 1695. PROTECTION OF CERTAIN FACILITIES, ASSETS, AND INFORMATION FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—Section 130i of title 10, United States Code, is amended to read as follows:

“§ 130i. Protection of certain facilities, assets, and information from unmanned aircraft

“(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Defense may take, and may authorize the armed forces or contractors of the Department of Defense to take, such actions described in subsection (b)(1) that are necessary to mitigate the threat (as defined by the Secretary of Defense) of an unmanned aircraft system or unmanned aircraft to the safety or security of a covered facility, asset, or classified information.

“(b) ACTIONS DESCRIBED.—(1) The actions described in this paragraph are the following:
“(A) Disrupt control of the unmanned aircraft system or unmanned aircraft. 

“(B) Seize and exercise control of the unmanned aircraft system or unmanned aircraft. 

“(C) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft. 

“(D) Use reasonable force to disable or destroy the unmanned aircraft system or unmanned aircraft. 

“(E) Disrupt, alter, or intercept any communications to or from the unmanned aircraft system or unmanned aircraft. 

“(2) The Secretary of Defense shall develop the actions described in paragraph (1) with the assistance of the Secretary of Transportation, consistent with the protection of information regarding sensitive defense capabilities. 

“(c) FORFEITURE.—(1) Any unmanned aircraft system or unmanned aircraft described in subsection (a) shall be subject to seizure and forfeiture to the United States. 

“(2) The Secretary may prescribe regulations to establish reasonable exceptions to paragraph (1), including in cases where— 

“(A) the operator of the unmanned aircraft system or unmanned aircraft obtained the control and possession of such system or aircraft illegally; or
“(B) the operator of the unmanned aircraft sys-
tem or unmanned aircraft is an employee of a com-
mon carrier acting in manner described in sub-
section (a) without the knowledge of the common
carrier.

“(d) REGULATIONS.—The Secretary of Defense and
the Secretary of Transportation shall prescribe regulations
and issue guidance in the respective areas of each Sec-
retary to carry out this section.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘covered facility, asset, or classi-
fied information’ means any facility, asset, or classi-
fied information that is—

“(A) identified by the Secretary of Defense
for purposes of this section;

“(B) located in the United States (including the territories and possessions of the United
States); and

“(C) relating to—

“(i) the nuclear deterrence mission of
the Department of Defense, including with
respect to nuclear command and control,
integrated tactical warning and attack as-


“(ii) the missile defense mission of the Department;

“(iii) the national security space mission of the Department;

“(iv) the homeland defense mission of the Department; or

“(v) other missions of the Department involving assets or information designated as vital to national security or as national critical infrastructure.

“(2) The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meaning given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 130i and inserting the following new item:

“130i. Protection of certain facilities, assets, and information from unmanned aircraft.”.