

AMENDMENT TO RULES COMMITTEE PRINT 115-

23

OFFERED BY MR. DUNN OF FLORIDA

Strike section 1695 and insert the following new section:

1 **SEC. 1695. PROTECTION OF CERTAIN FACILITIES, ASSETS,**
2 **AND INFORMATION FROM UNMANNED AIR-**
3 **CRAFT.**

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

6 **“§ 130i. Protection of certain facilities, assets, and in-**
7 **formation from unmanned aircraft**

8 “(a) AUTHORITY.—Notwithstanding any other provi-
9 sion of law, the Secretary of Defense may take, and may
10 authorize the armed forces or contractors of the Depart-
11 ment of Defense to take, such actions described in sub-
12 section (b)(1) that are necessary to mitigate the threat
13 (as defined by the Secretary of Defense) of an unmanned
14 aircraft system or unmanned aircraft to the safety or secu-
15 rity of a covered facility, asset, or classified information.

16 “(b) ACTIONS DESCRIBED.—(1) The actions de-
17 scribed in this paragraph are the following:

1 “(A) Disrupt control of the unmanned aircraft
2 system or unmanned aircraft.

3 “(B) Seize and exercise control of the un-
4 manned aircraft system or unmanned aircraft.

5 “(C) Seize or otherwise confiscate the un-
6 manned aircraft system or unmanned aircraft.

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

9 “(E) Disrupt, alter, or intercept any commu-
10 nications to or from the unmanned aircraft system
11 or unmanned aircraft.

12 “(2) The Secretary of Defense shall develop the ac-
13 tions described in paragraph (1) with the assistance of the
14 Secretary of Transportation, consistent with the protec-
15 tion of information regarding sensitive defense capabili-
16 ties.

17 “(c) FORFEITURE.—(1) Any unmanned aircraft sys-
18 tem or unmanned aircraft described in subsection (a) shall
19 be subject to seizure and forfeiture to the United States.

20 “(2) The Secretary may prescribe regulations to es-
21 tablish reasonable exceptions to paragraph (1), including
22 in cases where—

23 “(A) the operator of the unmanned aircraft sys-
24 tem or unmanned aircraft obtained the control and
25 possession of such system or aircraft illegally; or

1 “(B) the operator of the unmanned aircraft sys-
2 tem or unmanned aircraft is an employee of a com-
3 mon carrier acting in manner described in sub-
4 section (a) without the knowledge of the common
5 carrier.

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

10 “(e) DEFINITIONS.—In this section:

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

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

16 “(B) located in the United States (includ-
17 ing the territories and possessions of the United
18 States); and

19 “(C) relating to—

20 “(i) the nuclear deterrence mission of
21 the Department of Defense, including with
22 respect to nuclear command and control,
23 integrated tactical warning and attack as-
24 sessment, and continuity of government;

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

3 “(iii) the national security space mis-
4 sion of the Department;

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

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

11 “(2) The terms ‘unmanned aircraft’ and ‘un-
12 manned aircraft system’ have the meaning given
13 those terms in section 331 of the FAA Moderniza-
14 tion and Reform Act of 2012 (Public Law 112–95;
15 49 U.S.C. 40101 note).”.

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

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

