

**AMENDMENT TO RULES COMMITTEE PRINT 119-33 OFFERED BY MRS. BIGGS
OF SOUTH CAROLINA**

Sec. XXX. Department of Defense Procurement and Operations Prohibition on Covered Robotic Systems.

(a) Prohibition on Procurement—Not later than one year after the date of enactment of this Act, none of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be used to procure or enter into or renew a contract for the procurement of any covered robotic system.

(1) None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be used to procure or enter into or renew a contract for equipment or service that includes any covered robotic system.

(b) Prohibition on Operation—Not later than 2 years after the date of enactment of this Act, no Department of Defense component may operate a covered robotic system in any sensitive operational environment.

(c) Applicability to Department of Defense Financial Assistance.—

(1) In General--No funds made available by the Department of Defense may be obligated or expended for the procurement, lease, or operation of a covered robotic system.

(2) Effective Date—The prohibition under paragraph (1) shall take effect 1 year after the date of enactment of this Act with respect to new procurements or leases, and 3 years after the date of enactment of this Act with respect to the continued operation of covered robotic systems already in service.

(d) Definition of Covered Robotic System

(1) In General--The term “covered robotic systems” includes:

(A) Quadrupedal robotic platforms produced by entities incorporated in the People's Republic of China;

(B) LiDAR sensors and modules produced by entities on the Entity List maintained by the Department of Commerce or entities identified in reports of the intelligence community as contributing to PLA sensing and targeting capabilities;

(C) Wheeled and tracked unmanned ground vehicles produced by entities incorporated in the People's Republic of China; and

(D) Any system or subcomponent that Secretary of Defense determines--

(i) is produced by or substantially incorporates technology from a covered Chinese entity;

(ii) poses an unacceptable risk to the national security of the United States based on the potential for unauthorized access to sensitive data, susceptibility to remote exploitation, or contribution to the PLA robotic systems ecosystem; or

(iii) has been identified in a report of the intelligence community as presenting national security risks when deployed in sensitive operational environments.

(2) Annual Review—

(A) In General--The Secretary of Defense shall conduct an annual review of the covered robotic systems list to add or modify definitions.

(B) Application of 1260H List--The Secretary of Defense shall conduct an annual review of Chinese entities operating in the United States that produce or sell covered robotic systems to determine their eligibility for inclusion on the 1260H List.

(C) Notification--The Secretary shall notify Congress not later than 30 days before making any modification to the list

(e) Waiver Authority

(1) In General — The Secretary of Defense may waive the prohibition in subsections (b), (c), or (d), on a case-by-case basis for renewable periods not to exceed 180 days if the Secretary determines that—

(A) there are no currently available and technically acceptable alternatives to the covered robotic system;

(B) the covered robotic system is essential to an ongoing mission-critical operation; or

(C) the cost of replacement would result in an undue burden on the agency;

(D) the Department of Defense has implemented risk-mitigation measures to address the national security risks presented by continued operation of the covered robotic system;

(E) the covered robotic system can no longer transfer data to, or download data from, a covered foreign entity; and

(F) the Secretary of Defense has determined that the covered robotic system posed no national security cybersecurity risk.

(2) Notification—Not later than 30 days after exercising a waiver under subsection (a), Secretary of Defense shall notify the congressional defense committees of—

(1) the specific covered robotic system for which the waiver is granted;

(2) the justification for the waiver;

(3) the risk-mitigation measures being implemented; and

(4) the plan and timeline for removing and replacing the covered robotic system.