

**AMENDMENT TO
RULES COMMITTEE PRINT 118-36
OFFERED BY MR. JOYCE OF OHIO**

At the appropriate place in subtitle A of title XVII,
insert the following:

1 **SEC. 17___ . PROHIBITION ON USE OF FEDERAL FUNDS FOR**
2 **PURCHASES AND OPERATION OF UNMANNED**
3 **AIRCRAFT SYSTEMS FROM FOREIGN ENTI-**
4 **TIES.**

5 (a) IN GENERAL.—Beginning on the first October 1
6 that occurs after the date of the enactment of this section
7 and except as provided in subsections (b) and (c), Federal
8 funds may not be awarded through a contract, grant, or
9 cooperative agreement, or otherwise made available—

10 (1) to purchase an unmanned aircraft system
11 that is manufactured or assembled by a covered for-
12 eign entity; or

13 (2) in connection with the operation of such un-
14 manned aircraft system.

15 (b) EXEMPTIONS.—The Secretary of Homeland Se-
16 curity, the Secretary of Defense, the Director of National
17 Intelligence, and the Attorney General are exempt from
18 the restriction under subsection (a) if the procurement is

1 required in the national interest of the United States
2 and—

3 (1) is for the sole purposes of research, evalua-
4 tion, training, testing, or analysis for electronic war-
5 fare, information warfare operations, cybersecurity,
6 or development of unmanned aircraft system or
7 counter-unmanned aircraft system technology;

8 (2) is for the sole purposes of conducting
9 counterterrorism or counterintelligence activities,
10 protective missions, or Federal criminal or national
11 security investigations, including forensic examina-
12 tions, or for electronic warfare, information warfare
13 operations, cybersecurity, or development of an un-
14 manned aircraft system or counter-unmanned air-
15 craft system technology; or

16 (3) is an unmanned aircraft system that, as
17 procured or as modified after procurement but be-
18 fore operational use, can no longer transfer to, or
19 download data from, a covered foreign entity and
20 otherwise poses no national security cybersecurity
21 risks as determined by the exempting official.

22 (c) WAIVER.—The head of an agency may waive the
23 prohibition under subsection (a) on a case-by-case basis
24 for a year, which may be renewed—

1 (1) with the approval of the Secretary of Home-
2 land Security or the Secretary of Defense; and

3 (2) upon notification to Congress.

4 (d) INCREASE TO DOMESTIC PRODUCTION OF UN-
5 MANNED AIRCRAFT SYSTEMS.—The Secretary of Defense
6 is directed to take such action as necessary to increase
7 the domestic production of unmanned aircraft systems.

8 (e) DEFINITIONS.—In this section—

9 (1) The term “agency” has the meaning given
10 that term in section 551 of title 5, United States
11 Code.

12 (2) The term “covered foreign entity” means
13 any entity in the following categories:

14 (A) An entity included on the Consolidated
15 Screening List.

16 (B) Any entity that is subject to
17 extrajudicial direction from a foreign govern-
18 ment, as determined by the Secretary of Home-
19 land Security in coordination with the Secretary
20 of State.

21 (C) Any entity the Secretary of Homeland
22 Security, in coordination with the Attorney
23 General, the Director of National Intelligence,
24 and the Secretary of Defense, determines poses

1 a risk to the national security of the United
2 States.

3 (D) Any entity domiciled in the People's
4 Republic of China or subject to influence or
5 control by the Government of the People's Re-
6 public of China or the Communist Party of the
7 People's Republic of China, as determined by
8 the Secretary of Homeland Security in coordi-
9 nation with the Secretary of State.

10 (E) Any entity domiciled in the People's
11 Republic of China that is involved in the imple-
12 mentation of military-civil fusion, participates
13 in the Chinese defense industrial base, is affili-
14 ated with the Chinese State Administration for
15 Science, Technology, and Industry for the Na-
16 tional Defense, receives funding from any orga-
17 nization subordinate to the Central Military
18 Commission of the Chinese Communist Party,
19 or provides support to any security, defense, po-
20 lice, or intelligence organization of the Govern-
21 ment of the People's Republic of China or the
22 Chinese Communist Party.

23 (F) Any subsidiary or affiliate of an entity
24 described in subparagraphs (A) through (E).

1 (3) The terms “intelligence” and “intelligence
2 community” have the meanings given those terms in
3 section 3 of the National Security Act of 1947 (50
4 U.S.C. 3003).

5 (4) The term “unmanned aircraft system” has
6 the meaning given that term in section 44801 of
7 title 49, United States Code.

