

116TH CONGRESS
2^D SESSION

H. R. 4753

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Drone Origin Security
3 Enhancement Act”.

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

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

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

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

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

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

24 (D) uses network connectivity or data stor-
25 age located in or administered by a corporation
26 domiciled in a covered foreign country; or

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

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

12 (1) in the national interest of the United
13 States;

14 (2) for counter-UAS surrogate testing and
15 training; or

16 (3) for intelligence, electronic warfare, or infor-
17 mation warfare operations, testing, analysis, and or
18 training.

19 (c) DEFINITIONS.—In this section:

20 (1) COVERED FOREIGN COUNTRY.—The term
21 “covered foreign country” means a country labeled
22 as a strategic competitor in the “Summary of the
23 2018 National Defense Strategy of the United
24 States of America: Sharpening the American Mili-
25 tary’s Competitive Edge” issued by the Department

1 of Defense pursuant to section 113 of title 10,
2 United States Code.

3 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

4 The term “unmanned aircraft system” has the
5 meaning given such term in section 331 of the FAA
6 Modernization and Reform Act of 2012 (Public Law
7 112–95; 49 U.S.C. 44802 note).

Passed the House of Representatives February 10,
2020.

Attest:

Clerk.

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