

YOUNG-3

AMENDMENT NO. _____

Calendar No. _____

Purpose: To prohibit the operation, procurement, or contracting action of foreign-made unmanned aircraft systems.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. _____

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. YOUNG

Viz:

1 At the appropriate place in title VIII, insert the following:
2

3 **SEC. ____ . PROHIBITION ON OPERATION, PROCUREMENT,**
4 **OR CONTRACTING ACTION OF FOREIGN-**
5 **MADE UNMANNED AIRCRAFT SYSTEMS.**

6 (a) IN GENERAL.—Subject to subsections (b) and (c),
7 the Secretary of Transportation is prohibited from enter-
8 ing into a contract or awarding a grant for the operation,
9 procurement, or contracting action with respect to any
10 small unmanned aircraft system that is manufactured or
11 assembled by a covered foreign entity.

1 (b) EXEMPTION.—The restrictions under subsection
2 (a) shall not apply if the operation, procurement, or con-
3 tracting action is for the purpose of—

4 (1) counter-UAS testing, analysis, or training;

5 or

6 (2) aviation safety testing.

7 (c) WAIVER.—The Secretary of Transportation (or
8 the Secretary's designee) may waive any restrictions under
9 subsection (a) on a case by case basis by certifying, in
10 writing not later than 15 days after exercising such waiv-
11 er, to the appropriate committees of Congress that the op-
12 eration, procurement, or contracting action is required in
13 the national interest of the United States.

14 (d) REPLACEMENT OF CERTAIN UNMANNED AIR-
15 CRAFT SYSTEMS.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this section, the Secretary
18 shall replace any unmanned aircraft system that was
19 manufactured or assembled by a covered foreign en-
20 tity and that is owned or operated by the Depart-
21 ment of Transportation as of the date of enactment
22 of this section with an unmanned aircraft system
23 manufactured in the United States or an allied
24 country (as that term is defined in section
25 2350f(d)(1) of title 10, United States Code).

1 (2) FUNDING.—There is authorized to be ap-
2 propriated to the Secretary \$5,000,000 to carry out
3 this subsection.

4 (e) DEFINITIONS.—In this Section:

5 (1) COVERED FOREIGN ENTITY.—The term
6 “covered foreign entity” means an entity that is—

7 (A) included on the Consolidated Screening
8 List or Entity List as designated by the Sec-
9 retary of Commerce;

10 (B) doing business as Da Jiang Innova-
11 tions (also known as “DJI”) or any successor
12 company;

13 (C) domiciled in the People’s Republic of
14 China or the Russian Federation;

15 (D) subject to influence or control by the
16 government of the People’s Republic of China
17 or the Russian Federation; or

18 (E) is a subsidiary or affiliate of an entity
19 described in any of subparagraphs (A) through
20 (D).

21 (2) SMALL UNMANNED AIRCRAFT; UNMANNED
22 AIRCRAFT SYSTEM.—The terms “small unmanned
23 aircraft” and “unmanned aircraft system” have the
24 meaning given such terms in section 44801 of title
25 49, United States Code.