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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To prohibit the purchase of Chinese drones by elements of the intelligence community, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DONALDS introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the purchase of Chinese drones by elements of the intelligence community, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safeguard U.S. Intel-
5 ligence from Chinese Drone Infiltration Act”.

1 **SEC. 2. PROHIBITION ON PURCHASE OF CHINESE DRONES**
2 **BY ELEMENTS OF INTELLIGENCE COMMU-**
3 **NITY.**

4 (a) PROHIBITION ON PURCHASE OF CHINESE
5 DRONES.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), none of the funds authorized to be appro-
8 priated for any element of the intelligence commu-
9 nity for any fiscal year may be used to purchase a
10 drone manufactured in China or by covered foreign
11 entity that—

12 (A) uses flight controllers, radios, data
13 transmission devices, cameras, or gimbals man-
14 ufactured in China or by a covered foreign enti-
15 ty;

16 (B) uses a ground control system or oper-
17 ating software developed in China or by a cov-
18 ered foreign entity; or

19 (C) uses network connectivity or data stor-
20 age located in or administered by a covered for-
21 eign entity.

22 (2) EXCEPTION.—The President may waive the
23 prohibition under paragraph (1) if the President de-
24 termines that such a waiver is necessary for the na-
25 tional security of the United States.

1 (b) REPORT.—The President shall transmit to Con-
2 gress a confidential report that includes—

3 (1) a description of the drones that, as of the
4 date of the enactment of this Act, are owned or in
5 use by an element of the intelligence community;

6 (2) for any such drone that contains a critical
7 electronic component made in China or by a covered
8 foreign entity—

9 (A) a detailed description of such drone;

10 (B) an identification of the type of infor-
11 mation that is required to be transmitted when
12 operating such drone;

13 (C) how the information provided to oper-
14 ate the drone is potentially shared with other
15 countries and how this risks the national secu-
16 rity of the United States;

17 (3) a description of how the intelligence com-
18 munity uses data collected from drones with critical
19 electronic components made in China or by a cov-
20 ered foreign entity and any safeguards that are cur-
21 rently in place to protect confidential drone-related
22 information from being shared with China;

23 (4) an analysis of how long drones with critical
24 electronic components made in China or by a cov-
25 ered foreign entity that are owned or in use by the

1 intelligence community have been in the possession
2 of the United States Government and the estimated
3 date by which the technology used in the drone will
4 be outdated and need to be replaced; and

5 (5) recommendations with respect to how to
6 phase out the use by the intelligence community of
7 drones with critical electronic components that were
8 made in China or by a covered foreign entity, includ-
9 ing a description of any challenges associated with
10 phasing out such drones and the cost associated with
11 phasing out such drones.

12 (c) FORM OF REPORT.—The report required under
13 subsection (b) shall be submitted in unclassified form, but
14 may contain a classified annex.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “covered foreign entity” means
17 any entity domiciled in the People’s Republic of
18 China or subject to influence or control by the Gov-
19 ernment of the People’s Republic of China or the
20 Communist Party of the People’s Republic of China,
21 as determined by the Secretary of Homeland Secu-
22 rity.

23 (2) The term “critical electronic component”—

1 (A) means any electronic device that
2 stores, manipulates, or transfers digital data;
3 and

4 (B) does not include passive electronics
5 such as resistors, and non-data transmitting
6 motors, batteries, and wiring.

7 (3) The term “intelligence community” has the
8 meaning given that term by the Director of National
9 Intelligence.