

(2) Subsections (e) and (f) of section 1083 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1989).

**SEC. 1811. LIMITATION ON FUNDS FOR WUHAN INSTITUTE OF VIROLOGY AND ECOHEALTH ALLIANCE, INC.**

(a) WUHAN INSTITUTE OF VIROLOGY.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be made available for the Wuhan Institute of Virology for any purpose.

(b) ECOHEALTH ALLIANCE, INC.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be used to fund any work to be performed in China by EcoHealth Alliance, Inc., including—

(1) work to be performed by any subsidiary of EcoHealth Alliance Inc, any organization that is directly controlled by EcoHealth Alliance Inc, or any organization or individual that is a subgrantee or subcontractor of EcoHealth Alliance Inc.; or

(2) any grant for the performance of any such work.

## Subtitle B—Drone Security

**SEC. 1821. SHORT TITLE.**

This subtitle may be cited as the “American Security Drone Act of 2023”.

**SEC. 1822. DEFINITIONS.**

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term “covered foreign entity” means an entity included on a list developed and maintained by the Federal Acquisition Security Council and published in the System for Award Management (SAM). This list will include entities in the following categories:

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

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(C) Any entity the Secretary of Homeland Security, in coordination with the Attorney General, Director of National Intelligence, and the Secretary of Defense, determines poses a national security risk.

(D) Any entity domiciled in the People’s Republic of China or subject to influence or control by the Government of the People’s Republic of China or the Communist Party of the People’s Republic of China, as determined by the Secretary of Homeland Security.

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

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term “covered unmanned aircraft system” has the meaning given the term “unmanned aircraft system” in section 44801 of title 49, United States Code.

(3) INTELLIGENCE; INTELLIGENCE COMMUNITY.—The terms “intelligence” and “intelligence community” have the meanings

American  
Security Drone  
Act of 2023.  
41 USC note  
prec. 3901.

China.

given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

**SEC. 1823. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.**

(a) **IN GENERAL.**—Except as provided under subsections (b) through (f), the head of an executive agency may not procure any covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity, which includes associated elements related to the collection and transmission of sensitive information (consisting of communication links and the components that control the unmanned aircraft) that enable the operator to operate the aircraft in the National Airspace System. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

Updates.  
List.

(b) **EXEMPTION.**—The Secretary of Homeland Security, the Secretary of Defense, the Secretary of State, and the Attorney General are exempt from the restriction under subsection (a) if the procurement is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

Determination.

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

(c) **DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.**—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration’s Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary’s designee.

(d) **NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.**—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting safety investigations.

(e) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.**—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under

subsection (a) if the procurement is necessary for the purpose of meeting NOAA’s science or management objectives or operational mission.

(f) **WAIVER.**—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Accountability in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

Notification.

**SEC. 1824. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.**

(a) **PROHIBITION.**—

(1) **IN GENERAL.**—Beginning on the date that is two years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

Effective date.

(2) **APPLICABILITY TO CONTRACTED SERVICES.**—The prohibition under paragraph (1) applies to any covered unmanned aircraft systems that are being used by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) **EXEMPTION.**—The Secretary of Homeland Security, the Secretary of Defense, the Secretary of State, and the Attorney General are exempt from the restriction under subsection (a) if the operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

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

Determination.

(c) **DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.**—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration’s Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the

Determination.

National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary's designee.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation is necessary for the sole purpose of conducting safety investigations.

(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the procurement is necessary for the purpose of meeting NOAA's science or management objectives or operational mission.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

Notification.

(2) upon notification to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Accountability in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

Deadline.

(g) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General and the Secretary of Transportation, shall prescribe regulations or guidance to implement this section.

**SEC. 1825. PROHIBITION ON USE OF FEDERAL FUNDS FOR PROCUREMENT AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.**

Effective date.

(a) IN GENERAL.—Beginning on the date that is two years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to procure a covered unmanned aircraft system that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, the Secretary of State, and the Attorney General are exempt from the restriction under subsection (a) if the procurement or operation is required in the national interest of the United States and—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or development of unmanned aircraft system or counter-unmanned aircraft system technology;

(2) is for the sole purposes of conducting counterterrorism or counterintelligence activities, protective missions, or Federal criminal or national security investigations, including forensic examinations, or for electronic warfare, information warfare

operations, cybersecurity, or development of an unmanned aircraft system or counter-unmanned aircraft system technology; or

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

Determination.

(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION EXEMPTION.—The Secretary of Transportation is exempt from the restriction under subsection (a) if the operation or procurement is deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, including activities carried out under the Federal Aviation Administration’s Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) and any other activity deemed to support the safe, secure, or efficient operation of the National Airspace System or maintenance of public safety, as determined by the Secretary or the Secretary’s designee.

Determination.

(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION EXEMPTION.—The Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the purpose of meeting NOAA’s science or management objectives or operational mission.

(e) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Director of the Office of Management and Budget, after consultation with the Federal Acquisition Security Council; and

(2) upon notification to—

Notification.

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Accountability in the House of Representatives; and

(C) other appropriate congressional committees of jurisdiction.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

Deadline.  
Guidance.

**SEC. 1826. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.**

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

**SEC. 1827. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.**

(a) IN GENERAL.—All executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal

Deadline.