

Scott_2 (modified)

AMENDMENT NO. _____

Calendar No. _____

Purpose: To modify requirements for the piloting of uncrewed aircraft systems for fire weather and fire environment observation.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 4237

To establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, 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. SCOTT of
Florida

Viz:

1 On page 18, between lines 20 and 21, insert the fol-

2 lowing:

3 (3) PROHIBITION.—

4 (A) IN GENERAL.—Except as provided

5 under subparagraphs (B) and (C), the Under

6 Secretary may not procure any covered un-

7 manned aircraft system that is manufactured or

8 assembled by a covered foreign entity, which in-

1 includes associated elements (consisting of com-
2 munication links and the components that con-
3 trol the unmanned aircraft) that are required
4 for the operator to operate safely and efficiently
5 in the national airspace system. The Federal
6 Acquisition Security Council, in coordination
7 with the Secretary of Transportation, shall de-
8 velop and update a list of associated elements.

9 (B) EXEMPTION.—The Under Secretary,
10 in consultation with the Secretary of Homeland
11 Security, is exempt from the prohibition under
12 subparagraph (A) if the operation or procure-
13 ment is necessary for the sole purpose of ma-
14 rine or atmospheric science or management.

15 (C) WAIVER.—The Under Secretary may
16 waive the prohibition under subparagraph (A)
17 on a case-by-case basis—

18 (i) with the approval of the Secretary
19 of Homeland Security or the Secretary of
20 Defense; and

21 (ii) upon notification to Congress.

22 (D) DEFINITIONS.—In this paragraph:

23 (i) COVERED FOREIGN ENTITY.—The
24 term “covered foreign entity” means an
25 entity included on a list developed and

1 maintained by the Federal Acquisition Se-
2 curity Council. The list shall include enti-
3 ties in the following categories:

4 (I) An entity included on the
5 Consolidated Screening List.

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

10 (III) Any entity the Secretary of
11 Homeland Security, in coordination
12 with the Director of National Intel-
13 ligence and the Secretary of Defense,
14 determines poses a national security
15 risk.

16 (IV) Any entity domiciled in the
17 People's Republic of China or subject
18 to influence or control by the Govern-
19 ment of the People's Republic of
20 China or the Communist Party of the
21 People's Republic of China, as deter-
22 mined by the Secretary of Homeland
23 Security.

1 (V) Any subsidiary or affiliate of
2 an entity described in subclauses (I)
3 through (IV).

4 (ii) COVERED UNMANNED AIRCRAFT
5 SYSTEM.—The term “covered unmanned
6 aircraft system” has the meaning given the
7 term “unmanned aircraft system” in sec-
8 tion 44801 of title 49, United States Code.