

118TH CONGRESS
1ST SESSION

S. _____

To prohibit the Federal Aviation Administration from awarding any Federal assistance to entities from certain foreign countries for projects related to unmanned aircraft systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BLACKBURN (for herself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To prohibit the Federal Aviation Administration from awarding any Federal assistance to entities from certain foreign countries for projects related to 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stemming The Oper-
5 ation of Pernicious and Illicit Drones Act” or the “STOP
6 Illicit Drones Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Aviation Administration.

4 (2) COVERED FOREIGN COUNTRY.—The term
5 “covered foreign country” means any of the fol-
6 lowing:

7 (A) The People’s Republic of China.

8 (B) The Russian Federation.

9 (C) The Islamic Republic of Iran.

10 (D) The Democratic People’s Republic of
11 Korea.

12 (E) The Bolivarian Republic of Venezuela.

13 (F) The Republic of Cuba.

14 (G) Any other country the Administrator
15 deems necessary.

16 (3) COVERED FOREIGN ENTITY.—The term
17 “covered foreign entity” means an entity that is—

18 (A) included on the Consolidated Screening
19 List maintained by the Under Secretary of
20 Commerce for International Trade;

21 (B) domiciled in a covered foreign country;

22 (C) subject to influence or control by the
23 government of a covered foreign country; or

24 (D) owned by an entity that is described in
25 subparagraph (A), (B), or (C).

1 (4) UNMANNED AIRCRAFT SYSTEM; UAS.—The
2 terms “unmanned aircraft system” and “UAS” have
3 the meaning given the term “unmanned aircraft sys-
4 tem” in section 44801 of title 49, United States
5 Code.

6 **SEC. 3. PROHIBITION ON FUNDING FOR ENTITIES FROM**
7 **COVERED FOREIGN COUNTRIES FOR**
8 **PROJECTS RELATED TO UNMANNED AIR-**
9 **CRAFT SYSTEMS.**

10 (a) AVIATION RESEARCH GRANTS PROGRAM.—Not
11 later than 180 days after the date of enactment of this
12 section, the Administrator shall amend FAA Order
13 9550.7B, Aviation Research Grants Program (dated No-
14 vember 25, 2014), as well as any corresponding policy or
15 guidance material, to prohibit—

16 (1) any covered foreign entity from receiving
17 aviation research and development grants for any
18 project related to unmanned aircraft systems; and

19 (2) any entity from using such grants to part-
20 ner with or otherwise transact business relating to
21 covered unmanned aircraft systems with covered for-
22 eign entities.

23 (b) AVIATION WORKFORCE DEVELOPMENT PRO-
24 GRAMS.—Section 625(c) of the FAA Reauthorization Act
25 of 2018 (49 U.S.C. 40101 note) is amended—

1 (1) in paragraph (1), in the matter preceding
2 subparagraph (A), by striking “An application for a
3 grant” and inserting “Subject to paragraph (3), an
4 application for a grant”;

5 (2) in paragraph (2), in the matter preceding
6 subparagraph (A), by striking “An application for a
7 grant” and inserting “Subject to paragraph (3), an
8 application for a grant”; and

9 (3) by adding at the end the following new
10 paragraph:

11 “(3) APPLICATIONS FROM COVERED FOREIGN
12 ENTITIES.—

13 “(A) PROHIBITION.—Beginning on the
14 date of enactment of this paragraph, an appli-
15 cation for a grant under the program estab-
16 lished under subsection (a)(1) or (a)(2) may
17 not be submitted for an eligible project related
18 to unmanned aircraft systems (as defined in
19 section 44801 of title 49, United States Code)
20 by—

21 “(i) a covered foreign entity; or

22 “(ii) an entity that uses or intends to
23 use such grant to benefit a covered foreign
24 entity.

1 “(B) DEFINITIONS.—For purposes of this
2 paragraph:

3 “(i) COVERED FOREIGN COUNTRY.—
4 The term ‘covered foreign country’ means
5 any of the following:

6 “(I) The People’s Republic of
7 China.

8 “(II) The Russian Federation.

9 “(III) The Islamic Republic of
10 Iran.

11 “(IV) The Democratic People’s
12 Republic of Korea.

13 “(V) The Bolivarian Republic of
14 Venezuela.

15 “(VI) The Republic of Cuba.

16 “(VII) Any other country the Ad-
17 ministrator of the Federal Aviation
18 Administration deems necessary.

19 “(ii) COVERED FOREIGN ENTITY.—
20 The term ‘covered foreign entity’ means an
21 entity that is—

22 “(I) included on the Consolidated
23 Screening List maintained by the
24 Under Secretary of Commerce for
25 International Trade;

1 “(II) domiciled in a covered for-
2 eign country;

3 “(III) subject to influence or con-
4 trol by the government of a covered
5 foreign country; or

6 “(IV) owned by an entity that is
7 described in subclause (I), (II), or
8 (III).”.

9 (c) CENTERS OF EXCELLENCE.—

10 (1) COMMUNITY AND TECHNICAL COLLEGE
11 CENTERS OF EXCELLENCE IN SMALL UNMANNED
12 AIRCRAFT SYSTEM TECHNOLOGY TRAINING.—Sec-
13 tion 631 of the FAA Reauthorization Act of 2018
14 (49 U.S.C. 40101 note) is amended—

15 (A) in subsection (a), by striking “Not
16 later than 180 days” and inserting “Subject to
17 subsection (f), not later than 180 days”; and

18 (B) by adding at the end the following new
19 subsection:

20 “(f) PROHIBITION.—

21 “(1) IN GENERAL.—Beginning on the date of
22 enactment of this subsection, the Secretary of
23 Transportation may not designate any covered for-
24 eign entity as a Center of Excellence under sub-
25 section (a).

1 “(2) DEFINITIONS.—For purposes of this sub-
2 section:

3 “(A) COVERED FOREIGN COUNTRY.—The
4 term ‘covered foreign country’ means any of the
5 following:

6 “(i) The People’s Republic of China.

7 “(ii) The Russian Federation.

8 “(iii) The Islamic Republic of Iran.

9 “(iv) The Democratic People’s Repub-
10 lic of Korea.

11 “(v) The Bolivarian Republic of Ven-
12 ezuela.

13 “(vi) The Republic of Cuba.

14 “(vii) Any other country the Adminis-
15 trator of the Federal Aviation Administra-
16 tion deems necessary.

17 “(B) COVERED FOREIGN ENTITY.—The
18 term ‘covered foreign entity’ means an entity
19 that is—

20 “(i) included on the Consolidated
21 Screening List maintained by the Under
22 Secretary of Commerce for International
23 Trade;

24 “(ii) domiciled in a covered foreign
25 country;

1 “(iii) subject to influence or control by
2 the government of a covered foreign coun-
3 try; or

4 “(iv) owned by an entity that is de-
5 scribed in clause (i), (ii), or (iii).”.

6 (2) REGIONAL CENTERS OF AIR TRANSPOR-
7 TATION EXCELLENCE.—Section 44513 of title 49,
8 United States Code, is amended—

9 (A) in subsection (a), by striking “The Ad-
10 ministrator” and inserting “Subject to sub-
11 section (i), the Administrator”; and

12 (B) by adding at the end the following new
13 subsection:

14 “(i) PROHIBITION.—

15 “(1) IN GENERAL.—Beginning on the date of
16 enactment of this subsection, the Administrator may
17 not issue a grant under subsection (a) to a covered
18 foreign entity to establish or operate a regional cen-
19 ter of air transportation excellence related to un-
20 manned aircraft systems (as defined in section
21 44801).

22 “(2) DEFINITIONS.—For purposes of this sub-
23 section:

1 “(A) COVERED FOREIGN COUNTRY.—The
2 term ‘covered foreign country’ means any of the
3 following:

4 “(i) The People’s Republic of China.

5 “(ii) The Russian Federation.

6 “(iii) The Islamic Republic of Iran.

7 “(iv) The Democratic People’s Repub-
8 lic of Korea.

9 “(v) The Bolivarian Republic of Ven-
10 ezuela.

11 “(vi) The Republic of Cuba.

12 “(vii) Any other country the Adminis-
13 trator deems necessary.

14 “(B) COVERED FOREIGN ENTITY.—The
15 term ‘covered foreign entity’ means an entity
16 that is—

17 “(i) included on the Consolidated
18 Screening List maintained by the Under
19 Secretary of Commerce for International
20 Trade ;

21 “(ii) domiciled in a covered foreign
22 country;

23 “(iii) subject to influence or control by
24 the government of a covered foreign coun-
25 try; or

1 “(iv) owned by an entity that is de-
2 scribed in clause (i), (ii), or (iii).”.

3 (d) OTHER FAA FUNDING.—

4 (1) FACILITIES, PERSONNEL, AND RE-
5 SEARCH.—

6 (A) IN GENERAL.—Chapter 445 of title
7 49, United States Code, is amended by adding
8 at the end the following new section:

9 **“§ 44520. Prohibition on drone-related funding to cov-
10 ered foreign entities**

11 “(a) IN GENERAL.—The Administrator of the Fed-
12 eral Aviation Administration may not issue a grant under
13 this chapter to a covered foreign entity for any project
14 related to unmanned aircraft systems.

15 “(b) DEFINITIONS.—For purposes of this section:

16 “(1) COVERED FOREIGN COUNTRY.—The term
17 ‘covered foreign country’ means any of the following:

18 “(A) The People’s Republic of China.

19 “(B) The Russian Federation.

20 “(C) The Islamic Republic of Iran.

21 “(D) The Democratic People’s Republic of
22 Korea.

23 “(E) The Bolivarian Republic of Ven-
24 ezuela.

25 “(F) The Republic of Cuba.

1 “(G) Any other country the Administrator
2 of the Federal Aviation Administration deems
3 necessary.

4 “(2) COVERED FOREIGN ENTITY.—The term
5 ‘covered foreign entity’ means an entity that is—

6 “(A) included on the Consolidated Screen-
7 ing List maintained by the Under Secretary of
8 Commerce for International Trade;

9 “(B) domiciled in a covered foreign coun-
10 try;

11 “(C) subject to influence or control by the
12 government of a covered foreign country; or

13 “(D) owned by an entity that is described
14 in subparagraph (A), (B), or (C).

15 “(3) UNMANNED AIRCRAFT SYSTEM.—The term
16 ‘unmanned aircraft system’ has the meaning given
17 that term in section 44801.

18 “(c) EFFECTIVE DATE.—The prohibition under sub-
19 section (a) shall apply to any grant awarded by the Ad-
20 ministrator on or after the date of enactment of this sec-
21 tion.”.

22 (B) CLERICAL AMENDMENT.—The analysis
23 for chapter 445 of such title 49 is amended by
24 inserting after the item relating to section
25 44519 the following:

“44520. Prohibition on drone-related funding to covered foreign entities.”.

1 (2) AIRPORT IMPROVEMENT PROJECT GRANT
2 APPLICATIONS.—Section 47105(a) of title 49,
3 United States Code, is amended by adding at the
4 end the following new paragraph:

5 “(4) PROHIBITION.—

6 “(A) IN GENERAL.—The Secretary of
7 Transportation may not award a grant under
8 this subchapter to a covered foreign entity for
9 any project related to unmanned aircraft sys-
10 tems (as defined in section 44801).

11 “(B) EFFECTIVE DATE.—The prohibition
12 under subparagraph (A) shall apply to any
13 grant awarded by the Secretary on or after the
14 date of enactment of this paragraph.

15 “(C) DEFINITIONS.—For purposes of this
16 paragraph:

17 “(i) COVERED FOREIGN COUNTRY.—
18 The term ‘covered foreign country’ means
19 any of the following:

20 “(I) The People’s Republic of
21 China.

22 “(II) The Russian Federation.

23 “(III) The Islamic Republic of
24 Iran.

1 “(IV) The Democratic People’s
2 Republic of Korea.

3 “(V) The Bolivarian Republic of
4 Venezuela.

5 “(VI) The Republic of Cuba.

6 “(VII) Any other country the Ad-
7 ministrators of the Federal Aviation
8 Administration deems necessary.

9 “(ii) COVERED FOREIGN ENTITY.—
10 The term ‘covered foreign entity’ means an
11 entity that is—

12 “(I) included on the Consolidated
13 Screening List maintained by the
14 Under Secretary of Commerce for
15 International Trade;

16 “(II) domiciled in a covered for-
17 eign country;

18 “(III) subject to influence or con-
19 trol by the government of a covered
20 foreign country; or

21 “(IV) owned by an entity that is
22 described in subclause (I), (II), or
23 (III).”.

1 (3) AIP FUNDING ELIGIBILITY.—Section
2 44810(e) of title 49, United States Code, is amend-
3 ed—

4 (A) by striking “ELIGIBILITY.—Upon the
5 certification” and inserting “ELIGIBILITY.—

6 “(1) IN GENERAL.—Subject to paragraph (2),
7 upon the certification”; and

8 (B) by adding at the end the following new
9 paragraph:

10 “(2) PROHIBITION.—

11 “(A) IN GENERAL.—The Administrator
12 may not award a grant under paragraph (1) to
13 a covered foreign entity for any project related
14 to unmanned aircraft systems.

15 “(B) EFFECTIVE DATE.—The prohibition
16 under subparagraph (A) shall apply to any
17 grant awarded under paragraph (1) on or after
18 the date of enactment of the Stemming The
19 Operation of Pernicious and Illicit Drones Act.

20 “(C) DEFINITIONS.—For purposes of this
21 subsection:

22 “(i) COVERED FOREIGN COUNTRY.—

23 The term ‘covered foreign country’ means
24 any of the following:

15

1 “(I) The People’s Republic of
2 China.

3 “(II) The Russian Federation.

4 “(III) The Islamic Republic of
5 Iran.

6 “(IV) The Democratic People’s
7 Republic of Korea.

8 “(V) The Bolivarian Republic of
9 Venezuela.

10 “(VI) The Republic of Cuba.

11 “(VII) Any other country the Ad-
12 ministrator deems necessary.

13 “(ii) COVERED FOREIGN ENTITY.—
14 The term ‘covered foreign entity’ means an
15 entity that is—

16 “(I) included on the Consolidated
17 Screening List or Entity List main-
18 tained by the Under Secretary of
19 Commerce for International Trade;

20 “(II) domiciled in a covered for-
21 eign country;

22 “(III) subject to influence or con-
23 trol by the government of a covered
24 foreign country; or

1 “(IV) owned by an entity that is
2 described in subclause (I), (II), or
3 (III).”.

4 **SEC. 4. PROHIBITION ON FAA OPERATION, PROCUREMENT,**
5 **OR CONTRACTING ACTION WITH RESPECT TO**
6 **COVERED UNMANNED AIRCRAFT SYSTEMS.**

7 (a) IN GENERAL.—Chapter 448 of title 49, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 44811. Prohibition on operation, procurement, or**
11 **contracting action with respect to cov-**
12 **ered unmanned aircraft systems**

13 “(a) IN GENERAL.—Subject to subsection (b), the
14 Administrator shall not—

15 “(1) operate a covered unmanned aircraft sys-
16 tem; or

17 “(2) enter into, extend, or renew a contract—

18 “(A) for the procurement of a covered un-
19 manned aircraft system; or

20 “(B) with an entity that operates (as de-
21 termined by the Administrator) a covered un-
22 manned aircraft system in the performance of
23 any Federal Aviation Administration contract.

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) detection or counter-UAS system surrogate
5 testing and training (including at Federal Aviation
6 Administration-approved testing sites);

7 “(2) intelligence, electronic warfare, and infor-
8 mation warfare operations, testing (including at
9 Federal Aviation Administration-approved testing
10 sites), analysis, and training; or

11 “(3) research to inform unmanned aircraft sys-
12 tem data-driven policy decisions, safety assessments,
13 procedures, rulemaking, and standards to safely in-
14 tegrate emerging entrants into the national airspace
15 system (including at Federal Aviation Administra-
16 tion-approved testing sites).

17 “(c) WAIVER.—The Administrator may waive the re-
18 strictions under subsection (a) on a case by case basis by
19 certifying, in writing, to the Secretary of Homeland Secu-
20 rity and the appropriate committees of Congress that the
21 operation, procurement, or contracting action is required
22 in the public interest.

23 “(d) REPLACEMENT OF COVERED UNMANNED AIR-
24 CRAFT SYSTEMS.—Not later than 1 year after the date
25 of enactment of this section, the Administrator shall re-

1 place any covered unmanned aircraft system that is owned
2 or operated by the Federal Aviation Administration as of
3 the date of enactment of this section with an unmanned
4 aircraft system manufactured in the United States or an
5 allied country (as that term is defined in section
6 2350f(d)(1) of title 10, United States Code).

7 “(e) REPORT TO CONGRESS.—Not later than 180
8 days after the date of enactment of this section, the Ad-
9 ministrator shall submit to the appropriate committees of
10 Congress a report that includes—

11 “(1) a description of the changes the Federal
12 Aviation Administration has made to its operation,
13 procurement, and contracting processes to ensure
14 that the Administration does not acquire any cov-
15 ered unmanned aircraft system;

16 “(2) the number of covered unmanned aircraft
17 systems that needed to be replaced in accordance
18 with subsection (d), including—

19 “(A) an explanation of the purposes for
20 which such covered unmanned aircraft systems
21 were used;

22 “(B) a description of the unmanned air-
23 craft systems that the Administrator will pur-
24 chase to replace such covered unmanned air-
25 craft systems; and

1 “(C) the cost to replace the identified un-
2 manned aircraft systems; and

3 “(3) any other information determined appro-
4 priate by the Administrator.

5 “(f) DEFINITIONS.—In this section:

6 “(1) ADMINISTRATOR.—The term ‘Adminis-
7 trator’ means the Administrator of the Federal Avia-
8 tion Administration.

9 “(2) APPROPRIATE COMMITTEES OF CON-
10 GRESS.—The term ‘appropriate committees of Con-
11 gress’ means—

12 “(A) the Committee on Commerce,
13 Science, and Transportation of the Senate;

14 “(B) the Subcommittee on Transportation,
15 Housing and Urban Development, and Related
16 Agencies of the Committee on Appropriations of
17 the Senate;

18 “(C) the Committee on Transportation and
19 Infrastructure of the House of Representatives;
20 and

21 “(D) the Subcommittee on Transportation,
22 Housing and Urban Development, and Related
23 Agencies of the Committee on Appropriations of
24 the House of Representatives.

1 “(3) COVERED FOREIGN COUNTRY.—The term
2 ‘covered foreign country’ means any of the following:

3 “(A) The People’s Republic of China.

4 “(B) The Russian Federation.

5 “(C) The Islamic Republic of Iran.

6 “(D) The Democratic People’s Republic of
7 Korea.

8 “(E) The Bolivarian Republic of Ven-
9 ezuela.

10 “(F) The Republic of Cuba.

11 “(G) Any other country the Administrator
12 deems necessary.

13 “(4) COVERED UNMANNED AIRCRAFT SYS-
14 TEM.—The term ‘covered unmanned aircraft system’
15 means an unmanned aircraft system that is—

16 “(A) included on the Consolidated Screen-
17 ing List maintained by the Under Secretary of
18 Commerce for International Trade;

19 “(B) produced by an entity domiciled in a
20 covered foreign country; or

21 “(C) produced by an entity subject to in-
22 fluence or control by the government of a cov-
23 ered foreign country.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 448 of such title is amended by inserting after the
3 item relating to section 44810 the following:

“44811. Prohibition on operation, procurement, or contracting action with respect to covered unmanned aircraft systems.”.