

118TH CONGRESS  
1ST SESSION

# H. R. 6143

To provide for drone security.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2023

Mr. GALLAGHER (for himself, Mr. COURTNEY, Mr. KRISHNAMOORTHY, and Mr. WITTMAN) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for drone security.

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 “American Security  
5 Drone Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **COVERED FOREIGN ENTITY.**—The term  
9 “covered foreign entity” means an entity included on  
10 a list developed and maintained by the Federal Ac-

1       quisition Security Council and published in the Sys-  
2       tem for Award Management (SAM). This list will in-  
3       clude entities in the following categories:

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

6               (B) Any entity the Secretary of Homeland  
7       Security, in coordination with the Secretary of  
8       State, the Attorney General, Director of Na-  
9       tional Intelligence, and the Secretary of De-  
10      fense, determines poses a national security risk.

11              (C) Any entity domiciled in the People’s  
12      Republic of China or subject to influence or  
13      owned or controlled by the Government of the  
14      People’s Republic of China or the Communist  
15      Party of the People’s Republic of China, as de-  
16      termined by the Secretary of Homeland Secu-  
17      rity, in coordination with the Secretary of  
18      State.

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

21              (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

22      The term “covered unmanned aircraft system” has  
23      the meaning given the term “unmanned aircraft sys-  
24      tem” in section 44801 of title 49, United States  
25      Code.

1           (3) INTELLIGENCE; INTELLIGENCE COMMU-  
2           NITY.—The terms “intelligence” and “intelligence  
3           community” have the meanings given those terms in  
4           section 3 of the National Security Act of 1947 (50  
5           U.S.C. 3003).

6 **SEC. 3. PROHIBITION ON PROCUREMENT OF COVERED UN-**  
7                           **MANNED AIRCRAFT SYSTEMS FROM COV-**  
8                           **ERED FOREIGN ENTITIES.**

9           (a) IN GENERAL.—Except as provided under sub-  
10          sections (b) through (f), the head of an executive agency  
11          may not procure any covered unmanned aircraft system  
12          that is manufactured or assembled by a covered foreign  
13          entity, which includes associated elements related to the  
14          collection and transmission of sensitive information (con-  
15          sisting of communication links and the components that  
16          control the unmanned aircraft) that enable the operator  
17          to operate the aircraft in the National Airspace System.  
18          The Federal Acquisition Security Council, in coordination  
19          with the Secretary of Transportation, shall develop and  
20          update a list of associated elements.

21          (b) EXEMPTION.—The Secretary of Homeland Secu-  
22          rity, the Secretary of State, the Secretary of Defense, and  
23          the Attorney General are exempt from the restriction  
24          under subsection (a) if the procurement is required in the  
25          national interest of the United States and—

1           (1) is for the sole purposes of research, evalua-  
2           tion, training, testing, or analysis for electronic war-  
3           fare, information warfare operations, cybersecurity,  
4           or development of unmanned aircraft system or  
5           counter-unmanned aircraft system technology;

6           (2) is for the sole purposes of conducting  
7           counterterrorism or counterintelligence activities,  
8           protective missions, or Federal criminal or national  
9           security investigations, including forensic examina-  
10          tions, or for electronic warfare, information warfare  
11          operations, cybersecurity, or development of an un-  
12          manned aircraft system or counter-unmanned air-  
13          craft system technology; or

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

20          (c) DEPARTMENT OF TRANSPORTATION AND FED-  
21          ERAL AVIATION ADMINISTRATION EXEMPTION.—The  
22          Secretary of Transportation is exempt from the restriction  
23          under subsection (a) if the operation or procurement is  
24          deemed to support the safe, secure, or efficient operation  
25          of the National Airspace System or maintenance of public

1 safety, including activities carried out under the Federal  
2 Aviation Administration’s Alliance for System Safety of  
3 UAS through Research Excellence (ASSURE) Center of  
4 Excellence (COE) and any other activity deemed to sup-  
5 port the safe, secure, or efficient operation of the National  
6 Airspace System or maintenance of public safety, as deter-  
7 mined by the Secretary or the Secretary’s designee.

8 (d) NATIONAL TRANSPORTATION SAFETY BOARD  
9 EXEMPTION.—The National Transportation Safety  
10 Board, in consultation with the Secretary of Homeland Se-  
11 curity, is exempt from the restriction under subsection (a)  
12 if the operation or procurement is necessary for the sole  
13 purpose of conducting safety investigations.

14 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-  
15 ISTRATION EXEMPTION.—The Administrator of the Na-  
16 tional Oceanic and Atmospheric Administration (NOAA),  
17 in consultation with the Secretary of Homeland Security,  
18 is exempt from the restriction under subsection (a) if the  
19 procurement is necessary for the purpose of meeting  
20 NOAA’s science or management objectives or operational  
21 mission.

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

1 (1) with the approval of the Director of the Of-  
2 fice of Management and Budget, after consultation  
3 with the Federal Acquisition Security Council; and

4 (2) upon notification to—

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

7 (B) the Committee on Oversight and Ac-  
8 countability in the House of Representatives;  
9 and

10 (C) other appropriate congressional com-  
11 mittees of jurisdiction.

12 **SEC. 4. PROHIBITION ON OPERATION OF COVERED UN-**  
13 **MANNED AIRCRAFT SYSTEMS FROM COV-**  
14 **ERED FOREIGN ENTITIES.**

15 (a) PROHIBITION.—

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

21 (2) APPLICABILITY TO CONTRACTED SERV-  
22 ICES.—The prohibition under paragraph (1) applies  
23 to any covered unmanned aircraft systems that are  
24 being used by any executive agency through the

1 method of contracting for the services of covered un-  
2 manned aircraft systems.

3 (b) EXEMPTION.—The Secretary of Homeland Secu-  
4 rity, the Secretary of State, the Secretary of Defense, and  
5 the Attorney General are exempt from the restriction  
6 under subsection (a) if the operation is required in the  
7 national interest of the United States and—

8 (1) is for the sole purposes of research, evalua-  
9 tion, training, testing, or analysis for electronic war-  
10 fare, information warfare operations, cybersecurity,  
11 or development of unmanned aircraft system or  
12 counter-unmanned aircraft system technology;

13 (2) is for the sole purposes of conducting  
14 counterterrorism or counterintelligence activities,  
15 protective missions, or Federal criminal or national  
16 security investigations, including forensic examina-  
17 tions, or for electronic warfare, information warfare  
18 operations, cybersecurity, or development of an un-  
19 manned aircraft system or counter-unmanned air-  
20 craft system technology; or

21 (3) is an unmanned aircraft system that, as  
22 procured or as modified after procurement but be-  
23 fore operational use, can no longer transfer to, or  
24 download data from, a covered foreign entity and

1 otherwise poses no national security cybersecurity  
2 risks as determined by the exempting official.

3 (c) DEPARTMENT OF TRANSPORTATION AND FED-  
4 ERAL AVIATION ADMINISTRATION EXEMPTION.—The  
5 Secretary of Transportation is exempt from the restriction  
6 under subsection (a) if the operation is deemed to support  
7 the safe, secure, or efficient operation of the National Air-  
8 space System or maintenance of public safety, including  
9 activities carried out under the Federal Aviation Adminis-  
10 tration’s Alliance for System Safety of UAS through Re-  
11 search Excellence (ASSURE) Center of Excellence (COE)  
12 and any other activity deemed to support the safe, secure,  
13 or efficient operation of the National Airspace System or  
14 maintenance of public safety, as determined by the Sec-  
15 retary or the Secretary’s designee.

16 (d) NATIONAL TRANSPORTATION SAFETY BOARD  
17 EXEMPTION.—The National Transportation Safety  
18 Board, in consultation with the Secretary of Homeland Se-  
19 curity, is exempt from the restriction under subsection (a)  
20 if the operation is necessary for the sole purpose of con-  
21 ducting safety investigations.

22 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-  
23 ISTRATION EXEMPTION.—The Administrator of the Na-  
24 tional Oceanic and Atmospheric Administration (NOAA),  
25 in consultation with the Secretary of Homeland Security,



1 is exempt from the restriction under subsection (a) if the  
2 procurement is necessary for the purpose of meeting  
3 NOAA's science or management objectives or operational  
4 mission.

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

8 (1) with the approval of the Director of the Of-  
9 fice of Management and Budget, after consultation  
10 with the Federal Acquisition Security Council; and

11 (2) upon notification to—

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

14 (B) the Committee on Oversight and Ac-  
15 countability in the House of Representatives;  
16 and

17 (C) other appropriate congressional com-  
18 mittees of jurisdiction.

19 (g) REGULATIONS AND GUIDANCE.—Not later than  
20 180 days after the date of the enactment of this Act, the  
21 Secretary of Homeland Security, in consultation with the  
22 Attorney General, the Secretary of State, and the Sec-  
23 retary of Transportation, shall prescribe regulations or  
24 guidance to implement this section.

1 **SEC. 5. PROHIBITION ON USE OF FEDERAL FUNDS FOR**  
2 **PROCUREMENT AND OPERATION OF COV-**  
3 **ERED UNMANNED AIRCRAFT SYSTEMS FROM**  
4 **COVERED FOREIGN ENTITIES.**

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

10 (1) to procure a covered unmanned aircraft sys-  
11 tem that is manufactured or assembled by a covered  
12 foreign entity; or

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

15 (b) EXEMPTION.—The Secretary of Homeland Secu-  
16 rity, the Secretary of State, the Secretary of Defense, and  
17 the Attorney General are exempt from the restriction  
18 under subsection (a) if the procurement or operation is  
19 required in the national interest of the United States  
20 and—

21 (1) is for the sole purposes of research, evalua-  
22 tion, training, testing, or analysis for electronic war-  
23 fare, information warfare operations, cybersecurity,  
24 or development of unmanned aircraft system or  
25 counter-unmanned aircraft system technology;

1           (2) is for the sole purposes of conducting  
2           counterterrorism or counterintelligence activities,  
3           protective missions, or Federal criminal or national  
4           security investigations, including forensic examina-  
5           tions, or for electronic warfare, information warfare  
6           operations, cybersecurity, or development of an un-  
7           manned aircraft system or counter-unmanned air-  
8           craft system technology; or

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

15          (c) DEPARTMENT OF TRANSPORTATION AND FED-  
16          ERAL AVIATION ADMINISTRATION EXEMPTION.—The  
17          Secretary of Transportation is exempt from the restriction  
18          under subsection (a) if the operation or procurement is  
19          deemed to support the safe, secure, or efficient operation  
20          of the National Airspace System or maintenance of public  
21          safety, including activities carried out under the Federal  
22          Aviation Administration’s Alliance for System Safety of  
23          UAS through Research Excellence (ASSURE) Center of  
24          Excellence (COE) and any other activity deemed to sup-  
25          port the safe, secure, or efficient operation of the National

1 Airspace System or maintenance of public safety, as deter-  
2 mined by the Secretary or the Secretary's designee.

3 (d) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-  
4 ISTRATION EXEMPTION.—The Administrator of the Na-  
5 tional Oceanic and Atmospheric Administration (NOAA),  
6 in consultation with the Secretary of Homeland Security,  
7 is exempt from the restriction under subsection (a) if the  
8 operation or procurement is necessary for the purpose of  
9 meeting NOAA's science or management objectives or  
10 operational mission.

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

14 (1) with the approval of the Director of the Of-  
15 fice of Management and Budget, after consultation  
16 with the Federal Acquisition Security Council; and

17 (2) upon notification to—

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

20 (B) the Committee on Oversight and Ac-  
21 countability in the House of Representatives;  
22 and

23 (C) other appropriate congressional com-  
24 mittees of jurisdiction.

1 (f) REGULATIONS.—Not later than 180 days after  
2 the date of the enactment of this Act, the Federal Acquisi-  
3 tion Regulatory Council shall prescribe regulations or  
4 guidance, as necessary, to implement the requirements of  
5 this section pertaining to Federal contracts.

6 **SEC. 6. PROHIBITION ON USE OF GOVERNMENT-ISSUED**  
7 **PURCHASE CARDS TO PURCHASE COVERED**  
8 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**  
9 **ERED FOREIGN ENTITIES.**

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

13 **SEC. 7. MANAGEMENT OF EXISTING INVENTORIES OF COV-**  
14 **ERED UNMANNED AIRCRAFT SYSTEMS FROM**  
15 **COVERED FOREIGN ENTITIES.**

16 (a) IN GENERAL.—All executive agencies must ac-  
17 count for existing inventories of covered unmanned air-  
18 craft systems manufactured or assembled by a covered for-  
19 eign entity in their personal property accounting systems,  
20 within one year of the date of enactment of this Act, re-  
21 gardless of the original procurement cost, or the purpose  
22 of procurement due to the special monitoring and account-  
23 ing measures necessary to track the items' capabilities.

24 (b) CLASSIFIED TRACKING.—Due to the sensitive na-  
25 ture of missions and operations conducted by the United

1 States Government, inventory data related to covered un-  
2 manned aircraft systems manufactured or assembled by  
3 a covered foreign entity may be tracked at a classified  
4 level, as determined by the Secretary of Homeland Secu-  
5 rity or the Secretary's designee.

6 (c) EXCEPTIONS.—The Department of Defense, the  
7 Department of Homeland Security, the Department of  
8 State, the Department of Justice, the Department of  
9 Transportation, and the National Oceanic and Atmos-  
10 pheric Administration may exclude from the full inventory  
11 process, covered unmanned aircraft systems that are  
12 deemed expendable due to mission risk such as recovery  
13 issues, or that are one-time-use covered unmanned aircraft  
14 due to requirements and low cost.

15 (d) INTELLIGENCE COMMUNITY EXCEPTION.—Noth-  
16 ing in this section shall apply to any element of the intel-  
17 ligence community.

18 **SEC. 8. COMPTROLLER GENERAL REPORT.**

19 Not later than 275 days after the date of the enact-  
20 ment of this Act, the Comptroller General of the United  
21 States shall submit to Congress a report on the amount  
22 of commercial off-the-shelf drones and covered unmanned  
23 aircraft systems procured by Federal departments and  
24 agencies from covered foreign entities, except that nothing

1 in this section shall apply to any element of the intel-  
2 ligence community.

3 **SEC. 9. GOVERNMENT-WIDE POLICY FOR PROCUREMENT**  
4 **OF UNMANNED AIRCRAFT SYSTEMS.**

5 (a) IN GENERAL.—Not later than 180 days after the  
6 date of the enactment of this Act, the Director of the Of-  
7 fice of Management and Budget, in coordination with the  
8 Department of Homeland Security, Department of Trans-  
9 portation, the Department of Justice, the Department of  
10 State, and other Departments as determined by the Direc-  
11 tor of the Office of Management and Budget, and in con-  
12 sultation with the National Institute of Standards and  
13 Technology, shall establish a government-wide policy for  
14 the procurement of an unmanned aircraft system—

15 (1) for non-Department of Defense and non-in-  
16 telligence community operations; and

17 (2) through grants and cooperative agreements  
18 entered into with non-Federal entities.

19 (b) INFORMATION SECURITY.—The policy developed  
20 under subsection (a) shall include the following specifica-  
21 tions, which to the extent practicable, shall be based on  
22 industry standards and technical guidance from the Na-  
23 tional Institute of Standards and Technology, to address  
24 the risks associated with processing, storing, and trans-

1 mitting Federal information in an unmanned aircraft sys-  
2 tem:

3 (1) Protections to ensure controlled access to  
4 an unmanned aircraft system.

5 (2) Protecting software, firmware, and hard-  
6 ware by ensuring changes to an unmanned aircraft  
7 system are properly managed, including by ensuring  
8 an unmanned aircraft system can be updated using  
9 a secure, controlled, and configurable mechanism.

10 (3) Cryptographically securing sensitive col-  
11 lected, stored, and transmitted data, including prop-  
12 er handling of privacy data and other controlled un-  
13 classified information.

14 (4) Appropriate safeguards necessary to protect  
15 sensitive information, including during and after use  
16 of an unmanned aircraft system.

17 (5) Appropriate data security to ensure that  
18 data is not transmitted to or stored in non-approved  
19 locations.

20 (6) The ability to opt out of the uploading,  
21 downloading, or transmitting of data that is not re-  
22 quired by law or regulation and an ability to choose  
23 with whom and where information is shared when it  
24 is required.



1 (c) REQUIREMENT.—The policy developed under sub-  
2 section (a) shall reflect an appropriate risk-based ap-  
3 proach to information security related to use of an un-  
4 manned aircraft system.

5 (d) REVISION OF ACQUISITION REGULATIONS.—Not  
6 later than 180 days after the date on which the policy  
7 required under subsection (a) is issued—

8 (1) the Federal Acquisition Regulatory Council  
9 shall revise the Federal Acquisition Regulation, as  
10 necessary, to implement the policy; and

11 (2) any Federal department or agency or other  
12 Federal entity not subject to, or not subject solely  
13 to, the Federal Acquisition Regulation shall revise  
14 applicable policy, guidance, or regulations, as nec-  
15 essary, to implement the policy.

16 (e) EXEMPTION.—In developing the policy required  
17 under subsection (a), the Director of the Office of Man-  
18 agement and Budget shall—

19 (1) incorporate policies to implement the ex-  
20 emptions contained in this Act; and

21 (2) incorporate an exemption to the policy in  
22 the case of a head of the procuring department or  
23 agency determining, in writing, that no product that  
24 complies with the information security requirements  
25 described in subsection (b) is capable of fulfilling

1 mission critical performance requirements, and such  
2 determination—

3 (A) may not be delegated below the level of  
4 the Deputy Secretary, or Administrator, of the  
5 procuring department or agency;

6 (B) shall specify—

7 (i) the quantity of end items to which  
8 the waiver applies and the procurement  
9 value of those items; and

10 (ii) the time period over which the  
11 waiver applies, which shall not exceed three  
12 years;

13 (C) shall be reported to the Office of Man-  
14 agement and Budget following issuance of such  
15 a determination; and

16 (D) not later than 30 days after the date  
17 on which the determination is made, shall be  
18 provided to the Committee on Homeland Secu-  
19 rity and Governmental Affairs of the Senate  
20 and the Committee on Oversight and Account-  
21 ability of the House of Representatives.

1 **SEC. 10. STATE, LOCAL, AND TERRITORIAL LAW ENFORCE-**  
2 **MENT AND EMERGENCY SERVICE EXEMP-**  
3 **TION.**

4 (a) **RULE OF CONSTRUCTION.**—Nothing in this Act  
5 shall prevent a State, local, or territorial law enforcement  
6 or emergency service agency from procuring or operating  
7 a covered unmanned aircraft system purchased with non-  
8 Federal dollars.

9 (b) **CONTINUITY OF ARRANGEMENTS.**—The Federal  
10 Government may continue entering into contracts, grants,  
11 and cooperative agreements or other Federal funding in-  
12 struments with State, local, or territorial law enforcement  
13 or emergency service agencies under which a covered un-  
14 manned aircraft system will be purchased or operated if  
15 the agency has received approval or waiver to purchase  
16 or operate a covered unmanned aircraft system pursuant  
17 to section 1095.

18 **SEC. 11. STUDY.**

19 (a) **STUDY ON THE SUPPLY CHAIN FOR UNMANNED**  
20 **AIRCRAFT SYSTEMS AND COMPONENTS.**—

21 (1) **REPORT REQUIRED.**—Not later than one  
22 year after the date of the enactment of this Act, the  
23 Under Secretary of Defense for Acquisition and  
24 Sustainment shall provide to the appropriate con-  
25 gressional committees a report on the supply chain  
26 for covered unmanned aircraft systems, including a

1 discussion of current and projected future demand  
2 for covered unmanned aircraft systems.

3 (2) ELEMENTS.—The report under paragraph  
4 (1) shall include the following:

5 (A) A description of the current and future  
6 global and domestic market for covered un-  
7 manned aircraft systems that are not widely  
8 commercially available except from a covered  
9 foreign entity.

10 (B) A description of the sustainability,  
11 availability, cost, and quality of secure sources  
12 of covered unmanned aircraft systems domesti-  
13 cally and from sources in allied and partner  
14 countries.

15 (C) The plan of the Secretary of Defense  
16 to address any gaps or deficiencies identified in  
17 subparagraph (B), including through the use of  
18 funds available under the Defense Production  
19 Act of 1950 (50 U.S.C. 4501 et seq.) and part-  
20 nerships with the National Aeronautics and  
21 Space Administration and other interested per-  
22 sons.

23 (D) Such other information as the Under  
24 Secretary of Defense for Acquisition and  
25 Sustainment determines to be appropriate.

1           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES DEFINED.—In this section the term “appro-  
3           priate congressional committees” means:

4                   (A) The Committees on Armed Services of  
5                   the Senate and the House of Representatives.

6                   (B) The Committee on Homeland Security  
7                   and Governmental Affairs of the Senate and the  
8                   Committee on Oversight and Accountability of  
9                   the House of Representatives.

10                  (C) The Committee on Commerce, Science,  
11                  and Transportation of the Senate and the Com-  
12                  mittee on Science, Space, and Technology of  
13                  the House of Representatives.

14                  (D) The Select Committee on Intelligence  
15                  of the Senate and the Permanent Select Com-  
16                  mittee on Intelligence of the House of Rep-  
17                  resentatives.

18                  (E) The Committee on Transportation and  
19                  Infrastructure of the House of Representatives.

20                  (F) The Committee on Homeland Security  
21                  of the House of Representatives.

22                  (G) The Committee on Foreign Relations  
23                  of the Senate and the Committee on Foreign  
24                  Affairs of the House of Representatives.

1 **SEC. 12. EXCEPTIONS.**

2 (a) **EXCEPTION FOR WILDFIRE MANAGEMENT OPER-**  
3 **ATIONS AND SEARCH AND RESCUE OPERATIONS.**—The  
4 appropriate Federal agencies, in consultation with the Sec-  
5 retary of Homeland Security, are exempt from the pro-  
6 curement and operation restrictions under sections 3, 4,  
7 and 5 to the extent the procurement or operation is nec-  
8 essary for the purpose of supporting the full range of wild-  
9 fire management operations or search and rescue oper-  
10 ations.

11 (b) **EXCEPTION FOR INTELLIGENCE ACTIVITIES.**—  
12 Sections 3, 4, and 5 shall not apply to any activity subject  
13 to the reporting requirements under title V of the National  
14 Security Act of 1947 (50 U.S.C. 3091 et seq.), any au-  
15 thorized intelligence activities of the United States, or any  
16 activity or procurement that supports an authorized intel-  
17 ligence activity.

18 (c) **EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR**  
19 **EMERGENCY SERVICE AGENCY.**—Tribal law enforcement  
20 or Tribal emergency service agencies, in consultation with  
21 the Secretary of Homeland Security, are exempt from the  
22 procurement, operation, and purchase restrictions under  
23 sections 3, 4, and 5 to the extent the procurement or oper-  
24 ation is necessary for the purpose of supporting the full  
25 range of law enforcement operations or search and rescue  
26 operations on Indian lands.

1 **SEC. 13. SUNSET.**

2       Sections 3, 4, and 5 shall cease to have effect on the  
3 date that is five years after the date of the enactment of  
4 this Act.

○