

118TH CONGRESS
2D SESSION

S. 4792

To amend the Secure and Trusted Communications Networks Act of 2019 to add communications equipment and services produced or provided by Shenzhen Da-Jiang Innovations Sciences and Technologies Company Limited and Autel Robotics to the list that the Federal Communications Commission is required to maintain under that Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2024

Mr. SCOTT of Florida (for himself, Mr. WARNER, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Secure and Trusted Communications Networks Act of 2019 to add communications equipment and services produced or provided by Shenzhen Da-Jiang Innovations Sciences and Technologies Company Limited and Autel Robotics to the list that the Federal Communications Commission is required to maintain under that Act, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Countering CCP
3 Drones and Supporting Drones for Law Enforcement
4 Act”.

5 **SEC. 2. COUNTERING CCP DRONES.**

6 (a) DETERMINATION OF WHETHER UNMANNED AIR-
7 CRAFT SYSTEMS MANUFACTURERS ARE CHINESE MILI-
8 TARY COMPANIES.—Pursuant to the annual review re-
9 quired under section 1260H(a) of the William M. (Mac)
10 Thornberry National Defense Authorization Act for Fiscal
11 Year 2021 (Public Law 116–283; 10 U.S.C. 113 note),
12 the Secretary of Defense shall determine if any entity that
13 manufactures or assembles unmanned aircraft systems (as
14 defined in section 44801 of title 49, United States Code),
15 or any subsidiary, parent, affiliate, or successor of such
16 an entity, should be identified under such section
17 1260H(a) as a Chinese military company operating di-
18 rectly or indirectly in the United States.

19 (b) ADDITION OF CERTAIN EQUIPMENT AND SERV-
20 ICES OF DJI TECHNOLOGIES AND AUTEL ROBOTICS TO
21 COVERED COMMUNICATIONS EQUIPMENT AND SERVICES
22 LIST.—

23 (1) IN GENERAL.—Section 2 of the Secure and
24 Trusted Communications Networks Act of 2019 (47
25 U.S.C. 1601) is amended—

1 (A) in subsection (c), by adding at the end
2 the following:

3 “(5) The communications equipment or service
4 being—

5 “(A) communications or video surveillance
6 equipment produced or provided by—

7 “(i) Shenzhen Da-Jiang Innovations
8 Sciences and Technologies Company Lim-
9 ited (commonly known as ‘DJI Tech-
10 nologies’);

11 “(ii) Autel Robotics; or

12 “(iii) with respect to an entity de-
13 scribed in clause (i) or (ii) (referred to in
14 this clause as a ‘named entity’)—

15 “(I) any subsidiary, affiliate, or
16 partner of the named entity;

17 “(II) any entity in a joint ven-
18 ture with the named entity; or

19 “(III) any entity to which the
20 named entity has issued a license to
21 produce or provide that telecommuni-
22 cations or video surveillance equip-
23 ment; or

24 “(B) telecommunications or video surveil-
25 lance services, including software, provided by

1 an entity described in subparagraph (A) or
 2 using equipment described in that subpara-
 3 graph.

4 “(6)(A) The communications equipment or
 5 service being any communications equipment or
 6 service produced or provided by an entity—

7 “(i) that is a subsidiary, affiliate, or part-
 8 ner of an entity that produces or provides any
 9 communications equipment or service described
 10 in any of paragraphs (1) through (5) (referred
 11 to in this subparagraph as a ‘covered entity’);

12 “(ii) that is in a joint venture with a cov-
 13 ered entity; or

14 “(iii) to which a covered entity has issued
 15 a license to produce or provide that communica-
 16 tions equipment or service.

17 “(B) An executive branch interagency body de-
 18 scribed in paragraph (1) may submit to the Commis-
 19 sion a petition to have an entity recognized as an en-
 20 tity to which subparagraph (A) applies.”; and

21 (B) by adding at the end the following:

22 “(e) INAPPLICABILITY TO AUTHORIZED INTEL-
 23 LIGENCE ACTIVITIES.—

24 “(1) DEFINITIONS.—In this subsection, the
 25 terms ‘intelligence’ and ‘intelligence community’

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

3 “(2) INAPPLICABILITY.—Notwithstanding any
4 other provision of this section, an action by the
5 Commission under subsection (b)(1) based on a de-
6 termination made under paragraph (5) or (6) of
7 subsection (c) shall not apply with respect to any—

8 “(A) activity subject to the reporting re-
9 quirements under title V of the National Secu-
10 rity Act of 1947 (50 U.S.C. 3091 et seq.);

11 “(B) activity of an element of the intel-
12 ligence community relating to intelligence; or

13 “(C) activity of, or procurement by, an ele-
14 ment of the intelligence community in support
15 of an activity relating to intelligence.”.

16 (2) CONFORMING AMENDMENTS.—Section 2 of
17 the Secure and Trusted Communications Networks
18 Act of 2019 (47 U.S.C. 1601) is amended by strik-
19 ing “paragraphs (1) through (4)” each place that
20 term appears and inserting “paragraphs (1) through
21 (6)”.

22 (3) EFFECTIVE DATE.—This subsection, and
23 the amendments made by this subsection, shall take
24 effect on the date that is 180 days after the date of
25 enactment of this Act.

1 (c) FIRST RESPONDER SECURE DRONE PROGRAM.—

2 (1) DEFINITIONS.—In this subsection:

3 (A) ELIGIBLE ENTITY.—

4 (i) IN GENERAL.—The term “eligible
5 entity” means an agency of an entity de-
6 scribed in clause (ii) that has as a primary
7 responsibility the maintenance of public
8 safety.

9 (ii) ENTITY DESCRIBED.—An entity
10 described in this clause is any of the fol-
11 lowing:

12 (I) Each of the 50 States, the
13 District of Columbia, the Common-
14 wealth of Puerto Rico, the United
15 States Virgin Islands, Guam, Amer-
16 ican Samoa, and the Commonwealth
17 of the Northern Mariana Islands.

18 (II) A political subdivision, in-
19 cluding a unit of local government, of
20 an entity described in subclause (I).

21 (III) A Tribal Government.

22 (B) ELIGIBLE SMALL UNMANNED AIR-
23 CRAFT SYSTEM.—The term “eligible small un-
24 manned aircraft system” means a small un-
25 manned aircraft system, as defined in part 107

1 of title 14, Code of Federal Regulations (or any
2 successor regulation), that—

3 (i) was not designed, manufactured,
4 or assembled, in whole or in part, by a for-
5 eign entity of concern; or

6 (ii) does not include software or 1 or
7 more critical components from a foreign
8 entity of concern.

9 (C) FOREIGN ENTITY OF CONCERN.—The
10 term “foreign entity of concern” has the mean-
11 ing given the term in section 9901 of the Wil-
12 liam M. (Mac) Thornberry National Defense
13 Authorization Act for Fiscal Year 2021 (15
14 U.S.C. 4651).

15 (D) SECRETARY.—The term “Secretary”
16 means the Secretary of Transportation.

17 (E) UNMANNED AIRCRAFT SYSTEM.—The
18 term “unmanned aircraft system” has the
19 meaning given such term in section 44801 of
20 title 49, United States Code.

21 (2) AUTHORITY.—Not later than 180 days
22 after the date of enactment of this Act, the Sec-
23 retary shall establish a program, in coordination
24 with the Attorney General, to be known as the First
25 Responder Secure Drone Program, to provide grants

1 to eligible entities to facilitate the use of eligible
2 small unmanned aircraft systems.

3 (3) USE OF GRANT AMOUNTS.—An eligible enti-
4 ty may use a grant provided under this subsection
5 to—

6 (A) purchase or lease eligible small un-
7 manned aircraft systems;

8 (B) purchase or lease software, training,
9 and other services reasonably associated with
10 the purchase or lease of eligible small un-
11 manned aircraft systems; and

12 (C) dispose of unmanned aircraft systems
13 owned by the eligible entity.

14 (4) RESTRICTIONS ON GRANT USES.—In admin-
15 istering grants under this program, the Secretary, in
16 coordination with the Attorney General, shall ensure
17 funds are used in a manner that safeguards civil lib-
18 erties and mitigates cybersecurity risks concerning
19 the operation and use of the eligible small unmanned
20 aircraft system.

21 (5) APPLICATION.—To be eligible to receive a
22 grant under this subsection, an eligible entity shall
23 submit to the Secretary an application at such time,
24 in such form, and containing such information as
25 the Secretary may require, including an assurance

1 that the eligible entity or any contractor of the eligi-
2 ble entity, will comply with relevant Federal regula-
3 tions.

4 (6) FEDERAL SHARE.—

5 (A) IN GENERAL.—Except as provided in
6 subparagraph (B), the Federal share of the al-
7 lowable costs of a project carried out using a
8 grant provided under this subsection shall not
9 exceed 50 percent of the total allowable project
10 costs.

11 (B) WAIVER.—The Secretary may increase
12 the Federal share under subparagraph (A) to
13 up to 75 percent if an eligible entity—

14 (i) submits a written application to
15 the Secretary requesting an increase in the
16 Federal share; and

17 (ii) demonstrates that the additional
18 assistance is necessary to facilitate the ac-
19 ceptance and full use of a grant under this
20 subsection, due to circumstances such as
21 alleviating economic hardship, meeting ad-
22 ditional workforce needs, or any other uses
23 that the Secretary determines to be appro-
24 priate.

1 (7) FUNDING.—There is authorized to be ap-
2 propriated to the Secretary, \$15,000,000 for fiscal
3 year 2025 to carry out this subsection, to remain
4 available until expended.

5 (8) SUNSET OF PROGRAM.—The program es-
6 tablished under this subsection shall end on the date
7 that is the earlier of—

8 (A) the date on which all appropriations
9 authorized under paragraph (7) are expended;
10 and

11 (B) the date that is 2 years after the date
12 of enactment of this Act.

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