

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. ROGERS OF ALABAMA**

At the end of subtitle B of title XXXI, add the following new section:

1 **SEC. 31__ . PROTECTION OF CERTAIN NUCLEAR FACILI-**
2 **TIES FROM UNMANNED AIRCRAFT.**

3 (a) IN GENERAL.—The Atomic Energy Defense Act
4 (50 U.S.C. 2501 et seq.) is amended by inserting after
5 section 4509 the following new section:

6 **“SEC. 4510. PROTECTION OF CERTAIN NUCLEAR FACILI-**
7 **TIES FROM UNMANNED AIRCRAFT.**

8 “(a) AUTHORITY.—The Secretary of Energy may
9 take such actions described in subsection (b)(1) that are
10 necessary to mitigate the threat of an unmanned aircraft
11 system or unmanned aircraft that poses an imminent
12 threat (as defined by the Secretary of Energy, in coordina-
13 tion with the Secretary of Transportation) to the safety
14 or security of a covered facility.

15 “(b) ACTIONS DESCRIBED.—(1) The actions de-
16 scribed in this paragraph are the following:

17 “(A) Disrupt control of the unmanned aircraft
18 system or unmanned aircraft.

1 “(B) Seize and exercise control of the un-
2 manned aircraft system or unmanned aircraft.

3 “(C) Seize or otherwise confiscate the un-
4 manned aircraft system or unmanned aircraft.

5 “(D) Use reasonable force to disable or destroy
6 the unmanned aircraft system or unmanned aircraft.

7 “(2) The Secretary of Energy shall develop the ac-
8 tions described in paragraph (1) in coordination with the
9 Secretary of Transportation, consistent with the protec-
10 tion of information regarding sensitive defense or national
11 security capabilities.

12 “(c) FORFEITURE.—(1) Any unmanned aircraft sys-
13 tem or unmanned aircraft described in subsection (a) shall
14 be subject to seizure and forfeiture to the United States.

15 “(2) The Secretary of Energy may prescribe regula-
16 tions to establish reasonable exceptions to paragraph (1),
17 including in cases where—

18 “(A) the operator of the unmanned aircraft sys-
19 tem or unmanned aircraft obtained the control and
20 possession of such system or aircraft illegally; or

21 “(B) the operator of the unmanned aircraft sys-
22 tem or unmanned aircraft is an employee of a com-
23 mon carrier acting in manner described in sub-
24 section (a) without the knowledge of the common
25 carrier.

1 “(d) REGULATIONS.—Not later than 180 days after
2 the date of the enactment of this section, the Secretary
3 of Energy and the Secretary of Transportation shall pre-
4 scribe regulations and issue guidance in the respective
5 areas of each Secretary to carry out this section.

6 “(e) DEFINITIONS.—In this section:

7 “(1) The term ‘covered facility’ means any fa-
8 cility that—

9 “(A) is identified by the Secretary of En-
10 energy for purposes of this section;

11 “(B) is located in the United States (in-
12 cluding the territories and possessions of the
13 United States); and

14 “(C) is owned by the United States, or
15 contracted to the United States, to store or use
16 special nuclear material.

17 “(2) The terms ‘unmanned aircraft’ and ‘un-
18 manned aircraft system’ have the meaning given
19 those terms in section 331 of the FAA Moderniza-
20 tion and Reform Act of 2012 (Public Law 112–95;
21 49 U.S.C. 40101 note).”.

22 (b) CLERICAL AMENDMENT.—The table of contents
23 for such Act is amended by inserting after the item relat-
24 ing to section 4509 the following new item:

“Sec. 4510. Protection of certain nuclear facilities from unmanned aircraft.”.

