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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit the Department of Defense from acquiring or using certain robotic systems from People's Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. BIGGS of South Carolina introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the Department of Defense from acquiring or using certain robotic systems from People's Republic of China, 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 "Stop Beijing's Bots
5 Act".

1 **SEC. 2. PROHIBITION ON PROCUREMENT AND OPERATION**
2 **OF COVERED ROBOTIC SYSTEMS.**

3 (a) **PROHIBITION ON PROCUREMENT.**—Not later
4 than one year after the date of enactment of this section,
5 the Secretary of Defense may not enter into or renew a
6 contract for—

7 (1) the procurement of any covered robotic sys-
8 tem; or

9 (2) equipment or service that includes any cov-
10 ered robotic system.

11 (b) **PROHIBITION ON OPERATION.**—Not later than 2
12 years after the date of enactment of this section, an ele-
13 ment of the Department of Defense may not operate a
14 covered robotic system in any sensitive operational envi-
15 ronment.

16 (c) **LIMITATION RELATING TO LEASE OR OPERATION**
17 **OF A COVERED ROBOTIC SYSTEM.**—

18 (1) **IN GENERAL.**—No funds made available by
19 the Department of Defense may be obligated or ex-
20 pended for the lease or operation of a covered
21 robotic system.

22 (2) **EFFECTIVE DATE.**—The prohibition under
23 paragraph (1) shall take effect 1 year after the date
24 of enactment of this section with respect to new
25 leases, and 3 years after the date of enactment of

1 this section with respect to the continued operation
2 of covered robotic systems already in service.

3 (d) WAIVER AUTHORITY.—

4 (1) IN GENERAL.—The Secretary of Defense
5 may waive the prohibition in subsection (a) or (b) on
6 a case-by-case basis for renewable periods not to ex-
7 ceed 180 days if the Secretary determines that—

8 (A) there are no currently available and
9 technically acceptable alternatives to the cov-
10 ered robotic system;

11 (B) the covered robotic system is essential
12 to an ongoing mission-critical operation;

13 (C) the cost of replacement would result in
14 an undue burden on the agency;

15 (D) the Secretary has implemented risk-
16 mitigation measures to address the national se-
17 curity risks presented by continued operation of
18 the covered robotic system;

19 (E) the covered robotic system can no
20 longer transfer data to, or download data from,
21 a covered foreign entity; and

22 (F) the Secretary has determined that the
23 covered robotic system posed no national secu-
24 rity cybersecurity risk.

1 (2) NOTIFICATION.—Not later than 30 days
2 after exercising a waiver under paragraph (1), Sec-
3 retary of Defense shall notify the congressional de-
4 fense committees of—

5 (A) the specific covered robotic system for
6 which the waiver is granted;

7 (B) the justification for the waiver;

8 (C) the risk-mitigation measures being im-
9 plemented; and

10 (D) the plan and timeline for removing
11 and replacing the covered robotic system.

12 (e) ANNUAL REVIEW.—

13 (1) DEFINITION.—The Secretary of Defense
14 shall conduct an annual review of the definition of
15 covered robotic systems to update or modify such
16 definition.

17 (2) LIST.—The Secretary of Defense shall con-
18 duct an annual review of Chinese entities operating
19 in the United States that produce or sell covered
20 robotic systems to determine if such entities should
21 be included on the list maintained by the Secretary
22 under section 1260H of the National Defense Au-
23 thorization Act for Fiscal Year 2021 (10 U.S.C. 113
24 note).

1 (3) NOTIFICATION.—The Secretary shall notify
2 Congress not later than 30 days before making any
3 modification to the list described in paragraph (2).

4 (f) DEFINITIONS.—In this section:

5 (1) The term “covered Chinese entity” means
6 an entity—

7 (A) that is a foreign person domiciled in,
8 is headquartered in, has its principal place of
9 business in, or is organized under the laws of
10 the People’s Republic of China;

11 (B) with respect to which a foreign person
12 or combination of foreign persons described in
13 subparagraph (A) directly or indirectly own at
14 least a 20 percent stake; or

15 (C) that is a person subject to the direc-
16 tion or control of a foreign person or entity de-
17 scribed in subparagraph (A) or (B).

18 (2) The term “covered robotic systems” in-
19 cludes the following:

20 (A) Quadrupedal robotic platforms pro-
21 duced by entities incorporated in the People’s
22 Republic of China.

23 (B) LiDAR sensors and modules produced
24 by entities on the Entity List set forth in Sup-
25 plement No. 4 to part 744 of the Export Ad-

1 ministration Regulations or entities identified in
2 reports of the intelligence community as con-
3 tributing to the sensing and targeting capabili-
4 ties of the People's Republic of China.

5 (C) Wheeled and tracked unmanned
6 ground vehicles produced by entities incor-
7 porated in the People's Republic of China.

8 (D) Any system or subcomponent that Sec-
9 retary of Defense determines—

10 (i) is produced by or substantially in-
11 corporates technology from a covered Chi-
12 nese entity;

13 (ii) poses an unacceptable risk to the
14 national security of the United States
15 based on the potential for unauthorized ac-
16 cess to sensitive data, susceptibility to re-
17 mote exploitation, or contribution to the
18 PLA robotic systems ecosystem; or

19 (iii) has been identified in a report of
20 the intelligence community as presenting
21 national security risks when deployed in
22 sensitive operational environments.

23 (3) The term "PLA robotic systems ecosystem"
24 means a person that contributes, either directly or
25 indirectly, to the development, operation, or provi-

- 1 sion (including through a parent company, sub-
- 2 sidiary, or affiliate) of any covered robotic systems
- 3 owned or operated by the People's Liberation Army.