

112TH CONGRESS
2^D SESSION

H. R. 6277

To prohibit the Secretary of Defense and the Secretary of Homeland Security from purchasing equipment or military aircraft containing electronic components that are not manufactured in the United States.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2012

Ms. SLAUGHTER introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure and Homeland Security, 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

A BILL

To prohibit the Secretary of Defense and the Secretary of Homeland Security from purchasing equipment or military aircraft containing electronic components that are not manufactured in the United States.

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 “Keep America Secure
5 Act”.

1 **SEC. 2. PROHIBITION AGAINST PURCHASING EQUIPMENT**
2 **OR MILITARY AIRCRAFT CONTAINING ELEC-**
3 **TRONIC COMPONENTS NOT MANUFACTURED**
4 **IN THE UNITED STATES.**

5 (a) **IN GENERAL.**—The Secretary of Defense and the
6 Secretary of Homeland Security may not purchase any
7 equipment or military aircraft that contains electronic
8 components that are not manufactured in the United
9 States.

10 (b) **EXCEPTION.**—The Secretary concerned may
11 waive the application of subsection (a) with respect to a
12 purchase if the Secretary determines that application of
13 such subsection to such purchase would be inconsistent
14 with the public interest or would result in unreasonable
15 costs to the Department of Defense or the Department
16 of Homeland Security, as the case may be.

17 (c) **REQUIREMENT FOR CLASSIFICATION SYSTEM**
18 **FOR ELECTRONIC COMPONENTS.**—The Secretary of De-
19 fense and the Secretary of Homeland Security shall jointly
20 establish a classification system for electronic components.
21 Under the system, electronic components shall be ranked
22 based on how sensitive the components, and the final prod-
23 ucts containing the components, are to national security.

24 (d) **STUDY AND REPORT ON COUNTERFEIT ELEC-**
25 **TRONIC COMPONENTS.**—

1 (1) STUDY REQUIRED.—The Secretary of De-
2 fense and the Secretary of Homeland Security shall
3 jointly conduct a study on the prevalence of counter-
4 feit electronic components in the supply chains of
5 the Department of Defense and the Department of
6 Homeland Security and options for addressing the
7 issue.

8 (2) REPORT.—Not later than 12 months after
9 the date of the enactment of this Act, the Secre-
10 taries shall submit to Congress a report on the re-
11 sults of the study required by paragraph (1), includ-
12 ing findings and such recommendations as the Sec-
13 retaries consider appropriate.

14 (e) DEFINITIONS.—In this Act:

15 (1) ELECTRONIC COMPONENTS.—The term
16 “electronic components” includes—

17 (A) any integrated chip or sensing device;

18 (B) communications systems and equip-
19 ment;

20 (C) search, navigation, and guidance sys-
21 tems and equipment; and

22 (D) software associated with the items de-
23 scribed in subparagraphs (A) through (C).

24 (2) SENSITIVE ELECTRONIC COMPONENTS.—
25 The term “sensitive electronic components” means

1 electronic components ranked the most sensitive to
2 national security under the classification system es-
3 tablished under subsection (c).

4 **SEC. 3. FAA REGULATIONS FOR USE OF CERTAIN ELEC-**
5 **TRONIC COMPONENTS MANUFACTURED IN**
6 **THE UNITED STATES.**

7 Not later than 1 year after the date of enactment
8 of this Act, the Administrator of the Federal Aviation Ad-
9 ministration shall issue regulations that require any pas-
10 senger aircraft constructed after such date and any re-
11 placement of electronic components on a passenger air-
12 craft use electronic components (as defined in section
13 2(e)) manufactured in the United States.

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