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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the Secretary of Commerce to conduct a study on the national and economic security risks posed by foreign adversaries to the automotive industry of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. HARSHBARGER introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of Commerce to conduct a study on the national and economic security risks posed by foreign adversaries to the automotive industry of the United States, 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 “Automotive National
5 and Economic Security Act of 2026”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Energy and Com-
5 merce of the House of Representatives; and

6 (B) the Committee on Commerce, Science,
7 and Transportation of the Senate.

8 (2) AUTOMATED DRIVING SYSTEM.—The term
9 “automated driving system”—

10 (A) means the hardware and software that
11 are collectively capable of performing the entire
12 dynamic driving task on a sustained basis, re-
13 gardless of whether such system is limited to a
14 specific operational design domain; and

15 (B) includes only a system that meets the
16 definition of Level 3, Level 4, or Level 5 auto-
17 mation.

18 (3) CONTROLLED BY A FOREIGN ADVERSARY.—
19 The term “controlled by a foreign adversary” means,
20 with respect to a manufacturer, that such manufac-
21 turer is a foreign person that—

22 (A) is domiciled in a foreign adversary;

23 (B) is headquartered in a foreign adver-
24 sary;

1 (C) has a principal place of business in a
2 foreign adversary;

3 (D) is organized under the laws of a for-
4 eign adversary; or

5 (E) derives at least 50 percent of annual
6 revenue in a foreign adversary.

7 (4) COVERED ACTIVITY.—The term “covered
8 activity” means any of the following commercial ar-
9 rangements or agreements related to the manufac-
10 ture of motor vehicles, covered hardware, or covered
11 software with respect to which at least 1 party is a
12 foreign adversary or a manufacturer controlled by a
13 foreign adversary:

14 (A) Any ownership interest, direct or indi-
15 rect, in a manufacturer.

16 (B) Any commercial partnership, including
17 a joint venture, subsidiary, or contract manu-
18 facturing agreement.

19 (C) Any technology sharing agreement, in-
20 cluding a research and development partnership
21 or a licensing agreement.

22 (D) Any investment by a manufacturer in
23 a motor vehicle manufacturer or vehicle equip-
24 ment manufacturer controlled by a foreign ad-
25 versary.

1 (5) COVERED HARDWARE.—The term “covered
2 hardware” means—

3 (A) software-enabled or programmable
4 components that—

5 (i) are installed or designed to be in-
6 stalled in or on a motor vehicle;

7 (ii) are directly connected to systems
8 in or on a motor vehicle that directly en-
9 able the transmission, receipt, conversion,
10 or processing of radio frequency commu-
11 nications at a frequency over 450 mega-
12 hertz; and

13 (iii) directly or as a part of an item,
14 enables the connectivity functions of such
15 systems; or

16 (B) electronic systems integrated into an
17 electric vehicle battery that directly enable or
18 control the monitoring, management, security,
19 or external communication of battery perform-
20 ance or operation, including any transmitter or
21 interface component that performs such func-
22 tions.

23 (6) COVERED SOFTWARE.—The term “covered
24 software” means a software-based component, in-
25 cluding any application, middleware, system soft-

1 ware, and any machine-learning model or other arti-
2 ficial intelligence component, that is installed in or
3 on a motor vehicle, or designed to be installed in or
4 on a motor vehicle, and that is executed by the pri-
5 mary processing unit or units of an item that di-
6 rectly enables, at the vehicle level, the functioning of
7 covered hardware or an automated driving system.

8 (7) CRITICAL AND EMERGING TECHNOLOGY.—
9 The term “critical and emerging technology” means
10 any of the following:

11 (A) Advanced computing.

12 (B) Advanced engineering materials.

13 (C) Advanced and networked sensing and
14 signature management.

15 (D) Advanced manufacturing.

16 (E) Artificial intelligence.

17 (F) Clean energy generation and storage.

18 (G) Data privacy, data security, and cyber-
19 security technology.

20 (H) Highly automated, autonomous, and
21 uncrewed Systems (UxS) and robotics.

22 (I) Human-machine interfaces.

23 (J) Integrated communication and net-
24 working technology.

1 (K) Positioning, navigation, and timing
2 (PNT) technology.

3 (L) Quantum information and enabling
4 technology.

5 (M) Semiconductors and microelectronics.

6 (8) FOREIGN ADVERSARY.—The term “foreign
7 adversary” has the meaning given the term “covered
8 nation” in section 4872(f) of title 10, United States
9 Code.

10 (9) MANUFACTURER.—The term “manufac-
11 turer” means any person in the United States that
12 manufactures, assembles, or imports a passenger
13 motor vehicle, including a passenger motor vehicle
14 that includes covered hardware or covered software.

15 (10) SECRETARY.—The term “Secretary”
16 means the Secretary of the Department of Com-
17 merce (acting through the Office of the Secretary of
18 Commerce).

19 **SEC. 3. STUDY ON FOREIGN ADVERSARIES AND THE AMER-**
20 **ICAN AUTOMOTIVE INDUSTRY.**

21 (a) STUDY REQUIRED.—The Secretary shall conduct
22 a study on covered activity by manufacturers.

23 (b) ELEMENTS.—In conducting the study required by
24 subsection (a), the Secretary shall assess the following:

1 (1) The engagement of each manufacturer in
2 any covered activity.

3 (2) With respect to any covered activity de-
4 scribed in paragraph (2):

5 (A) Any adverse impact to the national se-
6 curity, economic competitiveness, or intellectual
7 property protection of the United States result-
8 ing from such covered activity.

9 (B) Any involvement by an entity con-
10 trolled by a foreign adversary that is a State-
11 directed investment vehicle, including any mili-
12 tary, political party, State-owned enterprise,
13 sovereign wealth fund, or government-controlled
14 investment vehicle.

15 (C) Any transfer of technology relating to
16 critical and emerging technology to any entity
17 described in subparagraph (B) or a manufac-
18 turer controlled by a foreign adversary.

19 (D) Any operations or employees of the
20 manufacturer in a foreign adversary relating to
21 such covered activity.

22 (c) CONSULTATION.—In conducting the study re-
23 quired by subsection (a), the Secretary shall consult with
24 the head of any relevant agency as determined by the Sec-
25 retary.

1 (d) SUBMISSION; PUBLICATION.—Not later than 2
2 years after the date of the enactment of this Act, the Sec-
3 retary shall—

4 (1) submit to the appropriate congressional
5 committees a report on the study required by sub-
6 section (a); and

7 (2) publish an unclassified report on a website
8 of the Department of Commerce, except that the
9 Secretary may not disclose confidential business in-
10 formation, trade secrets, or information the disclo-
11 sure of which would reasonably be expected to harm
12 the national security of the United States.