AMENDMENT NO. ____________ Calendar No. ______

Purpose: To improve the response of the Department of Defense to threats to United States forces from small unmanned aerial systems worldwide.


S. 4049

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on ______________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. HASSAN (for herself and Mr. JOHNSON) to the amendment (No. 2301) proposed by Mr. INHOFE

Viz:

1. At the end of subtitle D of title IX, insert the following:

3. SEC. 952. THREATS TO UNITED STATES FORCES FROM SMALL UNMANNED AERIAL SYSTEMS WORLD-WIDE.

6. (a) FINDINGS.—Congress makes the following find-
(1) United States military forces face an ever increasing and constantly evolving threat from small unmanned aerial systems in operations worldwide, whether in the United States or abroad.

(2) The Department of Defense is already doing important work to address the threats from small unmanned aerial systems worldwide, though the need for engagement in that area continues.

(b) EXECUTIVE AGENT.—

(1) IN GENERAL.—The Secretary of the Army is the executive agent of the Department of Defense for programs, projects, and activities to counter small unmanned aerial systems (in this section referred to as the “Counter-Small Unmanned Aerial Systems Program”).

(2) FUNCTIONS.—The functions of the Secretary as executive agent shall be as follows:

(A) To develop the strategy required by subsection (c).

(B) To carry out such other activities to counter threats to United States forces worldwide from small unmanned aerial systems as the Secretary of Defense and the Secretary of the Army consider appropriate.
(3) **Structure.**—The Secretary as executive agent shall carry out the functions specified in paragraph (2) through such administrative structures as the Secretary considers appropriate.

(c) **Strategy To Counter Threats From Small Unmanned Aerial Systems.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall develop and submit to relevant committees of Congress a strategy for the Armed Forces to effectively counter threats from small unmanned aerial systems worldwide. The report shall be submitted in classified form.

(d) **Report on Executive Agent Activities.**—

(1) **Report Required.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall submit to Congress a report on the Counter-Small Unmanned Aerial Systems Program.

(2) **Elements.**—The report required by paragraph (1) shall include the following:

(A) A description and assessment of the structure and activities of the executive agent
as established and put in place by the Secretary, including the following:

(i) Any obstacles hindering the effective discharge of its functions and activities, including limitations in authorities or policy.

(ii) The changes, if any, to airspace management, rules of engagement, and training plans that are required in order to optimize the use by the Armed Forces of counter-small unmanned aerial systems.

(B) An assessment of the implementation of the strategy required by subsection (c), and a description of any updates to the strategy that are required in light of evolving threats to the Armed Forces from small unmanned aerial systems.

(e) REPORT ON THREAT FROM SMALL UNMANNED AERIAL SYSTEMS.—

(1) REPORT REQUIRED.—Not later than 180 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report that sets forth a direct comparison between the threats United States forces in combat settings face
from small unmanned aerial systems and the capabilities of the United States to counter such threats. The report shall be submitted in classified form.

(2) COORDINATION.—The Secretary shall prepare the report required by paragraph (1) in coordination with the Director of National Intelligence, and with such other appropriate officials of the intelligence community, and such other officials in the United States Government, as the Secretary considers appropriate.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An evaluation and assessment of the current and evolving threat being faced by United States forces from small unmanned aerial systems.

(B) A description of the counter-small unmanned aerial system systems acquired by the Department of Defense as of the date of the enactment of this Act, and an assessment whether such systems are adequate to meet the current and evolving threat described in subparagraph (A).
(4) APPROPRIATE COMMITTEES OF CONGRESS

DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF COUNTER-SMALL UNMANNED AERIAL SYSTEMS PROGRAM.—

(1) ASSESSMENT.—Not later than 180 days after the submittal of the strategy required by subsection (c), the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of an assessment, conducted by the Comptroller General for purposes of the report, of the efficacy of the Counter-Small Unmanned Aerial Systems Program.

(2) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include the following:

(A) An identification of metrics to assess progress in the implementation of the strategy
required by subsection (e), which metrics shall take into account the threat assessment required for purposes of subsection (e).

(B) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics, and recommendations for improvements in the implementation of the strategy.

(C) An assessment of the extent to which the Department of Defense is coordinating adequately with other departments and agencies of the United States Government, and other appropriate entities, in the development and procurement of counter-small unmanned aerial systems for the Department.

(D) An assessment of the extent to which the designation of the Secretary of the Army as executive agent for the Counter-Small Unmanned Aerial Systems Program has reduced redundancies and increased efficiencies in procurement of counter-small unmanned aerial systems.

(E) An assessment whether United States technological progress on counter-small unmanned aerial systems is sufficient to maintain
a competitive edge over the small unmanned aerial systems technology available to United States adversaries.