

116TH CONGRESS  
2D SESSION

# S. 4413

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

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IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2020

Ms. HASSAN (for herself and Mr. JOHNSON) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

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## A BILL

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

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. DEPARTMENT OF DEFENSE RESPONSE TO**  
4 **THREATS TO UNITED STATES FORCES**  
5 **WORLDWIDE FROM SMALL UNMANNED AIR-**  
6 **CRAFT SYSTEMS.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) United States military forces face an ever  
10 increasing and constantly evolving threat from small

1       unmanned aircraft systems in operations worldwide,  
2       whether in the United States or abroad.

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

7       (b) EXECUTIVE AGENT.—

8           (1) IN GENERAL.—The Secretary of the Army  
9       is the executive agent of the Department of Defense  
10      for programs, projects, and activities to counter  
11      small unmanned aircraft systems, groups 1, 2, and  
12      3 (known as “Counter Small Unmanned Aircraft  
13      Systems for Unmanned Aircraft Groups 1, 2, and  
14      3” and in this section referred to collectively as the  
15      “Counter-Small Unmanned Aircraft Systems Pro-  
16      gram”).

17          (2) FUNCTIONS.—The functions of the Sec-  
18      retary as executive agent shall be as follows:

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

21           (B) To carry out such other activities to  
22      counter threats to United States forces world-  
23      wide from small unmanned aircraft systems as  
24      the Secretary of Defense and the Secretary of  
25      the Army consider appropriate.

1           (3) STRUCTURE.—The Secretary as executive  
2           agent shall carry out the functions specified in para-  
3           graph (2) through such administrative structures as  
4           the Secretary considers appropriate.

5           (c) STRATEGY TO COUNTER THREATS FROM SMALL  
6 UNMANNED AIRCRAFT SYSTEMS.—Not later than 90 days  
7 after the date of the enactment of this Act, the Secretary  
8 of the Army, as executive agent for the Counter-Small Un-  
9 manned Aircraft Systems Program, shall develop and sub-  
10 mit to relevant committees of Congress a strategy for the  
11 Armed Forces to effectively counter threats from small un-  
12 manned aircraft systems worldwide.

13          (d) REPORT ON EXECUTIVE AGENT ACTIVITIES.—

14           (1) REPORT REQUIRED.—Not later than one  
15           year after the date of the enactment of this Act, the  
16           Secretary of the Army, as executive agent for the  
17           Counter-Small Unmanned Aircraft Systems Pro-  
18           gram, shall submit to Congress a report on the  
19           Counter-Small Unmanned Aircraft Systems Pro-  
20           gram.

21           (2) ELEMENTS.—The report required by para-  
22           graph (1) shall include the following:

23                   (A) A description and assessment of the  
24                   structure and activities of the executive agent  
25                   as established and put in place by the Sec-

retary, including any obstacles hindering the effective discharge of its functions and activities, including limitations in authorities or policy.

(B) Recommendations for legislative or administration action for any changes to statutes, policies, or plans that may be required in order to optimize the use by the Armed Forces of counter-small unmanned aircraft systems.

(C) 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 aircraft systems.

(e) REPORT ON THREAT FROM SMALL UNMANNED AIRCRAFT 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 worldwide face from small unmanned aircraft systems and the capabilities of the United States to counter such threats. The report shall be submitted in classified form.

1           (2) COORDINATION.—The Secretary shall pre-  
2       pare the report required by paragraph (1) in coordi-  
3       nation with the Director of National Intelligence,  
4       other appropriate officials of the intelligence commu-  
5       nity, and such other officials in the United States  
6       Government as the Secretary considers appropriate.

7           (3) ELEMENTS.—The report required by para-  
8       graph (1) shall include the following:

9           (A) An evaluation and assessment of the  
10       current and evolving threat being faced by  
11       United States forces worldwide from small un-  
12       manned aircraft systems.

13          (B) A description of the counter-small un-  
14       manned aircraft systems acquired by the De-  
15       partment of Defense as of the date of the en-  
16       actment of this Act, and an assessment whether  
17       such systems are adequate to meet the current  
18       and evolving threat described in subparagraph

19       (A).

20       (f) INDEPENDENT ASSESSMENT OF COUNTER-SMALL  
21       UNMANNED AIRCRAFT SYSTEMS PROGRAM.—

22           (1) ASSESSMENT.—Not later than 60 days  
23       after the submittal of the strategy required by sub-  
24       section (c), the Secretary of Defense shall seek to  
25       enter into a contract with a federally funded re-

1 search and development center to conduct an assess-  
2 ment of the efficacy of the Counter-Small Un-  
3 manned Aircraft Systems Program.

4 (2) ELEMENTS.—The assessment conducted  
5 pursuant to paragraph (1) shall include the fol-  
6 lowing:

7 (A) An identification of metrics to assess  
8 progress in the implementation of the strategy  
9 required by subsection (c), which metrics shall  
10 take into account the threat assessment re-  
11 quired for purposes of subsection (e).

12 (B) An assessment of progress, and key  
13 challenges, in the implementation of the strat-  
14 egy using such metrics, and recommendations  
15 for improvements in the implementation of the  
16 strategy.

17 (C) An assessment of the extent to which  
18 the Department of Defense is coordinating ade-  
19 quately with other departments and agencies of  
20 the United States Government, and other ap-  
21 propriate entities, in the development and pro-  
22 curement of counter-small unmanned aircraft  
23 systems for the Department.

24 (D) An assessment of the extent to which  
25 the designation of the Secretary of the Army as

1 executive agent for the Counter-Small Un-  
2 manned Aircraft Systems Program has reduced  
3 redundancies and increased efficiencies in pro-  
4 curement of counter-small unmanned aircraft  
5 systems.

6 (E) An assessment whether United States  
7 technological progress on counter-small un-  
8 manned aircraft systems is sufficient to main-  
9 tain a competitive edge over the small un-  
10 manned aircraft systems technology available to  
11 United States adversaries.

12 (3) REPORT.—Not later than one year after  
13 entry into the contract referred to in paragraph (1),  
14 the Secretary shall submit to the congressional de-  
15 fense committees a report setting forth the results of  
16 the assessment required under the contract.

17 (g) DEFINITIONS.—In this section:

18 (1) The term “appropriate committees of Con-  
19 gress” means—

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

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

1           (2) The term “congressional defense commit-  
2       tees” has the meaning given that term in section  
3       101(a)(16) of title 10, United States Code.

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