

**AMENDMENT TO RULES COMM. PRINT 118–36**  
**OFFERED BY MR. GIMENEZ OF FLORIDA**

Add at the end of subtitle C of title XVII the following:

1 **SEC. 1748. ASSESSMENT OF LESSONS LEARNED BY THE**  
2 **HOMELAND SECURITY ENTERPRISE WITH RE-**  
3 **SPECT TO THE USE OF COVERED UNMANNED**  
4 **AIRCRAFT SYSTEMS IN THE UKRAINE CON-**  
5 **FLECT.**

6 (a) **IN GENERAL.**—Not later than 180 days after the  
7 date of the enactment of this Act, the Secretary of Home-  
8 land Security shall submit to the appropriate congress-  
9 sional committees an assessment of the lessons learned by  
10 the Homeland Security Enterprise with respect to the use  
11 of covered unmanned aircraft systems in the Ukraine con-  
12 flict.

13 (b) **MATTERS INCLUDED.**—The assessment under  
14 subsection (a) shall include the following:

15 (1) An analysis of the methods, trends, and tac-  
16 tics, as of the date of such assessment, by which the  
17 Government of the Russian Federation, and any  
18 groups, persons, or military forces acting on behalf  
19 of or with the support of such Government, seek to

1 use covered unmanned aircraft systems to target  
2 critical infrastructure and harm civilian populations  
3 in Ukraine.

4 (2) An analysis of the actions of the Homeland  
5 Security Enterprise, based on the lessons learned in  
6 the Ukraine conflict, to detect, expose, deter, and  
7 counter threats and risks posed by covered un-  
8 manned aircraft systems to United States critical in-  
9 frastructure and civilian populations.

10 (3) An analysis of the activity of the Govern-  
11 ment of the Russian Federation with respect to the  
12 procurement of covered unmanned aircraft systems  
13 from covered foreign countries for use in the ongo-  
14 ing Ukraine conflict, including any identified export  
15 diversion schemes to evade export controls that im-  
16 plicate the homeland security interests of the United  
17 States.

18 (4) Recommendations for the Homeland Secu-  
19 rity Enterprise, based on lessons learned in the  
20 Ukraine conflict, to improve the mitigation of  
21 threats and risks posed by the malign use of covered  
22 unmanned aircraft systems.

23 (5) Any other matter relating to covered un-  
24 manned aircraft systems the Secretary of Homeland  
25 Security determines appropriate.

1 (c) CONSULTATION.—The Secretary of Homeland Se-  
2 curity shall develop the assessment required by subsection  
3 (a) in consultation with representatives from the following:

4 (1) The Department of Defense.

5 (2) The Defense Intelligence Agency.

6 (3) The Cybersecurity and Infrastructure Secu-  
7 rity Agency of the Department of Homeland Secu-  
8 rity.

9 (4) The Office of Intelligence and Analysis of  
10 the Department of Homeland Security;

11 (5) Any other representatives from Federal de-  
12 partments or agencies the Secretary determines ap-  
13 propriate.

14 (d) INTERIM BRIEFING.—Not later than 120 days  
15 after the date of the enactment of this Act, the Secretary  
16 of Homeland Security shall provide to appropriate con-  
17 gressional committees a briefing on the initial findings of  
18 the assessment under subsection (a).

19 (e) FORM.—The assessment under subsection (a)  
20 shall be submitted in unclassified form, but may include  
21 a classified annex.

22 (f) DEFINITIONS.—In this section:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
24 TEES.—The term “appropriate congressional com-  
25 mittees” means—

1 (A) the Committee on Homeland Security  
2 and the Committee on Armed Services of the  
3 House of Representatives; and

4 (B) the Committee on Homeland Security  
5 and Governmental Affairs and the Committee  
6 on Armed Services of the Senate.

7 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

8 The term “covered unmanned aircraft system”  
9 means any unmanned aircraft system that—

10 (A) is manufactured in a covered foreign  
11 country or by an entity domiciled in a covered  
12 foreign country;

13 (B) uses flight controllers, radios, data  
14 transmission devices, cameras, or gimbals man-  
15 ufactured in a covered foreign country or by a  
16 corporation domiciled in a covered foreign coun-  
17 try;

18 (C) uses a ground control system or oper-  
19 ating software developed in a covered foreign  
20 country or by a corporation domiciled in a cov-  
21 ered foreign country; or

22 (D) uses network connectivity or data stor-  
23 age located in a covered foreign country or ad-  
24 ministered by a corporation domiciled in a cov-  
25 ered foreign country.

1           (3) COVERED FOREIGN COUNTRY.—The term  
2           “covered foreign country” means a country that—

3                   (A) the intelligence community has identi-  
4                   fied as a foreign adversary in its most recent  
5                   Annual Threat Assessment; or

6                   (B) the Secretary of Homeland Security,  
7                   in coordination with the Director of National  
8                   Intelligence, has identified as a foreign adver-  
9                   sary that is not included in such Annual Threat  
10                  Assessment.

11           (4) CRITICAL INFRASTRUCTURE.—The term  
12           “critical infrastructure” means systems and assets,  
13           whether physical or virtual, so vital to the United  
14           States or Ukraine, as the case may be, that the inca-  
15           pacity or destruction of such systems or assets  
16           would have a debilitating impact on security, na-  
17           tional economic security, national public health or  
18           safety, or any combination of such matters.

19           (5) HOMELAND SECURITY ENTERPRISE.—The  
20           term “Homeland Security Enterprise” has the  
21           meaning given such term in section 2200 of the  
22           Homeland Security Act of 2002 (6 U.S.C. 650).

23           (6) INTELLIGENCE COMMUNITY.—The term  
24           “intelligence community” has the meaning given

1       such term in section 3(4) of the National Security  
2       Act of 1947 (50 U.S.C. 3003(4)).

3               (7) UNMANNED AIRCRAFT SYSTEM.—The term  
4       “unmanned aircraft system” has the meaning given  
5       such term in section 44801 of title 49, United  
6       States Code, except that the requirement relating to  
7       safe and efficient operation in the national airspace  
8       system shall not apply for purposes of this section.

