

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MR. PFLUGER OF TEXAS

At the end of subtitle D of title X, add the following
new section:

1 **SEC. 10___. CLARIFICATION OF AUTHORITY TO COUNTER**
2 **UNMANNED AIRCRAFT SYSTEMS FOR MEM-**
3 **BERS OF THE NATIONAL GUARD.**

4 Section 130i of title 10, United States Code, is
5 amended—

6 (1) in subsection (i)(2)—

7 (A) in subparagraph (D), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (E), by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following new
12 subparagraph:

13 “(F) information regarding the use of authority
14 under this section by members of the National
15 Guard under subsection (l), including—

16 “(i) the number of instances in which such
17 authority was exercised;

1 “(ii) the covered facilities or assets pro-
2 tected;

3 “(iii) the nature of the threats encoun-
4 tered; and

5 “(iv) any issues arising from coordination
6 with State authorities.”;

7 (2) by redesignating subsections (l), (m), and
8 (n) as subsections (m), (n), and (o), respectively;
9 and

10 (3) by inserting after subsection (k) the fol-
11 lowing new subsection (l):

12 “(l) APPLICABILITY TO NATIONAL GUARD.—(1) The
13 authority under subsection (a) shall apply to a member
14 of the National Guard when such member is—

15 “(A) in a duty status under section 502(f) of
16 title 32 and conducting training or other duty; or

17 “(B) conducting homeland defense activities
18 under chapter 9 of title 32.

19 “(2) The Secretary of Defense, acting through the
20 Chief of the National Guard Bureau, shall establish proce-
21 dures for coordination between the Secretary and the Gov-
22 ernor of a State regarding the application under para-
23 graph (1) of authority under subsection (a) to members
24 of the National Guard of that State.

1 “(3) Members of the National Guard described in
2 paragraph (1) may exercise authority under subsection (a)
3 only when—

4 “(A) authorized by the Secretary of Defense or
5 a designee of the Secretary; and

6 “(B) the Governor of the State concerned has
7 been notified and has not objected to the exercise of
8 that authority.

9 “(4) The privacy protection requirements of sub-
10 section (e) shall apply to actions taken by members of the
11 National Guard under this subsection.”.

