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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To establish a United States-Ukraine Strategic Defense Innovation Working Group, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. KAPTUR introduced the following bill; which was referred to the Committee on _____

A BILL

To establish a United States-Ukraine Strategic Defense Innovation Working Group, 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 “Strategic Unmanned
5 Systems Partnership Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this section:

8 (1) CONGRESSIONAL DEFENSE COMMITTEES.—

9 The term “congressional defense committees” has

1 the meaning give such term in section 101(a) of title
2 10, United States Code.

3 (2) COVERED SYSTEM.—The term “covered sys-
4 tem” means—

5 (A) an unmanned system that—

6 (i) is designed for a limited number of
7 missions;

8 (ii) is expendable in high-threat envi-
9 ronments; and

10 (iii) is characterized by a low per-unit
11 cost, relative to the value of the targets the
12 unmanned system is designed to engage;
13 and

14 (B) includes—

15 (i) the enabling software and hard-
16 ware of such an unmanned system;

17 (ii) unmanned aerial vehicles, un-
18 manned underwater vehicles, and un-
19 manned surface vehicles;

20 (iii) capabilities to counter unmanned
21 systems, including early warning systems,
22 jamming systems, and interceptors; and

23 (iv) command and control architec-
24 ture, including software and hardware, to
25 enable the integrated, secure, and resilient

1 operation of unmanned systems and capa-
2 bilities to counter unmanned systems.

3 (3) SECRETARY.—The term “Secretary” means
4 the Secretary of Defense.

5 (4) WORKING GROUP.—The term “Working
6 Group” means the Strategic Defense Innovation
7 Working Group established under section 3.

8 **SEC. 3. ESTABLISHMENT OF STRATEGIC DEFENSE INNOVA-**
9 **TION WORKING GROUP.**

10 (a) ESTABLISHMENT.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary, in
12 coordination with the Secretary of State, shall seek to en-
13 gage with relevant stakeholders in Ukraine to establish a
14 Strategic Defense Innovation Working Group to explore—

15 (1) pathways for the co-development, co-produc-
16 tion, acquisition, and transfer of covered systems;
17 and

18 (2) the development of related mutual tech-
19 nology transfer frameworks.

20 (b) COMPOSITION.—The Working Group shall be co-
21 chaired by the following:

22 (1) The Under Secretary of Defense.

23 (2) The Director of the Defense Innovation
24 Unit.

1 (3) The Director of the Joint Interagency Task
2 Force 401.

3 (4) The Under Secretary of Defense for Acqui-
4 sition and Sustainment.

5 (5) The Commander of the Joint Special Oper-
6 ations Command.

7 (c) OTHER PARTICIPANTS.—The Secretary shall seek
8 the participation in the Working Group of representatives
9 of the following:

10 (1) The Ministry of Defense of Ukraine.

11 (2) The military forces of Ukraine.

12 (3) The Brave1 Defense Tech Cluster.

13 (4) The North Atlantic Treaty Organization-
14 Ukraine Joint Analysis, Training, and Education
15 Center.

16 **SEC. 4. DUTIES AND RESPONSIBILITIES.**

17 (a) IN GENERAL.— The co-chairs of the Working
18 Group shall be responsible for engaging with the other
19 participants in the Working Group—

20 (1) to systematically analyze and apply lessons
21 learned from the methodologies employed by the
22 military forces of Ukraine and the domestic defense
23 industrial base of Ukraine to accelerate the develop-
24 ment, production, and fielding of covered systems;

1 (2) to identify the Ukraine-designed covered
2 systems that—

3 (A) have demonstrated high operational
4 utility in active combat; and

5 (B) offer strategic capability enhancements
6 for the United States Armed Forces;

7 (3) to provide recommendations to expand and
8 improve incorporation of Ukraine-designed covered
9 systems in Blue UAS programs;

10 (4) to develop defense trade foundational agree-
11 ments between the United States and Ukraine, in-
12 cluding—

13 (A) a mutual technology transfer frame-
14 work, which shall include—

15 (i) mutual data exchange protocols to
16 facilitate the secure sharing of relevant
17 battlefield and military information, such
18 as telemetry data and other electronic war-
19 fare signal profiles; and

20 (ii) joint intellectual property owner-
21 ship frameworks that—

22 (I) protect the background intel-
23 lectual property of all participants;
24 and

1 (II) facilitate the co-development
2 and co-production of Ukraine-de-
3 signed covered systems; and

4 (B) a memorandum of understanding on
5 reciprocal defense procurement; and

6 (5) to assess the feasibility of testing United
7 States-manufactured covered systems in Ukraine, in-
8 cluding by deploying United States-manufactured
9 covered systems to operational units of Ukraine for
10 evaluation in active combat scenarios.

11 (b) MEETINGS.—The Working Group shall convene
12 not less frequently than once every 120 days, with meeting
13 frequency determined by the co-chairs, in consultation
14 with the other participants in the Working Groups.

15 **SEC. 5. PRIORITIZATION OF UKRAINE-DESIGNED COVERED**
16 **SYSTEMS.**

17 (a) IN GENERAL.—The co-chairs of the Working
18 Group shall prioritize the Ukraine-designed covered sys-
19 tems identified under section 4(a)(2) for co-development,
20 co-production, and acquisition, including by—

21 (1) analyzing the extent to which Ukraine-de-
22 signed covered systems meet existing statutory re-
23 quirements with respect to fielding;

24 (2) identifying authorities that may be used to
25 accelerate the establishment and approval of joint

1 ventures, cooperative production agreements, or li-
2 censed production agreements involving the Depart-
3 ment of Defense and the military forces of Ukraine;

4 (3) identifying authorities that may be used to
5 accelerate traditional procurement pathways for
6 Ukraine-designed covered systems;

7 (4) conducting a detailed supply chain assess-
8 ment of the components and inputs that would be
9 used in the co-production of Ukraine-designed cov-
10 ered systems;

11 (5) identifying the costs associated with co-de-
12 veloping and co-producing Ukraine-designed covered
13 systems in the United States; and

14 (6) identifying the steps necessary in order to
15 produce Ukraine-designed covered systems at scale
16 in the United States, including a description of op-
17 portunities to leverage civilian manufacturing exper-
18 tise and infrastructure to address production bottle-
19 necks.

20 (b) REMEDIATION PATHWAY.—With respect to
21 Ukraine-designed covered systems identified under section
22 4(a)(2) that do not meet existing statutory requirements
23 with respect to fielding, the Working Group shall explore
24 alternative pathways for the fielding of such covered sys-
25 tems, including through—

- 1 (1) SkyFoundry;
- 2 (2) the UAS Marketplace; and
- 3 (3) Drone Dominance.

4 **SEC. 6. REPORTS AND BRIEFINGS.**

5 (a) INITIAL STRATEGY AND ACTION PLAN.—Not
6 later than 120 days after the date of the enactment of
7 this Act, the Working Group shall provide the congres-
8 sional defense committees with a briefing on the initial
9 strategy for the co-development, co-production, and acqui-
10 sition of Ukraine-designed covered systems.

11 (b) SEMIANNUAL UPDATES.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date on which the briefing required by sub-
14 section (a) is provided, and every 180 days there-
15 after until the date on which the Working Group
16 terminates, the Working Group shall submit to the
17 congressional defense committees a report on the
18 progress of the Working Group.

19 (2) ELEMENTS.—Each report required by para-
20 graph (1) shall, to the maximum extent practicable,
21 include, for the preceding 180-day period, the fol-
22 lowing:

23 (A) A list of Ukraine-designed covered sys-
24 tems identified for prioritization, including the
25 current status of such covered systems with re-

1 spect to technical and legal evaluation, certifi-
2 cation, and integration with existing United
3 States force posture and operational needs.

4 (B) A detailed list of specific fast-track ac-
5 quisition or waiver authorities that may be used
6 to accelerate the co-development, co-production,
7 or acquisition of Ukraine-designed covered sys-
8 tems.

9 (C) A supply chain analysis of the sourcing
10 of inputs and component parts to eliminate de-
11 pendence on countries of concern, such as the
12 Russian Federation, the People's Republic of
13 China, Iran, and the Democratic People's Re-
14 public of Korea.

15 (D) A comprehensive framework to facili-
16 tate the transition of prioritized Ukraine-de-
17 signed covered systems from identification to
18 co-development and co-production at scale, in-
19 cluding an assessment of the feasibility of using
20 of the following for such purpose:

- 21 (i) Joint ventures.
- 22 (ii) Cooperative production agree-
23 ments.
- 24 (iii) Licensed production agreements.

1 (E) A detailed description of intellectual
2 property ownership frameworks that could be
3 used to facilitate the co-development and co-
4 production of prioritized Ukraine-designed cov-
5 ered systems.

6 (F) A description of specific regulatory,
7 legal, or policy barriers that hinder the estab-
8 lishment of joint ventures, cooperative produc-
9 tion agreements, or licensed production agree-
10 ments.

11 (G) A description of regulatory, export-
12 control, and certification barriers that impede
13 the acquisition of Ukraine-designed covered sys-
14 tems.

15 (3) FORM.—Each report required by paragraph
16 (1) shall be submitted in an unclassified form but
17 may include a classified annex.

18 **SEC. 7. TERMINATION.**

19 (a) IN GENERAL.—Subject to subsection (b), the
20 Working Group shall terminate on the date that is five
21 years after the date of the enactment of this Act.

22 (b) ONE-YEAR EXTENSION.—The Working Group
23 may continue in effect until the date that is six year after
24 the date of the enactment of this Act if the Secretary—

- 1 (1) determines that a one-year extension is vital
- 2 to national security; and
- 3 (2) submits to the congressional defense com-
- 4 mittees a written justification for such an extension.