

Calendar No. 438

117TH CONGRESS
2D SESSION**S. 4503**

To authorize appropriations for fiscal year 2023 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2022

Mr. WARNER, from the Select Committee on Intelligence, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2023 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Intelligence Authorization Act for Fiscal Year 2023”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
 Sec. 102. Classified Schedule of Authorizations.
 Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Plan for assessing counterintelligence programs.
 Sec. 302. Modification of advisory board in National Reconnaissance Office.
 Sec. 303. Prohibition on employment with governments of certain countries.
 Sec. 304. Counterintelligence and national security protections for intelligence community grant funding.
 Sec. 305. Extension of Central Intelligence Agency law enforcement jurisdiction to facilities of Office of Director of National Intelligence.
 Sec. 306. Clarification regarding protection of Central Intelligence Agency functions.
 Sec. 307. Establishment of advisory board for National Geospatial-Intelligence Agency.
 Sec. 308. Annual reports on status of recommendations of Comptroller General of the United States for the Director of National Intelligence.
 Sec. 309. Timely submission of budget documents from intelligence community.
 Sec. 310. Copyright protection for civilian faculty of the National Intelligence University.
 Sec. 311. Expansion of reporting requirements relating to authority to pay personnel of Central Intelligence Agency for certain injuries to the brain.
 Sec. 312. Modifications to Foreign Malign Influence Response Center.
 Sec. 313. Requirement to offer cyber protection support for personnel of intelligence community in positions highly vulnerable to cyber attack.
 Sec. 314. Minimum cybersecurity standards for national security systems of intelligence community.
 Sec. 315. Review and report on intelligence community activities under Executive Order 12333.
 Sec. 316. Elevation of the commercial and business operations office of the National Geospatial-Intelligence Agency.
 Sec. 317. Assessing intelligence community open-source support for export controls and foreign investment screening.
 Sec. 318. Annual training requirement and report regarding analytic standards.
 Sec. 319. Historical Advisory Panel of the Central Intelligence Agency.

TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA

- Sec. 401. Update to annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.
- Sec. 402. Report on wealth and corrupt activities of the leadership of the Chinese Communist Party.
- Sec. 403. Identification and threat assessment of companies with investments by the People's Republic of China.
- Sec. 404. Intelligence community working group for monitoring the economic and technological capabilities of the People's Republic of China.
- Sec. 405. Annual report on concentrated reeducation camps in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.
- Sec. 406. Assessments of production of semiconductors by the People's Republic of China.

TITLE V—PERSONNEL AND SECURITY CLEARANCE MATTERS

- Sec. 501. Improving onboarding of personnel in intelligence community.
- Sec. 502. Improving onboarding at the Central Intelligence Agency.
- Sec. 503. Report on legislative action required to implement Trusted Workforce 2.0 initiative.
- Sec. 504. Comptroller General of the United States assessment of administration of polygraphs in intelligence community.
- Sec. 505. Timeliness in the administration of polygraphs.
- Sec. 506. Policy on submittal of applications for access to classified information for certain personnel.
- Sec. 507. Prohibition on denial of eligibility for access to classified information solely because of preemployment use of cannabis.
- Sec. 508. Technical correction regarding Federal policy on sharing of covered insider threat information.
- Sec. 509. Establishing process parity for adverse security clearance and access determinations.
- Sec. 510. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.
- Sec. 511. Comptroller General of the United States report on use of Government and industry space certified as secure compartmented information facilities.

TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

- Sec. 601. Submittal of complaints and information by whistleblowers in the intelligence community to Congress.
- Sec. 602. Modification of whistleblower protections for contractor employees in intelligence community.
- Sec. 603. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
- Sec. 604. Definitions regarding whistleblower complaints and information of urgent concern received by inspectors general of the intelligence community.

TITLE VII—OTHER MATTERS

- Sec. 701. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership.
- Sec. 702. Report by Public Interest Declassification Board.

- Sec. 703. Modification of requirement for office to address unidentified aerospace-undersea phenomena.
- Sec. 704. Unidentified aerospace-undersea phenomena reporting procedures.
- Sec. 705. Comptroller General of the United States compilation of unidentified aerospace-undersea phenomena records.
- Sec. 706. Office of Global Competition Analysis.
- Sec. 707. Report on tracking and collecting precursor chemicals used in the production of synthetic opioids.
- Sec. 708. Assessment and report on mass migration in the Western Hemisphere.
- Sec. 709. Notifications regarding transfers of detainees at United States Naval Station Guantanamo Bay, Cuba.
- Sec. 710. Report on international norms, rules, and principles applicable in space.
- Sec. 711. Assessments of the effects of sanctions imposed with respect to the Russian Federation's invasion of Ukraine.
- Sec. 712. Assessments and briefings on implications of food insecurity that may result from the Russian Federation's invasion of Ukraine.
- Sec. 713. Pilot program for Director of Federal Bureau of Investigation to undertake an effort to identify International Mobile Subscriber Identity-catchers and develop countermeasures.
- Sec. 714. Department of State Bureau of Intelligence and Research assessment of anomalous health incidents.
- Sec. 715. Clarification of process for protecting classified information using the Classified Information Procedures Act.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
 4 TEES.—The term “congressional intelligence com-
 5 mittees” has the meaning given such term in section
 6 3 of the National Security Act of 1947 (50 U.S.C.
 7 3003).

8 (2) INTELLIGENCE COMMUNITY.—The term
 9 “intelligence community” has the meaning given
 10 such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

3 SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2023 for the conduct of the intelligence and
6 intelligence-related activities of the intelligence commu-
7 nity.

8 SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

9 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
10 authorized to be appropriated under section 101 for the
11 conduct of the intelligence activities of the elements listed
12 in paragraphs (1) through (17) of section 101, are those
13 specified in the classified Schedule of Authorizations pre-
14 pared to accompany this Act.

15 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
16 THORIZATIONS.—

17 (1) AVAILABILITY.—The classified Schedule of
18 Authorizations referred to in subsection (a) shall be
19 made available to the Committee on Appropriations
20 of the Senate, the Committee on Appropriations of
21 the House of Representatives, and to the President.

22 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
23 ject to paragraph (3), the President shall provide for
24 suitable distribution of the classified Schedule of Au-
25 thorizations referred to in subsection (a), or of ap-

1 appropriate portions of such Schedule, within the execu-
 2 utive branch of the Federal Government.

3 (3) LIMITS ON DISCLOSURE.—The President
 4 shall not publicly disclose the classified Schedule of
 5 Authorizations or any portion of such Schedule ex-
 6 cept—

7 (A) as provided in section 601(a) of the
 8 Implementing Recommendations of the 9/11
 9 Commission Act of 2007 (50 U.S.C. 3306(a));

10 (B) to the extent necessary to implement
 11 the budget; or

12 (C) as otherwise required by law.

13 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 14 **COUNT.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 16 authorized to be appropriated for the Intelligence Commu-
 17 nity Management Account of the Director of National In-
 18 telligence for fiscal year 2023 the sum of \$650,000,000.

19 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
 20 TIONS.—In addition to amounts authorized to be appro-
 21 priated for the Intelligence Community Management Ac-
 22 count by subsection (a), there are authorized to be appro-
 23 priated for the Intelligence Community Management Ac-
 24 count for fiscal year 2023 such additional amounts as are

1 specified in the classified Schedule of Authorizations re-
2 ferred to in section 102(a).

3 **TITLE II—CENTRAL INTEL-**
4 **LIGENCE AGENCY RETIRE-**
5 **MENT AND DISABILITY SYS-**
6 **TEM**

7 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated for the Cen-
9 tral Intelligence Agency Retirement and Disability Fund
10 \$514,000,000 for fiscal year 2023.

11 **TITLE III—GENERAL INTEL-**
12 **LIGENCE COMMUNITY MAT-**
13 **TERS**

14 **SEC. 301. PLAN FOR ASSESSING COUNTERINTELLIGENCE**
15 **PROGRAMS.**

16 (a) PLAN REQUIRED.—Not later than 180 days after
17 the date of the enactment of this Act, the Director of the
18 National Counterintelligence and Security Center shall
19 submit to the congressional intelligence committees a plan
20 for assessing the effectiveness of all counterintelligence
21 programs of the Federal Government.

22 (b) CONTENTS.—The plan required by subsection (a)
23 shall include the following:

1 (1) A description of the standards and methods
2 of assessment that apply for each evaluated Execu-
3 tive agency.

4 (2) The phased implementation over a five-year
5 timeframe to cover all counterintelligence programs
6 of the Federal Government.

7 (3) The periodicity for updated assessments.

8 (4) The annual costs required to conduct the
9 agency assessments and any recommendations for a
10 cost recovery mechanism.

11 **SEC. 302. MODIFICATION OF ADVISORY BOARD IN NA-**
12 **TIONAL RECONNAISSANCE OFFICE.**

13 Section 106A(d) of the National Security Act of 1947
14 (50 U.S.C. 3041a(d)) is amended—

15 (1) in paragraph (3)(A)(i), by inserting “, in
16 consultation with the Director of National Intel-
17 ligence and the Secretary of Defense,” after “Direc-
18 tor”; and

19 (2) in paragraph (7), by striking “the date that
20 is 3 years after the date of the first meeting of the
21 Board” and inserting “September 30, 2024”.

1 **SEC. 303. PROHIBITION ON EMPLOYMENT WITH GOVERN-**
2 **MENTS OF CERTAIN COUNTRIES.**

3 (a) IN GENERAL.—Title III of the National Security
4 Act of 1947 (50 U.S.C. 3091 et seq.) is amended by in-
5 serting after section 304 the following:

6 **“SEC. 305. PROHIBITION ON EMPLOYMENT WITH GOVERN-**
7 **MENTS OF CERTAIN COUNTRIES.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COVERED EMPLOYEE.—The term ‘covered
10 employee’, with respect to an employee occupying a
11 position within an element of the intelligence com-
12 munity, means an officer or official of an element of
13 the intelligence community, a contractor of such an
14 element, a detailee to such an element, or a member
15 of the Armed Forces assigned to such an element
16 that, based on the level of access of a person occu-
17 pying such position to information regarding sen-
18 sitive intelligence sources or methods or other excep-
19 tionally sensitive matters, the head of such element
20 determines should be subject to the requirements of
21 this section.

22 “(2) FORMER COVERED EMPLOYEE.—The term
23 ‘former covered employee’ means an individual who
24 was a covered employee on or after the date of en-
25 actment of the Intelligence Authorization Act for

1 Fiscal Year 2023 and is no longer a covered em-
2 ployee.

3 “(3) STATE SPONSOR OF TERRORISM.—The
4 term ‘state sponsor of terrorism’ means a country
5 the government of which the Secretary of State de-
6 termines has repeatedly provided support for inter-
7 national terrorism pursuant to—

8 “(A) section 1754(c)(1)(A) of the Export
9 Control Reform Act of 2018 (50 U.S.C.
10 4813(c)(1)(A));

11 “(B) section 620A of the Foreign Assist-
12 ance Act of 1961 (22 U.S.C. 2371);

13 “(C) section 40 of the Arms Export Con-
14 trol Act (22 U.S.C. 2780); or

15 “(D) any other provision of law.

16 “(b) PROHIBITION ON EMPLOYMENT AND SERV-
17 ICES.—No former covered employee may provide services
18 relating to national security, intelligence, the military, or
19 internal security to—

20 “(1) the government of a country that is a state
21 sponsor of terrorism, the People’s Republic of China,
22 or the Russian Federation;

23 “(2) a person or entity that is directed and con-
24 trolled by a government described in paragraph (1).

1 “(c) TRAINING AND WRITTEN NOTICE.—The head of
2 each element of the intelligence community shall—

3 “(1) regularly provide to the covered employees
4 of the element training on the prohibition in sub-
5 section (b); and

6 “(2) provide to each covered employee of the
7 element before the covered employee becomes a
8 former covered employee written notice of the prohi-
9 bition in subsection (b).

10 “(d) LIMITATION ON ELIGIBILITY FOR ACCESS TO
11 CLASSIFIED INFORMATION.—A former covered employee
12 who knowingly and willfully violates subsection (b) shall
13 not be considered eligible for access to classified informa-
14 tion (as defined in the procedures established pursuant to
15 section 801(a) of this Act (50 U.S.C. 3161(a))) by any
16 element of the intelligence community.

17 “(e) CRIMINAL PENALTIES.—A former employee who
18 knowingly and willfully violates subsection (b) shall be
19 fined under title 18, United States Code, or imprisoned
20 for not more than 5 years, or both.

21 “(f) APPLICATION.—Nothing in this section shall
22 apply to—

23 “(1) a former covered employee who continues
24 to provide services described in subsection (b) that
25 the former covered employee first began to provide

1 before the date of the enactment of the Intelligence
2 Authorization Act for Fiscal Year 2023;

3 “(2) a former covered employee who, on or
4 after the date of the enactment of the Intelligence
5 Authorization Act for Fiscal Year 2023, provides
6 services described in subsection (b) to a person or
7 entity that is directed and controlled by a country
8 that is a state sponsor of terrorism, the People’s Re-
9 public of China, or the Russian Federation as a re-
10 sult of a merger, acquisition, or similar change of
11 ownership that occurred after the date on which
12 such former covered employee first began to provide
13 such services;

14 “(3) a former covered employee who, on or
15 after the date of the enactment of the Intelligence
16 Authorization Act for Fiscal Year 2023, provides
17 services described in subsection (b) to—

18 “(A) a government that was designated as
19 a state sponsor of terrorism after the date on
20 which such former covered employee first began
21 to provide such services; or

22 “(B) a person or entity directed and con-
23 trolled by a government described in subpara-
24 graph (A).”.

1 (b) ANNUAL REPORTS.—Not later than March 31 of
 2 each year through 2032, the Director of National Intel-
 3 ligence shall submit to the congressional intelligence com-
 4 mittees a report on any violations of subsection (b) of sec-
 5 tion 305 of the National Security Act of 1947, as added
 6 by subsection (a) of this section, by former covered em-
 7 ployees (as defined in subsection (a) of such section 305).

8 (c) CLERICAL AMENDMENT.—The table of contents
 9 immediately preceding section 2 of the National Security
 10 Act of 1947 (50 U.S.C. 3002) is amended by inserting
 11 after the item relating to section 304 the following new
 12 item:

“Sec. 305. Prohibition on employment with governments of certain countries.”.

13 **SEC. 304. COUNTERINTELLIGENCE AND NATIONAL SECU-**
 14 **RITY PROTECTIONS FOR INTELLIGENCE**
 15 **COMMUNITY GRANT FUNDING.**

16 (a) DISCLOSURE AS CONDITION FOR RECEIPT OF
 17 GRANT.—The head of an element of the intelligence com-
 18 munity may not award a grant to a person or entity unless
 19 the person or entity has disclosed to the head of the ele-
 20 ment any material financial or material in-kind support
 21 received by the person or entity, during the 5-year period
 22 ending on the date of the person or entity’s application
 23 for the grant.

24 (b) REVIEW OF GRANT APPLICANTS.—

1 (1) TRANSMITTAL OF DISCLOSURES.—Each
2 head of an element of the intelligence community
3 shall immediately transmit a copy of each disclosure
4 under subsection (a) to the Director of National In-
5 telligence.

6 (2) PROCESS.—The Director, in consultation
7 with such heads of elements of the intelligence com-
8 munity as the Director considers appropriate, shall
9 establish a process—

10 (A) to review the disclosures under sub-
11 section (a); and

12 (B) to take such actions as may be nec-
13 essary to ensure that the applicants for grants
14 awarded by elements of the intelligence commu-
15 nity do not pose an unacceptable risk, including
16 as a result of an applicant’s material financial
17 or material in-kind support from a person or
18 entity having ownership or control, in whole or
19 in part, by the government of the People’s Re-
20 public of China, the Russian Federation, the Is-
21 lamic Republic of Iran, the Democratic People’s
22 Republic of Korea, or the Republic of Cuba,
23 of—

1 (i) misappropriation of United States
2 intellectual property, research and develop-
3 ment, and innovation efforts; or

4 (ii) other threats from foreign govern-
5 ments and other entities.

6 (c) ANNUAL REPORT REQUIRED.—Not later than
7 one year after the date of the enactment of this Act and
8 not less frequently than once each year thereafter, the Di-
9 rector of National Intelligence shall submit to the congres-
10 sional intelligence committees an annual report identifying
11 the following for the one-year period covered by the report:

12 (1) The number of applications for grants re-
13 ceived by each element of the intelligence commu-
14 nity.

15 (2) The number of such applications that were
16 reviewed for each element of the intelligence commu-
17 nity, using the process established under subsection
18 (b).

19 (3) The number of such applications that were
20 denied and the reasons for such denials for each ele-
21 ment of the intelligence community.

22 (d) APPLICABILITY.—Subsections (a) and (b) shall
23 apply only with respect to grants awarded by an element
24 of the intelligence community after the date of the enact-
25 ment of this Act.

1 **SEC. 305. EXTENSION OF CENTRAL INTELLIGENCE AGENCY**
2 **LAW ENFORCEMENT JURISDICTION TO FA-**
3 **CILITIES OF OFFICE OF DIRECTOR OF NA-**
4 **TIONAL INTELLIGENCE.**

5 (a) IN GENERAL.—Paragraph (1) of section 15(a) of
6 the Central Intelligence Agency Act of 1949 (50 U.S.C.
7 3515(a)) is amended—

8 (1) in subparagraph (C), by striking “; and”
9 and inserting a semicolon;

10 (2) by redesignating subparagraph (D) as sub-
11 paragraph (E);

12 (3) by inserting after subparagraph (C) the fol-
13 lowing:

14 “(D) within an installation owned, or con-
15 tracted to be occupied for a period of one year or
16 longer, by the Office of the Director of National In-
17 telligence; and”; and

18 (4) in subparagraph (E), as redesignated by
19 paragraph (2), by inserting “or (D)” after “in sub-
20 paragraph (C)”.

21 (b) CONFORMING AMENDMENT.—Paragraph (2) of
22 such section is amended by striking “or (D)” and insert-
23 ing “or (E)”.

1 **SEC. 306. CLARIFICATION REGARDING PROTECTION OF**
2 **CENTRAL INTELLIGENCE AGENCY FUNC-**
3 **TIONS.**

4 Section 6 of the Central Intelligence Agency Act of
5 1949 (50 U.S.C. 3507) is amended by striking “, func-
6 tions” and inserting “or functions of the Agency, or of
7 the”.

8 **SEC. 307. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
9 **TIONAL GEOSPATIAL-INTELLIGENCE AGEN-**
10 **CY.**

11 (a) **ESTABLISHMENT.**—There is established in the
12 National Geospatial-Intelligence Agency an advisory board
13 (in this section referred to as the “Board”).

14 (b) **DUTIES.**—The Board shall—

15 (1) study matters relating to the mission of the
16 National Geospatial-Intelligence Agency, including
17 with respect to integration of commercial capabili-
18 ties, promoting innovation, advice on next generation
19 tasking, collection, processing, exploitation, and dis-
20 semination capabilities, strengthening functional
21 management, acquisition, and such other matters as
22 the Director of the National Geospatial-Intelligence
23 Agency considers appropriate; and

24 (2) advise and report directly to the Director
25 with respect to such matters.

26 (c) **MEMBERS.**—

1 (1) NUMBER AND APPOINTMENT.—

2 (A) IN GENERAL.—The Board shall be
3 composed of 6 members appointed by the Direc-
4 tor from among individuals with demonstrated
5 academic, government, business, or other exper-
6 tise relevant to the mission and functions of the
7 Agency.

8 (B) NOTIFICATION.—Not later than 30
9 days after the date on which the Director ap-
10 points a member to the Board, the Director
11 shall notify the congressional intelligence com-
12 mittees and the congressional defense commit-
13 tees (as defined in section 101(a) of title 10,
14 United States Code) of such appointment.

15 (C) INITIAL APPOINTMENTS.—Not later
16 than 180 days after the date of the enactment
17 of this Act, the Director shall appoint the initial
18 6 members to the Board.

19 (2) TERMS.—Each member shall be appointed
20 for a term of 3 years.

21 (3) VACANCY.—Any member appointed to fill a
22 vacancy occurring before the expiration of the term
23 for which the member's predecessor was appointed
24 shall be appointed only for the remainder of that
25 term.

1 (4) CHAIR.—The Board shall have a Chair, who
2 shall be appointed by the Director from among the
3 members.

4 (5) TRAVEL EXPENSES.—Each member shall
5 receive travel expenses, including per diem in lieu of
6 subsistence, in accordance with applicable provisions
7 under subchapter I of chapter 57 of title 5, United
8 States Code.

9 (6) EXECUTIVE SECRETARY.—The Director
10 may appoint an executive secretary, who shall be an
11 employee of the Agency, to support the Board.

12 (d) MEETINGS.—The Board shall meet not less than
13 quarterly, but may meet more frequently at the call of the
14 Director.

15 (e) REPORTS.—Not later than March 31 of each
16 year, the Board shall submit to the Director and to the
17 congressional intelligence committees a report on the ac-
18 tivities and significant findings of the Board during the
19 preceding year.

20 (f) NONAPPLICABILITY OF CERTAIN REQUIRE-
21 MENTS.—The Federal Advisory Committee Act (5 U.S.C.
22 App.) shall not apply to the Board.

23 (g) TERMINATION.—The Board shall terminate on
24 the date that is 3 years after the date of the first meeting
25 of the Board.

1 **SEC. 308. ANNUAL REPORTS ON STATUS OF RECOMMENDA-**
2 **TIONS OF COMPTROLLER GENERAL OF THE**
3 **UNITED STATES FOR THE DIRECTOR OF NA-**
4 **TIONAL INTELLIGENCE.**

5 (a) DEFINITION OF OPEN RECOMMENDATIONS.—In
6 this section, the term “open recommendations” refers to
7 recommendations of the Comptroller General of the
8 United States that the Comptroller General has not yet
9 designated as closed.

10 (b) ANNUAL LISTS BY COMPTROLLER GENERAL OF
11 THE UNITED STATES.—Not later than October 31, 2023,
12 and each October 31 thereafter through 2025, the Comp-
13 troller General of the United States shall submit to the
14 congressional intelligence committees and the Director of
15 National Intelligence a list of all open recommendations
16 made to the Director, disaggregated by report number and
17 recommendation number.

18 (c) ANNUAL REPORTS BY DIRECTOR OF NATIONAL
19 INTELLIGENCE.—Not later than 120 days after the date
20 on which the Director receives a list under subsection (b),
21 the Director shall submit to the congressional intelligence
22 committees and the Comptroller General a report on the
23 actions taken by the Director and actions the Director in-
24 tends to take, alone or in coordination with the heads of
25 other Federal agencies, in response to each open rec-
26 ommendation identified in the list, including open rec-

1 ommendations the Director considers closed and rec-
 2 ommendations the Director determines do not require fur-
 3 ther action, as well as the basis for that determination.

4 **SEC. 309. TIMELY SUBMISSION OF BUDGET DOCUMENTS**
 5 **FROM INTELLIGENCE COMMUNITY.**

6 Not later than 14 days after the date on which the
 7 President submits to Congress a budget for a fiscal year
 8 pursuant to section 1105(a) of title 31, United States
 9 Code, the Director of National Intelligence shall submit
 10 to Congress the supporting information under such section
 11 for each element of the intelligence community for that
 12 fiscal year.

13 **SEC. 310. COPYRIGHT PROTECTION FOR CIVILIAN FACULTY**
 14 **OF THE NATIONAL INTELLIGENCE UNIVER-**
 15 **SITY.**

16 Section 105 of title 17, United States Code, is
 17 amended—

18 (1) by redesignating the second subsection (c)
 19 as subsection (d);

20 (2) by striking subsection (c) and inserting the
 21 following:

22 “(c) USE BY FEDERAL GOVERNMENT.—

23 “(1) SECRETARY OF DEFENSE AUTHORITY.—

24 With respect to a covered author who produces a
 25 covered work in the course of employment at a cov-

1 ered institution described in subparagraphs (A)
2 through (L) of subsection (d)(2), the Secretary of
3 Defense may direct the covered author to provide
4 the Federal Government with an irrevocable, royalty-
5 free, worldwide, nonexclusive license to reproduce,
6 distribute, perform, or display such covered work for
7 purposes of the United States Government.

8 “(2) DIRECTOR OF NATIONAL INTELLIGENCE
9 AUTHORITY.—With respect to a covered author who
10 produces a covered work in the course of employ-
11 ment at the covered institution described in sub-
12 section (d)(2)(M), the Director of National Intel-
13 ligence may direct the covered author to provide the
14 Federal Government with an irrevocable, royalty-
15 free, world-wide, nonexclusive license to reproduce,
16 distribute, perform, or display such covered work for
17 purposes of the United States Government.”; and

18 (3) in paragraph (2) of subsection (d), as so re-
19 designated, by adding at the end the following:

20 “(M) National Intelligence University.”.

1 **SEC. 311. EXPANSION OF REPORTING REQUIREMENTS RE-**
2 **LATING TO AUTHORITY TO PAY PERSONNEL**
3 **OF CENTRAL INTELLIGENCE AGENCY FOR**
4 **CERTAIN INJURIES TO THE BRAIN.**

5 Section 2(d)(1) of the Helping American Victims Af-
6 flicted by Neurological Attacks Act of 2021 (Public Law
7 117–46) is amended—

8 (1) in subparagraph (A), by inserting “and not
9 less frequently than once each year thereafter for 5
10 years” after “Not later than 365 days after the date
11 of the enactment of this Act”;

12 (2) in subparagraph (B), by adding at the end
13 the following:

14 “(iv) Detailed information about the
15 number of covered employees, covered indi-
16 viduals, and covered dependents who re-
17 ported experiencing vestibular, neuro-
18 logical, or related injuries, including those
19 broadly termed ‘anomalous health inci-
20 dents’.

21 “(v) The number of individuals who
22 have sought benefits under any provision
23 of section 19A of the Central Intelligence
24 Agency Act of 1949 (50 U.S.C. 3519b).

25 “(vi) The number of covered employ-
26 ees, covered individuals, and covered de-

pendents who are unable to perform all or part of their professional duties as a result of injuries described in clause (iv).

“(vii) An updated analytic assessment coordinated by the National Intelligence Council regarding the potential causes and perpetrators of anomalous health incidents, as well as any and all dissenting views within the intelligence community, which shall be included as appendices to the assessment.”; and

(3) in subparagraph (C), by striking “The” and inserting “Each”.

SEC. 312. MODIFICATIONS TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER.

(a) RENAMING.—

(1) IN GENERAL.—Section 119C of the National Security Act of 1947 (50 U.S.C. 3059) is amended—

(A) in the section heading, by striking “**RESPONSE**”; and

(B) in subsection (a), by striking “Response”.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act

1 is amended by striking the item relating to section
2 119C and inserting the following:

“Sec. 119C. Foreign Malign Influence Center.”.

3 (3) CONFORMING AMENDMENT.—Section
4 589E(d)(2) of the William M. (Mac) Thornberry
5 National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283; 10 U.S.C. 2001 note
7 prec.) is amended by striking “Response”.

8 (4) REFERENCE.—Any reference in law, regula-
9 tion, map, document, paper, or other record of the
10 United States to the “Foreign Malign Influence Re-
11 sponse Center” shall be deemed to be a reference to
12 the Foreign Malign Influence Center.

13 (b) SUNSET.—Section 119C of such Act (50 U.S.C.
14 3059) is further amended—

15 (1) by redesignating subsection (e) as sub-
16 section (f); and

17 (2) by inserting after subsection (d) the fol-
18 lowing:

19 “(f) SUNSET.—The authorities and requirements of
20 this section shall terminate on December 31, 2027, and
21 the Director of National Intelligence shall take such ac-
22 tions as may be necessary to conduct an orderly wind-
23 down of the activities of the Center before December 31,
24 2028.”.

1 (c) REPORT.—Not later than December 31, 2026, the
 2 Director of National Intelligence shall submit to the con-
 3 gressional intelligence committees, the Committee on For-
 4 eign Relations of the Senate, and the Committee on For-
 5 eign Affairs of the House of Representatives a report as-
 6 sessing the continued need for operating the Foreign Ma-
 7 lign Influence Center.

8 **SEC. 313. REQUIREMENT TO OFFER CYBER PROTECTION**
 9 **SUPPORT FOR PERSONNEL OF INTEL-**
 10 **LIGENCE COMMUNITY IN POSITIONS HIGHLY**
 11 **VULNERABLE TO CYBER ATTACK.**

12 (a) IN GENERAL.—Section 6308(b) of the Damon
 13 Paul Nelson and Matthew Young Pollard Intelligence Au-
 14 thorization Act for Fiscal Years 2018, 2019, and 2020
 15 (50 U.S.C. 3334d(b)) is amended—

16 (1) in paragraph (1)—

17 (A) by striking “may provide” and insert-
 18 ing “shall offer”;

19 (B) by inserting “and shall provide such
 20 support to any such personnel who request” be-
 21 fore the period at the end; and

22 (2) in the subsection heading, by striking “AU-
 23 THORITY” and inserting “REQUIREMENT”.

24 (b) PLAN.—Not later than 180 days after the date
 25 of the enactment of this Act, the Director of National In-

1 telligence shall submit to the congressional intelligence
 2 committees an implementation plan for providing the sup-
 3 port described section 6308(b) of the Damon Paul Nelson
 4 and Matthew Young Pollard Intelligence Authorization
 5 Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C.
 6 3334d(b)), as amended by subsection (a), including a de-
 7 scription of the training and resources needed to imple-
 8 ment the support and the methodology for determining the
 9 personnel described in paragraph (2) of such section.

10 **SEC. 314. MINIMUM CYBERSECURITY STANDARDS FOR NA-**
 11 **TIONAL SECURITY SYSTEMS OF INTEL-**
 12 **LIGENCE COMMUNITY.**

13 (a) DEFINITION OF NATIONAL SECURITY SYS-
 14 TEMS.—In this section, the term “national security sys-
 15 tems” has the meaning given such term in section 3552(b)
 16 of title 44, United States Code, and includes systems de-
 17 scribed in paragraph (2) or (3) of section 3553(e) of such
 18 title.

19 (b) REQUIREMENT TO ESTABLISH CYBERSECURITY
 20 STANDARDS FOR NATIONAL SECURITY SYSTEMS.—The
 21 Director of National Intelligence shall, in coordination
 22 with the National Manager for National Security Systems,
 23 establish minimum cybersecurity requirements that shall
 24 apply to all national security systems operated by, on the

1 behalf of, or under a law administered by the head of an
2 element of the intelligence community.

3 (c) IMPLEMENTATION DEADLINE.—The require-
4 ments published pursuant to subsection (b) shall include
5 appropriate deadlines by which all elements of the intel-
6 ligence community that own or operate a national security
7 system shall have fully implemented the requirements es-
8 tablished under subsection (b) for all national security sys-
9 tems that it owns or operates.

10 (d) MAINTENANCE OF REQUIREMENTS.—Not less
11 frequently than once every 2 years, the Director shall re-
12 evaluate and update the minimum cybersecurity require-
13 ments established under subsection (b).

14 (e) RESOURCES.—The head of each element of the
15 intelligence community that owns or operates a national
16 security system shall update plans of the element to
17 prioritize resources in such a manner as to fully implement
18 the requirements established in subsection (b) by the dead-
19 line established pursuant to subsection (c) for the next 10
20 fiscal years.

21 (f) EXEMPTIONS.—

22 (1) IN GENERAL.—A national security system
23 of an element of the intelligence community may be
24 exempted from the minimum cybersecurity stand-

1 ards established under subsection (b) in accordance
 2 with the process established under paragraph (2).

3 (2) PROCESS FOR EXEMPTION.—The Director
 4 shall establish and administer a process by which
 5 specific national security systems can be exempted
 6 under paragraph (1).

7 (g) ANNUAL REPORTS ON EXEMPTION REQUESTS.—
 8 Each year, the Director shall submit to the congressional
 9 intelligence committees an annual report documenting all
 10 exemption requests received under subsection (f), the
 11 number of exemptions denied, and the justification for
 12 each exemption request that was approved.

13 **SEC. 315. REVIEW AND REPORT ON INTELLIGENCE COMMU-**
 14 **NITY ACTIVITIES UNDER EXECUTIVE ORDER**
 15 **12333.**

16 (a) REVIEW AND REPORT REQUIRED.—No later than
 17 180 days after the date of the enactment of this Act, the
 18 Director of National Intelligence shall—

19 (1) conduct a review to ascertain the feasibility
 20 and advisability of compiling and making public in-
 21 formation relating to activities of the intelligence
 22 community under Executive Order 12333 (50 U.S.C.
 23 3001 note; relating to United States intelligence ac-
 24 tivities); and

1 (2) submit to the congressional intelligence
2 committees a report on the findings of the Director
3 with respect to the review conducted under para-
4 graph (1).

5 (b) MATTERS ADDRESSED.—The report shall address
6 the feasibility and advisability of making available to the
7 public information relating to the following:

8 (1) Data on activities described in subsection
9 (a)(1), including the following:

10 (A) The amount of United States person
11 information collected pursuant to such activi-
12 ties.

13 (B) Queries of United States persons pur-
14 suant to such activities.

15 (C) Dissemination of United States person
16 information pursuant to such activities, includ-
17 ing masking and unmasking.

18 (D) The use of United States person infor-
19 mation in criminal proceedings.

20 (2) Quantitative data and qualitative descrip-
21 tions of incidents in which the intelligence commu-
22 nity violated Executive Order 12333 and associated
23 guidelines and procedures.

24 (c) CONSIDERATIONS.—In conducting the review
25 under subsection (a)(1), the Director shall consider—

1 (1) the public transparency associated with the
2 use by the intelligence community of the authorities
3 provided under the Foreign Intelligence Surveillance
4 Act of 1978 (50 U.S.C. 1801 et seq.), including rel-
5 evant data and compliance incidents; and

6 (2) the application of the transparency model
7 developed in connection with such Act to activities
8 conducted under Executive Order 12333.

9 (d) DISAGGREGATION FOR PUBLIC RELEASE.—In
10 conducting the review under subsection (a)(1), the Direc-
11 tor shall address whether the relevant data and compliance
12 incidents associated with the different intelligence commu-
13 nity entities can be disaggregated for public release.

14 **SEC. 316. ELEVATION OF THE COMMERCIAL AND BUSINESS**
15 **OPERATIONS OFFICE OF THE NATIONAL**
16 **GEOSPATIAL-INTELLIGENCE AGENCY.**

17 Beginning not later than 90 days after the date of
18 the enactment of this Act, the head of the commercial and
19 business operations office of the National Geospatial-Intel-
20 ligence Agency shall report directly to the Director of the
21 National Geospatial-Intelligence Agency.

1 **SEC. 317. ASSESSING INTELLIGENCE COMMUNITY OPEN-**
2 **SOURCE SUPPORT FOR EXPORT CONTROLS**
3 **AND FOREIGN INVESTMENT SCREENING.**

4 (a) PILOT PROGRAM TO ASSESS OPEN SOURCE SUP-
5 PORT FOR EXPORT CONTROLS AND FOREIGN INVEST-
6 MENT SCREENING.—

7 (1) PILOT PROGRAM AUTHORIZED.—The Direc-
8 tor of National Intelligence shall carry out a pilot
9 program to assess the feasibility and advisability of
10 providing intelligence derived from open source, pub-
11 licly and commercially available information to the
12 Department of Commerce to support the export con-
13 trol and investment screening functions of the De-
14 partment.

15 (2) AUTHORITY.—In carrying out the pilot pro-
16 gram required by paragraph (1), the Director—

17 (A) shall establish a process for the provi-
18 sion of information as described in such para-
19 graph; and

20 (B) may—

21 (i) acquire and prepare data, con-
22 sistent with applicable provisions of law
23 and Executive orders;

24 (ii) modernize analytic systems, in-
25 cluding through the acquisition, develop-

1 ment, or application of automated tools;
2 and

3 (iii) establish standards and policies
4 regarding the acquisition, treatment, and
5 sharing of open source, publicly and com-
6 mercially available information.

7 (3) DURATION.—The pilot program required by
8 paragraph (1) shall be carried out during a 3-year
9 period.

10 (b) PLAN AND REPORT REQUIRED.—

11 (1) DEFINITION OF APPROPRIATE COMMITTEES
12 OF CONGRESS.—In this subsection, the term “appro-
13 priate committees of Congress” means—

14 (A) the Select Committee on Intelligence,
15 the Committee on Banking, Housing, and
16 Urban Affairs, and the Committee on Appro-
17 priations of the Senate; and

18 (B) the Permanent Select Committee on
19 Intelligence, the Committee on Foreign Affairs,
20 the Committee on Financial Services, and the
21 Committee on Appropriations of the House of
22 Representatives.

23 (2) PLAN.—

24 (A) IN GENERAL.—Not later than 90 days
25 after the date of the enactment of this Act, the

1 Director shall, in coordination with the Sec-
2 retary of Commerce, submit to the appropriate
3 committees of Congress a plan to carry out the
4 pilot program required by subsection (a)(1).

5 (B) CONTENTS.—The plan submitted
6 under subparagraph (A) shall include the fol-
7 lowing:

8 (i) A list, developed in consultation
9 with the Secretary of Commerce, of the ac-
10 tivities of the Department of Commerce
11 that will be supported by the center estab-
12 lished under the pilot program.

13 (ii) A plan for measuring the effec-
14 tiveness of the center established under the
15 pilot program and the value of open
16 source, publicly and commercially available
17 information to the export control and in-
18 vestment screening missions.

19 (3) REPORT.—

20 (A) IN GENERAL.—Not later than 540
21 days after the date on which the Director sub-
22 mits the plan under paragraph (2)(A), the Di-
23 rector shall submit to the appropriate commit-
24 tees of Congress a report on the findings of the
25 Director with respect to the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of providing information as described in subsection (a)(1).

(ii) An assessment of the value of open source, publicly and commercially available information to the export control and investment screening missions, using the measures of effectiveness under paragraph (2)(B)(ii).

(iii) Identification of opportunities for and barriers to more effective use of open source, publicly and commercially available information by the intelligence community.

SEC. 318. ANNUAL TRAINING REQUIREMENT AND REPORT REGARDING ANALYTIC STANDARDS.

(a) POLICY FOR TRAINING PROGRAM REQUIRED.—Consistent with sections 1019 and 1020 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 and 3364 note), the Director of National Intelligence shall issue a policy that requires each head of an element of the intelligence community, that has not already done so, to create, before the date that is 180 days after the

1 date of the enactment of this Act, an annual training pro-
2 gram on the standards set forth in Intelligence Commu-
3 nity Directive 203, Analytic Standards (or successor direc-
4 tive).

5 (b) CONDUCT OF TRAINING.—Training required pur-
6 suant to the policy required by subsection (a) may be con-
7 ducted in conjunction with other required annual training
8 programs conducted by the element of the intelligence
9 community concerned.

10 (c) CERTIFICATION OF COMPLETION OF TRAINING.—
11 Each year, each head of an element of the intelligence
12 community shall submit to the congressional intelligence
13 committees a certification as to whether all of the analysts
14 of that element have completed the training required pur-
15 suant to the policy required by subsection (a) and if the
16 analysts have not, an explanation of why the training has
17 not been completed.

18 (d) REPORTS.—

19 (1) ANNUAL REPORT.—In conjunction with
20 each briefing provided under section 1019(c) of the
21 Intelligence Reform and Terrorism Prevention Act
22 of 2004 (50 U.S.C. 3364(c)), the Director shall sub-
23 mit to the congressional intelligence committees a
24 report on the number and themes of compliance inci-
25 dents reported to intelligence community analytic

1 ombudspersons relating to the standards set forth in
2 Intelligence Community Directive 203 (relating to
3 analytic standards), or successor directive.

4 (2) REPORT ON PERFORMANCE EVALUATION.—

5 Not later than 90 days after the date of the enact-
6 ment of this Act, the head of analysis at each ele-
7 ment of the intelligence community that conducts
8 all-source analysis shall submit to the congressional
9 intelligence committees a report describing how com-
10 pliance with the standards set forth in Intelligence
11 Community Directive 203 (relating to analytic
12 standards), or successor directive, is considered in
13 the performance evaluations and consideration for
14 merit pay, bonuses, promotions, and any other per-
15 sonnel actions for analysts within the element.

16 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to prohibit the Director from pro-
18 viding training described in this section as a service of
19 common concern.

20 (f) SUNSET.—This section shall cease to be effective
21 on the date that is 5 years after the date of the enactment
22 of this Act.

1 **SEC. 319. HISTORICAL ADVISORY PANEL OF THE CENTRAL**
2 **INTELLIGENCE AGENCY.**

3 The Central Intelligence Agency Act of 1949 (50
4 U.S.C. 3501 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 29. HISTORICAL ADVISORY PANEL.**

7 “(a) DEFINITIONS.— In this section, the terms ‘con-
8 gressional intelligence committees’ and ‘intelligence com-
9 munity’ have the meanings given those terms in section
10 3 of the National Security Act of 1947 (50 U.S.C. 3003).

11 “(b) ESTABLISHMENT.—There is established within
12 the Agency an advisory panel to be known as the ‘Histor-
13 ical Advisory Panel’ (in this section referred to as the
14 ‘panel’).

15 “(c) MEMBERSHIP.—

16 “(1) COMPOSITION.—

17 “(A) IN GENERAL.—The panel shall be
18 composed of up to 7 members appointed by the
19 Director from among individuals recognized as
20 scholarly authorities in history, international re-
21 lations, or related fields.

22 “(B) INITIAL APPOINTMENTS.—Not later
23 than 180 days after the date of the enactment
24 of this section, the Director shall appoint the
25 initial members of the panel.

1 “(2) CHAIRPERSON.—The Director shall des-
 2 ignate a Chairperson of the panel from among the
 3 members of the panel.

4 “(d) SECURITY CLEARANCES AND ACCESSES.—The
 5 Director shall sponsor appropriate security clearances and
 6 accesses for all members of the panel.

7 “(e) TERMS OF SERVICE.—

8 “(1) IN GENERAL.—Each member of the panel
 9 shall be appointed for a term of 3 years.

10 “(2) RENEWAL.—The Director may renew the
 11 appointment of a member of the panel for not more
 12 than 2 subsequent terms.

13 “(f) DUTIES.—The panel shall advise the Agency
 14 on—

15 “(1) topics for research and publication within
 16 the Agency;

17 “(2) topics for discretionary declassification re-
 18 views;

19 “(3) declassification of specific records or types
 20 of records;

21 “(4) determinations regarding topics and
 22 records whose continued classification is outweighed
 23 by the public benefit of disclosure;

1 “(5) technological tools to modernize the classi-
 2 fication and declassification processes to improve the
 3 efficiency and effectiveness of those processes; and

4 “(6) other matters as the Director may assign.

5 “(g) REPORTS.—Not less than once each year, the
 6 panel shall submit to the Director and the congressional
 7 intelligence committees a report on the activities of the
 8 panel.

9 “(h) NONAPPLICABILITY OF FEDERAL ADVISORY
 10 COMMITTEE ACT.—The Federal Advisory Committee Act
 11 (5 U.S.C. App.) shall not apply to the panel.

12 “(i) SUNSET.—The provisions of this section shall ex-
 13 pire 7 years after the date of the enactment of the Intel-
 14 ligence Authorization Act for Fiscal Year 2023, unless re-
 15 authorized by statute.”.

16 **TITLE IV—INTELLIGENCE MAT-**
 17 **TERS RELATING TO THE PEO-**
 18 **PLE’S REPUBLIC OF CHINA**

19 **SEC. 401. UPDATE TO ANNUAL REPORTS ON INFLUENCE**
 20 **OPERATIONS AND CAMPAIGNS IN THE**
 21 **UNITED STATES BY THE CHINESE COM-**
 22 **MUNIST PARTY.**

23 Section 1107(b) of the National Security Act of 1947
 24 (50 U.S.C. 3237(b)) is amended—

1 (1) by redesignating paragraph (10) as para-
2 graph (11); and

3 (2) by inserting after paragraph (9) the fol-
4 lowing:

5 “(10) An assessment of online influence and
6 propaganda activities of the Chinese Communist
7 Party, including the use of social media and news
8 outlets in the United States and allied countries for
9 specific influence campaigns, that includes the fol-
10 lowing:

11 “(A) A description of—

12 “(i) the mechanisms by which such
13 activities are pursued, including a break-
14 down of the different platforms used and
15 the frequency of use;

16 “(ii) primary actors that—

17 “(I) direct such activities; and

18 “(II) undertake such activities;

19 and

20 “(iii) how narratives and themes are
21 developed.

22 “(B) A discussion of opportunities to ex-
23 pose and counter such activities in social media
24 and news outlets outside of China, including
25 through—

1 “(i) increasing transparency with re-
 2 spect to—

3 “(I) the ownership of print,
 4 video, and digital media; and

5 “(II) funders, advertisers, and
 6 contributors of content;

7 “(ii) enhancing the United States
 8 Agency for Global Media, especially Radio
 9 Free Asia and Voice of America;

10 “(iii) encouraging major media outlets
 11 to make some of their content available in
 12 Chinese languages to support independent
 13 Chinese media; and

14 “(iv) pressing WeChat to end its cen-
 15 sorship, information control, and surveil-
 16 lance of audiences based in the United
 17 States.”.

18 **SEC. 402. REPORT ON WEALTH AND CORRUPT ACTIVITIES**
 19 **OF THE LEADERSHIP OF THE CHINESE COM-**
 20 **MUNIST PARTY.**

21 (a) REPORT REQUIRED.—Not later than 1 year after
 22 the date of the enactment of this Act, the Director of Na-
 23 tional Intelligence shall make available to the public an
 24 unclassified report on the wealth and corrupt activities of
 25 the leadership of the Chinese Communist Party, including

1 the General Secretary of the Chinese Communist Party
2 and senior leadership officials in the Central Committee,
3 the Politburo, the Politburo Standing Committee, and any
4 other regional Party Secretaries.

5 (b) ANNUAL UPDATES.—Not later than 2 years after
6 the date of the enactment of this Act and not less fre-
7 quently than once each year thereafter until the date that
8 is 6 years after the date of the enactment of this Act,
9 the Director shall update the report published under sub-
10 section (a).

11 **SEC. 403. IDENTIFICATION AND THREAT ASSESSMENT OF**
12 **COMPANIES WITH INVESTMENTS BY THE**
13 **PEOPLE’S REPUBLIC OF CHINA.**

14 Not later than 120 days after the date of the enact-
15 ment of this Act, the Director of National Intelligence, in
16 consultation with such heads of elements of the intel-
17 ligence community as the Director considers appropriate,
18 shall provide to the congressional intelligence committees
19 a report on the risk to national security of the use of—

20 (1) telecommunications companies with sub-
21 stantial investment by the People’s Republic of
22 China operating in the United States or providing
23 services to affiliates and personnel of the intelligence
24 community; and

1 (2) hospitality and conveyance companies with
2 substantial investment by the People’s Republic of
3 China by affiliates and personnel of the intelligence
4 community for travel on behalf of the United States
5 Government.

6 **SEC. 404. INTELLIGENCE COMMUNITY WORKING GROUP**
7 **FOR MONITORING THE ECONOMIC AND**
8 **TECHNOLOGICAL CAPABILITIES OF THE PEOP-**
9 **LE’S REPUBLIC OF CHINA.**

10 (a) IN GENERAL.—The Director of National Intel-
11 ligence, in consultation with such heads of elements of the
12 intelligence community as the Director considers appro-
13 priate, shall establish a cross-intelligence community ana-
14 lytical working group (in this section referred to as the
15 “working group”) on the economic and technological capa-
16 bilities of the People’s Republic of China.

17 (b) MONITORING AND ANALYSIS.—The working
18 group shall monitor and analyze—

19 (1) the economic and technological capabilities
20 of the People’s Republic of China;

21 (2) the extent to which those capabilities rely
22 on exports, investments in companies, or services
23 from the United States and other foreign countries;

1 (3) the links of those capabilities to the mili-
2 tary-industrial complex of the People’s Republic of
3 China; and

4 (4) the threats those capabilities pose to the na-
5 tional and economic security and values of the
6 United States.

7 (c) ANNUAL ASSESSMENT.—

8 (1) IN GENERAL.—Not less frequently than
9 once each year, the working group shall submit to
10 the congressional intelligence committees an assess-
11 ment of the economic and technological strategy, ef-
12 forts, and progress of the People’s Republic of China
13 to become the dominant military, technological, and
14 economic power in the world and undermine the
15 rules-based world order.

16 (2) ELEMENTS.—Each assessment required by
17 paragraph (1) shall include the following:

18 (A) An unclassified overview of the major
19 goals, strategies, and policies of the People’s
20 Republic of China to control, shape, or develop
21 self-sufficiency in key technologies and control
22 related supply chains and ecosystems, includ-
23 ing—

24 (i) efforts to acquire United States
25 and other foreign technology and recruit

1 foreign talent in technology sectors of the
2 People's Republic of China, including the
3 extent to which those efforts relate to the
4 military-industrial complex of the People's
5 Republic of China;

6 (ii) efforts related to incentivizing
7 offshoring of United States and foreign
8 manufacturing to China, influencing global
9 supply chains, and creating supply chain
10 vulnerabilities for the United States, in-
11 cluding China's investments or potential
12 investments in foreign countries to create
13 monopolies in the processing and exporting
14 of rare earth and other critical materials
15 necessary for renewable energy, including
16 cobalt, lithium, and nickel;

17 (iii) related tools and market access
18 restrictions or distortions imposed by the
19 People's Republic of China on foreign
20 firms and laws and regulations of the Peo-
21 ple's Republic of China that discriminate
22 against United States and other foreign
23 firms; and

24 (iv) efforts of the People's Republic of
25 China to attract investment from the

1 United States and other foreign investors
2 to build self-sufficient capabilities and the
3 type of capital flows from the United
4 States to China, including information on
5 documentation of the lifecycle of invest-
6 ments, from the specific actions taken by
7 the Government of the People’s Republic of
8 China to attract the investments to the
9 outcome of such efforts for entities and
10 persons of the People’s Republic of China.

11 (B) An unclassified assessment of the
12 progress of the People’s Republic of China to
13 achieve its goals, disaggregated by economic
14 sector.

15 (C) An unclassified assessment of the im-
16 pact of the transfer of capital, technology, data,
17 talent, and technical expertise from the United
18 States to China on the economic, technological,
19 and military capabilities of the People’s Repub-
20 lic of China.

21 (D) An unclassified list of the top 200
22 businesses, academic and research institutions,
23 or other entities of the People’s Republic of
24 China that are—

1 (i) designated by Chinese securities
2 issuing and trading entities or other
3 sources as supporting the military-indus-
4 trial complex of the People's Republic of
5 China;

6 (ii) developing, producing, or export-
7 ing technologies of strategic importance to
8 the People's Republic of China or sup-
9 porting entities of the People's Republic of
10 China that are subject to sanctions im-
11 posed by the United States;

12 (iii) supporting the military-civil fu-
13 sion program of the People's Republic of
14 China; or

15 (iv) otherwise supporting the goals
16 and efforts of the Chinese Communist
17 Party and Chinese government entities, in-
18 cluding the Ministry of State Security, the
19 Ministry of Public Security, and the Peo-
20 ple's Liberation Army.

21 (E) An unclassified list of the top 100 de-
22 velopment, infrastructure, or other strategic
23 projects that the People's Republic of China is
24 financing abroad that—

1 (i) advance the technology goals and
2 strategies of the Chinese Communist
3 Party; or

4 (ii) evade financial sanctions, export
5 controls, or import restrictions imposed by
6 the United States.

7 (F) An unclassified list of the top 100
8 businesses, research institutions, or other enti-
9 ties of the People’s Republic of China that are
10 developing surveillance, smart cities, or related
11 technologies that are—

12 (i) exported to other countries, under-
13 mining democracy worldwide; or

14 (ii) provided to the security services of
15 the People’s Republic of China, enabling
16 them to commit severe human rights
17 abuses in China.

18 (G) An unclassified list of the top 100
19 businesses or other entities of the People’s Re-
20 public of China that are—

21 (i) operating in the genocide zone in
22 Xinjiang; or

23 (ii) supporting the Xinjiang Public
24 Security Bureau, the Xinjiang Bureau of
25 the Ministry of State Security, the People’s

1 Armed Police, or the Xinjiang Production
2 and Construction Corps.

3 (H) A list of investment funds, public com-
4 panies, or private or early-stage firms of the
5 People's Republic of China that have received
6 more than \$100,000,000 in capital flows from
7 the United States during the 10-year period
8 preceding the date on which the assessment is
9 submitted.

10 (3) PREPARATION OF ASSESSMENTS.—In pre-
11 paring each assessment required by paragraph (1),
12 the working group shall use open source documents
13 in Chinese language and commercial databases.

14 (4) FORMAT.—An assessment required by para-
15 graph (1) may be submitted in the format of a Na-
16 tional Intelligence Estimate.

17 (5) FORM.—Each assessment required by para-
18 graph (1) shall be submitted in unclassified form,
19 but may include a classified annex.

20 (6) PUBLICATION.—The unclassified portion of
21 each assessment required by paragraph (1) shall be
22 published on the publicly accessible website of the
23 Director of National Intelligence.

24 (d) BRIEFINGS TO CONGRESS.—Not less frequently
25 than quarterly, the working group shall provide to Con-

1 gress a classified briefing on the economic and techno-
 2 logical goals, strategies, and progress of the People’s Re-
 3 public of China, especially on the information that cannot
 4 be disclosed in the unclassified portion of an assessment
 5 required by subsection (c)(1).

6 (e) CLASSIFIED ANALYSES.—Each classified annex
 7 to an assessment required by subsection (c)(1) or cor-
 8 responding briefing provided under subsection (d) shall in-
 9 clude an analysis of—

10 (1) the vulnerabilities of the People’s Republic
 11 of China, disaggregated by economic sector, indus-
 12 try, and entity; and

13 (2) the technological or supply chain
 14 chokepoints of the People’s Republic of China that
 15 provide leverage to the United States.

16 (f) SUNSET.—This section shall cease to be effective
 17 on the date that is 5 years after the date of the enactment
 18 of this Act.

19 **SEC. 405. ANNUAL REPORT ON CONCENTRATED REEDUCA-**
 20 **TION CAMPS IN THE XINJIANG UYGHUR AU-**
 21 **TONOMOUS REGION OF THE PEOPLE’S RE-**
 22 **PUBLIC OF CHINA.**

23 (a) DEFINITION OF COVERED CAMP.—In this sec-
 24 tion, the term “covered camp” means a detention camp,
 25 prison, forced labor camp, or forced labor factory located

1 in the Xinjiang Uyghur Autonomous Region of the Peo-
2 ple's Republic of China, referred to by the Government
3 of the People's Republic of China as "concentrated reedu-
4 cation camps" or "vocational training centers".

5 (b) ANNUAL REPORT REQUIRED.—Not later than
6 120 days after the date of the enactment of this Act, and
7 annually thereafter for 5 years, the Director of National
8 Intelligence, in consultation with such heads of elements
9 of the intelligence community as the Director considers
10 appropriate, shall submit to the congressional intelligence
11 committees a report on the status of covered camps.

12 (c) ELEMENTS.—Each report required by subsection
13 (b) shall include the following:

14 (1) An identification of the number and geo-
15 graphic location of covered camps and an estimate
16 of the number of victims detained in covered camps.

17 (2) A description of—

18 (A) the types of personnel and equipment
19 in covered camps;

20 (B) the funding received by covered camps
21 from the Government of the People's Republic
22 of China; and

23 (C) the role of the security services of the
24 People's Republic of China and the Xinjiang

1 Production and Construction Corps in enforcing
2 atrocities at covered camps.

3 (3) A comprehensive list of—

4 (A) the entities of the Xinjiang Production
5 and Construction Corps, including subsidiaries
6 and affiliated businesses, with respect to which
7 sanctions have been imposed by the United
8 States;

9 (B) commercial activities of those entities
10 outside of the People’s Republic of China; and

11 (C) other Chinese businesses, including in
12 the artificial intelligence, biotechnology, and
13 surveillance technology sectors, that are in-
14 volved with the atrocities in Xinjiang or sup-
15 porting the policies of the People’s Republic of
16 China in the region.

17 (d) FORM.—Each report required by subsection (b)
18 shall be submitted in unclassified form, but may include
19 a classified annex.

20 (e) PUBLICATION.—The unclassified portion of each
21 report required by subsection (b) shall be published on the
22 publicly accessible website of the Office of the Director
23 of National Intelligence.

1 **SEC. 406. ASSESSMENTS OF PRODUCTION OF SEMICONDUCT-**
2 **TORS BY THE PEOPLE’S REPUBLIC OF CHINA.**

3 (a) IN GENERAL.—Not later than 60 days after the
4 date of the enactment of this Act, and annually thereafter
5 for 3 years, the Director of National Intelligence shall sub-
6 mit to the congressional intelligence committees an assess-
7 ment of progress by the People’s Republic of China in
8 global competitiveness in the production of semiconductors
9 by Chinese firms.

10 (b) ELEMENTS.—Each assessment submitted under
11 subsection (a) shall include the following:

12 (1) The progress of the People’s Republic of
13 China toward self-sufficiency in the supply of semi-
14 conductors for globally competitive Chinese firms,
15 including those firms competing in the fields of arti-
16 ficial intelligence, cloud computing, autonomous ve-
17 hicles, next-generation and renewable energy, and
18 high-performance computing.

19 (2) Activity of Chinese firms with respect to the
20 procurement of semiconductor manufacturing equip-
21 ment necessary for the production of microelec-
22 tronics below the 20 nanometer process node, includ-
23 ing any identified export diversion to evade export
24 controls.

25 (3) A comprehensive summary of unilateral and
26 multilateral export controls that Chinese semicon-

1 ductor manufacturers have been subject to in the
2 year preceding the date on which the assessment is
3 submitted, as well as a description of the status of
4 export licenses issued by any export control author-
5 ity during that time period.

6 (4) Any observed stockpiling efforts by Chinese
7 firms with respect to semiconductor manufacturing
8 equipment, substrate materials, silicon wafers, or
9 other necessary inputs for semiconductor production.

10 (5) An analysis of the relative market share of
11 different Chinese semiconductor manufacturers at
12 different process nodes and the estimated increase
13 or decrease of market share by that manufacturer in
14 each product category during the preceding year.

15 (6) A comprehensive summary of recruitment
16 activity of the People's Republic of China targeting
17 semiconductor manufacturing engineers and man-
18 agers from non-Chinese firms.

19 (7) An analysis of the capability of the work-
20 force of the People's Republic of China to design,
21 produce, and manufacture microelectronics below the
22 20 nanometer process node and relevant equipment.

23 (c) FORM OF ASSESSMENTS.—Each assessment sub-
24 mitted under subsection (a) shall be submitted in unclassi-
25 fied form and include a classified annex.

1 **TITLE V—PERSONNEL AND SE-**
2 **CURITY CLEARANCE MAT-**
3 **TERS**

4 **SEC. 501. IMPROVING ONBOARDING OF PERSONNEL IN IN-**
5 **TELLIGENCE COMMUNITY.**

6 (a) **METHODOLOGY.**—The Director of National Intel-
7 ligence shall establish a methodology appropriate for all
8 elements of the intelligence community that can be used
9 to measure, consistently and reliably, the time it takes to
10 onboard personnel, from time of application to beginning
11 performance of duties.

12 (b) **REPORT.**—

13 (1) **IN GENERAL.**—Not later than 90 days after
14 the date of the enactment of this Act, the Director
15 shall submit to the congressional intelligence com-
16 mittees a report on the time it takes to onboard per-
17 sonnel in the intelligence community.

18 (2) **ELEMENTS.**—The report submitted under
19 paragraph (1) shall cover the mean and median time
20 it takes to onboard personnel in the intelligence com-
21 munity, disaggregated by mode of onboarding and
22 element of the intelligence community.

23 (c) **PLAN.**—

24 (1) **IN GENERAL.**—Not later than 180 days
25 after the date of the enactment of this Act, the Di-

1 rector shall submit to the congressional intelligence
2 committees a plan to reduce the time it takes to on-
3 board personnel in the intelligence community, for
4 elements of the intelligence community that have
5 median onboarding times that exceed 180 days.

6 (2) ELEMENTS.—The plan submitted under
7 paragraph (1) shall include milestones to achieve
8 certain specific goals with respect to the mean, me-
9 dian, and mode time it takes to onboard personnel
10 in the elements of the intelligence community de-
11 scribed in such paragraph, disaggregated by element
12 of the intelligence community.

13 **SEC. 502. IMPROVING ONBOARDING AT THE CENTRAL IN-**
14 **TELLIGENCE AGENCY.**

15 (a) DEFINITION OF ONBOARD PERIOD.—In this sec-
16 tion, the term “onboard period” means the period begin-
17 ning on the date on which an individual submits an appli-
18 cation for employment with the Central Intelligence Agen-
19 cy and the date on which the individual is formally offered
20 one or more entrance on duty dates.

21 (b) IN GENERAL.—The Director of the Central Intel-
22 ligence Agency shall take such actions as the Director con-
23 siders appropriate and necessary to ensure that, by De-
24 cember 31, 2023, the median duration of the onboard pe-

1 riod for new employees at the Central Intelligence Agency
2 is equal to or less than 180 days.

3 **SEC. 503. REPORT ON LEGISLATIVE ACTION REQUIRED TO**
4 **IMPLEMENT TRUSTED WORKFORCE 2.0 INI-**
5 **TIATIVE.**

6 (a) REPORT REQUIRED.—Not later than 180 days
7 after the date of the enactment of this Act, the Deputy
8 Director for Management of the Office of Management
9 and Budget shall, in the Deputy Director’s capacity as the
10 Chair of the Security, Suitability, and Credentialing Per-
11 formance Accountability Council pursuant to section 2.4
12 of Executive Order 13467 (50 U.S.C. 3161 note; relating
13 to reforming processes related to suitability for Govern-
14 ment employment, fitness for contractor employees, and
15 eligibility for access to classified national security informa-
16 tion), submit to Congress a report on the legislative action
17 required to implement the Trusted Workforce 2.0 initia-
18 tive.

19 (b) CONTENTS.—The report submitted under sub-
20 section (a) shall include the following:

21 (1) Specification of the statutes that require
22 amendment in order to implement the initiative de-
23 scribed in subsection (a).

1 (2) For each statute specified under paragraph
2 (1), an indication of the priority for enactment of an
3 amendment.

4 (3) For each statute specified under paragraph
5 (1), a description of the consequences if the statute
6 is not amended.

7 **SEC. 504. COMPTROLLER GENERAL OF THE UNITED**
8 **STATES ASSESSMENT OF ADMINISTRATION**
9 **OF POLYGRAPHS IN INTELLIGENCE COMMU-**
10 **NITY.**

11 (a) **ASSESSMENT REQUIRED.**—The Comptroller Gen-
12 eral of the United States shall conduct an assessment of
13 the administration of polygraph evaluations that are need-
14 ed in the intelligence community to meet current annual
15 mission demand.

16 (b) **ELEMENTS.**—The assessment completed under
17 subsection (a) shall include the following:

18 (1) Identification of the number of polygraphers
19 currently available at each element of the intel-
20 ligence community to meet the demand described in
21 subsection (a).

22 (2) If the demand described in subsection (a)
23 cannot be met, an identification of the number of
24 polygraphers that would need to be hired and cer-
25 tified to meet it.

1 (c) BRIEFING.—Not later than 180 days after the
 2 date of the enactment of this Act, the Comptroller General
 3 shall brief the congressional intelligence committees on the
 4 preliminary findings of the Comptroller General with re-
 5 spect to the assessment conducted pursuant to subsection
 6 (a).

7 (d) REPORT.—Not later than one year after the date
 8 of the enactment of this Act, the Comptroller General shall
 9 submit to the committees described in subsection (c) a re-
 10 port on the findings of the Comptroller General with re-
 11 spect to the assessment conducted pursuant to subsection
 12 (a).

13 **SEC. 505. TIMELINESS IN THE ADMINISTRATION OF POLY-**
 14 **GRAPHS.**

15 (a) STANDARDS REQUIRED.—

16 (1) IN GENERAL.—Not later than 180 days
 17 after the date of the enactment of this Act, the Di-
 18 rector of National Intelligence shall, in the Direc-
 19 tor's capacity as the Security Executive Agent pur-
 20 suant to section 803(a) of the National Security Act
 21 of 1947 (50 U.S.C. 3162a(a)), issue standards for
 22 timeliness for Federal agencies to administer poly-
 23 graphs conducted for the purpose of—

24 (A) adjudicating decisions regarding eligi-
 25 bility for access to classified information (as de-

1 fined in the procedures established pursuant to
2 section 801(a) of the National Security Act of
3 1947 (50 U.S.C. 3161(a)); and

4 (B) granting reciprocity pursuant to Security Executive Agent Directive 2, or successor
5 directive.
6

7 (2) PUBLICATION.—The Director shall publish
8 the standards issued under paragraph (1) in the
9 Federal Register or such other venue as the Director
10 considers appropriate.

11 (b) IMPLEMENTATION PLAN REQUIRED.—Not later
12 than 180 days after the date of the enactment of this Act,
13 the Director shall submit to Congress an implementation
14 plan for Federal agencies to comply with the standards
15 issued under subsection (a). Such plan shall specify the
16 resources required by Federal agencies to comply with
17 such standards.

18 **SEC. 506. POLICY ON SUBMITTAL OF APPLICATIONS FOR**
19 **ACCESS TO CLASSIFIED INFORMATION FOR**
20 **CERTAIN PERSONNEL.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Director of National Intelligence
23 shall, in the Director's capacity as the Security Executive
24 Agent pursuant to section 803(a) of the National Security
25 Act of 1947 (50 U.S.C. 3162a(a)), issue a policy that al-

1 lows a private person to submit a certain number or pro-
2 portion of applications, on a nonreimbursable basis, for
3 employee access to classified information for personnel
4 who perform key management and oversight functions who
5 may not merit an application due to their work under any
6 one contract.

7 **SEC. 507. PROHIBITION ON DENIAL OF ELIGIBILITY FOR**
8 **ACCESS TO CLASSIFIED INFORMATION SOLE-**
9 **LY BECAUSE OF PREEMPLOYMENT USE OF**
10 **CANNABIS.**

11 (a) DEFINITIONS.—In this section:

12 (1) AGENCY.—The term “agency” applies only
13 to an element of the intelligence community.

14 (2) ELIGIBILITY FOR ACCESS TO CLASSIFIED
15 INFORMATION.—The term “eligibility for access to
16 classified information” has the meaning given such
17 term in the procedures established pursuant to sec-
18 tion 801(a) of the National Security Act of 1947 (50
19 U.S.C. 3161(a)).

20 (b) PROHIBITION.—Notwithstanding any other provi-
21 sion of law, the head of an agency may not make a deter-
22 mination to deny an individual’s eligibility for access to
23 classified information based solely on the individual’s pre-
24 employment use of cannabis.

1 **SEC. 508. TECHNICAL CORRECTION REGARDING FEDERAL**
 2 **POLICY ON SHARING OF COVERED INSIDER**
 3 **THREAT INFORMATION.**

4 Section 806(b) of the Intelligence Authorization Act
 5 for Fiscal Year 2022 (Public Law 117–103) is amended
 6 by striking “contracting agency” and inserting “con-
 7 tractor that employs the contractor employee”.

8 **SEC. 509. ESTABLISHING PROCESS PARITY FOR ADVERSE**
 9 **SECURITY CLEARANCE AND ACCESS DETER-**
 10 **MINATIONS.**

11 Subparagraph (C) of section 3001(j)(4) of the Intel-
 12 ligence Reform and Terrorism Prevention Act of 2004 (50
 13 U.S.C. 3341(j)(4)) is amended to read as follows:

14 “(C) CONTRIBUTING FACTOR.—

15 “(i) IN GENERAL.—Subject to clause
 16 (iii), in determining whether the adverse
 17 security clearance or access determination
 18 violated paragraph (1), the agency shall
 19 find that paragraph (1) was violated if the
 20 individual has demonstrated that a disclo-
 21 sure described in paragraph (1) was a con-
 22 tributing factor in the adverse security
 23 clearance or access determination taken
 24 against the individual.

25 “(ii) CIRCUMSTANTIAL EVIDENCE.—
 26 An individual under clause (i) may dem-

1 onstrate that the disclosure was a contrib-
2 uting factor in the adverse security clear-
3 ance or access determination taken against
4 the individual through circumstantial evi-
5 dence, such as evidence that—

6 “(I) the official making the de-
7 termination knew of the disclosure;
8 and

9 “(II) the determination occurred
10 within a period such that a reasonable
11 person could conclude that the disclo-
12 sure was a contributing factor in the
13 determination.

14 “(iii) DEFENSE.—In determining
15 whether the adverse security clearance or
16 access determination violated paragraph
17 (1), the agency shall not find that para-
18 graph (1) was violated if, after a finding
19 that a disclosure was a contributing factor,
20 the agency demonstrates by clear and con-
21 vincing evidence that it would have made
22 the same security clearance or access de-
23 termination in the absence of such disclo-
24 sure.”.

1 **SEC. 510. ELIMINATION OF CAP ON COMPENSATORY DAM-**
2 **AGES FOR RETALIATORY REVOCATION OF SE-**
3 **CURITY CLEARANCES AND ACCESS DETER-**
4 **MINATIONS.**

5 Section 3001(j)(4)(B) of the Intelligence Reform and
6 Terrorism Prevention Act of 2004 (50 U.S.C.
7 3341(j)(4)(B)) is amended, in the second sentence, by
8 striking “not to exceed \$300,000”.

9 **SEC. 511. COMPTROLLER GENERAL OF THE UNITED**
10 **STATES REPORT ON USE OF GOVERNMENT**
11 **AND INDUSTRY SPACE CERTIFIED AS SECURE**
12 **COMPARTMENTED INFORMATION FACILI-**
13 **TIES.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Comptroller General of the United
16 States shall submit to Congress a report on the average
17 annual utilization of Federal Government and industry
18 space certified as a secure compartmented information fa-
19 cility under intelligence community or Department of De-
20 fense policy.

1 **TITLE VI—INSPECTOR GENERAL**
2 **OF THE INTELLIGENCE COM-**
3 **MUNITY**

4 **SEC. 601. SUBMITTAL OF COMPLAINTS AND INFORMATION**
5 **BY WHISTLEBLOWERS IN THE INTELLIGENCE**
6 **COMMUNITY TO CONGRESS.**

7 (a) AMENDMENTS TO INSPECTOR GENERAL ACT OF
8 1978.—

9 (1) APPOINTMENT OF SECURITY OFFICERS.—

10 Section 8H of the Inspector General Act of 1978 (5
11 U.S.C. App.) is amended—

12 (A) by redesignating subsection (h) as sub-
13 section (i); and

14 (B) by inserting after subsection (g) the
15 following:

16 “(h) APPOINTMENT OF SECURITY OFFICERS.—Each
17 Inspector General under this section, including the des-
18 ignees of the Inspector General of the Department of De-
19 fense pursuant to subsection (a)(3), shall appoint within
20 their offices security officers to provide, on a permanent
21 basis, confidential, security-related guidance and direction
22 to an employee of their respective establishment, an em-
23 ployee assigned or detailed to such establishment, or an
24 employee of a contractor of such establishment who in-
25 tends to report to Congress a complaint or information,

1 so that such employee can obtain direction on how to re-
2 port to Congress in accordance with appropriate security
3 practices.”.

4 (2) PROCEDURES.—Subsection (d) of such sec-
5 tion is amended—

6 (A) in paragraph (1), by inserting “or any
7 other committee of jurisdiction of the Senate or
8 the House of Representatives” after “either or
9 both of the intelligence committees”;

10 (B) by amending paragraph (2) to read as
11 follows:

12 “(2)(A) Except as provided in subparagraph
13 (B), the employee may contact an intelligence com-
14 mittee or another committee of jurisdiction directly
15 as described in paragraph (1) of this subsection or
16 in subsection (a)(4) only if the employee—

17 “(i) before making such a contact, fur-
18 nishes to the head of the establishment,
19 through the Inspector General (or designee), a
20 statement of the employee’s complaint or infor-
21 mation and notice of the employee’s intent to
22 contact an intelligence committee or another
23 committee of jurisdiction of the Senate or the
24 House of Representatives directly; and

1 “(ii)(I) obtains and follows from the head
2 of the establishment, through the Inspector
3 General (or designee), procedural direction on
4 how to contact an intelligence committee or an-
5 other committee of jurisdiction of the Senate or
6 the House of Representatives in accordance
7 with appropriate security practices; or

8 “(II) obtains and follows such procedural
9 direction from the applicable security officer ap-
10 pointed under subsection (h).

11 “(B) If an employee seeks procedural di-
12 rection under subparagraph (A)(ii) and does
13 not receive such procedural direction within 30
14 days, or receives insufficient direction to report
15 to Congress a complaint or information, the em-
16 ployee may contact an intelligence committee or
17 any other committee of jurisdiction of the Sen-
18 ate or the House of Representatives directly
19 without obtaining or following the procedural
20 direction otherwise required under such sub-
21 paragraph.”; and

22 (C) by redesignating paragraph (3) as
23 paragraph (4); and

24 (D) by inserting after paragraph (2) the
25 following:

1 “(3) An employee of an element of the intel-
 2 ligence community who intends to report to Con-
 3 gress a complaint or information may report such
 4 complaint or information to the Chairman and Vice
 5 Chairman or Ranking Member, as the case may be,
 6 of an intelligence committee or another committee of
 7 jurisdiction of the Senate or the House of Rep-
 8 resentatives, a nonpartisan member of the committee
 9 staff designated for purposes of receiving complaints
 10 or information under this section, or a member of
 11 the majority staff and a member of the minority
 12 staff of the committee.”.

13 (3) CLARIFICATION OF RIGHT TO REPORT DI-
 14 RECTLY TO CONGRESS.—Subsection (a) of such sec-
 15 tion is amended by adding at the end the following:

16 “(4) Subject to paragraphs (2) and (3) of sub-
 17 section (d), an employee of an element of the intel-
 18 ligence community who intends to report to Con-
 19 gress a complaint or information may report such
 20 complaint or information directly to Congress, re-
 21 gardless of whether the complaint or information is
 22 with respect to an urgent concern—

23 “(A) in lieu of reporting such complaint or
 24 information under paragraph (1); or

1 “(B) in addition to reporting such com-
2 plaint or information under paragraph (1).”.

3 (b) AMENDMENTS TO NATIONAL SECURITY ACT OF
4 1947.—

5 (1) APPOINTMENT OF SECURITY OFFICERS.—

6 Section 103H(j) of the National Security Act of
7 1947 (50 U.S.C. 3033(j)) is amended by adding at
8 the end the following:

9 “(5) The Inspector General shall appoint within
10 the Office of the Inspector General security officers
11 as required by subsection (h) of section 8H of the
12 Inspector General Act of 1978 (5 U.S.C. App.).”.

13 (2) PROCEDURES.—Subparagraph (D) of sec-
14 tion 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5))
15 is amended—

16 (A) in clause (i), by inserting “or any
17 other committee of jurisdiction of the Senate or
18 the House of Representatives” after “either or
19 both of the congressional intelligence commit-
20 tees”;

21 (B) by amending clause (ii) to read as fol-
22 lows:

23 “(ii)(I) Except as provided in sub-
24 clause (II), an employee may contact a
25 congressional intelligence committee or an-

1 other committee of jurisdiction directly as
2 described in clause (i) only if the em-
3 ployee—

4 “(aa) before making such a con-
5 tact, furnishes to the Director,
6 through the Inspector General, a
7 statement of the employee’s complaint
8 or information and notice of the em-
9 ployee’s intent to contact a congres-
10 sional intelligence committee or an-
11 other committee of jurisdiction of the
12 Senate or the House of Representa-
13 tives directly; and

14 “(bb)(AA) obtains and follows
15 from the Director, through the In-
16 spector General, procedural direction
17 on how to contact a congressional in-
18 telligence committee or another com-
19 mittee of jurisdiction of the Senate or
20 the House of Representatives in ac-
21 cordance with appropriate security
22 practices; or

23 “(BB) obtains and follows such
24 procedural direction from the applica-
25 ble security officer appointed under

1 section 8H(h) of the Inspector Gen-
2 eral Act of 1978 (5 U.S.C. App.).

3 “(II) If an employee seeks proce-
4 dural direction under subclause
5 (I)(bb) and does not receive such pro-
6 cedural direction within 30 days, or
7 receives insufficient direction to report
8 to Congress a complaint or informa-
9 tion, the employee may contact a con-
10 gressional intelligence committee or
11 any other committee of jurisdiction of
12 the Senate or the House of Represent-
13 atives directly without obtaining or
14 following the procedural direction oth-
15 erwise required under such sub-
16 clause.”;

17 (C) by redesignating clause (iii) as clause
18 (iv); and

19 (D) by inserting after clause (ii) the fol-
20 lowing:

21 “(iii) An employee of an element of
22 the intelligence community who intends to
23 report to Congress a complaint or informa-
24 tion may report such complaint or infor-
25 mation to the Chairman and Vice Chair-

1 man or Ranking Member, as the case may
 2 be, of a congressional intelligence com-
 3 mittee or another committee of jurisdiction
 4 of the Senate or the House of Representa-
 5 tives, a nonpartisan member of the com-
 6 mittee staff designated for purposes of re-
 7 ceiving complaints or information under
 8 this section, or a member of the majority
 9 staff and a member of the minority staff of
 10 the committee.”.

11 (3) CLARIFICATION OF RIGHT TO REPORT DI-
 12 RECTLY TO CONGRESS.—Subparagraph (A) of such
 13 section is amended—

14 (A) by inserting “(i)” before “An employee
 15 of”; and

16 (B) by adding at the end the following:

17 “(ii) Subject to clauses (ii) and (iii) of
 18 subparagraph (D), an employee of an ele-
 19 ment of the intelligence community who in-
 20 tends to report to Congress a complaint or
 21 information may report such complaint or
 22 information directly to Congress, regard-
 23 less of whether the complaint or informa-
 24 tion is with respect to an urgent concern—

1 “(I) in lieu of reporting such
2 complaint or information under clause
3 (i); or

4 “(II) in addition to reporting
5 such complaint or information under
6 clause (i).”.

7 (c) AMENDMENTS TO THE CENTRAL INTELLIGENCE
8 AGENCY ACT OF 1949.—

9 (1) APPOINTMENT OF SECURITY OFFICERS.—

10 Section 17(d)(5) of the Central Intelligence Agency
11 Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by
12 adding at the end the following:

13 “(I) The Inspector General shall
14 appoint within the Office of the In-
15 spector General security officers as re-
16 quired by subsection (h) of section 8H
17 of the Inspector General Act of 1978
18 (5 U.S.C. App.).”.

19 (2) PROCEDURES.—Subparagraph (D) of such
20 section is amended—

21 (A) in clause (i), by inserting “or any
22 other committee of jurisdiction of the Senate or
23 the House of Representatives” after “either or
24 both of the intelligence committees”;

1 (B) by amending clause (ii) to read as fol-
2 lows:

3 “(ii)(I) Except as provided in sub-
4 clause (II), an employee may contact an
5 intelligence committee or another com-
6 mittee of jurisdiction directly as described
7 in clause (i) only if the employee—

8 “(aa) before making such a con-
9 tact, furnishes to the Director,
10 through the Inspector General, a
11 statement of the employee’s complaint
12 or information and notice of the em-
13 ployee’s intent to contact an intel-
14 ligence committee or another com-
15 mittee of jurisdiction of the Senate or
16 the House of Representatives directly;
17 and

18 “(bb)(AA) obtains and follows
19 from the Director, through the In-
20 spector General, procedural direction
21 on how to contact an intelligence com-
22 mittee or another committee of juris-
23 diction of the Senate or the House of
24 Representatives in accordance with
25 appropriate security practices; or

1 “(BB) obtains and follows such
2 procedural direction from the applica-
3 ble security officer appointed under
4 section 8H(h) of the Inspector Gen-
5 eral Act of 1978 (5 U.S.C. App.).

6 “(II) If an employee seeks proce-
7 dural direction under subclause
8 (I)(bb) and does not receive such pro-
9 cedural direction within 30 days, or
10 receives insufficient direction to report
11 to Congress a complaint or informa-
12 tion, the employee may contact an in-
13 telligence committee or another com-
14 mittee of jurisdiction of the Senate or
15 the House of Representatives directly
16 without obtaining or following the
17 procedural direction otherwise re-
18 quired under such subclause.”;

19 (C) by redesignating clause (iii) as clause
20 (iv); and

21 (D) by inserting after clause (ii) the fol-
22 lowing:

23 “(iii) An employee of the Agency who
24 intends to report to Congress a complaint
25 or information may report such complaint

1 or information to the Chairman and Vice
2 Chairman or Ranking Member, as the case
3 may be, of an intelligence committee or an-
4 other committee of jurisdiction of the Sen-
5 ate or the House of Representatives, a
6 nonpartisan member of the committee staff
7 designated for purposes of receiving com-
8 plaints or information under this section,
9 or a member of the majority staff and a
10 member of the minority staff of the com-
11 mittee.”.

12 (3) CLARIFICATION OF RIGHT TO REPORT DI-
13 RECTLY TO CONGRESS.—Subparagraph (A) of such
14 section is amended—

15 (A) by inserting “(i)” before “An employee
16 of”; and

17 (B) by adding at the end the following:

18 “(ii) Subject to clauses (ii) and (iii) of
19 subparagraph (D), an employee of the
20 Agency who intends to report to Congress
21 a complaint or information may report
22 such complaint or information directly to
23 Congress, regardless of whether the com-
24 plaint or information is with respect to an
25 urgent concern—

1 “(I) in lieu of reporting such
 2 complaint or information under clause
 3 (i); or

4 “(II) in addition to reporting
 5 such complaint or information under
 6 clause (i).”.

7 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
 8 tion or an amendment made by this section shall be con-
 9 strued to revoke or diminish any right of an individual
 10 provided by section 2303 of title 5, United States Code.

11 **SEC. 602. MODIFICATION OF WHISTLEBLOWER PROTEC-**
 12 **TIONS FOR CONTRACTOR EMPLOYEES IN IN-**
 13 **TELLIGENCE COMMUNITY.**

14 Section 1104(c)(1)(A) of the National Security Act
 15 of 1947 (50 U.S.C. 3234(c)(1)(A)) is amended by insert-
 16 ing “a supervisor of the employing agency with responsi-
 17 bility for the subject matter of the disclosure,” after
 18 “chain of command,”.

19 **SEC. 603. PROHIBITION AGAINST DISCLOSURE OF WHIS-**
 20 **TEBLOWER IDENTITY AS REPRISAL**
 21 **AGAINST WHISTLEBLOWER DISCLOSURE BY**
 22 **EMPLOYEES AND CONTRACTORS IN INTEL-**
 23 **LIGENCE COMMUNITY.**

24 (a) IN GENERAL.—Section 1104 of the National Se-
 25 curity Act of 1947 (50 U.S.C. 3234) is amended—

1 (1) in subsection (a)(3) of such section—

2 (A) in subparagraph (I), by striking “; or”
3 and inserting a semicolon;

4 (B) by redesignating subparagraph (J) as
5 subparagraph (K); and

6 (C) by inserting after subparagraph (I) the
7 following:

8 “(J) a knowing and willful disclosure re-
9 vealing the identity or other personally identifi-
10 able information of an employee or contractor
11 employee; or”;

12 (2) by redesignating subsections (f) and (g) as
13 subsections (g) and (h), respectively; and

14 (3) by inserting after subsection (e) the fol-
15 lowing:

16 “(f) PERSONNEL ACTIONS INVOLVING DISCLOSURES
17 OF WHISTLEBLOWER IDENTITY.—A personnel action de-
18 scribed in subsection (a)(3)(J) shall not be considered in
19 violation of subsection (b) or (c) under the following cir-
20 cumstances:

21 “(1) The personnel action was taken with the
22 express consent of the employee or contractor em-
23 ployee.

1 “(2) An Inspector General with oversight re-
 2 sponsibility for a covered intelligence community ele-
 3 ment determines that—

4 “(A) the personnel action was unavoidable
 5 under section 103H(g)(3)(A) of this Act (50
 6 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of
 7 the Central Intelligence Agency Act of 1949 (50
 8 U.S.C. 3517(e)(3)(A)), section 7(b) of the In-
 9 spector General Act of 1978 (5 U.S.C. App.),
 10 or section 8M(b)(2)(B) of the Inspector General
 11 Act of 1978 (5 U.S.C. App.);

12 “(B) the personnel action was made to an
 13 official of the Department of Justice responsible
 14 for determining whether a prosecution should
 15 be undertaken; or

16 “(C) the personnel action was required by
 17 statute or an order from a court of competent
 18 jurisdiction.”.

19 (b) APPLICABILITY TO DETAILEES.—Subsection (a)
 20 of section 1104 of such Act (50 U.S.C. 3234) is amended
 21 by adding at the end the following:

22 “(5) EMPLOYEE.—The term ‘employee’, with
 23 respect to an agency or a covered intelligence com-
 24 munity element, includes an individual who has been

1 detailed to such agency or covered intelligence com-
 2 munity element.”.

3 (c) PRIVATE RIGHT OF ACTION FOR UNLAWFUL DIS-
 4 CLOSURE OF WHISTLEBLOWER IDENTITY.—Subsection
 5 (g) of such section, as redesignated by subsection (a)(2)
 6 of this section, is amended to read as follows:

7 “(g) ENFORCEMENT.—

8 “(1) IN GENERAL.—Except as otherwise pro-
 9 vided in this subsection, the President shall provide
 10 for the enforcement of this section.

11 “(2) HARMONIZATION WITH OTHER ENFORCE-
 12 MENT.—To the fullest extent possible, the President
 13 shall provide for enforcement of this section in a
 14 manner that is consistent with the enforcement of
 15 section 2302(b)(8) of title 5, United States Code, es-
 16 pecially with respect to policies and procedures used
 17 to adjudicate alleged violations of such section.

18 “(3) PRIVATE RIGHT OF ACTION FOR DISCLO-
 19 SURES OF WHISTLEBLOWER IDENTITY IN VIOLATION
 20 OF PROHIBITION AGAINST REPRISALS.—Subject to
 21 paragraph (4), in a case in which an employee of an
 22 agency takes a personnel action described in sub-
 23 section (a)(3)(J) against an employee of a covered
 24 intelligence community element as a reprisal in vio-
 25 lation of subsection (b) or in a case in which an em-

1 ployee or contractor employee takes a personnel ac-
 2 tion described in subsection (a)(3)(J) against an-
 3 other contractor employee as a reprisal in violation
 4 of subsection (c), the employee or contractor em-
 5 ployee against whom the personnel action was taken
 6 may, consistent with section 1221 of title 5, United
 7 States Code, bring a private action for all appro-
 8 priate remedies, including injunctive relief and com-
 9 pensatory and punitive damages, in an amount not
 10 to exceed \$250,000, against the agency of the em-
 11 ployee or contracting agency of the contractor em-
 12 ployee who took the personnel action, in a Federal
 13 district court of competent jurisdiction.

14 “(4) REQUIREMENTS.—

15 “(A) REVIEW BY INSPECTOR GENERAL
 16 AND BY EXTERNAL REVIEW PANEL.—Before
 17 the employee or contractor employee may bring
 18 a private action under paragraph (3), the em-
 19 ployee or contractor employee shall exhaust ad-
 20 ministrative remedies by—

21 “(i) first, obtaining a disposition of
 22 their claim by requesting review of the ap-
 23 propriate inspector general; and

24 “(ii) second, if the review under clause
 25 (i) does not substantiate reprisal, by sub-

mitting to the Inspector General of the Intelligence Community a request for a review of the claim by an external review panel under section 1106.

“(B) PERIOD TO BRING ACTION.—The employee or contractor employee may bring a private right of action under paragraph (3) during the 180-day period beginning on the date on which the employee or contractor employee is notified of the final disposition of their claim under section 1106.”.

SEC. 604. DEFINITIONS REGARDING WHISTLEBLOWER COMPLAINTS AND INFORMATION OF URGENT CONCERN RECEIVED BY INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) NATIONAL SECURITY ACT OF 1947.—Section 103H(k)(5)(G)(i)(I) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)(i)(I)) is amended by striking “within the” and all that follows through “policy matters.” and inserting the following: “of the Federal Government that is—

“(aa) a matter of national security; and

1 “(bb) not a difference of
 2 opinion concerning public policy
 3 matters.”.

4 (b) INSPECTOR GENERAL ACT OF 1978.—Section
 5 8H(h)(1)(A)(i) of the Inspector General Act of 1978 (5
 6 U.S.C. App.) is amended by striking “involving” and all
 7 that follows through “policy matters.” and inserting the
 8 following: “of the Federal Government that is—

9 “(I) a matter of national secu-
 10 rity; and

11 “(II) not a difference of opinion
 12 concerning public policy matters.”.

13 (c) CENTRAL INTELLIGENCE AGENCY ACT OF
 14 1949.—Section 17(d)(5)(G)(i)(I)(aa) of the Central Intel-
 15 ligence Agency Act of 1949 (50 U.S.C.
 16 3517(d)(5)(G)(i)(I)(aa)) is amended by striking “involv-
 17 ing” and all that follows through “policy matters.” and
 18 inserting the following: “of the Federal Government that
 19 is—

20 “(AA) a matter of na-
 21 tional security; and

22 “(BB) not a difference
 23 of opinion concerning public
 24 policy matters.”.

1 **TITLE VII—OTHER MATTERS**

2 **SEC. 701. IMPROVEMENTS RELATING TO CONTINUITY OF** 3 **PRIVACY AND CIVIL LIBERTIES OVERSIGHT** 4 **BOARD MEMBERSHIP.**

5 Paragraph (4) of section 1061(h) of the Intelligence
6 Reform and Terrorism Prevention Act of 2004 (42 U.S.C.
7 2000ee(h)) is amended to read as follows:

8 “(4) TERM.—

9 “(A) COMMENCEMENT.—Each member of
10 the Board shall serve a term of 6 years, com-
11 mencing on the date of the appointment of the
12 member to the Board.

13 “(B) REAPPOINTMENT.—A member may
14 be reappointed to one or more additional terms.

15 “(C) VACANCY.—A vacancy on the Board
16 shall be filled in the manner in which the origi-
17 nal appointment was made.

18 “(D) EXTENSION.—Upon the expiration of
19 the term of office of a member, the member
20 may continue to serve, at the election of the
21 member—

22 “(i) during the period preceding the
23 reappointment of the member pursuant to
24 subparagraph (B); or

1 “(ii) until the member’s successor has
2 been appointed and qualified.”.

3 **SEC. 702. REPORT BY PUBLIC INTEREST DECLASSIFICA-**
4 **TION BOARD.**

5 (a) REPORT REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Public
7 Interest Declassification Board established by section
8 703(a) of the Public Interest Declassification Act of 2000
9 (50 U.S.C. 3355a(a)) shall submit to Congress a report
10 containing the following:

11 (1) Recommendations to improve the effective-
12 ness of the Information Security Oversight Office
13 (ISOO), including with respect to the following:

14 (A) The placement of the office as a com-
15 ponent of the National Archives and Records
16 Administration or other options.

17 (B) The amount of resources required by
18 the office to perform its missions.

19 (C) The advisability of authorizing the of-
20 fice in statute.

21 (2) Recommendations for improving Executive
22 Order 13526 (50 U.S.C. 3161 note; relating to clas-
23 sified national security information).

24 (3) Such updates as the Board may have to its
25 report of May 2020 entitled “A Vision for the Dig-

1 ital Age: Modernization of the U.S. National Secu-
 2 rity Classification and Declassification System”, in-
 3 cluding the recommendation to designate the Direc-
 4 tor of National Intelligence as the executive agent
 5 for the Federal Government for declassification.

6 (b) FORM.—The report submitted under subsection
 7 (a) shall be submitted in unclassified form that is suitable
 8 for release to the public.

9 **SEC. 703. MODIFICATION OF REQUIREMENT FOR OFFICE**
 10 **TO ADDRESS UNIDENTIFIED AEROSPACE-UN-**
 11 **DERSEA PHENOMENA.**

12 (a) IN GENERAL.—Section 1683 of the National De-
 13 fense Authorization Act for Fiscal Year 2022 (50 U.S.C.
 14 3373) is amended to read as follows:

15 **“SEC. 1683. ESTABLISHMENT OF UNIDENTIFIED AERO-**
 16 **SPACE-UNDERSEA PHENOMENA JOINT PRO-**
 17 **GRAM OFFICE.**

18 “(a) ESTABLISHMENT OF OFFICE.—

19 “(1) IN GENERAL.—Not later than 120 days
 20 after the date of the enactment of the Intelligence
 21 Authorization Act for Fiscal Year 2023, the Sec-
 22 retary of Defense, in coordination with the Director
 23 of National Intelligence, shall establish an office
 24 within a component of the Office of the Secretary of
 25 Defense, or within a joint organization of the De-

1 partment of Defense and the Office of the Director
2 of National Intelligence, to carry out the duties of
3 the Unidentified Aerial Phenomena Task Force, as
4 in effect on December 26, 2021, and such other du-
5 ties as are required by this section, including those
6 pertaining to—

7 “(A) transmedium objects or devices and
8 unidentified aerospace-undersea phenomena;

9 “(B) space, atmospheric, and water do-
10 mains; and

11 “(C) currently unknown technology and
12 other domains.

13 “(2) DESIGNATION.—The office established
14 under paragraph (1) shall be known as the ‘Uniden-
15 tified Aerospace-Undersea Phenomena Joint Pro-
16 gram Office’ (in this section referred to as the ‘Of-
17 fice’).

18 “(b) DIRECTOR AND DEPUTY DIRECTOR OF THE OF-
19 FICE.—

20 “(1) APPOINTMENT OF DIRECTOR.—The head
21 of the Office shall be the Director of the Unidenti-
22 fied Aerospace-Undersea Phenomena Joint Program
23 Office (in this section referred to as the ‘Director of
24 the Office’), who shall be appointed by the Secretary
25 of Defense.

1 “(2) APPOINTMENT OF DEPUTY DIRECTOR.—

2 There shall be in the Office a Deputy Director of the
3 Unidentified Aerospace-Undersea Phenomena Joint
4 Program Office (in this section referred to as the
5 ‘Deputy Director of the Office’), who shall be ap-
6 pointed by the Director of National Intelligence.

7 “(3) REPORTING.—(A) The Director of the Of-
8 fice shall report to the Secretary of Defense.

9 “(B) The Deputy Director of the Office shall
10 report—

11 “(i) to the Secretary of Defense and the
12 Director of National Intelligence on all adminis-
13 trative matters of the Office; and

14 “(ii) to the Secretary of Defense on all
15 operational matters of the Office.

16 “(c) DUTIES.—The duties of the Office shall include
17 the following:

18 “(1) Developing procedures to synchronize and
19 standardize the collection, reporting, and analysis of
20 incidents, including adverse physiological effects, re-
21 garding unidentified aerospace-undersea phenomena
22 across the Department of Defense and the intel-
23 ligence community, in consultation with the Director
24 of National Intelligence, and submitting a report on
25 such procedures to the congressional defense com-

1 mittees, the congressional intelligence committees,
2 and congressional leadership.

3 “(2) Developing processes and procedures to
4 ensure that such incidents from each component of
5 the Department and each element of the intelligence
6 community are reported and incorporated in a cen-
7 tralized repository.

8 “(3) Establishing procedures to require the
9 timely and consistent reporting of such incidents.

10 “(4) Evaluating links between unidentified
11 aerospace-undersea phenomena and adversarial for-
12 eign governments, other foreign governments, or
13 nonstate actors.

14 “(5) Evaluating the threat that such incidents
15 present to the United States.

16 “(6) Coordinating with other departments and
17 agencies of the Federal Government, as appropriate,
18 including the Federal Aviation Administration, the
19 National Aeronautics and Space Administration, the
20 Department of Homeland Security, the National
21 Oceanic and Atmospheric Administration, the Na-
22 tional Science Foundation, and the Department of
23 Energy.

24 “(7) Coordinating with allies and partners of
25 the United States, as appropriate, to better assess

1 the nature and extent of unidentified aerospace-un-
2 dersea phenomena.

3 “(8) Preparing reports for Congress, in both
4 classified and unclassified form, including under
5 subsection (j).

6 “(9) Ensuring that appropriate elements of the
7 intelligence community receive all reports received by
8 the Office regarding a temporary nonattributed ob-
9 ject or an object that is positively identified as man-
10 made, including by creating a procedure to ensure
11 that the Office refers such reports to an appropriate
12 element of the intelligence community for distribu-
13 tion among other relevant elements of the intel-
14 ligence community, in addition to the reports in the
15 repository described in paragraph (2).

16 “(d) RESPONSE TO AND FIELD INVESTIGATIONS OF
17 UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—

18 “(1) DESIGNATION.—The Secretary, in coordi-
19 nation with the Director of National Intelligence,
20 shall designate one or more line organizations within
21 the Department of Defense and the intelligence com-
22 munity that possess appropriate expertise, authori-
23 ties, accesses, data, systems, platforms, and capabili-
24 ties to rapidly respond to, and conduct field inves-
25 tigations of, incidents involving unidentified aero-

1 space-undersea phenomena under the direction of
2 the Director of the Office.

3 “(2) ABILITY TO RESPOND.—The Secretary, in
4 coordination with the Director of National Intel-
5 ligence, shall ensure that each line organization des-
6 ignated under paragraph (1) has adequate personnel
7 with the requisite expertise, equipment, transpor-
8 tation, and other resources necessary to respond
9 rapidly to incidents or patterns of observations in-
10 volving unidentified aerospace-undersea phenomena
11 of which the Office becomes aware.

12 “(e) SCIENTIFIC, TECHNOLOGICAL, AND OPER-
13 ATIONAL ANALYSES OF DATA ON UNIDENTIFIED AERO-
14 SPACE-UNDERSEA PHENOMENA.—

15 “(1) DESIGNATION.—The Secretary, in coordi-
16 nation with the Director of National Intelligence,
17 shall designate one or more line organizations that
18 will be primarily responsible for scientific, technical,
19 and operational analysis of data gathered by field in-
20 vestigations conducted pursuant to subsection (d)
21 and data from other sources, including with respect
22 to the testing of materials, medical studies, and de-
23 velopment of theoretical models, to better under-
24 stand and explain unidentified aerospace-undersea
25 phenomena.

1 “(2) AUTHORITY.—The Secretary and the Di-
 2 rector of National Intelligence shall each issue such
 3 directives as are necessary to ensure that each line
 4 organization designated under paragraph (1) has au-
 5 thority to draw on the special expertise of persons
 6 outside the Federal Government with appropriate se-
 7 curity clearances.

8 “(f) DATA; INTELLIGENCE COLLECTION.—

9 “(1) AVAILABILITY OF DATA AND REPORTING
 10 ON UNIDENTIFIED AEROSPACE-UNDERSEA PHE-
 11 NOMENA.—The Director of National Intelligence and
 12 the Secretary shall each, in coordination with one
 13 another, ensure that—

14 “(A) each element of the intelligence com-
 15 munity with data relating to unidentified aero-
 16 space-undersea phenomena makes such data
 17 available immediately to the Office; and

18 “(B) military and civilian personnel of the
 19 Department of Defense or an element of the in-
 20 telligence community, and contractor personnel
 21 of the Department or such an element, have ac-
 22 cess to procedures by which the personnel shall
 23 report incidents or information, including ad-
 24 verse physiological effects, involving or associ-

1 ated with unidentified aerospace-undersea phe-
2 nomena directly to the Office.

3 “(2) INTELLIGENCE COLLECTION AND ANAL-
4 YSIS PLAN.—The Director of the Office, acting on
5 behalf of the Secretary of Defense and the Director
6 of National Intelligence, shall supervise the develop-
7 ment and execution of an intelligence collection and
8 analysis plan to gain as much knowledge as possible
9 regarding the technical and operational characteris-
10 tics, origins, and intentions of unidentified aero-
11 space-undersea phenomena, including with respect to
12 the development, acquisition, deployment, and oper-
13 ation of technical collection capabilities necessary to
14 detect, identify, and scientifically characterize un-
15 identified aerospace-undersea phenomena.

16 “(3) USE OF RESOURCES AND CAPABILITIES.—
17 In developing the plan under paragraph (2), the Di-
18 rector of the Office shall consider and propose, as
19 the Director of the Office determines appropriate,
20 the use of any resource, capability, asset, or process
21 of the Department and the intelligence community.

22 “(4) DIRECTOR OF THE NATIONAL
23 GEOSPATIAL-INTELLIGENCE AGENCY.—

24 “(A) LEADERSHIP.—The Director of the
25 National Geospatial-Intelligence Agency shall

1 lead the collection efforts of the intelligence
2 community with respect to unidentified aero-
3 space-undersea phenomena geospatial intel-
4 ligence.

5 “(B) BRIEFINGS.—Not later than 90 days
6 after the date of the enactment of the Intel-
7 ligence Authorization Act for Fiscal Year 2023
8 and not less frequently than once every 90 days
9 thereafter, the Director shall brief the congres-
10 sional defense committees, the congressional in-
11 telligence committees, and congressional leader-
12 ship on the activities of the Director under this
13 paragraph.

14 “(g) SCIENCE PLAN.—The Director of the Office, on
15 behalf of the Secretary and the Director of National Intel-
16 ligence, shall supervise the development and execution of
17 a science plan to develop and test, as practicable, scientific
18 theories to—

19 “(1) account for characteristics and perform-
20 ance of unidentified aerospace-undersea phenomena
21 that exceed the known state of the art in science or
22 technology, including in the areas of propulsion, aer-
23 odynamic control, signatures, structures, materials,
24 sensors, countermeasures, weapons, electronics, and
25 power generation; and

1 “(2) provide the foundation for potential future
2 investments to replicate or otherwise better under-
3 stand any such advanced characteristics and per-
4 formance.

5 “(h) ASSIGNMENT OF PRIORITY.—The Director of
6 National Intelligence, in consultation with, and with the
7 recommendation of the Secretary, shall assign an appro-
8 priate level of priority within the National Intelligence Pri-
9 orities Framework to the requirement to understand,
10 characterize, and respond to unidentified aerospace-under-
11 sea phenomena.

12 “(i) CORE GROUP.—Not later than 180 days after
13 the date of the enactment of the Intelligence Authorization
14 Act for Fiscal Year 2023, the Director of the Office, the
15 Secretary of Defense, and the Director of National Intel-
16 ligence shall jointly establish a core group within the Of-
17 fice that shall include, at a minimum, representatives with
18 all relevant and appropriate security clearances from the
19 following:

20 “(1) The Central Intelligence Agency.

21 “(2) The National Security Agency.

22 “(3) The Department of Energy.

23 “(4) The National Reconnaissance Office.

24 “(5) The Air Force.

25 “(6) The Space Force.

1 “(7) The Defense Intelligence Agency.

2 “(8) The National Geospatial-Intelligence Agen-
3 cy.

4 “(j) ANNUAL REPORTS.—

5 “(1) REPORTS FROM DIRECTOR OF NATIONAL
6 INTELLIGENCE.—

7 “(A) REQUIREMENT.—Not later than 180
8 days after the date of the enactment of the In-
9 telligence Authorization Act for Fiscal Year
10 2023, and annually thereafter for 4 years, the
11 Director of National Intelligence, in consulta-
12 tion with the Secretary, shall submit to the ap-
13 propriate congressional committees a report on
14 unidentified aerospace-undersea phenomena.

15 “(B) ELEMENTS.—Each report under sub-
16 paragraph (A) shall include, with respect to the
17 year covered by the report, the following infor-
18 mation:

19 “(i) All reported unidentified aero-
20 space-undersea phenomena-related events
21 that occurred during the one-year period.

22 “(ii) All reported unidentified aero-
23 space-undersea phenomena-related events
24 that occurred during a period other than

1 that one-year period but were not included
2 in an earlier report.

3 “(iii) An analysis of data and intel-
4 ligence received through each reported un-
5 identified aerospace-undersea phenomena-
6 related event.

7 “(iv) An analysis of data relating to
8 unidentified aerospace-undersea phe-
9 nomena collected through—

10 “(I) geospatial intelligence;

11 “(II) signals intelligence;

12 “(III) human intelligence; and

13 “(IV) measurement and signa-
14 ture intelligence.

15 “(v) The number of reported incidents
16 of unidentified aerospace-undersea phe-
17 nomena over restricted airspace of the
18 United States during the one-year period.

19 “(vi) An analysis of such incidents
20 identified under clause (v).

21 “(vii) Identification of potential aero-
22 space or other threats posed by unidenti-
23 fied aerospace-undersea phenomena to the
24 national security of the United States.

1 “(viii) An assessment of any activity
2 regarding unidentified aerospace-undersea
3 phenomena that can be attributed to one
4 or more adversarial foreign governments.

5 “(ix) Identification of any incidents or
6 patterns regarding unidentified aerospace-
7 undersea phenomena that indicate a poten-
8 tial adversarial foreign government may
9 have achieved a breakthrough aerospace
10 capability.

11 “(x) An update on the coordination by
12 the United States with allies and partners
13 on efforts to track, understand, and ad-
14 dress unidentified aerospace-undersea phe-
15 nomena.

16 “(xi) An update on any efforts under-
17 way on the ability to capture or exploit dis-
18 covered unidentified aerospace-undersea
19 phenomena.

20 “(xii) An assessment of any health re-
21 lated effects for individuals that have en-
22 countered unidentified aerospace-undersea
23 phenomena.

24 “(xiii) The number of reported inci-
25 dents, and descriptions thereof, of uniden-

1 tified aerospace-undersea phenomena asso-
2 ciated with military nuclear assets, includ-
3 ing strategic nuclear weapons and nuclear-
4 powered ships and submarines.

5 “(xiv) In consultation with the Admin-
6 istrator for Nuclear Security, the number
7 of reported incidents, and descriptions
8 thereof, of unidentified aerospace-undersea
9 phenomena associated with facilities or as-
10 sets associated with the production, trans-
11 portation, or storage of nuclear weapons or
12 components thereof.

13 “(xv) In consultation with the Chair-
14 man of the Nuclear Regulatory Commis-
15 sion, the number of reported incidents, and
16 descriptions thereof, of unidentified aero-
17 space-undersea phenomena or drones of
18 unknown origin associated with nuclear
19 power generating stations, nuclear fuel
20 storage sites, or other sites or facilities
21 regulated by the Nuclear Regulatory Com-
22 mission.

23 “(xvi) The names of the line organiza-
24 tions that have been designated to perform
25 the specific functions under subsections (d)

1 and (e), and the specific functions for
2 which each such line organization has been
3 assigned primary responsibility.

4 “(C) FORM.—Each report submitted under
5 subparagraph (A) shall be submitted in unclas-
6 sified form, but may include a classified annex.

7 “(2) REPORTS FROM ELEMENTS OF INTEL-
8 LIGENCE COMMUNITY.—Not later than one year
9 after the date of enactment of the Intelligence Au-
10 thorization Act for Fiscal Year 2023, and annually
11 thereafter, each head of an element of the intel-
12 ligence community shall submit to the congressional
13 defense committees, the congressional intelligence
14 committees, and congressional leadership a report on
15 the activities of the element of the head undertaken
16 in the past year to support the Office, including a
17 section prepared by the Office that includes a de-
18 tailed description of the coordination between the
19 Office and the element of the intelligence commu-
20 nity, any concerns with such coordination, and any
21 recommendations for improving such coordination.

22 “(k) SEMIANNUAL BRIEFINGS.—

23 “(1) REQUIREMENT.—Not later than December
24 31, 2022, and not less frequently than semiannually
25 thereafter until December 31, 2026, the Director of

1 the Office shall provide to the congressional commit-
2 tees specified in subparagraphs (A), (B), and (D) of
3 subsection (o)(1) classified briefings on unidentified
4 aerospace-undersea phenomena.

5 “(2) FIRST BRIEFING.—The first briefing pro-
6 vided under paragraph (1) shall include all incidents
7 involving unidentified aerospace-undersea phe-
8 nomena that were reported to the Unidentified Aer-
9 ial Phenomena Task Force or to the Office estab-
10 lished under subsection (a) after June 24, 2021, re-
11 gardless of the date of occurrence of the incident.

12 “(3) SUBSEQUENT BRIEFINGS.—Each briefing
13 provided subsequent to the first briefing described in
14 paragraph (2) shall include, at a minimum, all
15 events relating to unidentified aerospace-undersea
16 phenomena that occurred during the previous 180
17 days, and events relating to unidentified aerospace-
18 undersea phenomena that were not included in an
19 earlier briefing.

20 “(4) INSTANCES IN WHICH DATA WAS NOT
21 SHARED.—For each briefing period, the Director of
22 the Office shall jointly provide to the chairman or
23 chair and the ranking member or vice chairman of
24 the congressional committees specified in subpara-
25 graphs (A) and (D) of subsection (o)(1) an enu-

1 meration of any instances in which data relating to
2 unidentified aerospace-undersea phenomena was not
3 provided to the Office because of classification re-
4 strictions on that data or for any other reason.

5 “(1) QUARTERLY BRIEFINGS.—

6 “(1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of the Intelligence
8 Authorization Act for Fiscal Year 2023, and not less
9 frequently than once every 90 days thereafter, the
10 Director of the Office shall provide the congressional
11 defense committees, the congressional intelligence
12 committees, and congressional leadership briefings
13 on unidentified aerospace-undersea phenomena
14 events.

15 “(2) ELEMENTS.—The briefings provided under
16 paragraph (1) shall include the following:

17 “(A) A continuously updated compendium
18 of unidentified aerospace-undersea phenomena
19 events.

20 “(B) Details about each sighting that has
21 occurred within the past 90 days and the status
22 of each sighting’s resolution.

23 “(C) Updates on the Office’s collection ac-
24 tivities and posture, analysis, and research.

1 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated such sums as may be nec-
3 essary to carry out the work of the Office, including with
4 respect to—

5 “(1) general intelligence gathering and intel-
6 ligence analysis; and

7 “(2) strategic defense, space defense, defense of
8 controlled air space, defense of ground, air, or naval
9 assets, and related purposes.

10 “(n) TASK FORCE TERMINATION.—Not later than
11 the date on which the Secretary establishes the Office
12 under subsection (a), the Secretary shall terminate the
13 Unidentified Aerial Phenomena Task Force.

14 “(o) DEFINITIONS.—In this section:

15 “(1) The term ‘appropriate congressional com-
16 mittees’ means the following:

17 “(A) The Committees on Armed Services
18 of the Senate and the House of Representa-
19 tives.

20 “(B) The Committees on Appropriations of
21 the Senate and the House of Representatives.

22 “(C) The Committee on Foreign Relations
23 of the Senate and the Committee on Foreign
24 Affairs of the House of Representatives.

1 “(D) The Select Committee on Intelligence
2 of the Senate and the Permanent Select Com-
3 mittee on Intelligence of the House of Rep-
4 resentatives.

5 “(2) The term ‘congressional defense commit-
6 tees’ has the meaning given such term in section
7 101(a) of title 10, United States Code.

8 “(3) The term ‘congressional intelligence com-
9 mittees’ has the meaning given such term in section
10 3 of the National Security Act of 1947 (50 U.S.C.
11 3003).

12 “(4) The term ‘congressional leadership’
13 means—

14 “(A) the majority leader of the Senate;

15 “(B) the minority leader of the Senate;

16 “(C) the Speaker of the House of Rep-
17 resentatives; and

18 “(D) the minority leader of the House of
19 Representatives.

20 “(5) The term ‘intelligence community’ has the
21 meaning given such term in section 3 of the Na-
22 tional Security Act of 1947 (50 U.S.C. 3003).

23 “(6) The term ‘line organization’ means, with
24 respect to a department or agency of the Federal
25 Government, an organization that executes programs

1 and activities to directly advance the core functions
2 and missions of the department or agency to which
3 the organization is subordinate, but, with respect to
4 the Department of Defense, does not include a com-
5 ponent of the Office of the Secretary of Defense.

6 “(7) The term ‘transmedium objects or devices’
7 means objects or devices that are—

8 “(A) observed to transition between space
9 and the atmosphere, or between the atmosphere
10 and bodies of water; and

11 “(B) not immediately identifiable.

12 “(8) The term ‘unidentified aerospace-undersea
13 phenomena’—

14 “(A) means—

15 “(i) airborne objects that are not im-
16 mediately identifiable;

17 “(ii) transmedium objects or devices;
18 and

19 “(iii) submerged objects or devices
20 that are not immediately identifiable and
21 that display behavior or performance char-
22 acteristics suggesting that the objects or
23 devices may be related to the objects or de-
24 vices described in subparagraph (A) or
25 (B); and

1 “(B) does not include temporary nonattrib-
 2 uted objects or those that are positively identi-
 3 fied as man-made.”.

4 (b) DELEGATION OF DUTIES OF DIRECTOR OF NA-
 5 TIONAL INTELLIGENCE.—Not later than 180 days after
 6 the date of the enactment of this Act, the Director of Na-
 7 tional Intelligence shall select a full-time equivalent em-
 8 ployee of the intelligence community and delegate to such
 9 employee the responsibilities of the Director under section
 10 1683 of such Act (50 U.S.C. 3373), as amended by sub-
 11 section (a).

12 (c) CLERICAL AMENDMENT.—The table of contents
 13 in section 2(b) of such Act is amended by striking the
 14 item relating to section 1683 of division A and inserting
 15 the following new item:

“Sec. 1683. Establishment of Unidentified Aerospace-Undersea Phenomena
 Joint Program Office.”.

16 **SEC. 704. UNIDENTIFIED AEROSPACE-UNDERSEA PHE-**
 17 **NOMENA REPORTING PROCEDURES.**

18 (a) AUTHORIZATION FOR REPORTING.—Notwith-
 19 standing the terms of any nondisclosure written or oral
 20 agreement, order, or other instrumentality or means, that
 21 could be interpreted as a legal constraint on reporting by
 22 a witness of an unidentified aerospace-undersea phe-
 23 nomena, reporting in accordance with the system estab-
 24 lished under subsection (b) is hereby authorized and shall

1 be deemed to comply with any regulation or order issued
2 under the authority of Executive Order 13526 (50 U.S.C.
3 3161 note; relating to classified national security informa-
4 tion) or chapter 18 of the Atomic Energy Act of 1954
5 (42 U.S.C. 2271 et seq.).

6 (b) SYSTEM FOR REPORTING.—

7 (1) ESTABLISHMENT.—The head of the Office,
8 on behalf of the Secretary of Defense and the Direc-
9 tor of National Intelligence, shall establish a secure
10 system for receiving reports of—

11 (A) any event relating to unidentified aero-
12 space-undersea phenomena; and

13 (B) any Government or Government con-
14 tractor activity or program related to unidenti-
15 fied aerospace-undersea phenomena.

16 (2) PROTECTION OF SYSTEMS, PROGRAMS, AND
17 ACTIVITY.—The system established pursuant to
18 paragraph (1) shall serve as a mechanism to prevent
19 unauthorized public reporting or compromise of
20 properly classified military and intelligence systems,
21 programs, and related activity, including all cat-
22 egories and levels of special access and compart-
23 mented access programs, current, historical, and fu-
24 ture.

1 (3) ADMINISTRATION.—The system established
2 pursuant to paragraph (1) shall be administered by
3 designated and widely known, easily accessible, and
4 appropriately cleared Department of Defense and in-
5 telligence community employees or contractors as-
6 signed to the Unidentified Aerial Phenomena Task
7 Force or the Office.

8 (4) SHARING OF INFORMATION.—The system
9 established under paragraph (1) shall provide for the
10 immediate sharing with Office personnel and sup-
11 porting analysts and scientists of information pre-
12 viously prohibited from reporting under any non-
13 disclosure written or oral agreement, order, or other
14 instrumentality or means, except in cases where the
15 cleared Government personnel administering such
16 system conclude that the preponderance of informa-
17 tion available regarding the reporting indicates that
18 the observed object and associated events and activi-
19 ties likely relate to a special access program or com-
20 partmented access program that, as of the date of
21 the reporting, has been explicitly and clearly re-
22 ported to the congressional defense committees and
23 congressional intelligence committees, and is docu-
24 mented as meeting those criteria.

1 (5) INITIAL REPORT AND PUBLICATION.—Not
2 later than 180 days after the date of the enactment
3 of this Act, the head of the Office, on behalf of the
4 Secretary and the Director, shall—

5 (A) submit to the congressional intelligence
6 committees, the congressional defense commit-
7 tees, and congressional leadership a report de-
8 tailing the system established under paragraph
9 (1); and

10 (B) make available to the public on a
11 website of the Department of Defense informa-
12 tion about such system, including clear public
13 guidance for accessing and using such system
14 and providing feedback about the expected
15 timeline to process a report.

16 (6) ANNUAL REPORTS.—Subsection (j)(1) of
17 section 1683 of the National Defense Authorization
18 Act for Fiscal Year 2022 (50 U.S.C. 3373), as
19 amended by section 703, is further amended—

20 (A) in subparagraph (A), by inserting
21 “and congressional leadership” after “appro-
22 priate congressional committees”; and

23 (B) in subparagraph (B), by adding at the
24 end the following new clause:

1 “(xvii) A summary of the reports re-
2 ceived using the system established under
3 section 703(b)(1) of the Intelligence Au-
4 thorization Act for Fiscal Year 2023.”.

5 (c) RECORDS OF NONDISCLOSURE AGREEMENTS.—

6 (1) IDENTIFICATION OF NONDISCLOSURE
7 AGREEMENTS.—The Secretary of Defense, the Di-
8 rector of National Intelligence, the Secretary of
9 Homeland Security, the heads of such other depart-
10 ments and agencies of the Federal Government that
11 have supported investigations of the types of events
12 covered by subparagraph (A) of subsection (b)(1)
13 and activities and programs described in subpara-
14 graph (B) of such subsection, and contractors of the
15 Federal Government supporting such activities and
16 programs shall conduct comprehensive searches of
17 all records relating to nondisclosure orders or agree-
18 ments or other obligations relating to the types of
19 events described in subsection (a) and provide copies
20 of all relevant documents to the Office.

21 (2) SUBMITTAL TO CONGRESS.—The head of
22 the Office shall—

23 (A) make the records compiled under para-
24 graph (1) accessible to the congressional intel-

1 ligence committees, the congressional defense
2 committees, and congressional leadership; and

3 (B) not later than September 30, 2023,
4 and at least once each fiscal year thereafter
5 through fiscal year 2026, provide to such com-
6 mittees and congressional leadership briefings
7 and reports on such records.

8 (d) PROTECTION FROM LIABILITY AND PRIVATE
9 RIGHT OF ACTION.—

10 (1) PROTECTION FROM LIABILITY.—It shall not
11 be a violation of any law, and no cause of action
12 shall lie or be maintained in any court or other tri-
13 bunal against any person, for reporting any informa-
14 tion through, and in compliance with, the system es-
15 tablished pursuant to subsection (b)(1).

16 (2) PROHIBITION ON REPRISALS.—An employee
17 of a Federal agency and an employee of a contractor
18 for the Federal Government who has authority to
19 take, direct others to take, recommend, or approve
20 any personnel action, shall not, with respect to such
21 authority, take or fail to take, or threaten to take
22 or fail to take, a personnel action, including the rev-
23 ocation or suspension of security clearances, with re-
24 spect to any individual as a reprisal for any report-
25 ing as described in paragraph (1).

1 (3) PRIVATE RIGHT OF ACTION.—In a case in
2 which an employee described in paragraph (2) takes
3 a personnel action against an individual in violation
4 of such paragraph, the individual may bring a pri-
5 vate civil action for all appropriate remedies, includ-
6 ing injunctive relief and compensatory and punitive
7 damages, against the Government or other employer
8 who took the personnel action, in a Federal district
9 court of competent jurisdiction.

10 (e) REVIEW BY INSPECTORS GENERAL.—Not later
11 than one year after the date of the enactment of this Act,
12 the Inspector General of the Department of Defense and
13 the Inspector General of the Intelligence Community shall
14 each—

15 (1) conduct an assessment of the compliance
16 with the requirements of this section and the oper-
17 ation and efficacy of the system established under
18 subsection (b); and

19 (2) submit to the congressional intelligence
20 committees, the congressional defense committees,
21 and congressional leadership a report on their re-
22 spective findings with respect to the assessments
23 they conducted under paragraph (1).

24 (f) DEFINITIONS.—In this section:

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

4 (2) The term “congressional leadership”
5 means—

6 (A) the majority leader of the Senate;

7 (B) the minority leader of the Senate;

8 (C) the Speaker of the House of Rep-
9 resentatives; and

10 (D) the minority leader of the House of
11 Representatives.

12 (3) The term “Office” means the office estab-
13 lished under section 1683(a) of the National Defense
14 Authorization Act for Fiscal Year 2022 (50 U.S.C.
15 3373(a)), as amended by section 703.

16 (4) The term “personnel action” has the mean-
17 ing given such term in section 1104(a) of the Na-
18 tional Security Act of 1947 (50 U.S.C. 3234(a)).

19 (5) The term “unidentified aerospace-undersea
20 phenomena” has the meaning given such term in
21 section 1683(o) of the National Defense Authoriza-
22 tion Act for Fiscal Year 2022 (50 U.S.C. 3373(o)),
23 as amended by section 703.

1 **SEC. 705. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES COMPILATION OF UNIDENTIFIED**
3 **AEROSPACE-UNDERSEA PHENOMENA**
4 **RECORDS.**

5 (a) DEFINITION OF UNIDENTIFIED AEROSPACE-UN-
6 DERSEA PHENOMENA.—In this section, the term “uniden-
7 tified aerospace-undersea phenomena” has the meaning
8 given such term in section 1683(o) of the National De-
9 fense Authorization Act for Fiscal Year 2022 (50 U.S.C.
10 3373(o)), as amended by section 703.

11 (b) COMPILATION REQUIRED.—Not later than one
12 year after the date of the enactment of this Act, the Comp-
13 troller General of the United States shall—

14 (1) commence a review of the records and docu-
15 ments of the intelligence community, oral history
16 interviews, open source analytic analysis, interviews
17 of current and former government officials, classified
18 and unclassified national archives (including those
19 records any third party obtained pursuant to section
20 552 of title 5, United States Code (commonly known
21 as the “Freedom of Information Act” or “FOIA”)),
22 and such other relevant historical sources as the
23 Comptroller General considers appropriate; and

24 (2) for the period beginning on January 1,
25 1947, and ending on the date on which the Comp-
26 troller General completes activities under this sub-

1 section, compile and itemize a complete historical
2 record of the intelligence community's involvement
3 with unidentified aerospace-undersea phenomena, in-
4 cluding successful or unsuccessful efforts to identify
5 and track unidentified aerospace-undersea phe-
6 nomena, and any intelligence community efforts to
7 obfuscate, manipulate public opinion, hide, or other-
8 wise provide unclassified or classified misinformation
9 about unidentified aerospace-undersea phenomena or
10 related activities, based on the review conducted
11 under paragraph (1).

12 (c) REPORT.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date on which the Comptroller General
15 completes the compilation and itemization required
16 by subsection (b)(2), the Comptroller General shall
17 submit to Congress a report summarizing the histor-
18 ical record described in such subsection.

19 (2) RESOURCES.—The report submitted under
20 paragraph (1) shall include citations to the resources
21 relied upon and instructions as to how the resources
22 can be accessed.

23 (3) FORM.—The report submitted under para-
24 graph (1) shall be submitted in unclassified form,
25 but may include a classified annex as necessary.

1 (d) COOPERATION OF INTELLIGENCE COMMUNITY.—

2 The heads of elements of the intelligence community
3 whose participation the Comptroller General deems nec-
4 essary to carry out subsections (b) and (c), including the
5 Director of National Intelligence, the Under Secretary of
6 Defense for Intelligence and Security, and the Director of
7 the Unidentified Aerospace-Undersea Phenomena Joint
8 Program Office, shall fully cooperate with the Comptroller
9 General and provide to the Comptroller General such in-
10 formation as the Comptroller General determines nec-
11 essary to carry out such subsections.

12 (e) ACCESS TO RECORDS OF THE NATIONAL AR-
13 CHIVES AND RECORDS ADMINISTRATION.—The Archivist
14 of the United States shall make available to the Comp-
15 troller General such information maintained by the Na-
16 tional Archives and Records Administration, including
17 classified information, as the Comptroller General con-
18 sidered necessary to carry out subsections (b) and (c).

19 **SEC. 706. OFFICE OF GLOBAL COMPETITION ANALYSIS.**

20 (a) DEFINITIONS.—In this section:

21 (1) EXECUTIVE AGENCY.—The term “Executive
22 agency” has the meaning given such term in section
23 105 of title 5, United States Code.

1 (2) OFFICE.—The term “Office” means the Of-
2 fice of Global Competition Analysis established
3 under subsection (b).

4 (b) ESTABLISHMENT.—

5 (1) IN GENERAL.—The President shall establish
6 an office on analysis of global competition.

7 (2) PURPOSES.—The purposes of the Office are
8 as follows:

9 (A) To carry out a program of analysis on
10 United States leadership in technology and in-
11 novation sectors critical to national security and
12 economic prosperity relative to other countries,
13 particularly those countries that are strategic
14 competitors of the United States.

15 (B) To support policy development and de-
16 cision making to ensure United States leader-
17 ship in technology and innovation sectors crit-
18 ical to national security and economic pros-
19 perity.

20 (3) DESIGNATION.—The Office shall be known
21 as the “Office of Global Competition Analysis”.

22 (c) ACTIVITIES.—In accordance with the priorities
23 determined under subsection (d), the Office shall—

24 (1) acquire and prepare data relating to the
25 purposes of the Office under subsection (b), includ-

1 ing data relating to critical technologies, innovation,
2 and production capacity in the United States and
3 other countries, consistent with applicable provisions
4 of law;

5 (2) conduct long- and short-term analysis re-
6 garding—

7 (A) United States policies that enable tech-
8 nological competitiveness relative to those of
9 other countries, particularly with respect to
10 countries that are strategic competitors of the
11 United States;

12 (B) United States science and technology
13 ecosystem elements relative to those of other
14 countries, particularly with respect to countries
15 that are strategic competitors of the United
16 States;

17 (C) United States competitiveness in tech-
18 nology and innovation sectors critical to na-
19 tional security and economic prosperity relative
20 to other countries, including the availability of
21 United States technology in such sectors
22 abroad, particularly with respect to countries
23 that are strategic competitors of the United
24 States;

1 (D) trends and trajectories, including rate
2 of change in technologies, related to technology
3 and innovation sectors critical to national secu-
4 rity and economic prosperity;

5 (E) threats to United States national secu-
6 rity interests as a result of any foreign coun-
7 try's dependence on technologies of strategic
8 competitors of the United States; and

9 (F) threats to United States interests
10 based on dependencies on foreign technologies
11 critical to national security and economic pros-
12 perity; and

13 (3) engage with private sector entities on mat-
14 ters relating to analysis under paragraph (2).

15 (d) DETERMINATION OF PRIORITIES.—On a periodic
16 basis, the Director of the Office of Science and Technology
17 Policy, the Assistant to the President for Economic Policy,
18 the Assistant to the President for National Security Af-
19 fairs, the Secretary of Commerce, the Director of National
20 Intelligence, the Secretary of Defense, the Secretary of
21 Energy, and the Secretary of State shall, in coordination
22 with such heads of Executive agencies as such Directors,
23 Assistants, and Secretaries jointly consider appropriate,
24 jointly determine the priorities of the Office with respect
25 to subsection (b)(2)(A).

1 (e) ADMINISTRATION.—

2 (1) IN GENERAL.—To carry out the purposes
3 set forth under subsection (b)(2), the Office shall
4 enter into an agreement with a public-private or a
5 federally funded research and development center, a
6 university affiliated research center, or consortium
7 of federally funded research and development cen-
8 ters, and university affiliated research centers.

9 (2) LIMITATION.—Of the amount authorized to
10 be appropriated by subsection (i) to carry out this
11 section, not more than 5 percent may be used for
12 administrative expenses.

13 (f) ACCESS TO, USE, AND HANDLING OF INFORMA-
14 TION.—

15 (1) FEDERAL INFORMATION.—In carrying out
16 the activities under subsection (c), the Office shall
17 have access to all information, data, or reports of
18 any Executive agency that the Office determines
19 necessary to carry out this section—

20 (A) upon written request;

21 (B) subject to limitations under applicable
22 provisions of law; and

23 (C) consistent with the protection of
24 sources and methods, law enforcement stric-
25 tures, protection of proprietary information of

1 businesses, and protection of personally identifi-
2 able information.

3 (2) COMMERCIAL INFORMATION.—The Office
4 may obtain commercially available information that
5 may not be publicly available.

6 (3) USE OF INFORMATION.—The Office may
7 use information obtained under this subsection for
8 purposes set forth under subsection (b)(2).

9 (4) HANDLING OF INFORMATION.—The Office
10 shall handle information obtained under this sub-
11 section subject to all restrictions required by the
12 source of the information.

13 (g) ADDITIONAL SUPPORT.—A head of an Executive
14 agency may provide to the Office such support, in the form
15 of financial assistance and personnel, as the head con-
16 siderers appropriate to assist the Office in carrying out any
17 activity under subsection (c), consistent with the priorities
18 determined under subsection (d).

19 (h) ANNUAL REPORT.—Not less frequently than once
20 each year, the Office shall submit to Congress a report
21 on the activities of the Office under this section.

22 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$20,000,000 for fiscal year 2023.

1 **SEC. 707. REPORT ON TRACKING AND COLLECTING PRE-**
2 **CURSOR CHEMICALS USED IN THE PRODUC-**
3 **TION OF SYNTHETIC OPIOIDS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Director of the Cen-
6 tral Intelligence Agency shall submit to the congressional
7 intelligence committees a report on—

8 (1) any gaps or challenges related to tracking
9 licit precursor chemicals that are bound for illicit
10 use in the production of synthetic opioids; and

11 (2) any gaps in authorities related to the collec-
12 tion of licit precursor chemicals that have been rout-
13 ed toward illicit supply chains.

14 (b) FORM OF REPORT.—The report submitted under
15 subsection (a) shall be submitted in unclassified form, but
16 may include a classified annex.

17 **SEC. 708. ASSESSMENT AND REPORT ON MASS MIGRATION**
18 **IN THE WESTERN HEMISPHERE.**

19 (a) IN GENERAL.—Not later than 90 days after the
20 date of the enactment of this Act, the Director of National
21 Intelligence shall assess, and submit to the congressional
22 intelligence committees a report on—

23 (1) the threats to the interests of the United
24 States created or enhanced by, or associated with,
25 the mass migration of people within the Western

1 Hemisphere, particularly to the southern border of
 2 the United States;

3 (2) the use of or the threat of using mass mi-
 4 gration in the Western Hemisphere by the regime of
 5 Nicolás Maduro in Venezuela and the regime of
 6 Miguel Díaz-Canel and Raúl Castro in Cuba—

7 (A) to effectively curate populations so
 8 that people who remain in those countries are
 9 powerless to meaningfully dissent;

10 (B) to extract diplomatic concessions from
 11 the United States; and

12 (C) to enable the increase of remittances
 13 from migrants residing in the United States as
 14 a result of the mass migration to help finance
 15 the regimes in Venezuela and Cuba; and

16 (3) any gaps in resources, collection capabili-
 17 ties, or authorities relating to the ability of the intel-
 18 ligence community to timely identify the threats de-
 19 scribed in paragraphs (1) and (2), and recommenda-
 20 tions for addressing those gaps.

21 (b) FORM OF REPORT.—The report submitted under
 22 paragraph (1) shall be submitted in unclassified form, but
 23 may include a classified annex.

1 **SEC. 709. NOTIFICATIONS REGARDING TRANSFERS OF DE-**
2 **TAINÉES AT UNITED STATES NAVAL STATION**
3 **GUANTANAMO BAY, CUBA.**

4 (a) DEFINITIONS.—In this section:

5 (1) APPROPRIATE MEMBERS OF CONGRESS.—

6 The term “appropriate Members of Congress”
7 means—

8 (A) the majority leader and minority lead-
9 er of the Senate;

10 (B) the Chairman and Ranking Member of
11 the Committee on Armed Services of the Sen-
12 ate;

13 (C) the Chairman and Vice Chairman of
14 the Select Committee on Intelligence of the
15 Senate;

16 (D) the Chairman and Vice Chairman of
17 the Committee on Appropriations of the Senate;

18 (E) the Chairman and Ranking Member of
19 the Committee on Foreign Relations of the Sen-
20 ate;

21 (F) the Speaker of the House of Rep-
22 resentatives;

23 (G) the minority leader of the House of
24 Representatives;

1 (H) the Chairman and Ranking Member of
2 the Committee on Armed Services of the House
3 of Representatives;

4 (I) the Chairman and Ranking Member of
5 the Permanent Select Committee on Intelligence
6 of the House of Representatives;

7 (J) the Chair and Ranking Member of the
8 Committee on Appropriations of the House of
9 Representatives; and

10 (K) the Chairman and Ranking Member of
11 the Committee on Foreign Affairs of the House
12 of Representatives.

13 (2) INDIVIDUAL DETAINED AT GUANTANAMO.—
14 The term “individual detained at Guantanamo” has
15 the meaning given that term in section 1034(f)(2) of
16 the National Defense Authorization Act for Fiscal
17 Year 2016 (Public Law 114–92; 129 Stat. 971; 10
18 U.S.C. 801 note).

19 (3) PERIODIC REVIEW BOARD.—The term
20 “Periodic Review Board” has the meaning given
21 that term in section 9 of Executive Order 13567 (10
22 U.S.C. 801 note; relating to periodic review of indi-
23 viduals detained at Naval Station Guantanamo Bay
24 pursuant to the Authorization for Use of Military
25 Force).

1 (4) REVIEW COMMITTEE.—The term “Review
2 Committee” has the meaning given that term in sec-
3 tion 9 of Executive Order 13567 (10 U.S.C. 801
4 note; relating to periodic review of individuals de-
5 tained at Naval Station Guantanamo Bay pursuant
6 to the Authorization for Use of Military Force).

7 (b) NOTIFICATIONS REQUIRED.—

8 (1) ELIGIBILITY FOR TRANSFER.—Not later
9 than 3 days after a Periodic Review Board or Re-
10 view Committee makes a final determination that
11 the continued law of war detention of an individual
12 detained at Naval Station Guantanamo Bay is not
13 warranted, the Secretary of Defense shall submit to
14 the appropriate Members of Congress a notification
15 of that determination.

16 (2) TRANSFER.—Not less than 10 days prior to
17 the transfer of any individual detained at Naval Sta-
18 tion Guantanamo Bay, the Secretary of State shall
19 submit to the appropriate Members of Congress a
20 notification of the transfer.

21 (c) MATTERS TO BE INCLUDED.—Each notification
22 submitted under subsection (b)(2) shall include the fol-
23 lowing:

24 (1) The name and country of origin of the indi-
25 vidual to be transferred.

1 (2) The country to which the individual will be
2 transferred.

3 (3) The date and time of the transfer.

4 (4) A description of the past terrorism activities
5 of the individual.

6 (5) An assessment of the terrorism communica-
7 tions and connections of the individual while at
8 United States Naval Station Guantanamo Bay,
9 Cuba.

10 (6) An assessment of the likelihood of the indi-
11 vidual's return to terrorist activities after the release
12 and transfer of the individual.

13 **SEC. 710. REPORT ON INTERNATIONAL NORMS, RULES, AND**
14 **PRINCIPLES APPLICABLE IN SPACE.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of the enactment of this Act, the Director of National
17 Intelligence, in coordination with the Secretary of Defense,
18 the Secretary of State, the Secretary of Commerce, the
19 Administrator of the National Aeronautics and Space Ad-
20 ministration, and the heads of any other agencies as the
21 Director considers necessary, shall submit to Congress a
22 report on international norms, rules, and principles appli-
23 cable in space.

24 (b) ELEMENTS.—The report submitted under sub-
25 section (a) shall—

1 (1) identify threats to the interests of the
2 United States in space that may be mitigated by
3 international norms, rules, and principles, including
4 such norms, rules, and principles relating to develop-
5 ments in dual-use technology; and

6 (2) identify opportunities for the United States
7 to influence international norms, rules, and prin-
8 ciples applicable in space, including through bilateral
9 and multilateral engagement.

10 (c) FORM.—The report submitted under subsection
11 (a) shall be submitted in unclassified form, but may in-
12 clude a classified annex.

13 **SEC. 711. ASSESSMENTS OF THE EFFECTS OF SANCTIONS**
14 **IMPOSED WITH RESPECT TO THE RUSSIAN**
15 **FEDERATION’S INVASION OF UKRAINE.**

16 (a) IN GENERAL.—Not later than 60 days after the
17 date of the enactment of this Act, and every 180 days
18 thereafter for 3 years, the Director of National Intel-
19 ligence shall submit to the congressional intelligence com-
20 mittees an assessment of the cumulative and material ef-
21 fects of the sanctions imposed by the United States, Euro-
22 pean countries, and the international community with re-
23 spect to the Russian Federation in response to the Feb-
24 ruary 24, 2022, invasion of Ukraine and subsequent ac-
25 tions by the Russian Federation.

1 (b) ELEMENTS.—Each assessment submitted under
2 subsection (a) shall include the following:

3 (1) A description of efforts by the Russian Fed-
4 eration to evade or circumvent sanctions imposed by
5 the United States, European countries, or the inter-
6 national community through direct or indirect en-
7 gagement or direct or indirect assistance from—

8 (A) the regimes in Cuba and Nicaragua
9 and the regime of Nicolás Maduro in Venezuela;

10 (B) the People’s Republic of China;

11 (C) the Islamic Republic of Iran; and

12 (D) any other country the Director con-
13 siderers appropriate.

14 (2) An assessment of the cumulative effect of
15 the efforts described in paragraph (1), including on
16 the Russian Federation’s strategic relationship with
17 the regimes and countries described in such para-
18 graph.

19 (3) A description of the material effect of the
20 sanctions described in subsection (a), including the
21 effect of those sanctions on senior leadership, senior
22 military officers, state-sponsored actors, and other
23 state-affiliated actors in the Russian Federation that
24 are either directly or incidentally subject to those
25 sanctions.

1 (4) A description of any developments by other
2 countries in creating alternative payment systems as
3 a result of the invasion of Ukraine.

4 (5) A description of efforts by the Russian Fed-
5 eration to evade sanctions using digital assets and a
6 description of any related intelligence gaps.

7 (6) An assessment of how countries have as-
8 sessed the risk of holding reserves in United States
9 dollars since the February 24, 2022, invasion of
10 Ukraine.

11 (7) An assessment of the impact of any general
12 licenses issued in relation to the sanctions described
13 in subsection (a), including the extent to which au-
14 thorizations for internet-based communications have
15 enabled continued monetization by Russian influence
16 actors.

17 (c) FORM OF ASSESSMENTS.—Each assessment sub-
18 mitted under subsection (a) shall be submitted in unclassi-
19 fied form and include a classified annex.

20 **SEC. 712. ASSESSMENTS AND BRIEFINGS ON IMPLICATIONS**
21 **OF FOOD INSECURITY THAT MAY RESULT**
22 **FROM THE RUSSIAN FEDERATION'S INVASION**
23 **OF UKRAINE.**

24 (a) ASSESSMENTS.—

1 (1) IN GENERAL.—Not later than 60 days after
2 the date of the enactment of this Act, and annually
3 thereafter for 2 years, the Director of National In-
4 telligence shall conduct a comprehensive assessment
5 of the implications of food insecurity that may result
6 from the Russian Federation’s invasion of Ukraine.

7 (2) ELEMENTS.—Each assessment conducted
8 under paragraph (1) shall address the following:

9 (A) The projected timeline for indicators of
10 any food insecurity described in paragraph (1)
11 to manifest.

12 (B) The potential for political instability
13 and security crises that may occur as a result
14 of any such food insecurity, disaggregated by
15 region.

16 (C) Factors that could minimize the poten-
17 tial effects of any such food insecurity on polit-
18 ical instability and security described in sub-
19 paragraph (B), disaggregated by region.

20 (D) Opportunities for the United States to
21 prevent or mitigate any such food insecurity.

22 (b) BRIEFINGS.—Not later than 30 days after the
23 date on which an assessment conducted under subsection
24 (a)(1) is completed, the Director of National Intelligence

1 shall brief the congressional intelligence committees on the
 2 findings of the assessment.

3 **SEC. 713. PILOT PROGRAM FOR DIRECTOR OF FEDERAL**
 4 **BUREAU OF INVESTIGATION TO UNDERTAKE**
 5 **AN EFFORT TO IDENTIFY INTERNATIONAL**
 6 **MOBILE SUBSCRIBER IDENTITY-CATCHERS**
 7 **AND DEVELOP COUNTERMEASURES.**

8 Section 5725 of the Damon Paul Nelson and Mat-
 9 thew Young Pollard Intelligence Authorization Act for
 10 Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3024 note;
 11 Public Law 116–92) is amended—

12 (1) in subsection (a), in the matter before para-
 13 graph (1)—

14 (A) by striking “The Director of National
 15 Intelligence and the Director of the Federal Bu-
 16 reau of Investigation” and inserting “The Di-
 17 rector of the Federal Bureau of Investigation”;

18 (B) by inserting “the Director of National
 19 Intelligence,” before “the Under Secretary”;
 20 and

21 (C) by striking “Directors determine” and
 22 inserting “Director of the Federal Bureau of
 23 Investigation determines”;

24 (2) by redesignating subsections (b) and (c) as
 25 subsections (c) and (d), respectively;

1 (3) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) PILOT PROGRAM.—

4 “(1) IN GENERAL.—The Director of the Fed-
5 eral Bureau of Investigation, in collaboration with
6 the Director of National Intelligence, the Under Sec-
7 retary of Homeland Security for Intelligence and
8 Analysis, and the heads of such other Federal,
9 State, or local agencies as the Director of the Fed-
10 eral Bureau of Investigation determines appropriate,
11 and in accordance with applicable law and policy,
12 shall conduct a pilot program designed to implement
13 subsection (a) with respect to the National Capital
14 Region.

15 “(2) COMMENCEMENT; COMPLETION.—The Di-
16 rector of the Federal Bureau of Investigation shall—

17 “(A) commence carrying out the pilot pro-
18 gram required by paragraph (1) not later than
19 180 days after the date of the enactment of the
20 Intelligence Authorization Act for Fiscal Year
21 2023; and

22 “(B) complete the pilot program not later
23 than 2 years after the date on which the Direc-
24 tor commences carrying out the pilot program
25 under subparagraph (A).”; and

1 (4) in subsection (c), as redesignated by para-
 2 graph (2)—

3 (A) in the matter before paragraph (1), by
 4 striking “Prior” and all that follows through
 5 “Investigation” and inserting “Not later than
 6 180 days after the date on which the Director
 7 of the Federal Bureau of Investigation deter-
 8 mines that the pilot program required by sub-
 9 section (b)(1) is operational, the Director and
 10 the Director of National Intelligence”;

11 (B) in paragraph (1), by striking “within
 12 the United States”; and

13 (C) in paragraph (2), by striking “by the”
 14 and inserting “deployed by the Federal Bureau
 15 of Investigation and other elements of the”.

16 **SEC. 714. DEPARTMENT OF STATE BUREAU OF INTEL-**
 17 **LIGENCE AND RESEARCH ASSESSMENT OF**
 18 **ANOMALOUS HEALTH INCIDENTS.**

19 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
 20 FINED.—In this section, the term “appropriate commit-
 21 tees of Congress” means—

22 (1) the Committee on Armed Services, the
 23 Committee on Foreign Relations, and the Select
 24 Committee on Intelligence of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Permanent
3 Select Committee on Intelligence of the House of
4 Representatives.

5 (b) ASSESSMENT REQUIRED.—Not later than 90
6 days after the date of the enactment of this Act, the As-
7 sistant Secretary of State for Intelligence and Research
8 shall submit to the appropriate committees of Congress
9 an assessment of the findings relating to the events that
10 have been collectively labeled as “anomalous health inci-
11 dents”.

12 (c) CONTENTS.—The assessment submitted under
13 subsection (b) shall include the following:

14 (1) Any diplomatic reporting or other relevant
15 information, including sources and reliability of re-
16 spective sources, on the causation of anomalous
17 health incidents.

18 (2) Any diplomatic reporting or other relevant
19 information, including sources and reliability of re-
20 spective sources, on any person or entity who may
21 be responsible for such incidents.

22 (3) Detailed plans, including metrics, timelines,
23 and measurable goals, for the Bureau of Intelligence
24 and Research to understand anomalous health inci-

1 dents and share findings with other elements of the
2 intelligence community.

3 **SEC. 715. CLARIFICATION OF PROCESS FOR PROTECTING**
4 **CLASSIFIED INFORMATION USING THE CLAS-**
5 **SIFIED INFORMATION PROCEDURES ACT.**

6 Section 4 of the Classified Information Procedures
7 Act (18 U.S.C. App.) is amended by inserting after “the
8 court alone.” the following: “Such ex parte showing may
9 be supported by a declaration attesting that disclosure of
10 the classified information would cause damage to the na-
11 tional security of the United States, which shall be exe-
12 cuted by any United States official possessing original
13 classification authority, who shall not be required to be
14 the head of the relevant agency.”.

Calendar No. 438

117TH CONGRESS
2D Session

S. 4503

A BILL

To authorize appropriations for fiscal year 2023 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

JULY 12, 2022

Read twice and placed on the calendar