

118TH CONGRESS
2D SESSION

S. 5444

To enhance the authority of the intelligence community to enter into public-private talent exchanges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 2024

Mr. CORNYN (for himself, Mr. WARNER, Mr. KELLY, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

A BILL

To enhance the authority of the intelligence community to enter into public-private talent exchanges, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enable Intelligence
5 Community Partnerships Act of 2024”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
9 TEES.—The term “congressional intelligence com-

1 mittees” has the meaning given such term in section
 2 3 of the National Security Act of 1947 (50 U.S.C.
 3 3003).

4 (2) INTELLIGENCE COMMUNITY.—The term
 5 “intelligence community” has the meaning given
 6 such term in such section.

7 **SEC. 3. SENSE OF CONGRESS ENCOURAGING INTEL-**
 8 **LIGENCE COMMUNITY TO INCREASE PRIVATE**
 9 **SECTOR CAPITAL PARTNERSHIPS AND PART-**
 10 **NERSHIP WITH FEDERAL PARTNERS TO SE-**
 11 **CURE ENDURING TECHNOLOGICAL ADVAN-**
 12 **TAGES.**

13 It is the sense of Congress that—

14 (1) acquisition leaders in the intelligence com-
 15 munity should further explore the strategic use of
 16 private capital partnerships to secure enduring tech-
 17 nological advantages for the intelligence community,
 18 including through the identification, development,
 19 and transfer of promising technologies to full-scale
 20 programs capable of meeting intelligence community
 21 requirements; and

22 (2) the intelligence community should under-
 23 take consultation with Federal partners, including
 24 the Office of Strategic Capital of the Office of the
 25 Secretary of Defense and the Office of Domestic Fi-

1 nance of the Department of the Treasury, on best
 2 practices and lessons learned from their experiences
 3 integrating these resources so as to accelerate at-
 4 tainment of national security objectives.

5 **SEC. 4. ENHANCEMENT OF AUTHORITY FOR INTELLIGENCE**

6 **COMMUNITY PUBLIC-PRIVATE TALENT EX-**
 7 **CHANGES.**

8 (a) FOCUS AREAS.—Subsection (a) of section 5306
 9 of the Damon Paul Nelson and Matthew Young Pollard
 10 Intelligence Authorization Act for Fiscal Years 2018,
 11 2019, and 2020 (50 U.S.C. 3334) is amended—

12 (1) by striking “Not later than” and inserting
 13 the following:

14 “(1) IN GENERAL.—Not later than”; and

15 (2) by adding at the end the following:

16 “(2) FOCUS AREAS.—The Director shall ensure
 17 that the policies, processes, and procedures devel-
 18 oped pursuant to paragraph (1) require exchanges
 19 under this section relate to intelligence or counter-
 20 intelligence with a focus on rotations described in
 21 such paragraph with private-sector organizations in
 22 the following fields:

23 “(A) Finance.

24 “(B) Acquisition.

25 “(C) Biotechnology.

1 “(D) Computing.

2 “(E) Artificial intelligence.

3 “(F) Business process innovation and en-
4 trepreneurship.

5 “(G) Cybersecurity.

6 “(H) Materials and manufacturing.

7 “(I) Any other technology or research field
8 the Director determines relevant to meet evol-
9 ving national security threats in technology sec-
10 tors.”.

11 (b) DURATION OF TEMPORARY DETAILS.—Sub-
12 section (e) of section 5306 of the Damon Paul Nelson and
13 Matthew Young Pollard Intelligence Authorization Act for
14 Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334) is
15 amended—

16 (1) in paragraph (1), by striking “3 years” and
17 inserting “5 years”; and

18 (2) in paragraph (2), by striking “3 years” and
19 inserting “5 years”.

20 (c) TREATMENT OF PRIVATE-SECTOR EMPLOY-
21 EES.—Subsection (g) of such section is amended—

22 (1) in paragraph (5), by striking “; and” and
23 inserting a semicolon;

24 (2) in paragraph (6), by striking the period at
25 the end and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(7) shall not have access to any trade secrets
3 or proprietary information which is of commercial
4 value or competitive advantage to the private-sector
5 organization from which such employee is detailed.”.

6 (d) ORGANIZATIONAL CONFLICTS OF INTEREST.—

7 Such section is amended—

8 (1) by redesignating subsection (i) as subsection
9 (j); and

10 (2) by inserting after subsection (h) the fol-
11 lowing:

12 “(i) ORGANIZATIONAL CONFLICTS OF INTEREST.—

13 “(1) IN GENERAL.—A private-sector organiza-
14 tion that temporarily details a member of its work-
15 force to an element of the intelligence community or
16 that accepts the temporary detail of a member of the
17 intelligence community shall not be considered to
18 have an organizational conflict of interest with the
19 element of the intelligence community solely because
20 of participation in the program established under
21 this section.

22 “(2) IDENTIFICATION OF CONFLICTS OF INTER-
23 EST.—If the identification of an organizational con-
24 flict of interest arises based on the particular facts
25 surrounding an individual’s participation in the pro-

1 gram established under this section and the nature
2 of any contract, then the heads of intelligence com-
3 munity elements shall implement a system to avoid,
4 neutralize, or mitigate any such organizational con-
5 flicts of interest.”.

6 (e) ANNUAL REPORTS.—

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

10 (A) the congressional intelligence commit-
11 tees;

12 (B) the Committee on Appropriations of
13 the Senate; and

14 (C) the Committee on Appropriations of
15 the House of Representatives.

16 (2) IN GENERAL.—Not later than 1 year after
17 the date of the enactment of this Act and annually
18 thereafter for 2 more years, the Director of National
19 Intelligence shall submit to the appropriate commit-
20 tees of Congress an annual report on—

21 (A) the implementation of the policies,
22 processes, and procedures developed pursuant
23 to subsection (a) of such section 5306 (50
24 U.S.C. 3334) and the administration of such
25 section;

1 (B) how the heads of the elements of the
2 intelligence community are using or plan to use
3 the authorities provided under such section; and

4 (C) recommendations for legislative or ad-
5 ministrative action to increase use of the au-
6 thorities provided under such section.

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