

medical assessment to facilities of the United States Government with expertise in traumatic brain injury.

(b) Process for assessment and treatment

In carrying out subsection (a), the Director of National Intelligence shall coordinate with the Secretary of Defense and the heads of such Federal agencies as the Director considers appropriate to ensure that, by not later than 60 days after March 15, 2022, there is a process to provide the individuals described in subsection (c) with timely access to the National Intrepid Center of Excellence, an Intrepid Spirit Center, or an appropriate medical treatment facility for assessment as described in subsection (a) and, if necessary, treatment.

(c) Individuals described

The individuals described in this subsection are employees of elements of the intelligence community and the dependents or other immediate family members of such employees.

(Pub. L. 117–103, div. X, title VI, §604, Mar. 15, 2022, 136 Stat. 996.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “intelligence community” as used in this section, see section 2 of div. X of Pub. L. 117–103, set out as a note under section 3003 of this title.

§ 3334k. Report on protocols for certain intelligence community employees and dependents

(a) In general

Beginning not later than 180 days after March 15, 2022, the President shall develop, for uniform implementation across the elements of the intelligence community, each of the protocols described in subsections (c) through (f). Such protocols shall be subject to review and revision on a periodic basis, and any implementation of such protocols shall be conducted in accordance with applicable laws and current clinical and professional practices of the interagency medical community.

(b) Privacy

No data collected pursuant to any protocol under this section may be used for research or analytical purposes without the written consent of the individual from whom such data was collected with respect to such use.

(c) Protocol on baseline medical testing

The protocol described in this subsection is a protocol for conducting voluntary baseline medical testing of covered employees, covered individuals, and the dependents of covered employees who are included on the overseas travel orders of the covered employee. Such protocol shall set forth the required elements of such baseline medical testing, such as—

- (1) standard lab collection and testing of relevant biofluids;
- (2) the conduct of relevant visual and auditory examinations;
- (3) the conduct of Acquired Brain Injury Tool assessments, or other relevant assessments for balance, eye motion, and cognition;

(4) the assessment of relevant medical histories; and

(5) the conduct of any other standard relevant medical or neurological examinations, testing, or assessments.

(d) Protocols on post-incident medical testing

The protocols described in this subsection are protocols to enable voluntary medical testing and the coordination of treatment for covered employees, covered individuals, and the dependents of covered employees, following a reported anomalous health incident, such as—

(1) a protocol that sets forth elements, similar to the elements described in subsection (c), of such testing;

(2) a protocol pertaining to the voluntary testing and treatment for victims of anomalous health incidents who are children;

(3) a protocol for ensuring that all victims of anomalous health incidents receive access to prompt and consistent medical treatment, including from medical professionals holding appropriate security clearances and medical professionals with expertise in child care;

(4) a protocol for ensuring that all victims of anomalous health incidents are offered options for psychological treatment for the effects of such incidents; and

(5) a protocol for ensuring that any testing, evaluation, or collection of biofluids or other samples following a reported anomalous health incident may be compared against the baseline for the victim of the anomalous health incident, to the extent the individual participated in the baseline medical testing, consistent with subsections (b) and (c).

(e) Protocol on information collection, storage, and safeguarding

The protocol described in this subsection is a protocol for the collection, storage, and safeguarding of information acquired as a result of the protocols described in subsections (c) and (d).

(f) Protocol on reporting mechanisms

The protocol described in this subsection is a protocol for the reporting of matters relating to anomalous health incidents by covered employees, covered individuals, and the dependents of covered employees, including the development of a system for the adjudication of complaints regarding medical treatment received by such covered employees, covered individuals, and dependents of covered employees.

(g) Report and briefings

(1) Report

Not later than 180 days after March 15, 2022, the Director of National Intelligence shall submit to the appropriate congressional committees a report on the protocols described in subsections (c) through (f).

(2) Elements

Such report shall include the following elements:

(A) A copy of each protocol under this section.

(B) A description of the following:

(i) Any interagency agreements, authorities, or policies required to effectively implement the protocols under this section.

(ii) Any new facilities, medical equipment, tools, training, or other resources required to effectively implement such protocols.

(C) A timeline for the implementation of the protocols under this section, including a proposal for the prioritization of implementation with respect to various categories of covered employees and the dependents of covered employees.

(3) Briefing

Not later than 60 days following the date of submission of the report under paragraph (1), and biannually thereafter, the Director shall provide to the appropriate congressional committees a briefing regarding the implementation of the protocols under this section.

(h) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the congressional intelligence committees; and

(B) the Committees on Armed Services of the House of Representatives and the Senate.

(2) Covered employee

The term “covered employee” means an individual who is an employee, assignee, or detailee of an element of the intelligence community.

(3) Covered individual

The term “covered individual” means a contractor to an element of the intelligence community.

(4) Dependent of a covered employee

The term “dependent of a covered employee” means, with respect to a covered employee, a family member (including a child), as defined by the Director of National Intelligence.

(5) Victim of an anomalous health incident

The term “victim of an anomalous health incident” means a covered employee, covered individual, or dependent of a covered employee, who is, or is suspected to have been, affected by an anomalous health incident.

(Pub. L. 117–103, div. X, title VI, § 605, Mar. 15, 2022, 136 Stat. 996.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “congressional intelligence committees” and “intelligence community” as used in this section, see section 2 of div. X of Pub. L. 117–103, set out as a note under section 3003 of this title.

§ 3334I. Oversight of Defense Intelligence Agency culture

(a) Definitions

In this section:

(1) Appropriate committees of Congress

The term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives; and

(E) the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) Workforce climate survey

The term “workforce climate survey”—

(A) means a workforce engagement or climate survey conducted at the agency, directorate, career field, or integrated intelligence center level, without regard to whether the survey is conducted on an annual or ad-hoc basis; and

(B) does not include an exit survey specified in subsection (c).

(b) Findings

Congress finds that the Defense Intelligence Agency has committed to improving Agency culture and leadership; however, actions taken by the Agency as of December 23, 2022, have not enabled a full assessment of the extent of workforce culture issues and potential management abuses, and require additional congressional oversight to ensure concerns are both understood and addressed.

(c) Mandatory provision of exit survey or interview

(1) In general

The Director of the Defense Intelligence Agency shall ensure that each employee of such Agency who leaves employment with such Agency (but not including any detail assignment) completes an exit survey or exit interview prior to such departure, to the extent practicable.

(2) Annual submissions to Congress

On an annual basis during the 3-year period beginning on December 23, 2022, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a written analysis of the results of the exit surveys or exit interviews completed pursuant to paragraph (1) during the year covered by the report together with a plan of the Director to address any issues identified pursuant to such results to improve retention and culture.

(d) Congressional oversight relating to workforce climate surveys

(1) Notifications of ad-hoc workforce climate surveys

Not later than 14 days after the date on which the Director of the Defense Intelligence Agency conducts an ad-hoc workforce climate survey (including in response to a specific incident or concern), the Director shall notify the appropriate committees of Congress.

(2) Reports on final results

Not later than 90 days after the date on which the Director of the Defense Intelligence Agency concludes the conduct of any work-