

(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-

force climate survey, the Director shall submit to the appropriate committees of Congress a report containing the final results of such workforce climate survey. Such report shall include the following:

(A) The topic of the workforce climate survey, and the workforce level surveyed.

(B) The rationale for conducting the workforce climate survey.

(C) The measures in place to ensure the accessibility of the workforce climate survey.

(D) The lead official or entity conducting the workforce climate survey.

(E) Any actions the Director intends to take, or is considering, in response to the results of the workforce climate survey.

(3) Accessibility of workforce climate surveys

The Director of the Defense Intelligence Agency shall ensure that, to the extent practicable, and consistent with the protection of intelligence sources and methods, workforce climate surveys are accessible to employees of such Agency on classified and unclassified systems.

(e) Feasibility report

Not later than 270 days after December 23, 2022, the Director of the Defense Intelligence Agency shall submit to the appropriate committees of Congress a report containing an analysis of the feasibility (including the anticipated cost, personnel requirements, necessary authorities, and such other matters as may be determined appropriate by the Director for purposes of analyzing feasibility) of—

(1) conducting 360-degree performance reviews among employees of the Defense Intelligence Agency; and

(2) including leadership suitability assessments (including personality evaluations, communication style assessments, and emotional intelligence aptitude assessments) for promotions of such employees to a position within grade GS-14 or above of the General Schedule.

(Pub. L. 117-263, div. F, title LXIV, § 6422, Dec. 23, 2022, 136 Stat. 3530; Pub. L. 118-31, div. G, title IX, § 7901(b)(1), Dec. 22, 2023, 137 Stat. 1106.)

Editorial Notes

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (e)(2), is set out under section 5332 of Title 5, Government Organization and Employees.

AMENDMENTS

2023—Subsec. (b). Pub. L. 118-31 substituted “congressional” for “Congressional”.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “congressional intelligence committees” as used in this section, see section 6002 of Pub. L. 117-263, set out as a note under section 3003 of this title.

§ 3334m. Additional responsibilities of Director of National Intelligence for artificial intelligence policies, standards, and guidance for the intelligence community

(a) Responsibilities of Director of National Intelligence

The Director of National Intelligence, in consultation with the heads of the elements of the intelligence community or the officials designated under subsection (c), shall—

(1) establish, and periodically conduct reviews of, policies, standards, and procedures relating to the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities and associated data, frameworks, computing environments, and other enablers by the intelligence community (including by incorporating and updating such policies based on emerging technology capabilities), to accelerate and increase the adoption of artificial intelligence capabilities within the intelligence community;

(2) ensure policies established or updated pursuant to paragraph (1) are consistent with—

(A) the principles outlined in the guidance of the Office of the Director of National Intelligence titled “Principles of Artificial Intelligence Ethics for the Intelligence Community and its Artificial Intelligence Ethics Framework for the Intelligence Community”, or any successor guidance; and

(B) any other principles developed by the Director relating to the governance, documentation, auditability, or evaluation of artificial intelligence systems or the accurate, secure, ethical, and reliable adoption or use of artificial intelligence; and

(3) provide to the heads of the elements of the intelligence community guidance for developing the National Intelligence Program budget pertaining to such elements to facilitate the acquisition, adoption, development, use, and maintenance of element-specific artificial intelligence capabilities, and to ensure the associated data, frameworks, computing environments, and other enablers are appropriately prioritized.

(b) Policies

(1) In general

In carrying out subsection (a)(1), not later than 1 year after December 22, 2023, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community, the Director of the Office of Management and Budget, and such other officials as the Director of National Intelligence determines appropriate, shall establish the policies described in paragraph (2).

(2) Policies described

The policies described in this paragraph are policies for the acquisition, adoption, development, use, coordination, and maintenance of artificial intelligence capabilities that—

(A) establish a lexicon relating to the use of machine learning and artificial intelligence developed or acquired by elements of the intelligence community;