

section, see section 5003 of div. E of Pub. L. 116-92, set out as a note under section 3003 of this title.

§ 3371b. Information sharing with State election officials

(a) State defined

In this section, the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) Security clearances

(1) In general

Not later than 30 days after December 20, 2019, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and additional eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(2) Interim clearances

Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to one designee of such official under such paragraph.

(c) Information sharing

(1) In general

The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 113(a)(1)(H) of title 6) with sharing any appropriate classified information related to threats to election systems and to the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) Coordination

The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 113(a)(1)(H) of title 6) to facilitate the sharing of information to the affected Secretaries of State or States.

(Pub. L. 116-92, div. E, title LXV, § 6506, Dec. 20, 2019, 133 Stat. 2206.)

§ 3371c. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices

(a) Definitions

In this section:

(1) Active measures campaign

The term “active measures campaign” means a foreign semi-covert or covert intelligence operation.

(2) Candidate, election, and political party

The terms “candidate”, “election”, and “political party” have the meanings given those terms in section 30101 of title 52.

(3) Congressional leadership

The term “congressional leadership” includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(4) Cyber intrusion

The term “cyber intrusion” means an electronic occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) Electronic election infrastructure

The term “electronic election infrastructure” means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(6) Federal office

The term “Federal office” has the meaning given that term in section 30101 of title 52.

(7) High confidence

The term “high confidence”, with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) Moderate confidence

The term “moderate confidence”, with respect to a determination, means that a determination is credibly sourced and plausible but not of sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(9) Other appropriate congressional committees

The term “other appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) Determinations of significant foreign cyber intrusions and active measures campaigns

The Director of National Intelligence, the Director of the Federal Bureau of Investigation,