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116TH CONGRESS
2^D SESSION

H. R. 7856

[Report No. 116–565]

To authorize appropriations for fiscal year 2021 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2020

Mr. SCHIFF introduced the following bill; which was referred to the
Permanent Select Committee on Intelligence

OCTOBER 30, 2020

Reported from the Committee on Intelligence; committed to the Committee of
the Whole House on the State of the Union and ordered to be printed

A BILL

To authorize appropriations for fiscal year 2021 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

(a) SHORT TITLE.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2021”.

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

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Intelligence community management account.

Sec. 201. Authorization of appropriations.

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.

Sec. 303. Notice of intelligence community provision of support for Federal, State, local, or tribal government response to civil disobedience or domestic civil disturbances.

Sec. 304. Notice of intelligence community engagement in activities pursuant to presidential emergency action documents.

Sec. 305. Requirement to buy certain satellite component from American sources.

Sec. 306. Limitation on construction of facilities to be used primarily by intelligence community.

Sec. 307. Intelligence community student loan repayment programs.

Sec. 308. Paid leave for a serious health condition.

Sec. 309. Requirements for certain employment activities by former intelligence officers and employees.

Sec. 401. Clarification of authority of National Reconnaissance Office.

Sec. 402. Establishment of Office of the Ombudsman for Analytic Objectivity.

Sec. 403. Placement on the Executive Schedule for Department of Defense directors of the National Security Agency and the National Reconnaissance Office.

Sec. 404. Expansion of personnel management authority to attract experts in science and engineering.

- Sec. 405. Special access programs: congressional oversight.
- Sec. 406. Senior Chief Petty Officer Shannon Kent Award for distinguished female personnel of the National Security Agency.
- Sec. 407. Department of Homeland Security intelligence and cybersecurity diversity fellowship program.
- Sec. 408. Climate Security Advisory Council and Climate Security Intelligence Center.

TITLE V—INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY AND PROTECTION OF WHISTLEBLOWERS

- Sec. 501. Independence of Inspectors General of the intelligence community.
- Sec. 502. Designation of acting inspectors general of the intelligence community in cases of vacancies.
- Sec. 503. Authority of inspectors general of the intelligence community to determine matters of urgent concern.
- Sec. 504. Limitation on sharing of intelligence community whistleblower complaints with persons named in such complaints.
- Sec. 505. Disclosures to Congress.
- Sec. 506. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.
- Sec. 507. Conforming amendments and coordination with other provisions of law.
- Sec. 508. Severability.

TITLE VI—MATTERS RELATING TO EMERGING TECHNOLOGIES

- Sec. 601. Modifications to duties of Director of Science and Technology.
- Sec. 602. Annual reports on research and development for scientific and technological advancements.
- Sec. 603. Improvement of education in science, technology, engineering, arts, and mathematics.
- Sec. 604. Quarterly reports on cyber intelligence, surveillance, and reconnaissance activities of the Department of Defense.
- Sec. 605. Process for identifying cyber threat intelligence needs and priorities.
- Sec. 606. Reviews of intelligence community cyber threat sharing posture and National Security Directive 42.
- Sec. 607. Feasibility study on cybersecurity policies of contractors of owner or operators of national security systems .
- Sec. 608. Artificial intelligence research and development.
- Sec. 609. Seedling investment in next-generation microelectronics in support of artificial intelligence.

TITLE VII—PROTECTION OF ELECTIONS FROM FOREIGN INFLUENCE

Subtitle A—Foreign Influence Reporting in Elections

- Sec. 701. Federal campaign reporting of foreign contacts.
- Sec. 702. Federal campaign foreign contact reporting compliance system.
- Sec. 703. Criminal penalties.
- Sec. 704. Report to congressional intelligence committees.
- Sec. 705. Rule of construction.

Subtitle B—Foreign Influence Reporting in Elections

- Sec. 711. Clarification of application of foreign money ban.
- Sec. 712. Requiring acknowledgment of foreign money ban by political committees.

TITLE VIII—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Saudi Arabia and the Middle East

- Sec. 801. Limitation on availability of funds until submission of required report on murder of Jamal Khashoggi.
- Sec. 802. Prohibition on availability of funds for intelligence sharing relating to certain air strikes in Yemen.
- Sec. 803. Report on understanding and mitigating civilian harm from use of certain weapons systems in Yemen.
- Sec. 804. Report on prevention of proliferation of sensitive unmanned aerial vehicles and related technology.
- Sec. 805. Report on understanding potential for and preventing nuclear proliferation in the middle east.
- Sec. 806. Report on propagation of extremist ideologies from Saudi Arabia.
- Sec. 807. Report on financial influence operations of Saudi Arabia, the United Arab Emirates, and Qatar.

Subtitle B—People's Republic of China

- Sec. 811. Annual reports on security services of the People's Republic of China in the Hong Kong Special Administrative Region.
- Sec. 812. Research partnership on activities of People's Republic of China.
- Sec. 813. Report on the pharmaceutical and personal protective equipment regulatory practices of the People's Republic of China.

Subtitle C—Matters Relating to Other Countries

- Sec. 821. National Intelligence Estimate on situation in Afghanistan.
- Sec. 822. Assessment regarding tensions between Armenia and Azerbaijan.

TITLE IX—REPORTS AND OTHER MATTERS

- Sec. 901. Annual reports on worldwide threats.
- Sec. 902. Annual intelligence assessments on relationship between women and violent extremism.
- Sec. 903. Annual report on Climate Security Advisory Council.
- Sec. 904. Improvements to funding for National Security Education program.
- Sec. 905. Report on best practices to protect privacy, civil liberties, and civil rights of Chinese Americans.
- Sec. 906. National Intelligence Estimate on threat of global pandemic disease.
- Sec. 907. Modification of requirement for briefings on national security effects of emerging infectious disease and pandemics.
- Sec. 908. Report on open-source science and technology intelligence collection and analysis within the intelligence community.
- Sec. 909. Independent study on open-source intelligence.
- Sec. 910. Survey on Open Source Enterprise.
- Sec. 911. Intelligence assessment and reports on violent transnational White supremacist extremism.
- Sec. 912. Wireless supply chain innovation grant program.
- Sec. 913. Sense of Congress regarding Third Option Foundation.

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 section 3 of the National Security Act
11 of 1947 (50 U.S.C. 3003).

12 **TITLE I—INTELLIGENCE**
13 **ACTIVITIES**

14 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2021 for the conduct of the intelligence and
17 intelligence-related activities of the following elements of
18 the United States Government:

19 (1) The Office of the Director of National Intel-
20 ligence.

21 (2) The Central Intelligence Agency.

22 (3) The Department of Defense.

23 (4) The Defense Intelligence Agency.

24 (5) The National Security Agency.

1 (6) The Department of the Army, the Depart-
2 ment of the Navy, and the Department of the Air
3 Force.

4 (7) The Coast Guard.

5 (8) The Department of State.

6 (9) The Department of the Treasury.

7 (10) The Department of Energy.

8 (11) The Department of Justice.

9 (12) The Federal Bureau of Investigation.

10 (13) The Drug Enforcement Administration.

11 (14) The National Reconnaissance Office.

12 (15) The National Geospatial-Intelligence Agen-
13 cy.

14 (16) The Department of Homeland Security.

15 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

16 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
17 authorized to be appropriated under section 101 for the
18 conduct of the intelligence activities of the elements listed
19 in paragraphs (1) through (16) of section 101, are those
20 specified in the classified Schedule of Authorizations pre-
21 pared to accompany this Act.

22 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
23 THORIZATIONS.—

24 (1) AVAILABILITY.—The classified Schedule of
25 Authorizations referred to in subsection (a) shall be

1 made available to the Committee on Appropriations
 2 of the Senate, the Committee on Appropriations of
 3 the House of Representatives, and to the President.

4 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
 5 ject to paragraph (3), the President shall provide for
 6 suitable distribution of the classified Schedule of Au-
 7 thorizations referred to in subsection (a), or of ap-
 8 propriate portions of such Schedule, within the exec-
 9 utive branch.

10 (3) LIMITS ON DISCLOSURE.—The President
 11 shall not publicly disclose the classified Schedule of
 12 Authorizations or any portion of such Schedule ex-
 13 cept—

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

17 (B) to the extent necessary to implement
 18 the budget; or

19 (C) as otherwise required by law.

20 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 21 **COUNT.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 23 authorized to be appropriated for the Intelligence Commu-
 24 nity Management Account of the Director of National In-
 25 telligence for fiscal year 2021 the sum of \$683,000,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund \$514,000,000 for fiscal year 2021.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

1 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
2 **BENEFITS AUTHORIZED BY LAW.**

3 Appropriations authorized by this Act for salary, pay,
4 retirement, and other benefits for Federal employees may
5 be increased by such additional or supplemental amounts
6 as may be necessary for increases in such compensation
7 or benefits authorized by law.

8 **SEC. 303. NOTICE OF INTELLIGENCE COMMUNITY PROVI-**
9 **SION OF SUPPORT FOR FEDERAL, STATE,**
10 **LOCAL, OR TRIBAL GOVERNMENT RESPONSE**
11 **TO CIVIL DISOBEDIENCE OR DOMESTIC CIVIL**
12 **DISTURBANCES.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) it is essential that the people of the United
16 States have trust and confidence in the legitimacy of
17 the Armed Forces and the intelligence community,
18 which are obligated to protect the rights of all the
19 people of the United States;

20 (2) in a democracy, intelligence activities must
21 not only be legitimate, they must also be perceived
22 as legitimate;

23 (3) intelligence support to domestic-focused ac-
24 tivities by the Armed Forces or Federal law enforce-
25 ment components involved in responding to protests,
26 including to monitor, assess, or otherwise track

1 Americans who are taking to the streets or otherwise
2 engaging in constitutionally protected activity within
3 the United States, is inappropriate in all but the
4 most extreme circumstances;

5 (4) although all elements of the intelligence
6 community are authorized under Executive Order
7 12333 to provide assistance to law enforcement that
8 is “not precluded by applicable law”, activities that
9 may be appropriate in the context of routine criminal
10 investigations may nevertheless be inappropriate
11 in the context of law enforcement response to protest
12 or civil disturbances.

13 (b) NOTICE REQUIREMENT.—Title V of the National
14 Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended
15 by adding at the end the following new section:

16 **“SEC. 513. NOTICE OF PROVISION OF SUPPORT FOR FED-**
17 **ERAL, STATE, LOCAL, OR TRIBAL GOVERN-**
18 **MENT RESPONSE TO CIVIL DISOBEDIENCE**
19 **OR DOMESTIC CIVIL DISTURBANCES.**

20 “(a) NOTICE REQUIRED.—Not later than 72 hours
21 before a covered agency provides support for any Federal,
22 State, local, or Tribal government response to a civil dis-
23 obedience or domestic civil disturbance, the head of the
24 agency shall submit to the appropriate congressional com-

1 mittees and the covered recipients notice of the provision
2 of such support.

3 “(b) CONTENT OF NOTICE.—Notice provided under
4 subsection (a) with respect to the provision of support
5 shall include each of the following:

6 “(1) The date on which the requested support
7 was approved.

8 “(2) The entity requesting the support.

9 “(3) The type of support requested.

10 “(4) A detailed description of the support that
11 the select agency intends to provide.

12 “(5) A brief description of the legal basis for
13 providing the support.

14 “(6) If the provision of such support requires
15 notice to be provided under section 1055(b) of the
16 National Defense Authorization Act for Fiscal Year
17 2017 (Public Law 114–328), all the content of such
18 notice.

19 “(7) Any other facts or circumstances that the
20 head of the covered agency determines are relevant.

21 “(c) PUBLIC AVAILABILITY OF NOTICE.—Not later
22 than 72 hours after the date on which any notice is pro-
23 vided under subsection (a), the Director of National Intel-
24 ligence shall make the notice publicly available on the
25 internet website of the Director of National Intelligence

1 and the internet website of the agency or agencies making
2 the notification. If the notice is classified as provided
3 under subsection (d), a redacted unclassified notice shall
4 be made publicly available under this subsection.

5 “(d) FORM OF NOTICE.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), a notice under subsection (a) shall be
8 submitted in unclassified form.

9 “(2) EXCEPTION.—If the Director of National
10 Intelligence makes a determination in writing that
11 the protection of sources and methods requires that
12 a notice under subsection (a) be classified, the notice
13 may be submitted in classified form but shall be ac-
14 companied by a notice redacted to remove classified
15 information. The authority to make a determination
16 under this paragraph may not be delegated.

17 “(e) EMERGENCY WAIVER AUTHORITY.—

18 “(1) IN GENERAL.—The Director of National
19 Intelligence may waive the requirement to submit
20 advance notice under subsection (a) if the Director
21 determines that the support is to be provided in as-
22 sociation with any Federal, State, local, or Tribal
23 government response to—

24 “(A) armed insurrection;

25 “(B) an act of foreign terrorism;

1 “(C) an act of domestic terrorism;

2 “(D) a response to a natural disaster; or

3 “(E) another extreme circumstance consti-
4 tuting a grave threat.

5 “(2) NOTICE.—If the Director issues a waiver
6 under paragraph (1), notice under subsection (a)
7 shall be provided as soon as practicable after the
8 provision of support and, in any event, no later than
9 48 hours after the provision of such support.

10 “(3) NONDELEGATION.—The authority to issue
11 a waiver and the authority to make a determination
12 under paragraph (1) may not be delegated.

13 “(f) QUARTERLY REPORTS.—

14 “(1) IN GENERAL.—The Director of National
15 Intelligence shall submit to the appropriate congres-
16 sional committees quarterly reports that include a
17 description of any assistance provided by a covered
18 agency to law enforcement authorities.

19 “(2) CONTENTS OF REPORTS.—Each report re-
20 quired under this subsection shall include, for each
21 instance in which assistance was provided—

22 “(A) the date on which the assistance was
23 requested;

24 “(B) the entity requesting the assistance;

25 “(C) the type of assistance requested;

1 “(D) detailed description of the assistance
2 that the covered agency intends to or did pro-
3 vide;

4 “(E) a brief description of the legal basis
5 for providing the assistance;

6 “(F) the date on which notice for such as-
7 sistance was provided under subsection (a) and
8 the date on which such notice was made pub-
9 licly available under subsection (c); and

10 “(G) any other facts or circumstances that
11 the Director determines are relevant.

12 “(3) FORM OF REPORT.—Each report required
13 under this subsection shall be submitted in unclassi-
14 fied form, but may include a classified annex.

15 “(g) DEFINITIONS.—In this section:

16 “(1) The term ‘covered agency’ means any ele-
17 ment of the intelligence community.

18 “(2) The term ‘civil disobedience’ means—

19 “(A) a protest, rally, march, demonstra-
20 tion; or

21 “(B) an active, professed refusal of a cit-
22 izen to obey a law, demand, order, or command
23 of a government.

24 “(3) The term ‘domestic civil disturbance’
25 means any activity arising from a mass act (includ-

1 ing a protest, demonstration, riot, or strike) in
2 which the participants become hostile toward author-
3 ity, including—

4 “(A) the exercise of first amendment rights
5 by protesters;

6 “(B) violence or property destruction inci-
7 dent to protests; and

8 “(C) obstruction of publicly available
9 spaces, including obstruction of roads or camp-
10 ing symbolically in public places.

11 “(4) The term ‘support’ includes pre-deploy-
12 ment intelligence support provided to members of
13 the Armed Forces responding or preparing to re-
14 spond to a civil disobedience or domestic civil dis-
15 turbance.

16 “(5) The term ‘appropriate committees of Con-
17 gress’ means—

18 “(A) the Permanent Select Committee on
19 Intelligence and the Subcommittee on Defense
20 of the Committee on Appropriations;

21 “(B) the Select Committee on Intelligence
22 and the Subcommittee on Defense of the Com-
23 mittee on Appropriations of the Senate; and

24 “(C) in the case of support provided by a
25 select agency within the Department of De-

1 fense, the Committees on Armed Services of the
 2 Senate and House of Representatives.

3 “(6) The term ‘covered recipient’ means—

4 “(A) the Inspector General of the Intel-
 5 ligence Community;

6 “(B) the inspector general of the agency
 7 providing support; and

8 “(C) the Attorney General.”.

9 (c) CLERICAL AMENDMENT.—The table of contents
 10 for the National Security Act of 1947 is amended by in-
 11 serting after the item relating to section 512 the following
 12 new item:

“513. Notice of provision of support for Federal, State, local, or Tribal govern-
 ment response to civil disobedience or domestic civil disturb-
 ances.”.

13 **SEC. 304. NOTICE OF INTELLIGENCE COMMUNITY ENGAGE-**
 14 **MENT IN ACTIVITIES PURSUANT TO PRESI-**
 15 **DENTIAL EMERGENCY ACTION DOCUMENTS.**

16 (a) IN GENERAL.—If any element of the intelligence
 17 community receives direction from the President to engage
 18 in any activity pursuant to a presidential emergency action
 19 document or an equivalent or successor document, the
 20 head of such element shall, not later than 72 hours before
 21 engaging in such activity, submit to the congressional in-
 22 telligence committees a written notice under this section.

1 (b) CONTENTS OF NOTICE.—A notice under sub-
2 section (a) with respect to any direction to engage in an
3 activity, shall include each of the following:

4 (1) A summary of the presidential emergency
5 action document or equivalent document pursuant to
6 which the activity is directed.

7 (2) A detailed description of the activity or ac-
8 tivities that the element of the intelligence commu-
9 nity has been directed to undertake.

10 (3) The date on which the President directed
11 the element to undertake such activity.

12 (4) An identification of any other government
13 departments or agencies involved in the activity and
14 a description of the roles of any such department or
15 agency with respect to such activity.

16 (c) FORM OF NOTICE.—A notice under this section
17 shall be submitted in unclassified form, but may include
18 a classified annex only to the extent necessary to protect
19 against identified, specific threats to the national security
20 of the United States.

21 (d) DELAY OF NOTICE.—If the head of an element
22 of the intelligence community that is required to provide
23 notice under subsection (a) determines it is necessary, and
24 in the event of a specific threat to the national security
25 of the United States caused by a national emergency, the

1 head of the element may delay the submittal of such notice
2 by a period not to exceed five days. If the head of an ele-
3 ment delays the submittal of such notice under this sub-
4 section, the head shall advise the chair and ranking mem-
5 bers of the congressional intelligence committees of the ac-
6 tivity covered by the notice as soon as possible but not
7 later than 24 hours after the element has commenced the
8 activity.

9 (e) PRESIDENTIAL EMERGENCY ACTION DOCU-
10 MENT.—In this section, the term “presidential emergency
11 action document” means—

12 (1) each of the approximately 56 documents de-
13 scribed as presidential emergency action documents
14 in the budget justification materials for the Office of
15 Legal Counsel of the Department of Justice sub-
16 mitted to Congress in support of the budget of the
17 President for fiscal year 2018; and

18 (2) any other pre-coordinated legal document in
19 existence before, on, or after the date of the enact-
20 ment of this Act that—

21 (A) is designated as a presidential emer-
22 gency action document; or

23 (B) is designed to implement a presidential
24 decision or transmit a presidential request when

1 an emergency disrupts normal governmental or
2 legislative processes.

3 **SEC. 305. REQUIREMENT TO BUY CERTAIN SATELLITE COM-**
4 **PONENT FROM AMERICAN SOURCES.**

5 (a) IN GENERAL.—Title XI of the National Security
6 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
7 ing at the end the following new section:

8 **“SEC. 1109. REQUIREMENT TO BUY CERTAIN SATELLITE**
9 **COMPONENT FROM AMERICAN SOURCES.**

10 “(a) REQUIREMENT.—Beginning January 1, 2021,
11 except as provided in subsection (b), a covered element
12 of the intelligence community may not award a contract
13 for a national security satellite if the satellite uses a star
14 tracker that is not produced in the United States, includ-
15 ing with respect to both the software and the hardware
16 of the star tracker.

17 “(b) EXCEPTION.—The head of a covered element of
18 the intelligence community may waive the requirement
19 under subsection (a) if, on a case-by-case basis, the head
20 certifies in writing to the congressional intelligence com-
21 mittees that—

22 “(1) there is no available star tracker produced
23 in the United States that meets the mission and de-
24 sign requirements of the national security satellite
25 for which the star tracker will be used;

1 “(2) the cost of a star tracker produced in the
2 United States is unreasonable, based on a market
3 survey; or

4 “(3) such waiver is necessary for the national
5 security interests of the United States based on an
6 urgent and compelling need.

7 “(c) DEFINITIONS.—In this section:

8 “(1) COVERED ELEMENT OF THE INTEL-
9 LIGENCE COMMUNITY.—The term ‘covered element
10 of the intelligence community’ means an element of
11 the intelligence community that is not an element of
12 the Department of Defense.

13 “(2) NATIONAL SECURITY SATELLITE.—The
14 term ‘national security satellite’ means a satellite
15 weighing over 400 pounds whose principle purpose is
16 to support the national security or intelligence needs
17 of the United States Government.

18 “(3) UNITED STATES.—The term ‘United
19 States’ means the several States, the District of Co-
20 lumbia, and the territories and possessions of the
21 United States.”.

22 (b) CLERICAL AMENDMENT.—The table of contents
23 in the first section of the National Security Act of 1947
24 is amended by inserting after the item relating to section
25 1108 the following new item:

“Sec. 1109. Requirement to buy certain satellite component from American sources.”.

1 **SEC. 306. LIMITATION ON CONSTRUCTION OF FACILITIES**
2 **TO BE USED PRIMARILY BY INTELLIGENCE**
3 **COMMUNITY.**

4 Section 602(a)(2) of the Intelligence Authorization
5 Act for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is
6 amended—

7 (1) by striking “\$1,000,000” both places it ap-
8 pears and inserting “\$2,000,000”; and

9 (2) by striking “the Director of National Intel-
10 ligence shall submit a notification” and inserting
11 “the head of such component, in coordination with
12 and subject to the approval of the Director of Na-
13 tional Intelligence, shall submit a notification”.

14 **SEC. 307. INTELLIGENCE COMMUNITY STUDENT LOAN RE-**
15 **PAYMENT PROGRAMS.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) student loan repayment programs are a cru-
19 cial tool in attracting and retaining talented individ-
20 uals to the intelligence community, particularly indi-
21 viduals from diverse backgrounds;

22 (2) generous student loan repayment programs
23 help the intelligence community compete with the
24 private sector for talented employees;

1 (3) departments and agencies containing ele-
2 ments of the intelligence community have authority
3 to establish student loan repayment programs either
4 under section 5379 of title 5, United States Code,
5 or under the delegable authority of the Director of
6 National Intelligence under section 102A(n)(1) of
7 the National Security Act of 1947 (50 U.S.C.
8 3024(n)(1));

9 (4) although the Director should use the au-
10 thority under such section 102A(n)(1) sparingly,
11 and should be exceedingly sparing in delegating such
12 authority to an element of the intelligence commu-
13 nity, the Director should approve well-predicated re-
14 quests for such authority in the student loan repay-
15 ment context if an element of the intelligence com-
16 munity can articulate an impediment to establishing
17 or enhancing a program under section 5379 of title
18 5, United States Code; and

19 (5) student loan repayment programs estab-
20 lished by an element of the intelligence community
21 should provide flexibility to intelligence community
22 employees, including employees who pursue loan-fi-
23 nanced education in the middle of their careers or
24 after the day on which they first become intelligence
25 community employees.

1 (b) STUDENT LOAN REPAYMENT PROGRAM STAND-
2 ARDS.—Not later than 180 days after the date of the en-
3 actment of this Act, the Director of National Intelligence,
4 or a designee of the Director who is an employee of the
5 Office of the Director of National Intelligence, shall estab-
6 lish minimum standards for the repayment of student
7 loans of employees of elements of the intelligence commu-
8 nity by such elements of the intelligence community.

9 (c) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the Director shall submit
11 to the appropriate congressional committees a report on
12 the standards established under subsection (b). Such re-
13 port shall include—

14 (1) an explanation of why such minimum stand-
15 ards were established; and

16 (2) how such standards advance the goals of—

17 (A) attracting and retaining a talented in-
18 telligence community workforce;

19 (B) competing with private sector compa-
20 nies for talented employees; and

21 (C) promoting the development of a diverse
22 workforce.

23 (d) FAILURE TO MEET STANDARDS.—Not later than
24 180 days after the date on which the standards required
25 under subsection (b) are established, the head of an ele-

1 ment of the intelligence community that does not meet
2 such standards shall submit to the appropriate congres-
3 sional committees a report containing an explanation for
4 why such element does not meet such standards and an
5 identification of any additional authority or appropriations
6 required to for the element to meet such standards.

7 (e) SUBMITTAL OF REGULATIONS AND POLICIES TO
8 CONGRESS.—Not later than 180 days after the date on
9 which the standards required under subsection (b) are es-
10 tablished, the head of an element of the intelligence com-
11 munity shall submit to the appropriate congressional com-
12 mittees a copy of all internal regulations and policies gov-
13 erning the student loan repayment program of that ele-
14 ment as well as copies of such policies redacted to remove
15 classified information.

16 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means—

19 (1) the Permanent Select Committee on Intel-
20 ligence of the House of Representatives;

21 (2) the Select Committee on Intelligence of the
22 Senate;

23 (3) with respect to an element of the intel-
24 ligence community within the Department of De-

1 fense, the Committees on Armed Services of the
2 Senate and House of Representatives;

3 (4) with respect to an element of the intel-
4 ligence community within the Department of Jus-
5 tice, the Committees on the Judiciary of the Senate
6 and House of Representatives;

7 (5) with respect to an element of the intel-
8 ligence community within the Department of Home-
9 land Security, the Committee on Homeland Security
10 and Governmental Affairs of the Senate and the
11 Committee on Homeland Security of the House of
12 Representatives;

13 (6) with respect to an element of the intel-
14 ligence community within the Department of State,
15 the Committee on Foreign Relations of the Senate
16 and the Committee on Foreign Affairs of the House
17 of Representatives;

18 (7) with respect to an element of the intel-
19 ligence community within the Department of En-
20 ergy, the Committee on Energy and Natural Re-
21 sources of the Senate and the Committee on Energy
22 and Commerce of the House of Representatives; and

23 (8) with respect to an element of the intel-
24 ligence community within the Department of the
25 Treasury, the Committee on Finance of the Senate

1 and the Committee on Financial Services of the
2 House of Representatives.

3 (g) FORM OF REPORTS.—Each of the reports re-
4 quired under subsections (c) and (d) shall be submitted
5 in unclassified form, but may contain a classified annex.

6 **SEC. 308. PAID LEAVE FOR A SERIOUS HEALTH CONDITION.**

7 (a) PURPOSE.—The purpose of this section is to—

8 (1) help the intelligence community recruit and
9 retain a dynamic, multi-talented, and diverse work-
10 force capable of meeting the security goals of the
11 United States; and

12 (2) establish best practices and processes for
13 other elements of the Federal Government seeking to
14 pursue similar policies.

15 (b) AUTHORIZATION OF PAID LEAVE FOR A SERIOUS
16 HEALTH CONDITION FOR EMPLOYEES OF ELEMENTS OF
17 THE INTELLIGENCE COMMUNITY.—

18 (1) IN GENERAL.—Title III of the National Se-
19 curity Act of 1947 (50 U.S.C. 3071 et seq.) is
20 amended by inserting after section 304 the fol-
21 lowing:

22 **“SEC. 305. PAID LEAVE FOR A SERIOUS HEALTH CONDI-**
23 **TION.**

24 **“(a) DEFINITIONS.—In this section:**

1 “(1) PAID SERIOUS HEALTH CONDITION
2 LEAVE.—The term ‘paid serious health condition
3 leave’ means paid leave taken under subsection (b).

4 “(2) SERIOUS HEALTH CONDITION.—The term
5 ‘serious health condition’ has the meaning given the
6 term in section 6381 of title 5, United States Code.

7 “(3) SON OR DAUGHTER.—The term ‘son or
8 daughter’ has the meaning given the term in section
9 6381 of title 5, United States Code.

10 “(b) PAID SERIOUS HEALTH CONDITION LEAVE.—
11 Notwithstanding any other provision of law, a civilian em-
12 ployee of an element of the intelligence community shall
13 have available a total of 12 administrative workweeks of
14 paid leave during any 12-month period for one or more
15 of the following:

16 “(1) In order to care for the spouse, or a son,
17 daughter, or parent, of the employee, if such spouse,
18 son, daughter, or parent has a serious health condi-
19 tion.

20 “(2) Because of a serious health condition that
21 makes the employee unable to perform the functions
22 of the employee’s position.

23 “(c) TREATMENT OF SERIOUS HEALTH CONDITION
24 LEAVE REQUEST.—Notwithstanding any other provision
25 of law, an element of the intelligence community shall ac-

1 commodate an employee's leave schedule request under
2 subsection (b), including a request to use such leave inter-
3 mittently or on a reduced leave schedule, to the extent that
4 the requested leave schedule does not unduly disrupt agen-
5 cy operations.

6 “(d) RULES RELATING TO PAID LEAVE.—Notwith-
7 standing any other provision of law—

8 “(1) an employee of an element of the intel-
9 ligence community may not be required to first use
10 all or any portion of any unpaid leave available to
11 the employee before being allowed to use paid seri-
12 ous health condition leave; and

13 “(2) paid serious health condition leave—

14 “(A) shall be payable from any appropria-
15 tion or fund available for salaries or expenses
16 for positions within the employing element;

17 “(B) may not be considered to be annual
18 or vacation leave for purposes of section 5551
19 or 5552 of title 5, United States Code, or for
20 any other purpose;

21 “(C) if not used by the employee before the
22 end of the 12-month period described in sub-
23 section (b) to which the leave relates, may not
24 be available for any subsequent use and may
25 not be converted into a cash payment;

1 “(D) may be granted only to the extent
2 that the employee does not receive a total of
3 more than 12 weeks of paid serious health con-
4 dition leave in any 12-month period;

5 “(E) shall be used in increments of hours
6 (or fractions thereof), with 12 administrative
7 workweeks equal to 480 hours for employees of
8 elements of the intelligence community with a
9 regular full-time work schedule and converted
10 to a proportional number of hours for employ-
11 ees of such elements with part-time, seasonal,
12 or uncommon tours of duty; and

13 “(F) may not be used during off-season
14 (nonpay status) periods for employees of such
15 elements with seasonal work schedules.

16 “(e) IMPLEMENTATION.—

17 “(1) CONSISTENCY WITH SERIOUS HEALTH
18 CONDITION LEAVE UNDER TITLE 5.—The Director
19 of National Intelligence shall carry out this section
20 in a manner consistent, to the extent appropriate,
21 with the administration of leave taken under section
22 6382 of title 5, United States Code, for a reason de-
23 scribed in subparagraph (C) or (D) of subsection
24 (a)(1) of that section.

1 “(2) IMPLEMENTATION PLAN.—Not later than
2 1 year after the date of enactment of this section,
3 the Director of National Intelligence shall submit to
4 the congressional intelligence committees an imple-
5 mentation plan that includes—

6 “(A) processes and procedures for imple-
7 menting the paid serious health condition leave
8 policies under subsections (b) through (d);

9 “(B) an explanation of how the implemen-
10 tation of subsections (b) through (d) will be rec-
11 onciled with policies of other elements of the
12 Federal Government, including the impact on
13 elements funded by the National Intelligence
14 Program that are housed within agencies out-
15 side the intelligence community;

16 “(C) the projected impact of the implemen-
17 tation of subsections (b) through (d) on the
18 workforce of the intelligence community, includ-
19 ing take rates, retention, recruiting, and mo-
20 rale, broken down by each element of the intel-
21 ligence community; and

22 “(D) all costs or operational expenses asso-
23 ciated with the implementation of subsections
24 (b) through (d).

1 “(3) DIRECTIVE.—Not later than 90 days after
 2 the Director of National Intelligence submits the im-
 3 plementation plan under paragraph (2), the Director
 4 of National Intelligence shall issue a written direc-
 5 tive to implement this section, which directive shall
 6 take effect on the date of issuance.

7 “(f) ANNUAL REPORT.—The Director of National In-
 8 telligence shall submit to the congressional intelligence
 9 committees an annual report that—

10 “(1) details the number of employees of each
 11 element of the intelligence community who applied
 12 for and took paid serious health condition leave dur-
 13 ing the year covered by the report; and

14 “(2) includes updates on major implementation
 15 challenges or costs associated with paid serious
 16 health condition leave.”.

17 (2) CLERICAL AMENDMENT.—The table of con-
 18 tents at the beginning of such Act is amended by in-
 19 serting after the item relating to section 304 the fol-
 20 lowing:

“Sec. 305. Paid serious health condition leave.”.

21 (c) APPLICABILITY.—Section 305 of the National Se-
 22 curity Act of 1947, as added by subsection (b), shall apply
 23 with respect to leave taken in connection with a serious
 24 health condition (as defined in subsection (a) of such sec-
 25 tion 305) that occurs or continues to exist on or after the

1 date on which the Director of National Intelligence issues
 2 the written directive under subsection (e)(3) of such sec-
 3 tion 305.

4 **SEC. 309. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
 5 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
 6 **CERS AND EMPLOYEES.**

7 (a) MODIFICATIONS TO REQUIREMENT.—

8 (1) IN GENERAL.—Section 304 of the National
 9 Security Act of 1947 (50 U.S.C. 3073a) is amended
 10 to read as follows:

11 **“SEC. 304. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
 12 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
 13 **CERS AND EMPLOYEES.**

14 “(a) TEMPORARY RESTRICTION.—An employee of an
 15 element of the intelligence community who occupies a cov-
 16 ered intelligence position may not occupy a covered post-
 17 service position during the 30-month period following the
 18 date on which the employee ceases to occupy a covered
 19 intelligence position.

20 “(b) COVERED POST-SERVICE EMPLOYMENT RE-
 21 PORTING.—

22 “(1) REQUIREMENT.—The head of each ele-
 23 ment of the intelligence community shall issue regu-
 24 lations requiring, as a condition of employment, each
 25 employee of such element occupying a covered intel-

1 ligence position to sign a written agreement requir-
2 ing the regular reporting of covered post-service em-
3 ployment to the head of such element.

4 “(2) AGREEMENT ELEMENTS.—

5 “(A) REPORTING COVERED POST-SERVICE
6 EMPLOYMENT.—The regulations required under
7 paragraph (1) shall provide that an agreement
8 contain provisions requiring each employee oc-
9 cupying a covered intelligence position to, dur-
10 ing the 5-year period beginning on the date on
11 which such employee ceases to occupy such cov-
12 ered intelligence position—

13 “(i) report covered post-service em-
14 ployment to the head of the element of the
15 intelligence community that employed such
16 employee in such covered intelligence posi-
17 tion upon accepting such covered post-serv-
18 ice employment; and

19 “(ii) annually (or more frequently if
20 the head of such element considers it ap-
21 propriate) report covered post-service em-
22 ployment to the head of such element.

23 “(B) INFORMATION INCLUDED.—Each re-
24 port by an employee under subparagraph (A)
25 shall include the following information:

1 “(i) The name of the employer.

2 “(ii) The foreign government, includ-
3 ing the specific foreign individual, agency,
4 or entity, for whom the covered post-serv-
5 ice employment is being performed.

6 “(iii) The title and role of the covered
7 post-service position.

8 “(iv) The nature of the services pro-
9 vided as part of the covered post-service
10 employment.

11 “(v) All financial compensation and
12 benefits received or promised for the cov-
13 ered post-service employment.

14 “(vi) A self-certification that none of
15 the services provided as part of the covered
16 post-service employment violate Federal
17 law, infringe upon the privacy rights of
18 United States persons, or constitute abuses
19 of human rights.

20 “(c) PENALTIES.—

21 “(1) CRIMINAL PENALTIES.—A former em-
22 ployee who knowingly and willfully violates sub-
23 section (a) or who knowingly and willfully fails to
24 make a required report under subsection (b) shall be
25 fined under title 18, United States Code, or impris-

1 oned for not more than 5 years, or both. Each re-
2 port under subsection (b) shall be subject to section
3 1001 of title 18, United States Code.

4 “(2) SECURITY CLEARANCES.—The head of an
5 element of the intelligence community shall revoke
6 the security clearance of a former employee if the
7 former employee knowingly and willfully fails to
8 make a required report under subsection (b) or
9 knowingly and willfully makes a false report under
10 subsection.

11 “(d) TRAINING.—The head of each element of the in-
12 telligence community shall provide training on the report-
13 ing requirements under subsection (b) to each employee
14 who ceases to occupy a covered intelligence position.

15 “(e) ANNUAL REPORTS.—

16 “(1) REQUIREMENT.—Not later than March 31
17 of each year, the Director of National Intelligence
18 shall submit to the congressional intelligence com-
19 mittees a report on covered post-service employment
20 occurring during the year covered by the report.

21 “(2) ELEMENTS.—Each report under para-
22 graph (1) shall include the following:

23 “(A) The number of former employees who
24 occupy a covered post-service position, broken
25 down by—

1 “(i) the name of the employer;

2 “(ii) the foreign government, includ-
3 ing by the specific foreign individual, agen-
4 cy, or entity, for whom the covered post-
5 service employment is being performed;
6 and

7 “(iii) the nature of the services pro-
8 vided as part of the covered post-service
9 employment.

10 “(B) A certification by the Director that—

11 “(i) each element of the intelligence
12 community maintains adequate systems
13 and processes for ensuring that former em-
14 ployees are submitting reports required
15 under subsection (b);

16 “(ii) to the knowledge of the heads of
17 the elements of the intelligence community,
18 all former employees who occupy a covered
19 post-service position are in compliance with
20 this section;

21 “(iii) the services provided by former
22 employees who occupy a covered post-serv-
23 ice position do not—

1 “(I) pose a current or future
2 threat to the national security of the
3 United States; or

4 “(II) pose a counterintelligence
5 risk; and

6 “(iv) the Director and the heads of
7 such elements are not aware of any cred-
8 ible information or reporting that any indi-
9 vidual described in clause (iii) has engaged
10 in activities that violate Federal law, in-
11 fringe upon the privacy rights of United
12 States persons, or constitute abuses of
13 human rights.

14 “(3) FORM.—Each report under paragraph (1)
15 shall be submitted in unclassified form, but may in-
16 clude a classified annex.

17 “(f) NOTIFICATION.—In addition to the annual re-
18 ports under subsection (e), if a head of an element of the
19 intelligence community determines that the circumstances
20 described in either clause (iii) or (iv) of paragraph (2) of
21 such subsection occur with respect to a former employee
22 described in those clauses, the head shall notify the con-
23 gressional intelligence committees of such determination
24 by not later than 7 days after making such determination.
25 The notification shall include the following:

1 “(1) The name of the former employee.

2 “(2) The name of the employer.

3 “(3) The foreign government, including the spe-
4 cific foreign individual, agency, or entity, for whom
5 the covered post-service employment is being per-
6 formed.

7 “(4) As applicable, a description of—

8 “(A) the risk to national security, the
9 counterintelligence risk, or both; and

10 “(B) the activities that may violate Fed-
11 eral law, infringe upon the privacy rights of
12 United States persons, or constitute abuses of
13 human rights.

14 “(g) DEFINITIONS.—In this section:

15 “(1) COVERED INTELLIGENCE POSITION.—The
16 term ‘covered intelligence position’ means a position
17 within an element of the intelligence community
18 that, based on the level of access of a person occu-
19 pying such position to information regarding sen-
20 sitive intelligence sources or methods or other excep-
21 tionally sensitive matters, the head of such element
22 determines should be subject to the requirements of
23 this section.

24 “(2) COVERED POST-SERVICE EMPLOYMENT.—

25 The term ‘covered post-service employment’ means

1 direct or indirect employment by, representation of,
2 or any provision of advice or services relating to na-
3 tional security, intelligence, the military, or internal
4 security to the government of a foreign country or
5 any company, entity, or other person whose activities
6 are directly or indirectly supervised, directed, con-
7 trolled, financed, or subsidized, in whole or in major
8 part, by any government of a foreign country.

9 “(3) COVERED POST-SERVICE POSITION.—The
10 term ‘covered post-service position’ means a position
11 of employment described in paragraph (2).

12 “(4) EMPLOYEE.—The term ‘employee’, with
13 respect to an employee occupying a covered intel-
14 ligence position, includes an officer or official of an
15 element of the intelligence community, a contractor
16 of such an element, a detailee to such an element,
17 or a member of the Armed Forces assigned to such
18 an element.

19 “(5) FORMER EMPLOYEE.—The term ‘former
20 employee’ means an individual—

21 “(A) who was an employee occupying a
22 covered intelligence position; and

23 “(B) who is subject to the requirements
24 under subsections (a) or (b).

1 “(6) GOVERNMENT OF A FOREIGN COUNTRY.—

2 The term ‘government of a foreign country’ has the
3 meaning given the term in section 1(e) of the For-
4 eign Agents Registration Act of 1938 (22 U.S.C.
5 611(e)).”.

6 (2) REVISED REGULATIONS.—

7 (A) SUBMISSION.—Not later than 90 days
8 after the date of the enactment of this Act, the
9 head of each element of the intelligence commu-
10 nity shall submit to the congressional intel-
11 ligence committees updated regulations issued
12 under such section 304, as amended by para-
13 graph (1).

14 (B) CERTIFICATION.—Not later than 180
15 days after the date of the enactment of this
16 Act, the Director of National Intelligence shall
17 submit to the congressional intelligence commit-
18 tees—

19 (i) a written certification for each
20 head of an element of the intelligence com-
21 munity who has issued the updated regula-
22 tions under such section 304, as amended
23 by paragraph (1); and

24 (ii) for each head of an element of the
25 intelligence community who has not issued

1 such updated regulations, an explanation
 2 for the failure to issue such updated regu-
 3 lations.

4 (3) INITIAL REPORT.—In the first report sub-
 5 mitted by the Director of National Intelligence
 6 under subsection (e) of such section 304, as amend-
 7 ed by paragraph (1), the Director shall include an
 8 assessment of the licensing requirements under the
 9 Arms Export Control Act (22 U.S.C. 2751 et seq.)
 10 and recommendations with respect to strengthening
 11 the activities regulated under such section 304.

12 (b) CLERICAL AMENDMENT.—The table of sections
 13 at the beginning of such Act is amended by striking the
 14 item relating to section 304 and inserting the following
 15 new item:

“Sec. 304. Requirements for certain employment activities by former intel-
 ligence officers and employees.”.

16 **TITLE IV—MATTERS RELATING** 17 **TO ELEMENTS OF THE INTEL-** 18 **LIGENCE COMMUNITY**

19 **SEC. 401. CLARIFICATION OF AUTHORITY OF NATIONAL RE-** 20 **CONNAISSANCE OFFICE.**

21 Section 106A of the National Security Act of 1947
 22 (50 U.S.C. 3041a) is amended—

23 (1) by redesignating subsection (d) as sub-
 24 section (e); and

1 (2) by inserting after subsection (c) the fol-
2 lowing new subsection (d):

3 “(d) CLARIFICATION OF AUTHORITY.—The Director
4 of National Intelligence may not transfer any element of
5 the National Reconnaissance Office to the Space Force.
6 Nothing in chapter 908 of title 10, United States Code,
7 shall affect the authorities, duties, or responsibilities of
8 the Director of the National Reconnaissance Office, in-
9 cluding with respect to the authority of the Director to
10 operate a unified organization to carry out the research,
11 development, test, evaluation, acquisition, launch, deploy-
12 ment, and operations of overhead reconnaissance systems
13 and related data processing facilities of the National Re-
14 connaissance Office.”.

15 **SEC. 402. ESTABLISHMENT OF OFFICE OF THE OMBUDS-**
16 **MAN FOR ANALYTIC OBJECTIVITY.**

17 (a) OFFICE OF THE OMBUDSMAN FOR ANALYTIC OB-
18 JECTIVITY.—The Central Intelligence Agency Act of 1949
19 (50 U.S.C. 3501 et seq.) is amended by adding at the end
20 the following:

21 **“SEC. 24. OFFICE OF THE OMBUDSMAN FOR ANALYTIC OB-**
22 **JECTIVITY.**

23 “(a) ESTABLISHMENT.—There is established in the
24 Agency an Office of the Ombudsman for Analytic Objec-
25 tivity (in this section referred to as the ‘Office’), which

1 shall be headed by an Ombudsman. The Ombudsman shall
2 be appointed by the Director from among the senior staff
3 officers of the Agency.

4 “(b) DUTIES AND RESPONSIBILITIES.—The Om-
5 budsman shall—

6 “(1) on an annual basis, conduct a survey of
7 analytic objectivity among officers and employees of
8 the Agency;

9 “(2) implement a procedure by which any offi-
10 cer or employee of the Agency may submit to the Of-
11 fice a complaint alleging politicization, bias, lack of
12 objectivity, or other issues relating to a failure of
13 tradecraft in analysis conducted by the Agency;

14 “(3) except as provided in paragraph (4), upon
15 receiving a complaint submitted pursuant to para-
16 graph (2), take reasonable action to investigate the
17 complaint, make a determination as to whether the
18 incident described in the complaint involved
19 politicization, bias, or lack of objectivity, and pre-
20 pare a report that—

21 “(A) summarizes the facts relevant to the
22 complaint;

23 “(B) documents the determination of the
24 Ombudsman with respect to the complaint; and

1 “(C) contains a recommendation for reme-
2 dial action;

3 “(4) if a complaint submitted pursuant to para-
4 graph (2) alleges politicization, bias, or lack of ob-
5 jectivity in the collection of intelligence information,
6 refer the complaint to the official responsible for su-
7 pervising collection operations of the Agency; and

8 “(5) continuously monitor changes in areas of
9 analysis that the Ombudsman determines involve a
10 heightened risk of politicization, bias, or lack of ob-
11 jectivity, to ensure that any change in the analytic
12 line arises from proper application of analytic
13 tradecraft and not as a result of politicization, bias,
14 or lack of objectivity.

15 “(c) REPORTS.—(1) On an annual basis, the Om-
16 budsman shall submit to the intelligence committees a re-
17 port on the results of the survey conducted pursuant to
18 subsection (b)(1) with respect to the most recent fiscal
19 year.

20 “(2) On an annual basis, the Ombudsman shall sub-
21 mit to the intelligence committees a report that includes—

22 “(A) the number of complaints of submitted
23 pursuant to subsection (b)(2) during the most recent
24 fiscal year; and

1 “(B) a description of the nature of such com-
2 plaints, the actions taken by the Office or any other
3 relevant element or component of the Agency with
4 respect to such complaints, and the resolution of
5 such complaints.

6 “(3) On a quarterly basis, the Ombudsman shall sub-
7 mit to the intelligence committees a report that includes—

8 “(A) a list of the areas of analysis monitored
9 during the most recent calendar quarter pursuant to
10 subsection (b)(5); and

11 “(B) a brief description of the methods by
12 which the Office has conducted such monitoring.

13 “(d) INTELLIGENCE COMMITTEES DEFINED.—In
14 this section, the term ‘intelligence committees’ means the
15 Permanent Select Committee on Intelligence of the House
16 of Representatives and the Select Committee on Intel-
17 ligence of the Senate.”.

18 (b) REFERENCE.—Any reference in any law, regula-
19 tion, map, document, paper, or other record of the United
20 States to the Ombudsman for Analytic and Collection Ob-
21 jectivity of the Central Intelligence Agency shall be
22 deemed to be a reference to the Office of the Ombudsman
23 for Analytic Objectivity of the Central Intelligence Agency
24 established by section 24(a) of the Central Intelligence

1 Agency Act of 1949 (50 U.S.C. 3501 et seq.), as added
2 by subsection (a).

3 (c) REPORT ON SURVEYS FOR FISCAL YEARS 2018
4 AND 2019.—Not later than 10 days after the date of the
5 enactment of this Act, the Director of the Central Intel-
6 ligence Agency shall submit to the congressional intel-
7 ligence committees any reports previously prepared by the
8 Ombudsman for Analytic and Collection Objectivity with
9 respect to the surveys of analytic objectivity conducted for
10 fiscal years 2018 and 2019.

11 **SEC. 403. PLACEMENT ON THE EXECUTIVE SCHEDULE FOR**
12 **DEPARTMENT OF DEFENSE DIRECTORS OF**
13 **THE NATIONAL SECURITY AGENCY AND THE**
14 **NATIONAL RECONNAISSANCE OFFICE.**

15 (a) IN GENERAL.—Section 5314 of title 5, United
16 States Code, is amended by inserting after the item relat-
17 ing to the Executive Secretary, National Space Council the
18 following new items:

19 “Director of the National Security Agency.

20 “Director of the National Reconnaissance Of-
21 fice.”.

22 (b) APPLICATION.—The amendment made by sub-
23 section (a) shall apply with respect to—

1 (1) any individual who is appointed to serve as
 2 the Director of the National Security Agency on or
 3 after the date of the enactment of this Act; and

4 (2) any individual who is appointed to serve as
 5 the Director of the National Reconnaissance Office
 6 on or after the date of the enactment of this Act.

7 **SEC. 404. EXPANSION OF PERSONNEL MANAGEMENT AU-**
 8 **THORITY TO ATTRACT EXPERTS IN SCIENCE**
 9 **AND ENGINEERING.**

10 Section 1599h of title 10, United States Code, is
 11 amended—

12 (1) in subsection (a), by adding at the end the
 13 following new paragraph:

14 “(7) NGA.—The Director of the National
 15 Geospatial-Intelligence Agency may carry out a pro-
 16 gram of personnel management authority provided
 17 in subsection (b) in order to facilitate recruitment of
 18 eminent experts in science or engineering for re-
 19 search and development projects and to enhance the
 20 administration and management of the Agency.”;

21 (2) in subsection (b)(1)—

22 (A) in subparagraph (E), by striking “;
 23 and”;

24 (B) in subparagraph (F), by striking the
 25 semicolon and inserting “; and”; and

1 (C) by adding at the end the following new
2 subparagraph:

3 “(G) in the case of the National
4 Geospatial-Intelligence Agency, appoint individ-
5 uals to a total of not more than 7 positions in
6 the Agency, of which not more than 2 such po-
7 sitions may be positions of administration or
8 management in the Agency;” and

9 (3) in subsection (c)(2), by striking “or the
10 Joint Artificial Intelligence Center” and inserting
11 “the Joint Artificial Intelligence Center, or the Na-
12 tional Geospatial-Intelligence Agency”.

13 **SEC. 405. SPECIAL ACCESS PROGRAMS: CONGRESSIONAL**
14 **OVERSIGHT.**

15 Section 119 of title 10, United States Code, is
16 amended—

17 (1) by striking subsection (g) and inserting the
18 following new subsection:

19 “(g) In this section, the term ‘appropriate congres-
20 sional committees’ means the following:

21 “(1) The Committee on Armed Services and the
22 Committee on Appropriations, and the Defense Sub-
23 committee of the Committee on Appropriations, of
24 the Senate.

1 “(2) The Committee on Armed Services and the
2 Committee on Appropriations, and the Sub-
3 committee on Defense of the Committee on Appro-
4 priations, of the House of Representatives.

5 “(3) With respect to a special access program
6 or a new special access program covered by a report
7 or notification under this section that the Secretary
8 of Defense determines to be an intelligence or intel-
9 ligence-related special access program, and with re-
10 spect to any other special access program or new
11 special access program covered by a report or notifi-
12 cation under this section or any other matters that
13 the Secretary determines appropriate, the Perma-
14 nent Select Committee on Intelligence of the House
15 of Representatives and the Select Committee on In-
16 telligence of the Senate.”; and

17 (2) by striking “defense committees” each place
18 it appears and inserting “appropriate congressional
19 committees”.

1 **SEC. 406. SENIOR CHIEF PETTY OFFICER SHANNON KENT**
2 **AWARD FOR DISTINGUISHED FEMALE PER-**
3 **SONNEL OF THE NATIONAL SECURITY AGEN-**
4 **CY.**

5 The National Security Agency Act of 1959 (50
6 U.S.C. 3601 et seq.) is amended by adding at the end
7 the following new section:

8 **“SEC. 21. SENIOR CHIEF PETTY OFFICER SHANNON KENT**
9 **AWARD FOR DISTINGUISHED FEMALE PER-**
10 **SONNEL.**

11 “(a) ESTABLISHMENT.—The Director of the Na-
12 tional Security Agency shall establish an honorary award
13 for the recognition of female personnel of the National Se-
14 curity Agency for distinguished career contributions in
15 support of the mission of the Agency as civilian employees
16 or members of the Armed Forces assigned to the Agency.
17 The award shall be known as the ‘Senior Chief Petty Offi-
18 cer Shannon Kent Award’ and shall consist of a design
19 determined appropriate by the Director.

20 “(b) AWARD.—The Director shall award the Senior
21 Chief Petty Officer Shannon Kent Award to female civil-
22 ian employees, members of the Armed Forces, or former
23 civilian employees or members, whom the Director deter-
24 mines meet the criteria under subsection (a).”.

1 **SEC. 407. DEPARTMENT OF HOMELAND SECURITY INTEL-**
2 **LIGENCE AND CYBERSECURITY DIVERSITY**
3 **FELLOWSHIP PROGRAM.**

4 (a) PROGRAM.—Subtitle D of title XIII of the Home-
5 land Security Act of 2002 (5 U.S.C. 3301 note et seq.)
6 is amended by adding at the end the following new section:

7 **“SEC. 1333. INTELLIGENCE AND CYBERSECURITY DIVER-**
8 **SITY FELLOWSHIP PROGRAM.**

9 “(a) PROGRAM.—The Secretary shall carry out an in-
10 telligence and cybersecurity diversity fellowship program
11 (in this section referred to as the ‘Program’) under which
12 an eligible individual may—

13 “(1) participate in a paid internship at the De-
14 partment that relates to intelligence, cybersecurity,
15 or some combination thereof;

16 “(2) receive tuition assistance from the Sec-
17 retary; and

18 “(3) upon graduation from an institution of
19 higher education and successful completion of the
20 Program (as defined by the Secretary), receive an
21 offer of employment to work in an intelligence or cy-
22 bersecurity position of the Department that is in the
23 excepted service.

24 “(b) ELIGIBILITY.—To be eligible to participate in
25 the Program, an individual shall—

26 “(1) be a citizen of the United States; and

1 “(2) as of the date of submitting the applica-
2 tion to participate in the Program—

3 “(A) have a cumulative grade point aver-
4 age of at least 3.2 on a 4.0 scale; and

5 “(B) be a sophomore, junior, or senior
6 at—

7 “(i) a historically Black college or uni-
8 versity or a minority-serving institution; or

9 “(ii) an institution of higher education
10 that is not a historically Black college or
11 university or a minority-serving institution
12 and be an active participant in a minority-
13 serving organization of such institution.

14 “(c) DIRECT HIRE AUTHORITY.—If an individual
15 who receives an offer of employment under subsection
16 (a)(3) accepts such offer, the Secretary shall appoint,
17 without regard to provisions of subchapter I of chapter
18 33 of title 5, United States Code, (except for section 3328
19 of such title) such individual to the position specified in
20 such offer.

21 “(d) REPORTS.—

22 “(1) REPORTS.—Not later than 1 year after the
23 date of the enactment of this section, and on an an-
24 nual basis thereafter, the Secretary shall submit to

1 the appropriate committees of Congress a report on
2 the Program.

3 “(2) MATTERS.—Each report under paragraph
4 (1) shall include, with respect to the most recent
5 year, the following:

6 “(A) A description of outreach efforts by
7 the Secretary to raise awareness of the Pro-
8 gram among institutions of higher education in
9 which eligible individuals are enrolled.

10 “(B) Information on specific recruiting ef-
11 forts conducted by the Secretary to increase
12 participation in the Program.

13 “(C) The number of individuals partici-
14 pating in the Program, listed by the institution
15 of higher education in which the individual is
16 enrolled at the time of participation, and infor-
17 mation on the nature of such participation, in-
18 cluding on whether the duties of the individual
19 under the Program relate primarily to intel-
20 ligence or to cybersecurity.

21 “(D) The number of individuals who ac-
22 cepted an offer of employment under the Pro-
23 gram and an identification of the element with-
24 in the Department to which each individual was
25 appointed.

1 “(e) DEFINITIONS.—In this section:

2 “(1) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term ‘appropriate committees of Con-
4 gress’ means—

5 “(A) the Committee on Homeland Security
6 and the Permanent Select Committee on Intel-
7 ligence of the House of Representatives; and

8 “(B) the Committee on Homeland Security
9 and Governmental Affairs and the Select Com-
10 mittee on Intelligence of the Senate.

11 “(2) EXCEPTED SERVICE.—The term ‘excepted
12 service’ has the meaning given that term in section
13 2103 of title 5, United States Code.

14 “(3) HISTORICALLY BLACK COLLEGE OR UNI-
15 VERSITY.—The term ‘historically Black college or
16 university’ has the meaning given the term ‘part B
17 institution’ in section 322 of the Higher Education
18 Act of 1965 (20 U.S.C. 1061).

19 “(4) INSTITUTION OF HIGHER EDUCATION.—
20 The term ‘institution of higher education’ has the
21 meaning given that term in section 101 of the High-
22 er Education Act of 1965 (20 U.S.C. 1001).

23 “(5) MINORITY-SERVING INSTITUTION.—The
24 term ‘minority-serving institution’ means an institu-
25 tion of higher education described in section 371(a)

1 of the Higher Education Act of 1965 (20 U.S.C.
2 1067q(a)).”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for such Act is amended by inserting after the item relat-
5 ing to section 1332 the following new item:

“Sec. 1333. Intelligence and cybersecurity diversity fellowship program.”.

6 **SEC. 408. CLIMATE SECURITY ADVISORY COUNCIL AND CLI-**
7 **MATE SECURITY INTELLIGENCE CENTER.**

8 (a) CLIMATE SECURITY ADVISORY COUNCIL.—

9 (1) REPEAL OF SUNSET.—Section 120 of the
10 National Security Act of 1947 (50 U.S.C. 3060) is
11 amended by striking subsection (d) and redesign-
12 nating subsection (e) as subsection (d).

13 (2) TECHNICAL AMENDMENT.—Subsection
14 (c)(4) of such section is amended by striking “secu-
15 rity indicators” and inserting “intelligence indica-
16 tions”.

17 (b) PLAN FOR CLIMATE SECURITY INTELLIGENCE
18 CENTER.—Not later than 180 days after the date of the
19 enactment of this Act, the chair of the Climate Security
20 Advisory Council established under section 120 of the Na-
21 tional Security Act of 1947 (50 U.S.C. 3060) shall submit
22 to the congressional intelligence committees a written plan
23 to permanently establish within the Office of the Director
24 of National Intelligence a Climate Security Intelligence
25 Center (to be headed by a Director appointed by the Di-

1 rector of National Intelligence) to fulfil each of the duties
2 described in subsection (c). Such plan shall include the
3 following:

4 (1) Recommendations for the Center, developed
5 based on findings by the Climate Security Advisory
6 Council in carrying out its duties and responsibil-
7 ities, that relate to—

8 (A) the scope of the mission, duties, re-
9 sponsibilities, and functions of the Center;

10 (B) the composition and staffing of the
11 Center with personnel from agencies of the
12 Federal Government, including through the de-
13 tail of nonintelligence community personnel to
14 the Center; and

15 (C) approaches to data-sharing, informa-
16 tion exchanges, and other types of collaboration
17 (at the appropriate level of classification), on
18 matters relating to climate security and envi-
19 ronmental science between the Center and—

20 (i) elements of the Federal Govern-
21 ment that are not elements of the intel-
22 ligence community; and

23 (ii) other key stakeholders in the sci-
24 entific enterprise of the United States, in-
25 cluding institutions of higher education,

1 Federal research laboratories (including
2 the national security laboratories), private
3 industry, and nonprofit research organiza-
4 tions.

5 (2) A proposed process for transferring from
6 the Climate Security Advisory Council to the Center
7 the functions currently carried out by such Council,
8 including a timeline for the transfer and a statement
9 on the feasibility of establishing the Center and com-
10 pleting the transfer by the end of 2022.

11 (3) A request for any resources, facilities, per-
12 sonnel, or authorities that the Climate Security Ad-
13 visory Council determines necessary to ensure that,
14 upon establishment, the Center and its Director may
15 fulfil the duties described in subsection (c).

16 (c) DUTIES.—The duties described in this subsection
17 are the following:

18 (1) To serve as the primary organization within
19 the intelligence community for—

20 (A) analyzing climate security threats and
21 the climate influence of the United States; and

22 (B) identifying and disseminating climate
23 intelligence indications and warnings.

24 (2) To assess and identify best practices in the
25 analysis of climate security, including identifying

1 publicly available information and clandestinely col-
2 lected intelligence that enables such analysis.

3 (3) To assess and identify best practices with
4 respect to prior efforts of the intelligence community
5 to analyze climate security, including—

6 (A) the Measurements of Earth Data for
7 Environmental Analysis program of the Central
8 Intelligence Agency;

9 (B) the Center on Climate Change and
10 National Security of the Central Intelligence
11 Agency; and

12 (C) climate security-related activities of the
13 Director of National Intelligence.

14 (4) To use the best practices identified under
15 paragraphs (2) and (3) to inform the work of the
16 Climate Security Intelligence Center.

17 (5) To consult, as appropriate, with other ele-
18 ments of the intelligence community and Federal
19 agencies to avoid duplication of existing efforts.

20 (6) To carry out any functions transferred pur-
21 suant to the process proposed in subsection (b)(2).

22 (7) To perform such other duties as the Direc-
23 tor of National Intelligence shall specify.

24 (d) STUDY ON ADVISORY COUNCIL MODEL FOR
25 STRATEGIC OR TRANSNATIONAL THREATS.—

1 (1) STUDY.—The Director of National Intel-
2 ligence, in coordination with the heads of other ele-
3 ments of the intelligence community determined ap-
4 propriate by the Director, shall conduct a study on
5 the effectiveness of the Climate Security Advisory
6 Council as a potential model for future advisory
7 councils that—

8 (A) focus on optimizing the collection and
9 analysis of intelligence relating to strategic or
10 transnational threats to the national security of
11 the United States (including threats posed by
12 disease outbreaks, pandemics, or other global
13 health threats); and

14 (B) are composed of elements of the intel-
15 ligence community and relevant elements of the
16 Federal Government that are not elements of
17 the intelligence community.

18 (2) REPORT.—Not later than 1 year after the
19 date of the enactment of this Act, the Director shall
20 submit to the congressional intelligence committees a
21 report containing the findings of the study under
22 paragraph (1).

23 (e) DEFINITIONS.—In this section:

1 (1) CLIMATE SECURITY.—The term “climate
2 security” means the effects of climate change on the
3 following:

4 (A) The national security of the United
5 States.

6 (B) Infrastructure that enhances the na-
7 tional security of the United States, including—

8 (i) military installations, Department
9 of Defense facilities, intelligence commu-
10 nity facilities, and other physical facilities
11 that contribute to or otherwise support op-
12 erations of the intelligence community or
13 the Department of Defense; and

14 (ii) critical infrastructure of the
15 United States (as defined in subsection (e)
16 of the Critical Infrastructures Protection
17 Act of 2001 (42 U.S.C. 5195c(e))).

18 (C) Subnational, national, regional, and
19 global politics, governance, and political sta-
20 bility.

21 (D) The security of allies and partners of
22 the United States.

23 (E) Ongoing or potential political violence,
24 including unrest, rioting, guerrilla warfare, in-

1 surgency, terrorism, rebellion, revolution, civil
2 war, and interstate war.

3 (2) CLIMATE INFLUENCE OF THE UNITED
4 STATES.—The term “climate influence of the United
5 States” means the global influence and leadership of
6 the United States with respect to the climate policies
7 of other countries, international organizations, and
8 transnational groups.

9 (3) CLIMATE INTELLIGENCE INDICATIONS AND
10 WARNINGS.—The term “climate intelligence indica-
11 tions and warnings” means climate security develop-
12 ments with the potential to—

13 (A) imminently and substantially alter the
14 political stability or degree of human security in
15 a state or region; or

16 (B) threaten the United States, the mili-
17 tary, political, or economic interests of allies or
18 coalition partners of the United States, or citi-
19 zens of the United States abroad.

1 **TITLE V—INSPECTORS GENERAL**
 2 **OF ELEMENTS OF THE INTEL-**
 3 **LIGENCE COMMUNITY AND**
 4 **PROTECTION OF WHISTLE-**
 5 **BLOWERS**

6 **SEC. 501. INDEPENDENCE OF INSPECTORS GENERAL OF**
 7 **THE INTELLIGENCE COMMUNITY.**

8 (a) IN GENERAL.—The National Security Act of
 9 1947 (50 U.S.C. 3001 et seq.) is amended by adding at
 10 the end the following new title:

11 **“TITLE XII—MATTERS REGARD-**
 12 **ING INSPECTORS GENERAL**
 13 **OF ELEMENTS OF THE INTEL-**
 14 **LIGENCE COMMUNITY**

15 **“Subtitle A—Inspectors General**

16 **“SEC. 1201. INDEPENDENCE OF INSPECTORS GENERAL.**

17 “(a) REMOVAL.—A covered Inspector General may be
 18 removed from office only by the President. The President
 19 may remove a covered Inspector General only for any of
 20 the following grounds:

21 “(1) Permanent incapacity.

22 “(2) Inefficiency.

23 “(3) Neglect of duty.

24 “(4) Malfeasance.

1 “(5) Conviction of a felony or conduct involving
2 moral turpitude.

3 “(6) Substantial violations of laws, rules, or
4 regulations.

5 “(7) Gross mismanagement.

6 “(8) Gross waste of funds.

7 “(9) Abuse of authority.

8 “(b) ADMINISTRATIVE LEAVE.—A covered Inspector
9 General may be placed on administrative leave only by the
10 President. The President may place a covered Inspector
11 General on administrative leave only for any of the
12 grounds specified in subsection (a).

13 “(c) NOTIFICATION.—The President may not remove
14 a covered Inspector General under subsection (a) or place
15 a covered Inspector General on administrative leave under
16 subsection (b) unless—

17 “(1) the President transmits in writing to the
18 congressional intelligence committees a notification
19 of such removal or placement, including a detailed
20 explanation of the grounds for such removal or
21 placement and the evidence supporting such
22 grounds; and

23 “(2) with respect to the removal of a covered
24 Inspector General, a period of 30 days elapses fol-
25 lowing the date of such transmittal.

1 “(d) REPORT.—Not later than 30 days after the date
2 on which the President notifies a covered Inspector Gen-
3 eral of being removed under subsection (a) or placed on
4 administrative leave under subsection (b), the office of
5 that Inspector General shall submit to the congressional
6 intelligence committees a report identifying—

7 “(1) each complaint, investigation, inspection,
8 audit, or other review or inquiry, including any in-
9 formation, allegation, or complaint reported to the
10 Attorney General in accordance with section 535 of
11 title 28, United States Code, that the Inspector Gen-
12 eral was working on as of the date of such removal
13 or placement; and

14 “(2) the status of each such complaint, inves-
15 tigation, inspection, audit, or other review or in-
16 quiry.

17 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to prohibit a personnel action of
19 a covered Inspector General otherwise authorized by law,
20 other than transfer or removal.

21 “(f) DEFINITIONS.—In this section:

22 “(1) ADMINISTRATIVE LEAVE.—The term ‘ad-
23 ministrative leave’ includes any other type of paid or
24 unpaid non-duty status.

1 “(2) COVERED INSPECTOR GENERAL.—The
 2 term ‘covered Inspector General’ includes an indi-
 3 vidual performing the functions and duties of a cov-
 4 ered Inspector General in an acting capacity.”.

5 (b) DEFINITION.—Section 3 of such Act (50 U.S.C.
 6 3003) is amended by adding at the end the following new
 7 paragraph:

8 “(8) The term ‘covered Inspector General’
 9 means each Inspector General of an element of the
 10 intelligence community, including the Inspector Gen-
 11 eral of the Intelligence Community.”.

12 (c) CLERICAL AMENDMENTS.—The table of sections
 13 at the beginning of the National Security Act of 1947 is
 14 amended by adding after the items relating to title XI the
 15 end the following new items:

 “TITLE XII—MATTERS REGARDING INSPECTORS GENERAL OF
 ELEMENTS OF THE INTELLIGENCE COMMUNITY

 “SUBTITLE A—INSPECTORS GENERAL

 “Sec. 1201. Independence of inspectors general.”.

16 **SEC. 502. DESIGNATION OF ACTING INSPECTORS GENERAL**
 17 **OF THE INTELLIGENCE COMMUNITY IN**
 18 **CASES OF VACANCIES.**

19 (a) IN GENERAL.—Title XII of the National Security
 20 Act of 1947, as added by section 501, is amended by in-
 21 serting after section 1201 the following new section:

1 **“SEC. 1203. DESIGNATION OF ACTING INSPECTORS GEN-**
2 **ERAL OF THE INTELLIGENCE COMMUNITY IN**
3 **CASES OF VACANCIES.**

4 “(a) DESIGNATION.—If a covered Inspector General
5 dies, resigns, is removed from office, or is otherwise unable
6 to perform the functions and duties of the office of that
7 Inspector General, the President may only direct an indi-
8 vidual specified in subsection (b) to perform the functions
9 and duties of that Inspector General in an acting capacity
10 until an individual is appointed by the President, by and
11 with the advice and consent of the Senate, to serve as In-
12 spector General.

13 “(b) INDIVIDUALS WHO CAN SERVE IN ACTING CA-
14 PACITY.—The following individuals may serve as an acting
15 Inspector General pursuant to subsection (a):

16 “(1) The individual who holds the most senior
17 position in that Office of the Inspector General as
18 a career appointee in the Senior Intelligence Service,
19 the Senior National Intelligence Service, or other ap-
20 plicable senior executive service.

21 “(2) An individual who is serving as an inspec-
22 tor general of another department, agency, or other
23 element of the Federal Government whose appoint-
24 ment to that position was made by the President, by
25 and with the advice and consent of the Senate.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of the National Security Act of 1947 is
 3 amended by inserting after the item relating to section
 4 1201, as added by section 501, the following new item:

“Sec. 1203. Designation of acting Inspectors General of the intelligence community in cases of vacancies.”.

5 **SEC. 503. AUTHORITY OF INSPECTORS GENERAL OF THE**
 6 **INTELLIGENCE COMMUNITY TO DETERMINE**
 7 **MATTERS OF URGENT CONCERN.**

8 (a) DETERMINATION.—

9 (1) IN GENERAL.—Title XII of the National Se-
 10 curity Act of 1947, as added by section 501, is
 11 amended by inserting after section 1203, as added
 12 by section 502, the following new section:

13 **“SEC. 1205. DETERMINATION OF MATTERS OF URGENT**
 14 **CONCERN.**

15 “(a) DETERMINATION.—Each covered Inspector
 16 General shall have sole authority to determine whether any
 17 complaint or information reported to the Inspector Gen-
 18 eral is a matter of urgent concern. Such determination is
 19 final and conclusive.

20 “(b) FOREIGN INTERFERENCE IN ELECTIONS.—In
 21 addition to any other matter which is considered an urgent
 22 concern pursuant to section 103H(k)(5)(G), section
 23 17(d)(5)(G) of the Central Intelligence Agency Act of
 24 1949 (50 U.S.C. 3517(d)(5)(G)), or other applicable pro-

1 vision of law, the term ‘urgent concern’ includes a serious
 2 or flagrant problem, abuse, violation of law or Executive
 3 order, or deficiency relating to foreign interference in elec-
 4 tions in the United States.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
 6 tions at the beginning of the National Security Act
 7 of 1947 is amended by inserting after the item relat-
 8 ing to section 1203, as added by section 502, the
 9 following new item:

“Sec. 1205. Determination of matters of urgent concern.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) INTELLIGENCE COMMUNITY.—Section
 12 103H(k)(5)(G) of the National Security Act of 1947
 13 (50 U.S.C. 3033(k)(5)(G)) is amended by striking
 14 “In this paragraph” and inserting “In accordance
 15 with section 1205, in this paragraph”.

16 (2) CENTRAL INTELLIGENCE AGENCY.—Section
 17 17(d)(5)(G) of the Central Intelligence Agency Act
 18 of 1949 (50 U.S.C. 3517(d)(5)(G)) is amended by
 19 striking “In this paragraph” and inserting “In ac-
 20 cordance with section 1205 of the National Security
 21 Act of 1947, in this paragraph”.

22 (c) REPORTS ON UNRESOLVED DIFFERENCES.—
 23 Paragraph (3) of section 103H(k) of the National Security
 24 Act of 1947 (50 U.S.C. 3033(k)) is amended by adding
 25 at the end the following new subparagraph:

1 “(C) With respect to each report submitted pursuant
2 to paragraph (A)(i), the Inspector General shall include
3 in the report, at a minimum—

4 “(i) a general description of the unresolved dif-
5 ferences, the particular duties or responsibilities of
6 the Inspector General involved, and, if such dif-
7 ferences relate to a complaint or information under
8 paragraph (5), a description of the complaint or in-
9 formation and the entities or individuals identified in
10 the complaint or information; and

11 “(ii) to the extent such differences can be at-
12 tributed not only to the Director but also to any
13 other official, department, agency, or office within
14 the executive branch, or a component thereof, the ti-
15 tles of such official, department, agency, or office.”.

16 (d) CLARIFICATION OF ROLE OF DIRECTOR OF NA-
17 TIONAL INTELLIGENCE.—Section 102A(f)(1) of (50
18 U.S.C. 3024(f)(1)) is amended—

19 (1) by redesignating subparagraph (B) as sub-
20 paragraph (C); and

21 (2) by inserting after subparagraph (A) the fol-
22 lowing new subparagraph:

23 “(B) The authority of the Director of National
24 Intelligence under subparagraph (A) includes coordi-
25 nating and supervising activities undertaken by ele-

1 ments of the intelligence community for the purpose
2 of protecting the United States from any foreign in-
3 terference in elections in the United States.”.

4 **SEC. 504. LIMITATION ON SHARING OF INTELLIGENCE**
5 **COMMUNITY WHISTLEBLOWER COMPLAINTS**
6 **WITH PERSONS NAMED IN SUCH COM-**
7 **PLAINTS.**

8 (a) IN GENERAL.—Title XII of the National Security
9 Act of 1947, as added by section 501, is further amended
10 by inserting after section 1205, as added by section 503,
11 the following new subtitle:

12 **“Subtitle B—Protections for**
13 **Whistleblowers**

14 **“SEC. 1223. LIMITATION ON SHARING OF INTELLIGENCE**
15 **COMMUNITY WHISTLEBLOWER COMPLAINTS**
16 **WITH PERSONS NAMED IN SUCH COM-**
17 **PLAINTS.**

18 “(a) IN GENERAL.—It shall be unlawful for any em-
19 ployee or officer of the Federal Government to knowingly
20 and willfully share any whistleblower disclosure informa-
21 tion with any individual named as a subject of the whistle-
22 blower disclosure and alleged in the disclosure to have en-
23 gaged in misconduct, unless—

24 “(1) the whistleblower consented, in writing, to
25 such sharing before the sharing occurs;

1 “(2) a covered Inspector General to whom such
2 disclosure is made—

3 “(A) determines that such sharing is un-
4 avoidable and necessary to advance an inves-
5 tigation, audit, inspection, or evaluation by the
6 Inspector General; and

7 “(B) notifies the whistleblower of such
8 sharing before the sharing occurs; or

9 “(3) an attorney for the Government—

10 “(A) determines that such sharing is un-
11 avoidable and necessary to advance an inves-
12 tigation by the attorney; and

13 “(B) notifies the whistleblower of such
14 sharing before the sharing occurs.

15 “(b) PENALTY.—Any person who violates subsection
16 (a) shall be fined in accordance with title 18, United
17 States Code, imprisoned for not more than 2 years, or
18 both.

19 “(c) WHISTLEBLOWER DISCLOSURE INFORMATION
20 DEFINED.—In this section, the term ‘whistleblower disclo-
21 sure information’ means, with respect to a whistleblower
22 disclosure—

23 “(1) the disclosure;

24 “(2) confirmation of the fact of the existence of
25 the disclosure; or

1 “(3) the identity, or other identifying informa-
2 tion, of the whistleblower who made the disclosure.”.

3 (b) TECHNICAL AND CLERICAL AMENDMENTS.—

4 (1) TRANSFER.—The National Security Act of
5 1947 (50 U.S.C. 3001 et seq.) is amended as fol-
6 lows:

7 (A) Section 1104 is—

8 (i) transferred to title XII of such
9 Act, as added by section 501;

10 (ii) inserted before section 1223 of
11 such Act, as added by this section; and

12 (iii) redesignated as section 1221.

13 (B) Section 1106 is—

14 (i) amended by striking “section
15 1104” each place it appears and inserting
16 “section 1221”;

17 (ii) transferred to title XII of such
18 Act, as added by section 501;

19 (iii) inserted after section 1223 of
20 such Act, as added by this section; and

21 (iv) redesignated as section 1225.

22 (2) CLERICAL AMENDMENTS.—The table of sec-
23 tions at the beginning of the National Security Act
24 of 1947 is amended—

1 (A) by striking the items relating to sec-
 2 tion 1104 and section 1106; and

3 (B) by inserting after the item relating to
 4 section 1205 the following new items:

“SUBTITLE B—PROTECTIONS FOR WHISTLEBLOWERS

“Sec. 1221. Prohibited personnel practices in the intelligence community.

“Sec. 1223. Limitation on sharing of intelligence community whistleblower com-
 plaints with persons named in such complaints.

“Sec. 1225. Inspector General external review panel.”.

5 (c) DEFINITIONS.—Section 3 of such Act (50 U.S.C.
 6 3003), as amended by section 501, is further amended by
 7 adding at the end the following new paragraphs:

8 “(9) The term ‘whistleblower’ means a person
 9 who makes a whistleblower disclosure.

10 “(10) The term ‘whistleblower disclosure’
 11 means a disclosure that is protected under section
 12 1221 of this Act or section 3001(j)(1) of the Intel-
 13 ligence Reform and Terrorism Prevention Act of
 14 2004 (50 U.S.C. 3341(j)).”.

15 (d) CONFORMING AMENDMENT.—Section 5331 of the
 16 Damon Paul Nelson and Matthew Young Pollard Intel-
 17 ligence Authorization Act for Fiscal Years 2018, 2019,
 18 and 2020 (division E of Public Law 116–92; 50 U.S.C.
 19 3033 note) is amended by striking “section 1104 of the
 20 National Security Act of 1947 (50 U.S.C. 3234)” and in-
 21 serting “section 1221 of the National Security Act of
 22 1947”.

1 **SEC. 505. DISCLOSURES TO CONGRESS.**

2 (a) IN GENERAL.—Title XII of the National Security
3 Act of 1947, as added by section 501, is further amended
4 by inserting after section 1225, as designated by section
5 504(b), the following new section:

6 **“SEC. 1227. PROCEDURES REGARDING DISCLOSURES TO**
7 **CONGRESS.**

8 “(a) GUIDANCE.—

9 “(1) OBLIGATION TO PROVIDE SECURITY DI-
10 RECTION UPON REQUEST.—Upon the request of a
11 whistleblower, the head of the relevant element of
12 the intelligence community, acting through the cov-
13 ered Inspector General for that element, shall fur-
14 nish on a confidential basis to the whistleblower in-
15 formation regarding how the whistleblower may di-
16 rectly contact the congressional intelligence commit-
17 tees, in accordance with appropriate security prac-
18 tices, regarding a complaint or information of the
19 whistleblower pursuant to section 103H(k)(5)(D) or
20 other appropriate provision of law.

21 “(2) NONDISCLOSURE.—Unless a whistleblower
22 who makes a request under paragraph (1) provides
23 prior consent, a covered Inspector General may not
24 disclose to the head of the relevant element of the
25 intelligence community—

26 “(A) the identity of the whistleblower; or

1 “(B) the element at which such whistle-
2 blower is employed, detailed, or assigned as a
3 contractor employee.

4 “(b) OVERSIGHT OF OBLIGATION.—If a covered In-
5 spector General determines that the head of an element
6 of the intelligence community denied a request by a whis-
7 tleblower under subsection (a), directed the whistleblower
8 not to contact the congressional intelligence committees,
9 or unreasonably delayed in providing information under
10 such subsection, the covered Inspector General shall notify
11 the congressional intelligence committees of such denial,
12 direction, or unreasonable delay.

13 “(c) PERMANENT SECURITY OFFICER.—The head of
14 each element of the intelligence community may designate
15 a permanent security officer in the element to provide to
16 whistleblowers the information under subsection (a).”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of the National Security Act of 1947 is
19 amended by inserting after the item relating to section
20 1225, as added by section 504(b), the following new item:

“Sec. 1227. Procedures regarding disclosures to Congress.”.

21 (c) CONFORMING AMENDMENT.—Section
22 103H(k)(5)(D)(i) of the National Security Act of 1947
23 (50 U.S.C. 3033(k)(5)(D)(i)) is amended by adding at the
24 end the following: “The employee may request information

1 pursuant to section 1227 with respect to contacting such
2 committees.”.

3 **SEC. 506. PROHIBITION AGAINST DISCLOSURE OF WHIS-**
4 **TLEBLOWER IDENTITY AS REPRISAL**
5 **AGAINST WHISTLEBLOWER DISCLOSURE BY**
6 **EMPLOYEES AND CONTRACTORS IN INTEL-**
7 **LIGENCE COMMUNITY.**

8 (a) IN GENERAL.—Paragraph (3) of subsection (a)
9 of section 1221 of the National Security Act of 1947, as
10 designated by section 504(b)(1)(A), is amended—

11 (1) in subparagraph (I), by striking “; or” and
12 inserting a semicolon;

13 (2) by redesignating subparagraph (J) as sub-
14 paragraph (K); and

15 (3) by inserting after subparagraph (I) the fol-
16 lowing:

17 “(J) a knowing and willful disclosure re-
18 vealing the identity or other personally identifi-
19 able information of such employee or such con-
20 tractor employee without the express written
21 consent of such employee or such contractor
22 employee or if the Inspector General determines
23 it is necessary for the exclusive purpose of in-
24 vestigating a complaint or information received

1 under section 8H of the Inspector General Act
2 of 1978 (5 U.S.C. App. 8H); or”.

3 (b) APPLICABILITY TO DETAILEES.—Such subsection
4 is amended by adding at the end the following:

5 “(5) EMPLOYEE.—The term ‘employee’, with
6 respect to an agency or a covered intelligence com-
7 munity element, includes an individual who has been
8 detailed to such agency or covered intelligence com-
9 munity element.”.

10 (c) PRIVATE RIGHT OF ACTION FOR UNLAWFUL DIS-
11 CLOSURE OF WHISTLEBLOWER IDENTITY.—Subsection
12 (d) of such section is amended to read as follows:

13 “(d) ENFORCEMENT.—

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

17 “(2) PRIVATE RIGHT OF ACTION FOR UNLAW-
18 FUL, WILLFUL DISCLOSURE OF WHISTLEBLOWER
19 IDENTITY.—In a case in which an employee of an
20 agency, or other employee or officer of the Federal
21 Government, takes a personnel action described in
22 subsection (a)(3)(J) against an employee of a cov-
23 ered intelligence community element as a reprisal in
24 violation of subsection (b) or in a case in which a
25 contractor employee takes a personnel action de-

1 scribed in such subsection against another con-
2 tractor employee as a reprisal in violation of sub-
3 section (c), the employee or contractor employee
4 against whom the personnel action was taken may
5 bring a private action for all appropriate remedies,
6 including injunctive relief and compensatory and pu-
7 nitive damages, against the employee or contractor
8 employee who took the personnel action, in a Fed-
9 eral district court of competent jurisdiction within
10 180 days of when the employee or contractor em-
11 ployee first learned of or should have learned of the
12 violation.”.

13 **SEC. 507. CONFORMING AMENDMENTS AND COORDINATION**
14 **WITH OTHER PROVISIONS OF LAW.**

15 (a) INTELLIGENCE COMMUNITY.—Paragraph (4) of
16 section 103H(c) of the National Security Act of 1947 (50
17 U.S.C. 3033(c)) is amended to read as follows:

18 “(4) The provisions of title XII shall apply to the In-
19 specter General with respect to the removal of the Inspec-
20 tor General, a vacancy in the position of the Inspector
21 General, and any other matter relating to the Inspector
22 General as specifically provided for in such title.”.

23 (b) CENTRAL INTELLIGENCE AGENCY.—Paragraph
24 (6) of section 17(b) of the Central Intelligence Agency Act

1 of 1949 (50 U.S.C. 3517(b)) is amended to read as fol-
2 lows:

3 “(6) The provisions of title XII of the National Secu-
4 rity Act of 1947 shall apply to the Inspector General with
5 respect to the removal of the Inspector General, a vacancy
6 in the position of the Inspector General, and any other
7 matter relating to the Inspector General as specifically
8 provided for in such title.”.

9 (c) OTHER ELEMENTS.—

10 (1) IN GENERAL.—Title XII of the National Se-
11 curity Act of 1947, as added by section 501, is fur-
12 ther amended by inserting after section 1205, as
13 added by section 503, the following new section:

14 **“SEC. 1207. COORDINATION WITH OTHER PROVISIONS OF**
15 **LAW.**

16 “No provision of law that is inconsistent with any
17 provision of this title shall be considered to supersede, re-
18 peal, or otherwise modify a provision of this title unless
19 such other provision of law specifically cites a provision
20 of this title in order to supersede, repeal, or otherwise
21 modify that provision of this title.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of the National Security Act
24 of 1947 is amended by inserting after the item relat-

1 ing to section 1205, as added by section 503, the
 2 following new item:

“Sec. 1207. Coordination with other provisions of law.”.

3 **SEC. 508. SEVERABILITY.**

4 If any provision of this title, any amendment made
 5 by this title, or the application thereof to any person or
 6 circumstances is held invalid, the validity of the remainder
 7 of the title, of any such amendments, and of the applica-
 8 tion of such provisions to other persons and circumstances
 9 shall not be affected thereby.

10 **TITLE VI—MATTERS RELATING**
 11 **TO EMERGING TECHNOLOGIES**

12 **SEC. 601. MODIFICATIONS TO DUTIES OF DIRECTOR OF**
 13 **SCIENCE AND TECHNOLOGY.**

14 (a) MODIFICATIONS.—Section 103E of the National
 15 Security Act of 1947 (50 U.S.C. 3030) is amended to read
 16 as follows:

17 **“SEC. 103E. DIRECTOR OF SCIENCE AND TECHNOLOGY.**

18 **“(a) DIRECTOR OF SCIENCE AND TECHNOLOGY.—**

19 **“(1) DIRECTOR OF SCIENCE AND TECH-**
 20 **NOLOGY.—**There is a Director of Science and Tech-
 21 nology within the Office of the Director of National
 22 Intelligence who shall be appointed by and shall re-
 23 port directly to the Director of National Intelligence.

24 **“(2) QUALIFICATIONS FOR APPOINTMENT.—**

25 The Director of Science and Technology shall be ap-

1 pointed from among Federal employees and shall
2 have a professional background and experience ap-
3 propriate for the duties of the Director of Science
4 and Technology.

5 “(3) RESPONSIBILITIES.—The Director of
6 Science and Technology shall be responsible for—

7 “(A) leading the strategic vision for and
8 prioritization of covered activities of the intel-
9 ligence community; and

10 “(B) providing science and technological
11 expertise for intelligence analyses conducted by
12 the intelligence community with respect to cov-
13 ered activities of foreign adversaries, as re-
14 quested.

15 “(b) DUTIES.—The Director of Science and Tech-
16 nology shall—

17 “(1) act as the primary advisor to the Director
18 of National Intelligence regarding the science and
19 technology of the intelligence community;

20 “(2) chair the National Intelligence Science and
21 Technology Committee under subsection (c);

22 “(3) have access to any information relating to
23 covered activities of the intelligence community;

24 “(4) assist the Director of National Intelligence
25 in developing elements of the budget of the Office of

1 the Director of National Intelligence and the intel-
2 ligence community that relate to—

3 “(A) covered activities of the intelligence
4 community; or

5 “(B) covered activities of foreign adver-
6 saries;

7 “(5) on behalf of the Director of National Intel-
8 ligence—

9 “(A) lead the development and oversee the
10 planning of a long-term strategy for covered ac-
11 tivities of the intelligence community; and

12 “(B) lead the prioritization of such activi-
13 ties;

14 “(6) share knowledge to help ensure that the
15 intelligence community has the scientific and techno-
16 logical expertise necessary to fulfill national and
17 military intelligence priorities relating to the
18 progress of foreign adversaries in covered activities;
19 and

20 “(7) perform other such duties as may be as-
21 signed by the Director of National Intelligence or
22 specified by law.

23 “(c) NATIONAL INTELLIGENCE SCIENCE AND TECH-
24 NOLOGY COMMITTEE.—

1 “(1) COMMITTEE.—There is within the Office
2 of the Director of Science and Technology a Na-
3 tional Intelligence Science and Technology Com-
4 mittee, which shall be chaired by the Director of
5 Science and Technology.

6 “(2) COMPOSITION.—The Committee shall be
7 composed of one representative from each element of
8 the intelligence community, who is—

9 “(A) the principal science and technology
10 advisor to the head of the element; or

11 “(B) an appropriate senior official des-
12 ignated by the head of the element.

13 “(3) COORDINATION.—The Committee shall co-
14 ordinate the covered activities of the intelligence
15 community, including by—

16 “(A) identifying gaps in authorities or re-
17 sources that impact the ability of the intel-
18 ligence community to advance such activities;

19 “(B) assisting the Director of Science and
20 Technology in developing recommendations for
21 the Director of National Intelligence on the
22 prioritization of such activities;

23 “(C) assisting the Director of Science and
24 Technology in identifying changes to existing

1 programs and resources necessary for the ad-
2 vancement of such activities;

3 “(D) developing and maintaining a central-
4 ized process by which the Committee may—

5 “(i) document the scientific and tech-
6 nological needs of each element of the in-
7 telligence community;

8 “(ii) document any anticipated or
9 planned projects, programs, or related ac-
10 tivities to address such needs; and

11 “(iii) provide information and regular
12 updates to other members of the Com-
13 mittee on ongoing covered activities of the
14 intelligence community and related projects
15 and programs (including information and
16 updates on work sponsored at federally
17 funded research and development centers),
18 in order to avoid duplicative efforts among
19 the elements of the intelligence community;
20 and

21 “(E) maintaining comprehensive and per-
22 sistent visibility into capabilities, assets, and
23 talents in science, technology, or engineering
24 that—

1 “(i) are available to the intelligence
2 community at federally funded research
3 and development centers; and

4 “(ii) may address the needs docu-
5 mented pursuant to subparagraph (D)(i).

6 “(4) INTELLIGENCE ANALYSES.—The Com-
7 mittee may provide scientific and technological ex-
8 pertise and advice on analyses conducted by the in-
9 telligence community on scientific and technological
10 research and development achievements of foreign
11 adversaries that affect the national security of the
12 United States, including by—

13 “(A) coordinating with (and deconflicting
14 with as appropriate) the National Intelligence
15 Officer for Science and Technology of the Office
16 of the Director of National Intelligence with re-
17 spect to threats posed by such achievements;

18 “(B) identifying investments and advance-
19 ments made by foreign adversaries in pursuit of
20 such achievements and communicating the iden-
21 tifications to policymakers and the Armed
22 Forces of the United States;

23 “(C) providing intelligence to assist na-
24 tional and military customers in identifying and

1 prioritizing technically and operationally fea-
2 sible applications of such achievements;

3 “(D) advising policymakers and the Armed
4 Forces of the United States on vulnerabilities of
5 the United States that may be revealed, ex-
6 ploited, or otherwise implicated by foreign ad-
7 versaries through such achievements; and

8 “(E) collaborating with the heads of com-
9 ponents of elements of the intelligence commu-
10 nity, including the Open Source Enterprise and
11 the Department of Defense Open Source Coun-
12 cil (or any related successor component) and
13 other appropriate entities, to analyze and ex-
14 ploit open-source science and technology intel-
15 ligence.

16 “(d) REPORTS.—

17 “(1) SUBMISSION.—On an annual basis, the Di-
18 rector of National Intelligence shall submit to the
19 congressional intelligence committees—

20 “(A) a report on the efforts of the Na-
21 tional Intelligence Science and Technology
22 Committee; and

23 “(B) a report that—

24 “(i) addresses the status of covered
25 activities of the intelligence community, in-

1 including any advancements made with re-
2 spect to such activities; and

3 “(ii) includes a submission from the
4 head of each element of the intelligence
5 community describing any covered activi-
6 ties sponsored by that element at a feder-
7 ally funded research and development cen-
8 ter during the most recent calendar year.

9 “(2) FORM.—The report under paragraph
10 (1)(C) shall be submitted in classified form.

11 “(e) DEFINITIONS.—In this section:

12 “(1) COVERED ACTIVITIES.—The term ‘covered
13 activities’ means scientific and technological research
14 and development activities.

15 “(2) OPEN-SOURCE SCIENCE AND TECHNOLOGY
16 INTELLIGENCE.—The term ‘open-source science and
17 technology intelligence’ means information of intel-
18 ligence value regarding scientific and technological
19 developments that appears in print or electronic
20 form, including radio, television, newspapers, jour-
21 nals, the internet, commercial databases, videos,
22 graphics, drawings, or any other publicly available
23 source.”.

24 (b) INITIAL REPORTS.—

1 (1) REPORT ON EFFORTS.—Not later than 1
 2 year after the date of the enactment of this Act, the
 3 Director of National Intelligence shall submit the
 4 first report under section 103E(d)(1)(A) of the Na-
 5 tional Security Act of 1947, as amended by sub-
 6 section (a).

7 (2) REPORTS ON ASSESSMENT AND COVERED
 8 ACTIVITIES.—Not later than 180 days after the date
 9 of the enactment of this Act, the Director of Na-
 10 tional Intelligence shall submit the first reports
 11 under subparagraphs (B) and (C) of section
 12 103E(d)(1) of the National Security Act of 1947, as
 13 amended by subsection (a).

14 **SEC. 602. ANNUAL REPORTS ON RESEARCH AND DEVELOP-**
 15 **MENT FOR SCIENTIFIC AND TECHNOLOGICAL**
 16 **ADVANCEMENTS.**

17 (a) REPORTS.—Title XI of the National Security Act
 18 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
 19 305, is amended by adding at the end the following new
 20 section:

21 **“SEC. 1110. ANNUAL REPORTS ON RESEARCH AND DEVEL-**
 22 **OPMENT FOR SCIENTIFIC AND TECHNO-**
 23 **LOGICAL ADVANCEMENTS.**

24 “(a) REQUIREMENT.—On an annual basis, the Direc-
 25 tor of National Intelligence shall submit to the appropriate

1 congressional committees a report on research and devel-
2 opment activities conducted by adversaries of the United
3 States regarding scientific and technological advance-
4 ments.

5 “(b) FORM.—The report under subsection (a) shall
6 be submitted in classified form.

7 “(c) APPROPRIATE CONGRESSIONAL COMMITTEE
8 DEFINED.—In this section, the term ‘appropriate congres-
9 sional committees’ means the following:

10 “(1) The Permanent Select Committee on Intel-
11 ligence and the Committee on Armed Services of the
12 House of Representatives.

13 “(2) The Select Committee on Intelligence and
14 the Committee on Armed Services of the Senate.”.

15 (b) CLERICAL AMENDMENT.—The table of contents
16 at the beginning of the National Security Act of 1947 is
17 amended by inserting after the item relating to section
18 1109, as added by section 305, the following new item:

“Sec. 1110. Annual reports on research and development for scientific and
technological advancements.”.

19 (c) INITIAL REPORT.—Not later than 180 days after
20 the date of the enactment of this Act, the Director of Na-
21 tional Intelligence shall submit the first report under sec-
22 tion 1109 of the National Security Act of 1947, as added
23 by subsection (a).

1 **SEC. 603. IMPROVEMENT OF EDUCATION IN SCIENCE,**
2 **TECHNOLOGY, ENGINEERING, ARTS, AND**
3 **MATHEMATICS.**

4 (a) PROGRAM.—Subtitle A of title X of the National
5 Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended
6 by adding at the end the following new section:

7 **“SEC. 1003. IMPROVEMENT OF EDUCATION IN SCIENCE,**
8 **TECHNOLOGY, ENGINEERING, ARTS, AND**
9 **MATHEMATICS.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
12 tity’ includes a department or agency of the Federal
13 Government, a State, a political subdivision of a
14 State, an individual, and a not-for-profit or other or-
15 ganization in the private sector.

16 “(2) EDUCATIONAL INSTITUTION.—The term
17 ‘educational institution’ includes any public or pri-
18 vate elementary school or secondary school, institu-
19 tion of higher education, college, university, or any
20 other profit or nonprofit institution that is dedicated
21 to improving science, technology, engineering, the
22 arts, mathematics, business, law, medicine, or other
23 fields that promote development and education relat-
24 ing to science, technology, engineering, the arts,
25 mathematics, business, law, and medicine.

1 “(3) STATE.—The term ‘State’ means each of
2 the several States, the District of Columbia, the
3 Commonwealth of Puerto Rico, the Commonwealth
4 of the Northern Mariana Islands, and any other ter-
5 ritory or possession of the United States.

6 “(b) REQUIREMENTS.—Each head of an element of
7 the intelligence community shall, on a continuing basis—

8 “(1) identify actions that the head may take to
9 improve education in the scientific, technology, engi-
10 neering, the arts, and mathematics (known as
11 ‘STEAM’) skills necessary to meet the long-term na-
12 tional security needs of the United States for per-
13 sonnel proficient in such skills; and

14 “(2) establish and conduct programs to carry
15 out such actions.

16 “(c) AUTHORITIES.—

17 “(1) IN GENERAL.—The head of an element of
18 the intelligence community, in support of educational
19 programs in science, technology, engineering, the
20 arts, and mathematics, may—

21 “(A) award grants to eligible entities;

22 “(B) provide cash awards and other items
23 to eligible entities;

24 “(C) accept voluntary services from eligible
25 entities;

“(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

“(E) enter into one or more education partnership agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

“(2) EDUCATION PARTNERSHIP AGREEMENTS.—

“(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1)(E), the head of an element of the intelligence community may provide assistance to the educational institution by—

“(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the head considers appropriate;

“(ii) making personnel available to teach science courses or to assist in the de-

1 velopment of science courses and materials
2 for the educational institution;

3 “(iii) providing sabbatical opportuni-
4 ties for faculty and internship opportuni-
5 ties for students;

6 “(iv) involving faculty and students of
7 the educational institution in projects of
8 that element of the intelligence community,
9 including research and technology transfer
10 or transition projects;

11 “(v) cooperating with the educational
12 institution in developing a program under
13 which students may be given academic
14 credit for work on projects of that element
15 of the intelligence community, including re-
16 search and technology transfer for transi-
17 tion projects; and

18 “(vi) providing academic and career
19 advice and assistance to students of the
20 educational institution.

21 “(B) PRIORITIES.—In entering into edu-
22 cation partnership agreements under paragraph
23 (1)(E), the head of an element of the intel-
24 ligence community shall prioritize entering into

1 education partnership agreements with the fol-
2 lowing:

3 “(i) Historically Black colleges and
4 universities and other minority-serving in-
5 stitutions, as described in section 371(a) of
6 the Higher Education Act of 1965 (20
7 U.S.C. 1067q(a)).

8 “(ii) Educational institutions serving
9 women, members of minority groups, and
10 other groups of individuals who tradition-
11 ally are involved in the science, technology,
12 engineering, arts, and mathematics profes-
13 sions in disproportionately low numbers.

14 “(d) DESIGNATION OF ADVISOR.—Each head of an
15 element of the intelligence community shall designate one
16 or more individuals within that element to advise and as-
17 sist the head regarding matters relating to science, tech-
18 nology, engineering, the arts, and mathematics education
19 and training.

20 “(e) COORDINATION.—Each head of an element of
21 the intelligence community (other than the Director of Na-
22 tional Intelligence) shall carry out this section in coordina-
23 tion with the Director of National Intelligence.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 at the beginning of the National Security Act is amended

1 by inserting after the item relating to section 1002 the
 2 following new item:

“Sec. 1003. Improvement of education in science, technology, engineering, arts,
 and mathematics.”.

3 **SEC. 604. QUARTERLY REPORTS ON CYBER INTELLIGENCE,**
 4 **SURVEILLANCE, AND RECONNAISSANCE AC-**
 5 **TIVITIES OF THE DEPARTMENT OF DEFENSE.**

6 (a) IN GENERAL.—Title V of the National Security
 7 Act of 1947 (50 U.S.C. 3091 et seq.), is amended by in-
 8 serting after section 503 the following new section:

9 **“SEC. 503A. QUARTERLY REPORTS ON CYBER INTEL-**
 10 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
 11 **SANCE ACTIVITIES OF THE DEPARTMENT OF**
 12 **DEFENSE.**

13 “On a quarterly basis, the Secretary of Defense shall
 14 submit to the congressional intelligence committees and
 15 the congressional defense committees (as defined in sec-
 16 tion 101(a) of title 10, United States Code) a report on
 17 the cyber intelligence, surveillance, and reconnaissance ac-
 18 tivities of the Department of Defense, and any other mat-
 19 ters the Secretary determines appropriate, that occurred
 20 during the quarter preceding the date of the submission
 21 of the report.”.

22 (b) CLERICAL AMENDMENT.—The table of contents
 23 at the beginning of such Act is amended by inserting after
 24 the item relating to section 503 the following new item:

“Sec. 503A. Quarterly reports on cyber intelligence, surveillance, and reconnaissance activities of the Department of Defense.”.

1 **SEC. 605. PROCESS FOR IDENTIFYING CYBER THREAT IN-**
2 **TELLIGENCE NEEDS AND PRIORITIES.**

3 (a) SOLICITATION AND COMPILATION OF INFORMA-
4 TION.—

5 (1) PROCESS.—Not later than 180 days after
6 the date of the enactment of this Act, the Director
7 of National Intelligence, in coordination with the
8 Secretary of Homeland Security and Sector-Specific
9 Agencies the Director determines appropriate, shall
10 establish a formal process to solicit and compile in-
11 formation needs of covered entities to improve the
12 defenses of such entities against foreign cybersecu-
13 rity threats.

14 (2) RECURRENT INPUT.—The Director shall
15 ensure that the information compiled under para-
16 graph (1) is current by continuing to solicit and
17 compile information under such paragraph as fol-
18 lows:

19 (A) By not later than 30 days after the
20 date on which the Director first establishes the
21 process under such paragraph.

22 (B) On a biennial basis thereafter.

23 (b) EVALUATION.—Using the information solicited
24 and compiled under subsection (a), and using any other

1 intelligence information and processes, the Director, in co-
2 ordination with the Secretary, shall conduct an evaluation
3 with respect to the intelligence needs relating to foreign
4 cybersecurity threats. Such evaluation shall—

5 (1) identify common technologies or inter-
6 dependencies that are likely to be targeted by na-
7 tion-state adversaries;

8 (2) identify foreign intelligence gaps regarding
9 foreign cybersecurity threats to covered entities;

10 (3) identify and execute methods of empowering
11 Sector-Specific Agencies to—

12 (A) identify specific critical lines of busi-
13 nesses, technologies, and processes within their
14 respective sectors; and

15 (B) coordinate directly with the intelligence
16 community regarding sector-specific cybersecu-
17 rity threat; and

18 (4) consider whether to enhance or adjust na-
19 tional intelligence collection and analysis priorities.

20 (c) ANNUAL REPORTS.—Not later than 90 days after
21 the date on which the Director conducts the evaluation
22 under subsection (b), and annually thereafter, the Direc-
23 tor and the Secretary shall jointly submit to the appro-
24 priate congressional committees a report that—

1 (1) assesses how the cybersecurity threat infor-
2 mation obtained from covered entities is shaping in-
3 telligence collection and dissemination activities;

4 (2) evaluates the success of the intelligence
5 community in sharing relevant, actionable cybersecu-
6 rity threat intelligence with such entities; and

7 (3) addresses any legislative or policy changes
8 necessary to enhance the cybersecurity of such enti-
9 ties.

10 (d) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means the following:

14 (A) The congressional intelligence commit-
15 tees.

16 (B) The Committee on Homeland Security
17 and the Committee on Armed Services of the
18 House of Representatives.

19 (C) The Committee on Homeland Security
20 and Governmental Affairs and the Committee
21 on Armed Services of the Senate.

22 (2) COVERED ENTITIES.—The term “covered
23 entities” means owners and operators of critical in-
24 frastructure.

1 (3) CRITICAL INFRASTRUCTURE.—The term
 2 “critical infrastructure” has the meaning given that
 3 term in section 1016(e) of the USA PATRIOT Act
 4 (42 U.S.C. 5195c(e)).

5 (4) CYBERSECURITY THREAT.—The term “cy-
 6 bersecurity threat” has the meaning given that term
 7 in section 2201(3) of the Homeland Security Act of
 8 2002 (6 U.S.C. 651(3)).

9 (5) SECTOR-SPECIFIC AGENCY.—The term
 10 “Sector-Specific Agency” has the meaning given
 11 that term in section 2201(5) of the Homeland Secu-
 12 rity Act of 2002 (6 U.S.C. 651(5)).

13 **SEC. 606. REVIEWS OF INTELLIGENCE COMMUNITY CYBER**
 14 **THREAT SHARING POSTURE AND NATIONAL**
 15 **SECURITY DIRECTIVE 42.**

16 (a) REVIEW OF CYBERSECURITY THREATS.—

17 (1) IN GENERAL.—The Director of National In-
 18 telligence, after coordinating with the Secretary of
 19 Homeland Security, shall conduct a review of appli-
 20 cable laws, policies, procedures, and resources of the
 21 intelligence community that apply to the intelligence
 22 community’s understanding of cybersecurity threats
 23 to covered entities. Such review shall address the
 24 ability of the intelligence community to share cyber
 25 threat information with the Federal departments

1 and agencies responsible for providing warning and
2 indicators to covered entities to enable them to de-
3 fend against such threats.

4 (2) CONTENTS OF REVIEW.—The review re-
5 quired under subsection (a) shall include a consider-
6 ation of each of the following:

7 (A) The capabilities and limitations of the
8 intelligence community in collection on foreign
9 adversary malicious cyber activity targeting cov-
10 ered entities.

11 (B) The ability of the intelligence commu-
12 nity to share cyber threat intelligence informa-
13 tion with covered entities.

14 (C) Procedures for the sanitization and de-
15 classification of intelligence, including the effi-
16 ciency of such procedures.

17 (D) Which criteria and procedures should
18 be implemented to identify intelligence commu-
19 nity products for expedited sharing.

20 (E) Current and projected national intel-
21 ligence requirements that relate to cybersecurity
22 threats to covered entities.

23 (F) Budgetary changes to ensure that the
24 intelligence community is postured to provide

1 adequate indicators and warning of cybersecu-
2 rity threats to covered entities.

3 (3) REPORT TO CONGRESS.—

4 (A) IN GENERAL.—Not later than Decem-
5 ber 31, 2021, the Director of National Intel-
6 ligence shall submit to the appropriate congres-
7 sional committees a report on the review re-
8 quired under this subsection.

9 (B) FORM OF REPORT.—The report re-
10 quired under subparagraph (A) may be sub-
11 mitted in classified or unclassified form. If such
12 report is submitted in unclassified form, it may
13 include a classified annex.

14 (b) REVIEW OF NATIONAL SECURITY DIRECTIVE
15 42.—Not later than December 31, 2021, the Secretary of
16 Defense and the Director of National Intelligence shall
17 submit to the appropriate congressional committees a re-
18 port containing the results of a review of the implementa-
19 tion and effectiveness of National Security Directive 42,
20 with a specific focus on the role of the National Manager
21 for National Security Systems. Such review shall in-
22 clude—

23 (1) an appraisal of the National Manager’s au-
24 thorities and resources;

1 (2) consideration of the definition of “national
2 security system”; and

3 (3) recommendations to improve the cybersecu-
4 rity posture of national security assets, including
5 such assets controlled or accessed by covered enti-
6 ties.

7 (c) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Select Committee on Intelligence
12 and the Committee on Homeland Security and
13 Governmental Affairs of the Senate; and

14 (B) the Permanent Select Committee on
15 Intelligence and the Committee on Homeland
16 Security of the House of Representatives.

17 (2) COVERED ENTITIES.—The term “covered
18 entities” means—

19 (A) owners and operators of critical infra-
20 structure; and

21 (B) academic institutions in the United
22 States, corporations incorporated in the United
23 States, and corporations operating inside the
24 United States.

1 **SEC. 607. FEASIBILITY STUDY ON CYBERSECURITY POLI-**
2 **CIES OF CONTRACTORS OF OWNER OR OPER-**
3 **ATORS OF NATIONAL SECURITY SYSTEMS .**

4 (a) STUDY.—Not later than one year after the date
5 of the enactment of this Act, the Director of the National
6 Security Agency shall conduct a feasibility study with re-
7 spect to requiring contractors (including subcontractors)
8 of departments or agencies of the Federal Government
9 that own or operate national security systems to imple-
10 ment mandatory cybersecurity policies or defensive meas-
11 ures. The study shall include—

12 (1) the estimated cost to the Federal Govern-
13 ment of deploying such mandatory cybersecurity
14 policies or defensive measures;

15 (2) whether there are sufficient legal and policy
16 authorities in place to implement such mandatory
17 cybersecurity policies or defensive measures;

18 (3) a description of enforcement mechanisms
19 for such mandatory cybersecurity policies or defen-
20 sive measures; and

21 (4) the timeline for implementation of such
22 mandatory cybersecurity policies or defensive meas-
23 ures.

24 (b) BRIEFINGS.—Not later than 90 days after the
25 date of the enactment of this Act, and quarterly thereafter
26 during the one-year period following the date of such en-

1 actment, the Director shall provide to the congressional
2 intelligence committees and the Committees on Armed
3 Services of the House of Representatives and the Senate
4 a briefing on the study.

5 (c) DEFINITIONS.—In this section:

6 (1) DEFENSIVE MEASURES.—The term “defen-
7 sive measures” has the meaning given that term in
8 section 102 of the Cybersecurity Information Shar-
9 ing Act of 2015 (6 U.S.C. 1501).

10 (2) NATIONAL SECURITY SYSTEM.—The term
11 “national security system” has the meaning given
12 that term in section 3542 of title 44, United States
13 Code.

14 **SEC. 608. ARTIFICIAL INTELLIGENCE RESEARCH AND DE-**
15 **VELOPMENT.**

16 (a) FINDINGS; SENSE OF CONGRESS.—

17 (1) FINDINGS.—Congress finds the following:

18 (A) All elements of the intelligence commu-
19 nity employ artificial intelligence in some form,
20 and the artificial intelligence research and de-
21 velopment efforts of many of the elements over-
22 lap;

23 (B) the elements do not adequately share
24 resources, expertise, and data and often fail to
25 make even closely related systems interoperate;

1 (C) siloed artificial intelligence research
2 and development inefficiently splits resources
3 across the intelligence community leading to du-
4 plicative and less effective capabilities;

5 (D) developing state-of-the-art artificial in-
6 telligence capabilities requires large quantities
7 of training data, computing power, and subject
8 matter expertise;

9 (E) research and development is the larg-
10 est cost driver for artificial intelligence capabili-
11 ties but once developed, artificial intelligence
12 capabilities are generally inexpensive to provide
13 to more users;

14 (F) the Director of National Intelligence
15 has addressed similar challenges in the realm of
16 information technology through the IC IT En-
17 terprise initiative;

18 (G) the IC IT Enterprise initiative has
19 successfully consolidated capabilities like cloud
20 computing and identity management into intel-
21 ligence community-wide capabilities, primarily
22 by selecting executive agents from within the
23 intelligence community to take the lead in their
24 respective areas of interest and excellence; and

1 (H) the Augmenting Intelligence through
2 Machines initiative of the Office of the Director
3 of National Intelligence has centralized stra-
4 tegic thinking in its strategy for augmenting in-
5 telligence using machines but has not suffi-
6 ciently coordinated the artificial intelligence and
7 machine learning research programs of the in-
8 telligence community to encourage efficiency
9 and avoid duplication of effort.

10 (2) SENSE OF CONGRESS.—It is the sense of
11 Congress that—

12 (A) consolidating the resources of the intel-
13 ligence community regarding artificial intel-
14 ligence research and development to carry out
15 intelligence community-wide efforts would yield
16 economies of scale and improve mission out-
17 comes; and

18 (B) the Augmenting Intelligence through
19 Machines initiative of the Office of the Director
20 of National Intelligence should lead such ef-
21 forts.

22 (b) AI PROJECT IDENTIFICATION.—Not later than
23 180 days after the date of the enactment of this Act, the
24 Director of National Intelligence, in consultation with the
25 Chief Information Officer of the Intelligence Community,

1 the Chief Data Officer of the Intelligence Community, the
2 Director of Science and Technology of the Office of the
3 Director of National Intelligence, and the heads of ele-
4 ments of the intelligence community the Director deter-
5 mines appropriate, shall identify research areas, applica-
6 tions, supporting technologies, and infrastructure regard-
7 ing artificial intelligence that—

8 (1) would advance the mission of multiple ele-
9 ments of the intelligence community, with an empha-
10 sis in areas that are already being worked on by
11 multiple elements;

12 (2) can be either assigned to an executive agent
13 or addressed by a joint research and development ef-
14 fort; and

15 (3) have the potential to significantly impact in-
16 telligence outcomes or the efficiency of the intel-
17 ligence community.

18 (c) IMPLEMENTATION PLAN.—

19 (1) DEVELOPMENT.—With respect to each re-
20 search area, application, supporting technology, or
21 infrastructure identified under subsection (b), the
22 Director shall develop an implementation plan to
23 consolidate research and development, program man-
24 agement, acquisition, and sustainment into an intel-
25 ligence community-wide effort that results in intel-

1 ligence community-wide capabilities. Each such plan
2 shall include—

3 (A) an outline of the most significant bar-
4 riers to creating effective, intelligence commu-
5 nity-wide artificial intelligence capabilities; and

6 (B) recommendations to overcome such
7 barriers.

8 (2) SUBMISSION.—Not later than 180 days
9 after the date on which the Director identifies a re-
10 search area, application, supporting technology, or
11 infrastructure under subsection (b), the Director
12 shall submit to the congressional intelligence com-
13 mittees the plan under paragraph (1).

14 **SEC. 609. SEEDLING INVESTMENT IN NEXT-GENERATION**
15 **MICROELECTRONICS IN SUPPORT OF ARTIFI-**
16 **CIAL INTELLIGENCE.**

17 (a) FINDINGS.—Congress finds that—

18 (1) developing faster, more energy efficient, and
19 more resilient computing is important to the future
20 of the national security of the United States and the
21 leadership by the United States in artificial intel-
22 ligence; and

23 (2) multidisciplinary teams co-designing micro-
24 electronics for artificial intelligence will lead to un-
25 precedented capabilities that will help ensure that

1 the United States maintains its superiority in this
2 worldwide competition for economic and national se-
3 curity.

4 (b) AWARDS FOR RESEARCH AND DEVELOPMENT.—

5 The Director of National Intelligence, acting through the
6 Director of the Intelligence Advanced Research Projects
7 Activity, shall award contracts or grants, or enter into
8 transactions other than contracts, to encourage microelec-
9 tronics research.

10 (c) USE OF FUNDS.—The Director shall award con-
11 tracts or grants to, or enter into transactions other than
12 contracts with, entities under subsection (b) to carry out
13 any of the following:

14 (1) Advanced engineering and applied research
15 into novel computing models, materials, devices, ar-
16 chitectures, or algorithms to enable the advancement
17 of artificial intelligence and machine learning.

18 (2) Research efforts to—

19 (A) overcome challenges with engineering
20 and applied research of microelectronics, includ-
21 ing with respect to the physical limits on tran-
22 sistors, electrical interconnects, and memory
23 elements; or

24 (B) promote long-term advancements in
25 computing technologies, including by fostering a

1 unified and multidisciplinary approach encom-
2 passing research and development into algo-
3 rithm design, computing architectures, micro-
4 electronic devices and circuits, and the chem-
5 istry and physics of new materials.

6 (3) Any other activity the Director determines
7 would promote the development of microelectronics
8 research.

9 (d) AWARD AMOUNTS.—In awarding contracts or
10 grants, or entering into transactions other than contracts,
11 under subsection (b), the Director may award not more
12 than a total of \$15,000,000.

13 **TITLE VII—PROTECTION OF**
14 **ELECTIONS FROM FOREIGN**
15 **INFLUENCE**

16 **Subtitle A—Foreign Influence**
17 **Reporting in Elections**

18 **SEC. 701. FEDERAL CAMPAIGN REPORTING OF FOREIGN**
19 **CONTACTS.**

20 (a) INITIAL NOTICE.—

21 (1) IN GENERAL.—Section 304 of the Federal
22 Election Campaign Act of 1971 (52 U.S.C. 30104)
23 is amended by adding at the end the following new
24 subsection:

1 “(j) DISCLOSURE OF REPORTABLE FOREIGN CON-
2 TACTS.—

3 “(1) COMMITTEE OBLIGATION TO NOTIFY.—

4 Not later than 1 week after a reportable foreign con-
5 tact, each political committee shall notify the Fed-
6 eral Bureau of Investigation and the Commission of
7 the reportable foreign contact and provide a sum-
8 mary of the circumstances with respect to such re-
9 reportable foreign contact. The Federal Bureau of In-
10 vestigation, not later than 1 week after receiving a
11 notification from a political committee under this
12 paragraph, shall submit to the political committee,
13 the Permanent Select Committee on Intelligence of
14 the House of Representatives, and the Select Com-
15 mittee on Intelligence of the Senate written or elec-
16 tronic confirmation of receipt of the notification.

17 “(2) INDIVIDUAL OBLIGATION TO NOTIFY.—

18 Not later than 3 days after a reportable foreign con-
19 tact—

20 “(A) each candidate and each immediate
21 family member of a candidate shall notify the
22 treasurer or other designated official of the
23 principal campaign committee of such candidate
24 of the reportable foreign contact and provide a

1 summary of the circumstances with respect to
2 such reportable foreign contact; and

3 “(B) each official, employee, or agent of a
4 political committee shall notify the treasurer or
5 other designated official of the committee of the
6 reportable foreign contact and provide a sum-
7 mary of the circumstances with respect to such
8 reportable foreign contact.

9 “(3) REPORTABLE FOREIGN CONTACT.—In this
10 subsection:

11 “(A) IN GENERAL.—The term ‘reportable
12 foreign contact’ means any direct or indirect
13 contact or communication that—

14 “(i) is between—

15 “(I) a candidate, an immediate
16 family member of the candidate, a po-
17 litical committee, or any official, em-
18 ployee, or agent of such committee;
19 and

20 “(II) an individual that the per-
21 son described in subclause (I) knows,
22 has reason to know, or reasonably be-
23 lieves is a covered foreign national;
24 and

1 “(ii) the person described in clause
2 (i)(I) knows, has reason to know, or rea-
3 sonably believes involves—

4 “(I) an offer or other proposal
5 for a contribution, donation, expendi-
6 ture, disbursement, or solicitation de-
7 scribed in section 319; or

8 “(II) coordination or collabora-
9 tion with, an offer or provision of in-
10 formation or services to or from, or
11 persistent and repeated contact with,
12 a covered foreign national in connec-
13 tion with an election.

14 “(B) EXCEPTIONS.—

15 “(i) CONTACTS IN OFFICIAL CAPACITY
16 AS ELECTED OFFICIAL.—The term ‘report-
17 able foreign contact’ shall not include any
18 contact or communication with a covered
19 foreign national by an elected official or an
20 employee of an elected official solely in an
21 official capacity as such an official or em-
22 ployee.

23 “(ii) CONTACTS FOR PURPOSES OF
24 ENABLING OBSERVATION OF ELECTIONS
25 BY INTERNATIONAL OBSERVERS.—The

1 term ‘reportable foreign contact’ shall not
2 include any contact or communication with
3 a covered foreign national by any person
4 which is made for purposes of enabling the
5 observation of elections in the United
6 States by a foreign national or the obser-
7 vation of elections outside of the United
8 States by a candidate, political committee,
9 or any official, employee, or agent of such
10 committee.

11 “(iii) EXCEPTIONS NOT APPLICABLE
12 IF CONTACTS OR COMMUNICATIONS IN-
13 VOLVE PROHIBITED DISBURSEMENTS.—A
14 contact or communication by an elected of-
15 ficial or an employee of an elected official
16 shall not be considered to be made solely
17 in an official capacity for purposes of
18 clause (i), and a contact or communication
19 shall not be considered to be made for pur-
20 poses of enabling the observation of elec-
21 tions for purposes of clause (ii), if the con-
22 tact or communication involves a contribu-
23 tion, donation, expenditure, disbursement,
24 or solicitation described in section 319.

1 “(C) COVERED FOREIGN NATIONAL DE-
2 FINED.—

3 “(i) IN GENERAL.—In this paragraph,
4 the term ‘covered foreign national’
5 means—

6 “(I) a foreign principal (as de-
7 fined in section 1(b) of the Foreign
8 Agents Registration Act of 1938 (22
9 U.S.C. 611(b))) that is a government
10 of a foreign country or a foreign polit-
11 ical party;

12 “(II) any person who acts as an
13 agent, representative, employee, or
14 servant, or any person who acts in
15 any other capacity at the order, re-
16 quest, or under the direction or con-
17 trol, of a foreign principal described in
18 subclause (I) or of a person any of
19 whose activities are directly or indi-
20 rectly supervised, directed, controlled,
21 financed, or subsidized in whole or in
22 major part by a foreign principal de-
23 scribed in subclause (I); or

24 “(III) any person included in the
25 list of specially designated nationals

1 and blocked persons maintained by
2 the Office of Foreign Assets Control
3 of the Department of the Treasury
4 pursuant to authorities relating to the
5 imposition of sanctions relating to the
6 conduct of a foreign principal de-
7 scribed in subclause (I).

8 “(ii) CLARIFICATION REGARDING AP-
9 PPLICATION TO CITIZENS OF THE UNITED
10 STATES.—In the case of a citizen of the
11 United States, subclause (II) of clause (i)
12 applies only to the extent that the person
13 involved acts within the scope of that per-
14 son’s status as the agent of a foreign prin-
15 cipal described in subclause (I) of clause
16 (i).

17 “(4) IMMEDIATE FAMILY MEMBER.—In this
18 subsection, the term ‘immediate family member’
19 means, with respect to a candidate, a parent, parent-
20 in-law, spouse, adult child, or sibling.”.

21 (2) EFFECTIVE DATE.—The amendment made
22 by paragraph (1) shall apply with respect to report-
23 able foreign contacts which occur on or after the
24 date of the enactment of this Act.

25 (b) INFORMATION INCLUDED ON REPORT.—

1 (1) IN GENERAL.—Section 304(b) of such Act
2 (52 U.S.C. 30104(b)) is amended—

3 (A) by striking “and” at the end of para-
4 graph (7);

5 (B) by striking the period at the end of
6 paragraph (8) and inserting “; and”; and

7 (C) by adding at the end the following new
8 paragraph:

9 “(9) for any reportable foreign contact (as de-
10 fined in subsection (j)(3))—

11 “(A) the date, time, and location of the
12 contact;

13 “(B) the date and time of when a des-
14 ignated official of the committee was notified of
15 the contact;

16 “(C) the identity of individuals involved;
17 and

18 “(D) a description of the contact, including
19 the nature of any contribution, donation, ex-
20 penditure, disbursement, or solicitation involved
21 and the nature of any activity described in sub-
22 section (j)(3)(A)(ii)(II) involved.”.

23 (2) EFFECTIVE DATE.—The amendment made
24 by paragraph (1) shall apply with respect to reports
25 filed on or after the expiration of the 60-day period

1 which begins on the date of the enactment of this
2 Act.

3 **SEC. 702. FEDERAL CAMPAIGN FOREIGN CONTACT RE-**
4 **PORTING COMPLIANCE SYSTEM.**

5 (a) IN GENERAL.—Section 302 of the Federal Elec-
6 tion Campaign Act of 1971 (52 U.S.C. 30102) is amended
7 by adding at the end the following new subsection:

8 “(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE
9 POLICY.—

10 “(1) REPORTING.—Each political committee
11 shall establish a policy that requires all officials, em-
12 ployees, and agents of such committee to notify the
13 treasurer or other appropriate designated official of
14 the committee of any reportable foreign contact (as
15 defined in section 304(j)) not later than 3 days after
16 such contact was made.

17 “(2) RETENTION AND PRESERVATION OF
18 RECORDS.—Each political committee shall establish
19 a policy that provides for the retention and preserva-
20 tion of records and information related to reportable
21 foreign contacts (as so defined) for a period of not
22 less than 3 years.

23 “(3) CERTIFICATION.—

24 “(A) IN GENERAL.—Upon filing its state-
25 ment of organization under section 303(a), and

1 with each report filed under section 304(a), the
2 treasurer of each political committee (other
3 than an authorized committee) shall certify
4 that—

5 “(i) the committee has in place poli-
6 cies that meet the requirements of para-
7 graphs (1) and (2);

8 “(ii) the committee has designated an
9 official to monitor compliance with such
10 policies; and

11 “(iii) not later than 1 week after the
12 beginning of any formal or informal affili-
13 ation with the committee, all officials, em-
14 ployees, and agents of such committee
15 will—

16 “(I) receive notice of such poli-
17 cies;

18 “(II) be informed of the prohibi-
19 tions under section 319; and

20 “(III) sign a certification affirm-
21 ing their understanding of such poli-
22 cies and prohibitions.

23 “(B) AUTHORIZED COMMITTEES.—With
24 respect to an authorized committee, the can-

1 didate shall make the certification required
2 under subparagraph (A).”.

3 (b) EFFECTIVE DATE.—

4 (1) IN GENERAL.—The amendment made by
5 subsection (a) shall apply with respect to political
6 committees which file a statement of organization
7 under section 303(a) of the Federal Election Cam-
8 paign Act of 1971 (52 U.S.C. 30103(a)) on or after
9 the date of the enactment of this Act.

10 (2) TRANSITION RULE FOR EXISTING COMMIT-
11 TEES.—Not later than 30 days after the date of the
12 enactment of this Act, each political committee
13 under the Federal Election Campaign Act of 1971
14 shall file a certification with the Federal Election
15 Commission that the committee is in compliance
16 with the requirements of section 302(j) of such Act
17 (as added by subsection (a)).

18 **SEC. 703. CRIMINAL PENALTIES.**

19 Section 309(d)(1) of the Federal Election Campaign
20 Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by add-
21 ing at the end the following new subparagraphs:

22 “(E) Any person who knowingly and willfully com-
23 mits a violation of subsection (j) or (b)(9) of section 304
24 or section 302(j) shall be fined not more than \$500,000,
25 imprisoned not more than 5 years, or both.

1 “(F) Any person who knowingly and willfully conceals
2 or destroys any materials relating to a reportable foreign
3 contact (as defined in section 304(j)) shall be fined not
4 more than \$1,000,000, imprisoned not more than 5 years,
5 or both.”.

6 **SEC. 704. REPORT TO CONGRESSIONAL INTELLIGENCE**
7 **COMMITTEES.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 date of enactment of this Act, and annually thereafter,
10 the Director of the Federal Bureau of Investigation shall
11 submit to the congressional intelligence committees a re-
12 port relating to notifications received by the Federal Bu-
13 reau of Investigation under section 304(j)(1) of the Fed-
14 eral Election Campaign Act of 1971 (as added by section
15 701(a) of this Act).

16 (b) ELEMENTS.—Each report under subsection (a)
17 shall include, at a minimum, the following with respect
18 to notifications described in subsection (a):

19 (1) The number of such notifications received
20 from political committees during the year covered by
21 the report.

22 (2) A description of protocols and procedures
23 developed by the Federal Bureau of Investigation re-
24 lating to receipt and maintenance of records relating
25 to such notifications.

1 (3) With respect to such notifications received
2 during the year covered by the report, a description
3 of any subsequent actions taken by the Director re-
4 sulting from the receipt of such notifications.

5 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES
6 DEFINED.—In this section, the term “congressional intel-
7 ligence committees” has the meaning given that term in
8 section 3 of the National Security Act of 1947 (50 U.S.C.
9 3003).

10 **SEC. 705. RULE OF CONSTRUCTION.**

11 Nothing in this subtitle or the amendments made by
12 this subtitle shall be construed—

13 (1) to impede legitimate journalistic activities;
14 or

15 (2) to impose any additional limitation on the
16 right to express political views or to participate in
17 public discourse of any individual who—

18 (A) resides in the United States;

19 (B) is not a citizen of the United States or
20 a national of the United States, as defined in
21 section 101(a)(22) of the Immigration and Na-
22 tionality Act (8 U.S.C. 1101(a)(22)); and

23 (C) is not lawfully admitted for permanent
24 residence, as defined by section 101(a)(20) of

1 the Immigration and Nationality Act (8 U.S.C.
2 1101(a)(20)).

3 **Subtitle B—Foreign Influence**
4 **Reporting in Elections**

5 **SEC. 711. CLARIFICATION OF APPLICATION OF FOREIGN**
6 **MONEY BAN.**

7 (a) CLARIFICATION OF TREATMENT OF PROVISION
8 OF CERTAIN INFORMATION AS CONTRIBUTION OR DONA-
9 TION OF A THING OF VALUE.—Section 319 of the Federal
10 Election Campaign Act of 1971 (52 U.S.C. 30121) is
11 amended by adding at the end the following new sub-
12 section:

13 “(c) CLARIFICATION OF TREATMENT OF PROVISION
14 OF CERTAIN INFORMATION AS CONTRIBUTION OR DONA-
15 TION OF A THING OF VALUE.—For purposes of this sec-
16 tion, a ‘contribution or donation of money or other thing
17 of value’ includes the provision of opposition research,
18 polling, or other non-public information relating to a can-
19 didate for election for a Federal, State, or local office for
20 the purpose of influencing the election, regardless of
21 whether such research, polling, or information has mone-
22 tary value, except that nothing in this subsection shall be
23 construed to treat the mere provision of an opinion about
24 a candidate as a thing of value for purposes of this sec-
25 tion.”.

1 (b) CLARIFICATION OF APPLICATION OF FOREIGN
2 MONEY BAN TO ALL CONTRIBUTIONS AND DONATIONS
3 OF THINGS OF VALUE AND TO ALL SOLICITATIONS OF
4 CONTRIBUTIONS AND DONATIONS OF THINGS OF
5 VALUE.—Section 319(a) of such Act (52 U.S.C.
6 30121(a)) is amended—

7 (1) in paragraph (1)(A), by striking “promise
8 to make a contribution or donation” and inserting
9 “promise to make such a contribution or donation”;

10 (2) in paragraph (1)(B), by striking “donation”
11 and inserting “donation of money or other thing of
12 value, or to make an express or implied promise to
13 make such a contribution or donation,”; and

14 (3) by amending paragraph (2) to read as fol-
15 lows:

16 “(2) a person to solicit, accept, or receive (di-
17 rectly or indirectly) a contribution or donation de-
18 scribed in subparagraph (A) or (B) of paragraph
19 (1), or to solicit, accept, or receive (directly or indi-
20 rectly) an express or implied promise to make such
21 a contribution or donation, from a foreign na-
22 tional.”.

23 (c) ENHANCED PENALTY FOR CERTAIN VIOLA-
24 TIONS.—

1 (1) IN GENERAL.—Section 309(d)(1) of such
2 Act (52 U.S.C. 30109(d)(1)), as amended by section
3 703, is further amended by adding at the end the
4 following new subparagraph:

5 “(G)(i) Any person who knowingly and willfully com-
6 mits a violation of section 319 which involves a foreign
7 national which is a government of a foreign country or
8 a foreign political party, or which involves a thing of value
9 consisting of the provision of opposition research, polling,
10 or other non-public information relating to a candidate for
11 election for a Federal, State, or local office for the purpose
12 of influencing the election, shall be fined under title 18,
13 United States Code, or imprisoned for not more than 5
14 years, or both.

15 “(ii) In clause (i), each of the terms ‘government of
16 a foreign country’ and ‘foreign political party’ has the
17 meaning given such term in section 1 of the Foreign
18 Agents Registration Act of 1938, as Amended (22 U.S.C.
19 611).”.

20 (2) EFFECTIVE DATE.—The amendment made
21 by paragraph (1) shall apply with respect to viola-
22 tions committed on or after the date of the enact-
23 ment of this Act.

1 **SEC. 712. REQUIRING ACKNOWLEDGMENT OF FOREIGN**
2 **MONEY BAN BY POLITICAL COMMITTEES.**

3 (a) PROVISION OF INFORMATION BY FEDERAL ELEC-
4 TION COMMISSION.—Section 303 of the Federal Election
5 Campaign Act of 1971 (52 U.S.C. 30103) is amended by
6 adding at the end the following new subsection:

7 “(e) ACKNOWLEDGMENT OF FOREIGN MONEY
8 BAN.—

9 “(1) NOTIFICATION BY COMMISSION.—Not later
10 than 30 days after a political committee files its
11 statement of organization under subsection (a), and
12 biennially thereafter until the committee terminates,
13 the Commission shall provide the committee with a
14 written explanation of section 319.

15 “(2) ACKNOWLEDGMENT BY COMMITTEE.—

16 “(A) IN GENERAL.—Not later than 30
17 days after receiving the written explanation of
18 section 319 under paragraph (1), the committee
19 shall transmit to the Commission a signed cer-
20 tification that the committee has received such
21 written explanation and has provided a copy of
22 the explanation to all members, employees, con-
23 tractors, and volunteers of the committee.

24 “(B) PERSON RESPONSIBLE FOR SIGNA-
25 TURE.—The certification required under sub-
26 paragraph (A) shall be signed—

1 “(i) in the case of an authorized com-
2 mittee of a candidate, by the candidate; or
3 “(ii) in the case of any other political
4 committee, by the treasurer of the com-
5 mittee.”.

6 (b) EFFECTIVE DATE; TRANSITION FOR EXISTING
7 COMMITTEES.—

8 (1) IN GENERAL.—The amendment made by
9 subsection (a) shall apply with respect to political
10 committees which file statements of organization
11 under section 303 of the Federal Election Campaign
12 Act of 1971 (52 U.S.C. 30103) on or after the date
13 of the enactment of this Act.

14 (2) TRANSITION FOR EXISTING COMMITTEES.—

15 (A) NOTIFICATION BY FEDERAL ELECTION
16 COMMISSION.—Not later than 90 days after the
17 date of the enactment of this Act, the Federal
18 Election Commission shall provide each political
19 committee under such Act with the written ex-
20 planation of section 319 of such Act, as re-
21 quired under section 303(e)(1) of such Act (as
22 added by subsection (a)).

23 (B) ACKNOWLEDGMENT BY COMMITTEE.—
24 Not later than 30 days after receiving the writ-
25 ten explanation under subparagraph (A), each

political committee under such Act shall transmit to the Federal Election Commission the signed certification, as required under section 303(e)(2) of such Act (as added by subsection (a)).

**TITLE VIII—MATTERS RELATING
TO FOREIGN COUNTRIES
Subtitle A—Saudi Arabia and the
Middle East**

**SEC. 801. LIMITATION ON AVAILABILITY OF FUNDS UNTIL
SUBMISSION OF REQUIRED REPORT ON MUR-
DER OF JAMAL KHASHOGGI.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) There is a strong bipartisan conviction, shared widely throughout the legislative and executive branches of the United States Government and elsewhere, that ensuring full accountability for the brutal murder on October 2, 2018, of Jamal Khashoggi, a former Washington Post columnist and resident of the United States, is in the public interest and also the national interest of the United States.

(B) Section 5714 of the Damon Paul Nelson and Matthew Young Pollard Intelligence

1 Authorization Act for Fiscal Years 2018, 2019,
2 and 2020 (division E of Public Law 116–92;
3 133 Stat. 2173) required the Director of Na-
4 tional Intelligence to submit to Congress a writ-
5 ten report in “unclassified form” that includes
6 “identification of those who carried out, partici-
7 pated in, ordered, or were otherwise complicit in
8 or responsible for the death of Jamal
9 Khashoggi.”.

10 (C) Section 1277 of the National Defense
11 Authorization Act for Fiscal Year 2020 (Public
12 Law 116–92; 133 Stat. 1701) likewise obligated
13 the Director to submit to the Committee on
14 Foreign Affairs and the Permanent Select Com-
15 mittee on Intelligence of the House of Rep-
16 resentatives and the Committee on Foreign Re-
17 lations and the Select Committee on Intel-
18 ligence of the Senate a written report on the as-
19 sessment of the intelligence community regard-
20 ing Mr. Khashoggi’s brutal murder.

21 (D) Such section 1277 specifically called,
22 among other things, for a determination and
23 presentation of evidence with respect to the ad-
24 vance knowledge and role of any current or
25 former official of the Government of Saudi Ara-

1 bia or any current or former senior Saudi polit-
2 ical figure over the directing, ordering, or tam-
3 pering of evidence in relation to Mr.
4 Khashoggi's murder.

5 (E) Such section 1277 also required the
6 Director to submit a list of foreign persons
7 whom the Director has high confidence were re-
8 sponsible for, complicit in, or otherwise know-
9 ingly and materially assisted the murder, or im-
10 peded its impartial investigation, or who or-
11 dered or otherwise directed an act or acts con-
12 tributing to or causing the murder.

13 (F) Contrary to the unambiguous and law-
14 ful command of Congress under such sections
15 5714 and 1277, the Director did not produce
16 any unclassified report as required by either
17 such section, and instead, on February 20,
18 2020, the Director submitted to such commit-
19 tees a classified report, which the Director re-
20 ferred to as an "annex".

21 (G) The evident belief of the Director that
22 no unclassified information can be produced in
23 accordance with the directives of Congress is
24 dubious, in light of the extensive body of cred-
25 ible, unclassified reporting available regarding

1 the murder of Mr. Khashoggi, and the roles and
2 culpability of officials at the highest levels of
3 the Government of Saudi Arabia.

4 (2) SENSE OF CONGRESS.—It is the sense of
5 Congress that the Director of National Intelligence
6 should reasonably have been able to produce an un-
7 classified report pursuant to section 5714 of the
8 Damon Paul Nelson and Matthew Young Pollard In-
9 telligence Authorization Act for Fiscal Years 2018,
10 2019, and 2020 and section 1277 of the National
11 Defense Authorization Act for Fiscal Year 2020 that
12 did not alter or obscure, in any way, the intelligence
13 community's core determinations, its presentation of
14 evidence, or identification of relevant persons, as re-
15 quired, without putting sources and methods at risk.

16 (b) LIMITATION.—

17 (1) IN GENERAL.—None of the funds author-
18 ized to be appropriated by this Act or otherwise
19 made available for fiscal year 2021 for any element
20 of the intelligence community may be obligated or
21 expended for the purposes described in paragraph
22 (2) until the date on which the Director of National
23 Intelligence makes public the covered annex pursu-
24 ant to subsection (d).

1 (2) PURPOSES DESCRIBED.—The purposes de-
2 scribed in this paragraph are any engagement or
3 interaction of any kind with the General Intelligence
4 Presidency of the Government of Saudi Arabia, or
5 any other intelligence or security service of the Gov-
6 ernment of Saudi Arabia, including with respect to
7 supporting, partnering, assisting, or otherwise co-
8 operating, directly or indirectly with the General In-
9 telligence Presidency or such services.

10 (3) EXCEPTION.—The limitation in paragraph
11 (1) shall not apply to sharing information with or
12 receiving from the Government of Saudi Arabia re-
13 garding—

14 (A) a threat of death or serious bodily
15 harm to any person; or

16 (B) law enforcement activities, including
17 with respect to cooperation between the Federal
18 Bureau of Investigation and the Government of
19 Saudi Arabia.

20 (c) DECLASSIFICATION REVIEW.—

21 (1) REQUIREMENT.—Not later than 90 days
22 after the date of the enactment of this Act, the Di-
23 rector, acting through the National Intelligence
24 Council, shall complete a declassification review of
25 the covered annex.

1 (2) CONDUCT OF REVIEW.—The declassification
2 review under paragraph (1) shall—

3 (A) be conducted in accordance with sec-
4 tion 1.7 of Executive Order No. 13526 (75 Fed.
5 Reg. 707; relating to classified national security
6 information) with respect to requiring that in
7 no case shall information be classified, continue
8 to be maintained as classified, or fail to be de-
9 classified in order to—

10 (i) conceal violations of law;

11 (ii) prevent embarrassment to a per-
12 son, organization, or agency; or

13 (iii) prevent or delay the release of in-
14 formation that does not require protecting
15 in the interest of the national security;

16 (B) evaluate and take into consideration
17 the full body of credible, open-source reporting
18 available to the intelligence community regard-
19 ing the murder of Jamal Khashoggi; and

20 (C) make public as much information con-
21 tained in the covered annex as possible.

22 (d) PUBLICATION AND SUBMISSION.—

23 (1) PUBLICATION.—Following the declassifica-
24 tion review of the covered annex under subsection
25 (c), the Director shall make public on the internet

1 website of the Director the covered annex. If the de-
2 classification review determines that any information
3 in the covered annex should remain classified, the
4 Director may redact such information in a manner
5 that—

6 (A) prevents public release of information
7 only to the extent necessary to protect specific,
8 identified harms to the national security of the
9 United States; and

10 (B) does not alter or obscure the deter-
11 minations of, presentation of evidence by, or
12 identification of relevant persons by, the intel-
13 ligence community with respect to the murder
14 of Jamal Khashoggi.

15 (2) SUBMISSION.—Not later than 15 days be-
16 fore the date on which the Director makes the cov-
17 ered annex public under paragraph (1), the Director
18 shall submit to the congressional intelligence com-
19 mittees a report on the redactions made by the Di-
20 rector under such paragraph, including, for each
21 such redaction, an explanation of how the redacted
22 information would harm the national security of the
23 United States despite the robust body of available
24 open-source reporting on the murder of Jamal
25 Khashoggi.

1 (3) FORM.—The report under paragraph (2)
2 shall be in unclassified form to the extent prac-
3 ticable, but may include a classified annex.

4 (e) COVERED ANNEX DEFINED.—In this section, the
5 term “covered annex” means the report regarding the
6 murder of Jamal Khashoggi submitted on February 20,
7 2020, by the Director of National Intelligence to the Com-
8 mittee on Foreign Affairs and the Permanent Select Com-
9 mittee on Intelligence of the House of Representatives and
10 the Committee on Foreign Relations and the Select Com-
11 mittee on Intelligence of the Senate.

12 **SEC. 802. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
13 **INTELLIGENCE SHARING RELATING TO CER-**
14 **TAIN AIR STRIKES IN YEMEN.**

15 (a) PROHIBITION.—Except as provided by subsection
16 (b), none of the funds authorized to be appropriated by
17 this Act or otherwise made available for fiscal year 2021
18 for any element of the intelligence community may be obli-
19 gated or expended to share intelligence for the purpose
20 of enabling or assisting air strikes in Yemen by the Saudi
21 Arabia-led coalition.

22 (b) EXCEPTION.—The prohibition under subsection
23 (a) shall not apply with respect to the sharing of intel-
24 ligence with Saudi Arabia for the purposes of countering
25 al-Qaeda, the Islamic State in Yemen, or other terrorist

1 groups that the intelligence community assesses to be op-
2 erating in Yemen and to pose a threat to the United
3 States.

4 **SEC. 803. REPORT ON UNDERSTANDING AND MITIGATING**
5 **CIVILIAN HARM FROM USE OF CERTAIN**
6 **WEAPONS SYSTEMS IN YEMEN.**

7 (a) SENSE OF CONGRESS; POLICY.—

8 (1) SENSE OF CONGRESS.—It is the sense of
9 Congress that it is in the national interest of the
10 United States that the United States that all parties
11 to the Yemen conflict comply with the law of armed
12 conflict.

13 (2) STATEMENT OF POLICY.—It is the policy of
14 the United States that credible evidence of gross vio-
15 lations of internationally recognized human rights by
16 the coalition led by Saudi Arabia in Yemen should
17 be a principal factor in United States decisions to
18 authorize the sale, transfer, or delivery of offensive
19 weapons and equipment to the Kingdom of Saudi
20 Arabia.

21 (b) REPORT.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the Director
24 of National Intelligence, in consultation with the
25 heads of relevant intelligence community entities,

1 shall submit to the appropriate congressional com-
2 mittees a report containing—

3 (A) a detailed description of any incident
4 that has occurred since 2015 in which Saudi
5 Arabia or one of its coalition partners has been
6 determined to have used United States weapons
7 against civilians or civilian objects in Yemen;

8 (B) for each such incident, the assessment
9 of the intelligence community as to whether the
10 leadership of Saudi Arabia took credible steps
11 following the incident to alter the conduct of its
12 armed forces; and

13 (C) an assessment of—

14 (i) efforts by the Government of Saudi
15 Arabia since 2015 to avoid dispro-
16 portionate harm to civilians and civilian ob-
17 jects in Yemen;

18 (ii) whether United States assistance
19 to the Saudi-led coalition has led to a de-
20 monstrable decrease in civilians killed or
21 injured by Saudi-led airstrikes and damage
22 to civilian infrastructure;

23 (iii) the humanitarian and strategic
24 consequences of strikes against civilians in

1 Yemen for the broader Middle East region
2 and United States interests; and

3 (iv) the credibility of written assur-
4 ances officials of Saudi Arabia provided to
5 the United States Government in 2017, in-
6 cluding whether Saudi Arabia has taken
7 substantial and meaningful steps to adhere
8 to such assurances.

9 (2) SOURCES.—The report required under this
10 subsection shall be based on all available sources.

11 (3) DELAY OF SUBMITTAL.—If the Director de-
12 termines that the report cannot be submitted by the
13 date that is 30 days after the date of the enactment
14 of this Act, the Director shall, before such date—

15 (A) submit to the appropriate congres-
16 sional committees a report setting forth the rea-
17 sons why the report cannot be submitted by
18 such date and an estimated date for the sub-
19 mission of the report; and

20 (B) together with the relevant experts from
21 the National Intelligence Council and other rel-
22 evant elements of the intelligence community,
23 testify before the appropriate congressional
24 committees with respect to the issues to be cov-
25 ered by the report.

1 (4) FORM OF REPORT.—The report required
2 under this subsection shall be submitted in unclassi-
3 fied form, but may contain a classified annex.

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed as authorizing the use of military
6 force or sharing of intelligence with the Government of
7 Saudi Arabia.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Foreign Affairs and
12 the Permanent Select Committee on Intelligence
13 of the House of Representatives; and

14 (B) the Committee on Foreign Relations
15 and the Select Committee on Intelligence of the
16 Senate.

17 (2) The term “offensive weapons” means preci-
18 sion-guided munitions, other bombs, anti-tank mis-
19 siles, small-diameter rockets, and large mortars.

20 **SEC. 804. REPORT ON PREVENTION OF PROLIFERATION OF**
21 **SENSITIVE UNMANNED AERIAL VEHICLES**
22 **AND RELATED TECHNOLOGY.**

23 (a) SENSE OF CONGRESS; POLICY.—

24 (1) SENSE OF CONGRESS.—It is the sense of
25 Congress that it is in the national interest of the

1 United States to prevent the proliferation of sen-
2 sitive unmanned aerial vehicles (in this section re-
3 ferred to as “UAV”) and related technology, espe-
4 cially to China, Russia, and other countries that the
5 National Defense Strategy identifies as peer or near-
6 peer competitors.

7 (2) STATEMENT OF POLICY.—It is the policy of
8 the United States that actions to prevent the pro-
9 liferation of sensitive UAV technology to China,
10 Russia, and other countries shall be a principal fac-
11 tor in decisions of the United States to authorize the
12 sale, transfer, or delivery of category 1 UAV systems
13 to the United Arab Emirates.

14 (b) REPORT.—

15 (1) IN GENERAL.—Not later than 30 days after
16 the date of the enactment of this Act, the Director
17 of National Intelligence, in consultation with the
18 heads of relevant intelligence community elements,
19 shall submit to the appropriate congressional com-
20 mittees a report containing—

21 (A) an assessment of efforts by the United
22 Arab Emirates (in this section referred to as
23 “UAE”) since 2014 to prevent the proliferation
24 of UAV and related technology, including cat-
25 egory 1 UAV systems;

1 (B) a description of any cooperation be-
2 tween UAE-based entities and entities in China,
3 Russia, or any other country that the National
4 Defense Strategy identifies as a peer compet-
5 itor;

6 (C) a description of any effort by the gov-
7 ernment of the UAE and UAE-based entities to
8 conceal such cooperation from the United
9 States;

10 (D) a detailed inventory of all instances in
11 which the government of the UAE and UAE-
12 based entities have promoted the transfer and
13 sale of armed and unarmed UAV technology,
14 including details regarding to which countries
15 the government of the UAE and UAE-based en-
16 tities transferred or proposed transferring the
17 technology;

18 (E) a description of the attitude and will-
19 ingness of the leadership of the UAE to take
20 steps to comply with the standards of the Mis-
21 sile Technology Control Regime (in this section
22 referred to as the “MTCR”) for the export of
23 UAVs and category 1 UAV systems; and

24 (F) a description of the technological and
25 defense benefits that Russia, China, and other

1 countries are assessed to have accrued as a re-
2 sult of cooperation, research and development,
3 and related activities with UAE-based entities.

4 (2) SOURCES.—The report required under this
5 subsection shall be based on all available sources.

6 (3) DELAY OF SUBMITTAL.—If the Director de-
7 termines that the report cannot be submitted by the
8 date that is 30 days after the date of the enactment
9 of this Act, the Director shall, before such date—

10 (A) submit to the appropriate congres-
11 sional committees a report setting forth the rea-
12 sons why the report cannot be submitted by
13 such date and an estimated date for the sub-
14 mission of the report; and

15 (B) together with the relevant experts from
16 the National Intelligence Council and other rel-
17 evant elements of the intelligence community,
18 testify before the appropriate congressional
19 committees with respect to the issues to be cov-
20 ered by the report.

21 (4) FORM OF REPORT.—The report required
22 under this subsection shall be submitted in unclassi-
23 fied form, but may contain a classified annex.

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed as authorizing the sharing of intel-
3 ligence with the government of the UAE.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Affairs and
8 the Permanent Select Committee on Intelligence
9 of the House of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Select Committee on Intelligence of the
12 Senate.

13 (2) The term “UAV technology” means armed
14 and unarmed unmanned aerial vehicles capable of
15 carrying 500 kilogram payloads for more than 300
16 kilometers, including those that fly under 650 kilo-
17 meters per hour.

18 (3) The term “category 1 UAV system” means
19 a complete rocket and all unmanned aerial vehicle
20 systems (including ballistic missiles, space launch ve-
21 hicles, sounding rockets, cruise missiles, target
22 drones, and reconnaissance drones), capable of deliv-
23 ering a payload of at least 500 kilograms to a range
24 of at least 300 kilometers, and the major complete
25 subsystems (including rocket stages, engines, guid-

1 ance sets, and re-entry vehicles), related software
2 and technology, and specially designed production
3 facilities for such rockets and systems.

4 **SEC. 805. REPORT ON UNDERSTANDING POTENTIAL FOR**
5 **AND PREVENTING NUCLEAR PROLIFERATION**
6 **IN THE MIDDLE EAST.**

7 (a) SENSE OF CONGRESS; STATEMENT OF POLICY.—

8 (1) SENSE OF CONGRESS.—It is the sense of
9 Congress that—

10 (A) it is in the vital national interest of the
11 United States to prevent the onward prolifera-
12 tion of nuclear weapons technology in the Mid-
13 dle East;

14 (B) Saudi Crown Prince Mohammed bin
15 Salman’s public declaration in March 2018 that
16 Saudi Arabia would pursue a nuclear bomb if
17 Iran developed a nuclear bomb, and Iran’s sep-
18 arate decision to expand nuclear enrichment ac-
19 tivities following the withdrawal of the United
20 States from the Joint Comprehensive Plan of
21 Action in May 2018, both increase the threat of
22 a regional nuclear arms race; and

23 (C) the Comptroller General of the United
24 States concluded in May 2020 that—

1 (i) it is unclear whether the Depart-
2 ment of State and the Department of En-
3 ergy kept Congress “fully and currently in-
4 formed” of nuclear cooperation negotia-
5 tions with Saudi Arabia, as required by
6 section 123 of the Atomic Energy Act of
7 1954 (42 U.S.C. 2153); and

8 (ii) these negotiations are stalled over
9 nonproliferation conditions.

10 (2) STATEMENT OF POLICY.—It is the policy of
11 the United States that any civil nuclear cooperation
12 agreement by the United States with Saudi Arabia
13 should include strong safeguards, including the non-
14 proliferation criteria established under section 123
15 of the Atomic Energy Act of 1954 (42 U.S.C.
16 2153), to prevent the proliferation of nuclear weap-
17 ons.

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of the enactment of this Act, the Director
21 of National Intelligence, in consultation with the
22 heads of elements of the intelligence community that
23 the Director determines appropriate, shall submit to
24 the appropriate congressional committees a report
25 containing an assessment of the efforts by the Gov-

ernment of the Kingdom of Saudi Arabia since 2015
to develop a nuclear program.

(2) ELEMENTS.—The report under paragraph
(1) shall include an assessment of the following:

(A) The state of nuclear cooperation between Saudi Arabia and any other country other than the United States, such as the People's Republic of China or the Russian Federation.

(B) Efforts by Saudi Arabia to modernize and further develop the missile capabilities and program of Saudi Arabia, including with other countries other than the United States, such as China.

(C) The willingness of Saudi Arabia to accede to and abide by a civil nuclear cooperation agreement with the United States under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) that would include the prohibition on domestic uranium enrichment.

(D) The willingness of Saudi Arabia to sign, implement, and abide by an Additional Protocol with the International Atomic Energy Agency.

1 (E) The willingness of Saudi Arabia to ac-
2 cept international monitoring and inspections of
3 the nuclear activities of Saudi Arabia, similar in
4 scope to such monitoring and inspections that
5 Iran agreed to under the Joint Comprehensive
6 Plan of Action.

7 (F) If the United States and Saudi Arabia
8 were to enter into a civil nuclear cooperation
9 agreement under such section 123 that does not
10 contain the prohibitions and criteria described
11 in subparagraphs (C) and (D), the likelihood
12 that the United Arab Emirates would seek to
13 remove restrictions on its peaceful nuclear pro-
14 gram and renegotiate its civil nuclear coopera-
15 tion agreement with the United States.

16 (3) SOURCES.—The report under paragraph (1)
17 shall be based on all available credible sources.

18 (4) FORM.—The report under paragraph (1)
19 shall be submitted in unclassified form, but may
20 contain a classified annex.

21 (5) EXTENSION.—If the Director of National
22 Intelligence determines that the Director cannot sub-
23 mit the report under paragraph (1) by the date re-
24 quired by such paragraph, the Director shall, before
25 such date—

1 (A) submit to the appropriate congres-
2 sional committees a report setting forth the rea-
3 sons why the report cannot be submitted by
4 such date and an estimated date for the sub-
5 mission of the report; and

6 (B) along with the relevant experts from
7 the National Intelligence Council and other rel-
8 evant elements of the intelligence community,
9 testify before the appropriate congressional
10 committees on the issues that will be covered by
11 the report.

12 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed as authorizing——

14 (1) the sharing of intelligence with the Govern-
15 ment of Saudi Arabia; or

16 (2) any nuclear cooperation with the Govern-
17 ment of Saudi Arabia.

18 (d) DEFINITIONS.—In this section:

19 (1) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term “appropriate congressional com-
21 mittees” means—

22 (A) the congressional intelligence commit-
23 tees; and

1 (B) the Committee on Foreign Affairs of
2 the House of Representatives and the Com-
3 mittee on Foreign Relations of the Senate.

4 (2) JOINT COMPREHENSIVE PLAN OF ACTION.—
5 The term “Joint Comprehensive Plan of Action”
6 means the Joint Comprehensive Plan of Action,
7 signed at Vienna on July 14, 2015, by Iran and by
8 the People’s Republic of China, France, Germany,
9 the Russian Federation, the United Kingdom and
10 the United States, with the High Representative of
11 the European Union for Foreign Affairs and Secu-
12 rity Policy, and all implementing materials and
13 agreements related to the Joint Comprehensive Plan
14 of Action.

15 (3) PROHIBITION ON DOMESTIC URANIUM EN-
16 RICHMENT.—The term “prohibition on domestic
17 uranium enrichment” means, with respect to a civil
18 nuclear cooperation agreement under section 123 of
19 the Atomic Energy Act of 1954 (42 U.S.C. 2153),
20 provisions in the agreement that prohibit domestic
21 uranium enrichment in the same manner as the
22 agreement entered into by the United States and the
23 United Arab Emirates under such section.

1 **SEC. 806. REPORT ON PROPAGATION OF EXTREMIST**
2 **IDEOLOGIES FROM SAUDI ARABIA.**

3 (a) REPORT.—Not later than February 1, 2021, the
4 Director of National Intelligence, acting through the Na-
5 tional Intelligence Council, shall submit to the congres-
6 sional intelligence committees a report that includes a de-
7 tailed description of—

8 (1) the role of governmental and nongovern-
9 mental entities and individuals of Saudi Arabia in
10 promoting, funding, and exporting ideologies, includ-
11 ing so-called “Wahhabist ideology”, that inspire ex-
12 tremism or extremist groups in other countries; and

13 (2) the strategic consequences for vital national
14 security interests of the United States as a result of
15 such promotion, funding, or export.

16 (b) FORM.—The report under subsection (a) shall be
17 submitted in unclassified form, but may include a classi-
18 fied annex.

19 **SEC. 807. REPORT ON FINANCIAL INFLUENCE OPERATIONS**
20 **OF SAUDI ARABIA, THE UNITED ARAB EMIR-**
21 **ATES, AND QATAR.**

22 (a) REPORT.—Not later than February 1, 2021, the
23 Director of National Intelligence, acting through the Na-
24 tional Intelligence Council, shall submit to the congres-
25 sional intelligence committees a report that includes an as-
26 sessment of any efforts, including the use of financial re-

1 sources, by the Governments of Saudi Arabia, the United
 2 Arab Emirates, or Qatar to influence political processes,
 3 policies, policymakers, or public debate in the United
 4 States (without regard to the legality of such efforts).

5 (b) FORM.—The report under subsection (a) shall be
 6 submitted in unclassified form, but may include a classi-
 7 fied annex.

8 **Subtitle B—People’s Republic of** 9 **China**

10 **SEC. 811. ANNUAL REPORTS ON SECURITY SERVICES OF** 11 **THE PEOPLE’S REPUBLIC OF CHINA IN THE** 12 **HONG KONG SPECIAL ADMINISTRATIVE RE-** 13 **GION.**

14 (a) FINDING; SENSE OF CONGRESS.—

15 (1) FINDING.—Congress finds that the Na-
 16 tional People’s Congress of the People’s Republic of
 17 China promulgated the Law of the People’s Republic
 18 of China on Safeguarding National Security in the
 19 Hong Kong Special Administrative Region on June
 20 30, 2020.

21 (2) SENSE OF CONGRESS.—It is the sense of
 22 Congress that—

23 (A) the People’s Republic of China is le-
 24 gally bound to guarantee the civil liberties of
 25 the people of Hong Kong through 2047 under

1 the Basic Law and the “Joint Declaration of
2 the Government of the United Kingdom of
3 Great Britain and Northern Ireland and the
4 Government of the People’s Republic of China
5 on the Question of Hong Kong” (hereafter the
6 Joint Declaration), in which China committed
7 that for 50 years, the “social and economic sys-
8 tems in Hong Kong will remain unchanged, and
9 so will the life-style”;

10 (B) the Joint Declaration states that
11 “Rights and freedoms, including those of the
12 person, of speech, of the press, of assembly, of
13 association, of travel, of movement, of cor-
14 respondence, of strike, of choice of occupation,
15 of academic research and of religious belief will
16 be ensured by law in the Hong Kong Special
17 Administrative Region”, and such rights are re-
18 iterated in Chapter III of the Basic Law;

19 (C) the Law of the People’s Republic of
20 China on Safeguarding National Security in the
21 Hong Kong Special Administrative Region vio-
22 lates China’s commitments under the Joint
23 Declaration, constituting a violation of inter-
24 national law;

1 (D) the United States of America has a
2 continued interest in the autonomy of the Hong
3 Kong Special Administrative Region, particu-
4 larly as it relates to the continued viability of
5 the freedom of speech, of the press, and of pub-
6 lication; the freedom of association, or assem-
7 bly; the freedom from arbitrary or unlawful ar-
8 rest, detention, or imprisonment; the freedom
9 from arbitrary or unlawful search of, or intru-
10 sion into, a Hong Kong resident's home or
11 other premises; the freedom and privacy of
12 communication; the freedom of conscience; judi-
13 cial independence; and the right to initiate legal
14 proceedings in the courts to hold authorities ac-
15 countable for unlawful acts; and

16 (E) the introduction of the Committee for
17 Safeguarding National Security and a national
18 security division of the Hong Kong Police Force
19 that operates outside of the judicial oversight of
20 the courts of Hong Kong further extends the
21 reach of China's security apparatus, under-
22 mining the integrity and independence of the
23 judicial system of Hong Kong.

1 (b) REPORTS.—Title XI of the National Security Act
2 of 1947 (50 U.S.C. 3231 et seq.), is amended by inserting
3 after section 1107 the following new section:

4 **“SEC. 1107A. ANNUAL REPORTS ON SECURITY SERVICES OF**
5 **THE PEOPLE’S REPUBLIC OF CHINA IN THE**
6 **HONG KONG SPECIAL ADMINISTRATIVE RE-**
7 **GION.**

8 “(a) REQUIREMENT.—On an annual basis through
9 2047, the Director of National Intelligence shall submit
10 to the appropriate congressional committees, and make
11 publicly available on the internet website of the Director,
12 a report on the presence and activities of Chinese security
13 services operating within the Hong Kong Special Adminis-
14 trative Region.

15 “(b) CONTENTS.—Each report under subsection (a)
16 shall include, with respect to the year covered by the re-
17 port, the following:

18 “(1) Identification of the approximate number
19 of personnel affiliated with Chinese security services
20 operating within the Hong Kong Special Administra-
21 tive Region, including a breakdown of such per-
22 sonnel by the specific security service and the divi-
23 sion of the security service, and (to the extent pos-
24 sible) an identification of any such personnel associ-

1 ated with the national security division of the Hong
2 Kong Police Force.

3 “(2) A description of the command and control
4 structures of such security services, including infor-
5 mation regarding the extent to which such security
6 services are controlled by the Government of the
7 Hong Kong Special Administrative Region or the
8 Government of the People’s Republic of China.

9 “(3) A description of the working relationship
10 and coordination mechanisms of the Chinese security
11 services with the police force of the Hong Kong Spe-
12 cial Administrative Region.

13 “(4) A description of the activities conducted by
14 Chinese security services operating within the Hong
15 Kong Special Administrative Region, including—

16 “(A) information regarding the extent to
17 which such security services, and officers associ-
18 ated with the national security division of the
19 Hong Kong Police Force, are engaged in front-
20 line policing, serving in advisory and assistance
21 roles, or both;

22 “(B) an assessment of the likelihood of
23 such security services conducting renditions of
24 individuals from the Hong Kong Special Ad-
25 ministrative Region to China and a listing of

1 every known individual subject to such rendition
2 during the year covered by the report; and

3 “(C) an assessment of how such activities
4 conducted by Chinese security services con-
5 tribute to self-censorship and corruption within
6 the Hong Kong Special Administrative Region.

7 “(5) A discussion of the doctrine and tactics
8 employed by Chinese security services operating
9 within the Hong Kong Special Administrative Re-
10 gion, including an overview of the extent to which
11 such security services employ surveillance, detection,
12 and control methods, including ‘high-tech’ policing
13 models and ‘preventative policing tactics’, that are
14 consistent with the rise of digital authoritarianism,
15 and used in a manner similar to methods used in the
16 Xinjiang region of China.

17 “(6) An overview of the funding for Chinese se-
18 curity services operating within the Hong Kong Spe-
19 cial Administrative Region, including an assessment
20 of the extent to which funding is drawn locally from
21 the Hong Kong Special Administrative Region Gov-
22 ernment or from the Government of China.

23 “(7) A discussion of the various surveillance
24 technologies used by security services operating

1 within the Hong Kong Special Administrative Re-
2 gion, including—

3 “(A) a list of the key companies that pro-
4 vide such technologies; and

5 “(B) an assessment of the degree to which
6 such technologies can be accessed by Chinese
7 security services operating within the Hong
8 Kong Special Administrative Region.

9 “(c) COORDINATION.—In carrying out subsection (a),
10 the Director shall coordinate with the Director of the Cen-
11 tral Intelligence Agency, the Director of the National Se-
12 curity Agency, the Director of the Defense Intelligence
13 Agency, the Director of the National Geospatial-Intel-
14 ligence Agency, the Assistant Secretary of State for the
15 Bureau of Intelligence and Research, and any other rel-
16 evant head of an element of the intelligence community.

17 “(d) FORM.—Each report submitted to the appro-
18 priate congressional committees under subsection (a) shall
19 be submitted in unclassified form, but may include a clas-
20 sified annex.

21 “(e) DEFINITIONS.—In this section:

22 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term ‘appropriate congressional com-
24 mittees’ means—

1 “(A) the congressional intelligence commit-
2 tees;

3 “(B) the Committee on Foreign Affairs
4 and the Committee on Armed Services of the
5 House of Representatives; and

6 “(C) the Committee on Foreign Relations
7 and the Committee on Armed Services of the
8 Senate.

9 “(2) CHINESE SECURITY SERVICES.—The term
10 ‘Chinese security services’ means—

11 “(A) the security services of the Govern-
12 ment of the People’s Republic of China, includ-
13 ing the Ministry of State Security and the Min-
14 istry of Public Security; and

15 “(B) any known front organizations or
16 aliases associated with such security services,
17 including officers associated with the national
18 security division of the Hong Kong Police Force
19 and other officers of the Hong Kong Police
20 Force selected by the Committee for Safe-
21 guarding National Security to work on matters
22 relating to national security.”.

23 (c) CLERICAL AMENDMENT.—The table of contents
24 in the first section of the National Security Act of 1947

1 is amended by inserting after the item relating to section
2 1107 the following new item:

“Sec. 1107A. Annual reports on security services of the People’s Republic of
China in the Hong Kong Special Administrative Region.”.

3 **SEC. 812. RESEARCH PARTNERSHIP ON ACTIVITIES OF**
4 **PEOPLE’S REPUBLIC OF CHINA.**

5 (a) RESEARCH PARTNERSHIP.—

6 (1) REQUIREMENT.—Not later than 180 days
7 after the date of the enactment of this Act, the Di-
8 rector of the National Geospatial-Intelligence Agency
9 shall seek to enter into a partnership with an aca-
10 demic or non-profit research institution to—

11 (A) carry out joint unclassified geospatial
12 intelligence analyses of the activities of the Peo-
13 ple’s Republic of China that pose risks to the
14 national security interests of the United States;
15 and

16 (B) make available on a publicly available
17 internet website unclassified geospatial intel-
18 ligence products relating to such analyses.

19 (2) ELEMENTS.—The Director shall ensure
20 that the activities of China analyzed under para-
21 graph (1)(A) include the following:

22 (A) Any notable developments relating to
23 the global activities of the People’s Liberation
24 Army Ground Force, the People’s Liberation

1 Army Navy, the People’s Liberation Army Air
2 Force, the People’s Liberation Army Rocket
3 Force, the People’s Liberation Army Strategic
4 Support Force, and the Chinese People’s Armed
5 Police Force Coast Guard Corps.

6 (B) Infrastructure projects associated with
7 the “One Belt, One Road” Initiative.

8 (C) Maritime land reclamation activities
9 conducted by China in the South China Sea,
10 the Indian Ocean region, and the broader mari-
11 time commons.

12 (D) Matters relevant to global public
13 health and climate security, including—

14 (i) indications and warnings of disease
15 outbreaks with pandemic potential;

16 (ii) the activities of China likely con-
17 tributing to climate change; and

18 (iii) any environmental degradation
19 directly resulting from the practices of
20 China.

21 (3) CONSORTIUM.—In carrying out paragraph
22 (1), the Director may enter into a partnership
23 with—

24 (A) one research institution; or

1 (B) a consortium of research institutions if
2 the Director determines that the inclusion of
3 multiple institutions will result in more effective
4 research conducted pursuant to this section or
5 improve the outcomes of such research.

6 (4) DURATION.—The Director shall carry out a
7 partnership under this section for a period that is
8 not less than 10 years following the date of the en-
9 actment of this Act.

10 (5) IMPROVEMENTS TO PARTNERSHIP.—The
11 Director may modify the partnership under para-
12 graph (1) or select a new research institution with
13 which to enter into such a partnership if—

14 (A) the Director consults with the congres-
15 sional intelligence committees with respect to
16 the proposed modified or new partnership;

17 (B) the modified or new partnership is car-
18 ried out in accordance with this section; and

19 (C) the Director determines that the modi-
20 fied or new partnership will result in more ef-
21 fective research conducted pursuant to this sec-
22 tion or improve the outcomes of such research.

23 (b) OPEN-SOURCE DATA.—

1 (1) IDENTIFICATION AND PUBLICATION.—Dur-
2 ing the life of the partnership under subsection (a),
3 the Director shall regularly—

4 (A) identify raw, unclassified geospatial
5 data that could improve the research conducted
6 under the partnership if the data was made
7 publicly available; and

8 (B) make such data publicly available.

9 (2) CONSULTATION.—The Director shall carry
10 out paragraph (1) in consultation with the research
11 institution or consortium of research institutions in-
12 volved with the partnership under subsection (a).

13 (c) BRIEFINGS.—Not later than 270 days after the
14 date of the enactment of this Act, and annually thereafter
15 during the life of the partnership under subsection (a),
16 the Director shall provide to the appropriate congressional
17 committees a briefing on the partnership. Each such brief-
18 ing shall include the following:

19 (1) The outcomes of research conducted under
20 the partnership.

21 (2) Identification of the actions that have been
22 taken to increase the quantity and quality of unclas-
23 sified geospatial analysis products made publicly
24 available under the partnership, including the quan-

1 tity and types of raw data the partnership has made
2 publicly available.

3 (3) Identification of actual and projected costs
4 to carry out the partnership.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the congressional intelligence committees;
9 and

10 (2) the Subcommittees on Defense of the Com-
11 mittees on Appropriations of the House of Rep-
12 resentatives and the Senate.

13 **SEC. 813. REPORT ON THE PHARMACEUTICAL AND PER-**
14 **SONAL PROTECTIVE EQUIPMENT REGU-**
15 **LATORY PRACTICES OF THE PEOPLE’S RE-**
16 **PUBLIC OF CHINA.**

17 (a) REPORT.—Not later than 120 days after the date
18 of the enactment of this Act, the Director of National In-
19 telligence shall submit to the appropriate congressional
20 committees, and make publicly available on the internet
21 website of the Director, a report on the pharmaceutical
22 and personal protective equipment regulatory practices of
23 the People’s Republic of China.

24 (b) CONTENTS.—The report under subsection (a)
25 shall include the following:

1 (1) An assessment of the quantity of active
2 pharmaceutical ingredients produced annually within
3 China.

4 (2) An estimate of the percentage of active
5 pharmaceutical ingredients produced globally that
6 originate in China.

7 (3) A description of the National Medical Prod-
8 ucts Administration of China, including with respect
9 to—

10 (A) the roles and responsibilities of the Ad-
11 ministration;

12 (B) the organizational structure of the Ad-
13 ministration; and

14 (C) any affiliated institutions of the Na-
15 tional Medical Products Administration.

16 (4) An assessment of the capacity of the Na-
17 tional Medical Products Administration to effectively
18 develop safety standards, efficacy standards, and
19 any other relevant standards concerning the produc-
20 tion of active pharmaceutical ingredients and phar-
21 maceutical drugs.

22 (5) An assessment of the capacity of the Na-
23 tional Medical Products Administration to enforce
24 standards on the production and distribution of ac-

1 tive pharmaceutical ingredients and pharmaceutical
2 drugs.

3 (6) An overview of qualitative disparities be-
4 tween active pharmaceutical ingredients and phar-
5 maceutical drugs approved by the National Medical
6 Products Administration and similar drugs subject
7 to regulatory oversight and approval in the markets
8 of the member states of the Organisation for Eco-
9 nomic Co-operation and Development.

10 (7) An assessment of the qualitative disparities
11 between the standards and enforcement practices of
12 the National Medical Products Administration on
13 the production and distribution of active pharma-
14 ceutical ingredients and pharmaceutical drugs and
15 the good manufacturing practice guidelines issued by
16 the International Council for Harmonization of
17 Technical Requirements for Pharmaceuticals for
18 Human Use.

19 (8) An assessment of the susceptibility of the
20 National Medical Products Administration, the sub-
21 ordinate organizations of the National Medical Prod-
22 ucts Administration, and other associated personnel
23 to engage in corrupt practices, particularly practices
24 that relate to assessing the safety of pharmaceutical
25 ingredients and other pharmaceutical drugs within

1 the authority of the National Medical Products Ad-
2 ministration.

3 (9) An assessment of the national security risks
4 associated with the reliance by the United States on
5 pharmaceutical ingredients and pharmaceutical
6 drugs originating in China, including an assessment
7 of how and whether China could leverage its produc-
8 tion of certain pharmaceutical ingredients as a
9 means to coerce the United States or the partners
10 and allies of the United States.

11 (10) An assessment of the percentage of per-
12 sonal protective equipment produced globally that
13 originates in China.

14 (11) An assessment of the national security
15 risks associated with any reliance by the United
16 States on personal protective equipment originating
17 in China, including an assessment of how and
18 whether China could leverage its production of per-
19 sonal protective equipment as a means to coerce the
20 United States or the partners and allies of the
21 United States.

22 (c) COORDINATION.—In carrying out subsection (a),
23 the Director shall coordinate with the Director of the Cen-
24 tral Intelligence Agency, the Director of the National Se-
25 curity Agency, the Director of the Defense Intelligence

1 Agency, the Director of the National Geospatial-Intel-
2 ligence Agency, and any other relevant head of an element
3 of the intelligence community.

4 (d) FORM.—The report submitted to the appropriate
5 congressional committees under subsection (a) shall be
6 submitted in unclassified form, but may include a classi-
7 fied annex.

8 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
9 FINED.—In this section, the term “appropriate congres-
10 sional committees” means—

11 (1) the congressional intelligence committees;

12 (2) the Committee on Foreign Affairs and the
13 Committee on Energy and Commerce of the House
14 of Representatives; and

15 (3) the Committee on Foreign Relations and
16 the Committee on Finance of the Senate.

17 **Subtitle C—Matters Relating to**
18 **Other Countries**

19 **SEC. 821. NATIONAL INTELLIGENCE ESTIMATE ON SITUA-**
20 **TION IN AFGHANISTAN.**

21 (a) REQUIREMENT.—The Director of National Intel-
22 ligence, acting through the National Intelligence Council,
23 shall produce a National Intelligence Estimate on the situ-
24 ation in Afghanistan.

1 (b) MATTERS.—The National Intelligence Estimate
2 produced under subsection (a) shall include an assessment
3 of the prospects of a durable intra-Afghan settlement of
4 the conflict in Afghanistan that leads to—

5 (1) a permanent ceasefire and sustained reduc-
6 tion in violence;

7 (2) a verifiable break between the Taliban and
8 al-Qaeda;

9 (3) verifiable cooperation by the Taliban in ef-
10 forts against al-Qaeda, the Islamic State of Iraq and
11 the Levant Khorasan, and associated international
12 terrorists the intelligence community determines are
13 active in Afghanistan and pose a threat to the
14 United States homeland or United States interests
15 abroad; and

16 (4) sustainment of the social and human rights
17 progress achieved by Afghan women and girls since
18 2001.

19 (c) SUBMISSION TO CONGRESS.—

20 (1) SUBMISSION.—Not later than February 1,
21 2021, the Director shall submit to the congressional
22 intelligence committees the National Intelligence Es-
23 timate produced under subsection (a), including all
24 intelligence reporting underlying the Estimate.

1 (2) NOTICE REGARDING SUBMISSION.—If be-
2 fore February 1, 2021, the Director determines that
3 the National Intelligence Estimate produced under
4 subsection (a) cannot be submitted by such date, the
5 Director shall (before such date)—

6 (A) submit to the congressional intelligence
7 committees a report setting forth the reasons
8 why the National Intelligence Estimate cannot
9 be submitted by such date and an estimated
10 date for the submission of the National Intel-
11 ligence Estimate; and

12 (B) testify before the congressional intel-
13 ligence committees on the issues that will be
14 covered by the National Intelligence Estimate.

15 (3) FORM.—The National Intelligence Estimate
16 shall be submitted under paragraph (1) in classified
17 form.

18 (d) PUBLIC VERSION.—Consistent with the protec-
19 tion of intelligence sources and methods, at the same time
20 as the Director submits to the congressional intelligence
21 committees the National Intelligence Estimate under sub-
22 section (c), the Director shall make publicly available on
23 the internet website of the Director an unclassified version
24 of the key findings of the National Intelligence Estimate.

1 **SEC. 822. ASSESSMENT REGARDING TENSIONS BETWEEN**
2 **ARMENIA AND AZERBAIJAN.**

3 (a) **ASSESSMENT REQUIRED.**—Not later than 90
4 days after the date of the enactment of this Act, the Direc-
5 tor of National Intelligence shall submit to the congres-
6 sional intelligence committees a written assessment re-
7 garding tensions between the governments of Armenia and
8 Azerbaijan, including with respect to the status of the
9 Nagorno-Karabakh region. Such assessment shall include
10 each of the following:

11 (1) An identification of the strategic interests of
12 the United States and its partners in the Armenia-
13 Azerbaijan region.

14 (2) A description of all significant uses of force
15 in and around the Nagorno-Karabakh region and
16 the border between Armenia and Azerbaijan during
17 calendar year 2020, including a description of each
18 significant use of force and an assessment of who
19 initiated the use of such force.

20 (3) An assessment of the effect of United
21 States military assistance to Azerbaijan and Arme-
22 nia on the regional balance of power and the likeli-
23 hood of further use of military force.

24 (4) An assessment of the likelihood of any fur-
25 ther uses of force or potentially destabilizing activi-
26 ties in the region in the near- to medium-term.

1 (b) FORM OF ASSESSMENT.—The assessment re-
2 quired under this section shall be submitted in unclassified
3 form, but may contain a classified annex.

4 **TITLE IX—REPORTS AND OTHER**
5 **MATTERS**

6 **SEC. 901. ANNUAL REPORTS ON WORLDWIDE THREATS.**

7 (a) IN GENERAL.—Title I of the National Security
8 Act of 1947 (50 U.S.C. 3021 et seq.) is amended by in-
9 serting after section 108A the following new section:

10 **“SEC. 108B. ANNUAL REPORTS ON WORLDWIDE THREATS.**

11 “(a) ANNUAL REPORTS.—Not later than the first
12 Monday in February 2021, and each year thereafter, the
13 Director of National Intelligence, in coordination with the
14 heads of the elements of the intelligence community, shall
15 submit to the appropriate congressional committees a re-
16 port containing an assessment of the intelligence commu-
17 nity with respect to worldwide threats to the national secu-
18 rity of the United States.

19 “(b) FORM.—Each report under subsection (a) shall
20 be submitted in unclassified form, but may include a clas-
21 sified annex only for the protection of intelligence sources
22 and methods relating to the matters contained in the re-
23 port.

24 “(c) HEARINGS.—

1 “(1) OPEN HEARINGS.—Upon request by the
2 appropriate congressional committees, the Director
3 (and any other head of an element of the intelligence
4 community determined appropriate by the commit-
5 tees in consultation with the Director) shall testify
6 before such committees in an open setting regarding
7 a report under subsection (a).

8 “(2) CLOSED HEARINGS.—Any information that
9 may not be disclosed during an open hearing under
10 paragraph (1) in order to protect intelligence sources
11 and methods may instead be discussed in a closed
12 hearing that immediately follows such open hearing.

13 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
14 DEFINED.—In this section, the term ‘appropriate congres-
15 sional committees’ means—

16 “(1) the congressional intelligence committees;
17 and

18 “(2) the Committees on Armed Services of the
19 House of Representatives and the Senate.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 at the beginning of such Act is amended by inserting after
22 the item relating to section 108A the following new item:

“Sec. 108B. Annual reports on world-wide threats.”.

1 **SEC. 902. ANNUAL INTELLIGENCE ASSESSMENTS ON RELA-**
2 **TIONSHIP BETWEEN WOMEN AND VIOLENT**
3 **EXTREMISM.**

4 (a) REPORTS.—Title XI of the National Security Act
5 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
6 602, is further amended by inserting after section 1110
7 the following new section:

8 **“SEC. 1111. ANNUAL INTELLIGENCE ASSESSMENTS ON RE-**
9 **LATIONSHIP BETWEEN WOMEN AND VIOLENT**
10 **EXTREMISM.**

11 “(a) REQUIREMENT.—Not later than 180 days after
12 the date of the enactment of this section, the Director of
13 National Intelligence, in consultation with the Secretary
14 of Defense, the Secretary of State, and the head of any
15 element of the intelligence community the Director deter-
16 mines appropriate, shall submit to the appropriate con-
17 gressional committees an intelligence assessment on the
18 relationship between women and violent extremism and
19 terrorism.

20 “(b) CONTENTS.—The intelligence assessment under
21 subsection (a) shall address the following:

22 “(1) The historical trends and current state of
23 the roles of women in all aspects of violent extre-
24 mism and terrorism, including as recruiters, sympa-
25 thizers, perpetrators, and combatants, as well as

1 peace-builders and preventers of violent extremism
2 and terrorism.

3 “(2) How the roles of women in all aspects of
4 violent extremism and terrorism are likely to change
5 in the near- and medium-term.

6 “(3) The extent to which the unequal status of
7 women affects the ability of armed combatants and
8 terrorist groups to enlist or conscript women and
9 men as combatants and perpetrators of violence.

10 “(4) How terrorist groups violate the rights of
11 women and girls, including through child, early, and
12 forced marriage, abduction, sexual violence, and
13 human trafficking, and the extent to which such vio-
14 lations contribute to the spread of conflict and ter-
15 rorist activities.

16 “(5) Opportunities to address the security risk
17 posed by female extremists and leverage the roles of
18 women in counterterrorism efforts.

19 “(6) Approaches and challenges to identify, re-
20 patriate, and reintegrate women affiliated with vio-
21 lent extremist or terrorist groups, including through
22 disarmament, demobilization, and reintegration pro-
23 grams.

24 “(c) ANNUAL UPDATES.—On an annual basis, the
25 Director shall submit to the appropriate congressional

1 committees an update to the intelligence assessment under
2 subsection (a).

3 “(d) FORM.—The assessment submitted to the ap-
4 propriate congressional committees under subsection (a),
5 and each update submitted under subsection (c), shall be
6 submitted in unclassified form, but may include a classi-
7 fied annex.

8 “(e) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term ‘appropriate congres-
10 sional committees’ means—

11 “(1) the congressional intelligence committees;

12 “(2) the Committee on Foreign Affairs and the
13 Committee on Armed Services of the House of Rep-
14 resentatives; and

15 “(3) the Committee on Foreign Relations and
16 the Committee on Armed Services of the Senate.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 in the first section of the National Security Act of 1947
19 is amended by inserting after the item relating to section
20 1110, as added by section 602, the following new item:

“Sec. 1111. Annual intelligence assessments on relationship between women
and violent extremism.”.

21 **SEC. 903. ANNUAL REPORT ON CLIMATE SECURITY ADVI-**
22 **SORY COUNCIL.**

23 Section 120 of the National Security Act of 1947 (50
24 U.S.C. 3060) is amended—

1 (1) by redesignating subsections (d) and (e) as
2 subsections (e) and (f), respectively; and

3 (2) by inserting after subsection (c) the fol-
4 lowing new subsection (d):

5 “(d) ANNUAL REPORT.—Not later than January 31,
6 2021, and not less frequently than annually thereafter, the
7 chair of the Council shall submit, on behalf of the Council,
8 to the congressional intelligence committees a report de-
9 scribing the activities of the Council as described in sub-
10 section (c) during the year preceding the year during
11 which the report is submitted.”.

12 **SEC. 904. IMPROVEMENTS TO FUNDING FOR NATIONAL SE-**
13 **CURITY EDUCATION PROGRAM.**

14 (a) FUNDING FOR SCHOLARSHIP, FELLOWSHIP, AND
15 GRANT PROGRAMS.—Section 810 of the David L. Boren
16 National Security Education Act of 1991 (50 U.S.C.
17 1910) is amended—

18 (1) in subsection (c), by striking “for each fis-
19 cal year, beginning with fiscal year 2005,” and in-
20 serting “for each of fiscal years 2005 through
21 2021”; and

22 (2) by adding at the end the following new sub-
23 section:

24 “(d) FISCAL YEARS BEGINNING WITH FISCAL YEAR
25 2022.—In addition to amounts that may be made avail-

1 able to the Secretary under the Fund for a fiscal year,
2 there is authorized to be appropriated to the Secretary for
3 each fiscal year, beginning with fiscal year 2022,
4 \$8,000,000, to carry out the scholarship, fellowship, and
5 grant programs under subparagraphs (A), (B), and (C),
6 respectively, of section 802(a)(1).”.

7 (b) FUNDING FOR NATIONAL FLAGSHIP LANGUAGE
8 INITIATIVE.—Section 811 of such Act (50 U.S.C. 1911)
9 is amended—

10 (1) in subsection (a), by striking
11 “\$10,000,000” and inserting “\$16,000,000”; and

12 (2) in subsection (b), by striking “for each fis-
13 cal year, beginning with fiscal year 2005,” and in-
14 serting “for each of fiscal years 2005 through
15 2021”.

16 (c) FUNDING FOR SCHOLARSHIP PROGRAM FOR AD-
17 VANCED ENGLISH LANGUAGE STUDIES.—Section 812 of
18 the David L. Boren National Security Education Act of
19 1991 (50 U.S.C. 1912) is amended—

20 (1) in subsection (a), by striking “for each fis-
21 cal year, beginning with fiscal year 2005,” and in-
22 serting “for each of fiscal years 2005 through
23 2021”;

24 (2) by redesignating subsection (b) as sub-
25 section (c);

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

3 “(b) FISCAL YEARS BEGINNING WITH FISCAL YEAR
 4 2022.—In addition to amounts that may be made avail-
 5 able to the Secretary under the Fund for a fiscal year,
 6 there is authorized to be appropriated to the Secretary for
 7 each fiscal year, beginning with fiscal year 2022,
 8 \$2,000,000, to carry out the scholarship programs for
 9 English language studies by certain heritage community
 10 citizens under section 802(a)(1)(E).”; and

11 (4) in subsection (c), as so redesignated, by
 12 striking “subsection (a)” and inserting “this sec-
 13 tion”.

14 **SEC. 905. REPORT ON BEST PRACTICES TO PROTECT PRI-**
 15 **VACY, CIVIL LIBERTIES, AND CIVIL RIGHTS**
 16 **OF CHINESE AMERICANS.**

17 (a) REPORT.—Section 5712 of the Damon Paul Nel-
 18 son and Matthew Young Pollard Intelligence Authoriza-
 19 tion Act for Fiscal Years 2018, 2019, and 2020 (Public
 20 Law 116–92; 133 Stat. 2171) is—

21 (1) transferred to title XI of the National Secu-
 22 rity Act of 1947 (50 U.S.C. 3231 et seq.);

23 (2) inserted after section 1112 of such title, as
 24 added by section 902;

25 (3) redesignated as section 1112; and

1 (4) amended—

2 (A) in the heading, by striking “**AND**
3 **CIVIL LIBERTIES**” and inserting “, **CIVIL**
4 **LIBERTIES, AND CIVIL RIGHTS**”; and

5 (B) in subsection (b)—

6 (i) in the matter preceding paragraph
7 (1) by striking “Not later than 180 days
8 after the date of the enactment of this
9 Act,” and inserting “On an annual basis,”;
10 and

11 (ii) by striking “and civil liberties”,
12 each place it appears and inserting “, civil
13 liberties, and civil rights”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 at the beginning of the National Security Act of 1947 is
16 amended by inserting after the item relating to section
17 1111, as added by section 902, the following new item:

“Sec. 1112. Report on best practices to protect privacy, civil liberties, and civil
rights of Chinese Americans.”.

18 **SEC. 906. NATIONAL INTELLIGENCE ESTIMATE ON THREAT**
19 **OF GLOBAL PANDEMIC DISEASE.**

20 (a) NATIONAL INTELLIGENCE ESTIMATE.—

21 (1) REQUIREMENT.—The Director of National
22 Intelligence, acting through the National Intelligence
23 Council, shall produce a National Intelligence Esti-

1 mate on the threat of global pandemic disease, in-
2 cluding with respect to the following:

3 (A) An assessment of the possible courses
4 of the COVID–19 pandemic during the 18
5 months following the date of the Estimate, in-
6 cluding—

7 (i) the projected spread of COVID–19
8 outside the United States and the likeli-
9 hood of subsequent major outbreaks;

10 (ii) the capacity of countries and
11 international organizations to combat the
12 further spread of COVID–19, including
13 risks and opportunities for further global
14 cooperation; and

15 (iii) the risks to the national security
16 and health security of the United States if
17 COVID–19 is not contained abroad.

18 (B) An assessment of the global public
19 health system and the responses of the system
20 to the COVID–19 pandemic, including—

21 (i) prospects for an effective global
22 disease surveillance and response system,
23 opportunities to advance the development
24 of such a system, and signposts for evalu-
25 ating whether or not an effective system

1 has been developed before a disease out-
2 break occurs; and

3 (ii) an assessment of global health
4 system capacity.

5 (C) An assessment of—

6 (i) the humanitarian and economic
7 implications of the COVID–19 pandemic;
8 and

9 (ii) the consequences of the COVID–
10 19 pandemic with respect to political sta-
11 bility, armed conflict, democratization, and
12 the global leadership by the United States
13 of the post-World War II international sys-
14 tem.

15 (D) An assessment of—

16 (i) likely threats by global pandemic
17 diseases during the 10-year period fol-
18 lowing the date of the Estimate;

19 (ii) global readiness to avert a future
20 global pandemic;

21 (iii) challenges and opportunities for
22 the policy of the United States to advance
23 global pandemic preparedness; and

24 (iv) the potential role of non-state and
25 state-backed global influence activities or

1 disinformation campaigns involving
2 COVID–19 or future potential global
3 pandemics.

4 (E) Any other matters the Director deter-
5 mines appropriate.

6 (2) SUBMISSION TO CONGRESS.—

7 (A) SUBMISSION.—Not later than 90 days
8 after the date of the enactment of this Act, the
9 Director shall submit to the Permanent Select
10 Committee on Intelligence of the House of Rep-
11 resentatives and the Select Committee on Intel-
12 ligence of the Senate the National Intelligence
13 Estimate produced under paragraph (1), includ-
14 ing all intelligence reporting underlying the Es-
15 timate.

16 (B) NOTICE REGARDING SUBMISSION.—If
17 before the end of the 90-day period specified in
18 subparagraph (A) the Director determines that
19 the National Intelligence Estimate under para-
20 graph (1) cannot be submitted by the end of
21 that period, the Director shall (before the end
22 of that period)—

23 (i) submit to the Permanent Select
24 Committee on Intelligence of the House of
25 Representatives and the Select Committee

on Intelligence of the Senate a report setting forth—

(I) the reasons why the National Intelligence Estimate cannot be submitted by the end of that period; and

(II) an estimated date for the submission of the National Intelligence Estimate; and

(ii) testify before such committees on the issues that will be covered by the National Intelligence Estimate.

(C) FORM.—The National Intelligence Estimate shall be submitted under subparagraph (A) in classified form.

(3) PUBLIC VERSION.—Consistent with the protection of intelligence sources and methods, at the same time as the Director submits to the congressional intelligence committees the National Intelligence Estimate under paragraph (2), the Director shall submit to the congressional committees specified in paragraph (4), and make publicly available on the internet website of the Director, an unclassified version of the National Intelligence Estimate.

1 (4) CONGRESSIONAL COMMITTEES SPECI-
2 FIED.—The congressional committees specified in
3 this paragraph are the following:

4 (A) The Committee on Appropriations, the
5 Committee on Armed Services, the Committee
6 on Energy and Commerce, the Committee on
7 Financial Services, the Committee on Foreign
8 Affairs, the Committee on Homeland Security,
9 and the Permanent Select Committee on Intel-
10 ligence of the House of Representatives.

11 (B) The Committee on Appropriations, the
12 Committee on Armed Services, the Committee
13 on Finance, the Committee on Foreign Rela-
14 tions, the Committee on Health, Education,
15 Labor, and Pensions, the Committee on Home-
16 land Security and Governmental Affairs, and
17 the Select Committee on Intelligence of the
18 Senate.

19 (5) CONSULTATION.—The Director shall pre-
20 pare the National Intelligence Estimate under para-
21 graph (1) in consultation with the Secretary of
22 Health and Human Services, the Director of the
23 Centers for Disease Control and Prevention, the
24 Secretary of State, and any other head of an ele-

1 ment of the Federal Government the Director of Na-
2 tional Intelligence determines appropriate.

3 (b) FUTURE PANDEMIC PLAN.—

4 (1) REQUIREMENT.—Not later than 90 days
5 after the date of the enactment of this Act, the
6 President shall transmit to the congressional com-
7 mittees specified in paragraph (3), and make pub-
8 licly available on the internet website of the Presi-
9 dent, a report containing a whole-of-government
10 plan for an effective response to subsequent major
11 outbreaks of the COVID–19 pandemic and for other
12 future global pandemic diseases.

13 (2) MATTERS INCLUDED.—The plan under
14 paragraph (1) shall address how to improve the fol-
15 lowing:

16 (A) Pandemic planning.

17 (B) Homeland preparedness.

18 (C) International disease surveillance.

19 (D) Diagnostic testing.

20 (E) Contact tracing.

21 (F) The role of the Federal Government
22 with respect to the regulation, acquisition, and
23 disbursement, of medical supplies and other
24 public health resources necessary to respond to
25 COVID–19 or other diseases with pandemic po-

1 tentia (including diagnostic testing equipment,
2 biomedical equipment, drugs and medicines,
3 and hygiene equipment).

4 (G) The procurement and distribution of
5 personal protective equipment.

6 (H) Early domestic response to future
7 global pandemic diseases in the United States.

8 (3) CONGRESSIONAL COMMITTEES SPECI-
9 FIED.—The congressional committees specified in
10 this paragraph are the following:

11 (A) The Committee on Appropriations, the
12 Committee on Energy and Commerce, the Com-
13 mittee on Foreign Affairs, the Committee on
14 Homeland Security, and the Permanent Select
15 Committee on Intelligence of the House of Rep-
16 resentatives.

17 (B) The Committee on Appropriations, the
18 Committee on Foreign Relations, the Com-
19 mittee on Health, Education, Labor, and Pen-
20 sions, the Committee on Homeland Security
21 and Governmental Affairs, and the Select Com-
22 mittee on Intelligence of the Senate.

23 (c) GLOBAL STRATEGY.—

24 (1) REQUIREMENT.—Not later than 90 days
25 after the date of the enactment of this Act, the

1 President, in coordination with the Director of Na-
2 tional Intelligence, shall transmit to the congres-
3 sional committees specified in paragraph (2), and
4 make publicly available on the internet website of
5 the President, a report containing a global strategy
6 for mobilizing international institutions to combat
7 the COVID–19 pandemic.

8 (2) CONGRESSIONAL COMMITTEES SPECI-
9 FIED.—The congressional committees specified in
10 this paragraph are the following:

11 (A) The Committee on Appropriations, the
12 Committee on Armed Services, the Committee
13 on Foreign Affairs, and the Permanent Select
14 Committee on Intelligence of the House of Rep-
15 resentatives.

16 (B) The Committee on Appropriations, the
17 Committee on Armed Services, the Committee
18 on Foreign Relations, and the Select Committee
19 on Intelligence of the Senate.

20 **SEC. 907. MODIFICATION OF REQUIREMENT FOR BRIEF-**
21 **INGS ON NATIONAL SECURITY EFFECTS OF**
22 **EMERGING INFECTIOUS DISEASE AND**
23 **PANDEMICS.**

24 Section 6722(b)(2) of the Damon Paul Nelson and
25 Matthew Young Pollard Intelligence Authorization Act for

1 Fiscal Years 2018, 2019, and 2020 (division E of Public
2 Law 116–98) is amended—

3 (1) in the paragraph heading, by striking
4 “QUINQUENNIAL” and inserting “ANNUAL”;

5 (2) by striking “beginning on the date that is
6 5 years after the date on which the Director submits
7 the report under paragraph (1), and every 5 years
8 thereafter” and inserting “not later than January
9 31, 2021, and annually thereafter”; and

10 (3) by inserting “required under paragraph
11 (1)” before the period at the end.

12 **SEC. 908. REPORT ON OPEN-SOURCE SCIENCE AND TECH-**
13 **NOLOGY INTELLIGENCE COLLECTION AND**
14 **ANALYSIS WITHIN THE INTELLIGENCE COM-**
15 **MUNITY.**

16 (a) REPORT.—

17 (1) REQUIREMENT.—Not later than 180 days
18 after the date of the enactment of this Act, the Di-
19 rector of National Intelligence shall submit to the
20 congressional intelligence committees, and publish on
21 the internet website of the Office of the Director of
22 National Intelligence, a report assessing the past
23 and present efforts by the United States Govern-
24 ment to collect and analyze open-source science and
25 technology intelligence.

1 (2) MATTERS INCLUDED.—The report under
2 paragraph (1) shall include a description of each of
3 the following:

4 (A) Current efforts by the intelligence
5 community to collect and analyze open-source
6 science and technology intelligence.

7 (B) Current efforts by the People’s Repub-
8 lic of China to collect, analyze, and exploit
9 open-source science and technology intelligence.

10 (C) Historical funding and human
11 resourcing trends with respect to efforts by the
12 United States Government to collect and ana-
13 lyze open-source science and technology intel-
14 ligence.

15 (D) The rationale for previous reductions
16 by the United States Government in funding or
17 staffing for efforts to collect and analyze open-
18 source science and technology intelligence.

19 (E) Any lack of authorities or statutory
20 limitations that impede efforts of the United
21 States Government to collect and analyze open-
22 source science and technology intelligence.

23 (F) The resources required for the United
24 States Government to initiate new, or expand

existing, operations to collect and analyze open-source science and technology intelligence.

(G) Recommendations for expanding operations by the United States Government to collect and analyze open-source science and technology, including an assessment of the feasibility of—

(i) establishing a funding program of record dedicated to open-source science and technology intelligence;

(ii) co-locating open source-trained intelligence officers, intelligence officers with technical capabilities, and associated staff from different entities within and outside of the intelligence community; and

(iii) training a dedicated open-source intelligence officer cadre composed of language experts and science and technology experts.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but the report submitted to the congressional intelligence committees may include a classified annex.

(b) INTERAGENCY WORKING GROUP.—

1 (1) PREPARATION OF REPORT.—The Director
2 of National Intelligence shall convene an interagency
3 working group (in this section referred to as the
4 “working group”) to prepare the report under sub-
5 section (a) and to provide the briefing under sub-
6 section (c).

7 (2) MEMBERS.—The working group shall be
8 composed of representatives from the following:

9 (A) The Scientific and Technical Intel-
10 ligence Committee of the Office of the Director
11 of National Intelligence.

12 (B) The National Intelligence Officer for
13 Science and Technology of the Office of the Di-
14 rector of National Intelligence.

15 (C) The Central Intelligence Agency.

16 (D) The Defense Intelligence Agency.

17 (E) The Department of Defense.

18 (F) The National Geospatial-Intelligence
19 Agency.

20 (G) The National Security Agency.

21 (H) The Office of Intelligence and Analysis
22 of the Department of Homeland Security.

23 (I) The Federal Bureau of Investigation.

24 (J) The Bureau for Intelligence and Re-
25 search of the Department of State.

1 (K) The Office of Intelligence and Coun-
2 terintelligence of the Department of Energy.

3 (L) Any other component of the United
4 States Government, regardless of whether the
5 component is an element of the intelligence
6 community, that the Director determines—

7 (i) collects open-source science and
8 technology intelligence; and

9 (ii) would materially assist in the ac-
10 tivities of the working group.

11 (c) INTERIM BRIEFING.—Not later than 120 days
12 after the date of the enactment of this Act, the working
13 group shall provide to the congressional intelligence com-
14 mittees a briefing on the initial findings of the working
15 group under subsection (a).

16 (d) OPEN-SOURCE SCIENCE AND TECHNOLOGY IN-
17 TELLIGENCE DEFINED.—In this section, the term “open-
18 source science and technology intelligence” means infor-
19 mation of intelligence value regarding scientific and tech-
20 nological developments that appears in print or electronic
21 form, including radio, television, newspapers, journals, the
22 internet, commercial databases, videos, graphics, draw-
23 ings, or any other publicly available source.

1 **SEC. 909. INDEPENDENT STUDY ON OPEN-SOURCE INTEL-**
2 **LIGENCE.**

3 (a) STUDY.—The Director of National Intelligence
4 shall seek to enter into an agreement with a federally
5 funded research and development center or a nongovern-
6 mental entity to conduct a comprehensive study on the fu-
7 ture of the collection, processing, exploitation, analysis,
8 dissemination, and evaluation of open-source intelligence
9 by the intelligence community. The Director shall select
10 such entity in consultation with the congressional intel-
11 ligence committees.

12 (b) MATTERS INCLUDED.—The study under sub-
13 section (a) shall include the following:

14 (1) Recommendations with respect to the gov-
15 ernance of open-source intelligence within the intel-
16 ligence community, including regarding—

17 (A) whether such governance of open-
18 source intelligence should be assigned to a func-
19 tional manager or an executive agent, or use
20 another governance structure;

21 (B) which official of the intelligence com-
22 munity should serve as such a functional man-
23 ager, executive agent, or the leader of such
24 other governance structure, and what authori-
25 ties the official should have in serving in such
26 role;

1 (C) which official of the intelligence com-
2 munity should be responsible for conducting
3 oversight by the executive branch for open-
4 source intelligence;

5 (D) which elements of the intelligence com-
6 munity should retain capabilities to collect,
7 process, exploit, and disseminate open-source
8 intelligence;

9 (E) how to effectively integrate such collec-
10 tion capabilities among the elements of the in-
11 telligence community; and

12 (F) whether to establish a new agency as
13 an element of the intelligence community dedi-
14 cated to open-source intelligence or to establish
15 a fusion center to co-locate open-source intel-
16 ligence capabilities of the elements of the intel-
17 ligence community, including a discussion of the
18 advantages and disadvantages of each such ap-
19 proach.

20 (2) Recommendations regarding the require-
21 ments processes for open-source intelligence, includ-
22 ing with respect to—

23 (A) the utility (or disutility) of a unified
24 collection management process for open-source

1 intelligence for all of the intelligence commu-
2 nity;

3 (B) what such a process might look like;

4 (C) ways to integrate an open-source re-
5 quirements process into all-source collection
6 management; and

7 (D) ways that automation might be lever-
8 aged to facilitate open-source requirements and
9 collection management.

10 (3) An assessment of the value of rejuvenating
11 a career service for a professional cadre of the intel-
12 ligence community that focuses on collecting and
13 disseminating open-source intelligence and rec-
14 ommendations for such a rejuvenation.

15 (4) Recommendations regarding the need to ad-
16 just any legal and policy frameworks (including any
17 applicable guidelines of the Attorney General) that
18 would facilitate the collection, retention, and dis-
19 semination of open-source intelligence while bal-
20 ancing customer needs with the privacy interests of
21 United States persons.

22 (5) An assessment of methods to use open-
23 source intelligence to support the operations of the
24 intelligence community, including recommendations

1 on when and how open-source intelligence should
2 support such operations.

3 (6) With respect to the data management of
4 open-source intelligence, recommendations on pro-
5 posed data ingestion tools, scraping capabilities, and
6 other tools and capabilities to collect, process, ex-
7 ploit, and analyze the volume of open-source intel-
8 ligence, including recommendations on how the intel-
9 ligence community can increase the speed and secu-
10 rity with which the intelligence community adopts
11 open-source technology and unclassified commercial
12 products.

13 (7) Any other matters the Director or the entity
14 selected to conduct the study determines appro-
15 priate.

16 (c) COOPERATION.—The Director shall make avail-
17 able to the entity selected to conduct the study under sub-
18 section (a) the necessary information and materials to con-
19 duct the study, including with respect to—

20 (1) accessing secure workspaces;

21 (2) accessing directives and policy guidance of
22 the intelligence community and other policy docu-
23 ments regarding the governance and execution of
24 open-source intelligence;

1 (3) reviewing technological systems used to con-
2 duct open-source intelligence collection;

3 (4) interviewing senior personnel of the intel-
4 ligence community, including such personnel with re-
5 sponsibility for the open-source intelligence mission
6 of the intelligence community; and

7 (5) ensuring that each head of an element of
8 the intelligence community provides the cooperation
9 described in this subsection.

10 (d) CONSULTATION.—The entity selected to conduct
11 the study under subsection (a) shall consult with the con-
12 gressional intelligence committees before beginning to con-
13 duct such study.

14 (e) REPORT.—Not later than 270 days after the date
15 of the enactment of this Act, the Director shall submit
16 to the congressional intelligence committees a report con-
17 taining the study under subsection (a), without change.
18 The report shall be unclassified, but may include a classi-
19 fied annex.

20 **SEC. 910. SURVEY ON OPEN SOURCE ENTERPRISE.**

21 (a) SURVEY.—The Director of the Central Intel-
22 ligence Agency (as the open source functional manager for
23 the intelligence community), in consultation with the Di-
24 rector of National Intelligence and any other head of an
25 element of the intelligence community that the Director

1 of the Central Intelligence Agency determines appropriate,
2 shall conduct a survey to measure the satisfaction of cus-
3 tomers of open-source intelligence with the Open Source
4 Enterprise of the Central Intelligence Agency.

5 (b) PURPOSE.—The Director shall ensure that the
6 survey under subsection (a)—

7 (1) evaluates which types of open-source intel-
8 ligence supports the missions of the customers of
9 such intelligence, regardless of whether the cus-
10 tomers are elements of the intelligence community
11 and regardless of whether the customers are receiv-
12 ing such intelligence from the Open Source Enter-
13 prise;

14 (2) evaluates how responsive the Open Source
15 Enterprise is to the missions of the elements of the
16 intelligence community and the other customers of
17 the Open Source Enterprise;

18 (3) enables the Open Source Enterprise to set
19 strategic priorities; and

20 (4) enables Congress to better oversee the stra-
21 tegic direction of the Open Source Enterprise and to
22 provide support to the collection and analysis of
23 open-source intelligence.

24 (c) CONTENTS.—

1 (1) ASSESSMENT.—The survey under sub-
2 section (a) shall include qualitative and quantitative
3 questions designed to assess the following:

4 (A) The value of support provided by the
5 Open Source Enterprise to the mission of the
6 customer taking the survey.

7 (B) The accessibility of the products of the
8 Open Source Enterprise.

9 (C) The frequency that such products are
10 used in accomplishing the mission of the cus-
11 tomer.

12 (D) The responsiveness of the Open Source
13 Enterprise to tasking requests.

14 (E) Areas in which the Open Source En-
15 terprise could improve.

16 (F) The in-house open-source intelligence
17 capabilities of the customer taking the survey,
18 including—

19 (i) a description of such capabilities;

20 (ii) how such capabilities are tailored
21 to the mission of the customer;

22 (iii) when such capabilities were estab-
23 lished; and

1 (iv) whether and to what extent the
2 customer coordinates with the Open Source
3 Enterprise regarding such capabilities.

4 (2) SURVEY ANSWERS.—A customer who re-
5 ceives the survey under subsection (a) shall make all
6 reasonable efforts to respond fully and frankly to the
7 survey.

8 (d) DESIGN METHODOLOGY.—In carrying out sub-
9 section (a), the Director of Central Intelligence shall seek
10 advice regarding design methodology for customer satis-
11 faction surveys from—

12 (1) experts in survey design of the Central In-
13 telligence Agency and the Office of the Director of
14 National Intelligence; and

15 (2) senior executives of the Bureau of Intel-
16 ligence and Research of the Department of State
17 who conduct a survey similar to the survey under
18 subsection (a).

19 (e) REPORT.—

20 (1) STRATEGY.—Not later than 180 days after
21 the date on which the survey is completed under
22 subsection (a), the Director shall submit to the con-
23 gressional intelligence committees a report on the
24 strategic direction of the Open Source Enterprise

1 based on the results of the survey, including expla-
2 nations of how the Open Source Enterprise will—

3 (A) build off the successes of the Open
4 Source Enterprise; and

5 (B) fill gaps in the collection, production,
6 analysis, or dissemination of open-source intel-
7 ligence.

8 (2) FORM.—The report under paragraph (1)
9 shall be submitted in classified form.

10 (3) BRIEFING.—Not later than 30 days after
11 the date on which the Director submits to the con-
12 gressional intelligence committees the report under
13 paragraph (1), the Director shall provide to such
14 committees a briefing on the strategic direction of
15 the Open Source Enterprise.

16 **SEC. 911. INTELLIGENCE ASSESSMENT AND REPORTS ON**
17 **VIOLENT TRANSNATIONAL WHITE SUPREMA-**
18 **CIST EXTREMISM.**

19 (a) INTELLIGENCE ASSESSMENT.—

20 (1) REQUIREMENT.—Not later than 120 days
21 after the date of the enactment of this Act, the Di-
22 rector of National Intelligence, acting through the
23 Director of the National Counterterrorism Center, in
24 coordination with the Director of the Federal Bu-
25 reau of Investigation and the Under Secretary of

1 Homeland Security for Intelligence and Analysis,
2 and in consultation with other relevant Federal de-
3 partments and agencies, shall submit to the appro-
4 priate congressional committees an intelligence as-
5 sessment on threats to the United States associated
6 with foreign violent White supremacist extremist or-
7 ganizations.

8 (2) ELEMENTS.—The assessment under para-
9 graph (1) shall include the following:

10 (A) A list of foreign violent White su-
11 premacist extremist organizations.

12 (B) With respect to each such organiza-
13 tion—

14 (i) an overview of the membership,
15 ideology, and activities;

16 (ii) a description of any transnational
17 links to the United States or United States
18 persons;

19 (iii) a description of the leadership,
20 plans, intentions, and capabilities;

21 (iv) whether (and if so, to what ex-
22 tent) foreign governments or their proxies
23 provide any manner of support to such or-
24 ganizations, including a list of each such
25 foreign government or proxy;

1 (v) a description of the composition
2 and characteristics of the members and
3 support networks, including whether (and
4 if so, to what extent) the members are also
5 a part of a military, security service, or po-
6 lice;

7 (vi) a description of financing and
8 other forms of material support;

9 (vii) an assessment of trends and pat-
10 terns relative to communications, travel,
11 and training (including whether and to
12 what extent the organization is engaged in
13 or facilitating military or paramilitary
14 training);

15 (viii) an assessment of the
16 radicalization and recruitment, including
17 an analysis of the extremist messaging mo-
18 tivating members and supporters; and

19 (ix) whether (and if so, to what ex-
20 tent) foreign governments have sufficient
21 laws and policies to counter threats to the
22 United States associated with the organi-
23 zation, including best practices and gaps.

24 (C) An assessment of the status and extent
25 of information sharing, intelligence partner-

1 ships, foreign police cooperation, and mutual
2 legal assistance between the United States and
3 foreign governments relative to countering
4 threats to the United States associated with
5 foreign violent White supremacist extremist or-
6 ganizations.

7 (D) An assessment of intelligence gaps and
8 recommendations on how to remedy such gaps.

9 (E) An opportunity analysis regarding
10 countering such threats, including, at a min-
11 imum, with respect to mitigating and disrupting
12 the transnational nexus.

13 (3) STANDARDS.—The intelligence assessment
14 under paragraph (1) shall be conducted in a manner
15 that meets the analytic integrity and tradecraft
16 standards of the intelligence community.

17 (4) FORM AND PUBLIC RELEASE.—The intel-
18 ligence assessment under paragraph (1) shall be
19 submitted in unclassified form, but may include a
20 classified annex in electronic form that is fully in-
21 dexed and searchable. In carrying out this para-
22 graph, the officials specified in paragraph (1)
23 shall—

24 (A) ensure that the assessment is unclassi-
25 fied to the extent possible;

1 (B) make the unclassified assessment pub-
2 licly available on the internet websites of the of-
3 ficials—

4 (i) by not later than 30 days after
5 submission to the appropriate congres-
6 sional committees; and

7 (ii) in an electronic format that is
8 fully indexed and searchable; and

9 (C) ensure that the assessment is drafted
10 in a way to maximize the ability to share the
11 assessment, including the classified annex, with
12 the entities under paragraph (5).

13 (5) SHARING.—Consistent with the protection
14 of classified information, the Director of National
15 Intelligence, acting through the Director of the Na-
16 tional Counterterrorism Center, in coordination with
17 the Director of the Federal Bureau of Investigation
18 and the Under Secretary of Homeland Security for
19 Intelligence and Analysis, shall share the intelligence
20 assessment under paragraph (1) with—

21 (A) appropriate Federal departments and
22 agencies;

23 (B) Joint Terrorism Task Forces and the
24 Domestic Terrorism-Hate Crimes Fusion Cell
25 of the Federal Bureau of Investigation;

1 (C) State, local, and Tribal law enforce-
2 ment officials, including officials who operate
3 within State, local, and regional fusion centers
4 through the Department of Homeland Security
5 State, Local, and Regional Fusion Center Ini-
6 tiative established in accordance with section
7 210A of the Homeland Security Act of 2002 (6
8 U.S.C. 124h); and

9 (D) appropriate foreign governments, in-
10 cluding foreign intelligence services and foreign
11 police, and international institutions, that part-
12 ner with the United States on countering
13 threats associated with foreign violent White
14 supremacist extremist organizations.

15 (b) REPORT.—

16 (1) REQUIREMENT.—Not later than 150 days
17 after the date of the enactment of this Act, the Di-
18 rector of National Intelligence (acting through the
19 Director of the National Counterterrorism Center),
20 in coordination with the Secretary of State, the Sec-
21 retary of the Treasury, the Attorney General, the
22 Secretary of Homeland Security, and in a manner
23 consistent with the authorities and responsibilities of
24 such Secretary or Director, shall submit to the ap-
25 propriate congressional committees a report on the

1 use of Federal laws, regulations, and policies by the
2 Federal Government to counter threats to the
3 United States and United States persons associated
4 with foreign violent White supremacist extremist or-
5 ganizations.

6 (2) ELEMENTS.—The report under paragraph
7 shall include the following:

8 (A) An identification, description, and as-
9 sessment of the use and efficacy of, Federal
10 laws, regulations, and policies used by the Fed-
11 eral Government to address threats to the
12 United States and United States persons asso-
13 ciated with foreign violent White supremacist
14 extremist organizations, including pursuant
15 to—

16 (i) section 1016 of the Intelligence
17 Reform and Terrorism Prevention Act of
18 2004 (6 U.S.C. 485) and section 119 of
19 the National Security Act of 1949 (50
20 U.S.C. 3056), particularly with respect to
21 the coordination and integration of all in-
22 struments of national power;

23 (ii) Executive Order 12333 (50 U.S.C.
24 3001 note), as amended;

1 (iii) the designation of foreign ter-
2 rorist organizations under section 219 of
3 the Immigration and Nationality Act (8
4 U.S.C. 1189);

5 (iv) the designation of specially des-
6 ignated terrorists, specially designated
7 global terrorists, or specially designated
8 nationals and blocked persons, pursuant to
9 Executive Orders 13886, 13372, and
10 13224 and parts 594, 595, 596, and 597
11 of title 31, Code of Federal Regulations;

12 (v) National Security Presidential
13 Memorandums 7 and 9, particularly with
14 respect to the sharing of terrorism infor-
15 mation and screening and vetting activi-
16 ties; and

17 (vi) any other applicable Federal laws,
18 regulations, or policies.

19 (B) An assessment of whether (and if so,
20 to what extent and why) such Federal laws,
21 regulations, and policies are sufficient to
22 counter such threats, including a description of
23 any gaps and specific examples to illustrate
24 such gaps.

1 (C) Recommendations regarding how to
2 remedy the gaps under subparagraph (B).

3 (3) PRIVACY AND CIVIL LIBERTIES ASSESS-
4 MENT.—Not later than 180 days after the date of
5 the enactment of this Act, the Privacy and Civil Lib-
6 erties Oversight Board, in consultation with the civil
7 liberties and privacy officers of the Federal depart-
8 ments and agencies the Board determines appro-
9 priate, shall submit to the appropriate congressional
10 committees a report containing—

11 (A) an assessment of the impacts on the
12 privacy and civil liberties of United States per-
13 sons concerning the use or recommended use of
14 any Federal laws, regulations, and policies spec-
15 ified in paragraph (2); and

16 (B) recommendations on options to develop
17 protections to mitigate such impacts.

18 (4) FORM AND PUBLIC RELEASE.—The reports
19 under paragraphs (1) and (2) shall be submitted in
20 unclassified form, but may include a classified annex
21 in electronic form that is fully indexed and search-
22 able. In carrying out this paragraph, the officials re-
23 sponsible for submitting such reports shall—

24 (A) ensure that the reports are unclassified
25 to the extent possible;

(B) make the unclassified reports publicly available on the internet websites of the officials—

(i) by not later than 30 days after submission to the appropriate congressional committees; and

(ii) in an electronic format that is fully indexed and searchable.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives; and

(B) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Affairs, and the Committee on the Judiciary of the Senate.

(2) FOREIGN VIOLENT WHITE SUPREMACIST EXTREMIST ORGANIZATION.—The term “foreign violent White supremacist extremist organization”

1 means an organization, such as a neo-Nazi or racist
2 skinhead group or militia, with a substantial compo-
3 nent based outside the United States, that is en-
4 gaged in the planning or execution of racially or eth-
5 nically motivated acts of terrorism or other targeted
6 violence motivated by White supremacist extremism,
7 particularly against immigrants or individuals per-
8 ceived to be immigrants, African Americans or other
9 people of African descent, Jews, Muslims, or other
10 people perceived to be ethnic minorities or otherwise
11 not perceived to be White.

12 (3) **TERRORISM INFORMATION.**—The term “ter-
13 rorism information” has the meaning given that
14 term in section 1016(a) of the Intelligence Reform
15 and Terrorism Prevention Act of 2004 (6 U.S.C.
16 485(a)).

17 (4) **UNITED STATES PERSON.**—The term
18 “United States person” has the meaning given that
19 term in section 105A(c) of the National Security Act
20 of 1947 (50 U.S.C. 3039).

21 **SEC. 912. WIRELESS SUPPLY CHAIN INNOVATION GRANT**
22 **PROGRAM.**

23 (a) **IN GENERAL.**—From amounts made available
24 under subsection (e), the Assistant Secretary shall, begin-
25 ning not later than 18 months after the date of the enact-

1 ment of this Act, make grants on a competitive basis to
2 support the deployment and use of Open RAN 5G Net-
3 works throughout the United States by—

4 (1) promoting the use of technology, including
5 software, hardware, and microprocessing technology,
6 that will enhance competitiveness in the supply
7 chains of Open RAN 5G Networks;

8 (2) accelerating the deployment of Open Net-
9 work Equipment;

10 (3) promoting the use of Open Network Equip-
11 ment;

12 (4) establishing objective criteria that can be
13 used to determine if equipment meets the definition
14 of Open Network Equipment;

15 (5) promoting the inclusion of security features
16 that enhance the integrity and availability of Open
17 Network Equipment; or

18 (6) promoting the application of network func-
19 tion virtualization to facilitate the deployment of
20 Open RAN 5G Networks and a more diverse vendor
21 market.

22 (b) GRANT CRITERIA.—The Assistant Secretary, in
23 consultation with the Commission, the Director of the Na-
24 tional Institute of Standards and Technology, the Sec-
25 retary of Homeland Security, the Director of the Defense

1 Advanced Research Projects Agency, and the Director of
2 the Intelligence Advanced Research Projects Activity of
3 the Office of the Director of National Intelligence, shall
4 establish the criteria under which the Assistant Secretary
5 shall award a grant under subsection (a).

6 (c) REPORTS TO CONGRESS.—

7 (1) ANNUAL REPORT ON GRANTS MADE.—For
8 each fiscal year for which amounts are available to
9 make grants under subsection (a), the Assistant Sec-
10 retary shall submit to the relevant committees of
11 Congress a report that includes, with respect to that
12 fiscal year—

13 (A) a description of—

14 (i) to whom grants under subsection
15 (a) were made, the amount thereof, and
16 criteria used to award such grants; and

17 (ii) the progress the Assistant Sec-
18 retary has made in meeting the objectives
19 described in subsection (a) of the grant
20 program under this section; and

21 (B) any additional information that the
22 Assistant Secretary determines appropriate.

23 (2) REPORT ON 5G NETWORK SUPPLY CHAIN.—

24 Not later than 180 days after the date of the enact-
25 ment of this Act, the Assistant Secretary shall sub-

1 mit to the relevant committees of Congress a written
2 report—

3 (A) that includes recommendations on pro-
4 moting the competitiveness and sustainability of
5 trusted Open RAN 5G Networks; and

6 (B) identifying whether any additional au-
7 thorities are needed by the Assistant Secretary
8 to facilitate the timely adoption of Open Net-
9 work Equipment, including the authority to
10 provide loans, loan guarantees, and other forms
11 of credit extension that would maximize the use
12 of grant amounts awarded under this section.

13 (d) ADVISORY COMMITTEE.—

14 (1) ESTABLISHMENT.—The Assistant Secretary
15 shall establish an Advisory Committee to advise the
16 Assistant Secretary in the manner described in para-
17 graph (3).

18 (2) COMPOSITION.—The Advisory Committee
19 established under paragraph (1) shall be composed
20 of—

21 (A) representatives from—

22 (i) the Commission;

23 (ii) the Defense Advanced Research
24 Projects Agency;

1 (iii) the Intelligence Advanced Re-
2 search Projects Activity of the Office of
3 the Director of National Intelligence;

4 (iv) the National Institute of Stand-
5 ards and Technology;

6 (v) the Department of State;

7 (vi) the National Science Foundation;

8 and

9 (vii) the Department of Homeland Se-
10 curity; and

11 (B) other representatives from the private
12 and public sectors, at the discretion of the As-
13 sistant Secretary.

14 (3) DUTIES.—The Advisory Committee estab-
15 lished under paragraph (1) shall be used to advise
16 the Assistant Secretary on technology developments
17 to help inform—

18 (A) the strategic direction of the grant
19 program established under subsection (a); and

20 (B) efforts of the Federal Government to
21 promote a more secure, diverse, sustainable,
22 and competitive supply chain for Open RAN 5G
23 Networks.

24 (e) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) AMOUNT AUTHORIZED.—There is author-
2 ized to be appropriated to make grants under sub-
3 section (a) \$750,000,000 for fiscal years 2021
4 through 2031.

5 (2) AVAILABILITY.—Amounts made available
6 under paragraph (1) shall remain available through
7 fiscal year 2031.

8 (f) DEFINITIONS.—In this section:

9 (1) 3GPP.—The term “3GPP” means the Third
10 Generation Partnership Project.

11 (2) 5G NETWORK.—The term “5G network”
12 means a radio network as described by 3GPP Re-
13 lease 15 or higher, or any successor network.

14 (3) ASSISTANT SECRETARY.—The term “Assist-
15 ant Secretary” means the Assistant Secretary of
16 Commerce for Communications and Information.

17 (4) COMMISSION.—The term “Commission”
18 means the Federal Communications Commission.

19 (5) OPEN NETWORK EQUIPMENT.—The term
20 “Open Network Equipment” means equipment that
21 follows a set of open standards (such as O-RAN
22 standards or the Open Radio Access Network ap-
23 proach to standardization, adopted by the O-RAN
24 Alliance, 3GPP, or other organizations) and open
25 interfaces for multi-vendor network equipment inter-

1 operability, such that the equipment may be inte-
2 grated into the Radio Access Networks of an Open
3 RAN 5G Network.

4 (6) OPEN RAN 5G NETWORK.—The term “Open
5 RAN 5G Network” means a 5G network that follows
6 a set of open standards (such as O-RAN standards
7 or the Open Radio Access Network approach to
8 standardization, adopted by the O-RAN Alliance,
9 3GPP, or other organizations) and open interfaces
10 for multi-vendor network equipment interoperability.

11 (7) RELEVANT COMMITTEES OF CONGRESS.—
12 The term “relevant committees of Congress”
13 means—

14 (A) the Committee on Energy and Com-
15 merce of the House of Representatives;

16 (B) the Permanent Select Committee on
17 Intelligence of the House of Representatives;

18 (C) the Committee on Foreign Affairs of
19 the House of Representatives;

20 (D) the Committee on Homeland Security
21 of the House of Representatives;

22 (E) the Committee on Armed Services of
23 the House of Representatives;

24 (F) the Committee on Commerce, Science,
25 and Transportation of the Senate;

1 (G) the Select Committee on Intelligence of
2 the Senate;

3 (H) the Committee on Foreign Relations
4 of the Senate;

5 (I) the Committee on Homeland Security
6 and Governmental Affairs of the Senate; and

7 (J) the Committee on Armed Services of
8 the Senate.

9 **SEC. 913. SENSE OF CONGRESS REGARDING THIRD OPTION**
10 **FOUNDATION.**

11 It is the sense of the Congress that the work of the
12 Third Option Foundation to heal, help, and honor mem-
13 bers of the special operations community of the Central
14 Intelligence Agency and their families is invaluable.

Union Calendar No. 463

116TH CONGRESS
2D Session

H. R. 7856

[Report No. 116-565]

A BILL

To authorize appropriations for fiscal year 2021 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

OCTOBER 30, 2020

Reported from the Committee on Intelligence; committed to the Committee of the Whole House on the State of the Union and ordered to be printed