

117TH CONGRESS  
1ST SESSION

# H. R. 5412

To authorize appropriations for fiscal year 2022 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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2021

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

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## A BILL

To authorize appropriations for fiscal year 2022 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.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Intelligence Authorization Act for Fiscal Year 2022”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

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

#### TITLE I—INTELLIGENCE ACTIVITIES

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

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

#### TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 301. Restriction on conduct of intelligence activities.  
 Sec. 302. Increase in employee compensation and benefits authorized by law.  
 Sec. 303. Congressional oversight of certain special access programs.  
 Sec. 304. Authorization of support by Director of National Intelligence for certain activities relating to intelligence community workforce.  
 Sec. 305. Requirements for certain employment activities by former intelligence officers and employees.  
 Sec. 306. Authority for transport of certain canines associated with force protection duties of intelligence community.  
 Sec. 307. Development of definitions for certain terms relating to intelligence.

#### TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

- Sec. 401. Protection of certain facilities and assets of Central Intelligence Agency from unmanned aircraft.  
 Sec. 402. Modification of National Geospatial-Intelligence Agency personnel management authority to attract experts in science and engineering.  
 Sec. 403. Requirements for termination of dual-hat arrangement for Commander of the United States Cyber Command.  
 Sec. 404. Procurement by Federal Bureau of Investigation of Chinese products and services.  
 Sec. 405. Counterintelligence units at non-intelligence community Federal departments and agencies.  
 Sec. 406. Detection and monitoring of wildfires.  
 Sec. 407. National Space Intelligence Center.

#### TITLE V—ANOMALOUS HEALTH INCIDENTS AND OTHER HEALTH CARE MATTERS

- Sec. 501. Compensation and professional standards for certain medical officers of the Central Intelligence Agency.  
 Sec. 502. Medical advisory board of the Central Intelligence Agency.  
 Sec. 503. Report on protocols for certain intelligence community employees and dependents.  
 Sec. 504. Inspector General of the Central Intelligence Agency review of Office of Medical Services.  
 Sec. 505. Clarification of effect of certain benefits relating to injuries to the brain.

#### TITLE VI—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 601. National Intelligence Estimate on security situation in Afghanistan and related region.
- Sec. 602. Report on intelligence collection posture and other matters relating to Afghanistan and related region.
- Sec. 603. Report on threat posed by emerging Chinese technology companies.
- Sec. 604. Report on cooperation between China and United Arab Emirates.
- Sec. 605. Report on propagation of extremist ideologies from Saudi Arabia.
- Sec. 606. Report on effects of sanctions by United States.

#### TITLE VII—REPORTS AND OTHER MATTERS

- Sec. 701. Pilot program for security vetting of certain individuals.
- Sec. 702. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.
- Sec. 703. Annual reports on certain cyber vulnerabilities procured by intelligence community and foreign commercial providers of cyber vulnerabilities.
- Sec. 704. Briefing on trainings relating to blockchain technology.
- Sec. 705. Report on prospective ability to administer COVID–19 vaccines and other medical interventions to certain intelligence community personnel.
- Sec. 706. Report on potential inclusion within intelligence community of the Office of National Security of the Department of Health and Human Services.
- Sec. 707. Reports relating to Inspector General of Defense Intelligence Agency.
- Sec. 708. Report on rare earth elements.
- Sec. 709. Report on plan to fully fund the Information Systems Security Program and next generation encryption.
- Sec. 710. Review of National Security Agency and United States Cyber Command.

### 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).

# **TITLE I—INTELLIGENCE ACTIVITIES**

## **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2022 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

1           (15) The National Geospatial-Intelligence Agen-  
2       cy.

3           (16) The Department of Homeland Security.

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

5       (a) SPECIFICATIONS OF AMOUNTS.—The amounts  
6 authorized to be appropriated under section 101 for the  
7 conduct of the intelligence activities of the elements listed  
8 in paragraphs (1) through (16) of section 101, are those  
9 specified in the classified Schedule of Authorizations pre-  
10 pared to accompany this Act.

11       (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
12 THORIZATIONS.—

13           (1) AVAILABILITY.—The classified Schedule of  
14 Authorizations referred to in subsection (a) shall be  
15 made available to the Committee on Appropriations  
16 of the Senate, the Committee on Appropriations of  
17 the House of Representatives, and to the President.

18           (2) DISTRIBUTION BY THE PRESIDENT.—Sub-  
19 ject to paragraph (3), the President shall provide for  
20 suitable distribution of the classified Schedule of Au-  
21 thorizations referred to in subsection (a), or of ap-  
22 propriate portions of such Schedule, within the exec-  
23 utive branch.

24           (3) LIMITS ON DISCLOSURE.—The President  
25 shall not publicly disclose the classified Schedule of

1 Authorizations or any portion of such Schedule ex-  
2 cept—

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

6 (B) to the extent necessary to implement  
7 the budget; or

8 (C) as otherwise required by law.

9 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
10 **COUNT.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
12 authorized to be appropriated for the Intelligence Commu-  
13 nity Management Account of the Director of National In-  
14 telligence for fiscal year 2022 the sum of \$619,000,000.

15 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-  
16 TIONS.—In addition to amounts authorized to be appro-  
17 priated for the Intelligence Community Management Ac-  
18 count by subsection (a), there are authorized to be appro-  
19 priated for the Intelligence Community Management Ac-  
20 count for fiscal year 2022 such additional amounts as are  
21 specified in the classified Schedule of Authorizations re-  
22 ferred to in section 102(a).

1 **TITLE II—CENTRAL INTEL-**  
2 **LIGENCE AGENCY RETIRE-**  
3 **MENT AND DISABILITY SYS-**  
4 **TEM**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-  
7 tral Intelligence Agency Retirement and Disability Fund  
8 \$514,000,000 for fiscal year 2022.

9 **TITLE III—GENERAL INTEL-**  
10 **LIGENCE COMMUNITY MAT-**  
11 **TERS**

12 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
13 **ACTIVITIES.**

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

18 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**  
19 **BENEFITS AUTHORIZED BY LAW.**

20 Appropriations authorized by this Act for salary, pay,  
21 retirement, and other benefits for Federal employees may  
22 be increased by such additional or supplemental amounts  
23 as may be necessary for increases in such compensation  
24 or benefits authorized by law.

1 **SEC. 303. CONGRESSIONAL OVERSIGHT OF CERTAIN SPE-**  
2 **CIAL ACCESS PROGRAMS.**

3 (a) IN GENERAL.—Title V of the National Security  
4 Act of 1947 (50 U.S.C. 3091 et seq.) is amended by in-  
5 serting after section 501 the following new section (and  
6 conforming the table of contents at the beginning of such  
7 Act accordingly):

8 **“SEC. 501A. CONGRESSIONAL OVERSIGHT OF CERTAIN SPE-**  
9 **CIAL ACCESS PROGRAMS.**

10 “(a) REPORTS AND NOTIFICATIONS.—At the same  
11 time that the Secretary of Defense submits any report or  
12 notification under section 119 of title 10, United States  
13 Code, that relates to a covered special access program or  
14 a new covered special access program, the Secretary shall  
15 also submit such report or notification to the congressional  
16 intelligence committees.

17 “(b) BRIEFINGS.—On a periodic basis, but not less  
18 frequently than semiannually, the Secretary of Defense  
19 shall provide to the chairmen and ranking minority mem-  
20 bers of the congressional intelligence committees, and to  
21 any staff of such a committee designated by either the  
22 chair or ranking member for purposes of this subsection,  
23 a briefing on covered special access programs. Each such  
24 briefing shall include, at a minimum—

25 “(1) a description of the activity of the program  
26 during the period covered by the briefing; and



1           “(2) documentation with respect to how the  
2           program has achieved outcomes consistent with re-  
3           quirements documented by the Director of National  
4           Intelligence and the Secretary of Defense.

5           “(c) NOTIFICATIONS ON COMPARTMENTS AND SUB-  
6 COMPARTMENTS.—

7           “(1) REQUIREMENT.—Except as provided by  
8           paragraph (2), a head of an element of the intel-  
9           ligence community may not establish a compartment  
10          or a subcompartment under a covered special access  
11          program until the head notifies the congressional in-  
12          telligence committees of such compartment or sub-  
13          compartment, as the case may be.

14          “(2) WAIVER.—

15                 “(A) DETERMINATION.—On a case-by-case  
16                 basis, the Director of National Intelligence may  
17                 waive the requirement under paragraph (1).  
18                 Not later than two days after making such a  
19                 waiver, the Director shall notify the congres-  
20                 sional intelligence committees of the waiver, in-  
21                 cluding a justification for the waiver.

22                 “(B) SUBMISSION.—Not later than 30  
23                 days after the date on which the Director  
24                 makes a waiver under subparagraph (A), the  
25                 head of the element of the intelligence commu-

1           nity for whom the waiver was made shall sub-  
2           mit to the congressional intelligence committees  
3           the notification required under paragraph (1)  
4           relating to such waiver.

5           “(d) ANNUAL REPORTS.—

6           “(1) REQUIREMENT.—On an annual basis, the  
7           head of each element of the intelligence community  
8           shall submit to the congressional intelligence com-  
9           mittees a report on covered special access programs  
10          administered by the head.

11          “(2) MATTERS INCLUDED.—Each report shall  
12          include, with respect to the period covered by the re-  
13          port, the following:

14               “(A) A list of all compartments and sub-  
15               compartments of covered special access pro-  
16               grams active as of the date of the report.

17               “(B) A list of all compartments and sub-  
18               compartments of covered special access pro-  
19               grams terminated during the period covered by  
20               the report.

21               “(C) With respect to the report submitted  
22               by the Director of National Intelligence, in ad-  
23               dition to the matters specified in subparagraphs  
24               (A) and (B)—

1 “(i) a certification regarding whether  
2 the creation, validation, or substantial  
3 modification, including termination, for all  
4 existing and proposed covered special ac-  
5 cess programs, and the compartments and  
6 subcompartments within each, are substan-  
7 tiated and justified based on the informa-  
8 tion required by clause (ii); and

9 “(ii) for each certification—

10 “(I) the rationale for the re-  
11 validation, validation, or substantial  
12 modification, including termination, of  
13 each covered special access program,  
14 compartment, and subcompartment;

15 “(II) the identification of a con-  
16 trol officer for each covered special ac-  
17 cess program; and

18 “(III) a statement of protection  
19 requirements for each covered special  
20 access program.

21 “(e) COVERED SPECIAL ACCESS PROGRAM DE-  
22 FINED.—In this section, the term ‘covered special access  
23 program’ means a special access program that receives  
24 funding under the National Intelligence Program or the

1 Military Intelligence Program, relates to an intelligence or  
2 intelligence-related activity, or both.”.

3 (b) FIRST REPORT.—Not later than 30 days after  
4 the date of the enactment of this Act, the head of each  
5 element of the intelligence community shall submit to the  
6 congressional intelligence committees the first report re-  
7 quired under section 501A(d)(1) of the National Security  
8 Act of 1947, as added by subsection (a).

9 (c) CONFORMING REPEAL.—Section 608 of the Intel-  
10 ligence Authorization Act for Fiscal Year 2017 (division  
11 N of Public Law 115–31; 131 Stat. 833; 50 U.S.C. 3315)  
12 is amended by striking subsection (b).

13 **SEC. 304. AUTHORIZATION OF SUPPORT BY DIRECTOR OF**  
14 **NATIONAL INTELLIGENCE FOR CERTAIN AC-**  
15 **TIVITIES RELATING TO INTELLIGENCE COM-**  
16 **MUNITY WORKFORCE.**

17 Title X of the National Security Act of 1947 (50  
18 U.S.C. 3191 et seq.) is amended by inserting after section  
19 1024 the following new section (and conforming the table  
20 of contents at the beginning of such Act accordingly):

21 **“SEC. 1025. AUTHORIZATION OF SUPPORT BY DIRECTOR OF**  
22 **NATIONAL INTELLIGENCE FOR CERTAIN**  
23 **WORKFORCE ACTIVITIES.**

24 “(a) AUTHORIZATION.—The Director may, with or  
25 without reimbursement, obligate or expend amounts au-

1 thorized to be appropriated or otherwise made available  
2 for the Office of the Director of National Intelligence for  
3 covered workforce activities for the purpose of supporting  
4 a covered workforce activity of an element of the intel-  
5 ligence community.

6 “(b) COVERED WORKFORCE ACTIVITY DEFINED.—  
7 In this section, the term ‘covered workforce activity’  
8 means an activity relating to—

9 “(1) recruitment or retention of the intelligence  
10 community workforce; or

11 “(2) diversity, equality, inclusion, or accessi-  
12 bility, with respect to such workforce.”.

13 **SEC. 305. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**  
14 **TIVITIES BY FORMER INTELLIGENCE OFFI-**  
15 **CERS AND EMPLOYEES.**

16 (a) MODIFICATIONS TO REQUIREMENT.—

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

20 **“SEC. 304. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**  
21 **TIVITIES BY FORMER INTELLIGENCE OFFI-**  
22 **CERS AND EMPLOYEES.**

23 “(a) TEMPORARY RESTRICTION.—An employee of an  
24 element of the intelligence community who occupies a cov-  
25 ered intelligence position may not occupy a covered post-

1 service position during the 30-month period following the  
2 date on which the employee ceases to occupy a covered  
3 intelligence position.

4 “(b) COVERED POST-SERVICE EMPLOYMENT RE-  
5 PORTING.—

6 “(1) REQUIREMENT.—During the 5-year period  
7 beginning on the date on which an employee ceases  
8 to occupy a covered intelligence position, the em-  
9 ployee shall—

10 “(A) report covered post-service employ-  
11 ment to the head of the element of the intel-  
12 ligence community that employed such employee  
13 in such covered intelligence position upon ac-  
14 cepting such covered post-service employment;  
15 and

16 “(B) annually (or more frequently if the  
17 head of such element considers it appropriate)  
18 report covered post-service employment to the  
19 head of such element.

20 “(2) REGULATIONS.—The head of each element  
21 of the intelligence community shall issue regulations  
22 requiring, as a condition of employment, each em-  
23 ployee of such element occupying a covered intel-  
24 ligence position to sign a written agreement requir-  
25 ing the regular reporting of covered post-service em-

1       ployment to the head of such element pursuant to  
2       paragraph (1).

3       “(c) PENALTIES.—

4               “(1) CRIMINAL PENALTIES.—A former em-  
5       ployee who knowingly and willfully violates sub-  
6       section (a) or who knowingly and willfully fails to  
7       make a required report under subsection (b) shall be  
8       fined under title 18, United States Code, or impris-  
9       oned for not more than 5 years, or both. Each re-  
10      port under subsection (b) shall be subject to section  
11      1001 of title 18, United States Code.

12             “(2) SECURITY CLEARANCES.—The head of an  
13      element of the intelligence community shall revoke  
14      the security clearance of a former employee if the  
15      former employee knowingly and willfully fails to  
16      make a required report under subsection (b) or  
17      knowingly and willfully makes a false report under  
18      such subsection.

19      “(d) PROVISION OF INFORMATION.—

20             “(1) TRAINING.—The head of each element of  
21      the intelligence community shall regularly provide  
22      training on the reporting requirements under sub-  
23      section (b) to employees of that element who occupy  
24      a covered intelligence position.

1           “(2) WRITTEN NOTICE.—The head of each ele-  
2           ment of the intelligence community shall provide  
3           written notice of the reporting requirements under  
4           subsection (b) to an employee when the employee  
5           ceases to occupy a covered intelligence position.

6           “(e) ANNUAL REPORTS.—

7           “(1) REQUIREMENT.—Not later than March 31  
8           of each year, the Director of National Intelligence  
9           shall submit to the congressional intelligence com-  
10          mittees a report on covered post-service employment  
11          occurring during the year covered by the report.

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

14               “(A) The number of former employees who  
15               occupy a covered post-service position, broken  
16               down by—

17                       “(i) the name of the employer;

18                       “(ii) the foreign government, includ-  
19                       ing by the specific foreign individual, agen-  
20                       cy, or entity, for whom the covered post-  
21                       service employment is being performed;  
22                       and

23                       “(iii) the nature of the services pro-  
24                       vided as part of the covered post-service  
25                       employment.



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

2 “(i) each element of the intelligence  
3 community maintains adequate systems  
4 and processes for ensuring that former em-  
5 ployees are submitting reports required  
6 under subsection (b);

7 “(ii) to the knowledge of the heads of  
8 the elements of the intelligence community,  
9 all former employees who occupy a covered  
10 post-service position are in compliance with  
11 this section;

12 “(iii) the services provided by former  
13 employees who occupy a covered post-serv-  
14 ice position do not—

15 “(I) pose a current or future  
16 threat to the national security of the  
17 United States; or

18 “(II) pose a counterintelligence  
19 risk; and

20 “(iv) the Director and the heads of  
21 such elements are not aware of any cred-  
22 ible information or reporting that any  
23 former employee who occupies a covered  
24 post-service position has engaged in activi-  
25 ties that violate Federal law, infringe upon

1                   the privacy rights of United States per-  
2                   sons, or constitute abuses of human rights.

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

6           “(f) NOTIFICATION.—In addition to the annual re-  
7   ports under subsection (e), if a head of an element of the  
8   intelligence community determines that the services pro-  
9   vided by a former employee who occupies a covered post-  
10   service position pose a threat or risk described in clause  
11   (iii) of paragraph (2)(B) of such subsection, or include ac-  
12   tivities described in clause (iv) of such paragraph, the  
13   head shall notify the congressional intelligence committees  
14   of such determination by not later than 7 days after mak-  
15   ing such determination. The notification shall include the  
16   following:

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

18                   “(2) The name of the employer.

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

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

24                           “(A) the risk to national security, the  
25                           counterintelligence risk, or both; and

1           “(B) the activities that may violate Fed-  
2           eral law, infringe upon the privacy rights of  
3           United States persons, or constitute abuses of  
4           human rights.

5           “(g) DEFINITIONS.—In this section:

6           “(1) COVERED INTELLIGENCE POSITION.—The  
7           term ‘covered intelligence position’ means a position  
8           within an element of the intelligence community  
9           that, based on the level of access of a person occu-  
10          pying such position to information regarding sen-  
11          sitive intelligence sources or methods or other excep-  
12          tionally sensitive matters, the head of such element  
13          determines should be subject to the requirements of  
14          this section.

15          “(2) COVERED POST-SERVICE EMPLOYMENT.—  
16          The term ‘covered post-service employment’ means  
17          direct or indirect employment by, representation of,  
18          or any provision of advice or services relating to, na-  
19          tional security, intelligence, the military, or internal  
20          security to the government of a foreign country or  
21          any company, entity, or other person whose activities  
22          are directly or indirectly supervised, directed, con-  
23          trolled, financed, or subsidized, in whole or in major  
24          part, by any government of a foreign country.

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

4           “(4) EMPLOYEE.—The term ‘employee’, with  
5           respect to an employee occupying a covered intel-  
6           ligence position, includes an officer or official of an  
7           element of the intelligence community, a contractor  
8           of such an element, a detailee to such an element,  
9           or a member of the Armed Forces assigned to such  
10          an element.

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

13               “(A) who was an employee occupying a  
14               covered intelligence position; and

15               “(B) who is subject to the requirements  
16               under subsection (a) or (b).

17          “(6) GOVERNMENT OF A FOREIGN COUNTRY.—  
18          The term ‘government of a foreign country’ has the  
19          meaning given the term in section 1(e) of the For-  
20          eign Agents Registration Act of 1938 (22 U.S.C.  
21          611(e)).”.

22          (2) APPLICATION.—Such section 304, as  
23          amended by paragraph (1), shall apply with respect  
24          to employees who occupy covered intelligence posi-

tions (as defined in such section) on or after the date of the enactment of this Act.

(3) REVISED REGULATIONS.—

(A) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall submit to the congressional intelligence committees new or updated regulations issued under such section 304, as amended by paragraph (1).

(B) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

(i) a written certification for each head of an element of the intelligence community who has issued the updated regulations under such section 304, as amended by paragraph (1); and

(ii) for each head of an element of the intelligence community who has not issued such updated regulations, an explanation for the failure to issue such updated regulations.

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

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

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

13 **SEC. 306. AUTHORITY FOR TRANSPORT OF CERTAIN CA-**  
 14 **NINES ASSOCIATED WITH FORCE PROTEC-**  
 15 **TION DUTIES OF INTELLIGENCE COMMUNITY.**

16          Title I of the National Security Act of 1947 (50  
 17          U.S.C. 3021 et seq.) is amended by inserting after section  
 18          116 the following new section (and conforming the table  
 19          of contents at the beginning of such Act accordingly):

1 **“SEC. 116A. AUTHORITY FOR TRANSPORTATION OF CER-**  
2 **TAIN CANINES ASSOCIATED WITH FORCE**  
3 **PROTECTION DUTIES OF INTELLIGENCE**  
4 **COMMUNITY.**

5 “(a) TRANSPORTATION.—For purposes of section  
6 1344 of title 31, United States Code, the transportation  
7 of federally owned canines associated with force protection  
8 duties of an element of the intelligence community be-  
9 tween the residence of an officer or employee of the ele-  
10 ment and various locations that is essential for the per-  
11 formance of the force protection duty shall be deemed es-  
12 sential for the safe and efficient performance of intel-  
13 ligence duties.

14 “(b) OFFICERS AND EMPLOYEES COVERED.—In the  
15 administration of section 1344 of title 31, United States  
16 Code, an officer or employee of an element of the intel-  
17 ligence community shall be treated as being listed in sub-  
18 section (b).”.

19 **SEC. 307. DEVELOPMENT OF DEFINITIONS FOR CERTAIN**  
20 **TERMS RELATING TO INTELLIGENCE.**

21 (a) DEVELOPMENT.—Not later than September 30,  
22 2023, the Director of National Intelligence and the Under  
23 Secretary of Defense for Intelligence and Security, in con-  
24 sultation with the heads of the elements of the intelligence  
25 community, shall jointly develop and publish definitions  
26 for the following terms:

- 1 (1) Acoustic intelligence.
- 2 (2) All-source intelligence.
- 3 (3) Communications intelligence.
- 4 (4) Critical intelligence.
- 5 (5) Cyber-threat intelligence.
- 6 (6) Electronic intelligence.
- 7 (7) Explosive ordnance intelligence.
- 8 (8) Instrumentation signals intelligence.
- 9 (9) General military intelligence.
- 10 (10) Imagery intelligence.
- 11 (11) Joint intelligence.
- 12 (12) Measurement and signature intelligence.
- 13 (13) Medical intelligence.
- 14 (14) Open-source intelligence.
- 15 (15) Operational intelligence.
- 16 (16) Scientific and technical intelligence.
- 17 (17) Signals intelligence.
- 18 (18) Strategic intelligence.
- 19 (19) Tactical intelligence.
- 20 (20) Target intelligence.
- 21 (21) Technical intelligence.
- 22 (22) Such others terms as may be jointly deter-
- 23 mined necessary by the Director of National Intel-
- 24 ligence and the Under Secretary of Defense for In-
- 25 telligence.



1       (b) APPLICATION TO ACTIVITIES OF INTELLIGENCE  
2 COMMUNITY.—The Director of National Intelligence shall  
3 ensure that the definitions developed under subsection (a)  
4 are used uniformly across activities of the intelligence  
5 community with respect to the corresponding terms speci-  
6 fied in such subsection.

7       (c) NOTICE OF MODIFICATIONS.—The Director of  
8 National Intelligence and the Under Secretary of Defense  
9 for Intelligence shall submit to the congressional intel-  
10 ligence committees notification of any modification by the  
11 Director and Under Secretary to a definition of a term  
12 specified in subsection (a) following the initial publication  
13 of the definition under such subsection.

14       (d) DEFINITIONS.—In this section, the terms “con-  
15 gressional intelligence committees” and “intelligence com-  
16 munity” have the meanings given such terms in section  
17 3 of the National Security Act of 1947 (50 U.S.C. 3003).

1 **TITLE IV—MATTERS RELATING**  
2 **TO ELEMENTS OF THE INTEL-**  
3 **LIGENCE COMMUNITY**

4 **SEC. 401. PROTECTION OF CERTAIN FACILITIES AND AS-**  
5 **SETS OF CENTRAL INTELLIGENCE AGENCY**  
6 **FROM UNMANNED AIRCRAFT.**

7 The Central Intelligence Agency Act of 1949 (50  
8 U.S.C. 3501 et seq.) is amended by inserting after section  
9 15 the following new section:

10 **“SEC. 15A. PROTECTION OF CERTAIN FACILITIES AND AS-**  
11 **SETS OF CENTRAL INTELLIGENCE AGENCY**  
12 **FROM UNMANNED AIRCRAFT.**

13 “(a) **AUTHORITY.**—In accordance with subsection  
14 (b), the Director shall have the same authority for the  
15 Agency as is available to the Secretary of Homeland Secu-  
16 rity for the Department of Homeland Security and the At-  
17 torney General for the Department of Justice under sec-  
18 tion 210G of the Homeland Security Act of 2002 (6  
19 U.S.C. 124n), and shall be subject to the same limitations  
20 and requirements under such section.

21 “(b) **ADMINISTRATION.**—For purposes of subsection  
22 (a)—

23 “(1) the reference in subsection (i) of section  
24 210G of the Homeland Security Act of 2002 (6  
25 U.S.C. 124n) to ‘the date that is 4 years after the

1 date of enactment of this section’ shall be deemed to  
2 be a reference to ‘October 5, 2026’;

3 “(2) the term ‘appropriate congressional com-  
4 mittees’ as defined in paragraph (1) of subsection  
5 (k) of such section shall be deemed to mean the Per-  
6 manent Select Committee on Intelligence of the  
7 House of Representatives and the Select Committee  
8 on Intelligence of the Senate; and

9 “(3) the term ‘covered facility or asset’ as de-  
10 fined in paragraph (3) of such subsection (k) shall  
11 be deemed to mean installations, property, and per-  
12 sons—

13 “(A) that are located in the United States;

14 “(B) for which the Director may provide  
15 protection pursuant to section 5(a)(4) or  
16 15(a)(1) of this Act; and

17 “(C) that the Director identifies as high-  
18 risk and a potential target for unlawful un-  
19 manned aircraft activity.”.

20 **SEC. 402. MODIFICATION OF NATIONAL GEOSPATIAL-IN-**  
21 **TELLIGENCE AGENCY PERSONNEL MANAGE-**  
22 **MENT AUTHORITY TO ATTRACT EXPERTS IN**  
23 **SCIENCE AND ENGINEERING.**

24 Section 1599h(b)(2)(A) of title 10, United States  
25 Code, is amended—

1 (1) by striking “paragraph (1)(B)” and insert-  
 2 ing “subparagraph (B) of paragraph (1)”; and

3 (2) by inserting “or employees appointed pursu-  
 4 ant to the first subparagraph (G) of such paragraph  
 5 to any of 2 positions of administration or manage-  
 6 ment designated by the Director of the National  
 7 Geospatial-Intelligence Agency for purposes of this  
 8 subparagraph” after “this subparagraph”.

9 **SEC. 403. REQUIREMENTS FOR TERMINATION OF DUAL-HAT**  
 10 **ARRANGEMENT FOR COMMANDER OF THE**  
 11 **UNITED STATES CYBER COMMAND.**

12 Section 1642 of the National Defense Authorization  
 13 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
 14 2601), as amended by section 1636 of the National De-  
 15 fense Authorization Act for Fiscal Year 2020 (Public Law  
 16 116–92; 133 Stat. 1748), is further amended—

17 (1) by striking subsections (a), (b), and (c), and  
 18 inserting the following new subsections:

19 “(a) **LIMITATION ON TERMINATION OF DUAL-HAT**  
 20 **ARRANGEMENT.**—The Secretary of Defense may not ter-  
 21 minate the dual-hat arrangement until the date on which  
 22 the Secretary submits to the appropriate committees of  
 23 Congress the certification under subsection (b)(1). The  
 24 Secretary shall implement such termination by not later

1 than the first day of the fiscal year following the fiscal  
2 year in which the Secretary submits such certification.

3 “(b) ANNUAL SUBMISSION OF INFORMATION.—To-  
4 gether with the defense budget materials for fiscal year  
5 2023, and annually thereafter until the termination of the  
6 dual-hat arrangement, the Secretary of Defense, in coordi-  
7 nation with the Director of National Intelligence, shall  
8 submit to the appropriate committees of Congress a report  
9 containing either of the following:

10 “(1) A certification that the United States  
11 Cyber Command has met each of the following con-  
12 ditions:

13 “(A) Sufficient operational infrastructure  
14 has been deployed to meet the unique cyber  
15 mission needs of the United States Cyber Com-  
16 mand.

17 “(B) Sufficient command and control sys-  
18 tems and processes have been established for  
19 planning, deconflicting, and executing military  
20 cyber operations.

21 “(C) Capabilities have been established to  
22 enable intelligence collection and operational  
23 preparation of the environment for cyber oper-  
24 ations consistent with the United States Cyber  
25 Command reaching full operational status.

1           “(D) Mechanisms have been established to  
2           train cyber operations personnel, test cyber ca-  
3           pabilities, and rehearse cyber missions.

4           “(E) The United States Cyber Command  
5           has achieved full operational capability.

6           “(2) If the Secretary, in coordination with the  
7           Director, is not able to make the certification under  
8           paragraph (1)—

9           “(A) an identification of the items con-  
10          tained in the defense budget materials that are  
11          related to meeting the conditions specified in  
12          such paragraph; and

13          “(B) an assessment of the funding re-  
14          quired to meet such conditions during the pe-  
15          riod covered by the future-years defense pro-  
16          gram under section 221 of title 10, United  
17          States Code.”;

18          (2) by redesignating subsection (d) as sub-  
19          section (c); and

20          (3) in subsection (c), as so redesignated, by  
21          adding at the end the following new paragraph:

22          “(3) DEFENSE BUDGET MATERIALS.—The term  
23          ‘defense budget materials’ has the meaning given  
24          that term in section 231(f) of title 10, United States  
25          Code.”.

1 **SEC. 404. PROCUREMENT BY FEDERAL BUREAU OF INVES-**  
2 **TIGATION OF CHINESE PRODUCTS AND SERV-**  
3 **ICES.**

4 (a) SECURITY ASSESSMENT.—The Director of the  
5 Federal Bureau of Investigation may not procure a Chi-  
6 nese product or service unless, before such procurement,  
7 the Counterintelligence Division of the Federal Bureau of  
8 Investigation—

9 (1) conducts a security assessment of such  
10 product or service, including with respect to any  
11 physical or cyber vulnerabilities; and

12 (2) makes a recommendation to the Director re-  
13 garding such proposed procurement.

14 (b) SUBMISSION.—Not later than 30 days after the  
15 date on which the Counterintelligence Division of the Bu-  
16 reau conducts a security assessment under subsection (a),  
17 the Director shall submit to the congressional intelligence  
18 committees a copy of such assessment and the rec-  
19 ommendation under paragraph (2) of such subsection.

20 (c) CHINESE PRODUCT OR SERVICE DEFINED.—In  
21 this section, the term “Chinese product or service” means  
22 a product or service provided by an entity that is owned  
23 or controlled by, or otherwise connected to, the govern-  
24 ment of China.

1 **SEC. 405. COUNTERINTELLIGENCE UNITS AT NON-INTEL-**  
2 **LIGENCE COMMUNITY FEDERAL DEPART-**  
3 **MENTS AND AGENCIES.**

4 (a) ESTABLISHMENT.—The Director of the Federal  
5 Bureau of Investigation shall establish counterintelligence  
6 units in the departments and agencies described in sub-  
7 section (b). Such units shall be composed of officers of  
8 the Counterintelligence Division of the Federal Bureau of  
9 Investigation.

10 (b) DEPARTMENTS AND AGENCIES DESCRIBED.—  
11 The departments and agencies described in this subsection  
12 are the following departments and agencies of the United  
13 States Government:

14 (1) The Department of Agriculture.

15 (2) Any other department or agency that the  
16 Director, in coordination with the Director of Na-  
17 tional Intelligence, determines appropriate.

18 (c) DUTIES.—The Director of the Federal Bureau of  
19 Investigation shall ensure that each counterintelligence  
20 unit established under subsection (a) in a department or  
21 agency described in subsection (b) carries out the fol-  
22 lowing duties:

23 (1) Conducts assessments, in coordination with  
24 the leadership of the department or agency, to deter-  
25 mine the counterintelligence posture of the depart-  
26 ment or agency, including any components thereof.



1           (2) Informs and consults with the leadership of  
 2           the department or agency, including any components  
 3           thereof, and provides recommendations with respect  
 4           to any counterintelligence threats identified by the  
 5           intelligence community.

6           (3) Provides such administrative and technical  
 7           support as is necessary to develop, in coordination  
 8           with the leadership of the department or agency, a  
 9           plan to eliminate or reduce the threats described in  
 10          paragraph (2).

11          (4) Serves as the primary point of contact for  
 12          the department or agency with respect to counter-  
 13          intelligence for the intelligence community.

14          (d) INTELLIGENCE COMMUNITY SUPPORT.—The  
 15          heads of the elements of the intelligence community shall  
 16          ensure that relevant counterintelligence information is  
 17          provided to counterintelligence units established under  
 18          subsection (a) in a manner that is consistent with the need  
 19          to protect sources and methods.

20      **SEC. 406. DETECTION AND MONITORING OF WILDFIRES.**

21          (a) SENSE OF CONGRESS.—It is the sense of Con-  
 22          gress that the Director of the National Geospatial-Intel-  
 23          ligence Agency, in accordance with relevant provisions of  
 24          law, should continue to manage the systems of the Na-

1 tional Geospatial-Intelligence Agency that enable the  
2 FireGuard program of the Department of Defense.

3 (b) REPORT.—Not later than 120 days after the date  
4 of the enactment of this Act, the Director of the National  
5 Geospatial-Intelligence Agency, in consultation with the  
6 Secretary of Defense and the heads of the departments  
7 and agencies of the United States Government and other  
8 organizations that constitute the National Interagency  
9 Fire Center, and any other relevant organization the Di-  
10 rector determines appropriate, shall submit to the appro-  
11 priate congressional committees a coordinated interagency  
12 report that—

13 (1) explains how to leverage existing resources  
14 to improve processes and organization alignment;

15 (2) identifies future opportunities to improve  
16 the ability to detect and track wildfires and support  
17 firefighting efforts; and

18 (3) includes an explication of the relevant au-  
19 thorities with respect to the matters under para-  
20 graphs (1) and (2).

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
22 FINED.—In this section, the term “appropriate congres-  
23 sional committees” means—

24 (1) the congressional intelligence committees;  
25 and

1           (2) the congressional defense committees (as  
2       defined in section 101(a)(16) of title 10, United  
3       States Code).

4   **SEC. 407. NATIONAL SPACE INTELLIGENCE CENTER.**

5       (a) FINDINGS.—Congress finds the following:

6           (1) Section 9081 of title 10, United States  
7       Code, establishes the United States Space Force as  
8       an Armed Force within the Department of the Air  
9       Force to, as stated in subsection (c) of such sec-  
10      tion—

11           (A) provide freedom of operation for the  
12          United States in, from, and to space;

13           (B) conduct space operations; and

14           (C) protect the interests of the United  
15          States in space.

16       (2) The National Air and Space Intelligence  
17      Center, headquartered at Wright-Patterson Air  
18      Force Base, Ohio, is the primary source for foreign  
19      air and space threat analysis within the intelligence  
20      enterprise of the Air Force.

21       (3) Section 8041 of the Department of Defense  
22      Appropriations Act, 2020 (division A of Public Law  
23      116–93; 133 Stat. 2345) prohibits the establishment  
24      of a new field operating agency using funds made  
25      available under that Act, although the Secretary of

1        Defense or the Secretary of a military department  
2        may waive the prohibition in cases where the rel-  
3        evant Secretary determines that the establishment  
4        will reduce the personnel or financial requirements  
5        of the relevant department.

6        (b) SENSE OF CONGRESS.—It is the sense of Con-  
7        gress that—

8            (1) space has become increasingly contested,  
9            congested, and competitive, mandating an expanded  
10          need for space intelligence;

11          (2) to support this increasingly complex oper-  
12          ational environment, the Space Force should have its  
13          own intelligence organization dedicated to providing  
14          the Joint Combat forces with the required intel-  
15          ligence and analysis to support operations;

16          (3) the co-location of the National Space Intel-  
17          ligence Center at Wright-Patterson Air Force Base  
18          has provided an operational and geographic synergy  
19          which greatly benefits combat operations across the  
20          air and space operational environments, and main-  
21          taining mission synergy across these domains must  
22          factor prominently in the basing decision;

23          (4) the Air Force has requested authority to es-  
24          tablish the National Space Intelligence Center as a  
25          field operating agency to ensure the appropriate

1 prioritization of analytic effort for the space domain,  
2 enhance responsiveness to national-level customers,  
3 and align command relationships with the Director  
4 of Intelligence, Surveillance, and Reconnaissance of  
5 the Space Force; and

6 (5) establishing the National Space Intelligence  
7 Center as a field operating agency would be a re-  
8 source-neutral administrative realignment of billets,  
9 and would facilitate a lean and agile space intel-  
10 ligence enterprise.

11 (c) EXCEPTION.—Notwithstanding section 8041 of  
12 the Department of Defense Appropriations Act, 2020 (di-  
13 vision A of Public Law 116–93; 133 Stat. 2345), or any  
14 other provision of law prohibiting the establishment of a  
15 field operating agency, the Secretary of the Air Force may  
16 establish the National Space Intelligence Center as a field  
17 operating agency of the Space Force to perform the anal-  
18 ysis and production of scientific and technical intelligence  
19 on foreign space and counter-space threat capabilities in  
20 the support of the Space Force.

1 **TITLE V—ANOMALOUS HEALTH**  
2 **INCIDENTS AND OTHER**  
3 **HEALTH CARE MATTERS**

4 **SEC. 501. COMPENSATION AND PROFESSIONAL STANDARDS**  
5 **FOR CERTAIN MEDICAL OFFICERS OF THE**  
6 **CENTRAL INTELLIGENCE AGENCY.**

7 The Central Intelligence Agency Act of 1949 (50  
8 U.S.C. 3501 et seq.) is amended by adding at the end  
9 the following new section:

10 **“SEC. 26. COMPENSATION AND PROFESSIONAL STANDARDS**  
11 **FOR CERTAIN MEDICAL OFFICERS.**

12 “(a) OFFICE OF MEDICAL SERVICES.—There is in  
13 the Agency an Office of Medical Services.

14 “(b) COMPENSATION.—Beginning not later than 1  
15 year after the date of the enactment of the Intelligence  
16 Authorization Act for Fiscal Year 2022, each medical offi-  
17 cer of the Office of Medical Services who meets the quali-  
18 fications under subsection (c) shall be compensated during  
19 a pay period pursuant to a pay range that is equal to the  
20 pay range published in the Federal Register pursuant to  
21 section 7431(e)(1)(C) of title 38, United States Code (for  
22 the corresponding pay period), for a physician in the Vet-  
23 erans Health Administration in the District of Columbia  
24 region with a medical subspecialty that is the equivalent  
25 of the medical subspecialty of the officer.

1       “(c) CLINICAL PRACTICE QUALIFICATIONS.—A med-  
2 ical officer meets the qualifications under this subsection  
3 if the officer provides direct care services to patients in  
4 connection with the official duties of the officer and—

5           “(1) maintains current, active, full, and unre-  
6 stricted licensure or registration as a physician from  
7 a State, the District of Columbia, or a common-  
8 wealth or territory of the United States;

9           “(2) holds active board certification and main-  
10 tains accreditation in an American Board of Medical  
11 Specialties direct care clinical specialty; and

12           “(3) except as provided in subsection (d), main-  
13 tains a minimum of 160 hours per year of clinical  
14 practice in an accredited clinic or hospital facility  
15 that is not affiliated with the Central Intelligence  
16 Agency.

17       “(d) EXCEPTION FOR OVERSEAS SERVICE.—If a  
18 medical officer is a regional medical officer located in a  
19 duty station outside of the United States pursuant to a  
20 permanent change of station and greater than 50 percent  
21 of the official duties of the officer in such duty station  
22 involve direct patient care, the officer, in lieu of per-  
23 forming the minimum hours under subsection (c)(3) on  
24 an annual basis, may perform up to 480 hours of clinical  
25 practice as specified in such subsection prior to such

1 change of station, to fulfil in advance the requirement  
 2 under such subsection for up to 3 years.

3 “(e) CLINICAL PRACTICE HOURS.—The head of the  
 4 Office of Medical Services shall make available to medical  
 5 officers excused absence time to allow for the maintenance  
 6 of clinical practice hours in accordance with subsection  
 7 (c)(3).”.

8 **SEC. 502. MEDICAL ADVISORY BOARD OF THE CENTRAL IN-**  
 9 **TELLIGENCE AGENCY.**

10 (a) ESTABLISHMENT.—The Central Intelligence  
 11 Agency Act of 1949 (50 U.S.C. 3501 et seq.), as amended  
 12 by section 501, is further amended by adding at the end  
 13 the following new section:

14 **“SEC. 27. MEDICAL ADVISORY BOARD.**

15 “(a) ESTABLISHMENT.—The Director shall establish  
 16 within the Agency a medical advisory board (in this sec-  
 17 tion referred to as the ‘Board’).

18 “(b) DUTIES.—The Board shall—

19 “(1) conduct a study on the Office of Medical  
 20 Services of the Agency, and submit reports regard-  
 21 ing such study, in accordance with subsection (c);  
 22 and

23 “(2) upon request, provide advice and guidance  
 24 in connection with any independent review of the Of-  
 25 fice conducted by an inspector general.



1 “(c) STUDY.—

2 “(1) OBJECTIVES.—In conducting the study  
3 under subsection (b)(1), the Board shall seek to—

4 “(A) contribute to the modernization and  
5 reform of the Office of Medical Services;

6 “(B) ensure that the activities of the Of-  
7 fice are of the highest professional quality; and

8 “(C) ensure that all medical care provided  
9 by the Office is provided in accordance with the  
10 highest professional medical standards.

11 “(2) REPORTS.—The Board shall submit to the  
12 congressional intelligence committees, in writing—

13 “(A) interim reports on the study; and

14 “(B) a final report on the study, which  
15 shall—

16 “(i) set forth in detail the findings of  
17 the study and the recommendations of the  
18 Board, based on such findings and taking  
19 into consideration the objectives under  
20 paragraph (1), regarding any changes to  
21 the activities of the Office of Medical Serv-  
22 ices; and

23 “(ii) include, as applicable, any addi-  
24 tional or dissenting views submitted by a  
25 member of the Board.

1 “(d) MEMBERSHIP.—

2 “(1) NUMBER AND APPOINTMENT.—The Board  
3 shall be composed of 11 members, appointed as fol-  
4 lows:

5 “(A) 2 members appointed by the Chair-  
6 man of the Permanent Select Committee on In-  
7 telligence of the House of Representatives.

8 “(B) 2 members appointed by the ranking  
9 minority member of the Permanent Select Com-  
10 mittee on Intelligence of the House of Rep-  
11 resentatives.

12 “(C) 2 members appointed by the Chair-  
13 man of the Select Committee on Intelligence of  
14 the Senate.

15 “(D) 2 members appointed by the Vice  
16 Chairman of the Select Committee on Intel-  
17 ligence of the Senate.

18 “(E) 3 members appointed by the Director  
19 of National Intelligence.

20 “(2) CHAIRPERSON.—During the first meeting  
21 under subsection (e)(1), the members of the Board  
22 shall elect a Chairperson of the Board. In addition  
23 to meeting the criteria under paragraph (3), the  
24 Chairperson may not be an employee, or former em-  
25 ployee, of the Agency.

1           “(3) CRITERIA.—The members appointed under  
2 paragraph (1) shall meet the following criteria:

3           “(A) Each member shall be a recognized  
4 expert in at least 1 medical field, as dem-  
5 onstrated by appropriate credentials.

6           “(B) Each member shall possess signifi-  
7 cant and diverse medical experience, including  
8 clinical experience.

9           “(C) Each member shall hold a security  
10 clearance at the top secret level and be able to  
11 access sensitive compartmented information.

12          “(4) TERMS.—

13           “(A) IN GENERAL.—Each member, includ-  
14 ing the Chairperson, shall be appointed or elect-  
15 ed, as applicable, for the life of the Board.

16           “(B) VACANCIES.—Any vacancy in the  
17 Board occurring prior to the expiration of the  
18 term under subparagraph (A) shall be filled in  
19 the manner in which the original appointment  
20 or election was made.

21          “(5) COMPENSATION AND TRAVEL EX-  
22 PENSES.—

23           “(A) COMPENSATION.—Except as provided  
24 in subparagraph (B), each member of the  
25 Board, including the Chairperson, may be com-

1        compensated at not to exceed the daily equivalent  
2        of the annual rate of basic pay in effect for a  
3        position at level IV of the Executive Schedule  
4        under section 5315 of title 5, United States  
5        Code, for each day during which that member  
6        is engaged in the actual performance of the du-  
7        ties under subsection (b).

8            “(B) EXCEPTION FOR FEDERAL EMPLOY-  
9        EES.—Members of the Board, including the  
10       Chairperson, who are officers or employees of  
11       the United States shall receive no additional  
12       pay by reason of the service of the member on  
13       the Board.

14           “(C) TRAVEL EXPENSES.—Each member  
15       of the Board, including the Chairperson, while  
16       away from the home or regular places of busi-  
17       ness of the member in the performance of serv-  
18       ices for the Board, may be allowed travel ex-  
19       penses, including per diem in lieu of subsist-  
20       ence, in the same manner as persons employed  
21       intermittently in the Government service are al-  
22       lowed expenses under section 5703 of title 5,  
23       United States Code.

24           “(6) DETAILEES.—

1           “(A) IN GENERAL.—Upon request of the  
2           Board, the Director of National Intelligence  
3           may detail to the Board, without reimburse-  
4           ment from the Board, any of the personnel of  
5           the Office of the Director of National Intel-  
6           ligence to assist in carrying out the duties  
7           under subsection (b). Any such detailed per-  
8           sonnel shall retain the rights, status, and privi-  
9           leges of the regular employment of the per-  
10          sonnel without interruption.

11          “(B) CLEARANCE.—Any personnel detailed  
12          to the Board under subparagraph (A) shall pos-  
13          sess a security clearance in accordance with ap-  
14          plicable laws and regulations concerning the  
15          handling of classified information.

16          “(e) MEETINGS.—

17               “(1) BOARD MEETINGS.—The Board shall meet  
18               not less frequently than on a quarterly basis.

19               “(2) MEETINGS WITH CONGRESS.—The Board  
20               shall meet with the congressional intelligence com-  
21               mittees on a biannual basis.

22          “(f) INFORMATION ACCESS.—

23               “(1) IN GENERAL.—Except as provided in para-  
24               graph (2), the Board may secure directly from any  
25               department or agency of the United States Govern-

1       ment information necessary to enable it to carry out  
2       the duties under subsection (b) and, upon request of  
3       the Chairperson of the Board, the head of that de-  
4       partment or agency shall furnish such information to  
5       the Board.

6               “(2) EXCEPTION.—The Director (without dele-  
7       gation) may deny a request for information made by  
8       the Board pursuant to paragraph (1), regardless of  
9       the agency from which such information is re-  
10      quested.

11             “(3) NOTIFICATION REQUIREMENT.—If the Di-  
12      rector denies a request under paragraph (2), not  
13      later than 15 days after the date of such denial, the  
14      Director shall submit to the congressional intel-  
15      ligence committees a written notification of such de-  
16      nial.

17             “(4) BRIEFINGS.—The Director shall ensure  
18      that the Board receives comprehensive briefings on  
19      all activities of the Office, including by promptly  
20      scheduling such briefings at the request of the  
21      Board.

22             “(g) TERMINATION.—The Board shall terminate on  
23      the date that is 5 years after the date of the first meeting  
24      of the Board.

1       “(h) DEFINITIONS.—In this section, the terms ‘con-  
2       gressional intelligence committees’ and ‘intelligence com-  
3       munity’ have the meanings given such terms in section  
4       3 of the National Security Act of 1947 (50 U.S.C.  
5       3003).”.

6       (b) DEADLINE FOR APPOINTMENTS; FIRST MEET-  
7       INGS.—

8               (1) DEADLINE FOR APPOINTMENTS.—Each  
9       member of the medical advisory board established  
10      under section 27 of the Central Intelligence Agency  
11      Act of 1949 (as added by subsection (a)), including  
12      the Chairperson, shall be appointed or elected, as  
13      applicable, in accordance with subsection (d) of such  
14      section by not later than 45 days after the date of  
15      the enactment of this Act.

16             (2) FIRST BOARD MEETING.—Not later than 30  
17      days after the first date on which at least 7 mem-  
18      bers of the Board described in paragraph (1) hold  
19      the security clearance and are able to access infor-  
20      mation in accordance with subsection (d)(3)(C) of  
21      such section 27, the Board shall meet. During such  
22      meeting, the Director of the Central Intelligence  
23      Agency shall provide to the Board a comprehensive  
24      briefing on all aspects of the Office of Medical Serv-  
25      ices of the Central Intelligence Agency.

1           (3) FIRST MEETING WITH CONGRESS.—Not  
2       later than 30 days after the date of the briefing  
3       under paragraph (2), the Board described in such  
4       paragraph shall meet with the staff members of the  
5       congressional intelligence committees to discuss top-  
6       ics for the Board to examine in carrying out the du-  
7       ties under subsection (b) of such section 27.

8   **SEC. 503. REPORT ON PROTOCOLS FOR CERTAIN INTEL-**  
9                   **LIGENCE COMMUNITY EMPLOYEES AND DE-**  
10                  **PENDENTS.**

11       (a) IN GENERAL.—Beginning not later than 180  
12   days after the date of enactment of this Act, the President  
13   shall develop, for uniform implementation across the ele-  
14   ments of the intelligence community, each of the protocols  
15   described in subsections (c) through (f). Such protocols  
16   shall be subject to review and revision on a periodic basis,  
17   and any implementation of such protocols shall be con-  
18   ducted in accordance with the current clinical and profes-  
19   sional practices of the interagency medical community.

20       (b) PRIVACY.—No data collected pursuant to any  
21   protocol under this section may be used for research or  
22   analytical purposes without the written consent of the in-  
23   dividual from whom such data was collected with respect  
24   to such use.



1 (c) PROTOCOL ON BASELINE MEDICAL TESTING.—

2 The protocol described in this subsection is a protocol for  
3 conducting baseline medical testing of covered employees,  
4 and the dependents of covered employees, with respect to  
5 anomalous health incidents. Such protocol shall set forth  
6 the required elements of such baseline medical testing,  
7 such as—

8 (1) the collection and testing of relevant bio-  
9 fluids;

10 (2) the conduct of relevant visual and auditory  
11 examinations;

12 (3) the conduct of Acquired Brain Injury Tool  
13 assessments;

14 (4) the assessment of relevant medical histories  
15 relating to prior brain injuries; and

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

18 (d) PROTOCOLS ON POST-INCIDENT MEDICAL TEST-

19 ING.—The protocols described in this subsection are pro-  
20 tocols for the medical testing and treatment of covered em-  
21 ployees, and the dependents of covered employees, fol-  
22 lowing a reported anomalous health incident, such as—

23 (1) a protocol that sets forth required elements,  
24 similar to the required elements described in sub-  
25 section (c), of such testing;

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

4           (3) a protocol for ensuring that all victims of  
5           anomalous health incidents receive prompt and con-  
6           sistent medical treatment, including from medical  
7           professionals holding appropriate security clearances  
8           and medical professionals with expertise in child  
9           care;

10          (4) a protocol for ensuring that all victims of  
11          anomalous health incidents are offered options for  
12          psychological treatment for the effects of such inci-  
13          dents; and

14          (5) a protocol for ensuring that any testing,  
15          evaluation, or collection of biofluids or other samples  
16          following a reported anomalous health incident may  
17          be compared against the baseline for the victim of  
18          the anomalous health incident.

19          (e) **PROTOCOL ON INFORMATION COLLECTION, STOR-**  
20 **AGE, AND SAFEGUARDING.**—The protocol described in this  
21 subsection is a protocol for the collection, storage, and  
22 safeguarding of information acquired as a result of the  
23 protocols described in subsections (c) and (d).

24          (f) **PROTOCOL ON REPORTING MECHANISMS.**—The  
25 protocol described in this subsection is a protocol for the

1 reporting of matters relating to anomalous health inci-  
2 dents by covered employees and the dependents of covered  
3 employees, including the development of a system for the  
4 adjudication of complaints regarding medical treatment  
5 submitted by such covered employees or dependents.

6 (g) REPORT AND BRIEFINGS.—

7 (1) REPORT.—Not later than 120 days after  
8 the date of the enactment of this Act, the Director  
9 of National Intelligence shall submit to the congres-  
10 sional intelligence committees a report on the proto-  
11 cols described in subsections (c) through (f).

12 (2) ELEMENTS.—Such report shall include the  
13 following elements:

14 (A) A copy of each protocol under this sec-  
15 tion.

16 (B) A description of the following:

17 (i) Any interagency agreements, au-  
18 thorities, or policies required to effectively  
19 implement the protocols under this section.

20 (ii) Any new facilities, medical equip-  
21 ment, tools, training, or other resources re-  
22 quired to effectively implement such proto-  
23 cols.

24 (C) A timeline for the implementation of  
25 the protocols under this section, including a

1           proposal for the prioritization of implementa-  
2           tion with respect to various categories of cov-  
3           ered employees and the dependents of covered  
4           employees.

5           (3) BRIEFING.—Not later than 60 days fol-  
6           lowing the date of submission of the report under  
7           paragraph (1), and biannually thereafter, the Direc-  
8           tor shall provide to the congressional intelligence  
9           committees a briefing regarding the implementation  
10          of the protocols under this section.

11          (h) DEFINITIONS.—In this section:

12           (1) COVERED EMPLOYEE.—The term “covered  
13           employee” means an individual who is an employee,  
14           contractor, assignee, or detailee, of an element of the  
15           intelligence community.

16           (2) VICTIM OF AN ANOMALOUS HEALTH INCI-  
17           DENT.—The term “victim of an anomalous health  
18           incident” means a covered employee, or a dependent  
19           of a covered employee (including a child), who is, or  
20           is suspected to have been, affected by an anomalous  
21           health incident.

1 **SEC. 504. INSPECTOR GENERAL OF THE CENTRAL INTEL-**  
2 **LIGENCE AGENCY REVIEW OF OFFICE OF**  
3 **MEDICAL SERVICES.**

4 (a) REVIEW.—Not later than one year after the date  
5 of the enactment of this Act, the Inspector General of the  
6 Central Intelligence Agency, in coordination with, and  
7 with the support of, the Inspector General of the Intel-  
8 ligence Community, shall submit to the congressional in-  
9 telligence committees a report containing a review of the  
10 responsibilities, authorities, resources, and performance of  
11 the Office of Medical Services of the Central Intelligence  
12 Agency (in this section referred to as the “Office”).

13 (b) MATTERS INCLUDED.—The review under sub-  
14 section (a) shall include the following:

15 (1) A detailed description of the responsibilities  
16 and authorities of the Office, as set forth in Federal  
17 law and any applicable regulation, policy, or other  
18 document of the Central Intelligence Agency.

19 (2) A detailed description of the budgetary,  
20 human, and other resources available to the Office,  
21 including with respect to employees and any other  
22 personnel.

23 (3) An assessment of the ability of the Office  
24 to consistently discharge the responsibilities of the  
25 Office, with an emphasis on the provision of medical

1 treatment and care by personnel of the Office, in-  
2 cluding with respect to—

3 (A) the roles of personnel of the Office,  
4 and of senior officials of the Agency outside of  
5 the Office, in determining what medical evalua-  
6 tion, treatment, and care should be provided in  
7 a particular case, including the provision of spe-  
8 cialty care by medical personnel outside of the  
9 Office;

10 (B) whether personnel of the Office con-  
11 sistently provide appropriate and high-quality  
12 medical treatment and care in accordance with  
13 standards set independently by the professional  
14 medical community;

15 (C) whether the Office has sufficient  
16 human and other resources, including personnel  
17 with specialized background, qualifications, or  
18 expertise, to consistently provide high-quality  
19 medical treatment and care in accordance with  
20 standards set independently by the professional  
21 medical community;

22 (D) whether personnel of the Office, in-  
23 cluding personnel claiming specialized medical  
24 backgrounds and expertise, are required by the  
25 Agency to maintain current board certifications

1 or other certifications and licenses, and the ex-  
2 tent to which the Office verifies such certifi-  
3 cations and licenses;

4 (E) the extent to which the Office makes  
5 consistent and effective use of the specialized  
6 medical background, qualifications, and exper-  
7 tise of the personnel of the Office in providing  
8 medical treatment and care;

9 (F) an assessment of whether personnel of  
10 the Office who provide medical treatment and  
11 care, or who make decisions with respect to  
12 such treatment or care, are required to have ex-  
13 tensive clinical or other experience in directly  
14 treating patients, including in areas requiring  
15 specialized background, qualifications, or exper-  
16 tise;

17 (G) any factors that have frustrated or de-  
18 layed the provision of medical treatment and  
19 care by personnel of the Office in significant  
20 cases; and

21 (H) any factors that have frustrated or  
22 could frustrate prompt detection, effective over-  
23 sight, and swift remediation of problems within  
24 the Office, including such factors that frustrate

1           or delay the provision of medical treatment and  
2           care in significant cases.

3           (c) INDEPENDENT ADVICE.—In conducting the re-  
4 view under subsection (a), the Inspector General may ob-  
5 tain the advice of the medical advisory board established  
6 under section 502.

7           (d) FORM.—The report under subsection (a) shall be  
8 submitted in an unclassified form to the extent prac-  
9 ticable, consistent with the protection of intelligence  
10 sources and methods, but may include a classified annex.

11 **SEC. 505. CLARIFICATION OF EFFECT OF CERTAIN BENE-**  
12 **FITS RELATING TO INJURIES TO THE BRAIN.**

13           (a) PERSONNEL OF CENTRAL INTELLIGENCE AGEN-  
14 CY.—Subsection (d) of section 19A of the Central Intel-  
15 ligence Agency Act of 1949 (50 U.S.C. 3519b), as added  
16 by the HAVANA Act of 2021, is amended by adding at  
17 the end the following new paragraph:

18           “(5) NO EFFECT ON OTHER BENEFITS.—Pay-  
19 ments made under paragraph (2) are supplemental  
20 to any other benefit furnished by the United States  
21 Government for which a covered dependent, covered  
22 employee, or covered individual is entitled, and the  
23 receipt of such payments may not affect the eligi-  
24 bility of such a person to any other benefit furnished  
25 by the United States Government.”.



1 (b) PERSONNEL OF DEPARTMENT OF STATE.—Sub-  
 2 section (i) of section 901 of title IX of division J of the  
 3 Further Consolidated Appropriations Act, 2020 (22  
 4 U.S.C. 2680b), as added by the HAVANA Act of 2021,  
 5 is amended by adding at the end the following new para-  
 6 graph:

7 “(5) NO EFFECT ON OTHER BENEFITS.—Pay-  
 8 ments made under paragraph (2) are supplemental  
 9 to any other benefit furnished by the United States  
 10 Government for which a covered dependent, depend-  
 11 ent of a former employee, covered employee, former  
 12 employee, or covered individual is entitled, and the  
 13 receipt of such payments may not affect the eligi-  
 14 bility of such a person to any other benefit furnished  
 15 by the United States Government.”.

## 16 **TITLE VI—MATTERS RELATING** 17 **TO FOREIGN COUNTRIES**

### 18 **SEC. 601. NATIONAL INTELLIGENCE ESTIMATE ON SECU-** 19 **RITY SITUATION IN AFGHANISTAN AND RE-** 20 **LATED REGION.**

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 and the covered region.

1 (b) MATTERS.—The National Intelligence Estimate  
2 produced under subsection (a) shall include, with respect  
3 to the 2-year period beginning on the date on which the  
4 Estimate is produced, an assessment of the following:

5 (1) The presence in Afghanistan (including fi-  
6 nancial contributions to the Taliban, political rela-  
7 tions with the Taliban, military presence in the cov-  
8 ered region, economic presence in the covered region,  
9 and diplomatic presence in the covered region) of  
10 China, Iran, Pakistan, Russia, and any other foreign  
11 country determined relevant by the Director, respec-  
12 tively, and an assessment of the potential risks, or  
13 benefits, of any such presence, contributions, or rela-  
14 tions.

15 (2) Any increased threat to the United States  
16 homeland or United States entities abroad as a re-  
17 sult of the withdrawal of the Armed Forces from Af-  
18 ghanistan on August 31, 2021, including an assess-  
19 ment of the risk of al-Qaeda or any affiliates there-  
20 of, the Islamic State of Iraq and ash Sham-  
21 Khorasan or any affiliates thereof, or any other  
22 similar international terrorist group, using Afghani-  
23 stan as a safe harbor.

24 (3) The political composition and sustainability  
25 of the governing body of Afghanistan, including an

1 assessment of the ability of the United States Gov-  
2 ernment to influence the policies of such governing  
3 body on the following:

4 (A) Counterterrorism.

5 (B) Counternarcotics.

6 (C) Human rights (particularly regarding  
7 women and traditionally targeted ethnic  
8 groups).

9 (D) The treatment and safe transit of Af-  
10 ghans holding special immigrant visa status  
11 under section 602 of the Afghan Allies Protec-  
12 tion Act of 2009 (8 U.S.C. 1101 note) and  
13 other Afghans who, during the period beginning  
14 in 2001, assisted efforts of the United States in  
15 Afghanistan or the covered region.

16 (4) The effect on the covered region, and Eu-  
17 rope, of refugees leaving Afghanistan.

18 (5) The commitments of the Taliban relating to  
19 counterterrorism, including an assessment of—

20 (A) whether such commitments required  
21 under the agreement entered into between the  
22 United States Government and the Taliban in  
23 February 2020, have been tested, or will be  
24 tested during the 2-year period covered by the  
25 Estimate, and what such commitments entail;

1 (B) whether any additional commitments  
2 relating to counterterrorism agreed to by the  
3 Taliban pursuant to subsequent negotiations  
4 with the United States Government following  
5 February 2020, have been tested, or will be  
6 tested during the 2-year period covered by the  
7 Estimate, and, if applicable, what such commit-  
8 ments entail;

9 (C) any benchmarks against which the  
10 Taliban are to be evaluated with respect to  
11 commitments relating to counterterrorism; and

12 (D) the intentions and capabilities of the  
13 Taliban with respect to counterterrorism (as  
14 such term is understood by the United States  
15 and by the Taliban, respectively), including the  
16 relations of the Taliban with al-Qaeda or any  
17 affiliates thereof, the Islamic State of Iraq and  
18 ash Sham-Khorasan or any affiliates thereof, or  
19 any other similar international terrorist group.

20 (c) SUBMISSION TO CONGRESS.—

21 (1) SUBMISSION.—Not later than one year after  
22 the date of the enactment of this Act, the Director  
23 shall submit to the congressional intelligence com-  
24 mittees the National Intelligence Estimate produced

1 under subsection (a), including all intelligence re-  
2 porting underlying the Estimate.

3 (2) FORM.—The National Intelligence Estimate  
4 shall be submitted under paragraph (1) in classified  
5 form.

6 (d) PUBLIC VERSION.—Consistent with the protec-  
7 tion of intelligence sources and methods, at the same time  
8 as the Director submits to the congressional intelligence  
9 committees the National Intelligence Estimate under sub-  
10 section (c), the Director shall make publicly available on  
11 the internet website of the Director an unclassified version  
12 of the key findings of the National Intelligence Estimate.

13 (e) DEFINITIONS.—In this section:

14 (1) COVERED REGION.—The term “covered re-  
15 gion” includes the following countries:

16 (A) India.

17 (B) Iran.

18 (C) Pakistan.

19 (D) Saudi Arabia.

20 (E) Tajikistan.

21 (F) Turkey.

22 (G) Turkmenistan.

23 (H) Uzbekistan.

24 (2) UNITED STATES ENTITY.—The term  
25 “United States entity” means a citizen of the United

1 States, an embassy or consulate of the United  
2 States, or an installation, facility, or personnel of  
3 the United States Government.

4 **SEC. 602. REPORT ON INTELLIGENCE COLLECTION POS-**  
5 **TURE AND OTHER MATTERS RELATING TO**  
6 **AFGHANISTAN AND RELATED REGION.**

7 (a) REPORT.—Not later than 90 days after the date  
8 of the enactment of this Act, the Director of National In-  
9 telligence, in consultation with the heads of elements of  
10 the intelligence community determined relevant by the Di-  
11 rector, shall submit to the congressional intelligence com-  
12 mittees a report on the collection posture of the intel-  
13 ligence community and other matters relating to Afghani-  
14 stan and the covered region.

15 (b) MATTERS.—The report under subsection (a) shall  
16 include the following:

17 (1) A detailed description of the collection pos-  
18 ture of the intelligence community with respect to  
19 Afghanistan, including with respect to the following:

20 (A) The countering of terrorism threats  
21 that are directed at the United States homeland  
22 or United States entities abroad.

23 (B) The finances of the Taliban, including  
24 financial contributions to the Taliban from for-  
25 eign countries (particularly from China, Iran,

1 Russia, and any other foreign country in the  
2 Arab Gulf region (or elsewhere) determined rel-  
3 evant by the Director, respectively).

4 (C) The detection, and prevention of, any  
5 increased threat to the United States homeland  
6 or United States entities abroad as a result of  
7 the withdrawal of the United States Armed  
8 Forces from Afghanistan on August 31, 2021,  
9 including any such increased threat resulting  
10 from al-Qaeda or any affiliates thereof, the Is-  
11 lamic State of Iraq and ash Sham-Khorasan or  
12 any affiliates thereof, or any other similar inter-  
13 national terrorist group, using Afghanistan as a  
14 safe harbor.

15 (2) A detailed description of any plans, strate-  
16 gies, or efforts to improve the collection posture de-  
17 scribed in paragraph (1)(A), including by filling any  
18 gaps identified pursuant to such paragraph.

19 (3) An assessment of the effect of publicly doc-  
20 umenting abuses engaged in by the Taliban, and a  
21 description of the efforts of the intelligence commu-  
22 nity to support other departments and agencies in  
23 the Federal Government with respect to the collec-  
24 tion and documentation of such abuses.

1           (4) An assessment of the relationship between  
2           the intelligence community and countries in the cov-  
3           ered region, including an assessment of the fol-  
4           lowing:

5                   (A) Intelligence and information sharing  
6                   with such countries.

7                   (B) Any change in the collection posture of  
8                   the intelligence community with respect to the  
9                   nuclear activities of such countries as a result  
10                  of the withdrawal of the United States Armed  
11                  Forces from Afghanistan on August 31, 2021.

12                  (C) The collection posture of the intel-  
13                  ligence community with respect to the presence  
14                  of such countries in Afghanistan (including fi-  
15                  nancial contributions to the Taliban, political  
16                  relations with the Taliban, military presence in  
17                  Afghanistan, economic presence in Afghanistan,  
18                  and diplomatic presence in Afghanistan) and  
19                  the understanding of the intelligence community  
20                  regarding the potential risks, or benefits, of any  
21                  such presence, contributions, or relations.

22                  (D) The ability of the intelligence commu-  
23                  nity to use the airspace of any such countries.

24           (5) An assessment of any financial contribu-  
25           tions to the Taliban from foreign countries (particu-



1 larly from China, Iran, Russia, and any other for-  
2 eign country in the Arab Gulf region (or elsewhere)  
3 determined relevant by the Director, respectively)  
4 made during the year preceding the withdrawal of  
5 the United States Armed Forces from Afghanistan  
6 on August 31, 2021.

7 (c) FORM.—The report under subsection (a) may be  
8 submitted in classified form, but shall include an unclassi-  
9 fied summary.

10 (d) BIENNIAL UPDATES.—On a biennial basis dur-  
11 ing the 5-year period following the date of the submission  
12 of the report under subsection (a), the Director of Na-  
13 tional Intelligence, in consultation with the heads of the  
14 elements of the intelligence community determined rel-  
15 evant by the Director, shall submit to the congressional  
16 intelligence committees an update to such report.

17 (e) DEFINITIONS.—In this section:

18 (1) COVERED REGION.—The term “covered re-  
19 gion” includes the following countries:

20 (A) India.

21 (B) Iran.

22 (C) Pakistan.

23 (D) Saudi Arabia.

24 (E) Tajikistan.

25 (F) Turkey.

1 (G) Turkmenistan.

2 (H) Uzbekistan.

3 (2) UNITED STATES ENTITY.—The term  
4 “United States entity” means a citizen of the United  
5 States, an embassy or consulate of the United  
6 States, or an installation, facility, or personnel of  
7 the United States Government.

8 **SEC. 603. REPORT ON THREAT POSED BY EMERGING CHI-**  
9 **NESE TECHNOLOGY COMPANIES.**

10 (a) REPORT.—Not later than 180 days after the date  
11 of the enactment of this Act, the Director of National In-  
12 telligence, in consultation with the Assistant Secretary of  
13 the Treasury for Intelligence and Analysis and the Direc-  
14 tor of the Federal Bureau of Investigation, shall submit  
15 to the congressional intelligence committees a report on  
16 the threat to the national security of the United States  
17 posed by emerging Chinese technology companies.

18 (b) MATTERS INCLUDED.—The report under sub-  
19 section (a) shall include the following:

20 (1) An assessment of the threat to the national  
21 security of the United States posed by emerging  
22 Chinese technology companies, including with re-  
23 spect to—

24 (A) the practices of the companies and  
25 their relationships to the government of China;

1 (B) the security of the communications,  
2 data, and commercial interests of the United  
3 States; and

4 (C) the privacy interests of United States  
5 persons.

6 (2) An assessment of the ability of the United  
7 States to counter any such threat, including with re-  
8 spect to different tools that could counter such a  
9 threat.

10 (c) FORM.—The report under subsection (a) may be  
11 submitted in classified form, but if so submitted shall in-  
12 clude an unclassified executive summary.

13 (d) EMERGING CHINESE TECHNOLOGY COMPANIES  
14 DEFINED.—In this section, the term “emerging Chinese  
15 technology companies” means a Chinese technology com-  
16 pany, including a company listed on the Science and Tech-  
17 nology Innovation Board of the Shanghai Stock Exchange,  
18 that the Assistant Secretary of the Treasury for Intel-  
19 ligence and Analysis determines poses a significant threat  
20 to the national security of the United States.

21 **SEC. 604. REPORT ON COOPERATION BETWEEN CHINA AND**  
22 **UNITED ARAB EMIRATES.**

23 (a) REQUIREMENT.—Not later than 60 days after the  
24 date of the enactment of this Act, the Director of National  
25 Intelligence, in consultation with the heads of elements of

1 the intelligence community that the Director determines  
2 appropriate, shall submit to the congressional intelligence  
3 committees a report containing the following:

4           (1) Details on the cooperation between China  
5           and the United Arab Emirates regarding defense,  
6           security, technology, and other strategically sensitive  
7           matters that implicate the national security interests  
8           of the United States.

9           (2) The most recent, as of the date of the re-  
10          port, quarterly assessment by the intelligence com-  
11          munity of measures that the United Arab Emirates  
12          has implemented to safeguard technology of the  
13          United States and the reliability of any assurances  
14          by the United Arab Emirates (with respect to both  
15          current assurances and assurances being considered  
16          as of the date of the report).

17          (3) A certification by the Director regarding  
18          whether such assurances described in paragraph (2)  
19          are viable and sufficient to protect technology of the  
20          United States from being transferred to China or  
21          other third parties.

22          (b) FORM.—The report under subsection (a) may be  
23          submitted in classified form, but if so submitted shall in-  
24          clude an unclassified executive summary.

1 **SEC. 605. REPORT ON PROPAGATION OF EXTREMIST**  
2 **IDEOLOGIES FROM SAUDI ARABIA.**

3 (a) REPORT.—Not later than February 1, 2022, the  
4 Director of National Intelligence, in consultation with  
5 other relevant Federal departments and agencies, shall  
6 submit to the congressional intelligence committees a re-  
7 port on the threat of extremist ideologies propagated from  
8 Saudi Arabia and the failure of the Government of Saudi  
9 Arabia to prevent the propagation of such ideologies. Such  
10 report shall include a detailed description of—

11 (1) the role of governmental and nongovern-  
12 mental entities and individuals of Saudi Arabia in  
13 promoting, funding, and exporting ideologies, includ-  
14 ing so-called “Wahhabist ideology”, that inspire ex-  
15 tremism or extremist groups in other countries; and

16 (2) the strategic consequences for vital national  
17 security interests of the United States as a result of  
18 such promotion, funding, or export.

19 (b) FORM.—The report under subsection (a) shall be  
20 submitted in unclassified form, but may include a classi-  
21 fied annex.

22 **SEC. 606. REPORT ON EFFECTS OF SANCTIONS BY UNITED**  
23 **STATES.**

24 (a) REPORT.—Not later than 180 days after the date  
25 of the enactment of this Act, the Director of National In-  
26 telligence, in consultation with the Assistant Secretary of

1 the Treasury for Intelligence and Analysis, shall submit  
2 to the congressional intelligence committees a report on  
3 how covered countries respond to sanctions imposed by the  
4 United States.

5 (b) MATTERS INCLUDED.—The report under sub-  
6 section (a) shall include the following:

7 (1) An assessment of whether sanctions im-  
8 posed by the United States on entities, individuals,  
9 or the governments of covered countries have caused  
10 those countries to alter their behavior.

11 (2) An assessment of the effectiveness of—

12 (A) continuing such sanctions; and

13 (B) imposing additional sanctions.

14 (c) FORM.—The report under subsection (a) may be  
15 submitted in classified form, but if so submitted shall in-  
16 clude an unclassified executive summary.

17 (d) COVERED COUNTRY DEFINED.—In this section,  
18 the term “covered country” means—

19 (1) China;

20 (2) Iran;

21 (3) Russia; and

22 (4) any other foreign country the Assistant Sec-  
23 retary of the Treasury for Intelligence and Analysis  
24 determines appropriate.

## **TITLE VII—REPORTS AND OTHER MATTERS**

### **SEC. 701. PILOT PROGRAM FOR SECURITY VETTING OF CERTAIN INDIVIDUALS.**

(a) ESTABLISHMENT.—The Under Secretary of Defense for Intelligence and Security may establish a pilot program to identify risks associated with individuals who are performing unclassified research funded by the Department of Defense who would not otherwise undergo Federal personnel vetting.

(b) ELEMENTS.—In carrying out the pilot program under this section, the Under Secretary of Defense for Intelligence and Security may—

(1) identify the size of the population to be vetted under the pilot program;

(2) establish a process to obtain information from individuals to be vetted under the pilot program;

(3) determine the criteria to evaluate national security risks to research funded by the Department of Defense from individuals who are participating in such research;

(4) establish a process to conduct vetting, including referrals to appropriate counterintelligence

1 and law enforcement entities, for the population to  
2 be screened under the pilot program; and

3 (5) carry out the process described in para-  
4 graph (4) with respect to the population to be  
5 screened under the pilot program.

6 (c) REPORT.—Before commencing the pilot program  
7 under this section, the Under Secretary of Defense for In-  
8 telligence and Security shall submit to the appropriate  
9 congressional committees a report containing details of the  
10 planned elements of the pilot program under subsection  
11 (b).

12 (d) BRIEFINGS.—Not less frequently than annually  
13 during the 3-year period beginning on the date that is 1  
14 year after the date of the enactment of this Act, the Under  
15 Secretary of Defense for Intelligence and Security shall  
16 provide to the appropriate congressional committees a  
17 briefing on the status of the pilot program under this sec-  
18 tion.

19 (e) TERMINATION.—The authority to conduct the  
20 pilot program under this section shall terminate on the  
21 date that is 5 years after the date of the enactment of  
22 this Act.

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



1           (1) the congressional intelligence committees;  
2       and

3           (2) the congressional defense committees (as  
4       such term is defined in section 101(a) of title 10,  
5       United States Code).

6 **SEC. 702. PERIODIC REPORT ON POSITIONS IN THE INTEL-**  
7 **LIGENCE COMMUNITY THAT CAN BE CON-**  
8 **DUCTED WITHOUT ACCESS TO CLASSIFIED**  
9 **INFORMATION, NETWORKS, OR FACILITIES.**

10       Section 6610 of the Damon Paul Nelson and Mat-  
11       thew Young Pollard Intelligence Authorization Act for  
12       Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3352e)  
13       is amended—

14           (1) by striking “this Act and not less frequently  
15       than once every 5 years thereafter,” and inserting  
16       “this Act, and biennially thereafter,”; and

17           (2) by adding at the end the following new sen-  
18       tence: “Such report shall take into account the po-  
19       tential effect of maintaining continuity of operations  
20       during a covered national emergency (as defined by  
21       section 303 of the Intelligence Authorization Act for  
22       Fiscal Year 2021 (division W of Public Law 116–  
23       260)) and the assessed needs of the intelligence com-  
24       munity to maintain such continuity of operations.”.

1 **SEC. 703. ANNUAL REPORTS ON CERTAIN CYBER**  
2 **VULNERABILITIES PROCURED BY INTEL-**  
3 **LIGENCE COMMUNITY AND FOREIGN COM-**  
4 **MERCIAL PROVIDERS OF CYBER**  
5 **VULNERABILITIES.**

6 (a) REQUIREMENT.—Title XI of the National Secu-  
7 rity Act of 1947 (50 U.S.C. 3231 et seq.) is amended by  
8 adding at the end the following new section (and con-  
9 forming the table of contents at the beginning of such Act  
10 accordingly):

11 **“SEC. 1111. ANNUAL REPORTS ON CERTAIN CYBER**  
12 **VULNERABILITIES PROCURED BY INTEL-**  
13 **LIGENCE COMMUNITY AND FOREIGN COM-**  
14 **MERCIAL PROVIDERS OF CYBER**  
15 **VULNERABILITIES.**

16 “(a) ANNUAL REPORTS.—On an annual basis  
17 through 2026, the Director of the Central Intelligence  
18 Agency and the Director of the National Security Agency,  
19 in coordination with the Director of National Intelligence,  
20 shall jointly submit to the congressional intelligence com-  
21 mittees a report containing information on foreign com-  
22 mercial providers and the cyber vulnerabilities procured by  
23 the intelligence community through foreign commercial  
24 providers.

1       “(b) ELEMENTS.—Each report under subsection (a)  
2 shall include, with respect to the period covered by the  
3 report, the following:

4           “(1) A description of each cyber vulnerability  
5       procured through a foreign commercial provider, in-  
6       cluding—

7           “(A) a description of the vulnerability;

8           “(B) the date of the procurement;

9           “(C) whether the procurement consisted of  
10       only that vulnerability or included other  
11       vulnerabilities;

12          “(D) the cost of the procurement;

13          “(E) the identity of the commercial pro-  
14       vider and, if the commercial provider was not  
15       the original supplier of the vulnerability, a de-  
16       scription of the original supplier;

17          “(F) the country of origin of the vulner-  
18       ability; and

19          “(G) an assessment of the ability of the in-  
20       telligence community to use the vulnerability,  
21       including whether such use will be operationally  
22       or for research and development, and the ap-  
23       proximate timeline for such use.

24          “(2) An assessment of foreign commercial pro-  
25       viders that—

1           “(A) pose a significant threat to the na-  
2           tional security of the United States; or

3           “(B) have provided cyber vulnerabilities to  
4           any foreign government that—

5           “(i) has used the cyber vulnerabilities  
6           to target United States persons, the  
7           United States Government, journalists, or  
8           dissidents; or

9           “(ii) has an established pattern or  
10          practice of violating human rights or sup-  
11          pressing dissent.

12          “(3) An assessment of whether the intelligence  
13          community has conducted business with the foreign  
14          commercial providers identified under paragraph (2)  
15          during the 5-year period preceding the date of the  
16          report.

17          “(c) FORM.—Each report under subsection (a) may  
18          be submitted in classified form.

19          “(d) DEFINITIONS.—In this section:

20                 “(1) COMMERCIAL PROVIDER.—The term ‘com-  
21                 mercial provider’ means any person that sells, or  
22                 acts as a broker, for a cyber vulnerability.

23                 “(2) CYBER VULNERABILITY.—The term ‘cyber  
24                 vulnerability’ means any tool, exploit, vulnerability,  
25                 or code that is intended to compromise a device, net-

1 work, or system, including such a tool, exploit, vul-  
2 nerability, or code procured by the intelligence com-  
3 munity for purposes of research and development.”.

4 (b) FIRST REPORT.—Not later than 90 days after  
5 the date of the enactment of this Act, the Director of the  
6 Central Intelligence Agency and the Director of the Na-  
7 tional Security Agency shall jointly submit to the appro-  
8 priate congressional committees the first report required  
9 under section 1111 of the National Security Act of 1947,  
10 as added by subsection (a).

11 **SEC. 704. BRIEFING ON TRAININGS RELATING TO**  
12 **BLOCKCHAIN TECHNOLOGY.**

13 (a) BRIEFING.—Not later than 90 days after the date  
14 of the enactment of this Act, the Director of National In-  
15 telligence shall provide to the congressional intelligence  
16 committees a briefing on the feasibility and benefits of  
17 providing training described in subsection (b).

18 (b) TRAINING DESCRIBED.—Training described in  
19 this subsection is training that meets the following cri-  
20 teria:

21 (1) The training is on cryptocurrency,  
22 blockchain technology, or both subjects.

23 (2) The training may be provided through part-  
24 nerships with universities or private sector entities.

1 **SEC. 705. REPORT ON PROSPECTIVE ABILITY TO ADMIN-**  
2 **ISTER COVID-19 VACCINES AND OTHER MED-**  
3 **ICAL INTERVENTIONS TO CERTAIN INTEL-**  
4 **LIGENCE COMMUNITY PERSONNEL.**

5 (a) REPORT.—Not later than 180 days after the date  
6 of the enactment of this Act, the Director of National In-  
7 telligence and the Under Secretary of Defense for Intel-  
8 ligence and Security, in consultation with the elements of  
9 the intelligence community and relevant public health  
10 agencies of the United States, shall jointly develop and  
11 submit to the congressional intelligence committees a re-  
12 port on the prospective ability of the intelligence commu-  
13 nity to administer COVID-19 vaccines, and such other  
14 medical interventions as may be relevant in the case of  
15 a future covered national emergency, to covered personnel  
16 (particularly with respect to essential covered personnel  
17 and covered personnel deployed outside of the United  
18 States).

19 (b) MATTERS INCLUDED.—The report under sub-  
20 section (a) shall include an assessment of the following:

21 (1) The prospective ability of the elements of  
22 the intelligence community to administer COVID-19  
23 vaccines (including subsequent booster shots for  
24 COVID-19), to covered personnel, and whether ad-  
25 ditional authorities or resources are necessary for, or  
26 may otherwise facilitate, such administration.

1           (2) The potential risks and benefits of granting  
2           the additional authorities or resources described in  
3           paragraph (1) to the Director, the Under Secretary,  
4           or both.

5           (3) With respect to potential future covered na-  
6           tional emergencies, including future outbreaks of an  
7           infectious pandemic disease or similar public health  
8           emergencies, the following:

9                   (A) The ability of the intelligence commu-  
10                  nity to ensure the timely administration of med-  
11                  ical interventions to covered personnel during  
12                  the covered national emergency.

13                  (B) Whether additional authorities or re-  
14                  sources are necessary to ensure, or may other-  
15                  wise facilitate, such timely administration, in-  
16                  cluding with respect to the ability of the Direc-  
17                  tor or Under Secretary to provide an alternative  
18                  means of access to covered personnel with re-  
19                  duced access to the interventions provided by  
20                  the respective element.

21                  (C) The potential risks and benefits of  
22                  granting the additional authorities or resources  
23                  described in subparagraph (B) to the Director,  
24                  the Under Secretary, or both.

1           (4) A summary of the findings of the survey  
2           under subsection (c).

3           (c) SURVEY.—Not later than 120 days after the date  
4 of the enactment of this Act, and prior to submitting the  
5 report under subsection (a), the Director and the Under  
6 Secretary shall jointly conduct a survey to determine the  
7 process by which each element of the intelligence commu-  
8 nity has administered COVID–19 vaccines to covered per-  
9 sonnel, to inform continued medical care relating to  
10 COVID–19 and future responses to covered national emer-  
11 gencies. Such survey shall address, with respect to each  
12 element, the following:

13           (1) The timeline of the element with respect to  
14 the administration of COVID–19 vaccines prior to  
15 the date of the enactment of this Act.

16           (2) The process by which the element deter-  
17 mined when covered personnel would become eligible  
18 to receive the COVID–19 vaccine (including if cer-  
19 tain categories of such personnel became eligible be-  
20 fore others).

21           (3) A general approximation of the percentage  
22 of covered personnel of the element that received the  
23 COVID–19 vaccine from the element versus through  
24 an alternative means (such as a private sector enti-  
25 ty, foreign government, State, or local government),



1 particularly with respect to covered personnel de-  
2 ployed outside of the United States.

3 (4) Any challenges encountered by the element  
4 with respect to the administration of COVID-19  
5 vaccines prior to the date of the enactment of this  
6 Act.

7 (5) Any other feedback determined relevant for  
8 purposes of the survey.

9 (d) PRIVACY CONSIDERATIONS.—In carrying out the  
10 report and survey requirements under this section, the Di-  
11 rector, the Under Secretary, and the heads of the elements  
12 of the intelligence community shall ensure, to the extent  
13 practicable, the preservation of medical privacy and the  
14 anonymity of data.

15 (e) DEFINITIONS.—In this section:

16 (1) COVERED NATIONAL EMERGENCY.—The  
17 term “covered national emergency” has the meaning  
18 given such term in section 303 of the Intelligence  
19 Authorization Act for Fiscal Year 2021 (50 U.S.C.  
20 3316b).

21 (2) COVERED PERSONNEL.—The term “covered  
22 personnel” means personnel who are—

23 (A) employees of, or otherwise detailed or  
24 assigned to, an element of the intelligence com-  
25 munity; and

1 (B) funded under the National Intelligence  
2 Program or the Military Intelligence Program.

3 (3) ESSENTIAL COVERED PERSONNEL.—The  
4 term “essential covered personnel” means covered  
5 personnel deemed essential to—

6 (A) continuity of operations of the intel-  
7 ligence community;

8 (B) continuity of operations of the United  
9 States Government; or

10 (C) other purposes related to the national  
11 security of the United States.

12 (4) NATIONAL INTELLIGENCE PROGRAM.—The  
13 term “National Intelligence Program” has the mean-  
14 ing given such term in section 3 of the National Se-  
15 curity Act of 1947 (50 U.S.C. 3003).

16 **SEC. 706. REPORT ON POTENTIAL INCLUSION WITHIN IN-**  
17 **TELLIGENCE COMMUNITY OF THE OFFICE OF**  
18 **NATIONAL SECURITY OF THE DEPARTMENT**  
19 **OF HEALTH AND HUMAN SERVICES.**

20 (a) REPORT.—Not later than 180 days after the date  
21 of the enactment of this Act, the Director of National In-  
22 telligence, in coordination with the Secretary of Health  
23 and Human Services, shall submit to the congressional in-  
24 telligence committees a report on the potential advantages  
25 and disadvantages of adding the Office of National Secu-

1 rity of the Department of Health and Human Services as  
2 a new element of the intelligence community.

3 (b) MATTERS INCLUDED.—The report under sub-  
4 section (a) shall include the following:

5 (1) An assessment of the following:

6 (A) The likelihood that the addition of the  
7 Office of National Security as a new element of  
8 the intelligence community would increase  
9 connectivity between other elements of the intel-  
10 ligence community working on health security  
11 topics and the Department of Health and  
12 Human Services.

13 (B) The likelihood that such addition  
14 would increase the flow of raw intelligence and  
15 finished intelligence products to officials of the  
16 Department of Health and Human Services.

17 (C) The likelihood that such addition  
18 would facilitate the flow of information relating  
19 to health security topics to intelligence analysts  
20 of various other elements of the intelligence  
21 community working on such topics.

22 (D) The extent to which such addition  
23 would clearly demonstrate to both the national  
24 security community and the public health com-  
25 munity that health security is national security.

1           (E) Any anticipated impediments to such  
2           addition relating to additional budgetary over-  
3           sight by the executive branch or Congress.

4           (F) Any other significant advantages or  
5           disadvantages of such addition, as identified by  
6           either the Director of National Intelligence or  
7           the Secretary of Health and Human Services.

8           (2) A joint recommendation by the Director of  
9           National Intelligence and the Secretary of Health  
10          and Human Services as to whether to add the Office  
11          of National Security as a new element of the intel-  
12          ligence community.

13          (c) FORM.—The report under subsection (a) shall be  
14          submitted in unclassified form, but may include a classi-  
15          fied annex.

16   **SEC. 707. REPORTS RELATING TO INSPECTOR GENERAL OF**  
17                           **DEFENSE INTELLIGENCE AGENCY.**

18          (a) REPORT ON RESPONSES BY INSPECTOR GEN-  
19          ERAL TO SUBSTANTIATED ALLEGATIONS.—

20           (1) REPORT.—Not later than 180 days after  
21          the date of the enactment of this Act, the Director  
22          of the Defense Intelligence Agency shall submit to  
23          the congressional intelligence committees a report on  
24          allegations of reprisal or abuse of authority deter-  
25          mined to be substantiated by the Inspector General

1 of the Defense Intelligence Agency during the 5-year  
2 period preceding the date of the enactment of this  
3 Act.

4 (2) MATTERS INCLUDED.—The report under  
5 paragraph (1) shall include, with respect to each al-  
6 legation determined to be substantiated during the  
7 5-year period specified in such paragraph, a descrip-  
8 tion of the following:

9 (A) Details of each substantiated allega-  
10 tion.

11 (B) The rank or grade of the individuals  
12 involved in the allegation.

13 (C) Any disciplinary action recommended  
14 by the Inspector General in response to the alle-  
15 gation, or, if the Inspector General rec-  
16 ommended no disciplinary action be taken in re-  
17 sponse, any justification for such recommenda-  
18 tion.

19 (D) Any disciplinary action taken by the  
20 relevant manager of the Defense Intelligence  
21 Agency in response to the allegation.

22 (E) Whether the relevant manager re-  
23 duced, or declined to take, a disciplinary action  
24 recommended by the Inspector General in re-  
25 sponse to the allegation.

1 (F) Any justification from the relevant  
2 manager regarding the decision to take, reduce,  
3 or decline to take, a disciplinary action rec-  
4 ommended by the Inspector General in response  
5 to the allegation.

6 (G) The process by which Defense Intel-  
7 ligence Agency management reviews and makes  
8 decisions regarding disciplinary actions in re-  
9 sponse to substantiated allegations, including—

10 (i) the criteria applied by management  
11 in making the decision to take, reduce, or  
12 decline to take, a disciplinary action;

13 (ii) a description of which managers  
14 have the authority to make such decisions,  
15 including the rank or grade of the man-  
16 agers; and

17 (iii) a description of any formal or in-  
18 formal appeals processes available with re-  
19 spect to such decisions.

20 (3) FORM.—The report under paragraph (1)  
21 shall be submitted in unclassified form, but may in-  
22 clude a classified annex.

23 (b) REPORT ON PROCESSES FOR ENSURING INDE-  
24 PENDENCE OF INSPECTOR GENERAL.—

1           (1) REPORT.—Not later than 30 days after the  
2           date of the enactment of this Act, the Director of  
3           the Defense Intelligence Agency shall submit to the  
4           congressional intelligence committees and the Coun-  
5           cil of the Inspectors General on Integrity and Effi-  
6           ciency established under section 11 of the Inspector  
7           General Act of 1978 (5 U.S.C. App.) a report on the  
8           processes of the Defense Intelligence Agency for en-  
9           suring the independence of the position of the In-  
10          spector General of the Defense Intelligence Agency.

11          (2) MATTERS INCLUDED.—The report under  
12          paragraph (1) shall include a description of the fol-  
13          lowing:

14                (A) The selection criteria used by the Di-  
15                rector in the appointment of the Inspector Gen-  
16                eral.

17                (B) The methods used by the Director to  
18                ensure the independence of the position of the  
19                Inspector General, including—

20                    (i) the process for vetting candidates  
21                    for such position for independence from  
22                    leadership of the Defense Intelligence  
23                    Agency and from officials occupying posi-  
24                    tions in the Defense Intelligence Senior  
25                    Executive Service; and

1 (ii) the process for evaluating such  
2 candidates for conflicts of interest.

3 (3) FORM.—The report under paragraph (1)  
4 shall be submitted in unclassified form, but may in-  
5 clude a classified annex.

6 (c) ASSESSMENT BY COUNCIL OF INSPECTORS GEN-  
7 ERAL ON INTEGRITY AND EFFICIENCY.—

8 (1) ASSESSMENT.—Not later than 120 days  
9 after the date of the enactment of this Act, the  
10 Council of the Inspectors General on Integrity and  
11 Efficiency shall—

12 (A) conduct an assessment of the effective-  
13 ness of the selection criteria and methods speci-  
14 fied in subsection (b)(2) with respect to the po-  
15 sition of the Inspector General of the Defense  
16 Intelligence Agency; and

17 (B) submit to the congressional intelligence  
18 committees a report containing the results of  
19 such assessment.

20 (2) FORM.—The report under paragraph (1)(B)  
21 shall be submitted in unclassified form, but may in-  
22 clude a classified annex.

23 **SEC. 708. REPORT ON RARE EARTH ELEMENTS.**

24 (a) REPORT.—Not later than 180 days after the date  
25 of the enactment of this Act, the Director of National In-



1 telligence, in coordination with the Director of the Defense  
2 Intelligence Agency, the Director of the Office of Intel-  
3 ligence and Counterintelligence of the Department of En-  
4 ergy, and any other head of an element of the intelligence  
5 community that the Director of National Intelligence de-  
6 termines relevant, shall submit to the congressional intel-  
7 ligence committees a report on rare earth elements.

8 (b) MATTERS INCLUDED.—The report under sub-  
9 section (a) shall include the following:

10 (1) An assessment coordinated by the National  
11 Intelligence Council of—

12 (A) long-term trends in the global rare  
13 earth element industry;

14 (B) the national security, economic, and  
15 industrial risks to the United States, and to the  
16 partners and allies of the United States, with  
17 respect to relying on foreign countries for rare  
18 earth mining and the processing or production  
19 of rare earth elements;

20 (C) the intentions of foreign governments  
21 with respect to limiting, reducing, or ending ac-  
22 cess of the United States or the partners and  
23 allies of the United States to—

24 (i) rare earth elements; or

1 (ii) any aspect of the rare earth min-  
2 ing, processing, or production chain; and

3 (D) opportunities for the United States,  
4 and for the partners and allies of the United  
5 States, to assure continued access to—

6 (i) rare earth elements; and

7 (ii) the rare earth mining, processing,  
8 or production chain.

9 (2) A description of—

10 (A) any relevant procurement, use, and  
11 supply chain needs of the intelligence commu-  
12 nity with respect to rare earth elements;

13 (B) any relevant planning or efforts by the  
14 intelligence community to assure secured access  
15 to rare earth magnets;

16 (C) any assessed vulnerabilities or risks to  
17 the intelligence community with respect to rare  
18 earth elements;

19 (D) any relevant planning or efforts by the  
20 intelligence community to coordinate with de-  
21 partments and agencies of the United States  
22 Government that are not elements of the intel-  
23 ligence community on securing the rare earth  
24 element supply chain; and

1 (E) any previous or anticipated efforts by  
2 the Supply Chain and Counterintelligence Risk  
3 Management Task Force established under sec-  
4 tion 6306 of the Damon Paul Nelson and Mat-  
5 thew Young Pollard Intelligence Authorization  
6 Act for Fiscal Years 2018, 2019, and 2020 (50  
7 U.S.C. 3370) with respect to rare earth ele-  
8 ments.

9 (c) FORM.—The report under subsection (a) shall be  
10 submitted in unclassified form, but may include a classi-  
11 fied annex.

12 (d) RARE EARTH ELEMENTS DEFINED.—In this sec-  
13 tion, the term “rare earth elements” includes products  
14 that contain rare earth elements, including rare earth  
15 magnets.

16 **SEC. 709. REPORT ON PLAN TO FULLY FUND THE INFORMA-**  
17 **TION SYSTEMS SECURITY PROGRAM AND**  
18 **NEXT GENERATION ENCRYPTION.**

19 (a) REPORT.—Not later than 1 year after the date  
20 of the enactment of this Act, the Secretary of Defense  
21 shall submit to the appropriate congressional committees  
22 a report on the resources necessary to fully fund the Infor-  
23 mation Systems Security Program during the period cov-  
24 ered by the most recent future-years defense program sub-  
25 mitted under section 221 of title 10, United States Code—

1           (1) to address the cybersecurity requirements of  
2           the Department of Defense; and

3           (2) for the adoption of next generation  
4           encryption into existing and future systems.

5           (b) MATTERS INCLUDED.—The report under sub-  
6           section (a) shall include the following:

7           (1) An assessment by the Chief Information Of-  
8           ficer of the Department of Defense, in coordination  
9           with the chiefs of the Armed Forces and in consulta-  
10          tion with the Director of the National Security  
11          Agency, of the additional resources required to fund  
12          the Information Systems Security Program at a level  
13          that satisfies current and anticipated cybersecurity  
14          requirements of the Department.

15          (2) An identification of any existing funding not  
16          currently aligned to the Program that is more ap-  
17          propriately funded through the Program.

18          (3) A strategic plan, developed in coordination  
19          with the chiefs of the Armed Forces and in consulta-  
20          tion with the Director of the National Security  
21          Agency, that provides options, timelines, and re-  
22          quired funding by the Armed Forces or a component  
23          of the Department, for the adoption of next genera-  
24          tion encryption into existing and future systems.

1 (c) FORM.—The report under subsection (a) may be  
2 submitted in classified form.

3 (d) BRIEFING.—Not later than 30 days after the date  
4 on which the Secretary submits the report under sub-  
5 section (a), the Chief Information Officer of the Depart-  
6 ment and the Director of the National Security Agency  
7 shall jointly provide to the appropriate congressional com-  
8 mittees a briefing on the report.

9 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
10 FINED.—In this section, the term “appropriate congres-  
11 sional committees” means—

12 (1) the Committee on Armed Services, the  
13 Committee on Appropriations, and the Permanent  
14 Select Committee on Intelligence of the House of  
15 Representatives; and

16 (2) the Committee on Armed Services, the  
17 Committee on Appropriations, and the Select Com-  
18 mittee on Intelligence of the Senate.

19 **SEC. 710. REVIEW OF NATIONAL SECURITY AGENCY AND**  
20 **UNITED STATES CYBER COMMAND.**

21 (a) REVIEW REQUIRED.—Not later than 180 days  
22 after the date of the enactment of this Act, the Inspectors  
23 General of the National Security Agency, Intelligence  
24 Community, and Department of Defense shall jointly com-

1 plete a review of the National Security Agency and the  
2 United States Cyber Command.

3 (b) ELEMENTS.—The review required by subsection  
4 (a) shall include assessment of the following:

5 (1) Whether and what resources, authorities,  
6 activities, missions, facilities, and personnel are ap-  
7 propriately being delineated and used to conduct the  
8 intelligence and cybersecurity missions at the Na-  
9 tional Security Agency as well as the cyber offense  
10 and defense missions of the United States Cyber  
11 Command.

12 (2) The extent to which current resource-shar-  
13 ing arrangements between the National Security  
14 Agency and the United States Cyber Command lead  
15 to conflicts of interest in directing intelligence collec-  
16 tion in support of United States Cyber Command  
17 missions rather than foreign intelligence collection.

18 (3) The intelligence analysis and production  
19 conducted by the United States Cyber Command  
20 using National Security Agency authorities, with a  
21 focus on analytic integrity and intelligence oversight  
22 to ensure proper analysis is informing mission oper-  
23 ations.

24 (4) The number of personnel detailed from the  
25 National Security Agency to the United States

1 Cyber Command, including from which offices such  
2 personnel have been detailed, and an assessment of  
3 the mission impact on the sponsoring office.

4 (c) REPORT AND BRIEF.—Not later than 180 days  
5 after the date of the enactment of this Act, the Inspectors  
6 General of the National Security Agency, Intelligence  
7 Community, and Department of Defense shall jointly sub-  
8 mit to the congressional intelligence committees and the  
9 congressional defense committees (as defined in section  
10 101(a) of title 10, United States Code) a report and pro-  
11 vide such committees a briefing on the findings of the in-  
12 spectors general with respect to the review completed  
13 under subsection (a).

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