

strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. 753. REPORT ON TREATMENT OF EATING DISORDERS BY HEALTH CARE PROVIDERS OF THE DEPARTMENT OF DEFENSE.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Health Affairs, in collaboration with the Surgeon General for each military department, shall submit to the congressional defense committees a report on the treatment of eating disorders by health care providers of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of the following:

(1) Education and training activities undertaken by health care providers of the Department of Defense.

(2) The use of generally accepted standards of care and screenings of members of the Armed Forces.

(3) Any barriers to implementing a standard, mandatory training for providers seeing patients suffering from eating disorders.

**SA 5950.** Mr. WARNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**DIVISION —INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023**

**SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This division may be cited as the “Intelligence Authorization Act for Fiscal Year 2023”.

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

**DIVISION —INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2023**

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. Modification of advisory board in National Reconnaissance Office.

Sec. 302. Prohibition on employment with governments of certain countries.

Sec. 303. Counterintelligence and national security protections for intelligence community grant funding.

Sec. 304. Extension of Central Intelligence Agency law enforcement jurisdiction to facilities of Office of Director of National Intelligence.

Sec. 305. Clarification regarding protection of Central Intelligence Agency functions.

Sec. 306. Establishment of advisory board for National Geospatial-Intelligence Agency.

Sec. 307. Annual reports on status of recommendations of Comptroller General of the United States for the Director of National Intelligence.

Sec. 308. Timely submission of budget documents from intelligence community.

Sec. 309. Copyright protection for civilian faculty of the National Intelligence University.

Sec. 310. Expansion of reporting requirements relating to authority to pay personnel of Central Intelligence Agency for certain injuries to the brain.

Sec. 311. Modifications to Foreign Malign Influence Response Center.

Sec. 312. Requirement to offer cyber protection support for personnel of intelligence community in positions highly vulnerable to cyber attack.

Sec. 313. Minimum cybersecurity standards for national security systems of intelligence community.

Sec. 314. Review and report on intelligence community activities under Executive Order 12333.

Sec. 315. Elevation of the commercial and business operations office of the National Geospatial-Intelligence Agency.

Sec. 316. Assessing intelligence community open-source support for export controls and foreign investment screening.

Sec. 317. Annual training requirement and report regarding analytic standards.

Sec. 318. Historical Advisory Panel of the Central Intelligence Agency.

**TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE’S REPUBLIC OF CHINA**

Sec. 401. Report on wealth and corrupt activities of the leadership of the Chinese Communist Party.

Sec. 402. Identification and threat assessment of companies with investments by the People’s Republic of China.

Sec. 403. Intelligence community working group for monitoring the economic and technological capabilities of the People’s Republic of China.

Sec. 404. Annual report on concentrated re-education camps in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China.

Sec. 405. Assessments of production of semiconductors by the People’s Republic of China.

**TITLE V—PERSONNEL AND SECURITY CLEARANCE MATTERS**

Sec. 501. Improving onboarding of personnel in intelligence community.

Sec. 502. Improving onboarding at the Central Intelligence Agency.

Sec. 503. Report on legislative action required to implement Trusted Workforce 2.0 initiative.

Sec. 504. Comptroller General of the United States assessment of administration of polygraphs in intelligence community.

Sec. 505. Timeliness in the administration of polygraphs.

Sec. 506. Policy on submittal of applications for access to classified information for certain personnel.

Sec. 507. Technical correction regarding Federal policy on sharing of covered insider threat information.

Sec. 508. Establishing process parity for adverse security clearance and access determinations.

Sec. 509. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.

Sec. 510. Comptroller General of the United States report on use of Government and industry space certified as sensitive compartmented information facilities.

**TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY**

Sec. 601. Submittal of complaints and information by whistleblowers in the intelligence community to Congress.

Sec. 602. Modification of whistleblower protections for contractor employees in intelligence community.

Sec. 603. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.

Sec. 604. Definitions regarding whistleblower complaints and information of urgent concern received by inspectors general of the intelligence community.

**TITLE VII—OTHER MATTERS**

Sec. 701. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership.

Sec. 702. Modification of requirement for office to address unidentified aerospace-undersea phenomena.

Sec. 703. Unidentified aerospace-undersea phenomena reporting procedures.

Sec. 704. Comptroller General of the United States compilation of unidentified aerospace-undersea phenomena records.

Sec. 705. Office of Global Competition Analysis.

Sec. 706. Report on tracking and collecting precursor chemicals used in the production of synthetic opioids.

Sec. 707. Assessment and report on mass migration in the Western Hemisphere.

Sec. 708. Notifications regarding transfers of detainees at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 709. Report on international norms, rules, and principles applicable in space.

Sec. 710. Assessments of the effects of sanctions imposed with respect to the Russian Federation’s invasion of Ukraine.

Sec. 711. Assessments and briefings on implications of food insecurity that may result from the Russian Federation’s invasion of Ukraine.

Sec. 712. Pilot program for Director of Federal Bureau of Investigation to undertake an effort to identify International Mobile Subscriber Identity-catchers and develop countermeasures.

Sec. 713. Department of State Bureau of Intelligence and Research assessment of anomalous health incidents.

## SEC. 2. DEFINITIONS.

In this division:

(1) **CONGRESSIONAL INTELLIGENCE COMMITTEES.**—The term “congressional intelligence committees” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given such term in such section.

## TITLE I—INTELLIGENCE ACTIVITIES

### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

### SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) **SPECIFICATIONS OF AMOUNTS.**—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) **AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**—

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

(2) **DISTRIBUTION BY THE PRESIDENT.**—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) **LIMITS ON DISCLOSURE.**—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

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

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

(C) as otherwise required by law.

### SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2023 the sum of \$650,000,000.

(b) **CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2023 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

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

### SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund \$514,000,000 for fiscal year 2023.

## TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

### SEC. 301. MODIFICATION OF ADVISORY BOARD IN NATIONAL RECONNAISSANCE OFFICE.

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

(1) in paragraph (3)(A)(i), by inserting “, in consultation with the Director of National Intelligence and the Secretary of Defense,” after “Director”; and

(2) in paragraph (7), by striking “the date that is 3 years after the date of the first meeting of the Board” and inserting “September 30, 2024”.

### SEC. 302. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

(a) **IN GENERAL.**—Title III of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 304 the following:

#### “SEC. 305. PROHIBITION ON EMPLOYMENT WITH GOVERNMENTS OF CERTAIN COUNTRIES.

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

“(1) **COVERED EMPLOYEE.**—The term ‘covered employee’, with respect to an employee occupying a position within an element of the intelligence community, means an officer or official of an element of the intelligence community, a contractor of such an element, a detailee to such an element, or a member of the Armed Forces assigned to such an element that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

“(2) **FORMER COVERED EMPLOYEE.**—The term ‘former covered employee’ means an individual who was a covered employee on or after the date of enactment of the Intelligence Authorization Act for Fiscal Year 2023 and is no longer a covered employee.

“(3) **STATE SPONSOR OF TERRORISM.**—The term ‘state sponsor of terrorism’ means a country the government of which the Secretary of State determines has repeatedly provided support for international terrorism pursuant to—

“(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

“(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

“(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

“(D) any other provision of law.

“(b) **PROHIBITION ON EMPLOYMENT AND SERVICES.**—No former covered employee may provide services relating to national security, intelligence, the military, or internal security to—

“(1) the government of a country that is a state sponsor of terrorism, the People’s Republic of China, or the Russian Federation;

“(2) a person or entity that is directed and controlled by a government described in paragraph (1).

“(c) **TRAINING AND WRITTEN NOTICE.**—The head of each element of the intelligence community shall—

“(1) regularly provide to the covered employees of the element training on the prohibition in subsection (b); and

“(2) provide to each covered employee of the element before the covered employee becomes a former covered employee written notice of the prohibition in subsection (b).

“(d) **LIMITATION ON ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.**—A former covered employee who knowingly and willfully violates subsection (b) shall not be considered eligible for access to classified information (as defined in the procedures established

pursuant to section 801(a) of this Act (50 U.S.C. 3161(a))) by any element of the intelligence community.

“(e) **CRIMINAL PENALTIES.**—A former employee who knowingly and willfully violates subsection (b) shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(f) **APPLICATION.**—Nothing in this section shall apply to—

“(1) a former covered employee who continues to provide services described in subsection (b) that the former covered employee first began to provide before the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023;

“(2) a former covered employee who, on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, provides services described in subsection (b) to a person or entity that is directed and controlled by a country that is a state sponsor of terrorism, the People’s Republic of China, or the Russian Federation as a result of a merger, acquisition, or similar change of ownership that occurred after the date on which such former covered employee first began to provide such services;

“(3) a former covered employee who, on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, provides services described in subsection (b) to—

“(A) a government that was designated as a state sponsor of terrorism after the date on which such former covered employee first began to provide such services; or

“(B) a person or entity directed and controlled by a government described in subparagraph (A).”.

(b) **ANNUAL REPORTS.**—

(1) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **IN GENERAL.**—Not later than March 31 of each year through 2032, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on any violations of subsection (b) of section 305 of the National Security Act of 1947, as added by subsection (a) of this section, by former covered employees (as defined in subsection (a) of such section 305).

(c) **CLERICAL AMENDMENT.**—The table of contents immediately preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following new item:

“Sec. 305. Prohibition on employment with governments of certain countries.”.

### SEC. 303. COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS FOR INTELLIGENCE COMMUNITY GRANT FUNDING.

(a) **DISCLOSURE AS CONDITION FOR RECEIPT OF GRANT.**—The head of an element of the intelligence community may not award a grant to a person or entity unless the person or entity has disclosed to the head of the element any material financial or material in-kind support received by the person or entity, during the 5-year period ending on the date of the person or entity’s application for the grant.

(b) **REVIEW OF GRANT APPLICANTS.**—

(1) **TRANSMITTAL OF DISCLOSURES.**—Each head of an element of the intelligence community shall immediately transmit a copy of

each disclosure under subsection (a) to the Director of National Intelligence.

(2) PROCESS.—The Director, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a process—

(A) to review the disclosures under subsection (a); and

(B) to take such actions as may be necessary to ensure that the applicants for grants awarded by elements of the intelligence community do not pose an unacceptable risk, including as a result of an applicant's material financial or material in-kind support from a person or entity having ownership or control, in whole or in part, by the government of the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Republic of Cuba, of—

(i) misappropriation of United States intellectual property, research and development, and innovation efforts; or

(ii) other threats from foreign governments and other entities.

(c) ANNUAL REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an annual report identifying the following for the one-year period covered by the report:

(1) The number of applications for grants received by each element of the intelligence community.

(2) The number of such applications that were reviewed for each element of the intelligence community, using the process established under subsection (b).

(3) The number of such applications that were denied and the reasons for such denials for each element of the intelligence community.

(d) APPLICABILITY.—Subsections (a) and (b) shall apply only with respect to grants awarded by an element of the intelligence community after the date of the enactment of this Act.

#### SEC. 304. EXTENSION OF CENTRAL INTELLIGENCE AGENCY LAW ENFORCEMENT JURISDICTION TO FACILITIES OF OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE.

(a) IN GENERAL.—Section 15(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking “; and” and inserting a semicolon;

(B) by redesignating subparagraph (D) as subparagraph (E);

(C) by inserting after subparagraph (C) the following:

“(D) within an installation owned, or contracted to be occupied for a period of one year or longer, by the Office of the Director of National Intelligence; and”;

(D) in subparagraph (E), as redesignated by subparagraph (B), by inserting “or (D)” after “in subparagraph (C)”;

(2) in paragraph (2), by striking “or (D)” and inserting “or (E)”;

(3) in paragraph (4), by striking “in subparagraph (A) or (C)” and inserting “in subparagraph (A), (C), or (D)”.

(b) CONFORMING AMENDMENT.—Section 5(a)(4) of such Act (50 U.S.C. 3506(a)(4)) is amended by inserting “and Office of the Director of National Intelligence” after “protection of Agency”.

#### SEC. 305. CLARIFICATION REGARDING PROTECTION OF CENTRAL INTELLIGENCE AGENCY FUNCTIONS.

Section 6 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3507) is amended by striking “, functions” and inserting “or functions of the Agency, or of the”.

#### SEC. 306. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) ESTABLISHMENT.—There is established in the National Geospatial-Intelligence Agency an advisory board (in this section referred to as the “Board”).

(b) DUTIES.—The Board shall—

(1) study matters relating to the mission of the National Geospatial-Intelligence Agency, including with respect to integration of commercial capabilities, promoting innovation, advice on next generation tasking, collection, processing, exploitation, and dissemination capabilities, strengthening functional management, acquisition, and such other matters as the Director of the National Geospatial-Intelligence Agency considers appropriate; and

(2) advise and report directly to the Director with respect to such matters.

(c) MEMBERS.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Board shall be composed of 6 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the Agency.

(B) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

(C) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director shall appoint the initial 6 members to the Board.

(2) TERMS.—Each member shall be appointed for a term of 3 years.

(3) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(4) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(5) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(6) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the Agency, to support the Board.

(d) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

(e) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the activities and significant findings of the Board during the preceding year.

(f) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(g) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.

#### SEC. 307. ANNUAL REPORTS ON STATUS OF RECOMMENDATIONS OF COMPTROLLER GENERAL OF THE UNITED STATES FOR THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) DEFINITION OF OPEN RECOMMENDATIONS.—In this section, the term “open recommendations” refers to recommendations of the Comptroller General of the United States that the Comptroller General has not yet designated as closed.

(b) ANNUAL LISTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than October 31, 2023, and each October 31 thereafter through 2025, the Comptroller General of the United States shall submit to the congressional intelligence committees and the Director of National Intelligence a list of all open recommendations made to the Director, disaggregated by report number and recommendation number.

(c) ANNUAL REPORTS BY DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 120 days after the date on which the Director receives a list under subsection (b), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General a report on the actions taken by the Director and actions the Director intends to take, alone or in coordination with the heads of other Federal agencies, in response to each open recommendation identified in the list, including open recommendations the Director considers closed and recommendations the Director determines do not require further action, as well as the basis for that determination.

#### SEC. 308. TIMELY SUBMISSION OF BUDGET DOCUMENTS FROM INTELLIGENCE COMMUNITY.

Not later than 5 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105(a) of title 31, United States Code, the Director of National Intelligence shall submit to Congress the supporting information under such section for each element of the intelligence community for that fiscal year.

#### SEC. 309. COPYRIGHT PROTECTION FOR CIVILIAN FACULTY OF THE NATIONAL INTELLIGENCE UNIVERSITY.

Section 105 of title 17, United States Code, is amended—

(1) by redesignating the second subsection (c) as subsection (d);

(2) by striking subsection (c) and inserting the following:

“(c) USE BY FEDERAL GOVERNMENT.—

“(1) SECRETARY OF DEFENSE AUTHORITY.—

With respect to a covered author who produces a covered work in the course of employment at a covered institution described in subparagraphs (A) through (L) of subsection (d)(2), the Secretary of Defense may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, worldwide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.

“(2) DIRECTOR OF NATIONAL INTELLIGENCE AUTHORITY.—With respect to a covered author who produces a covered work in the course of employment at the covered institution described in subsection (d)(2)(M), the Director of National Intelligence may direct the covered author to provide the Federal Government with an irrevocable, royalty-free, world-wide, nonexclusive license to reproduce, distribute, perform, or display such covered work for purposes of the United States Government.”; and

(3) in paragraph (2) of subsection (d), as so redesignated, by adding at the end the following:

“(M) National Intelligence University.”.

**SEC. 310. EXPANSION OF REPORTING REQUIREMENTS RELATING TO AUTHORITY TO PAY PERSONNEL OF CENTRAL INTELLIGENCE AGENCY FOR CERTAIN INJURIES TO THE BRAIN.**

Section 2(d)(1) of the Helping American Victims Afflicted by Neurological Attacks Act of 2021 (Public Law 117-46) is amended—

(1) in subparagraph (A), by inserting “and not less frequently than once each year thereafter for 5 years” after “Not later than 365 days after the date of the enactment of this Act”;

(2) in subparagraph (B), by adding at the end the following:

“(iv) Detailed information about the number of covered employees, covered individuals, and covered dependents who reported experiencing vestibular, neurological, or related injuries, including those broadly termed ‘anomalous health incidents’.

“(v) The number of individuals who have sought benefits under any provision of section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b).

“(vi) The number of covered employees, covered individuals, and covered dependents who are unable to perform all or part of their professional duties as a result of injuries described in clause (iv).

“(vii) An updated analytic assessment coordinated by the National Intelligence Council regarding the potential causes and perpetrators of anomalous health incidents, as well as any and all dissenting views within the intelligence community, which shall be included as appendices to the assessment.”;

(3) in subparagraph (C), by striking “The” and inserting “Each”.

**SEC. 311. MODIFICATIONS TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER.**

(a) RENAMING.—

(1) IN GENERAL.—Section 119C of the National Security Act of 1947 (50 U.S.C. 3059) is amended—

(A) in the section heading, by striking “RESPONSE”; and

(B) in subsection (a), by striking “Response”.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act is amended by striking the item relating to section 119C and inserting the following:

“Sec. 119C. Foreign Malign Influence Center.”.

(3) CONFORMING AMENDMENT.—Section 589E(d)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 2001 note prec.) is amended by striking “Response”.

(4) REFERENCE.—Any reference in law, regulation, map, document, paper, or other record of the United States to the “Foreign Malign Influence Response Center” shall be deemed to be a reference to the Foreign Malign Influence Center.

(b) SUNSET.—Section 119C of such Act (50 U.S.C. 3059) is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(f) SUNSET.—The authorities and requirements of this section shall terminate on December 31, 2027, and the Director of National Intelligence shall take such actions as may be necessary to conduct an orderly wind-down of the activities of the Center before December 31, 2028.”.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(C) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Not later than December 31, 2026, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing the continued need for operating the Foreign Malign Influence Center.

**SEC. 312. REQUIREMENT TO OFFER CYBER PROTECTION SUPPORT FOR PERSONNEL OF INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.**

(a) IN GENERAL.—Section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)) is amended—

(1) in paragraph (1)—

(A) by striking “may provide” and inserting “shall offer”;

(B) by inserting “and shall provide such support to any such personnel who request” before the period at the end; and

(2) in the subsection heading, by striking “AUTHORITY” and inserting “REQUIREMENT”.

(b) PLAN.—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, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives an implementation plan for providing the support described section 6308(b) of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3334d(b)), as amended by subsection (a), including a description of the training and resources needed to implement the support and the methodology for determining the personnel described in paragraph (2) of such section.

**SEC. 313. MINIMUM CYBERSECURITY STANDARDS FOR NATIONAL SECURITY SYSTEMS OF INTELLIGENCE COMMUNITY.**

(a) DEFINITION OF NATIONAL SECURITY SYSTEMS.—In this section, the term “national security systems” has the meaning given such term in section 3552(b) of title 44, United States Code, and includes systems described in paragraph (2) or (3) of section 3553(e) of such title.

(b) REQUIREMENT TO ESTABLISH CYBERSECURITY STANDARDS FOR NATIONAL SECURITY SYSTEMS.—The Director of National Intelligence shall, in coordination with the National Manager for National Security Systems, establish minimum cybersecurity requirements that shall apply to all national security systems operated by, on the behalf of, or under a law administered by the head of an element of the intelligence community.

(c) IMPLEMENTATION DEADLINE.—The requirements published pursuant to subsection (b) shall include appropriate deadlines by which all elements of the intelligence community that own or operate a national security system shall have fully implemented the requirements established under subsection (b) for all national security systems that it owns or operates.

(d) MAINTENANCE OF REQUIREMENTS.—Not less frequently than once every 2 years, the Director shall reevaluate and update the minimum cybersecurity requirements established under subsection (b).

(e) RESOURCES.—The head of each element of the intelligence community that owns or operates a national security system shall update plans of the element to prioritize resources in such a manner as to fully imple-

ment the requirements established in subsection (b) by the deadline established pursuant to subsection (c) for the next 10 fiscal years.

(f) EXEMPTIONS.—

(1) IN GENERAL.—A national security system of an element of the intelligence community may be exempted from the minimum cybersecurity standards established under subsection (b) in accordance with the process established under paragraph (2).

(2) PROCESS FOR EXEMPTION.—The Director shall establish and administer a process by which specific national security systems can be exempted under paragraph (1).

(g) ANNUAL REPORTS ON EXEMPTION REQUESTS.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) IN GENERAL.—Each year, the Director shall submit to the appropriate committees of Congress an annual report documenting all exemption requests received under subsection (f), the number of exemptions denied, and the justification for each exemption request that was approved.

**SEC. 314. REVIEW AND REPORT ON INTELLIGENCE COMMUNITY ACTIVITIES UNDER EXECUTIVE ORDER 12333.**

(a) REVIEW AND REPORT REQUIRED.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) conduct a review to ascertain the feasibility and advisability of compiling and making public information relating to activities of the intelligence community under Executive Order 12333 (50 U.S.C. 3001 note; relating to United States intelligence activities); and

(2) submit to the congressional intelligence, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives committees a report on the findings of the Director with respect to the review conducted under paragraph (1).

(b) MATTERS ADDRESSED.—The report shall address the feasibility and advisability of making available to the public information relating to the following:

(1) Data on activities described in subsection (a)(1), including the following:

(A) The amount of United States person information collected pursuant to such activities.

(B) Queries of United States persons pursuant to such activities.

(C) Dissemination of United States person information pursuant to such activities, including masking and unmasking.

(D) The use of United States person information in criminal proceedings.

(2) Quantitative data and qualitative descriptions of incidents in which the intelligence community violated Executive Order 12333 and associated guidelines and procedures.

(c) CONSIDERATIONS.—In conducting the review under subsection (a)(1), the Director shall consider—

(1) the public transparency associated with the use by the intelligence community of the authorities provided under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), including relevant data and compliance incidents; and

(2) the application of the transparency model developed in connection with such Act

to activities conducted under Executive Order 12333.

(d) DISAGGREGATION FOR PUBLIC RELEASE.—In conducting the review under subsection (a)(1), the Director shall address whether the relevant data and compliance incidents associated with the different intelligence community entities can be disaggregated for public release.

**SEC. 315. ELEVATION OF THE COMMERCIAL AND BUSINESS OPERATIONS OFFICE OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.**

Beginning not later than 90 days after the date of the enactment of this Act, the head of the commercial and business operations office of the National Geospatial-Intelligence Agency shall report directly to the Director of the National Geospatial-Intelligence Agency.

**SEC. 316. ASSESSING INTELLIGENCE COMMUNITY OPEN-SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.**

(a) PILOT PROGRAM TO ASSESS OPEN SOURCE SUPPORT FOR EXPORT CONTROLS AND FOREIGN INVESTMENT SCREENING.—

(1) PILOT PROGRAM AUTHORIZED.—The Director of National Intelligence shall carry out a pilot program to assess the feasibility and advisability of providing intelligence derived from open source, publicly and commercially available information—

(A) to the Department of Commerce to support the export control and investment screening functions of the Department; and

(B) to the Department of Homeland Security to support the export control functions of the Department.

(2) AUTHORITY.—In carrying out the pilot program required by paragraph (1), the Director—

(A) shall establish a process for the provision of information as described in such paragraph; and

(B) may—

(i) acquire and prepare data, consistent with applicable provisions of law and Executive orders;

(ii) modernize analytic systems, including through the acquisition, development, or application of automated tools; and

(iii) establish standards and policies regarding the acquisition, treatment, and sharing of open source, publicly and commercially available information.

(3) DURATION.—The pilot program required by paragraph (1) shall be carried out during a 3-year period.

(b) PLAN AND REPORT REQUIRED.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(2) PLAN.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, submit to the appropriate committees of Congress a plan to carry out the pilot program required by subsection (a)(1).

(B) CONTENTS.—The plan submitted under subparagraph (A) shall include the following:

(i) A list, developed in consultation with the Secretary of Commerce and the Sec-

retary of Homeland Security, of the activities of the Department of Commerce and the Department of Homeland Security that will be supported by the pilot program.

(ii) A plan for measuring the effectiveness of the pilot program and the value of open source, publicly and commercially available information to the export control and investment screening missions.

(3) REPORT.—

(A) IN GENERAL.—Not later than 540 days after the date on which the Director submits the plan under paragraph (2)(A), the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the pilot program.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of providing information as described in subsection (a)(1).

(ii) An assessment of the value of open source, publicly and commercially available information to the export control and investment screening missions, using the measures of effectiveness under paragraph (2)(B)(ii).

(iii) Identification of opportunities for and barriers to more effective use of open source, publicly and commercially available information by the intelligence community.

**SEC. 317. ANNUAL TRAINING REQUIREMENT AND REPORT REGARDING ANALYTIC STANDARDS.**

(a) POLICY FOR TRAINING PROGRAM REQUIRED.—Consistent with sections 1019 and 1020 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364 and 3364 note), the Director of National Intelligence shall issue a policy that requires each head of an element of the intelligence community, that has not already done so, to create, before the date that is 180 days after the date of the enactment of this Act, an annual training program on the standards set forth in Intelligence Community Directive 203, Analytic Standards (or successor directive).

(b) CONDUCT OF TRAINING.—Training required pursuant to the policy required by subsection (a) may be conducted in conjunction with other required annual training programs conducted by the element of the intelligence community concerned.

(c) CERTIFICATION OF COMPLETION OF TRAINING.—Each year, each head of an element of the intelligence community shall submit to the congressional intelligence committees a certification as to whether all of the analysts of that element have completed the training required pursuant to the policy required by subsection (a) and if the analysts have not, an explanation of why the training has not been completed.

(d) REPORTS.—

(1) ANNUAL REPORT.—In conjunction with each briefing provided under section 1019(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364(c)), the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the number and themes of compliance incidents reported to intelligence community analytic ombudspersons relating to the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive.

(2) REPORT ON PERFORMANCE EVALUATION.—Not later than 90 days after the date of the enactment of this Act, the head of analysis at each element of the intelligence community that conducts all-source analysis shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on

Appropriations of the House of Representatives a report describing how compliance with the standards set forth in Intelligence Community Directive 203 (relating to analytic standards), or successor directive, is considered in the performance evaluations and consideration for merit pay, bonuses, promotions, and any other personnel actions for analysts within the element.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Director from providing training described in this section as a service of common concern.

(f) SUNSET.—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

**SEC. 318. HISTORICAL ADVISORY PANEL OF THE CENTRAL INTELLIGENCE AGENCY.**

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

**“SEC. 29. HISTORICAL ADVISORY PANEL.**

“(a) DEFINITIONS.—In this section, the terms ‘congressional intelligence committees’ and ‘intelligence community’ have the meanings given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(b) ESTABLISHMENT.—There is established within the Agency an advisory panel to be known as the ‘Historical Advisory Panel’ (in this section referred to as the ‘panel’).

“(c) MEMBERSHIP.—

“(1) COMPOSITION.—

“(A) IN GENERAL.—The panel shall be composed of up to 7 members appointed by the Director from among individuals recognized as scholarly authorities in history, international relations, or related fields.

“(B) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this section, the Director shall appoint the initial members of the panel.

“(2) CHAIRPERSON.—The Director shall designate a Chairperson of the panel from among the members of the panel.

“(d) SECURITY CLEARANCES AND ACCESSSES.—The Director shall sponsor appropriate security clearances and accesses for all members of the panel.

“(e) TERMS OF SERVICE.—

“(1) IN GENERAL.—Each member of the panel shall be appointed for a term of 3 years.

“(2) RENEWAL.—The Director may renew the appointment of a member of the panel for not more than 2 subsequent terms.

“(f) DUTIES.—The panel shall advise the Agency on—

“(1) topics for research and publication within the Agency;

“(2) topics for discretionary declassification reviews;

“(3) declassification of specific records or types of records;

“(4) determinations regarding topics and records whose continued classification is outweighed by the public benefit of disclosure;

“(5) technological tools to modernize the classification and declassification processes to improve the efficiency and effectiveness of those processes; and

“(6) other matters as the Director may assign.

“(g) REPORTS.—Not less than once each year, the panel shall submit to the Director and the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the activities of the panel.

“(h) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel.

“(i) SUNSET.—The provisions of this section shall expire 7 years after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, unless reauthorized by statute.”.

#### **TITLE IV—INTELLIGENCE MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA**

##### **SEC. 401. REPORT ON WEALTH AND CORRUPT ACTIVITIES OF THE LEADERSHIP OF THE CHINESE COMMUNIST PARTY.**

(a) **REPORT REQUIRED.**—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall make available to the public an unclassified report on the wealth and corrupt activities of the leadership of the Chinese Communist Party, including the General Secretary of the Chinese Communist Party and senior leadership officials in the Central Committee, the Politburo, the Politburo Standing Committee, and any other regional Party Secretaries.

(b) **ANNUAL UPDATES.**—Not later than 2 years after the date of the enactment of this Act and not less frequently than once each year thereafter until the date that is 6 years after the date of the enactment of this Act, the Director shall update the report published under subsection (a).

##### **SEC. 402. IDENTIFICATION AND THREAT ASSESSMENT OF COMPANIES WITH INVESTMENTS BY THE PEOPLE'S REPUBLIC OF CHINA.**

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall provide to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the risk to national security of the use of—

(1) telecommunications companies with substantial investment by the People's Republic of China operating in the United States or providing services to affiliates and personnel of the intelligence community; and

(2) hospitality and conveyance companies with substantial investment by the People's Republic of China by affiliates and personnel of the intelligence community for travel on behalf of the United States Government.

##### **SEC. 403. INTELLIGENCE COMMUNITY WORKING GROUP FOR MONITORING THE ECONOMIC AND TECHNOLOGICAL CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.**

(a) **IN GENERAL.**—The Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a cross-intelligence community analytical working group (in this section referred to as the “working group”) on the economic and technological capabilities of the People's Republic of China.

(b) **MONITORING AND ANALYSIS.**—The working group shall monitor and analyze—

(1) the economic and technological capabilities of the People's Republic of China;

(2) the extent to which those capabilities rely on exports, investments in companies, or services from the United States and other foreign countries;

(3) the links of those capabilities to the military-industrial complex of the People's Republic of China; and

(4) the threats those capabilities pose to the national and economic security and values of the United States.

(c) **ANNUAL ASSESSMENT.**—

(1) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **IN GENERAL.**—Not less frequently than once each year, the working group shall submit to the appropriate committees of Congress an assessment of the economic and technological strategy, efforts, and progress of the People's Republic of China to become the dominant military, technological, and economic power in the world and undermine the rules-based world order.

(3) **ELEMENTS.**—Each assessment required by paragraph (2) shall include the following:

(A) An unclassified overview of the major goals, strategies, and policies of the People's Republic of China to control, shape, or develop self-sufficiency in key technologies and control related supply chains and ecosystems, including—

(i) efforts to acquire United States and other foreign technology and recruit foreign talent in technology sectors of the People's Republic of China, including the extent to which those efforts relate to the military-industrial complex of the People's Republic of China;

(ii) efforts related to incentivizing offshoring of United States and foreign manufacturing to China, influencing global supply chains, and creating supply chain vulnerabilities for the United States, including China's investments or potential investments in foreign countries to create monopolies in the processing and exporting of rare earth and other critical materials necessary for renewable energy, including cobalt, lithium, and nickel;

(iii) related tools and market access restrictions or distortions imposed by the People's Republic of China on foreign firms and laws and regulations of the People's Republic of China that discriminate against United States and other foreign firms; and

(iv) efforts of the People's Republic of China to attract investment from the United States and other foreign investors to build self-sufficient capabilities and the type of capital flows from the United States to China, including information on documentation of the lifecycle of investments, from the specific actions taken by the Government of the People's Republic of China to attract the investments to the outcome of such efforts for entities and persons of the People's Republic of China.

(B) An unclassified assessment of the progress of the People's Republic of China to achieve its goals, disaggregated by economic sector.

(C) An unclassified assessment of the impact of the transfer of capital, technology, data, talent, and technical expertise from the United States to China on the economic, technological, and military capabilities of the People's Republic of China.

(D) An unclassified list of the top 200 businesses, academic and research institutions, or other entities of the People's Republic of China that are—

(i) designated by Chinese securities issuing and trading entities or other sources as supporting the military-industrial complex of the People's Republic of China;

(ii) developing, producing, or exporting technologies of strategic importance to the People's Republic of China or supporting entities of the People's Republic of China that are subject to sanctions imposed by the United States;

(iii) supporting the military-civil fusion program of the People's Republic of China; or

(iv) otherwise supporting the goals and efforts of the Chinese Communist Party and Chinese government entities, including the Ministry of State Security, the Ministry of Public Security, and the People's Liberation Army.

(E) An unclassified list of the top 100 development, infrastructure, or other strategic projects that the People's Republic of China is financing abroad that—

(i) advance the technology goals and strategies of the Chinese Communist Party; or

(ii) evade financial sanctions, export controls, or import restrictions imposed by the United States.

(F) An unclassified list of the top 100 businesses, research institutions, or other entities of the People's Republic of China that are developing surveillance, smart cities, or related technologies that are—

(i) exported to other countries, undermining democracy worldwide; or

(ii) provided to the security services of the People's Republic of China, enabling them to commit severe human rights abuses in China.

(G) An unclassified list of the top 100 businesses or other entities of the People's Republic of China that are—

(i) operating in the genocide zone in Xinjiang; or

(ii) supporting the Xinjiang Public Security Bureau, the Xinjiang Bureau of the Ministry of State Security, the People's Armed Police, or the Xinjiang Production and Construction Corps.

(H) A list of investment funds, public companies, or private or early-stage firms of the People's Republic of China that have received more than \$100,000,000 in capital flows from the United States during the 10-year period preceding the date on which the assessment is submitted.

(4) **PREPARATION OF ASSESSMENTS.**—In preparing each assessment required by paragraph (2), the working group shall use open source documents in Chinese language and commercial databases.

(5) **FORMAT.**—An assessment required by paragraph (2) may be submitted in the format of a National Intelligence Estimate.

(6) **FORM.**—Each assessment required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(7) **PUBLICATION.**—The unclassified portion of each assessment required by paragraph (2) shall be published on the publicly accessible website of the Director of National Intelligence.

(d) **BRIEFINGS TO CONGRESS.**—Not less frequently than quarterly, the working group shall provide to Congress a classified briefing on the economic and technological goals, strategies, and progress of the People's Republic of China, especially on the information that cannot be disclosed in the unclassified portion of an assessment required by subsection (c)(2).

(e) **CLASSIFIED ANALYSES.**—Each classified annex to an assessment required by subsection (c)(2) or corresponding briefing provided under subsection (d) shall include an analysis of—

(1) the vulnerabilities of the People's Republic of China, disaggregated by economic sector, industry, and entity; and

(2) the technological or supply chain chokepoints of the People's Republic of China that provide leverage to the United States.

(f) **SUNSET.**—This section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.



**SEC. 404. ANNUAL REPORT ON CONCENTRATED REEDUCATION CAMPS IN THE XINJIANG UYGHUR AUTONOMOUS REGION OF THE PEOPLE'S REPUBLIC OF CHINA.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(C) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) COVERED CAMP.—The term “covered camp” means a detention camp, prison, forced labor camp, or forced labor factory located in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, referred to by the Government of the People's Republic of China as “concentrated reeducation camps” or “vocational training centers”.

(b) ANNUAL REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Director of National Intelligence, in consultation with such heads of elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on the status of covered camps.

(c) ELEMENTS.—Each report required by subsection (b) shall include the following:

(1) An identification of the number and geographic location of covered camps and an estimate of the number of victims detained in covered camps.

(2) A description of—

(A) the types of personnel and equipment in covered camps;

(B) the funding received by covered camps from the Government of the People's Republic of China; and

(C) the role of the security services of the People's Republic of China and the Xinjiang Production and Construction Corps in enforcing atrocities at covered camps.

(3) A comprehensive list of—

(A) the entities of the Xinjiang Production and Construction Corps, including subsidiaries and affiliated businesses, with respect to which sanctions have been imposed by the United States;

(B) commercial activities of those entities outside of the People's Republic of China; and

(C) other Chinese businesses, including in the artificial intelligence, biotechnology, and surveillance technology sectors, that are involved with the atrocities in Xinjiang or supporting the policies of the People's Republic of China in the region.

(d) FORM.—Each report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(e) PUBLICATION.—The unclassified portion of each report required by subsection (b) shall be published on the publicly accessible website of the Office of the Director of National Intelligence.

**SEC. 405. ASSESSMENTS OF PRODUCTION OF SEMICONDUCTORS BY THE PEOPLE'S REPUBLIC OF CHINA.**

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(b) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of progress by the People's Republic of China in global competitiveness in the production of semiconductors by Chinese firms.

(c) ELEMENTS.—Each assessment submitted under subsection (b) shall include the following:

(1) The progress of the People's Republic of China toward self-sufficiency in the supply of semiconductors for globally competitive Chinese firms, including those firms competing in the fields of artificial intelligence, cloud computing, autonomous vehicles, next-generation and renewable energy, and high-performance computing.

(2) Activity of Chinese firms with respect to the procurement of semiconductor manufacturing equipment necessary for the production of microelectronics below the 20 nanometer process node, including any identified export diversion to evade export controls.

(3) A comprehensive summary of unilateral and multilateral export controls that Chinese semiconductor manufacturers have been subject to in the year preceding the date on which the assessment is submitted, as well as a description of the status of export licenses issued by any export control authority during that time period.

(4) Any observed stockpiling efforts by Chinese firms with respect to semiconductor manufacturing equipment, substrate materials, silicon wafers, or other necessary inputs for semiconductor production.

(5) An analysis of the relative market share of different Chinese semiconductor manufacturers at different process nodes and the estimated increase or decrease of market share by that manufacturer in each product category during the preceding year.

(6) A comprehensive summary of recruitment activity of the People's Republic of China targeting semiconductor manufacturing engineers and managers from non-Chinese firms.

(7) An analysis of the capability of the workforce of the People's Republic of China to design, produce, and manufacture microelectronics below the 20 nanometer process node and relevant equipment.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

**TITLE V—PERSONNEL AND SECURITY CLEARANCE MATTERS**

**SEC. 501. IMPROVING ONBOARDING OF PERSONNEL IN INTELLIGENCE COMMUNITY.**

(a) METHODOLOGY.—The Director of National Intelligence shall establish a methodology appropriate for all elements of the intelligence community that can be used to measure, consistently and reliably, the time it takes to onboard personnel, from time of application to beginning performance of duties.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report on the time it takes to onboard personnel in the intelligence community.

(2) ELEMENTS.—The report submitted under paragraph (1) shall cover the mean and median time it takes to onboard personnel in the intelligence community, disaggregated by mode of onboarding and element of the intelligence community.

(c) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a plan to reduce the time it takes to onboard personnel in the intelligence community, for elements of the intelligence community that have median onboarding times that exceed 180 days.

(2) ELEMENTS.—The plan submitted under paragraph (1) shall include milestones to achieve certain specific goals with respect to the mean, median, and mode time it takes to onboard personnel in the elements of the intelligence community described in such paragraph, disaggregated by element of the intelligence community.

**SEC. 502. IMPROVING ONBOARDING AT THE CENTRAL INTELLIGENCE AGENCY.**

(a) DEFINITION OF ONBOARD PERIOD.—In this section, the term “onboard period” means the period beginning on the date on which an individual submits an application for employment with the Central Intelligence Agency and the date on which the individual is formally offered one or more entrance on duty dates.

(b) IN GENERAL.—The Director of the Central Intelligence Agency shall take such actions as the Director considers appropriate and necessary to ensure that, by December 31, 2023, the median duration of the onboard period for new employees at the Central Intelligence Agency is equal to or less than 180 days.

**SEC. 503. REPORT ON LEGISLATIVE ACTION REQUIRED TO IMPLEMENT TRUSTED WORKFORCE 2.0 INITIATIVE.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall, in the Deputy Director's capacity as the Chair of the Security, Suitability, and Credentialing Performance Accountability Council pursuant to section 2.4 of Executive Order 13467 (50 U.S.C. 3161 note); relating to reforming processes related to suitability for Government employment, fitness for contractor employees, and eligibility for access to classified national security information), submit to Congress a report on the legislative action required to implement the Trusted Workforce 2.0 initiative.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) Specification of the statutes that require amendment in order to implement the initiative described in subsection (a).

(2) For each statute specified under paragraph (1), an indication of the priority for enactment of an amendment.

(3) For each statute specified under paragraph (1), a description of the consequences if the statute is not amended.

**SEC. 504. COMPTROLLER GENERAL OF THE UNITED STATES ASSESSMENT OF ADMINISTRATION OF POLYGRAPHS IN INTELLIGENCE COMMUNITY.**

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall conduct an assessment of the administration of polygraph evaluations that are needed in the intelligence community to meet current annual mission demand.

(b) ELEMENTS.—The assessment completed under subsection (a) shall include the following:

(1) Identification of the number of polygraphs currently available at each element of the intelligence community to meet the demand described in subsection (a).

(2) If the demand described in subsection (a) cannot be met, an identification of the number of polygraphs that would need to be hired and certified to meet it.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall brief the congressional intelligence committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives on the preliminary findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the committees described in subsection (c) a report on the findings of the Comptroller General with respect to the assessment conducted pursuant to subsection (a).

#### SEC. 505. TIMELINESS IN THE ADMINISTRATION OF POLYGRAPHS.

(a) STANDARDS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue standards for timeliness for Federal agencies to administer polygraphs conducted for the purpose of—

(A) adjudicating decisions regarding eligibility for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))); and

(B) granting reciprocity pursuant to Security Executive Agent Directive 2, or successor directive.

(2) PUBLICATION.—The Director shall publish the standards issued under paragraph (1) in the Federal Register or such other venue as the Director considers appropriate.

(b) IMPLEMENTATION PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to Congress an implementation plan for Federal agencies to comply with the standards issued under subsection (a). Such plan shall specify the resources required by Federal agencies to comply with such standards.

#### SEC. 506. POLICY ON SUBMITTAL OF APPLICATIONS FOR ACCESS TO CLASSIFIED INFORMATION FOR CERTAIN PERSONNEL.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in the Director's capacity as the Security Executive Agent pursuant to section 803(a) of the National Security Act of 1947 (50 U.S.C. 3162a(a)), issue a policy that allows a private person to submit a certain number or proportion of applications, on a nonreimbursable basis, for employee access to classified information for personnel who perform key management and oversight functions who may not merit an application due to their work under any one contract.

#### SEC. 507. TECHNICAL CORRECTION REGARDING FEDERAL POLICY ON SHARING OF COVERED INSIDER THREAT INFORMATION.

Section 806(b) of the Intelligence Authorization Act for Fiscal Year 2022 (Public Law 117-103) is amended by striking “contracting agency” and inserting “contractor that employs the contractor employee”.

#### SEC. 508. ESTABLISHING PROCESS PARITY FOR ADVERSE SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

“(C) CONTRIBUTING FACTOR.—

“(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

“(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

“(I) the official making the determination knew of the disclosure; and

“(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

“(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.”.

#### SEC. 509. ELIMINATION OF CAP ON COMPENSATORY DAMAGES FOR RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.

Section 3001(j)(4)(B) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B)) is amended, in the second sentence, by striking “not to exceed \$300,000”.

#### SEC. 510. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON USE OF GOVERNMENT AND INDUSTRY SPACE CERTIFIED AS SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the average annual utilization of Federal Government and industry space certified as a sensitive compartmented information facility under intelligence community or Department of Defense policy.

#### TITLE VI—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

##### SEC. 601. SUBMITTAL OF COMPLAINTS AND INFORMATION BY WHISTLEBLOWERS IN THE INTELLIGENCE COMMUNITY TO CONGRESS.

(a) AMENDMENTS TO INSPECTOR GENERAL ACT OF 1978.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following:

“(h) APPOINTMENT OF SECURITY OFFICERS.—Each Inspector General under this section, including the designees of the Inspector General of the Department of Defense pursuant to subsection (a)(3), shall appoint within their offices security officers to provide, on a permanent basis, confidential, security-related guidance and direction to an employee of their respective establishment, an employee assigned or detailed to such establishment, or an employee of a contractor of such establishment who intends to report to Congress a complaint or information, so that such employee can obtain direction on how to report to Congress in accordance with appropriate security practices.”.

(2) PROCEDURES.—Subsection (d) of such section is amended—

(A) in paragraph (1), by inserting “or any other committee of jurisdiction of the Senate or the House of Representatives” after “either or both of the intelligence committees”;

(B) by amending paragraph (2) to read as follows:

“(2)(A) Except as provided in subparagraph (B), the employee may contact an intelligence committee or another committee of jurisdiction directly as described in paragraph (1) of this subsection or in subsection (a)(4) only if the employee—

“(i) before making such a contact, furnishes to the head of the establishment, through the Inspector General (or designee), a statement of the employee's complaint or information and notice of the employee's intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

“(ii)(I) obtains and follows from the head of the establishment, through the Inspector General (or designee), procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

“(II) obtains and follows such procedural direction from the applicable security officer appointed under subsection (h).

“(B) If an employee seeks procedural direction under subparagraph (A)(ii) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subparagraph.”; and

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

“(3) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.”.

(3) CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.—Subsection (a) of such section is amended by adding at the end the following:

“(4) Subject to paragraphs (2) and (3) of subsection (d), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

“(A) in lieu of reporting such complaint or information under paragraph (1); or

“(B) in addition to reporting such complaint or information under paragraph (1).”.

(b) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—

(1) APPOINTMENT OF SECURITY OFFICERS.—Section 103H(j) of the National Security Act of 1947 (50 U.S.C. 3033(j)) is amended by adding at the end the following:

“(5) The Inspector General shall appoint within the Office of the Inspector General security officers as required by subsection (h)



of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).”

(2) **PROCEDURES.**—Subparagraph (D) of section 103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is amended—

(A) in clause (i), by inserting “or any other committee of jurisdiction of the Senate or the House of Representatives” after “either or both of the congressional intelligence committees”;

(B) by amending clause (ii) to read as follows:

“(ii)(I) Except as provided in subclause (II), an employee may contact a congressional intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

“(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee’s complaint or information and notice of the employee’s intent to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

“(bb)(AA) obtains and follows from the Director, through the Inspector General, procedural direction on how to contact a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

“(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

“(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact a congressional intelligence committee or any other committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.”;

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

“(iii) An employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of a congressional intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.”.

(3) **CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.**—Subparagraph (A) of such section is amended—

(A) by inserting “(i)” before “An employee of”;

(B) by adding at the end the following:

“(ii) Subject to clauses (i) and (iii) of subparagraph (D), an employee of an element of the intelligence community who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

“(I) in lieu of reporting such complaint or information under clause (i); or

“(II) in addition to reporting such complaint or information under clause (i).”.

(C) **AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.**—

(1) **APPOINTMENT OF SECURITY OFFICERS.**—Section 17(d)(5) of the Central Intelligence

Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding at the end the following:

“(I) The Inspector General shall appoint within the Office of the Inspector General security officers as required by subsection (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).”.

(2) **PROCEDURES.**—Subparagraph (D) of such section is amended—

(A) in clause (i), by inserting “or any other committee of jurisdiction of the Senate or the House of Representatives” after “either or both of the intelligence committees”;

(B) by amending clause (ii) to read as follows:

“(ii)(I) Except as provided in subclause (II), an employee may contact an intelligence committee or another committee of jurisdiction directly as described in clause (i) only if the employee—

“(aa) before making such a contact, furnishes to the Director, through the Inspector General, a statement of the employee’s complaint or information and notice of the employee’s intent to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly; and

“(bb)(AA) obtains and follows from the Director, through the Inspector General, procedural direction on how to contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives in accordance with appropriate security practices; or

“(BB) obtains and follows such procedural direction from the applicable security officer appointed under section 8H(h) of the Inspector General Act of 1978 (5 U.S.C. App.).

“(II) If an employee seeks procedural direction under subclause (I)(bb) and does not receive such procedural direction within 30 days, or receives insufficient direction to report to Congress a complaint or information, the employee may contact an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives directly without obtaining or following the procedural direction otherwise required under such subclause.”;

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii) the following:

“(iii) An employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information to the Chairman and Vice Chairman or Ranking Member, as the case may be, of an intelligence committee or another committee of jurisdiction of the Senate or the House of Representatives, a nonpartisan member of the committee staff designated for purposes of receiving complaints or information under this section, or a member of the majority staff and a member of the minority staff of the committee.”.

(3) **CLARIFICATION OF RIGHT TO REPORT DIRECTLY TO CONGRESS.**—Subparagraph (A) of such section is amended—

(A) by inserting “(i)” before “An employee of”;

(B) by adding at the end the following:

“(ii) Subject to clauses (i) and (iii) of subparagraph (D), an employee of the Agency who intends to report to Congress a complaint or information may report such complaint or information directly to Congress, regardless of whether the complaint or information is with respect to an urgent concern—

“(I) in lieu of reporting such complaint or information under clause (i); or

“(II) in addition to reporting such complaint or information under clause (i).”.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section or an amendment made by this section shall be construed to revoke or di-

minish any right of an individual provided by section 2303 of title 5, United States Code.

## **SEC. 602. MODIFICATION OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES IN INTELLIGENCE COMMUNITY.**

Section 1104(c)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3234(c)(1)(A)) is amended by inserting “a supervisor of the employing agency with responsibility for the subject matter of the disclosure,” after “chain of command.”.

## **SEC. 603. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.**

(a) **IN GENERAL.**—Section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) is amended—

(1) in subsection (a)(3) of such section—

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

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

“(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of an employee or contractor employee; or”;

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

“(f) **PERSONNEL ACTIONS INVOLVING DISCLOSURES OF WHISTLEBLOWER IDENTITY.**—A personnel action described in subsection (a)(3)(J) shall not be considered in violation of subsection (b) or (c) under the following circumstances:

“(1) The personnel action was taken with the express consent of the employee or contractor employee.

“(2) An Inspector General with oversight responsibility for a covered intelligence community element determines that—

“(A) the personnel action was unavoidable under section 103H(g)(3)(A) of this Act (50 U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)(A)), section 7(b) of the Inspector General Act of 1978 (5 U.S.C. App.), or section 8M(b)(2)(B) of the Inspector General Act of 1978 (5 U.S.C. App.);

“(B) the personnel action was made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken; or

“(C) the personnel action was required by statute or an order from a court of competent jurisdiction.”.

(b) **APPLICABILITY TO DETAILEES.**—Subsection (a) of section 1104 of such Act (50 U.S.C. 3234) is amended by adding at the end the following:

“(5) **EMPLOYEE.**—The term ‘employee’, with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.”.

## **SEC. 604. DEFINITIONS REGARDING WHISTLEBLOWER COMPLAINTS AND INFORMATION OF URGENT CONCERN RECEIVED BY INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.**

(a) **NATIONAL SECURITY ACT OF 1947.**—Section 103H(k)(5)(G)(i)(I) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)(i)(I)) is amended by striking “within the” and all that follows through “policy matters.” and inserting the following: “of the Federal Government that is—

“(aa) a matter of national security; and

“(bb) not a difference of opinion concerning public policy matters.”.

(b) INSPECTOR GENERAL ACT OF 1978.—Section 8H(h)(1)(A)(i) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “involving” and all that follows through “policy matters,” and inserting the following: “of the Federal Government that is—

“(I) a matter of national security; and

“(II) not a difference of opinion concerning public policy matters.”.

(c) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Section 17(d)(5)(G)(i)(I)(aa) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)(i)(I)(aa)) is amended by striking “involving” and all that follows through “policy matters,” and inserting the following: “of the Federal Government that is—

“(AA) a matter of national security; and

“(BB) not a difference of opinion concerning public policy matters.”.

#### TITLE VII—OTHER MATTERS

##### SEC. 701. IMPROVEMENTS RELATING TO CONTINUITY OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD MEMBERSHIP.

Paragraph (4) of section 1061(h) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(h)) is amended to read as follows:

“(4) TERM.—

“(A) COMMENCEMENT.—Each member of the Board shall serve a term of 6 years, commencing on the date of the appointment of the member to the Board.

“(B) REAPPOINTMENT.—A member may be reappointed to one or more additional terms.

“(C) VACANCY.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

“(D) EXTENSION.—Upon the expiration of the term of office of a member, the member may continue to serve, at the election of the member—

“(i) during the period preceding the reappointment of the member pursuant to subparagraph (B); or

“(ii) until the member’s successor has been appointed and qualified.”.

##### SEC. 702. MODIFICATION OF REQUIREMENT FOR OFFICE TO ADDRESS UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.

(a) IN GENERAL.—Section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373) is amended to read as follows:

##### “SEC. 1683. ESTABLISHMENT OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA JOINT PROGRAM OFFICE.

“(a) ESTABLISHMENT OF OFFICE.—

“(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on December 26, 2021, and such other duties as are required by this section, including those pertaining to—

“(A) transmedium objects or devices and unidentified aerospace-undersea phenomena;

“(B) space, atmospheric, and water domains; and

“(C) currently unknown technology and other domains.

“(2) DESIGNATION.—The office established under paragraph (1) shall be known as the ‘Unidentified Aerospace-Undersea Phenomena Joint Program Office’ (in this section referred to as the ‘Office’).

“(b) DIRECTOR AND DEPUTY DIRECTOR OF THE OFFICE.—

“(1) APPOINTMENT OF DIRECTOR.—The head of the Office shall be the Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the ‘Director of the Office’), who shall be appointed by the Secretary of Defense.

“(2) APPOINTMENT OF DEPUTY DIRECTOR.—There shall be in the Office a Deputy Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office (in this section referred to as the ‘Deputy Director of the Office’), who shall be appointed by the Director of National Intelligence.

“(3) REPORTING.—(A) The Director of the Office shall report to the Secretary of Defense.

“(B) The Deputy Director of the Office shall report—

“(i) to the Secretary of Defense and the Director of National Intelligence on all administrative matters of the Office; and

“(ii) to the Secretary of Defense on all operational matters of the Office.

“(c) DUTIES.—The duties of the Office shall include the following:

“(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified aerospace-undersea phenomena across the Department of Defense and the intelligence community, in consultation with the Director of National Intelligence, and submitting a report on such procedures to the congressional defense committees, the congressional intelligence committees, and congressional leadership.

“(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and incorporated in a centralized repository.

“(3) Establishing procedures to require the timely and consistent reporting of such incidents.

“(4) Evaluating links between unidentified aerospace-undersea phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

“(5) Evaluating the threat that such incidents present to the United States.

“(6) Coordinating with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, the National Science Foundation, and the Department of Energy.

“(7) Coordinating with allies and partners of the United States, as appropriate, to better assess the nature and extent of unidentified aerospace-undersea phenomena.

“(8) Preparing reports for Congress, in both classified and unclassified form, including under subsection (j).

“(9) Ensuring that appropriate elements of the intelligence community receive all reports received by the Office regarding a temporary nonattributed object or an object that is positively identified as man-made, including by creating a procedure to ensure that the Office refers such reports to an appropriate element of the intelligence community for distribution among other relevant elements of the intelligence community, in addition to the reports in the repository described in paragraph (2).

“(d) RESPONSE TO AND FIELD INVESTIGATIONS OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—

“(1) DESIGNATION.—The Secretary, in coordination with the Director of National Intelligence, shall designate one or more line organizations within the Department of Defense and the intelligence community that

possess appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities to rapidly respond to, and conduct field investigations of, incidents involving unidentified aerospace-undersea phenomena under the direction of the Director of the Office.

“(2) ABILITY TO RESPOND.—The Secretary, in coordination with the Director of National Intelligence, shall ensure that each line organization designated under paragraph (1) has adequate personnel with the requisite expertise, equipment, transportation, and other resources necessary to respond rapidly to incidents or patterns of observations involving unidentified aerospace-undersea phenomena of which the Office becomes aware.

“(e) SCIENTIFIC, TECHNOLOGICAL, AND OPERATIONAL ANALYSES OF DATA ON UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—

“(1) DESIGNATION.—The Secretary, in coordination with the Director of National Intelligence, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted pursuant to subsection (d) and data from other sources, including with respect to the testing of materials, medical studies, and development of theoretical models, to better understand and explain unidentified aerospace-undersea phenomena.

“(2) AUTHORITY.—The Secretary and the Director of National Intelligence shall each issue such directives as are necessary to ensure that each line organization designated under paragraph (1) has authority to draw on the special expertise of persons outside the Federal Government with appropriate security clearances.

“(f) DATA; INTELLIGENCE COLLECTION.—

“(1) AVAILABILITY OF DATA AND REPORTING ON UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.—The Director of National Intelligence and the Secretary shall each, in coordination with one another, ensure that—

“(A) each element of the intelligence community with data relating to unidentified aerospace-undersea phenomena makes such data available immediately to the Office; and

“(B) military and civilian personnel of the Department of Defense or an element of the intelligence community, and contractor personnel of the Department or such an element, have access to procedures by which the personnel shall report incidents or information, including adverse physiological effects, involving or associated with unidentified aerospace-undersea phenomena directly to the Office.

“(2) INTELLIGENCE COLLECTION AND ANALYSIS PLAN.—The Director of the Office, acting on behalf of the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of an intelligence collection and analysis plan to gain as much knowledge as possible regarding the technical and operational characteristics, origins, and intentions of unidentified aerospace-undersea phenomena, including with respect to the development, acquisition, deployment, and operation of technical collection capabilities necessary to detect, identify, and scientifically characterize unidentified aerospace-undersea phenomena.

“(3) USE OF RESOURCES AND CAPABILITIES.—In developing the plan under paragraph (2), the Director of the Office shall consider and propose, as the Director of the Office determines appropriate, the use of any resource, capability, asset, or process of the Department and the intelligence community.

“(4) DIRECTOR OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—

“(A) LEADERSHIP.—The Director of the National Geospatial-Intelligence Agency shall lead the collection efforts of the intelligence community with respect to unidentified aerospace-undersea phenomena geospatial intelligence.

“(B) BRIEFINGS.—Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023 and not less frequently than once every 90 days thereafter, the Director shall brief the congressional defense committees, the congressional intelligence committees, and congressional leadership on the activities of the Director under this paragraph.

“(g) SCIENCE PLAN.—The Director of the Office, on behalf of the Secretary and the Director of National Intelligence, shall supervise the development and execution of a science plan to develop and test, as practicable, scientific theories to—

“(1) account for characteristics and performance of unidentified aerospace-undersea phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation; and

“(2) provide the foundation for potential future investments to replicate or otherwise better understand any such advanced characteristics and performance.

“(h) ASSIGNMENT OF PRIORITY.—The Director of National Intelligence, in consultation with, and with the recommendation of the Secretary, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified aerospace-undersea phenomena.

“(i) CORE GROUP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, the Director of the Office, the Secretary of Defense, and the Director of National Intelligence shall jointly establish a core group within the Office that shall include, at a minimum, representatives with all relevant and appropriate security clearances from the following:

- “(1) The Central Intelligence Agency.
- “(2) The National Security Agency.
- “(3) The Department of Energy.
- “(4) The National Reconnaissance Office.
- “(5) The Air Force.
- “(6) The Space Force.
- “(7) The Defense Intelligence Agency.
- “(8) The National Geospatial-Intelligence Agency.
- “(9) The Department of Homeland Security.

“(j) ANNUAL REPORTS.—

“(1) REPORTS FROM DIRECTOR OF NATIONAL INTELLIGENCE.—

“(A) REQUIREMENT.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, and annually thereafter for 4 years, the Director of National Intelligence, in consultation with the Secretary, shall submit to the appropriate congressional committees a report on unidentified aerospace-undersea phenomena.

“(B) ELEMENTS.—Each report under subparagraph (A) shall include, with respect to the year covered by the report, the following information:

“(i) All reported unidentified aerospace-undersea phenomena-related events that occurred during the one-year period.

“(ii) All reported unidentified aerospace-undersea phenomena-related events that occurred during a period other than that one-year period but were not included in an earlier report.

“(iii) An analysis of data and intelligence received through each reported unidentified

aerospace-undersea phenomena-related event.

“(iv) An analysis of data relating to unidentified aerospace-undersea phenomena collected through—

- “(I) geospatial intelligence;
- “(II) signals intelligence;
- “(III) human intelligence; and
- “(IV) measurement and signature intelligence.

“(v) The number of reported incidents of unidentified aerospace-undersea phenomena over restricted airspace of the United States during the one-year period.

“(vi) An analysis of such incidents identified under clause (v).

“(vii) Identification of potential aerospace or other threats posed by unidentified aerospace-undersea phenomena to the national security of the United States.

“(viii) An assessment of any activity regarding unidentified aerospace-undersea phenomena that can be attributed to one or more adversarial foreign governments.

“(ix) Identification of any incidents or patterns regarding unidentified aerospace-undersea phenomena that indicate a potential adversarial foreign government may have achieved a breakthrough aerospace capability.

“(x) An update on the coordination by the United States with allies and partners on efforts to track, understand, and address unidentified aerospace-undersea phenomena.

“(xi) An update on any efforts underway on the ability to capture or exploit discovered unidentified aerospace-undersea phenomena.

“(xii) An assessment of any health related effects for individuals that have encountered unidentified aerospace-undersea phenomena.

“(xiii) The number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena associated with military nuclear assets, including strategic nuclear weapons and nuclear-powered ships and submarines.

“(xiv) In consultation with the Administrator for Nuclear Security, the number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena associated with facilities or assets associated with the production, transportation, or storage of nuclear weapons or components thereof.

“(xv) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified aerospace-undersea phenomena or drones of unknown origin associated with nuclear power generating stations, nuclear fuel storage sites, or other sites or facilities regulated by the Nuclear Regulatory Commission.

“(xvi) The names of the line organizations that have been designated to perform the specific functions under subsections (d) and (e), and the specific functions for which each such line organization has been assigned primary responsibility.

“(C) FORM.—Each report submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

“(2) REPORTS FROM ELEMENTS OF INTELLIGENCE COMMUNITY.—Not later than one year after the date of enactment of the Intelligence Authorization Act for Fiscal Year 2023, and annually thereafter, each head of an element of the intelligence community shall submit to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of subsection (o)(1) and congressional leadership a report on the activities of the element of the head undertaken in the past year to support the Office, including a section prepared by the Office that includes a detailed description of the coordination between the Office and the element of the in-

telligence community, any concerns with such coordination, and any recommendations for improving such coordination.

“(k) SEMIANNUAL BRIEFINGS.—

“(1) REQUIREMENT.—Not later than December 31, 2022, and not less frequently than semiannually thereafter until December 31, 2026, the Director of the Office shall provide to the congressional committees specified in subparagraphs (A), (B), (D), and (E) of subsection (o)(1) classified briefings on unidentified aerospace-undersea phenomena.

“(2) FIRST BRIEFING.—The first briefing provided under paragraph (1) shall include all incidents involving unidentified aerospace-undersea phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office established under subsection (a) after June 24, 2021, regardless of the date of occurrence of the incident.

“(3) SUBSEQUENT BRIEFINGS.—Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified aerospace-undersea phenomena that occurred during the previous 180 days, and events relating to unidentified aerospace-undersea phenomena that were not included in an earlier briefing.

“(4) INSTANCES IN WHICH DATA WAS NOT SHARED.—For each briefing period, the Director of the Office shall jointly provide to the chairman or chair and the ranking member or vice chairman of the congressional committees specified in subparagraphs (A) and (D) of subsection (o)(1) an enumeration of any instances in which data relating to unidentified aerospace-undersea phenomena was not provided to the Office because of classification restrictions on that data or for any other reason.

“(1) QUARTERLY BRIEFINGS.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023, and not less frequently than once every 90 days thereafter, the Director of the Office shall provide the appropriate congressional committees and congressional leadership briefings on unidentified aerospace-undersea phenomena events.

“(2) ELEMENTS.—The briefings provided under paragraph (1) shall include the following:

“(A) A continuously updated compendium of unidentified aerospace-undersea phenomena events.

“(B) Details about each sighting that has occurred within the past 90 days and the status of each sighting's resolution.

“(C) Updates on the Office's collection activities and posture, analysis, and research.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the work of the Office, including with respect to—

“(1) general intelligence gathering and intelligence analysis; and

“(2) strategic defense, space defense, defense of controlled air space, defense of ground, air, or naval assets, and related purposes.

“(n) TASK FORCE TERMINATION.—Not later than the date on which the Secretary establishes the Office under subsection (a), the Secretary shall terminate the Unidentified Aerial Phenomena Task Force.

“(o) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means the following:

“(A) The Committees on Armed Services of the Senate and the House of Representatives.

“(B) The Committees on Appropriations of the Senate and the House of Representatives.

“(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(D) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

“(E) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

“(2) The term ‘congressional defense committees’ has the meaning given such term in section 101(a) of title 10, United States Code.

“(3) The term ‘congressional intelligence committees’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(4) The term ‘congressional leadership’ means—

“(A) the majority leader of the Senate;

“(B) the minority leader of the Senate;

“(C) the Speaker of the House of Representatives; and

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

“(5) The term ‘intelligence community’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(6) The term ‘line organization’ means, with respect to a department or agency of the Federal Government, an organization that executes programs and activities to directly advance the core functions and missions of the department or agency to which the organization is subordinate, but, with respect to the Department of Defense, does not include a component of the Office of the Secretary of Defense.

“(7) The term ‘transmedium objects or devices’ means objects or devices that are—

“(A) observed to transition between space and the atmosphere, or between the atmosphere and bodies of water; and

“(B) not immediately identifiable.

“(8) The term ‘unidentified aerospace-undersea phenomena’—

“(A) means—

“(i) airborne objects that are not immediately identifiable;

“(ii) transmedium objects or devices; and

“(iii) submerged objects or devices that are not immediately identifiable and that display behavior or performance characteristics suggesting that the objects or devices may be related to the objects or devices described in subparagraph (A) or (B); and

“(B) does not include temporary nonattributed objects or those that are positively identified as man-made.”.

(b) DELEGATION OF DUTIES OF DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall select a full-time equivalent employee of the intelligence community and delegate to such employee the responsibilities of the Director under section 1683 of such Act (50 U.S.C. 3373), as amended by subsection (a).

(c) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1683 of division A and inserting the following new item:

“Sec. 1683. Establishment of Unidentified Aerospace-Undersea Phenomena Joint Program Office.”.

#### SEC. 703. UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA REPORTING PROCEDURES.

(a) AUTHORIZATION FOR REPORTING.—Notwithstanding the terms of any nondisclosure written or oral agreement, order, or other instrumentality or means, that could be interpreted as a legal constraint on reporting by a witness of an unidentified aerospace-undersea phenomena, reporting in accordance with the system established under subsection (b)

is hereby authorized and shall be deemed to comply with any regulation or order issued under the authority of Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or chapter 18 of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.).

(b) SYSTEM FOR REPORTING.—

(1) ESTABLISHMENT.—The head of the Office, on behalf of the Secretary of Defense and the Director of National Intelligence, shall establish a secure system for receiving reports of—

(A) any event relating to unidentified aerospace-undersea phenomena; and

(B) any Government or Government contractor activity or program related to unidentified aerospace-undersea phenomena.

(2) PROTECTION OF SYSTEMS, PROGRAMS, AND ACTIVITY.—The system established pursuant to paragraph (1) shall serve as a mechanism to prevent unauthorized public reporting or compromise of properly classified military and intelligence systems, programs, and related activity, including all categories and levels of special access and compartmented access programs, current, historical, and future.

(3) ADMINISTRATION.—The system established pursuant to paragraph (1) shall be administered by designated and widely known, easily accessible, and appropriately cleared Department of Defense and intelligence community employees or contractors assigned to the Unidentified Aerial Phenomena Task Force or the Office.

(4) SHARING OF INFORMATION.—The system established under paragraph (1) shall provide for the immediate sharing with Office personnel and supporting analysts and scientists of information previously prohibited from reporting under any nondisclosure written or oral agreement, order, or other instrumentality or means, except in cases where the cleared Government personnel administering such system conclude that the preponderance of information available regarding the reporting indicates that the observed object and associated events and activities likely relate to a special access program or compartmented access program that, as of the date of the reporting, has been explicitly and clearly reported to the congressional defense committees and congressional intelligence committees, and is documented as meeting those criteria.

(5) INITIAL REPORT AND PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the head of the Office, on behalf of the Secretary and the Director, shall—

(A) submit to the congressional intelligence committees, the congressional defense committees, and congressional leadership a report detailing the system established under paragraph (1); and

(B) make available to the public on a website of the Department of Defense information about such system, including clear public guidance for accessing and using such system and providing feedback about the expected timeline to process a report.

(6) ANNUAL REPORTS.—Subsection (j)(1) of section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 703, is further amended—

(A) in subparagraph (A), by inserting “and congressional leadership” after “appropriate congressional committees”; and

(B) in subparagraph (B), by adding at the end the following new clause:

“(xvii) A summary of the reports received using the system established under section 703(b)(1) of the Intelligence Authorization Act for Fiscal Year 2023.”.

(c) RECORDS OF NONDISCLOSURE AGREEMENTS.—

(1) IDENTIFICATION OF NONDISCLOSURE AGREEMENTS.—The Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the heads of such other departments and agencies of the Federal Government that have supported investigations of the types of events covered by subparagraph (A) of subsection (b)(1) and activities and programs described in subparagraph (B) of such subsection, and contractors of the Federal Government supporting such activities and programs shall conduct comprehensive searches of all records relating to nondisclosure orders or agreements or other obligations relating to the types of events described in subsection (a) and provide copies of all relevant documents to the Office.

(2) SUBMITTAL TO CONGRESS.—The head of the Office shall—

(A) make the records compiled under paragraph (1) accessible to the congressional intelligence committees, the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and congressional leadership; and

(B) not later than September 30, 2023, and at least once each fiscal year thereafter through fiscal year 2026, provide to such committees and congressional leadership briefings and reports on such records.

(d) PROTECTION FROM LIABILITY.—

(1) PROTECTION FROM LIABILITY.—It shall not be a violation of any law, and no cause of action shall lie or be maintained in any court or other tribunal against any person, for reporting any information through, and in compliance with, the system established pursuant to subsection (b)(1).

(2) PROHIBITION ON REPRISALS.—An employee of a Federal agency and an employee of a contractor for the Federal Government who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take, or threaten to take or fail to take, a personnel action, including the revocation or suspension of security clearances, with respect to any individual as a reprisal for any reporting as described in paragraph (1).

(e) REVIEW BY INSPECTORS GENERAL.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense and the Inspector General of the Intelligence Community shall each—

(1) conduct an assessment of the compliance with the requirements of this section and the operation and efficacy of the system established under subsection (b); and

(2) submit to the congressional intelligence committees, the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and congressional leadership a report on their respective findings with respect to the assessments they conducted under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) The term “congressional defense committees” has the meaning given such term in section 101(a) of title 10, United States Code.

(2) The term “congressional leadership” means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

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

(3) The term “Office” means the office established under section 1683(a) of the National Defense Authorization Act for Fiscal

Year 2022 (50 U.S.C. 3373(a)), as amended by section 703.

(4) The term “personnel action” has the meaning given such term in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a)).

(5) The term “unidentified aerospace-undersea phenomena” has the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 703.

**SEC. 704. COMPTROLLER GENERAL OF THE UNITED STATES COMPILATION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA RECORDS.**

(a) **DEFINITION OF UNIDENTIFIED AEROSPACE-UNDERSEA PHENOMENA.**—In this section, the term “unidentified aerospace-undersea phenomena” has the meaning given such term in section 1683(o) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(o)), as amended by section 703.

(b) **COMPILATION REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) commence a review of the records and documents of the intelligence community, oral history interviews, open source analytic analysis, interviews of current and former government officials, classified and unclassified national archives (including those records any third party obtained pursuant to section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act” or “FOIA”)), and such other relevant historical sources as the Comptroller General considers appropriate; and

(2) for the period beginning on January 1, 1947, and ending on the date on which the Comptroller General completes activities under this subsection, compile and itemize a complete historical record of the intelligence community’s involvement with unidentified aerospace-undersea phenomena, including successful or unsuccessful efforts to identify and track unidentified aerospace-undersea phenomena, and any intelligence community efforts to obfuscate, manipulate public opinion, hide, or otherwise provide unclassified or classified misinformation about unidentified aerospace-undersea phenomena or related activities, based on the review conducted under paragraph (1).

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date on which the Comptroller General completes the compilation and itemization required by subsection (b)(2), the Comptroller General shall submit to Congress a report summarizing the historical record described in such subsection.

(2) **RESOURCES.**—The report submitted under paragraph (1) shall include citations to the resources relied upon and instructions as to how the resources can be accessed.

(3) **FORM.**—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex as necessary.

(d) **COOPERATION OF INTELLIGENCE COMMUNITY.**—The heads of elements of the intelligence community whose participation the Comptroller General deems necessary to carry out subsections (b) and (c), including the Director of National Intelligence, the Under Secretary of Defense for Intelligence and Security, and the Director of the Unidentified Aerospace-Undersea Phenomena Joint Program Office, shall fully cooperate with the Comptroller General and provide to the Comptroller General such information as the Comptroller General determines necessary to carry out such subsections.

(e) **ACCESS TO RECORDS OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.**—The Archivist of the United States shall

make available to the Comptroller General such information maintained by the National Archives and Records Administration, including classified information, as the Comptroller General considers necessary to carry out subsections (b) and (c).

**SEC. 705. OFFICE OF GLOBAL COMPETITION ANALYSIS.**

(a) **DEFINITIONS.**—In this section:

(1) **EXECUTIVE AGENCY.**—The term “Executive agency” has the meaning given such term in section 105 of title 5, United States Code.

(2) **OFFICE.**—The term “Office” means the Office of Global Competition Analysis established under subsection (b).

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The President shall establish an office for analysis of global competition.

(2) **PURPOSES.**—The purposes of the Office are as follows:

(A) To carry out a program of analysis relevant to United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(B) To support policy development and decisionmaking across the Federal Government to ensure United States leadership in technology and innovation sectors critical to national security and economic prosperity relative to other countries, particularly those countries that are strategic competitors of the United States.

(3) **DESIGNATION.**—The office established under paragraph (1) shall be known as the “Office of Global Competition Analysis”.

(c) **ACTIVITIES.**—In accordance with the priorities determined under subsection (d), the Office shall—

(1) subject to subsection (f), acquire, access, use, and handle data or other information relating to the purposes of the Office under subsection (b);

(2) conduct long- and short-term analyses regarding—

(A) United States policies that enable technological competitiveness relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(B) United States science and technology ecosystem elements, including technology innovation, development, advanced manufacturing, supply chain resiliency, workforce, and production, relative to those of other countries, particularly with respect to countries that are strategic competitors of the United States;

(C) United States competitiveness in technology and innovation sectors critical to national security and economic prosperity relative to other countries, including the availability and scalability of United States technology in such sectors abroad, particularly with respect to countries that are strategic competitors of the United States;

(D) trends and trajectories, including rate of change in technologies, related to technology and innovation sectors critical to national security and economic prosperity;

(E) threats to United States’ national security interests as a result of any foreign country’s dependence on technologies of strategic competitors of the United States; and

(F) threats to United States interests based on dependencies on foreign technologies critical to national security and economic prosperity;

(3) solicit input on technology and economic trends, data, and metrics from relevant private sector stakeholders and engage with academia to inform the analyses under paragraph (2); and

(4) to the greatest extent practicable and as may be appropriate, ensure that versions of the analyses under paragraph (2) are unclassified.

(d) **DETERMINATION OF PRIORITIES.**—On a periodic basis, the Director of the Office of Science and Technology Policy, the Assistant to the President for Economic Policy, the Assistant to the President for National Security Affairs, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Defense, the Secretary of Energy, the Secretary of State, and the Secretary of Homeland Security shall, in coordination with such heads of Executive agencies as such Directors, Assistants, and Secretaries jointly consider appropriate, jointly determine the priorities of the Office with respect to subsection (b)(2)(A), considering, as may be appropriate, the strategies and reports under subtitle B of title VI of the Research and Development, Competition, and Innovation Act (Public Law 117–167).

(e) **ADMINISTRATION.**—To carry out the purposes set forth under subsection (b)(2), the Office shall enter into an agreement with a Federally funded research and development center, a university affiliated research center, or a consortium of federally funded research and development centers and university-affiliated research centers.

(f) **ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.**—In carrying out the activities under subsection (c), the Office—

(1) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy and subject to any restrictions required by the source of the information;

(2) shall have access to all information, data, or reports of any Executive agency that the Office determines necessary to carry out this section upon written request, consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(3) may obtain commercially available information that may not be publicly available.

(g) **ADDITIONAL SUPPORT.**—A head of an Executive agency may provide to the Office such support, in the form of financial assistance and personnel, as the head considers appropriate to assist the Office in carrying out any activity under subsection (c), consistent with the priorities determined under subsection (d).

(h) **ANNUAL REPORT.**—Not less frequently than once each year, the Office shall submit to Congress a report on the activities of the Office under this section, including a description of the priorities under subsection (d) and any support, disaggregated by Executive agency, provided to the Office consistent with subsection (g) in order to advance those priorities.

(i) **PLANS.**—Before establishing the Office under subsection (b)(1), the President shall submit to the appropriate committees of Congress a report detailing plans for—

(1) the administrative structure of the Office, including—

(A) a detailed spending plan that includes administrative costs; and

(B) a disaggregation of costs associated with carrying out subsection (e)(1);

(2) ensuring consistent and sufficient funding for the Office; and

(3) coordination between the Office and relevant Executive agencies.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for fiscal year 2023.

**SEC. 706. REPORT ON TRACKING AND COLLECTING PRECURSOR CHEMICALS USED IN THE PRODUCTION OF SYNTHETIC OPIOIDS.**

(a) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term “appropriate committees of Congress” means—

- (1) the congressional intelligence committees;
- (2) the Committee on the Judiciary and the Committee on Appropriations of the Senate; and
- (3) the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives.

(b) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on—

- (1) any gaps or challenges related to tracking licit precursor chemicals that are bound for illicit use in the production of synthetic opioids; and
- (2) any gaps in authorities related to the collection of licit precursor chemicals that have been routed toward illicit supply chains.

(c) **FORM OF REPORT.**—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 707. ASSESSMENT AND REPORT ON MASS MIGRATION IN THE WESTERN HEMISPHERE.**

(a) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term “appropriate committees of Congress” means—

- (1) the congressional intelligence committees;
- (2) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and
- (3) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

(b) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall assess, and submit to the congressional intelligence committees a report on—

- (1) the threats to the interests of the United States created or enhanced by, or associated with, the mass migration of people within the Western Hemisphere, particularly to the southern border of the United States;
- (2) the use of or the threat of using mass migration in the Western Hemisphere by the regime of Nicolás Maduro in Venezuela and the regime of Miguel Díaz-Canel and Raúl Castro in Cuba—

(A) to effectively curate populations so that people who remain in those countries are powerless to meaningfully dissent;

(B) to extract diplomatic concessions from the United States; and

(C) to enable the increase of remittances from migrants residing in the United States as a result of the mass migration to help finance the regimes in Venezuela and Cuba; and

(3) any gaps in resources, collection capabilities, or authorities relating to the ability of the intelligence community to timely identify the threats described in paragraphs (1) and (2), and recommendations for addressing those gaps.

(c) **FORM OF REPORT.**—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 708. NOTIFICATIONS REGARDING TRANSFERS OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE MEMBERS OF CONGRESS.**—The term “appropriate Members of Congress” means—

- (A) the majority leader and the minority leader of the Senate;
- (B) the Chairman and Ranking Member of the Committee on Armed Services of the Senate;
- (C) the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate;

(D) the Chairman and Vice Chairman of the Committee on Appropriations of the Senate;

(E) the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate;

(F) the Speaker of the House of Representatives;

(G) the minority leader of the House of Representatives;

(H) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives;

(I) the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Chair and Ranking Member of the Committee on Appropriations of the House of Representatives; and

(K) the Chairman and Ranking Member of the Committee on Foreign Affairs of the House of Representatives.

(2) **EXECUTIVE ORDER 13567.**—The term “Executive Order 13567” means Executive Order 13567 (10 U.S.C. 801 note; relating to periodic review of individuals detained at Guantánamo Bay Naval Station pursuant to the Authorization for Use of Military Force).

(3) **INDIVIDUAL DETAINED AT GUANTANAMO.**—The term “individual detained at Guantánamo” has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

(4) **PERIODIC REVIEW BOARD.**—The term “Periodic Review Board” has the meaning given that term in section 9 of Executive Order 13567 or successor order.

(5) **REVIEW COMMITTEE.**—The term “Review Committee” has the meaning given that term in section 9 of Executive Order 13567 or successor order.

(b) **NOTIFICATIONS REQUIRED.**—

(1) **ELIGIBILITY FOR TRANSFER.**—Not later than 3 days after a Periodic Review Board or Review Committee makes a final determination that the continued law of war detention of an individual detained at Guantánamo is not warranted, and consistent with Executive Order 13567 or successor order, the Secretary of Defense shall submit to the appropriate Members of Congress a notification of that determination.

(2) **TRANSFER.**—

(A) **IN GENERAL.**—In any circumstance in which a certification referred to in paragraph (1) of section 1034(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) concerning the transfer of an individual detained at Guantánamo is not required pursuant to paragraph (2) of that section, not less than 30 days prior to the transfer of the individual, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate Members of Congress a notification of the transfer.

(B) **MATTERS TO BE INCLUDED.**—Each notification submitted under subparagraph (A) shall include the following:

(i) The name and country of origin of the individual to be transferred.

(ii) The country to which the individual will be transferred and the rationale for transferring the individual to that particular country.

(iii) An estimated date of transfer and the basis therefor.

**SEC. 709. REPORT ON INTERNATIONAL NORMS, RULES, AND PRINCIPLES APPLICABLE IN SPACE.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of State, in coordination with the Secretary of Defense, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the heads of any other agencies as the Director considers necessary, shall jointly submit to Congress a report on international norms, rules, and principles applicable in space.

(b) **ELEMENTS.**—The report submitted under subsection (a) shall—

(1) identify threats to the interests of the United States in space that may be mitigated by international norms, rules, and principles, including such norms, rules, and principles relating to developments in dual-use technology; and

(2) identify opportunities for the United States to influence international norms, rules, and principles applicable in space, including through bilateral and multilateral engagement.

(c) **FORM.**—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 710. ASSESSMENTS OF THE EFFECTS OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.**

(a) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term “appropriate committees of Congress” means—

- (1) the congressional intelligence committees;
- (2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and
- (3) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(b) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter for 3 years, the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the cumulative and material effects of the sanctions imposed by the United States, European countries, and the international community with respect to the Russian Federation in response to the February 24, 2022, invasion of Ukraine and subsequent actions by the Russian Federation.

(c) **ELEMENTS.**—Each assessment submitted under subsection (b) shall include the following:

(1) A description of efforts by the Russian Federation to evade or circumvent sanctions imposed by the United States, European countries, or the international community through direct or indirect engagement or direct or indirect assistance from—

(A) the regimes in Cuba and Nicaragua and the regime of Nicolás Maduro in Venezuela;

(B) the People's Republic of China; and

(C) the Islamic Republic of Iran; and

(D) any other country the Director considers appropriate.



(2) An assessment of the cumulative effect of the efforts described in paragraph (1), including on the Russian Federation's strategic relationship with the regimes and countries described in such paragraph.

(3) A description of the material effect of the sanctions described in subsection (b), including the effect of those sanctions on senior leadership, senior military officers, state-sponsored actors, and other state-affiliated actors in the Russian Federation that are either directly or incidentally subject to those sanctions.

(4) A description of any developments by other countries in creating alternative payment systems as a result of the invasion of Ukraine.

(5) A description of efforts by the Russian Federation to evade sanctions using digital assets and a description of any related intelligence gaps.

(6) An assessment of how countries have assessed the risk of holding reserves in United States dollars since the February 24, 2022, invasion of Ukraine.

(7) An assessment of the impact of any general licenses issued in relation to the sanctions described in subsection (b), including the extent to which authorizations for internet-based communications have enabled continued monetization by Russian influence actors.

(d) FORM OF ASSESSMENTS.—Each assessment submitted under subsection (b) shall be submitted in unclassified form and include a classified annex.

#### **SEC. 711. ASSESSMENTS AND BRIEFINGS ON IMPLICATIONS OF FOOD INSECURITY THAT MAY RESULT FROM THE RUSSIAN FEDERATION'S INVASION OF UKRAINE.**

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

- (1) the congressional intelligence committees;
- (2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and
- (3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(b) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for 2 years, the Director of National Intelligence shall conduct a comprehensive assessment of the implications of food insecurity that may result from the Russian Federation's invasion of Ukraine.

(2) ELEMENTS.—Each assessment conducted under paragraph (1) shall address the following:

(A) The projected timeline for indicators of any food insecurity described in paragraph (1) to manifest.

(B) The potential for political instability and security crises that may occur as a result of any such food insecurity, disaggregated by region.

(C) Factors that could minimize the potential effects of any such food insecurity on political instability and security described in subparagraph (B), disaggregated by region.

(D) Opportunities for the United States to prevent or mitigate any such food insecurity.

(c) BRIEFINGS.—Not later than 30 days after the date on which an assessment conducted under subsection (b)(1) is completed, the Director of National Intelligence shall brief the appropriate committees of Congress on the findings of the assessment.

#### **SEC. 712. PILOT PROGRAM FOR DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION TO UNDERTAKE AN EFFORT TO IDENTIFY INTERNATIONAL MOBILE SUBSCRIBER IDENTITY-CATCHERS AND DEVELOP COUNTERMEASURES.**

Section 5725 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (50 U.S.C. 3024 note; Public Law 116-92) is amended—

(1) in subsection (a), in the matter before paragraph (1)—

(A) by striking “The Director of National Intelligence and the Director of the Federal Bureau of Investigation” and inserting “The Director of the Federal Bureau of Investigation”;

(B) by inserting “the Director of National Intelligence,” before “the Under Secretary”; and

(C) by striking “Directors determine” and inserting “Director of the Federal Bureau of Investigation determines”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

“(b) PILOT PROGRAM.—

“(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in collaboration with the Director of National Intelligence, the Under Secretary of Homeland Security for Intelligence and Analysis, and the heads of such other Federal, State, or local agencies as the Director of the Federal Bureau of Investigation determines appropriate, and in accordance with applicable law and policy, shall conduct a pilot program designed to implement subsection (a) with respect to the National Capital Region.

“(2) COMMENCEMENT; COMPLETION.—The Director of the Federal Bureau of Investigation shall—

“(A) commence carrying out the pilot program required by paragraph (1) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2023; and

“(B) complete the pilot program not later than 2 years after the date on which the Director commences carrying out the pilot program under subparagraph (A).”;

(4) in subsection (c), as redesignated by paragraph (2)—

(A) in the matter before paragraph (1), by striking “Prior” and all that follows through “Investigation” and inserting “Not later than 180 days after the date on which the Director of the Federal Bureau of Investigation determines that the pilot program required by subsection (b)(1) is operational, the Director and the Director of National Intelligence”;

(B) in paragraph (1), by striking “within the United States”;

(C) in paragraph (2), by striking “by the” and inserting “deployed by the Federal Bureau of Investigation and other elements of the”.

#### **SEC. 713. DEPARTMENT OF STATE BUREAU OF INTELLIGENCE AND RESEARCH ASSESSMENT OF ANOMALOUS HEALTH INCIDENTS.**

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

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

(b) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of

this Act, the Assistant Secretary of State for Intelligence and Research shall submit to the appropriate committees of Congress an assessment of the findings relating to the events that have been collectively labeled as “anomalous health incidents”.

(c) CONTENTS.—The assessment submitted under subsection (b) shall include the following:

(1) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on the causation of anomalous health incidents.

(2) Any diplomatic reporting or other relevant information, including sources and reliability of respective sources, on any person or entity who may be responsible for such incidents.

(3) Detailed plans, including metrics, timelines, and measurable goals, for the Bureau of Intelligence and Research to understand anomalous health incidents and share findings with other elements of the intelligence community.

**SA 5951.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **TITLE —NATURAL RESOURCES**

#### **Subtitle A—Illegal Fishing and Forced Labor Prevention**

#### **SEC. 01. DEFINITIONS.**

In this subtitle, the following definitions apply:

(1) OPPRESSIVE CHILD LABOR.—The term “oppressive child labor” has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(2) FORCED LABOR.—The term “forced labor” means any labor or service provided for or obtained by any means described in section 1589(a) of title 18, United States Code.

(3) HUMAN TRAFFICKING.—The term “human trafficking” has the meaning given the term “severe forms of trafficking in persons” in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(4) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term “illegal, unreported, or unregulated fishing” has the meaning given such term in section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(5) SEAFOOD.—The term “seafood” means fish meal, and all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

(6) SEAFOOD IMPORT MONITORING PROGRAM.—The term “Seafood Import Monitoring Program” means the Seafood Traceability Program established under section 300.324 of title 50, Code of Federal Regulations.

(7) SECRETARY.—The term “Secretary” means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

#### **SEC. 01A. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Secretary \$20,000,000 for each of fiscal