

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3932
OFFERED BY MR. TURNER OF OHIO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Intelligence Authorization Act for Fiscal Year 2024”.

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

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

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Intelligence Community Management Account.

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

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Prohibition on availability of funds to implement Executive Order
13556.
Sec. 304. Nonapplicability of certain prohibitions relating to modification of ac-
count structure for National Intelligence Program budget.
Sec. 305. Secure communication between Congress and intelligence community.

**TITLE IV—MATTERS RELATING TO NATIONAL INTELLIGENCE
ENTERPRISE**

Subtitle A—Miscellaneous Authorities and Limitations

Sec. 401. Enhanced personnel security review with respect to social media.

- Sec. 402. Limitation on authority of Director of National Intelligence to establish additional national intelligence centers.
- Sec. 403. Improvements relating to intelligence community staffing, details, and assignments.
- Sec. 404. Insider threats.
- Sec. 405. Modification of deadline for annual submission of National Intelligence Priorities Framework.
- Sec. 406. Matters relating to chief data officers of intelligence community.
- Sec. 407. Modification to special pay authority for science, technology, engineering, or mathematics positions.
- Sec. 408. Annual report on unfunded priorities of intelligence community.
- Sec. 409. Notice to Congress of counterintelligence threats to legislative branch.
- Sec. 410. Congressional notice of counterintelligence investigations into persons holding elected offices and candidates for such offices.
- Sec. 411. Submission of legislative proposals.
- Sec. 412. Sunset of certain intelligence community reporting requirements.
- Sec. 413. Notice and damage assessment with respect to significant unauthorized disclosure of classified national intelligence.
- Sec. 414. In-state tuition rates for certain members of intelligence community.
- Sec. 415. Repeal of study on personnel under Strategic Intelligence Partnership Program.
- Sec. 416. Authorization relating to certain intelligence and counterintelligence activities of Coast Guard.
- Sec. 417. Intelligence Community Counterintelligence Offices.
- Sec. 418. Termination of Climate Security Advisory Council.
- Sec. 419. Limitation on availability of funds for Federal Bureau of Investigation pending submission of information regarding certain media engagements.
- Sec. 420. Limitation on availability of funds for Federal Bureau of Investigation pending submission of certain memorandum relating to budget.
- Sec. 421. Limitation on availability of funds for Office of the Director of National Intelligence pending submission of certain documents and annexes.

Subtitle B—Reports and Other Matters

- Sec. 431. Inclusion of counternarcotics as special topic in certain budget justification materials.
- Sec. 432. Development of plan to make open-source intelligence products available to certain Federal employees.
- Sec. 433. Intelligence community-wide policy on prepublication review.
- Sec. 434. Review relating to confidential human source program of Federal Bureau of Investigation.
- Sec. 435. Inspector General of the Intelligence Community assessment of Overt Human Intelligence Collection Program of Department of Homeland Security.
- Sec. 436. Intelligence assessments regarding Haiti.
- Sec. 437. Intelligence assessment of influence operations by People's Republic of China toward Pacific Island countries.
- Sec. 438. Independent study on economic impact of military invasion of Taiwan by People's Republic of China.
- Sec. 439. Reports on civilian casualties caused by certain operations of foreign governments.
- Sec. 440. Report by Director of National Intelligence on Uyghur genocide.

Sec. 441. Technical corrections.

TITLE V—MATTERS RELATING TO DEFENSE INTELLIGENCE AND OVERHEAD ARCHITECTURE

- Sec. 501. Extension of authority to engage in commercial activities as security for intelligence collection activities.
- Sec. 502. Modification of reporting requirement for All-domain Anomaly Resolution Office.
- Sec. 503. Military intelligence collection and analysis partnerships.
- Sec. 504. Authorization for establishment of National Space Intelligence Center as field operating agency.
- Sec. 505. Defense Intelligence Agency assessment of strategic competition in Latin America and the Caribbean.
- Sec. 506. Quarterly briefings relating to use of Military Intelligence Program funds.

TITLE VI—MATTERS RELATING TO NATIONAL SECURITY AGENCY, CYBER, AND COMMERCIAL CLOUD ENTERPRISE

- Sec. 601. Congressional notification by National Security Agency of intelligence collection adjustments.
- Sec. 602. Modifications to enforcement of cybersecurity requirements for national security systems.
- Sec. 603. Support by intelligence community for certain cross-functional team of Department of Defense.
- Sec. 604. Commercial Cloud Enterprise notification.
- Sec. 605. Commercial Cloud Enterprise sole source task order notification requirement.
- Sec. 606. Analysis of commercial cloud initiatives of intelligence community.

TITLE VII—MATTERS RELATING TO CENTRAL INTELLIGENCE AGENCY

- Sec. 701. Inspector General of the Central Intelligence Agency quarterly employee engagement summaries.
- Sec. 702. Improved funding flexibility for payments made by Central Intelligence Agency for qualifying injuries to brain.
- Sec. 703. Benjamin Tallmadge Institute as primary Central Intelligence Agency entity for education and training in counterintelligence.
- Sec. 704. Central Intelligence Agency intelligence assessment of Sinaloa Cartel and Jalisco Cartel.
- Sec. 705. Central Intelligence Agency intelligence assessment with respect to efforts by People's Republic of China to increase influence in Middle East.
- Sec. 706. Assessment of availability of mental health and chaplain services to Agency employees.
- Sec. 707. Assessment by Director of Central Intelligence Agency on certain effects of Abraham Accords.

TITLE VIII—REPORTING AND INVESTIGATIONS OF ALLEGATIONS OF SEX-RELATED OFFENSES AND SEXUAL HARASSMENT IN CENTRAL INTELLIGENCE AGENCY

- Sec. 801. Reporting and investigation of allegations of sex-related offenses and sexual harassment in Central Intelligence Agency.

TITLE IX—MATTERS RELATING TO TECHNOLOGY AND
INNOVATION

- Sec. 901. Intelligence Community Innovation Unit.
- Sec. 902. Establishment of Office of Engagement.
- Sec. 903. Requirement for a chief technology officer within each element of the intelligence community.
- Sec. 904. Requirement to authorize additional security clearances for certain contractors.
- Sec. 905. Intelligence Innovation Board.
- Sec. 906. Programs for next-generation microelectronics in support of artificial intelligence.
- Sec. 907. Program for Beyond 5G.
- Sec. 908. Intelligence community commercial remote sensing requirements.
- Sec. 909. Requirement to ensure intelligence community directives appropriately account for artificial intelligence and machine learning tools in intelligence products.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COM-
4 MITTEE.—The term “congressional intelligence com-
5 mittees” has the meaning given such term in section
6 3 of the National Security Act of 1947 (50 U.S.C.
7 3003).

8 (2) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given
10 such term in section 3 of the National Security Act
11 of 1947 (50 U.S.C. 3003).

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

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

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2024 for the conduct of the intelligence and
17 intelligence-related activities of the Federal Government.

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

2 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
3 authorized to be appropriated under section 101 for the
4 conduct of the intelligence activities of the Federal Gov-
5 ernment are those specified in the classified Schedule of
6 Authorizations prepared to accompany this Act.

7 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
8 THORIZATIONS.—

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

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

20 (3) LIMITS ON DISCLOSURE.—The President
21 shall not publicly disclose the classified Schedule of
22 Authorizations or any portion of such Schedule ex-
23 cept—

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

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

3 (C) as otherwise required by law.

4 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
5 **COUNT.**

6 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
7 authorized to be appropriated for the Intelligence Commu-
8 nity Management Account of the Director of National In-
9 telligence for fiscal year 2024 the sum of \$715,200,000.

10 (b) **CLASSIFIED AUTHORIZATION OF APPROPRIA-**
11 **TIONS.**—In addition to amounts authorized to be appro-
12 priated for the Intelligence Community Management Ac-
13 count by subsection (a), there are authorized to be appro-
14 priated for the Intelligence Community Management Ac-
15 count for fiscal year 2024 such additional amounts as are
16 specified in the classified Schedule of Authorizations re-
17 ferred to in section 102(a).

18 **TITLE II—CENTRAL INTEL-**
19 **LIGENCE AGENCY RETIRE-**
20 **MENT AND DISABILITY SYS-**
21 **TEM**

22 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated for the Cen-
24 tral Intelligence Agency Retirement and Disability Fund
25 \$514,000,000 for fiscal year 2024.

1 **TITLE III—GENERAL INTEL-**
2 **LIGENCE COMMUNITY MAT-**
3 **TERS**

4 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
5 **ACTIVITIES.**

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

10 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
11 **BENEFITS AUTHORIZED BY LAW.**

12 Appropriations authorized by this Act for salary, pay,
13 retirement, and other benefits for Federal employees may
14 be increased by such additional or supplemental amounts
15 as may be necessary for increases in such compensation
16 or benefits authorized by law.

17 **SEC. 303. PROHIBITION ON AVAILABILITY OF FUNDS TO IM-**
18 **PLEMENT EXECUTIVE ORDER 13556.**

19 None of the funds authorized to be appropriated by
20 this Act or otherwise made available for fiscal year 2024
21 for an element of the intelligence community may be obli-
22 gated or expended to implement Executive Order 13556
23 (75 Fed. Reg. 68675; relating to controlled unclassified
24 information), or any successor order.

1 **SEC. 304. NONAPPLICABILITY OF CERTAIN PROHIBITIONS**
2 **RELATING TO MODIFICATION OF ACCOUNT**
3 **STRUCTURE FOR NATIONAL INTELLIGENCE**
4 **PROGRAM BUDGET.**

5 None of the prohibitions under section 8067 of the
6 Consolidated Appropriations Act, 2023 (Public Law 117–
7 328) shall apply with respect to amounts authorized to
8 be appropriated by this Act.

9 **SEC. 305. SECURE COMMUNICATION BETWEEN CONGRESS**
10 **AND INTELLIGENCE COMMUNITY.**

11 (a) **IN GENERAL.**—The Director of National Intel-
12 ligence shall provide secure communications to support the
13 oversight functions of the congressional intelligence com-
14 mittees, including through the procurement, installation,
15 configuration, and maintenance of sufficient software,
16 connectivity, information technology equipment, com-
17 puters, printers, and related peripheral equipment to en-
18 sure that such committees are able to communicate with
19 the intelligence community through secure data, voice, and
20 video communications at all classification levels.

21 (b) **ON-PREMISES SUPPORT.**—During any period
22 when either the Senate or House of Representatives is in
23 session, or upon the request of either of the congressional
24 intelligence committees, the Director shall provide to such
25 committees timely on-premises support to ensure the effi-

1 cient operation of networks, equipment, and software and
2 the resolution of any related issues.

3 (c) GOVERNANCE.—The Director, in coordination
4 with designated congressional leaders, shall establish gov-
5 ernance and security policies applicable to the
6 connectivity, equipment, and software provided under sub-
7 section (a).

8 (d) BUDGET.—The Director shall ensure that within
9 the budget of the Office of the Director of National Intel-
10 ligence there is a specific expenditure center and project
11 to be used to carry out this section.

12 (e) TREATMENT AS CONGRESSIONAL RECORDS.—
13 Any data stored or transmitted by the congressional intel-
14 ligence committees through networks, equipment, or soft-
15 ware provided under subsection (a) is a congressional
16 record and shall not be treated as an agency record for
17 purposes of section 552 of title 5, United States Code,
18 (commonly known as the “the Freedom of Information
19 Act”) or any other law.

20 (f) DESIGNATED CONGRESSIONAL LEADERS.—In
21 this section, the term “designated congressional leaders”
22 means—

23 (1) the Chair and Ranking Member of the Per-
24 manent Select Committee on Intelligence of the
25 House of Representatives, or their designees; and

1 (2) the Chair and Vice Chair of the Select Com-
2 mittee on Intelligence of the Senate, or their des-
3 ignees.

4 **TITLE IV—MATTERS RELATING**
5 **TO NATIONAL INTELLIGENCE**
6 **ENTERPRISE**

7 **Subtitle A—Miscellaneous**
8 **Authorities and Limitations**

9 **SEC. 401. ENHANCED PERSONNEL SECURITY REVIEW WITH**
10 **RESPECT TO SOCIAL MEDIA.**

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

13 (1) the intelligence community should take ap-
14 propriate measures to thoroughly and in a timely
15 manner investigate and adjudicate prospective appli-
16 cants for sensitive national security positions within
17 the intelligence community;

18 (2) the intelligence community should use exist-
19 ing authorities to ensure robust continuous vetting
20 for continued eligibility for access to classified infor-
21 mation and carefully manage the speed and accuracy
22 of the security clearance adjudication process at
23 both the initial investigation process and throughout
24 the career of personnel serving in positions within
25 the intelligence community;

1 (3) the intelligence community must balance the
2 increasing demand for recruiting the best talent to
3 meet personnel requirements in an expeditious man-
4 ner while still maintaining a dedicated and patriotic
5 workforce with allegiance to the Constitution and
6 the United States Government;

7 (4) the availability of social media to the na-
8 tional security workforce of the United States, in-
9 cluding both private and public accounts, can enable
10 the unauthorized disclosure of classified national se-
11 curity information in an instant, which endangers
12 the United States and its partners and allies, and
13 empowers foreign adversaries; and

14 (5) to ensure the loyalty and patriotism of the
15 trusted national security and intelligence community
16 workforce of the United States, the intelligence com-
17 munity must fully use available vetting resources
18 and all authorities prescribed by law, while guaran-
19 teeing all constitutional protections of such work-
20 force.

21 (b) **ENHANCED PERSONNEL SECURITY REVIEW**
22 **WITH RESPECT TO SOCIAL MEDIA.**—Section 11001(b) of
23 title 5, United States Code, is amended by adding at the
24 end the following new paragraph:

1 “(3) SPECIAL REQUIREMENTS WITH RESPECT
2 TO SOCIAL MEDIA.—

3 “(A) IN GENERAL.—Information obtained
4 and integrated from sources described in para-
5 graph (1) shall include any publically available
6 social media information relating to the covered
7 individual.

8 “(B) DISCLOSURE BY COVERED INDIVID-
9 UALS.—The enhanced personnel security pro-
10 gram of an agency shall include a requirement
11 that a covered individual disclose any username
12 or alias used by the covered individual on any
13 social media account, including both private and
14 public social media accounts, but may not re-
15 quire the covered individual to disclose any
16 password for any such account.”.

17 **SEC. 402. LIMITATION ON AUTHORITY OF DIRECTOR OF NA-**
18 **TIONAL INTELLIGENCE TO ESTABLISH ADDI-**
19 **TIONAL NATIONAL INTELLIGENCE CENTERS.**

20 The National Security Act of 1947 (50 U.S.C. 3001
21 et seq.) is amended—

22 (1) by amending section 102A(f)(2) (50 U.S.C.
23 3024(f)(2)) to read as follows:

24 “(2)(A) The Director of National Intelligence shall
25 oversee the National Counterterrorism Center, the Na-

1 tional Counterproliferation and Biosecurity Center, the
2 National Counterintelligence and Security Center, the
3 Foreign Malign Influence Center, and the Cyber Threat
4 Intelligence and Integration Center.

5 “(B) The Director of National Intelligence may es-
6 tablish a new national intelligence center, or assign a new
7 function to a national intelligence center, but only if—

8 “(i) the Director submits to the congressional
9 intelligence committees written notification of such
10 proposed establishment or assignment; and

11 “(ii) a period of 90 days has elapsed after the
12 date on which such committees receive such notifica-
13 tion.”;

14 (2) by amending section 103(c)(14) (50 U.S.C.
15 3025(c)(14)) to read as follows:

16 “(14) Such other offices and officials as may be
17 established by law or the Director may establish or
18 designate in the Office, including national intel-
19 ligence centers (consistent with the notification re-
20 quirement under section 102A(f)(2)(B)).”; and

21 (3) by amending section 119B(a) (50 U.S.C.
22 3058(a)) to read as follows:

23 “(a) **AUTHORITY TO ESTABLISH.**—The Director of
24 National Intelligence may establish, consistent with the
25 notification requirement under section 102A(f)(2)(B), one

1 or more national intelligence centers to address intel-
2 ligence priorities, including regional issues.”.

3 **SEC. 403. IMPROVEMENTS RELATING TO INTELLIGENCE**
4 **COMMUNITY STAFFING, DETAILS, AND AS-**
5 **SIGNMENTS.**

6 (a) IMPROVEMENTS RELATING TO ASSIGNMENTS
7 AND DETAILS.—Section 102A(f)(3)(A) of the National
8 Security Act of 1947 (50 U.S.C. 3024(f)(3)(A)) is amend-
9 ed—

10 (1) in the matter preceding clause (i), by strik-
11 ing “personnel policies” and inserting “binding per-
12 sonnel policies”;

13 (2) by amending clause (i) to read as follows:

14 “(i) require and facilitate assignments and
15 details of personnel to national intelligence cen-
16 ters, and between elements of the intelligence
17 community over the course of the careers of
18 such personnel;”; and

19 (3) by amending clause (v) to read as follows:

20 “(v) require service in more than one ele-
21 ment of the intelligence community as a condi-
22 tion of promotion to such positions within the
23 intelligence community as the Director shall
24 specify, and take requisite steps to ensure com-

1 pliance among elements of the intelligence com-
2 munity; and”.

3 (b) REQUIRED STAFFING DOCUMENT FOR OFFICE
4 OF DIRECTOR OF NATIONAL INTELLIGENCE.—

5 (1) REQUIREMENT.—Not later than 120 days
6 after the date of the enactment of this Act, the Di-
7 rector of National Intelligence shall establish, and
8 thereafter shall update as necessary, a single docu-
9 ment setting forth each position within the Office of
10 the Director of National Intelligence, including any
11 directorate, center, or office within such Office.

12 (2) ELEMENTS.—The document under para-
13 graph (1) shall include, with respect to each position
14 set forth in the document, the following:

15 (A) A description of the position.

16 (B) The directorate, center, office, or other
17 component of the Office of the Director of Na-
18 tional Intelligence within which the position is.

19 (C) The element of the intelligence commu-
20 nity designated to fill the position, if applicable.

21 (D) The requisite type and level of skills
22 for the position, including any special skills or
23 certifications required.

24 (E) The requisite security clearance level
25 for the position.

1 (F) The paygrade for the position.

2 (G) Any special pay or incentive pay pay-
3 able for the position.

4 (3) INTEGRATED REPRESENTATION.—In estab-
5 lishing and filling the positions specified in para-
6 graph (1), the Director of National Intelligence shall
7 take such steps as may be necessary to ensure the
8 integrated representation of officers and employees
9 from the other elements of the intelligence commu-
10 nity with respect to such positions.

11 **SEC. 404. INSIDER THREATS.**

12 Section 102A(f) of the National Security Act of 1947
13 (50 U.S.C. 3024(f)) is amended—

14 (1) by redesignating paragraphs (8) through
15 (10) as paragraphs (9) through (11), respectively;
16 and

17 (2) by inserting after paragraph (7) the fol-
18 lowing new paragraph (8):

19 “(8) The Director of National Intelligence shall—

20 “(A) conduct assessments and audits of the
21 compliance of each element of the intelligence com-
22 munity with minimum insider threat policy;

23 “(B) receive information from each element of
24 the intelligence community regarding the collection,
25 sharing, and use by such element of audit and moni-

1 toring data for insider threat detection across all
2 classified and unclassified information technology
3 systems within such element;

4 “(C) provide guidance and oversight to Federal
5 departments and agencies to fully implement auto-
6 mated records checks, consistent with personnel vet-
7 ting reforms and the Trusted Workforce 2.0 initia-
8 tive, or successor initiative, and ensure that informa-
9 tion collected pursuant to such records checks is ap-
10 propriately shared in support of intelligence commu-
11 nity-wide insider threat initiatives;

12 “(D) carry out evaluations of the effectiveness
13 of counterintelligence, security, and insider threat
14 program activities of each element of the intelligence
15 community, including with respect to the lowest or-
16 ganizational unit of each such element, that include
17 an identification of any gaps, shortfalls, or resource
18 needs of each such element;

19 “(E) identify gaps, shortfalls, resources needs,
20 and recommendations for adjustments in allocations
21 and additional resources and other remedies to
22 strengthen counterintelligence, security, and insider
23 threat detection programs;

24 “(F) pursuant to final damage assessments fa-
25 cilitated by the National Counterintelligence and Se-

1 security Center that have been undertaken as a result
2 of an unauthorized disclosure, determine whether the
3 heads of the elements of the intelligence community
4 implement recommended mitigation, and notify the
5 congressional intelligence committees of such deter-
6 minations; and

7 “(G) study the data collected during the course
8 of background investigations and adjudications for
9 security clearances granted to individuals who subse-
10 quently commit unauthorized disclosures, and issue
11 findings regarding the quality of such data as a pre-
12 dictor for insider threat activity, delineated by the
13 severity of the unauthorized disclosure.”

14 **SEC. 405. MODIFICATION OF DEADLINE FOR ANNUAL SUB-**
15 **MISSION OF NATIONAL INTELLIGENCE PRI-**
16 **ORITIES FRAMEWORK.**

17 Section 102A(p)(3) of the National Security Act of
18 1947 (50 U.S.C. 3024(p)(3)) is amended by striking “Oc-
19 tober 1” and inserting “March 1”.

20 **SEC. 406. MATTERS RELATING TO CHIEF DATA OFFICERS**
21 **OF INTELLIGENCE COMMUNITY.**

22 (a) PROHIBITION ON SIMULTANEOUS SERVICE AS
23 CHIEF DATA OFFICER AND CHIEF INFORMATION OFFI-
24 CER.—Section 103G of the National Security Act of 1947

1 (50 U.S.C. 3032) is amended by adding at the end the
2 following new subsection:

3 “(d) PROHIBITION ON SIMULTANEOUS SERVICE AS
4 CHIEF DATA OFFICER AND CHIEF INFORMATION OFFI-
5 CER.—An individual serving in the position of Chief Infor-
6 mation Officer of the Intelligence Community or chief in-
7 formation officer of any other element of the intelligence
8 community, as the case may be, may not, while so serving,
9 serve as the Intelligence Community Chief Data Officer
10 under section 103K or as the chief data officer of any
11 other element of the intelligence community.”.

12 (b) CLARIFICATION OF DUTIES OF INTELLIGENCE
13 COMMUNITY CHIEF DATA OFFICER.—

14 (1) CLARIFICATION OF DATA-RELATED DU-
15 TIES.—Section 103K(c)(4) of the National Security
16 Act of 1947 (50 U.S.C. 3034b(c)(4)) is amended by
17 inserting “relating to data” after “duties”.

18 (2) REMOVAL OF UNRELATED DUTIES AND
19 FUNCTIONS.—Not later than 90 days after the date
20 of the enactment of this Act, consistent with section
21 103K(c) of the National Security Act of 1947 (50
22 U.S.C. 3034b(c)), as amended by paragraph (1), the
23 Director of National Intelligence shall complete such
24 internal reorganization of the Office of the Director
25 of National Intelligence as the Director determines

1 necessary to ensure that the duties of the Intel-
2 ligence Community Chief Data Officer appointed
3 under such section do not include—

4 (A) any duty relating to partnership inter-
5 operability or partnership engagement; or

6 (B) any other duty that does not relate to
7 an issue involving data.

8 (3) BRIEFING.—Prior to the date on which the
9 Director completes the reorganization under para-
10 graph (2), the Director shall provide to the congres-
11 sional intelligence committees a briefing regarding—

12 (A) the proposed reorganization; and

13 (B) any other efforts of the Director to en-
14 sure that any future duties prescribed by the
15 Director to be performed by the Intelligence
16 Community Chief Data Officer pursuant to sec-
17 tion 103K(e) of the National Security Act of
18 1947 (50 U.S.C. 3034b(e)), as amended by
19 paragraph (1), relate exclusively to issues in-
20 volving data, consistent with such section.

21 (c) REPORTS.—Not later than 90 days after the date
22 of the enactment of this Act, the head of each element
23 of the intelligence community shall submit to the congres-
24 sional intelligence committees a written report regarding
25 the organizational and reporting structure for the chief

1 data officer of that element, including an identification of
2 whether such chief data officer reports to, or is otherwise
3 subordinate to, the chief information officer of that ele-
4 ment and, if so, the rationale for such organizational and
5 reporting structure.

6 **SEC. 407. MODIFICATION TO SPECIAL PAY AUTHORITY FOR**
7 **SCIENCE, TECHNOLOGY, ENGINEERING, OR**
8 **MATHEMATICS POSITIONS.**

9 (a) MODIFICATION.—Section 113B of the National
10 Security Act of 1947 (50 U.S.C. 3049a) is amended—

11 (1) in the section heading, by inserting “**AND**
12 **POSITIONS REQUIRING BANKING OR FINAN-**
13 **CIAL SERVICES EXPERTISE**” after “**MATHE-**
14 **MATICS POSITIONS**”;

15 (2) in subsection (a)—

16 (A) in the heading, by inserting “**OR IN**
17 **BANKING OR FINANCIAL SERVICES**” after
18 “**MATHEMATICS**”;

19 (B) in paragraph (1), in the matter pre-
20 ceeding subparagraph (A), by inserting “or in
21 banking or financial services (including exper-
22 tise relating to critical financial infrastructure
23 operations, capital markets, banking compliance
24 programs, or international investments)” after
25 “or mathematics”;

1 (C) by redesignating paragraph (2) as
2 paragraph (3); and

3 (D) by inserting after paragraph (1) the
4 following new paragraph:

5 “(2) LIMITATION ON NUMBER OF RECIPI-
6 ENTS.—For each element of the intelligence commu-
7 nity, the number of individuals serving in a position
8 in such element who receive a higher rate of pay es-
9 tablished or increased under paragraph (1) may not,
10 at any time during a given fiscal year, exceed 50 in-
11 dividuals or 5 percent of the total number of full-
12 time equivalent positions authorized for such ele-
13 ment for the preceding fiscal year, whichever is
14 greater.”; and

15 (3) in subsection (e), by striking “the element”
16 and inserting “an element”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 at the beginning of such Act is amended by striking the
19 item relating to section 113B and inserting the following
20 new item:

“113B. Special pay authority for science, technology, engineering or mathe-
matics positions and positions requiring banking or financial
services expertise.”.

21 (c) REPORTS.—Not later than September 1 of each
22 year until September 1, 2025, the head of each element
23 of the intelligence community shall submit to the congres-
24 sional intelligence committees a report on any rates of pay

1 established for such element under section 113B of such
2 Act (50 U.S.C. 3049a), as amended by subsection (a), in-
3 cluding—

4 (1) a description of any rates of pay so estab-
5 lished; and

6 (2) an identification of the number of positions
7 in such element that will be subject to such rates of
8 pay during the subsequent fiscal year.

9 **SEC. 408. ANNUAL REPORT ON UNFUNDED PRIORITIES OF**
10 **INTELLIGENCE COMMUNITY.**

11 Section 514(a) of the National Security Act of 1947
12 (50 U.S.C. 3113(a)) is amended by inserting “prepare
13 and” after “each element of the intelligence community
14 shall”.

15 **SEC. 409. NOTICE TO CONGRESS OF COUNTERINTEL-**
16 **LIGENCE THREATS TO LEGISLATIVE**
17 **BRANCH.**

18 Title V of the National Security Act of 1947 (50
19 U.S.C. 3091 et seq.) is amended by adding at the end
20 the following new section (and conforming the table of
21 contents at the beginning of such Act accordingly):

1 **“SEC. 516. NOTICE TO CONGRESS OF COUNTERINTEL-**
2 **LIGENCE THREATS TO LEGISLATIVE BRANCH**
3 **AND LEGISLATIVE BRANCH OFFICIALS.**

4 “(a) NOTIFICATION, BRIEFINGS, AND PREPARATION
5 OF REPORTS.—Consistent with the protection of intel-
6 ligence sources and methods, the Director of National In-
7 telligence and the Director of the Federal Bureau of Inves-
8 tigation shall jointly—

9 “(1) notify, in a timely manner, congressional
10 leadership of any counterintelligence threat to the
11 legislative branch or a legislative branch official;

12 “(2) provide to legislative branch officials deter-
13 mined appropriate by the Directors, including any
14 such official targeted or compromised by such a
15 threat, briefings on the defense against such threats;
16 and

17 “(3) prepare reports that include specific infor-
18 mation concerning such threats to the legislative
19 branch or legislative branch officials but exclude the
20 intelligence sources or methods by which such infor-
21 mation has been obtained, to facilitate the increased
22 distribution of specific information concerning such
23 threats.

24 “(b) DEFENSIVE PRIORITY.—In determining the ap-
25 propriateness of disseminating information on counter-
26 intelligence threats (including information associated with

1 a sensitive intelligence matter or ongoing criminal inves-
2 tigation) or of providing a briefing on the defense against
3 such threats under subsection (a), the Director of Na-
4 tional Intelligence and the Director of the Federal Bureau
5 of Investigation shall seek to resolve such determination
6 in favor of the action most compatible with enhancing the
7 defense of the legislative branch against such threats.

8 “(c) QUARTERLY REPORTS.—

9 “(1) REQUIREMENT.—On a quarterly basis, the
10 Director of National Intelligence shall submit to con-
11 gressional leadership a report on counterintelligence
12 threats to the legislative branch or legislative branch
13 officials.

14 “(2) MATTERS.—Each report under paragraph
15 (1) shall include, with respect to the quarterly period
16 covered by the report, the following:

17 “(A) A description of any counterintel-
18 ligence threat to the legislative branch or a leg-
19 islative branch official (including the identity of
20 any such official) identified during such period.

21 “(B) An identification of each date on
22 which the intelligence community became aware
23 of such a threat.

24 “(C) An identification of the number of
25 briefings provided under subsection (a)(2) dur-

1 ing such period, including an identification of
2 each date on which such a briefing occurred.

3 “(D) An identification of the number of re-
4 ports prepared under subsection (a)(3) during
5 such period.

6 “(d) DEFINITIONS.—In this section:

7 “(1) CONGRESSIONAL LEADERSHIP.—The term
8 ‘congressional leadership’ means—

9 “(A) the Speaker of the House of Rep-
10 resentatives;

11 “(B) the minority leader of the House of
12 Representatives;

13 “(C) the majority leader of the Senate;

14 “(D) the minority leader of the Senate;

15 “(E) the Chairman and Ranking Member
16 of the Permanent Select Committee on Intel-
17 ligence of the House of Representatives; and

18 “(F) the Chairman and Vice Chairman of
19 the Select Committee on Intelligence of the
20 Senate.

21 “(2) LEGISLATIVE BRANCH.—The term ‘legisla-
22 tive branch’ has the meaning given that term in sec-
23 tion 202 of title 18, United States Code.

24 “(3) LEGISLATIVE BRANCH OFFICIAL.—The
25 term ‘legislative branch official’ includes—

1 “(A) a Member of Congress;

2 “(B) an elected officer of either House of
3 Congress;

4 “(C) any employee of, or any other indi-
5 vidual functioning in the capacity of an em-
6 ployee of—

7 “(i) a Member of Congress;

8 “(ii) a committee of either House of
9 Congress;

10 “(iii) the leadership staff of the House
11 of Representatives or the leadership staff
12 of the Senate;

13 “(iv) a joint committee of Congress;
14 or

15 “(v) a working group or caucus orga-
16 nized to provide legislative services or
17 other assistance to Members of Congress;
18 and

19 “(D) any other legislative branch employee
20 serving in a position described under section
21 13101(13) of title 5, United States Code.”.

1 **SEC. 410. CONGRESSIONAL NOTICE OF COUNTERINTEL-**
2 **LIGENCE INVESTIGATIONS INTO PERSONS**
3 **HOLDING ELECTED OFFICES AND CAN-**
4 **DIDATES FOR SUCH OFFICES.**

5 Title V of the National Security Act of 1947 (50
6 U.S.C. 3091 et seq.), as amended by section 409, is fur-
7 ther amended by adding at the end the following new sec-
8 tion (and conforming the table of contents at the begin-
9 ning of such Act accordingly):

10 **“SEC. 517. CONGRESSIONAL NOTICE OF COUNTERINTEL-**
11 **LIGENCE INVESTIGATIONS INTO FEDERAL**
12 **ELECTED OFFICIALS AND CANDIDATES IN**
13 **ELECTIONS FOR FEDERAL OFFICE.**

14 “(a) NOTICE REQUIREMENT.—Notwithstanding sec-
15 tion 533 of title 28, United States Code, the delegation
16 of the authorities of the Attorney General, or any other
17 delegation of authority, direction, or policy of the Execu-
18 tive Branch, the Director of Federal Bureau of Investiga-
19 tion shall notify congressional leadership not later than
20 48 hours after the commencement of a counterintelligence
21 investigation into a person who holds an elected Federal
22 office or a candidate in an election for such an office. Such
23 notification shall include a summary of the relevant facts
24 associated with the counterintelligence investigation and
25 the identity of the person subject to such investigation.

1 “(b) CONGRESSIONAL LEADERSHIP.—The term ‘con-
2 gressional leadership’ means—

3 “(1) the Speaker of the House of Representa-
4 tives;

5 “(2) the minority leader of the House of Rep-
6 resentatives;

7 “(3) the majority leader of the Senate;

8 “(4) the minority leader of the Senate;

9 “(5) the Chairman and Ranking Member of the
10 Permanent Select Committee on Intelligence of the
11 House of Representatives; and

12 “(6) the Chairman and Vice Chairman of the
13 Select Committee on Intelligence of the Senate.”.

14 **SEC. 411. SUBMISSION OF LEGISLATIVE PROPOSALS.**

15 Title V of the National Security Act of 1947 (50
16 U.S.C. 3091 et seq.), as amended by section 410, is fur-
17 ther amended by adding at the end the following new sec-
18 tion (and conforming the table of contents at the begin-
19 ning of such Act accordingly):

20 **“SEC. 518. SUBMISSION OF LEGISLATIVE PROPOSALS.**

21 “Not later than 45 days after the date on which the
22 President submits to Congress the budget for each fiscal
23 year pursuant to section 1105(a) of title 31, United States
24 Code, the Director of National Intelligence shall submit
25 to the congressional intelligence committees any legislative

1 provisions that are proposed by the Director to be enacted
2 as part of the annual intelligence authorization bill for
3 that fiscal year.”.

4 **SEC. 412. SUNSET OF CERTAIN INTELLIGENCE COMMUNITY**
5 **REPORTING REQUIREMENTS.**

6 Title V of the National Security Act of 1947 (50
7 U.S.C. 3091), as amended by section 411, is further
8 amended by adding at the end the following new section
9 (and conforming the table of contents at the beginning of
10 such Act accordingly):

11 **“SEC. 519. TERMINATION OF CERTAIN REPORTING RE-**
12 **QUIREMENTS.**

13 “(a) SUNSET.—Effective on December 31, 2025,
14 each report described in subsection (b) that is still re-
15 quired to be submitted to Congress as of such date shall
16 no longer be required to be submitted to Congress.

17 “(b) REPORTS DESCRIBED.—Except as provided in
18 subsection (c), a report described in this subsection is a
19 recurring report that is required to be submitted to Con-
20 gress by the Director of National Intelligence, or by any
21 officer, official, component, or element of the Office of the
22 Director of National Intelligence, pursuant to—

23 “(1) a provision of an annual intelligence au-
24 thorization Act for fiscal year 2021 or any prior fis-
25 cal year;

1 “(2) any amendment made by such an Act; or

2 “(3) any committee report, classified annex, or
3 explanatory statement accompanying such an Act.

4 “(c) EXCEPTIONS.—Subsection (a) does not apply to
5 any of the following:

6 “(1) A reporting requirement imposed on all de-
7 partments and agencies of the Federal Government.

8 “(2) A report required in conjunction with a
9 provision of law that requires a certification, deter-
10 mination or comparable finding, or authorizing waiv-
11 er with respect to a condition, limitation, or com-
12 parable restriction.

13 “(3) A recurring report required by a provision
14 of law that specifies when the requirement to submit
15 the report terminates.

16 “(4) An annual report required by section 108B
17 of the National Security Act of 1947 (50 U.S.C.
18 3043b).

19 “(5) A report required to be submitted by an
20 individual or entity other than an individual referred
21 to in subsection (b) that requires consultation or co-
22 ordination with an individual described in subsection
23 (b).

24 “(d) REPORT TO CONGRESS.—Not later than Feb-
25 ruary 1, 2024, the Director of National Intelligence shall

1 submit to the congressional intelligence committees a re-
2 port that includes—

3 “(1) a list of all reports that the Director deter-
4 mines are described in subsection (b) and not sub-
5 ject to an exception under subsection (c); and

6 “(2) for each report included on such list, a ci-
7 tation to the provision of law under which the report
8 is required to be submitted.”.

9 **SEC. 413. NOTICE AND DAMAGE ASSESSMENT WITH RE-**
10 **SPECT TO SIGNIFICANT UNAUTHORIZED DIS-**
11 **CLOSURE OF CLASSIFIED NATIONAL INTEL-**
12 **LIGENCE.**

13 Title XI of the National Security Act of 1947 (50
14 U.S.C. 3231 et seq.) is amended by inserting after section
15 1105 the following new section (and conforming the table
16 of contents at the beginning of such Act accordingly):

17 **“SEC. 1105A. NOTICE AND DAMAGE ASSESSMENT WITH RE-**
18 **SPECT TO SIGNIFICANT UNAUTHORIZED DIS-**
19 **CLOSURE OF CLASSIFIED NATIONAL INTEL-**
20 **LIGENCE.**

21 “(a) NOTIFICATION AND DAMAGE ASSESSMENT RE-
22 QUIREMENTS.—

23 “(1) REQUIREMENTS.—If the Director of Na-
24 tional Intelligence becomes aware of an actual or po-

1 potential significant unauthorized disclosure of classi-
2 fied national intelligence—

3 “(A) as soon as practicable, but not later
4 than 7 days after the date on which the Direc-
5 tor becomes so aware, the Director shall notify
6 the congressional intelligence committees of
7 such actual or potential disclosure; and

8 “(B) in the case of an actual disclosure,
9 not later than 7 days after the date on which
10 the Director becomes so aware, the Director or
11 the head of any element of the intelligence com-
12 munity from which the significant unauthorized
13 disclosure originated shall initiate a damage as-
14 sessment consistent with the procedures set
15 forth in Intelligence Community Directive 732
16 (relating to the conduct of damage assess-
17 ments), or successor directive, with respect to
18 such disclosure.

19 “(2) CONTENTS OF NOTIFICATION.—A notifica-
20 tion submitted to the congressional intelligence com-
21 mittees under paragraph (1)(A) with respect to an
22 actual or potential significant unauthorized disclo-
23 sure of classified national intelligence shall include—

24 “(A) a summary of the facts and cir-
25 cumstances of such disclosure;

1 “(B) a summary of the contents of the na-
2 tional intelligence revealed or potentially re-
3 vealed, as the case may be, by such disclosure;

4 “(C) an initial appraisal of the level of ac-
5 tual or potential damage, as the case may be,
6 to the national security of the United States as
7 a result of such disclosure; and

8 “(D) in the case of an actual disclosure,
9 which elements of the intelligence community
10 will be involved in the damage assessment con-
11 ducted with respect to such disclosure pursuant
12 to paragraph (1)(B).

13 “(b) DAMAGE ASSESSMENT REPORTING REQUIRE-
14 MENTS.—

15 “(1) RECURRING REPORTING REQUIREMENT.—

16 Not later than 30 days after the date of the initi-
17 ation of a damage assessment pursuant to sub-
18 section (a)(1)(B), and every 90 days thereafter until
19 the completion of the damage assessment or upon
20 the request of the congressional intelligence commit-
21 tees, the Director of National Intelligence shall—

22 “(A) submit to the congressional intel-
23 ligence committees copies of any documents or
24 materials disclosed as a result of the significant
25 unauthorized disclosure of the classified na-

1 tional intelligence that is the subject of the
2 damage assessment; and

3 “(B) provide to the congressional intel-
4 ligence committees a briefing on such docu-
5 ments and materials and a status of the dam-
6 age assessment.

7 “(2) FINAL DAMAGE ASSESSMENT.—As soon as
8 practicable after completing a damage assessment
9 pursuant to subsection (a)(1)(B), the Director of
10 National Intelligence shall submit the final damage
11 assessment to the congressional intelligence commit-
12 tees.

13 “(c) NOTIFICATION OF REFERRAL TO DEPARTMENT
14 OF JUSTICE.—If a referral is made to the Department of
15 Justice from any element of the intelligence community
16 regarding a significant unauthorized disclosure of classi-
17 fied national intelligence under this section, the Director
18 of National Intelligence shall notify the congressional in-
19 telligence committees of the referral on the date such re-
20 ferral is made.”.

21 **SEC. 414. IN-STATE TUITION RATES FOR CERTAIN MEM-**
22 **BERS OF INTELLIGENCE COMMUNITY.**

23 (a) IN GENERAL.—Section 135(d) of the Higher
24 Education Act of 1965 (20 U.S.C. 1015d(d)), as amended

1 by section 6206(a)(4) of the Foreign Service Families Act
2 of 2021 (Public Law 117–81), is further amended—

3 (1) in paragraph (1), by striking “or” after the
4 semicolon;

5 (2) in paragraph (2), by striking the period at
6 the end and inserting “; or”; and

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

9 “(3) an officer or employee of an element of the
10 intelligence community (as such term is defined in
11 section 3 of the National Security Act of 1947 (50
12 U.S.C. 3003)) who serves in a position of employ-
13 ment in such element for a period of more than 30
14 days.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall take effect at each public institution
17 of higher education in a State that receives assistance
18 under the Higher Education Act of 1965 (20 U.S.C. 1001
19 et seq.) for the first period of enrollment at such institu-
20 tion that begins after July 1, 2024.

1 **SEC. 415. REPEAL OF STUDY ON PERSONNEL UNDER STRA-**
2 **TEGIC INTELLIGENCE PARTNERSHIP PRO-**
3 **GRAM.**

4 Section 6435 of the Intelligence Authorization Act for
5 Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3533)
6 is repealed.

7 **SEC. 416. AUTHORIZATION RELATING TO CERTAIN INTEL-**
8 **LIGENCE AND COUNTERINTELLIGENCE AC-**
9 **TIVITIES OF COAST GUARD.**

10 (a) AUTHORIZATION.—Consistent with the policies,
11 procedures, and coordination required pursuant to section
12 811 of the Counterintelligence and Security Enhance-
13 ments Act of 1994 (50 U.S.C. 3381) and section 902 of
14 the Counterintelligence Enhancement Act of 2002 (50
15 U.S.C. 3382), the Commandant of the Coast Guard may
16 obligate and expend amounts made available under the
17 National Intelligence Program for the intelligence and
18 counterintelligence activities of the Coast Guard to con-
19 duct such an activity without regard to any other provision
20 of law or regulation relating to the obligation, expenditure,
21 or accounting of Government funds, if—

22 (1) the object of the activity is of a confidential,
23 extraordinary, or emergency nature; and

24 (2) following each such expenditure, the Com-
25 mandant submits to the congressional intelligence
26 committees a written certification that the object of

1 the activity was of a nature described in paragraph
2 (1).

3 (b) TREATMENT OF CERTIFICATION.—Each written
4 certification under subsection (a)(2) shall be deemed a full
5 and sufficient voucher for the expenditure of the amount
6 expressed therein, and is final and conclusive upon the ac-
7 counting officers of the United States.

8 (c) LIMITATION.—Except as provided in subsection
9 (d), of the funds made available under the National Intel-
10 ligence Program for a fiscal year for the intelligence and
11 counterintelligence activities of the Coast Guard, not more
12 than 5 percent may be expended during the fiscal year
13 under subsection (a) to conduct such activities in accord-
14 ance with such subsection unless, for each intended ex-
15 penditure in excess of such percentage—

16 (1) the Commandant submits to the congress-
17 sional intelligence committees a notification of the
18 intent to expend the amounts; and

19 (2) a period of 30 days has elapsed following
20 the date on which the Commandant submits such
21 notification.

22 (d) WAIVER.—

23 (1) AUTHORITY.—The Commandant may waive
24 the limitation under subsection (c) if the Com-
25 mandant determines such a waiver is necessary as a

1 result of extraordinary circumstances that affect the
2 national security of the United States.

3 (2) NOTIFICATION TO CONGRESS.—Not later
4 than 2 days after issuing a waiver under paragraph
5 (1), the Commandant shall submit to the congres-
6 sional intelligence committees written notice and jus-
7 tification for the waiver.

8 (e) NATIONAL INTELLIGENCE PROGRAM DEFINED.—
9 In this section, the term “National Intelligence Program”
10 has the meaning given that term in section 3 of the Na-
11 tional Security Act of 1947 (50 U.S.C. 3003).

12 **SEC. 417. INTELLIGENCE COMMUNITY COUNTERINTEL-**
13 **LIGENCE OFFICES.**

14 (a) ESTABLISHMENT OF OFFICES.—

15 (1) AGREEMENTS WITH DEPARTMENTS AND
16 AGENCIES.—The Director of National Intelligence,
17 acting through the Director of the National Counter-
18 intelligence and Security Center, shall seek to enter
19 into an agreement with the head of a designated
20 Federal department or agency under which the Di-
21 rector of National Intelligence and the head of the
22 designated Federal department or agency shall es-
23 tablish within the designated Federal department or
24 agency an office, which shall be known as an “Intel-

1 ligence Community Counterintelligence Office”, in
2 accordance with this section.

3 (2) LOCATION.—Each office established under
4 this subsection within a department or agency shall
5 be physically located within the headquarters of the
6 department or agency and within reasonable prox-
7 imity to the offices of the agency or departmental
8 leadership.

9 (3) SECURITY.—The Director of the National
10 Counterintelligence and Security Center shall be re-
11 sponsible for the protection of classified information
12 and for the establishment and enforcement of all se-
13 curity related controls within an Intelligence Com-
14 munity Counterintelligence Office.

15 (b) DESIGNATED FEDERAL DEPARTMENT OR AGEN-
16 CY.—For purposes of this section, the term “designated
17 Federal department or agency” means the Department of
18 Agriculture.

19 (c) PERSONNEL.—

20 (1) DIRECTOR.—

21 (A) APPOINTMENT.—The head of an Intel-
22 ligence Community Counterintelligence Office
23 established within a designated Federal depart-
24 ment or agency pursuant to this section shall be
25 the Director of the Intelligence Community

1 Counterintelligence Office of the department or
2 agency who is appointed by the Director of Na-
3 tional Intelligence. The Director of the Intel-
4 ligence Community Counterintelligence Office
5 shall—

6 (i) be supervised and subject to per-
7 formance evaluations by the Director of
8 the National Counterintelligence and Secu-
9 rity Center, in consultation with the head
10 of the department or agency;

11 (ii) be an employee of the intelligence
12 community with significant counterintel-
13 ligence experience; and

14 (iii) serve for a period of 3 years.

15 (B) RESPONSIBILITIES.—The Director of
16 an Intelligence Community Counterintelligence
17 Office at a designated Federal department or
18 agency shall carry out the following responsibil-
19 ities:

20 (i) Serving as the head of the Intel-
21 ligence Community Counterintelligence Of-
22 fice of the department or agency, with su-
23 pervisory responsibility for the Office and
24 any other personnel assigned to the Office.

1 (ii) Advising the head of the depart-
2 ment or agency on counterintelligence and
3 intelligence information.

4 (iii) Ensuring that counterintelligence
5 threat information and, as appropriate,
6 finished intelligence on topics related to
7 the functions of the department or agency,
8 are provided to appropriate personnel of
9 the department or agency without delay.

10 (iv) Ensuring critical intelligence rel-
11 evant to the head of the department or
12 agency is requested and disseminated in a
13 timely manner.

14 (v) Establishing, as appropriate,
15 mechanisms for collaboration through
16 which department or agency subject matter
17 experts, including those without security
18 clearances, can share information and ex-
19 pertise with the intelligence community.

20 (vi) Correlating and evaluating coun-
21 terintelligence threats identified within in-
22 telligence community reporting, in coordi-
23 nation with the National Counterintel-
24 ligence and Security Center, and providing
25 appropriate dissemination of such intel-

1 ligence to officials of the department or
2 agency with a need-to-know.

3 (vii) Advising the head of the agency
4 or department on methods to improve the
5 counterintelligence posture of the agency
6 or department.

7 (viii) Where appropriate, supporting
8 the agency or department leadership in en-
9 gaging with the National Security Council.

10 (ix) In coordination with the National
11 Counterintelligence and Security Center,
12 establishing counterintelligence partner-
13 ships to improve the counterintelligence de-
14 fense of the department or agency.

15 (2) DEPUTY DIRECTOR.—Each Intelligence
16 Community Counterintelligence Office established
17 within a department or agency shall have a Deputy
18 Director who is appointed by the head of the depart-
19 ment or agency, in coordination with the Director of
20 National Intelligence. The Deputy Director shall—

21 (A) be supervised and subject to perform-
22 ance evaluations by the head of the department
23 or agency, in consultation with the Director of
24 the National Counterintelligence and Security
25 Center;

1 (B) be a current or former employee of the
2 department or agency with significant experi-
3 ence within such agency or department; and

4 (C) serve at the pleasure of the head of the
5 department or agency.

6 (3) OTHER EMPLOYEES.—

7 (A) JOINT DUTY ASSIGNMENT.—Each In-
8 telligence Community Counterintelligence Office
9 shall have such other employees as the Director
10 of National Intelligence, in consultation with
11 the head of the department or agency, deter-
12 mines appropriate. Employment at an Intel-
13 ligence Community Counterintelligence Office is
14 an intelligence community joint duty assign-
15 ment. A permanent change of station to an In-
16 telligence Community Counterintelligence Office
17 shall be for a period of not less than 2 years.

18 (B) SUPERVISION.—The Director of the
19 Intelligence Community Counterintelligence Of-
20 fice of a department or agency shall be respon-
21 sible for the supervision and management of
22 employees assigned to the Office of that depart-
23 ment or agency, including employees assigned
24 by program elements of the intelligence commu-

1 nity and other Federal departments and agen-
2 cies, as appropriate.

3 (C) JOINT DUTY OR ASSIGNED PERSONNEL
4 REIMBURSEMENT.—The Director of National
5 Intelligence shall reimburse a program element
6 of the intelligence community or a Federal de-
7 partment or agency for any permanent change
8 of station employee assigned to the Office of
9 that element, department, or agency from
10 amounts authorized to be appropriated for the
11 Office of the Director of National Intelligence.

12 (D) OPERATION UNDER AUTHORITY OF
13 DNI.—Employees assigned to an Intelligence
14 Community Counterintelligence Office under
15 this paragraph shall operate under the authori-
16 ties of the Director of National Intelligence for
17 the duration of their assignment or period of
18 employment within the Office, except for tem-
19 porary duty assignment employees.

20 (E) INCENTIVE PAY.—

21 (i) IN GENERAL.—An employee who
22 accepts employment at an Intelligence
23 Community Counterintelligence Office dur-
24 ing the 120-day period after the date of
25 the establishment of the Office shall re-

1 ceive an incentive payment, which shall be
2 payable by the Director of National Intel-
3 ligence, in an amount equal to 10 percent
4 of the base annual pay of the employee.
5 Such an employee who completes 2 years
6 of service in such Office may receive an in-
7 centive payment in an amount equal to 10
8 percent of the base annual pay of the em-
9 ployee if the Director of the Office deter-
10 mines the performance of the employee is
11 exceptional.

12 (ii) ADDITIONAL INCENTIVE PAY-
13 MENTS FOR OTHER EMPLOYMENT.—An
14 employee who receives an incentive pay-
15 ment or payments under clause (i) for ac-
16 cepting employment in an Intelligence
17 Community Counterintelligence Office may
18 receive an additional incentive payment or
19 payments if the employee accepts employ-
20 ment at a different Intelligence Community
21 Counterintelligence Office. Such payments
22 shall be made under the same terms and
23 conditions as payments under clause (i),
24 except that the amount of each incentive

1 payment shall be 5 percent of the base an-
2 nual pay of the employee.

3 (iii) ELIGIBILITY.—An employee is
4 only eligible for an incentive payment
5 under clause (i) or (ii) if the employee en-
6 ters into an agreement with the Director of
7 National Intelligence to serve in the Intel-
8 ligence Community Counterintelligence Of-
9 fice for a period of at least 2 years.

10 (d) FUNDING.—Amounts authorized to be appro-
11 priated for the National Intelligence Program of the Office
12 of the Director of National Intelligence may be made avail-
13 able for—

14 (1) the renovation, furnishing, and equipping of
15 a Federal building, as necessary, to meet the secu-
16 rity and operational requirements of an Intelligence
17 Community Counterintelligence Office;

18 (2) the provision of connectivity to the Intel-
19 ligence Community Counterintelligence Office of a
20 Federal department or agency that is located within
21 the building of that department or agency to enable
22 briefings, secure audio and video communications,
23 and collaboration between employees of the depart-
24 ment or agency and the intelligence community at
25 the unclassified, secret and top secret levels;

1 (3) the provision of other information tech-
2 nology systems and devices, such as computers,
3 printers, and phones, for use by employees of an In-
4 telligence Community Counterintelligence Office;

5 (4) the assignment of employees of the intel-
6 ligence community to support the operation of an In-
7 telligence Community Counterintelligence Office; and

8 (5) the provision of other personal services nec-
9 essary for the operation of an Intelligence Commu-
10 nity Counterintelligence Office.

11 (e) DEADLINE FOR ESTABLISHMENT OF OFFICE IN
12 DEPARTMENT OF AGRICULTURE.—

13 (1) ESTABLISHMENT.—Not later than January
14 1, 2025, the Director of National Intelligence shall
15 seek to establish, in accordance with this section, an
16 Intelligence Community Counterintelligence Office
17 within the Department of Agriculture.

18 (2) REPORT.—Not later than 180 days after
19 the date of the enactment of this Act, the Director
20 of National Intelligence shall submit to the congress-
21 sional intelligence committees a report on the plan
22 to establish the Office required under paragraph (1).
23 Such report shall include the costs and schedule as-
24 sociated with establishing such Office.

1 **SEC. 418. TERMINATION OF CLIMATE SECURITY ADVISORY**
2 **COUNCIL.**

3 (a) **TERMINATION.**—The Climate Security Advisory
4 Council established under section 120 of the National Se-
5 curity Act of 1947 (50 U.S.C. 3060) shall terminate on
6 the date that is 180 days after the date of the enactment
7 of this Act.

8 (b) **WIND-DOWN PERIOD.**—During the 180-day pe-
9 riod beginning on the date of the enactment of this Act
10 and ending on the date of the termination of the Climate
11 Security Advisory Council under subsection (a)—

12 (1) the Director of National Intelligence shall
13 take such steps as may be necessary to complete the
14 termination by such date, including with respect to
15 the discharge of any final duties; and

16 (2) the Climate Security Advisory Council may
17 not carry out operations other than those related to
18 such steps for termination.

19 (c) **CONFORMING REPEAL.**—

20 (1) **REPEAL.**—Section 120 of the National Se-
21 curity Act of 1947 (50 U.S.C. 3060) is repealed.

22 (2) **EFFECTIVE DATE.**—The amendment made
23 by paragraph (1) shall take effect on the date that
24 is 180 days after the date of the enactment of this
25 Act.

1 **SEC. 419. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **FEDERAL BUREAU OF INVESTIGATION PEND-**
3 **ING SUBMISSION OF INFORMATION REGARD-**
4 **ING CERTAIN MEDIA ENGAGEMENTS.**

5 (a) FINDINGS.—Congress finds that the Director of
6 the Federal Bureau of Investigation has previously agreed
7 to provide the information specified in subsection (b).

8 (b) LIMITATION.—Of the funds authorized to be ap-
9 propriated by this Act or otherwise made available under
10 the National Intelligence Program for fiscal year 2024 for
11 the Federal Bureau of Investigation, not more than 98
12 percent may be obligated or expended until the Director
13 of the Federal Bureau of Investigation submits to the con-
14 gressional intelligence committees a list of media
15 backgrounders conducted by personnel of the Federal Bu-
16 reau of Investigation relating to the 2020 election for
17 President or foreign malign influence in the lead up to
18 such election, the dates of such engagements, and the per-
19 sons with whom such engagements were held.

20 (c) NATIONAL INTELLIGENCE PROGRAM DEFINED.—
21 In this section, the term “National Intelligence Program”
22 has the meaning given that term in section 3 of the Na-
23 tional Security Act of 1947 (50 U.S.C. 3003).

1 **SEC. 420. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **FEDERAL BUREAU OF INVESTIGATION PEND-**
3 **ING SUBMISSION OF CERTAIN MEMORANDUM**
4 **RELATING TO BUDGET.**

5 (a) LIMITATION.—Of the funds authorized to be ap-
6 propriated by this Act or otherwise made available under
7 the National Intelligence Program for fiscal year 2024 for
8 the Federal Bureau of Investigation, not more than 99.9
9 percent may be obligated or expended until the Director
10 of the Federal Bureau of Investigation, in coordination
11 with the Director of National Intelligence, submits to the
12 congressional intelligence committees the memorandum of
13 agreement that governs the policy of the Federal Bureau
14 of Investigation on budget execution.

15 (b) NATIONAL INTELLIGENCE PROGRAM DE-
16 FINED.—In this section, the term “National Intelligence
17 Program” has the meaning given that term in section 3
18 of the National Security Act of 1947 (50 U.S.C. 3003).

19 **SEC. 421. LIMITATION ON AVAILABILITY OF FUNDS FOR OF-**
20 **FICE OF THE DIRECTOR OF NATIONAL INTEL-**
21 **LIGENCE PENDING SUBMISSION OF CERTAIN**
22 **DOCUMENTS AND ANNEXES.**

23 Of the funds authorized to be appropriated by this
24 Act or otherwise made available for fiscal year 2024 for
25 the Office of the Director of National Intelligence, not
26 more than 97 percent may be obligated or expended until

1 the date on which the Director of National Intelligence
2 submits each document and, if applicable, each annex that
3 is required under section 515 of the National Security Act
4 of 1947 (50 U.S.C. 3114) but that, as of the date of the
5 enactment of this Act, has not been submitted.

6 **Subtitle B—Reports and Other**
7 **Matters**

8 **SEC. 431. INCLUSION OF COUNTERNARCOTICS AS SPECIAL**
9 **TOPIC IN CERTAIN BUDGET JUSTIFICATION**
10 **MATERIALS.**

11 (a) INCLUSION OF COUNTERNARCOTICS AS SPECIAL
12 TOPIC.—For the purposes of the congressional budget jus-
13 tification book for the National Intelligence Program (as
14 such term is defined in section 3 of the National Security
15 Act of 1947 (50 U.S.C. 3003)) for each of fiscal years
16 2025 through 2027, and for any subsequent fiscal year
17 as the Director of National Intelligence determines appro-
18 priate, information with respect to the aggregate amount
19 of funding requested for counternarcotics required to be
20 included as part of the budget justification materials sub-
21 mitted to Congress under section 506(a)(3) of such Act
22 shall be included as a provision relating to a special topic
23 in such congressional budget justification book.

24 (b) CONTENTS.—With respect to a fiscal year, the
25 special topic provision included in the congressional budg-

1 et justification book pursuant to subsection (a) regarding
2 the aggregate amount of funding requested for counter-
3 narcotics shall include—

4 (1) a summary of the main activities and in-
5 vestments that such requested funding would sup-
6 port;

7 (2) a breakdown of such requested funding by
8 program, budget category, intelligence discipline,
9 and any other appropriate classification;

10 (3) a comparison of aggregate requested fund-
11 ing and aggregate enacted funding for counter-
12 narcotics for the current fiscal year and the previous
13 fiscal year;

14 (4) the number of full-time equivalent civilian
15 and military personnel assigned to the counter-
16 narcotics mission of the intelligence community; and

17 (5) such other information as the Director of
18 National Intelligence determines appropriate.

19 **SEC. 432. DEVELOPMENT OF PLAN TO MAKE OPEN-SOURCE**
20 **INTELLIGENCE PRODUCTS AVAILABLE TO**
21 **CERTAIN FEDERAL EMPLOYEES.**

22 (a) **PLAN REQUIREMENT.**—Not later than 180 days
23 after the date of the enactment of this Act, the Director
24 of National Intelligence, in consultation with such heads
25 of the elements of the intelligence community as the Direc-

1 tor considers appropriate, shall develop and submit to the
2 congressional intelligence committees a plan to make avail-
3 able to covered individuals any covered open-source intel-
4 ligence product.

5 (b) ELEMENTS.—The plan required under subsection
6 (a) shall include the following:

7 (1) Policies and procedures to make available to
8 covered individuals any covered open-source intel-
9 ligence product in a manner consistent with the pro-
10 tection of intelligence sources and methods.

11 (2) Policies and procedures to increase the
12 availability and accessibility to covered individuals of
13 publicly-available foreign language material that is
14 translated by or within the intelligence community.

15 (3) Policies and procedures to ensure that the
16 head of each element of the intelligence community
17 that produces any covered open-source intelligence
18 product complies with all policies and procedures
19 issued to implement the plan submitted under sub-
20 section (a).

21 (4) Policies and procedures to ensure that any
22 covered open-source intelligence product that is
23 made available to covered individuals satisfies the re-
24 quirements under any policy, procedure, or standard
25 issued by the head of an element of the intelligence

1 community relating to the production and dissemina-
2 tion of intelligence products.

3 (5) Any obstacles to making available to cov-
4 ered individuals unclassified products derived from
5 open-source intelligence produced by the intelligence
6 community, including translated foreign language
7 material described in paragraph (2).

8 (6) With respect to implementation of the plan,
9 a discussion of the estimated timeline, any additional
10 funding or other resources, and any new authorities
11 that would be required for such implementation.

12 (7) A discussion of the feasibility and advis-
13 ability of making unclassified products derived from
14 open-source intelligence produced by the intelligence
15 community available to State and local government
16 officials who would derive value from such unclassi-
17 fied products.

18 (c) FORM.—The plan required under subsection (a)
19 shall be submitted in unclassified form, but may include
20 a classified annex.

21 (d) INTELLIGENCE COMMUNITY DIRECTIVE WITH
22 RESPECT TO OPEN-SOURCE INTELLIGENCE.—Not later
23 than 180 days after the date of the enactment of this Act,
24 the Director of National Intelligence shall update Intel-
25 ligence Community Directive 208, Maximizing the Utility

1 of Analytic Products (or any successor directive) to spe-
2 cifically address—

3 (1) the production and dissemination of unclas-
4 sified intelligence products derived entirely from
5 open-source intelligence, including from unclassified
6 publicly available information, unclassified commer-
7 cially available information, or any other type of un-
8 classified information; and

9 (2) the needs and requirements of covered indi-
10 viduals who do not hold a security clearance or have
11 access to the classified systems on which such un-
12 classified intelligence products reside.

13 (e) DEFINITIONS.—In this section:

14 (1) COVERED INDIVIDUAL.—The term “covered
15 individual” means an employee of the Federal Gov-
16 ernment—

17 (A) who is not an employee or contractor
18 of an element of the intelligence community;
19 and

20 (B) who would derive value from a covered
21 open-source intelligence product.

22 (2) COVERED OPEN-SOURCE INTELLIGENCE
23 PRODUCT.—The term “covered open-source intel-
24 ligence product” means an unclassified product de-

1 rived from open-source intelligence that is produced
2 by the intelligence community.

3 **SEC. 433. INTELLIGENCE COMMUNITY-WIDE POLICY ON**
4 **PREPUBLICATION REVIEW.**

5 Not later than 30 days after the date of the enact-
6 ment of this Act, the Director of National Intelligence
7 shall issue, and submit to the congressional intelligence
8 committees, an intelligence community-wide policy regard-
9 ing prepublication review.

10 **SEC. 434. REVIEW RELATING TO CONFIDENTIAL HUMAN**
11 **SOURCE PROGRAM OF FEDERAL BUREAU OF**
12 **INVESTIGATION.**

13 (a) REVIEW BY INSPECTOR GENERAL OF INTEL-
14 LIGENCE COMMUNITY.—

15 (1) REVIEW.—The Inspector General of the In-
16 telligence Community, in coordination with the In-
17 spector General of the Department of Justice, shall
18 conduct a review of the policies and procedures gov-
19 erning the confidential human source program of the
20 Federal Bureau of Investigation (in this section re-
21 ferred to as the “program)”) and the compliance by
22 the Federal Bureau of Investigation with such poli-
23 cies and procedures, including—

24 (A) the policy of the Department of Jus-
25 tice titled “The Attorney General’s Guidelines

1 Regarding the Use of FBI Confidential
2 Sources” (or successor policy); and

3 (B) Intelligence Community Directive 304
4 (or successor directive).

5 (2) ELEMENTS.—The review under paragraph
6 (1) shall include the following:

7 (A) An assessment of the compliance by
8 the Federal Bureau of Investigation with the
9 policies and procedures governing the program,
10 including with respect to the management and
11 validation of confidential human sources under
12 such program.

13 (B) An assessment of the means by which
14 the Federal Bureau of Investigation conducts
15 risk assessments relating to the continual vali-
16 dation of long-term confidential human sources
17 under the program.

18 (C) An assessment of the timeliness and
19 completion rates of the reviews of confidential
20 human sources under the program.

21 (D) An identification of the data points as-
22 sessed by the Federal Bureau of Investigation
23 during such reviews and the State and local
24 databases used in conducting such reviews.

1 (E) A list containing an identification of
2 each incident of non-compliance with a policy or
3 procedure specified in subparagraph (A).

4 (3) SUBMISSION.—Not later than 90 days after
5 the date on which the review under paragraph (1) is
6 completed, the Inspector General of the Intelligence
7 Community shall submit to the congressional intel-
8 ligence committees a report containing the results of
9 such review.

10 (b) REQUIREMENT.—Beginning not later than 180
11 days after the date of the enactment of this Act, with re-
12 spect to any confidential human source the management
13 of which is funded through the National Intelligence Pro-
14 gram—

15 (1) if an agent of the Federal Bureau of Inves-
16 tigation has reasonable grounds to believe that such
17 a confidential human source, or any immediate fam-
18 ily member of such a source, has engaged in unau-
19 thorized criminal activity, including any mis-
20 demeanor or felony crime, the agent shall promptly
21 notify a confidential human source coordinator or
22 the assigned Federal prosecutor; and

23 (2) the file of each such confidential human
24 source shall be reviewed on at least a quarterly basis
25 and in a manner otherwise consistent with the

1 guidelines of the Attorney General and other policies
2 of the Federal Bureau of Investigation.

3 (c) DEFINITIONS.—In this section:

4 (1) IMMEDIATE FAMILY MEMBER.—The term
5 “immediate family member” means, with respect to
6 an individual, a spouse, domestic partner, parent,
7 sibling, child, stepparent, stepsibling, or stepchild of
8 the individual.

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

13 **SEC. 435. INSPECTOR GENERAL OF THE INTELLIGENCE**
14 **COMMUNITY ASSESSMENT OF OVERT HUMAN**
15 **INTELLIGENCE COLLECTION PROGRAM OF**
16 **DEPARTMENT OF HOMELAND SECURITY.**

17 (a) ASSESSMENT.—

18 (1) REQUIREMENT.—The Inspector General of
19 the Intelligence Community shall conduct an assess-
20 ment of the Overt Human Intelligence Collection
21 Program administered by the Under Secretary of
22 Homeland Security for Intelligence and Analysis.

23 (2) ELEMENTS.—The assessment under para-
24 graph (1) shall include findings and, as appropriate,
25 recommendations on the following:

1 (A) Whether the Overt Human Intelligence
2 Collection Program is authorized or otherwise
3 supported by legal authorities.

4 (B) Whether, and to what extent, such
5 Program has provided valuable insights on na-
6 tional intelligence priorities and intelligence pri-
7 orities of the Department of Homeland Secu-
8 rity.

9 (C) Whether there is sufficient training
10 provided to, and sufficient oversight provided
11 of, officers and employees of the Office of Intel-
12 ligence and Analysis of the Department of
13 Homeland Security who conduct interviews or
14 other engagements for intelligence collection
15 purposes under such Program.

16 (D) Whether the responsibilities, proce-
17 dures, and requirements for such Program set
18 forth in Policy Instruction 907 of the Office of
19 Intelligence and Analysis, issued on June 29,
20 2016, (or any successor instruction) are clear,
21 complete, and consistently complied with by
22 such officers and employees.

23 (E) Whether such Program raises, or, with
24 respect to activities conducted under such Pro-
25 gram prior to the date of such assessment, has

1 raised, legal, ethical, or operational concerns,
2 including concerns relating to the actual or po-
3 tential violation of any applicable policies or
4 procedures for protecting the constitutional or
5 statutory rights of United States persons.

6 (F) Any other matter the Inspector Gen-
7 eral of the Intelligence Community determines
8 appropriate.

9 (3) BRIEFING.—Not later than 180 days after
10 the date of the enactment of this Act, the Inspector
11 General of the Intelligence Community shall provide
12 to the appropriate congressional committees a brief-
13 ing on the preliminary findings and recommenda-
14 tions of the Inspector General with respect to the as-
15 sessment under paragraph (1).

16 (4) REPORT.—Not later than 1 year after the
17 date of the enactment of this Act, the Inspector
18 General of the Intelligence Community shall submit
19 to the appropriate congressional committees a report
20 containing the findings and recommendations of the
21 Inspector General with respect to the assessment
22 under paragraph (1).

23 (b) PROHIBITION ON AVAILABILITY OF FUNDS.—
24 None of the funds authorized to be appropriated by this

1 Act may be made available to the Office of Intelligence
2 and Analysis to conduct or resume a covered activity.

3 (c) DEFINITION.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means the following:

7 (A) The congressional intelligence commit-
8 tees.

9 (B) The Committee on Homeland Security
10 of the House of Representatives.

11 (C) The Committee on Homeland Security
12 and Governmental Affairs of the Senate.

13 (2) COVERED ACTIVITY.—The term “covered
14 activity” means an activity the conduct of which
15 under the Overt Human Intelligence Collection Pro-
16 gram was paused in 2022 (as described in the docu-
17 ment submitted to the Permanent Select Committee
18 on Intelligence of the House of Representatives by
19 the Under Secretary of Homeland Security for Intel-
20 ligence and Analysis, titled “Response to Questions
21 during HPSCI Briefing on March 7, 2023”), involv-
22 ing the conduct by an officer or employee of the Of-
23 fice of Intelligence and Analysis of an interview or
24 other engagement for intelligence collection purposes

1 with an individual, in connection with a criminal
2 matter—

3 (A) who has been charged, arraigned, or is
4 in the custody of a Federal, State, or local law
5 enforcement agency; and

6 (B) whose guilt with respect to such mat-
7 ter has not yet been adjudicated.

8 (3) OVERT HUMAN INTELLIGENCE COLLECTION
9 PROGRAM.—The term “Overt Human Intelligence
10 Collection Program” means the program established
11 by the Under Secretary of Homeland Security for
12 Intelligence and Analysis pursuant to Policy Instruc-
13 tion 907 of the Office of Intelligence and Analysis,
14 issued on June 29, 2016 (or any successor pro-
15 gram).

16 (4) UNITED STATES PERSON.—The term
17 “United States person” has the meaning given that
18 term in section 101 of the Foreign Intelligence Sur-
19 veillance Act of 1978 (50 U.S.C. 1801).

20 **SEC. 436. INTELLIGENCE ASSESSMENTS REGARDING HAITI.**

21 (a) INTELLIGENCE COMMUNITY ASSESSMENT.— The
22 Director of National Intelligence, acting through the Na-
23 tional Intelligence Council, shall produce an intelligence
24 community assessment regarding Haiti. Such assessment
25 shall include each of the following:

1 (1) An analysis of the security, political, and
2 economic situation in Haiti, and its effect on—

3 (A) the people of Haiti;

4 (B) other countries in the Caribbean re-
5 gion; and

6 (C) the United States, including Puerto
7 Rico and the United States Virgin Islands, as
8 a result of increased out-migration from Haiti
9 to the United States, the increased use of Haiti
10 as a transshipment point for illicit drugs des-
11 tined for the United States, or any other rel-
12 evant factor or trend.

13 (2) A description of opportunities available to
14 improve or stabilize the security, political, and eco-
15 nomic situation in Haiti.

16 (3) An identification of specific events or ac-
17 tions in Haiti that, were they to occur individually
18 or in combination, would serve as signposts indi-
19 cating the further deterioration or collapse of the se-
20 curity, political, and economic situation in Haiti.

21 (b) INTELLIGENCE ASSESSMENT.—The Director of
22 National Intelligence shall produce an intelligence assess-
23 ment based on a review of the intelligence products per-
24 taining to Haiti that were written by elements of the intel-
25 ligence community and provided to policymakers during

1 the period of time beginning on January 1, 2021, and end-
2 ing on July 7, 2021. Such assessment shall include each
3 of the following:

4 (1) An analysis of whether, during the time pe-
5 riod covered by the assessment, the intelligence com-
6 munity provided policymakers with adequate indica-
7 tions and warning of the assassination of Haitian
8 President Jovenal Moise on July 7, 2021.

9 (2) An analysis of whether, during such time
10 period, the intelligence community provided policy-
11 makers with useful and unique insights, derived
12 from both covertly-collected and open-source intel-
13 ligence, that policymakers would not otherwise have
14 been able to obtain from sources outside of the intel-
15 ligence community.

16 (3) Based on the analyses conducted under
17 paragraphs (1) and (2), any recommendations to im-
18 prove indications and warning or to otherwise en-
19 hance the utility for policymakers of intelligence
20 products that the intelligence community prepares
21 on Haiti, specifically, or on other countries charac-
22 terized by chronic insecurity, instability, and pov-
23 erty.

24 (c) SUBMISSION TO CONGRESS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of the enactment of this Act, the Director
3 shall concurrently submit to the congressional intel-
4 ligence committees the intelligence community as-
5 sessment produced under subsection (a) and the in-
6 telligence assessment produced under subsection (b).

7 (2) FORM.— The assessments submitted under
8 paragraph (1) shall be submitted in classified form.

9 **SEC. 437. INTELLIGENCE ASSESSMENT OF INFLUENCE OP-**
10 **ERATIONS BY PEOPLE’S REPUBLIC OF CHINA**
11 **TOWARD PACIFIC ISLAND COUNTRIES.**

12 (a) ASSESSMENT.—Not later than 180 days after the
13 date of the enactment of this Act, the Assistant Secretary
14 of State for Intelligence and Research, in consultation
15 with the heads of the other elements of the intelligence
16 community that the Assistant Secretary determines appro-
17 priate, shall submit to the congressional intelligence com-
18 mittees an assessment of influence operations by the Peo-
19 ple’s Republic of China toward Pacific Island countries.

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

22 (1) A description of recent and potential future
23 efforts by the People’s Republic of China, using ei-
24 ther overt or covert means, to enhance its security,

1 political, diplomatic, or economic ties with Pacific Is-
2 land countries.

3 (2) An assessment of how the People's Republic
4 of China views the success of its efforts to expand
5 influence in Pacific Island countries, and the impor-
6 tance of such efforts to its national security, foreign
7 policy, and economic development objectives.

8 (3) An identification of Pacific Island countries
9 in which the People's Republic of China has estab-
10 lished, or is seeking to establish, an intelligence
11 presence or intelligence partnerships.

12 (4) An assessment of the degree to which the
13 People's Republic of China is using economic or
14 other forms of coercion to pressure the Pacific Is-
15 land countries that diplomatically recognize Taiwan
16 (the Republic of the Marshall Islands, Palau, Nauru,
17 and Tuvalu) into instead recognizing the People's
18 Republic of China.

19 (5) An analysis of how specific Pacific Island
20 countries are responding to efforts by the People's
21 Republic of China to increase bilateral engagement.

22 (6) An assessment of the influence of the Peo-
23 ple's Republic of China in the Pacific Islands Forum
24 (the main multilateral organization of the region)
25 and of the efforts of the People's Republic of China

1 to establish parallel regional organizations and re-
2 cruit Pacific Island countries to participate.

3 (7) An analysis of opportunities for the United
4 States to counter influence operations by the Peo-
5 ple's Republic of China in the Pacific Island region
6 that undermine the national security or economic in-
7 terests of the United States.

8 (c) FORM.—The intelligence assessment under sub-
9 section (a) may be submitted in classified form.

10 (d) DEFINITIONS.—In this section:

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

14 (A) the congressional intelligence commit-
15 tees;

16 (B) the Committee on Foreign Affairs and
17 the Select Committee on the Strategic Competi-
18 tion Between the United States and the Chinese
19 Communist Party of the House of Representa-
20 tives; and

21 (C) the Committee on Foreign Relations of
22 the Senate.

23 (2) PACIFIC ISLAND COUNTRIES.—The term
24 “Pacific Island countries” includes the Federated
25 States of Micronesia, Fiji, French Polynesia,

1 Kiribati, the Republic of the Marshall Islands,
2 Nauru, Palau, Solomon Islands, Tonga, Samoa,
3 Niue, Tuvalu, and Vanuatu.

4 **SEC. 438. INDEPENDENT STUDY ON ECONOMIC IMPACT OF**
5 **MILITARY INVASION OF TAIWAN BY PEOPLE'S**
6 **REPUBLIC OF CHINA.**

7 (a) REQUIREMENT.—Not later than 60 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence shall seek to enter into a contract with an eli-
10 gible entity to conduct a comprehensive study on the glob-
11 al economic impact of a military invasion of Taiwan by
12 the People's Republic of China or certain other aggressive
13 or coercive actions taken by the People's Republic of
14 China with respect to Taiwan.

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

17 (1) An assessment of the economic impact glob-
18 ally, in the United States, and in the People's Re-
19 public of China that would result from an invasion
20 of Taiwan by the People's Republic of China under
21 various potential invasion and response scenarios, in-
22 cluding with respect to the impact on—

23 (A) supply chains;

24 (B) trade flows;

25 (C) financial markets;

1 (D) sovereign debt; and

2 (E) gross domestic product, unemploy-
3 ment, and other key economic indicators.

4 (2) An assessment of the economic impact glob-
5 ally, in the United States, and in the People's Re-
6 public of China that would result from of an aggres-
7 sive or coercive military, economic, or other action
8 taken by the People's Republic of China with respect
9 to Taiwan that falls short of an invasion, including
10 as a result of a blockade of Taiwan.

11 (3) The development of economic policy options,
12 to include sanctions and supply chain restrictions,
13 designed to cause escalating impacts on the economy
14 of the People's Republic of China during a pre-con-
15 flict phase.

16 (c) REPORT.—

17 (1) IN GENERAL.—Not later than 270 days
18 after the date of the enactment of this Act, the eligi-
19 ble entity that the Director of National Intelligence
20 enters into an agreement with under subsection (a)
21 shall submit to the Director a report containing the
22 results of the study conducted under such sub-
23 section.

24 (2) SUBMISSION TO CONGRESS.—Not later than
25 30 days after the date the Director receives the re-

1 port under paragraph (1), the Director shall submit
2 the report to the congressional intelligence commit-
3 tees.

4 (3) FORM OF REPORT.—The report required
5 under this subsection shall be submitted in unclassi-
6 fied form, but may include a classified annex.

7 (d) ELIGIBLE ENTITY DEFINED.—In this section,
8 the term “eligible entity” means a federally funded re-
9 search and development center or non-governmental entity
10 which has—

11 (1) a primary focus on studies and analysis;

12 (2) experience and expertise relevant to the
13 study required under subsection (a); and

14 (3) a sufficient number of personnel with the
15 appropriate security clearance to conduct such
16 study.

17 **SEC. 439. REPORTS ON CIVILIAN CASUALTIES CAUSED BY**
18 **CERTAIN OPERATIONS OF FOREIGN GOVERN-**
19 **MENTS.**

20 (a) ANNUAL REPORTS.—Not later than 1 year after
21 the date of the enactment of this Act, and annually there-
22 after for 2 years, the Director of National Intelligence
23 shall submit to the congressional intelligence committees
24 a report on civilian casualties caused by covered oper-
25 ations.

1 (b) ELEMENTS.—Each report under subsection (a)
2 shall include, for the year covered by the report, each of
3 the following:

4 (1) A list identifying each covered operation
5 during that year that has resulted in civilian casual-
6 ties that the Director of National Intelligence has
7 confirmed.

8 (2) An identification of the total number of ci-
9 vilian casualties resulting from covered operations
10 during that year that the Director of National Intel-
11 ligence has confirmed.

12 (3) For each covered operation identified in the
13 list under paragraph (1), an identification of the fol-
14 lowing:

15 (A) The date on which, and the location
16 where, the covered operation occurred.

17 (B) The element of the foreign government
18 that conducted the covered operation.

19 (C) The individual or entity against which
20 the covered operation was directed.

21 (D) Any other circumstances or facts that
22 the Director of National Intelligence determines
23 relevant.

1 (c) FORM.—Each report required under subsection
2 (a) may be submitted in classified form, but if so sub-
3 mitted shall include an unclassified executive summary.

4 (d) COVERED OPERATION.—In this subsection, the
5 term “covered operation” means an operation—

6 (1) conducted by a foreign government;

7 (2) involving the use of force; and

8 (3) in which intelligence shared by an element
9 of the intelligence community plays a significant
10 role.

11 **SEC. 440. REPORT BY DIRECTOR OF NATIONAL INTEL-**
12 **LIGENCE ON UYGHUR GENOCIDE.**

13 (a) REPORT ON UYGHUR GENOCIDE.—

14 (1) SUBMISSION.—Not later than 180 days
15 after the date of the enactment of this Act, the Di-
16 rector of National Intelligence, in coordination with
17 the relevant heads of the elements of the intelligence
18 community, shall submit to the congressional intel-
19 ligence committees a report on the Uyghur genocide.

20 (2) MATTERS.—The report under paragraph
21 (1) shall address the following matters:

22 (A) Forced sterilization, forced birth con-
23 trol, and forced abortion of Uyghurs.

24 (B) Forced transfer of Uyghur children
25 from their families.

1 (C) Forced labor of Uyghurs, inside and
2 outside of Xinjiang.

3 (D) The work conditions of Uyghur labor-
4 ers (including laborers in the textile, automobile
5 and electric vehicle, solar panel, polyvinyl chlo-
6 ride, and rare earth metals sectors), including
7 an identification of any company that is—

8 (i) organized under the laws of the
9 People's Republic of China or otherwise
10 subject to the jurisdiction of (or over which
11 control is exercised or exercisable by) the
12 Government of the People's Republic of
13 China; and

14 (ii) employing forced Uyghur laborers
15 from Xinjiang.

16 (E) Any other forms of physical or psycho-
17 logical torture against Uyghurs.

18 (F) Any other actions that infringe on the
19 rights of Uyghurs to live freely in accordance
20 with their customs, culture, and religious prac-
21 tices.

22 (G) The methods of surveillance of
23 Uyghurs, including surveillance via technology,
24 law enforcement notifications, and forcing

1 Uyghurs to live with other individuals for moni-
2 toring purposes.

3 (H) Such other matters as the Director of
4 National Intelligence may determine appro-
5 priate.

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

9 (b) DEFINITIONS.—In this section, the terms “con-
10 gressional intelligence committees”, “intelligence”, “intel-
11 ligence community”, and “national intelligence” have the
12 meanings given those terms in section 3 of the National
13 Security Act of 1947 (50 U.S.C. 3003).

14 **SEC. 441. TECHNICAL CORRECTIONS.**

15 (a) NATIONAL SECURITY ACT OF 1947.—The Na-
16 tional Security Act of 1947 (50 U.S.C. 3001 et seq.) is
17 amended—

18 (1) in section 102A(n) (50 U.S.C. 3024(n)) by
19 redesignating the second paragraph (5) as para-
20 graph (6);

21 (2) in section 503(c)(3) (50 U.S.C.
22 3093(c)(c3)), by striking “section” and inserting
23 “subsection”;

1 (3) in section 805(6) (50 U.S.C. 3164(6), by
2 striking “sections 101(a) and (b)” and inserting
3 “subsections (a) and (b) of section 101”; and

4 (4) in section 1102A (50 U.S.C. 3232a)—

5 (A) in subsection (b)(3), by striking “sub-
6 section (2)” and inserting “paragraph (1)”; and

7 (B) in subsection (c)(4)(C)(iv), by striking
8 “wavier” and inserting “waiver”.

9 (b) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
10 YEAR 2023.—The Intelligence Authorization Act for Fis-
11 cal Year 2023 (division F of Public Law 117–263) is
12 amended—

13 (1) in section 6422(b) (50 U.S.C. 3334l(b)), by
14 striking “Congressional” and inserting “congres-
15 sional”; and

16 (2) in section 6732(b) (50 U.S.C. 3024 note;
17 136 Stat. 3583), by striking “paragraph (5)” and
18 inserting “paragraph (6)”.

19 (c) DAVID L. BOREN NATIONAL SECURITY EDU-
20 CATION ACT OF 1991.—The David L. Boren National Se-
21 curity Education Act of 1991 (50 U.S.C. 1901 et seq.)
22 is amended—

23 (1) in section 802(j)(6) (50 U.S.C.
24 1902(j)(6))—

1 (A) by redesignating subparagraphs (C)
2 and (D) as subparagraphs (B) and (C), respec-
3 tively; and

4 (B) in subparagraph (B), as so redesign-
5 ated, by striking “subparagraph (D)” and in-
6 serting “subparagraph (C)”;

7 (2) in section 803(d)(9)(D) (50 U.S.C.
8 1903(d)(9)(D)), by striking “Local” and inserting
9 “local”; and

10 (3) in section 808(4)(A) (50 U.S.C.
11 1908(4)(A)), by striking “a agency” and inserting
12 “an agency”.

13 (d) CENTRAL INTELLIGENCE AGENCY RETIREMENT
14 ACT.—The Central Intelligence Agency Retirement Act
15 (50 U.S.C. 2001 et seq.) is amended—

16 (1) in section 211(c)(2)(B) (50 U.S.C.
17 2021(c)(2)(B)), by striking “subsection 241(c)” and
18 inserting “section 241(c)”;

19 (2) in section 263(g)(1) (50 U.S.C.
20 2093(g)(1)), by striking “Fund” and inserting
21 “fund”;

22 (3) in section 271(b) (50 U.S.C. 2111(b)), by
23 striking “section 231(b)” and inserting “section
24 231(c)”;

25 (4) in section 304(c) (50 U.S.C. 2154(c))—

1 (A) in paragraph (1)(B)(i), by striking
2 “title 50” and inserting “title 5”; and

3 (B) in paragraph (5)(A)(ii), by striking
4 “sections” and inserting “section”.

5 (e) INTELLIGENCE REFORM AND TERRORISM PRE-
6 VENTION ACT OF 2004.—Section 3001 of the Intelligence
7 Reform and Terrorism Prevention Act of 2004 (50 U.S.C.
8 3341) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (4)(B)(i), by striking the
11 semicolon and inserting “);”; and

12 (B) in paragraph (9)(A), by striking “with
13 industry” and inserting “within industry”; and

14 (2) in subsection (j)(1)(C)(i), by striking “and
15 (i)” and inserting “and (h)”.

16 (f) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
17 YEAR 2003.—The Intelligence Authorization Act for Fis-
18 cal Year 2003 (Public Law 107–306; 116 Stat. 2383) is
19 amended—

20 (1) in section 313(d)(3)(B) (50 U.S.C.
21 3361(d)(3)(B)), by adding a period at the end; and

22 (2) in section 343(d)(1) (50 U.S.C.
23 3363(d)(1)), by striking “Not later then” and in-
24 serting “Not later than”.

1 (g) CENTRAL INTELLIGENCE AGENCY ACT OF
2 1949.—The Central Intelligence Agency Act of 1949 (50
3 U.S.C. 3501 et seq.) is amended—

4 (1) in section 4—

5 (A) in subsection (a)(1)(E) (50 U.S.C.
6 3505(a)(1)(E)), by striking the period at the
7 end and inserting a semicolon; and

8 (B) in subsection (b)(2) (50 U.S.C.
9 3505(b)(2)), by striking “authorized by sec-
10 tion” and inserting “authorized by sections”;

11 (2) in section 6 (50 U.S.C. 3507), by striking
12 “or of the, names” and inserting “or of the names”;

13 (3) in section 12(a)(2)(A) (50 U.S.C.
14 3512(a)(2)(A)), by striking “used only for-” and
15 inserting “used only for-”;

16 (4) in section 17—

17 (A) in subsection (d)(5)(B)(ii) (50 U.S.C.
18 3517(d)(5)(B)(ii)), by adding a period at the
19 end; and

20 (B) in subsection (e)(4) (50 U.S.C.
21 3517(e)(4)), by striking “which oath affirma-
22 tion, or affidavit” and inserting “which oath,
23 affirmation, or affidavit”; and

1 (5) in section 19(a)(2) (50 U.S.C. 3519(a)(2)),
2 by striking “, as a participant” and inserting “ as
3 a participant”.

4 (h) CENTRAL INTELLIGENCE AGENCY VOLUNTARY
5 SEPARATION PAY ACT.—Section 2(a)(1) of the Central
6 Intelligence Agency Voluntary Separation Pay Act (50
7 U.S.C. 3519a(a)(1)) is amended by adding “and” at the
8 end.

9 (i) NATIONAL SECURITY AGENCY ACT OF 1959.—
10 Section 16(d)(1) of the National Security Agency Act of
11 1959 (50 U.S.C. 3614(d)(1)) is amended by striking “pro-
12 gram participant,” and inserting “program participant”.

13 (j) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
14 YEAR 1995.—Section 811(e)(7) of the Intelligence Au-
15 thorization Act for Fiscal Year 1995 (50 U.S.C.
16 3381(e)(7)) is amended by striking “sections 101(a) and
17 (b)” and inserting “subsections (a) and (b) of section
18 101”.

19 (k) COORDINATION WITH OTHER AMENDMENTS
20 MADE BY THIS ACT.—For purposes of applying amend-
21 ments made by provisions of this Act other than this sec-
22 tion, the amendments made by this section shall be treated
23 as having been enacted immediately before any such
24 amendments by other provisions of this Act.

1 **TITLE V—MATTERS RELATING**
2 **TO DEFENSE INTELLIGENCE**
3 **AND OVERHEAD ARCHITEC-**
4 **TURE**

5 **SEC. 501. EXTENSION OF AUTHORITY TO ENGAGE IN COM-**
6 **MERCIAL ACTIVITIES AS SECURITY FOR IN-**
7 **TELLIGENCE COLLECTION ACTIVITIES.**

8 Section 431(a) of title 10, United States Code, is
9 amended by striking “December 31, 2023” and inserting
10 “December 31, 2024”.

11 **SEC. 502. MODIFICATION OF REPORTING REQUIREMENT**
12 **FOR ALL-DOMAIN ANOMALY RESOLUTION OF-**
13 **FICE.**

14 Section 1683(k)(1) of the National Defense Author-
15 ization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)),
16 as amended by section 6802(a) of the Intelligence Author-
17 ization Act for Fiscal Year 2023 (Public Law 117–263),
18 is further amended—

19 (1) in the heading, by striking “DIRECTOR OF
20 NATIONAL INTELLIGENCE AND SECRETARY OF DE-
21 FENSE” and inserting “ALL-DOMAIN ANOMALY RES-
22 OLUTION OFFICE”; and

23 (2) in subparagraph (A), by striking “Director
24 of National Intelligence and the Secretary of De-

1 fense shall jointly” and inserting “Director of the
2 Office shall”.

3 **SEC. 503. MILITARY INTELLIGENCE COLLECTION AND**
4 **ANALYSIS PARTNERSHIPS.**

5 (a) USE OF APPROPRIATED FUNDS.—The Director
6 of the Defense Intelligence Agency may use not more than
7 \$10,000,000 of appropriated funds available to the De-
8 fense Intelligence Agency for each fiscal year to pay for
9 the expenses of partnerships with foreign countries, re-
10 gional organizations with defense, intelligence, or security
11 components, and security alliances of which the United
12 States is a member for military intelligence collection and
13 analysis activities.

14 (b) USE OF FUNDS OTHER THAN APPROPRIATED
15 FUNDS.—Notwithstanding any other provision of law, the
16 Director may use funds other than appropriated funds to
17 pay for the expenses of partnerships with foreign coun-
18 tries, regional organizations with defense or security com-
19 ponents, and security alliances of which the United States
20 is a member for military intelligence collection and anal-
21 ysis activities, except that—

22 (1) no such funds may be expended, in whole
23 or in part, by or for the benefit of the Defense Intel-
24 ligence Agency for a purpose for which Congress had
25 previously denied funds;

1 (2) proceeds from the sale of military intel-
2 ligence collection and analysis items may be used
3 only to purchase replacement items similar to the
4 items that are sold; and

5 (3) the authority provided by this subsection
6 may not be used to acquire items or services for the
7 principal benefit of the United States.

8 (c) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—
9 Notwithstanding any other provision of law, the Director
10 may exercise the authority under this section to pay for,
11 or otherwise facilitate, the logistic support, supplies, and
12 services associated with partnerships with foreign coun-
13 tries, regional organizations with defense or security com-
14 ponents, and security alliances of which the United States
15 is a member.

16 (d) COORDINATION WITH SECRETARY OF STATE.—
17 The Director of the Defense Intelligence Agency shall co-
18 ordinate the military intelligence collection and analysis
19 activities funded pursuant to this section with the Sec-
20 retary of State.

21 (e) COORDINATION WITH DIRECTOR OF NATIONAL
22 INTELLIGENCE.—The Director of the Defense Intelligence
23 Agency shall coordinate the military intelligence collection
24 and analysis activities funded pursuant to this section with
25 the Director of National Intelligence.

1 (f) SUNSET.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the authority to carry out this section shall termi-
4 nate on the date that is 5 years after the date of the
5 enactment of this Act.

6 (2) EXCEPTION.—A military intelligence collec-
7 tion and analysis activity for which funds have been
8 obligated under this section before the date on which
9 the authority to carry out this section terminates
10 under paragraph (1) may continue until the comple-
11 tion of the activity.

12 (g) MILITARY INTELLIGENCE COLLECTION AND
13 ANALYSIS ACTIVITY DEFINED.—In this section, the term
14 “military intelligence collection and analysis activity”
15 means—

16 (1) the conduct of a combined human intel-
17 ligence and counterintelligence activity;

18 (2) the collection, processing, exploitation, anal-
19 ysis, and dissemination of all-source intelligence;

20 (3) the conduct of a foreign defense intelligence
21 liaison relationship or defense intelligence exchange
22 program; or

23 (4) the research, development, acquisition, and
24 sustainment of an information technology system or

1 telecommunication capability in support of an activ-
2 ity described in paragraph (1), (2), or (3).

3 **SEC. 504. AUTHORIZATION FOR ESTABLISHMENT OF NA-**
4 **TIONAL SPACE INTELLIGENCE CENTER AS**
5 **FIELD OPERATING AGENCY.**

6 (a) **AUTHORITY.**—Notwithstanding any other provi-
7 sion of law prohibiting the establishment of a field oper-
8 ating agency, the Secretary of the Air Force may establish
9 the National Space Intelligence Center as a field operating
10 agency of the Space Force to analyze and produce sci-
11 entific and technical intelligence on space-based and
12 counterspace threats from foreign adversaries.

13 (b) **REQUIREMENT.**—If the Secretary of the Air
14 Force decides to establish the National Space Intelligence
15 Center as a field operating agency, the Secretary shall
16 consider the operational and geographical benefits pro-
17 vided by co-locating the National Space Intelligence Cen-
18 ter with the National Air and Space Intelligence Center.

19 **SEC. 505. DEFENSE INTELLIGENCE AGENCY ASSESSMENT**
20 **OF STRATEGIC COMPETITION IN LATIN**
21 **AMERICA AND THE CARIBBEAN.**

22 (a) **ASSESSMENT.**—Not later than 120 days after the
23 date of the enactment of this Act, the Director of the De-
24 fense Intelligence Agency, in consultation with the heads
25 of the other elements of the intelligence community that

1 the Director determines appropriate, shall submit to the
2 appropriate congressional committees an intelligence as-
3 sessment on the level of intelligence and defense coopera-
4 tion between covered countries and—

5 (1) the People’s Republic of China; and

6 (2) the Russian Federation.

7 (b) ELEMENTS.—The intelligence assessment under
8 subsection (a) shall include a description of any security-
9 related cooperation or engagement between covered coun-
10 tries and the People’s Republic of China or the Russian
11 Federation in the following areas:

12 (1) Strategic dialogue.

13 (2) Training or professional military education.

14 (3) Defense agreements.

15 (4) Intelligence sharing agreements.

16 (5) Arms transfers.

17 (6) Defense equipment transfers.

18 (7) Military exercises.

19 (8) Joint operations.

20 (9) Permanent military presence.

21 (10) Space cooperation.

22 (11) Any other area the Director of the Defense
23 Intelligence Agency determines appropriate.

24 (c) FORM.—The assessment under subsection (a)
25 may be provided in classified form.

1 (d) **FORMAT.**—To the extent practicable, the Director
2 shall present the information contained in the assessment
3 under subsection (a) in the format of a chart or other
4 graphic.

5 (e) **DEFINITIONS.**—In this section:

6 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
7 **TEES.**—The term “appropriate congressional com-
8 mittees” means the following:

9 (A) The congressional intelligence commit-
10 tees.

11 (B) The congressional defense committees,
12 as such term is defined in section 101(a) of
13 title 10, United States Code.

14 (2) **COVERED COUNTRY.**—The term “covered
15 country” means Mexico and each foreign country or
16 territory in Central or South America or in the Car-
17ibbean.

18 **SEC. 506. QUARTERLY BRIEFINGS RELATING TO USE OF**
19 **MILITARY INTELLIGENCE PROGRAM FUNDS.**

20 Not less frequently than once each quarter, the Sec-
21retary of Defense shall provide to the Permanent Select
22 Committee on Intelligence of the House of Representatives
23 a briefing on—

24 (1) significant military operations of the De-
25partment of Defense carried out during the imme-

1 diately preceding quarter and funded by amounts
2 made available under the Military Intelligence Pro-
3 gram; and

4 (2) all clandestine operations in the information
5 environment carried out during the immediately pre-
6 ceding quarter and funded or otherwise enabled by
7 amounts made available under the Military Intel-
8 ligence Program.

9 **TITLE VI—MATTERS RELATING**
10 **TO NATIONAL SECURITY**
11 **AGENCY, CYBER, AND COM-**
12 **MERCIAL CLOUD ENTER-**
13 **PRISE**

14 **SEC. 601. CONGRESSIONAL NOTIFICATION BY NATIONAL**
15 **SECURITY AGENCY OF INTELLIGENCE COL-**
16 **LECTION ADJUSTMENTS.**

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

20 **“SEC. 22. CONGRESSIONAL NOTIFICATION OF INTEL-**
21 **LIGENCE COLLECTION ADJUSTMENTS.**

22 “(a) NOTIFICATION.—Not later than 30 days after
23 the date on which the Director of the National Security
24 Agency determines the occurrence of an intelligence collec-
25 tion adjustment, the Director shall submit to the congress-

1 sional intelligence committees a notification of the intel-
2 ligence collection adjustment.

3 “(b) DEFINITIONS.—In this section:

4 “(1) CONGRESSIONAL INTELLIGENCE COMMIT-
5 TEES.—The term ‘congressional intelligence commit-
6 tees’ has the meaning given that term in section 3
7 of the National Security Act of 1947 (50 U.S.C.
8 3003).

9 “(2) INTELLIGENCE COLLECTION ADJUST-
10 MENT.—The term ‘intelligence collection adjustment’
11 includes a change by the United States Government
12 to a policy on intelligence collection or the
13 prioritization thereof that results in a significant
14 loss of intelligence.”.

15 **SEC. 602. MODIFICATIONS TO ENFORCEMENT OF CYBERSE-**
16 **CURITY REQUIREMENTS FOR NATIONAL SE-**
17 **CURITY SYSTEMS.**

18 Section 6309 of the Intelligence Authorization Act for
19 Fiscal Year 2023 (Public Law 117–263) is amended—

20 (1) by redesignating subsection (e) as sub-
21 section (f); and

22 (2) by inserting after subsection (d) the fol-
23 lowing new subsection:

24 “(e) IMPLEMENTATION REPORT.—Each head of an
25 element of the intelligence community that owns or oper-

1 ates a national security system shall submit to the con-
2 gressional intelligence committees not later than 90 days
3 after the date of the enactment of this subsection a plan
4 detailing the cost and schedule requirements necessary to
5 meet all of the cybersecurity requirements for national se-
6 curity systems by the end of fiscal year 2026.”.

7 **SEC. 603. SUPPORT BY INTELLIGENCE COMMUNITY FOR**
8 **CERTAIN CROSS-FUNCTIONAL TEAM OF DE-**
9 **PARTMENT OF DEFENSE.**

10 (a) ACCESS TO INFORMATION.—Upon request by the
11 cross-functional team of the Department of Defense estab-
12 lished under section 910 of the National Defense Author-
13 ization Act of Fiscal Year 2022 (Public Law 117–81; 10
14 U.S.C. 111 note) (in this section referred to as the “cross-
15 functional team”), and consistent with the protection of
16 intelligence sources and methods, the head of any element
17 of the intelligence community shall provide such team with
18 access to any information (including any intelligence re-
19 porting, analysis, or finished intelligence product) of the
20 element potentially relevant to the duties of such team re-
21 quired under subsection (b)(1) of such section.

22 (b) RULE OF CONSTRUCTION.—Nothing in sub-
23 section (a) shall be construed as waiving the Health Insur-
24 ance Portability and Accountability Act of 1996 (Public

1 Law 104–191) or any other applicable law regarding pri-
2 vacy or the protection of health information.

3 (c) STAFFING OF CROSS-FUNCTIONAL TEAM BY CER-
4 TAIN ELEMENTS.—

5 (1) STAFFING.—The head of each covered ele-
6 ment shall detail or assign to the cross-functional
7 team, including through a joint duty assignment (as
8 applicable), intelligence or counterintelligence per-
9 sonnel of that covered element in such numbers as
10 the head, in consultation with such team, determines
11 necessary to support such team in fulfilling the du-
12 ties required under section 910(b)(1) of the National
13 Defense Authorization Act of Fiscal Year 2022
14 (Public Law 117–81; 10 U.S.C. 111 note).

15 (2) NATIONAL SECURITY AGENCY.—In carrying
16 out paragraph (1) with respect to the National Secu-
17 rity Agency, the Director of the National Security
18 Agency shall ensure there is detailed or assigned to
19 the cross-functional team at least 1 individual deter-
20 mined appropriate by the Director, who, while so de-
21 tailed or assigned, shall provide such team with tech-
22 nical expertise of the National Security Agency rel-
23 evant to the fulfilment of the duties referred to in
24 paragraph (1).

1 (d) ADDITIONAL DETAIL AUTHORITY.—Upon re-
2 quest by the cross-functional team, the head of any ele-
3 ment of the intelligence community may detail to such
4 team personnel of the element to provide intelligence,
5 counterintelligence, or related support.

6 (e) COVERED ELEMENT DEFINED.—In this section,
7 the term “covered element” means the following:

8 (1) The National Security Agency.

9 (2) The Defense Intelligence Agency.

10 (3) The intelligence elements of the Army, the
11 Navy, the Air Force, and the Marine Corps.

12 **SEC. 604. COMMERCIAL CLOUD ENTERPRISE NOTIFICA-**
13 **TION.**

14 (a) NOTIFICATION REQUIREMENT.—Not later than
15 90 days after the date of the enactment of this Act, and
16 on a quarterly basis thereafter, the Director of the Central
17 Intelligence Agency shall submit to the congressional intel-
18 ligence committees a notification relating to the Commer-
19 cial Cloud Enterprise contract entered into by the Director
20 of the Central Intelligence Agency in November 2020 for
21 commercial cloud services for the intelligence community,
22 which shall include—

23 (1) the number and value of all task orders
24 issued under such contract, broken down by vendor,
25 for each element of the intelligence community;

1 (2) the duration of each task order;

2 (3) the number of sole source task orders issued
3 compared to the number of task orders issued on a
4 competitive basis under such contract; and

5 (4) with respect to each vendor authorized to
6 provide commercial cloud services under such con-
7 tract, an update on the status of the security accred-
8 itation and authority to operate decision of each ven-
9 dor.

10 (b) DATA SHARING.—The head of each element of
11 the intelligence community shall share such data with the
12 Director of the Central Intelligence Agency as the Director
13 determines necessary to prepare the notification required
14 under subsection (a).

15 (c) SUNSET.—The requirement to submit the notifi-
16 cation under subsection (a) shall terminate on the date
17 that is 3 years after the date of the enactment of this
18 Act.

19 **SEC. 605. COMMERCIAL CLOUD ENTERPRISE SOLE SOURCE**
20 **TASK ORDER NOTIFICATION REQUIREMENT.**

21 (a) NOTIFICATION REQUIREMENT.—Not later than
22 90 days after the date of the enactment of this Act, and
23 on a semiannual basis thereafter, the head of each element
24 of the intelligence community shall submit to the congres-
25 sional intelligence committees a notification with respect

1 to any sole source task order awarded by such head under
2 the contract relating to the Commercial Cloud Enterprise
3 entered into by the Director of the Central Intelligence
4 Agency in November 2020 for commercial cloud services
5 for the intelligence community.

6 (b) CONTENTS.—Each notification required under
7 subsection (a) shall include, with respect to the task order
8 concerned—

9 (1) a description of the order;

10 (2) a summary of services provided under the
11 order;

12 (3) the value of the order;

13 (4) the justification for awarding the order on
14 a sole source basis; and

15 (5) an identification of the vendor awarded the
16 order.

17 (c) SUNSET.—The requirement to submit the notifi-
18 cation under subsection (a) shall terminate on the date
19 that is 3 years after the date of the enactment of this
20 Act.

21 **SEC. 606. ANALYSIS OF COMMERCIAL CLOUD INITIATIVES**
22 **OF INTELLIGENCE COMMUNITY.**

23 (a) IN GENERAL.—Not later than 90 days after the
24 date of the enactment of this Act, the Director of National
25 Intelligence shall, in coordination with such heads of ele-

1 ments of the intelligence community as the Director con-
2 siders appropriate—

3 (1) complete a comprehensive analysis of the
4 commercial cloud initiatives of the intelligence com-
5 munity relating to the Commercial Cloud Enterprise
6 contract entered into by the Director of the Central
7 Intelligence Agency in November 2020; and

8 (2) provide to the congressional intelligence
9 committees a briefing on the findings of the Director
10 with respect to the analysis conducted pursuant to
11 paragraph (1).

12 (b) ELEMENTS.—The analysis conducted under sub-
13 section (a) shall include—

14 (1) the current year and 5-year projected costs
15 for commercial cloud utilization for each element of
16 the intelligence community, including costs related to
17 data storage, data migration, egress fees, and any
18 other commercial cloud services;

19 (2) the termination or planned termination, as
20 the case may be, of legacy data storage capacity of
21 an element of the intelligence community and the
22 projected cost savings resulting from such termi-
23 nation;

24 (3) efforts underway by the Office of the Direc-
25 tor of National Intelligence and elements of the in-

1 intelligence community to utilize multiple commercial
2 cloud service providers; and

3 (4) the operational value that elements of the
4 intelligence community are achieving through utiliza-
5 tion of commercial cloud analytic tools and services.

6 **TITLE VII—MATTERS RELATING**
7 **TO CENTRAL INTELLIGENCE**
8 **AGENCY**

9 **SEC. 701. INSPECTOR GENERAL OF THE CENTRAL INTEL-**
10 **LIGENCE AGENCY QUARTERLY EMPLOYEE**
11 **ENGAGEMENT SUMMARIES.**

12 (a) IN GENERAL.—Section 17 of the Central Intel-
13 ligence Agency Act of 1949 (50 U.S.C. 3517) is amended
14 by adding at the end the following new subsection:

15 “(i) QUARTERLY EMPLOYEE ENGAGEMENT SUM-
16 MARIES.—(1) Not later than 30 days after the last day
17 of each fiscal quarter, the Inspector General shall provide
18 to the appropriate congressional committees a summary
19 of the engagement of agency employees with the Inspector
20 General during that quarter.

21 “(2) Each summary required under paragraph (1)
22 shall include each of the following for the quarter covered
23 by the summary:

24 “(A) The total number of reports filed with the
25 Inspector General by Agency employees.

1 “(B) An identification of the nature of the alle-
2 gation made in each such report, such as—

3 “(i) fraud, waste, and abuse;

4 “(ii) harassment or other personnel issues;

5 “(iii) questionable intelligence activities; or

6 “(iv) threats to health and safety.

7 “(C) For each such report—

8 “(i) whether an investigation was initiated
9 because of the report;

10 “(ii) for any such investigation, whether
11 the status of the investigation is initiated, in
12 progress, or complete; and

13 “(iii) for any completed investigation,
14 whether the allegation made in the report was
15 found to be substantiated or unsubstantiated,
16 and whether any recommendations or criminal
17 referrals were made as a result.

18 “(D) A copy of any audit, assessment, inspec-
19 tion, or other final report completed by the Inspector
20 General during the quarter covered by the summary.

21 “(3) In this subsection, the term ‘appropriate con-
22 gressional committees’ means—

23 “(A) the Permanent Select Committee on Intel-
24 ligence and the Subcommittee on Defense of the

1 Committee on Appropriations of the House of Rep-
2 resentatives; and

3 “(B) the Select Committee on Intelligence and
4 the Subcommittee on Defense of the Committee on
5 Appropriations of the Senate.”.

6 (b) TECHNICAL AMENDMENT.—Such section is fur-
7 ther amended in subsection (d)(5)(B)(ii), by inserting a
8 period at the end of the second sentence.

9 **SEC. 702. IMPROVED FUNDING FLEXIBILITY FOR PAY-**
10 **MENTS MADE BY CENTRAL INTELLIGENCE**
11 **AGENCY FOR QUALIFYING INJURIES TO**
12 **BRAIN.**

13 Section 19A(d) of the Central Intelligence Agency
14 Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking
15 paragraph (3) and inserting the following new paragraph:

16 “(3) FUNDING.—

17 “(A) IN GENERAL.—Payment under para-
18 graph (2) in a fiscal year may be made using
19 any amounts—

20 “(i) appropriated in advance specifi-
21 cally for payments under such paragraph;

22 or

23 “(ii) reprogrammed in accordance
24 with section 504 of the National Security
25 Act of 1947 (50 U.S.C. 3094).

1 “(B) BUDGET.—For each fiscal year, the
2 Director shall include with the budget justifica-
3 tion materials submitted to Congress in support
4 of the budget of the President for that fiscal
5 year pursuant to section 1105(a) of title 31,
6 United States Code, an estimate of the amounts
7 required in that fiscal year to make payments
8 under paragraph (2).”.

9 **SEC. 703. BENJAMIN TALLMADGE INSTITUTE AS PRIMARY**
10 **CENTRAL INTELLIGENCE AGENCY ENTITY**
11 **FOR EDUCATION AND TRAINING IN COUN-**
12 **TERINTELLIGENCE.**

13 (a) IN GENERAL.—The Central Intelligence Agency
14 shall maintain the Benjamin Tallmadge Institute as the
15 primary entity within the Agency for education and train-
16 ing related to all aspects of counterintelligence.

17 (b) RESPONSIBILITIES OF DIRECTOR.— The Director
18 of the Central Intelligence Agency shall—

19 (1) ensure the Institute is fully and properly or-
20 ganized and has the resources necessary to provide
21 counterintelligence education and training for all ca-
22 reer fields within the Agency, including specialized
23 certifications for Agency counterintelligence per-
24 sonnel;

1 (2) develop appropriate certification courses
2 that are designed to educate, train, and certify
3 Agency personnel in—

4 (A) counterintelligence threats, insider
5 threats, and other counterintelligence processes
6 and issues;

7 (B) the conduct and support of counter-
8 intelligence inquiries and investigations;

9 (C) relevant skills necessary for coordina-
10 tion with Federal law enforcement; and

11 (D) any other skills as the Director deter-
12 mines necessary;

13 (3) identify and designate specific positions for
14 which an individual shall be required to have a cer-
15 tification described in paragraph (2) prior to filling
16 such a position; and

17 (4) develop necessary infrastructure and capac-
18 ity to support National Counterintelligence and Se-
19 curity Center outreach programs to increase partici-
20 pation by personnel from other components of the
21 intelligence community in the courses offered by the
22 Institute.

23 (c) TRAINING AND FAMILIARIZATION COURSES.—

24 (1) IN GENERAL.—The head of the Institute
25 shall—

1 (A) develop training and familiarization
2 courses at different classification levels, includ-
3 ing courses at an unclassified level; and;

4 (B) offer instruction in the courses devel-
5 oped under subparagraph (A) or make training
6 curricula available to other intelligence commu-
7 nity components, as appropriate, to support
8 outreach efforts; and

9 (2) AVAILABILITY OF COURSES.—The training
10 and familiarization courses developed under para-
11 graph (1) shall be made available to any of the fol-
12 lowing that have a need and appropriate clearance,
13 as determined by the Director of the National Coun-
14 terintelligence and Security Center, for a general
15 education on counterintelligence threats, briefings on
16 specific topics, or other training related to counter-
17 intelligence:

18 (A) Federal departments and agencies that
19 are not elements of the intelligence community.

20 (B) State, local, and tribal governments, as
21 the Director determines appropriate.

22 (C) Private sector entities, as the Director
23 determines appropriate.

24 (D) Such other personnel and entities as
25 the Director may determine appropriate.

1 (d) BASELINE CERTIFICATION COURSE.—

2 (1) IN GENERAL.—The Institute shall develop,
3 in coordination with the National Counterintelligence
4 and Security Center and the Defense Intelligence
5 Agency, and implement a baseline certification
6 course for all counterintelligence career professionals
7 that aligns the minimum certification requirements
8 of the course and the Defense Counterintelligence
9 Agent Course of the Joint Counterintelligence Train-
10 ing Activity.

11 (2) AVAILABILITY OF COURSE.—The baseline
12 certification course developed under paragraph (1)
13 shall be made available, on a space-available basis,
14 to all intelligence community professionals and ap-
15 propriate personnel with appropriate security clear-
16 ance from any other agency, committee, commission,
17 office, or other establishment in the executive, legis-
18 lative, or judicial branch of the Federal Government.

19 **SEC. 704. CENTRAL INTELLIGENCE AGENCY INTELLIGENCE**
20 **ASSESSMENT OF SINALOA CARTEL AND**
21 **JALISCO CARTEL.**

22 (a) ASSESSMENT.—Not later than 90 days after the
23 date of the enactment of this Act, the Director of the Cen-
24 tral Intelligence Agency, in consultation with the heads of
25 the other elements of intelligence community that the Di-

1 rector determines appropriate, shall submit to the congres-
2 sional intelligence committees an intelligence assessment
3 on the transnational criminal organizations known as the
4 Sinaloa Cartel and the Jalisco Cartel.

5 (b) ELEMENTS.—The intelligence assessment under
6 subsection (a) shall include, with respect to each
7 transnational criminal organization specified in such sub-
8 section, a description of the following:

9 (1) The key leaders, organizational structure,
10 subgroups, presence in the states within Mexico, and
11 cross-border illicit drug smuggling routes (beginning
12 in Mexico and ending in the United States) of the
13 transnational criminal organization.

14 (2) The practices used by the transnational
15 criminal organization to import the chemicals used
16 to make synthetic drugs, to produce such drugs, and
17 to smuggle such drugs across the border into the
18 United States.

19 (3) The main suppliers based in China, and the
20 main brokers based in Mexico, that supply the
21 transnational criminal organization with precursor
22 chemicals and equipment used in the production of
23 synthetic drugs.

24 (4) The manner in which the transnational
25 criminal organization is tailoring the fentanyl prod-

1 ucts of such organization to attract a wider variety
2 of United States consumers, including unwitting
3 users.

4 (5) The degree to which the transnational
5 criminal organization is using human and technical
6 operations to undermine counternarcotics efforts by
7 United States and Mexican security services.

8 (6) An estimate of the annual revenue received
9 by the transnational criminal organization from the
10 sale of illicit drugs, disaggregated by drug type.

11 (7) Any other information the Director of the
12 Central Intelligence Agency determines relevant.

13 (c) FORM.—The intelligence assessment under sub-
14 section (a) may be submitted in classified form.

15 **SEC. 705. CENTRAL INTELLIGENCE AGENCY INTELLIGENCE**
16 **ASSESSMENT WITH RESPECT TO EFFORTS BY**
17 **PEOPLE'S REPUBLIC OF CHINA TO INCREASE**
18 **INFLUENCE IN MIDDLE EAST.**

19 (a) ASSESSMENT.—Not later than 90 days after the
20 date of the enactment of this Act, the Director of the Cen-
21 tral Intelligence Agency, in consultation with such heads
22 of the other elements of the intelligence community that
23 the Director of National Intelligence determines appro-
24 priate, shall submit to the appropriate congressional com-
25 mittees an intelligence assessment on efforts by the Peo-

1 ple's Republic of China to increase its influence, through
2 overt or covert means, with respect to the political, mili-
3 tary, economic or other policies or activities of govern-
4 ments of countries in the Middle East in ways that are
5 detrimental to the national security interests of the United
6 States.

7 (b) ELEMENTS.—The intelligence assessment re-
8 quired under subsection (a) shall include the following:

9 (1) A summary of the key relationships that the
10 People's Republic of China has developed, or is seek-
11 ing to develop, with countries in the Middle East,
12 and the national security objectives that the People's
13 Republic of China intends to advance through such
14 established or emerging relationships.

15 (2) A description of the relationship between
16 the People's Republic of China and Iran, including
17 in the areas of security cooperation and intelligence
18 sharing.

19 (3) An identification of the countries in the
20 Middle East in which the People's Republic of China
21 has established, or is seeking to establish, an intel-
22 ligence presence or intelligence partnerships.

23 (4) An assessment of how the People's Republic
24 of China seeks to weaken the United States' role, in-
25 fluence, and relationships with respect to countries

1 in the Middle East, including through the People's
2 Republic of China's Global Security Initiative.

3 (5) An analysis of whether, and to what degree,
4 efforts by the People's Republic of China to increase
5 its influence among countries in the Middle East are
6 designed to support the People's Republic of China's
7 broader strategic interests, including with respect to
8 Taiwan.

9 (c) FORM.—The intelligence assessment required
10 under subsection (a) may be submitted in classified form.

11 (d) DEFINITIONS.—In this section:

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

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

17 (B) The Committee on Foreign Affairs of
18 the House of Representatives.

19 (C) The Committee on Foreign Relations
20 of the Senate.

21 (D) The Select Committee on the Strategic
22 Competition Between the United States and the
23 Chinese Communist Party of the House of Rep-
24 resentatives.

1 (2) COUNTRIES IN THE MIDDLE EAST.—The
2 term “countries in the Middle East” means—

- 3 (A) Algeria;
- 4 (B) Bahrain;
- 5 (C) Egypt;
- 6 (D) Iran;
- 7 (E) Iraq;
- 8 (F) Israel;
- 9 (G) Jordan;
- 10 (H) Kuwait;
- 11 (I) Lebanon;
- 12 (J) Libya;
- 13 (K) Morocco;
- 14 (L) Oman;
- 15 (M) the Palestinian Territories;
- 16 (N) Qatar;
- 17 (O) Saudi Arabia;
- 18 (P) Syria;
- 19 (Q) Tunisia;
- 20 (R) the United Arab Emirates; and
- 21 (S) Yemen.

1 **SEC. 706. ASSESSMENT OF AVAILABILITY OF MENTAL**
2 **HEALTH AND CHAPLAIN SERVICES TO AGEN-**
3 **CY EMPLOYEES.**

4 (a) **ASSESSMENT.**—The Director of the Central Intel-
5 ligence Agency shall conduct an assessment on the avail-
6 ability of the services of mental health professionals and
7 chaplains with appropriate security clearances to employ-
8 ees of the Agency. Such assessment shall include—

9 (1) an evaluation of the current availability of
10 and demand for such services globally;

11 (2) an assessment of the feasibility of expand-
12 ing the availability of such services;

13 (3) information, including a detailed schedule
14 and cost estimate, as to what would be required to
15 increase the availability of such services for Agency
16 employees located in the United States and abroad;
17 and

18 (4) information on the feasibility and advis-
19 ability of requiring that each employee returning
20 from a high risk or high threat tour, as designated
21 by the Director, access the services of a mental
22 health professional, chaplain, or both, at the option
23 of the employee.

24 (b) **REPORT.**— Not later than 210 days after the
25 date of the enactment of this Act, the Director shall sub-

1 mit to the appropriate congressional committees a report
2 on the assessment required by subsection (a).

3 (c) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Permanent Select Committee on
8 Intelligence and the Subcommittee on Defense
9 of the Committee on Appropriations of the
10 House of Representatives; and

11 (B) the Select Committee on Intelligence
12 and the Subcommittee on Defense of the Com-
13 mittee on Appropriations of the Senate.

14 (2) CHAPLAIN.—The term “chaplain” means a
15 member of the Chaplain Corps, as established under
16 section 26 of the Central Intelligence Agency Act of
17 1949 (50 U.S.C. 3527), whom the Director has cer-
18 tified as meeting common standards for professional
19 chaplaincy and board certification by a national
20 chaplaincy and pastoral care organization or equiva-
21 lent.

22 (3) MENTAL HEALTH PROFESSIONAL.—The
23 term “mental health professional” means an appro-
24 priately trained and certified professional counselor,
25 medical professional, psychologist, psychiatrist, or

1 other appropriate employee, as determined by the
2 Director.

3 **SEC. 707. ASSESSMENT BY DIRECTOR OF CENTRAL INTEL-**
4 **LIGENCE AGENCY ON CERTAIN EFFECTS OF**
5 **ABRAHAM ACCORDS.**

6 (a) ASSESSMENT.—Not later than 90 days after the
7 date of the enactment of this Act, the Director of the Cen-
8 tral Intelligence Agency, in consultation with the heads of
9 the other elements of the intelligence community that the
10 Director determines appropriate, shall submit to the con-
11 gressional intelligence committees an assessment of the
12 current effects on the intelligence community of the agree-
13 ments between Israel and 4 other foreign countries, collec-
14 tively known as the Abraham Accords, and of the potential
15 effects on the intelligence community if the Abraham Ac-
16 cords were to be expanded to additional foreign countries.

17 (b) ELEMENTS.—The assessment under subsection
18 (a) shall include, with respect to the agreements referred
19 to in such subsection, the following:

20 (1) A description of whether, and in what re-
21 spects, the agreement between Israel and Bahrain
22 has resulted in the intelligence community obtaining
23 new and valuable insights regarding national intel-
24 ligence priorities.

1 (2) A description of whether, and in what re-
2 spects, the agreement between Israel and Morocco
3 has resulted in the intelligence community obtaining
4 new and valuable insights regarding national intel-
5 ligence priorities.

6 (3) A description of whether, and in what re-
7 spects, the agreement between Israel and the United
8 Arab Emirates has resulted in the intelligence com-
9 munity obtaining new and valuable insights regard-
10 ing national intelligence priorities.

11 (4) A description of whether, and in what re-
12 spects, the agreement between Israel and Sudan has
13 resulted in the intelligence community obtaining new
14 and valuable insights regarding national intelligence
15 priorities.

16 (5) An assessment of whether, and in what re-
17 spects, additional agreements between Israel and
18 other foreign countries to normalize or otherwise en-
19 hance relations would result in the intelligence com-
20 munity obtaining new and valuable insights regard-
21 ing national intelligence priorities.

22 (c) FORM.—The assessment under subsection (a)
23 may be submitted in classified form.

1 **TITLE VIII—REPORTING AND IN-**
2 **VESTIGATIONS OF ALLEGA-**
3 **TIONS OF SEX-RELATED OF-**
4 **FENSES AND SEXUAL HAR-**
5 **ASSMENT IN CENTRAL INTEL-**
6 **LIGENCE AGENCY**

7 **SEC. 801. REPORTING AND INVESTIGATION OF ALLEGA-**
8 **TIONS OF SEX-RELATED OFFENSES AND SEX-**
9 **UAL HARASSMENT IN CENTRAL INTEL-**
10 **LIGENCE AGENCY.**

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

13 (1) sexual assault and sexual harassment arise
14 from, and are often indicative of, an environment
15 where toxic, provocative, and sometimes significantly
16 inappropriate behavior is tolerated;

17 (2) when supervisors and senior leaders at
18 headquarters and in the field are among the offend-
19 ers and facilitate a work climate in which toxic and
20 disrespectful behavior is tolerated, harassment and
21 even assault will often go unaddressed and
22 unpunished;

23 (3) while establishing clear policies and proce-
24 dures and enhancing training are necessary first
25 steps toward protecting victims and establishing

1 stronger internal mechanisms for preventing and re-
2 sponding to future sexual assault and sexual harass-
3 ment within the Central Intelligence Agency, com-
4 prehensive culture change driven by Agency leader-
5 ship will be necessary to accomplish impactful and
6 enduring improvement; and

7 (4) it is vital for the Central Intelligence Agen-
8 cy to maintain an independent and neutral person
9 with whom all employees at all levels, supervisors
10 and non-supervisors, may speak confidentially, infor-
11 mally, and off-the-record about work-related con-
12 cerns or questions.

13 (b) SEX-RELATED OFFENSES AND SEXUAL HARASS-
14 MENT WITHIN THE AGENCY.—

15 (1) REPORTING AND INVESTIGATION OF ALLE-
16 GATIONS OF SEXUAL ASSAULT AND HARASSMENT.—

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

20 **“SEC. 30. SEX-RELATED OFFENSES AND SEXUAL HARASS-**
21 **MENT WITHIN THE AGENCY.**

22 **“(a) RESPONSIBILITIES OF DIRECTOR.—**The Direc-
23 tor shall carry out the following responsibilities:

24 **“(1)** Establishing professional and uniform
25 training for employees assigned to working with all

1 aspects of the Agency’s response to allegations of
2 sex-related offenses and sexual harassment.

3 “(2) Developing and implementing policies and
4 procedures to protect the confidentiality of employ-
5 ees who report sex-related offenses or sexual harass-
6 ment and to mitigate negative effects on the reputa-
7 tion or career of such an employee as a result of
8 such a report.

9 “(3) Developing and implementing documented
10 standards for—

11 “(A) appropriate mitigation and protection
12 measures for individuals who make allegations
13 of a sex-related offense or sexual harassment to
14 be put in place while an investigation proceeds;

15 “(B) appropriate employee consequences to
16 be imposed as a result of an inquiry or inves-
17 tigation into a substantiated allegation of a sex-
18 related offenses or sexual harassment;

19 “(C) appropriate career path protection for
20 all employees involved in an incident resulting
21 in a reported allegation of a sex-related offense
22 or sexual harassment while an investigation or
23 review of the allegation is pending; and

1 “(D) mitigation measures to protect em-
2 ployees and mission execution while such allega-
3 tions are being addressed.

4 “(4) Articulating and enforcing norms, expecta-
5 tions, practices, and policies, including with respect
6 to employee promotions and assignments, that are
7 published for the workforce and designed to promote
8 a healthy workplace culture that is inhospitable to
9 sex-related offenses and sexual harassment.

10 “(5) Developing and issuing workforce mes-
11 saging to inform Agency employees of policies, pro-
12 cedures, resources, and points of contact to obtain
13 information related to, or to report, sex-related of-
14 fenses or sexual harassment globally.

15 “(6) Developing and implementing sex-related
16 offense and sexual harassment training for all Agen-
17 cy employees that—

18 “(A) is designed to strengthen individual
19 knowledge, skills, and capacity to prevent and
20 respond to sex-related offenses and sexual har-
21 assment;

22 “(B) includes initial entry and accession
23 programs, annual refresher training, and spe-
24 cialized leadership training; and

1 “(C) includes details of the definitions of
2 sex-related offense and sexual harassment, the
3 distinction between such terms, and what does
4 or does not constitute each.

5 “(7) Developing and implementing processes
6 and procedures applicable to personnel involved in
7 providing the training referred to in paragraph (6)
8 that—

9 “(A) are designed to ensure seamless pol-
10 icy consistency and reporting mechanisms in all
11 training environments; and

12 “(B) include requirements for in-person
13 training that—

14 “(i) covers the reporting processes for
15 sex-related offenses and sexual harassment
16 that are specific to training environments
17 for students and trainers; and

18 “(ii) shall be provided at an appro-
19 priate time during the first five days of
20 any extended or residential training course.

21 “(8) Developing and implementing, in consulta-
22 tion with the Victim Advocacy Specialists of the
23 Federal Bureau of Investigation, appropriate train-
24 ing requirements, policies, and procedures applicable
25 to all employees whose professional responsibilities

1 include interaction with people making reports alleg-
2 ing sex-related offenses or sexual harassment.

3 “(9) Developing and implementing procedures
4 under which current and former employees of the
5 Agency are able to obtain documents and records, as
6 appropriate and upon request, that are related to a
7 report of an allegation of a sex-related offense or
8 sexual harassment.

9 “(10) Developing and implementing procedures
10 under which an employee who makes a restricted or
11 unrestricted report containing an allegation of a sex-
12 related offense or sexual harassment may transfer
13 out of the employee’s current assignment or location,
14 upon the request of the employee making the report.
15 Such procedures shall ensure that an employee who
16 makes a restricted report maintains the privilege
17 against disclosure, strict confidentiality, and with
18 such employee maintaining full control over all deci-
19 sions related to any further dissemination of the re-
20 port.

21 “(11) Developing policies and procedures for
22 the Office of the Victim and Whistleblower Counsel
23 and the Special Victim Investigator, as applicable, to
24 facilitate outside engagement requests of employees

1 reporting allegations of sex-related offenses or sexual
2 harassment.

3 “(12) Coordinating the Agency’s response to al-
4 legations of sex-related offenses and sexual harass-
5 ment.

6 “(b) BIENNIAL REPORT.—Not less frequently than
7 once every 180 days, the Director shall submit to the ap-
8 propriate congressional committees a report on the activi-
9 ties of the Office of Equal Employment Opportunity and
10 Sexual Assault Prevention and Response Office during the
11 period covered by the report. The Director shall personally
12 review, approve, and submit each report under this sub-
13 section on a non-delegable basis. Each such report shall
14 include—

15 “(1) for the period covered by the report—

16 “(A) the number of new allegations of sex-
17 related offense and sexual harassment reported
18 to either such Office, disaggregated by re-
19 stricted and unrestricted reports;

20 “(B) the number of employees seeking
21 legal assistance or services from either such Of-
22 fice;

23 “(C) the number of new or ongoing cases
24 in which either such Office has provided serv-
25 ices;

1 “(D) a description of all training activities
2 related to sex-related offenses and sexual har-
3 assment carried out Agency-wide, and the num-
4 ber of such trainings conducted; and

5 “(2) for the period beginning on the date of the
6 enactment of the Intelligence Authorization Act for
7 Fiscal Year 2024 and ending on the last day of the
8 period covered by the report—

9 “(A) the total number of allegations of sex-
10 related offenses and sexual harassment;

11 “(B) the disposition of each report of such
12 an allegation;

13 “(C) any corrective action taken in re-
14 sponse to each such report;

15 “(D) the number of such allegations that
16 were not substantiated; and

17 “(E) the number of employee reassignment
18 and relocation requests, including—

19 “(i) the number of such requests that
20 were granted;

21 “(ii) the number of such requests that
22 were denied; and

23 “(iii) for any such request hat was de-
24 nied, the position of the individual who de-
25 nied the request and the reason for denial.

1 “(c) APPLICABILITY.—The policies developed pursu-
2 ant to this section shall apply to each of the following:

3 “(1) Any employee of the Agency.

4 “(2) Any employee of an entity that has entered
5 into a contract with the Agency under which the em-
6 ployee performs functions at a facility associated
7 with the Agency or functions associated with the
8 agency.

9 “(3) Any person who alleges they were sexually
10 assaulted or harassed by an employee referred to in
11 paragraph (1) or (2) at a facility associated with the
12 Agency or during the performance of a function as-
13 sociated with the Agency.”.

14 (c) VICTIM AND WHISTLEBLOWER COUNSEL.—The
15 Central Intelligence Agency Act of 1949 (50 U.S.C. 3501
16 et seq.) is further amended by adding at the end the fol-
17 lowing new section:

18 **“SEC. 31. VICTIM AND WHISTLEBLOWER COUNSEL.**

19 “(a) ESTABLISHMENT.—The Director shall establish
20 an Office of the Victim and Whistleblower Counsel. The
21 head of the Office shall be the Victim and Whistleblower
22 Counsel who shall report directly to the Chief Operating
23 Officer of the Agency. The Office shall have the authority
24 of an independent office within the Agency.

1 “(b) RESPONSIBILITIES.—The Victim and Whistle-
2 blower Counsel shall carry out the following responsibil-
3 ities:

4 “(1) Providing legal assistance and consultation
5 to employees of the Agency who are victims of al-
6 leged sex-related offenses or sexual harassment, re-
7 gardless of whether the report of that offense is re-
8 stricted or unrestricted.

9 “(2) Acting as the primary point of contact and
10 entry point for Agency employees with respect to all
11 allegations of, or concerns regarding, sex-related of-
12 fenses and sexual harassment.

13 “(3) Managing the victim advocacy activities of
14 the Agency for employees reporting sex-related of-
15 fenses or sexual harassment.

16 “(4) Maintaining, and making available to
17 Agency employees the following:

18 “(A) A list of physicians and mental health
19 care providers (including from the private sec-
20 tor, as applicable), who have experience with
21 the physical and mental health care needs of
22 the Agency workforce.

23 “(B) A list of chaplains and religious coun-
24 selors who have experience with the needs of
25 the Agency workforce, including information re-

1 garding access to the Chaplain Corps estab-
2 lished under section 3527 of this title.

3 “(C) Information regarding how to select
4 and retain private attorneys who have experi-
5 ence with the legal needs of the Agency work-
6 force, including detailed information on the
7 process for the appropriate sharing of informa-
8 tion with retained private attorneys.

9 “(5) Facilitating communications with the In-
10 spector General, Congress, and other outside enti-
11 ties.

12 “(c) RULE OF CONSTRUCTION.—The inclusion of any
13 person on a list maintained or made available pursuant
14 to subsection (b)(4) shall not be construed as an endorse-
15 ment of such person (or any service furnished by such per-
16 son), and the Victim and Whistleblower Counsel shall not
17 be liable, as a result of such inclusion, for any portion
18 of compensable injury, loss, or damage attributable to
19 such person or service.

20 “(d) COMMUNICATIONS.—The relationship between
21 the Victim and Whistleblower Counsel and a victim in the
22 provision of legal assistance and consultation shall be the
23 relationship between an attorney and client.

24 “(e) PURPOSE.—The Office of the Victim and Whis-
25 tleblower Counsel shall—

1 “(1) solely function as an advocate for employ-
2 ees and not as an advocate for the Agency itself; and

3 “(2) not be a proponent of Agency policies for
4 sex-related offenses or sexual harassment.”.

5 (d) REPORTING AND INVESTIGATION OF ALLEGA-
6 TIONS OF SEX-RELATED OFFENSES AND SEXUAL HAR-
7 ASSMENT.—Such Act is further amended by adding at the
8 end the following:

9 **“SEC. 32. REPORTING AND INVESTIGATION OF ALLEGA-**
10 **TIONS OF SEX-RELATED OFFENSES AND SEX-**
11 **UAL HARASSMENT.**

12 “(a) POLICIES RELATING TO RESTRICTED AND UN-
13 RESTRICTED REPORTING OF SEX-RELATED OFFENSES
14 AND HARASSMENT.—

15 “(1) IN GENERAL.—The Director shall develop
16 and implement policies, regulations, personnel train-
17 ing, and workforce messaging to establish and pro-
18 vide information about restricted reports and unre-
19 stricted reports of allegations of sex-related offenses
20 and sexual harassment within the Agency in accord-
21 ance with this subsection.

22 “(2) WORKFORCE MESSAGING.—Workforce
23 messaging developed under paragraph (1) shall be
24 designed to clearly inform Agency employees of the
25 differences between restricted and unrestricted re-

1 reporting of allegations of sex-related offenses and sex-
2 ual harassment, and which individual or office with-
3 in the Agency is responsible for receiving each type
4 of report.

5 “(b) ELECTION.—Any person making a report con-
6 taining an allegation of a sex-related offense or sexual har-
7 assment shall elect whether to make a restricted report
8 or an unrestricted report. Once an election is made to
9 make an unrestricted report, such election may not be
10 changed.

11 “(c) UNRESTRICTED REPORTS.—

12 “(1) DISCLOSURE; ASSISTANCE.—A person who
13 elects to make an unrestricted report containing an
14 allegation of a sex-related offense or sexual harass-
15 ment may disclose the report to any employee of the
16 Agency. A person who elects to make an unrestricted
17 report containing an allegation of a sex-related of-
18 fense or sexual harassment may seek the assistance
19 of another employee of the Agency with taking the
20 action required under paragraph (2).

21 “(2) ACTION REQUIRED.—A person electing to
22 make an unrestricted report containing an allegation
23 of a sex-related offense or sexual harassment shall
24 submit the report to the Office of the Victim and
25 Whistleblower Counsel. In the case of a person mak-

1 ing an unrestricted report of sexual harassment, the
2 Victim and Whistleblower Counsel shall facilitate the
3 person’s contact with the Office of Equal Employ-
4 ment Opportunity. In the case of a person making
5 an unrestricted report of a sex-related offense other
6 than sexual harassment, the Victim and Whistle-
7 blower Counsel shall facilitate the person’s contact
8 with the Sexual Assault Prevention and Response
9 Office.

10 “(d) RESTRICTED REPORTS.—

11 “(1) PROCESS FOR MAKING REPORTS.—A per-
12 son who elects to make a restricted report con-
13 taining an allegation of a sex-related offense or sex-
14 ual harassment shall submit the report to a person
15 authorized to receive a restricted report under para-
16 graph (2).

17 “(2) PERSON AUTHORIZED TO RECEIVE A RE-
18 STRICTED REPORT.—The following individuals are
19 persons authorized to receive a restricted report:

20 “(A) The Chief Wellbeing Officer.

21 “(B) Any employee of the Office of
22 Wellness and Workforce Support.

23 “(C) Any employee of the Office of the
24 Victim and Whistleblower Counsel.

1 “(D) Any medical professional assigned to
2 the Center for Global Health Services, or any
3 successor organization employing Agency sup-
4 port staff.

5 “(E) Any employee of the Chaplain Corps
6 of the Agency.

7 “(F) The Special Victim Investigator with-
8 in the Office of Security.

9 “(G) Any medical professional, including a
10 mental health professional.

11 “(H) Any additional employees that the
12 Director determines appropriate.

13 “(3) ACTION REQUIRED.—A restricted report
14 containing an allegation of a sex-related offense or
15 sexual harassment—

16 “(A) shall be treated by the person who re-
17 ceives the report in the same manner as a com-
18 munication covered by attorney-client privilege;

19 “(B) shall be privileged against disclosure
20 with strict confidentiality and with the person
21 making the report maintaining full control over
22 all decisions related to any further dissemina-
23 tion, except in cases of an imminent threat of
24 serious bodily harm;

1 “(C) shall not result in a referral to law
2 enforcement or commencement of a formal ad-
3 ministrative investigation, unless the victim
4 elects to change the report from a restricted re-
5 port to an unrestricted report; and

6 “(D) in a case requiring an employee reas-
7 signment, relocation or other mitigation or pro-
8 tective measures, shall result only in actions
9 that are managed in a manner to limit, to the
10 extent possible, the disclosure of any informa-
11 tion contained in the report; and

12 “(E) shall be exempt from any Federal or,
13 to the maximum extent permitted by the Con-
14 stitution, State reporting requirements, includ-
15 ing the requirements under sections 535(b) of
16 title 28, United States Code, section 17(b)(5) of
17 this Act, and section 1.6(b) of Executive Order
18 12333, except when reporting is necessary to
19 prevent or mitigate an imminent threat of seri-
20 ous bodily harm.

21 “(e) INCIDENT REPORTS WHEN VICTIM OR ALLEGED
22 PERPETRATOR IS AN AGENCY EMPLOYEE.—

23 “(1) INCIDENT REPORTING POLICY.—The Di-
24 rector shall establish and maintain a policy under
25 which—

1 “(A) in the case of an unrestricted report
2 of—

3 “(i) sexual harassment, the head of
4 the Office of Equal Employment Oppor-
5 tunity is required to submit a written inci-
6 dent report not later than eight days after
7 receiving a formal complaint containing an
8 allegation of sexual harassment; and

9 “(ii) a sex-related offense other than
10 sexual harassment, the head of the Sexual
11 Assault Prevention and Response Office is
12 required to submit a written incident re-
13 port not later than eight days after receipt
14 of the unrestricted report; and

15 “(B) each such incident report required
16 under subparagraph (A) shall be provided to—

17 “(i) the Chief Operating Officer of the
18 Agency;

19 “(ii) the Special Victim Investigator;

20 “(iii) the Office of the Victim and
21 Whistleblower Counsel;

22 “(iv) the Sexual Assault Prevention
23 and Response Office;

24 “(v) the Office of Equal Employment
25 Opportunity; and

1 “(vi) such other individuals as the Di-
2 rector determines appropriate.

3 “(2) PURPOSE.—The purpose of an incident re-
4 port required under paragraph (1) is to—

5 “(A) record the details about actions taken
6 or in progress to provide the necessary care and
7 support to the victim of the alleged incident;

8 “(B) refer the allegations to the appro-
9 priate investigatory or law enforcement agency;
10 and

11 “(C) provide initial formal notification of
12 the alleged incident.

13 “(3) ELEMENTS.—Each incident report re-
14 quired under paragraph (1) shall include each of the
15 following:

16 “(A) The time, date, and location of the al-
17 leged sex-related offense or sexual harassment.

18 “(B) An identification of the type of of-
19 fense or harassment alleged.

20 “(C) An identification of the assigned of-
21 fice and location of the victim.

22 “(D) An identification of the assigned of-
23 fice and location of the alleged perpetrator, in-
24 cluding information regarding whether the al-
25 leged perpetrator has been temporarily trans-

1 ferred or removed from an assignment or other-
2 wise restricted, if applicable.

3 “(E) A description of any post-incident ac-
4 tions taken in connection with the incident, in-
5 cluding—

6 “(i) referral to any services available
7 to victims, including the date of each refer-
8 ral;

9 “(ii) notification of the incident to ap-
10 propriate investigatory organizations, in-
11 cluding the organizations notified and
12 dates of notifications; and

13 “(iii) issuance of any personal protec-
14 tion orders or steps taken to separate the
15 victim and the alleged perpetrator within
16 their place of employment.

17 “(F) Such other elements as the Director
18 determines appropriate.

19 “(f) COMMON PERPETRATOR NOTICE REQUIRE-
20 MENT.—

21 “(1) UNRESTRICTED REPORTS.—Upon receipt
22 of an incident report under subsection (e)(1) con-
23 taining an allegation of a sex-related offense or sex-
24 ual harassment against an individual known to be
25 the subject of at least one allegation of a sex-related

1 offense or sexual harassment by another reporter,
2 the Special Victim Investigator shall notify each of
3 the following of all existing allegations against the
4 individual:

5 “(A) The Director.

6 “(B) The Chief Operating Officer.

7 “(C) The head of the directorate employing
8 the individual.

9 “(D) The head of the Sexual Assault Pre-
10 vention and Response Office.

11 “(E) The individual’s first supervisor.

12 “(F) The Inspector General.

13 “(G) The Victim and Whistleblower Coun-
14 sel.

15 “(2) RESTRICTED REPORTS.—Upon receipt of a
16 restricted report under subsection (d), the Victim
17 and Whistleblower Counsel shall notify any victim
18 known to have filed a restricted report against the
19 same individual who is the subject of the report
20 under paragraph (1) that another allegation has
21 been made against the individual who is the subject
22 of the report under paragraph (1).

23 “(g) APPLICABILITY.—The policies developed pursu-
24 ant to this section shall apply to each of the following:

25 “(1) Any employee of the Agency.

1 “(2) Any employee of an entity that has entered
2 into a contract with the Agency under which the em-
3 ployee performs functions at a facility associated
4 with the Agency or functions associated with the
5 agency.

6 “(3) Any person who makes an allegation of a
7 sex-related offense or sexual harassment against an
8 employee referred to in paragraph (1) or (2) at a fa-
9 cility associated with the Agency or during the per-
10 formance of a function associated with the Agency.

11 “(h) RECORDS.—The Director shall establish a sys-
12 tem for tracking and permanently maintaining all agency
13 records related to any investigation into an allegation of
14 a sex-related offense or sexual harassment made in an un-
15 restricted report, including any related medical docu-
16 mentation.”.

17 (e) SPECIAL VICTIM INVESTIGATOR.—Such Act is
18 further amended by adding at the end the following:

19 **“SEC. 33. SPECIAL VICTIM INVESTIGATOR.**

20 “(a) ESTABLISHMENT.—The Director shall establish
21 in the Office of Security a Special Victim Investigator,
22 who shall be responsible for investigating all unrestricted
23 reports containing allegations of sex-related offenses other
24 than sexual harassment and supporting, as appropriate,
25 the Office of Equal Employment Opportunity with inves-

1 tigating formal complaints containing allegations of sexual
2 harassment. The person appointed as the Investigator
3 shall be an appropriately credentialed Federal law enforce-
4 ment officer and may be a detailee from a Federal law
5 enforcement entity.

6 “(b) RESPONSIBILITIES.—The Investigator shall be
7 responsible for—

8 “(1) supporting the Office of Equal Employ-
9 ment Opportunity with investigations into formal
10 complaints containing allegations of sexual harass-
11 ment, as appropriate;

12 “(2) investigating unrestricted reports con-
13 taining allegations of sex-related offenses, including
14 the conduct and management of all internal Agency
15 inquiries, investigations, and other fact-finding ac-
16 tivities related to specific allegations of sex-related
17 offenses;

18 “(3) testifying in a criminal prosecution in any
19 venue, where appropriate;

20 “(4) serving as the case agent for a criminal in-
21 vestigation in any venue, where appropriate;

22 “(5) supporting engagement with law enforce-
23 ment relating to such allegations, where appropriate,
24 including coordinating related cases with other Fed-
25 eral, State, local, and Tribal law enforcement agen-

1 cies, as necessary and appropriate, pursuant to regu-
2 lations, requirements, and procedures developed in
3 consultation with the Federal Bureau of Investiga-
4 tion, for any such inquiries, investigations, or other
5 fact-finding activities;

6 “(6) developing and implementing policies and
7 procedures necessary for the Investigator or any law
8 enforcement partner to conduct effective investiga-
9 tions and also protect sensitive information;

10 “(7) serving as the only authorized investigative
11 body in the Agency for allegations of sex-related of-
12 fenses, except that, in the case of an allegation of a
13 sex-related offense involving an employee of the Of-
14 fice of Security, the Investigator shall coordinate
15 with appropriate criminal investigators who are de-
16 tailed to the Agency for other missions or employed
17 by another Federal law enforcement entity, as nec-
18 essary, to maintain the integrity of the investigation
19 and mitigate potential conflicts of interest;

20 “(8) establishing and coordinating clear policies
21 regarding which agency should take the lead on con-
22 ducting, or be the lead in coordinating with local law
23 enforcement when applicable, investigations of sexual
24 assault and sexual harassment overseas; and

1 “(9) sharing information with the Victim and
2 Whistleblower Counsel to facilitate the Counsel’s
3 support and advocacy for victims of alleged sex-re-
4 lated offenses or sexual harassment.

5 “(c) TIME FRAME FOR INVESTIGATIONS.—The In-
6 vestigator shall—

7 “(1) ensure that any investigative support for a
8 formal complaint containing allegations of sexual
9 harassment shall occur within any investigation
10 timelines required by applicable law;

11 “(2) ensure that any investigation into an alle-
12 gation of a sex-related offense contained in an unre-
13 stricted report is completed by not later than 60
14 days after the date on which the report is referred
15 to the Investigator under section 32(e)(1); and

16 “(3) if the Investigator determines that the
17 completion of an investigation will take longer than
18 60 days—

19 “(A) not later than 60 days after the date
20 on which the report is referred to the Investi-
21 gator under section 32(e)(1), submit to the Di-
22 rector a request for an extension that contains
23 a summary of the progress of the investigation,
24 the reasons why the completion of the investiga-

1 tion requires additional time, and a plan for the
2 completion of the investigation; and

3 “(B) provide to the person who made the
4 report and the person against whom the allega-
5 tion in the report was made notice of the exten-
6 sion of the investigation.”.

7 (f) IMPLEMENTATION AND REPORTING REQUIRE-
8 MENTS.—

9 (1) DEADLINE FOR IMPLEMENTATION.—Not
10 later than 180 days after the date of the enactment
11 of this Act, the Director of the Central Intelligence
12 Agency shall—

13 (A) establish the Office of the Victim and
14 Whistleblower Counsel, as required by section
15 31 of the Central Intelligence Agency Act of
16 1949, as added by subsection (c);

17 (B) establish and implement the policies
18 required under sections 30 and 32 of the Cen-
19 tral Intelligence Agency Act of 1949, as added
20 by subsections (b) and (d), respectively; and

21 (C) consolidate the responsibilities of the
22 Director under such sections 30 and 32 in a
23 single Office, as determined by the Director;
24 and

1 (D) establish the Special Victim Investi-
2 gator, as required by section 33 of the Central
3 Intelligence Agency Act of 1949, as added by
4 subsection (e).

5 (2) REPORT.—

6 (A) IN GENERAL.—Not later than 90 days
7 after the date of the enactment of this Act, and
8 every 90 days thereafter for 2 years, the Direc-
9 tor of the Central Intelligence Agency shall sub-
10 mit to the appropriate congressional committees
11 a report on the implementation of this section
12 and the amendments made by this section. The
13 Director shall personally review, approve, and
14 submit each report under this paragraph on a
15 non-delegable basis.

16 (B) APPROPRIATE CONGRESSIONAL COM-
17 MITTEES.—In this subsection, the term “appro-
18 priate congressional committees” means—

19 (i) the Permanent Select Committee
20 on Intelligence and the Subcommittee on
21 Defense of the Committee on Appropria-
22 tions of the House of Representatives; and

23 (ii) the Select Committee on Intel-
24 ligence and the Subcommittee on Defense

1 of the Committee on Appropriations of the
2 Senate.

3 **TITLE IX—MATTERS RELATING**
4 **TO TECHNOLOGY AND INNO-**
5 **VATION**

6 **SEC. 901. INTELLIGENCE COMMUNITY INNOVATION UNIT.**

7 (a) ESTABLISHMENT.—Title I of the National Secu-
8 rity Act of 1947 (50 U.S.C. 3021 et seq.) is amended by
9 inserting after section 103K the following new section
10 (and conforming the table of contents at the beginning of
11 such Act accordingly):

12 **“SEC. 103L. INTELLIGENCE COMMUNITY INNOVATION UNIT.**

13 “(a) ESTABLISHMENT.—The Director of National In-
14 telligence shall establish within the Office of the Director
15 of National Intelligence a unit to be known as the ‘Intel-
16 ligence Community Innovation Unit’ (in this section re-
17 ferred to as the ‘Unit’).

18 “(b) DUTIES.—The duties of the Unit shall be as fol-
19 lows:

20 “(1) To identify and evaluate commercial
21 emerging technologies for potential adoption by the
22 intelligence community to fulfill critical mission
23 needs.

24 “(2) To assist the heads of the elements of the
25 intelligence community in identifying commercial

1 emerging technologies and associated capabilities to
2 address critical mission needs of that element.

3 “(3) To provide to the heads of the elements of
4 the intelligence community seeking to field commer-
5 cial emerging technologies technical expertise with
6 respect to such technologies.

7 “(4) To manage the prototyping program under
8 subsection (e).

9 “(5) To facilitate the transition of potential so-
10 lutions to critical mission needs of the intelligence
11 community from research and prototype projects to
12 production.

13 “(6) To serve as a liaison between the intel-
14 ligence community and the private sector (with a
15 focus on small- and medium-sized companies and
16 other organizations that do not have significant ex-
17 perience engaging with the intelligence community)
18 to fulfill the duties listed in paragraphs (1) through
19 (5), in coordination with the head of the Office of
20 Engagement established under section 122.

21 “(c) DIRECTOR OF UNIT.—

22 “(1) APPOINTMENT; REPORTING.—The head of
23 the Unit is the Director of the Intelligence Commu-
24 nity Innovation Unit, who shall be appointed by the

1 Director of National Intelligence and shall report di-
2 rectly to the Director of National Intelligence.

3 “(2) QUALIFICATIONS.—In selecting an indi-
4 vidual for appointment as the Director of the Intel-
5 ligence Community Innovation Unit, the Director of
6 National Intelligence shall give preference to individ-
7 uals who the Director of National Intelligence deter-
8 mines have—

9 “(A) significant relevant experience involv-
10 ing commercial emerging technology within the
11 private sector; and

12 “(B) a demonstrated history of fostering
13 the adoption of commercial emerging tech-
14 nologies by the United States Government or
15 the private sector.

16 “(d) STAFF.—

17 “(1) IN GENERAL.—In addition to the Director
18 of the Intelligence Community Innovation Unit, the
19 Unit shall be composed of not more than 50 full-
20 time equivalent positions.

21 “(2) STAFF WITH CERTAIN EXPERTISE.—The
22 Director of National Intelligence shall ensure that
23 there is a sufficient number of staff of the Unit, as
24 determined by the Director, with expertise in—

1 “(A) other transaction authorities and
2 nontraditional and rapid acquisition pathways
3 for emerging technology;

4 “(B) engaging and evaluating small- and
5 medium-sized emerging technology companies;

6 “(C) the mission needs of the intelligence
7 community; and

8 “(D) any other skills or experiences the
9 Director determines necessary.

10 “(3) SPECIAL HIRING AND RETENTION AU-
11 THORITIES.—

12 “(A) IN GENERAL.—The Director of Na-
13 tional Intelligence shall take such steps as may
14 be necessary to incentivize the hiring and reten-
15 tion of staff of the Unit.

16 “(B) SPECIAL PAY.—In establishing the
17 rates of pay for the positions specified in para-
18 graph (1), and to the extent practicable, the Di-
19 rector of National Intelligence may use the spe-
20 cial pay authority under section 113B.

21 “(4) AUTHORITY RELATING TO DETAILEES.—
22 Upon request of the Unit, each head of an element
23 of the intelligence community may detail to the Unit
24 any of the personnel of that element to assist in car-

1 rying out the duties under subsection (b) on a reim-
2 bursable or a nonreimbursable basis.

3 “(e) **PROTOTYPING PROGRAM.**—The Director of the
4 Intelligence Community Innovation Unit shall establish a
5 program to transition research and prototype projects to
6 products in a production stage for the purpose of fulfilling
7 critical mission needs of the intelligence community (in
8 this subsection referred to as the ‘program’), including by
9 designating projects as Emerging Technology Transition
10 Projects under section 6713 of the Intelligence Authoriza-
11 tion Act for Fiscal Year 2023 (Public Law 117–263; 50
12 U.S.C. 3024 note; 136 Stat. 3568).

13 “(f) **ENCOURAGEMENT OF USE BY ELEMENTS.**—The
14 Director of National Intelligence shall take such steps as
15 may be necessary to encourage the use of the Unit by the
16 heads of the other elements of the intelligence community.

17 “(g) **EMERGING TECHNOLOGY DEFINED.**—In this
18 section, the term ‘emerging technology’ has the meaning
19 given that term in section 6701 of the Intelligence Author-
20 ization Act for Fiscal Year 2023 (Public Law 117–263;
21 50 U.S.C. 3024 note; 136 Stat. 3561).”.

22 (b) **CLARIFICATION OF EMERGING TECHNOLOGY**
23 **DEFINITION.**—Section 6701(8)(A) of the Intelligence Au-
24 thorization Act for Fiscal Year 2023 (Public Law 117–
25 263; 50 U.S.C. 3024 note; 136 Stat. 3561) is amended

1 by striking “during the 10-year period beginning on Janu-
2 ary 1, 2022” and inserting “during the subsequent 10-
3 year period”.

4 (c) DEADLINE FOR ESTABLISHMENT.—Not later
5 than 1 year after the date of the enactment of this Act,
6 the Director of National Intelligence shall establish the In-
7 telligence Community Innovation Unit.

8 (d) PLAN AND BRIEFINGS.—

9 (1) PLAN.—Not later than 180 days after the
10 date of the enactment of this Act, the Director of
11 National Intelligence shall submit to the congress-
12 sional intelligence committees a plan for the estab-
13 lishment of the Intelligence Community Innovation
14 Unit.

15 (2) BRIEFINGS.—Not later than 180 days after
16 the date of the enactment of this Act, and on a bian-
17 nual basis thereafter for 5 years, the Director of Na-
18 tional Intelligence shall provide to the appropriate
19 congressional committees a briefing on the status of
20 the Intelligence Community Innovation Unit, the
21 staffing levels of such Unit, and the progress of such
22 Unit in identifying and facilitating the adoption of
23 commercial emerging technologies capable of advanc-
24 ing the mission needs of the intelligence community.

25 (e) DEFINITIONS.—In this section:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the congressional intelligence commit-
5 tees; and

6 (B) the Committees on Appropriations of
7 the House of Representatives and the Senate.

8 (2) EMERGING TECHNOLOGY.—The term
9 “emerging technology” has the meaning given such
10 term in section 103L of the National Security Act
11 of 1947 (as added by subsection (a)).

12 (3) INTELLIGENCE COMMUNITY INNOVATION
13 UNIT.—The term “Intelligence Community Innova-
14 tion Unit” means the Intelligence Community Inno-
15 vation Unit established under such section 103L.

16 **SEC. 902. ESTABLISHMENT OF OFFICE OF ENGAGEMENT.**

17 (a) ESTABLISHMENT.—Title I of the National Secu-
18 rity Act of 1947 (50 U.S.C. 3021 et seq.), as amended
19 by section 901, is further amended by adding at the end
20 the following new section (and conforming the table of
21 contents at the beginning of such Act accordingly):

22 **“SEC. 122. OFFICE OF ENGAGEMENT.**

23 “(a) ESTABLISHMENT.—There is within the Office of
24 the Director of National Intelligence an Office of Engage-
25 ment (in this section referred to as the ‘Office’).

1 “(b) HEAD; STAFF.—

2 “(1) HEAD.—The Director of National Intel-
3 ligence shall appoint as head of the Office an indi-
4 vidual with requisite experience in matters relating
5 to the duties of the Office, as determined by the Di-
6 rector of National Intelligence. Such head of the Of-
7 fice shall report directly to the Director of National
8 Intelligence.

9 “(2) STAFF.—To assist the head of the Office
10 in fulfilling the duties of the Office, the head shall
11 employ full-time equivalent staff in such number,
12 and with such requisite expertise in matters relating
13 to such duties, as may be determined by the head.

14 “(c) DUTIES.—The duties of the Office shall be as
15 follows:

16 “(1) To coordinate and facilitate across the ele-
17 ments of the intelligence community efforts regard-
18 ing outreach, relationship development, and associ-
19 ated knowledge and relationship management, with
20 covered entities.

21 “(2) To assist in sharing best practices regard-
22 ing such efforts among the elements of the intel-
23 ligence community.

24 “(3) To establish and implement metrics to as-
25 sess the effectiveness of such efforts.

1 “(d) COVERED ENTITY DEFINED.—In this section,
2 the term ‘covered entity’ means an entity that is not an
3 entity of the United States Government, including private
4 sector companies, institutions of higher education, trade
5 associations, think tanks, laboratories, international orga-
6 nizations, and foreign partners and allies.”.

7 (b) DEADLINE.—The Director of National Intel-
8 ligence shall establish the Office of Engagement by not
9 later than 1 year after the date of the enactment of this
10 Act.

11 (c) PLAN AND BRIEFINGS.—

12 (1) PLAN.—Not later than 180 days after the
13 date of the enactment of this Act, the Director of
14 National Intelligence shall submit to the congress-
15 sional intelligence committees a plan for the estab-
16 lishment of the Office of Engagement.

17 (2) QUARTERLY BRIEFINGS.—Not later than 1
18 year after the date of the establishment of the Office
19 of Engagement, and on a quarterly basis for 5 years
20 thereafter, the Director of National Intelligence shall
21 submit to the congressional intelligence committees a
22 briefing on the status of the Office, including with
23 respect to the staffing levels, activities, and fulfil-
24 ment of duties of the Office.

1 (d) DEFINITIONS.—In this section, the term “Office
2 of Engagement” means the Office of Engagement estab-
3 lished under section 122 of the National Security Act of
4 1947, as added by subsection (a).

5 **SEC. 903. REQUIREMENT FOR A CHIEF TECHNOLOGY OFFI-**
6 **CER WITHIN EACH ELEMENT OF THE INTEL-**
7 **LIGENCE COMMUNITY.**

8 (a) REQUIREMENT.—Not later than 180 days after
9 the date of enactment of this Act, the head of each ele-
10 ment of the intelligence community shall ensure there is
11 within such element a senior official designated as the
12 chief technology officer of such element.

13 (b) RESPONSIBILITY.—The chief technology officer of
14 each element of the intelligence community shall be re-
15 sponsible for assisting the head of such element in the
16 identification and adoption of technology to advance mis-
17 sion needs.

18 **SEC. 904. REQUIREMENT TO AUTHORIZE ADDITIONAL SE-**
19 **CURITY CLEARANCES FOR CERTAIN CON-**
20 **TRACTORS.**

21 (a) REQUIREMENT.—Notwithstanding any provision
22 of law to the contrary, consistent with Executive Order
23 12968 (60 Fed. Reg. 40245; relating to access to classi-
24 fied information), or any successor thereto and Executive
25 Order 10865 (25 Fed. Reg. 1583; relating to safeguarding

1 classified information within industry), or any successor
2 thereto, and subject to the limitations described in sub-
3 section (b)—

4 (1) any entity that enters into a covered con-
5 tract or agreement with an element of the intel-
6 ligence community may designate an additional
7 number of covered persons who may submit an ap-
8 plication for a security clearance;

9 (2) the appropriate authorized investigative
10 agency and authorized adjudicative agency, as such
11 terms are defined in section 3001(a) of the Intel-
12 ligence Reform and Terrorism Prevention Act of
13 2004 (50 U.S.C. 3341(a)), shall—

14 (A) upon receiving such an application—

15 (i) conduct an appropriate investiga-
16 tion of the background of the additional
17 covered person; and

18 (ii) make a determination as to
19 whether the additional covered person is el-
20 igible for access to classified information;
21 and

22 (B) if the determination under subpara-
23 graph (A)(ii) is favorable, upon any of the spec-
24 ified number of covered persons required to
25 hold a security clearance for the performance of

1 work under that covered contract or agreement
2 becoming unable to perform such work, make a
3 determination as to whether the additional cov-
4 ered person has a demonstrated need-to-know
5 under such an Executive Order (without requir-
6 ing an additional investigation to be conducted
7 under subparagraph (A)(i)); and

8 (3) if the additional covered person receives a
9 favorable determination regarding the need-to-know
10 under paragraph (2)(B) and signs an approved non-
11 disclosure agreement, the additional covered person
12 may perform such work in lieu of such covered per-
13 son.

14 (b) LIMITATIONS.—The limitations described in this
15 subsection are as follows:

16 (1) LIMITATION ON NUMBER DESIGNATED PER
17 CONTRACT.—The additional number designated by
18 an entity under subsection (a) for each covered con-
19 tract or agreement may not exceed the greater of the
20 following:

21 (A) 10 percent of the number of security
22 clearances required to be held by covered per-
23 sons to perform work under the covered con-
24 tract or agreement.

25 (B) 1 person.

1 (2) LIMITATION ON NUMBER DESIGNATED PER
2 ENTITY.—The total additional number designated by
3 an entity under subsection (a) may not exceed the
4 greater of the following:

5 (A) 10 percent of the sum total number of
6 security clearances required to be held by cov-
7 ered persons to perform work under all covered
8 contracts or agreements of the entity.

9 (B) 1 person.

10 (c) PROHIBITION.—No application for a security
11 clearance may be submitted by a covered person of an en-
12 tity or granted pursuant to subsection (a) in excess of the
13 limitations under subsection (b) applicable to such entity.

14 (d) COSTS.—

15 (1) AUTHORITY TO CHARGE AND COLLECT.—
16 The head of each element of the intelligence commu-
17 nity may charge fees or collect amounts to cover the
18 exact costs associated with granting or maintaining
19 a security clearance an application for which is sub-
20 mitted to the head pursuant to subsection (a)(1).

21 (2) RETENTION OF AMOUNTS.—Notwith-
22 standing section 3302(b) of title 31, United States
23 Code—

1 (A) the head of each element of the intel-
2 ligence community may retain amounts received
3 under paragraph (1); and

4 (B) any amount so retained shall be depos-
5 ited into an account to be determined by such
6 head and shall be made available without subse-
7 quent appropriation until expended for the pur-
8 pose of granting or maintaining the respective
9 security clearance for which such amount was
10 received.

11 (3) PROHIBITION ON BEARING COSTS.—No
12 head of an element of the intelligence community
13 may bear any cost associated with granting or main-
14 taining a security clearance the application for which
15 is submitted pursuant to subsection (a)(1).

16 (e) APPLICABILITY.—The requirement under sub-
17 section (a) shall apply with respect to contracts and other
18 agreements entered into on or after the date of the enact-
19 ment of this Act.

20 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion may be construed as requiring the head of an element
22 of the intelligence community to grant any covered person
23 access to classified information if a favorable determina-
24 tion of eligibility to access such classified information is
25 not made with respect to such person.

1 (g) DEFINITIONS.—In this section:

2 (1) COVERED CONTRACT OR AGREEMENT.—The
3 term “covered contract or agreement”, with respect
4 to an entity, means a contract or other agreement
5 between that entity and an element of the intel-
6 ligence community the performance of which re-
7 quires a specified number of covered persons to hold
8 a security clearance.

9 (2) COVERED PERSON.—In this section, the
10 term “covered person”, with respect to an entity,
11 means a contractor or employee of that entity.

12 **SEC. 905. INTELLIGENCE INNOVATION BOARD.**

13 (a) ESTABLISHMENT OF INTELLIGENCE INNOVATION
14 BOARD.—There is established a board to be known as the
15 Intelligence Innovation Board (in this section referred to
16 as the “Board”).

17 (b) PURPOSE.—The purpose of the Board is to pro-
18 vide to the Director of National Intelligence, the heads of
19 the other elements of the intelligence community, and the
20 congressional intelligence committees advice and rec-
21 ommendations on changes to the culture, organizational
22 structures, processes, and functions of the intelligence
23 community necessary to address the adoption of emerging
24 technologies by the intelligence community and to accel-
25 erate such adoption.

1 (c) MEMBERSHIP.—

2 (1) APPOINTMENT OF MEMBERS.—The Board
3 shall be composed of 9 members appointed by the
4 Director of National Intelligence, after consultation
5 with the Chair and Ranking Member of the Perma-
6 nent Select Committee on Intelligence of the House
7 of Representatives and the Chair and Vice Chair of
8 the Select Committee on Intelligence of the Senate,
9 from among citizens of the United States—

10 (A) who are not officers or employees of an
11 element of the intelligence community;

12 (B) who are eligible to hold an appropriate
13 security clearance;

14 (C) who have demonstrated academic, gov-
15 ernment, business, or other expertise relevant to
16 the mission and functions of the intelligence
17 community; and

18 (D) who the Director of National Intel-
19 ligence determines—

20 (i) meet at least 1 of the qualifica-
21 tions described in paragraph (2); and

22 (ii) do not present a conflict of inter-
23 est.

24 (2) QUALIFICATIONS.—The qualifications de-
25 scribed in this paragraph are the following:

1 (A) A proven track record of sound judgment in leading or governing a large and complex private sector corporation or organization.

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3
4 (B) A proven track record as a distinguished academic or researcher at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

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9 (C) Demonstrated experience in identifying emerging technologies and facilitating the adoption of such technologies into the operations of large organizations in either the public or private sector.

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14 (D) Demonstrated experience in developing new technology.

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16 (3) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director of National Intelligence from among the members of the Board, after consultation with the Chair and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives and the Chair and Vice Chair of the Select Committee on Intelligence of the Senate.

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24 (4) NOTIFICATIONS.—Not later than 30 days after the date on which the Director of National In-

1 intelligence appoints a member to the Board under
2 paragraph (1), or appoints a member of the Board
3 as Chair under paragraph (3), the Director shall no-
4 tify the congressional intelligence committees of such
5 appointment in writing.

6 (5) TERMS.—

7 (A) IN GENERAL.—Except as provided in
8 subparagraph (B), each member of the Board
9 shall be appointed for a term of 2 years.

10 (B) VACANCIES.—A member of the Board
11 appointed to fill a vacancy occurring before the
12 expiration of the term for which the predecessor
13 of the member was appointed shall be appointed
14 only for the remainder of that term. A vacancy
15 in the Board shall not affect the powers of the
16 Board and shall be filled in the manner in
17 which the original appointment was made.

18 (C) REAPPOINTMENT.—A member of the
19 Board may only be reappointed for 1 additional
20 2-year term.

21 (6) PROHIBITION ON COMPENSATION.—Except
22 as provided in paragraph (7), members of the Board
23 shall serve without pay.

24 (7) TRAVEL EXPENSES.—Each member of the
25 Board shall receive travel expenses, including per

1 diem in lieu of subsistence, in accordance with appli-
2 cable provisions under subchapter I of chapter 57 of
3 title 5, United States Code.

4 (8) MEETINGS.—The Board shall meet as nec-
5 essary to carry out its purpose and duties under this
6 section, but shall meet in person not less frequently
7 than on a quarterly basis. A majority of the mem-
8 bers of the Board shall constitute a quorum.

9 (d) STAFF.—

10 (1) COMPOSITION.—The Board shall be com-
11 posed of full-time staff with requisite experience to
12 assist the Board in carrying out its purpose and du-
13 ties under this section in such number as the Direc-
14 tor of National Intelligence determines appropriate.
15 Such staff may be appointed by the Director of Na-
16 tional Intelligence or detailed or otherwise assigned
17 from another element of the intelligence community.

18 (2) SECURITY CLEARANCES.—Staff of the
19 Board, shall, as a condition of appointment, detail,
20 or assignment to the Board, as the case may be,
21 hold appropriate security clearances for access to the
22 classified records and materials to be reviewed by
23 the staff, and shall follow the guidance and practices
24 on security under applicable Executive orders and
25 Presidential or agency directives.

1 (e) CONTRACT AUTHORITY.—The Board may con-
2 tract with and compensate government and private agen-
3 cies or persons to enable the Board to carry out its pur-
4 pose and duties under this section, without regard to sec-
5 tion 6101 of title 41, United States Code.

6 (f) REPORTS.—

7 (1) SUBMISSION.—Beginning on the date that
8 is 2 years after the date on which the Board is es-
9 tablished, and once every 2 years thereafter until the
10 date on which the Board terminates under sub-
11 section (i), the Board shall submit to the Director
12 of National Intelligence and the congressional intel-
13 ligence committees a report on the activities of the
14 Board, which shall include, with respect to the pe-
15 riod covered by the report, the following:

16 (A) An assessment of the efforts of the in-
17 telligence community taken during such period
18 to accelerate the adoption of emerging tech-
19 nologies by the intelligence community, includ-
20 ing such efforts taken with respect to the cul-
21 ture, organizational structures, processes, or
22 functions of the intelligence community.

23 (B) Recommendations on how the intel-
24 ligence community may make further progress
25 to accelerate such adoption, including rec-

1 ommendations on changes to the culture, orga-
2 nizational structures, processes, and functions
3 of the intelligence community necessary for
4 such accelerated adoption.

5 (C) Any other matters the Board or the
6 Director of National Intelligence determines ap-
7 propriate.

8 (2) FORM.—Each report under paragraph (1)
9 may be submitted in classified form, but if so sub-
10 mitted shall include an unclassified executive sum-
11 mary.

12 (g) NONAPPLICABILITY OF CERTAIN REQUIRE-
13 MENTS.—Chapter 10 of title 5, United States Code, (com-
14 monly known as the “Federal Advisory Committee Act”)
15 shall not apply to the Board.

16 (h) TERMINATION.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), the Board shall terminate on September
19 30, 2028.

20 (2) RENEWAL.—The Director of National Intel-
21 ligence may renew the Board for an additional 4-
22 year period following the date of termination speci-
23 fied in paragraph (1) if the Director notifies the
24 congressional intelligence committees of such re-
25 newal.

1 (i) CHARTER.—Not later than 90 days after the date
2 of the enactment of this Act, the Director of National In-
3 telligence shall establish a charter for the Board, con-
4 sistent with this section.

5 **SEC. 906. PROGRAMS FOR NEXT-GENERATION MICROELEC-**
6 **TRONICS IN SUPPORT OF ARTIFICIAL INTEL-**
7 **LIGENCE.**

8 (a) PROGRAM ESTABLISHMENT.—The Director of
9 National Intelligence, acting through the Director of the
10 Intelligence Advanced Research Projects Activity, shall es-
11 tablish or otherwise oversee a program to advance micro-
12 electronics research.

13 (b) RESEARCH FOCUS.—The Director of National In-
14 telligence shall ensure that the research carried out under
15 the program established under subsection (a) is focused
16 on the following:

17 (1) Advanced engineering and applied research
18 into next-generation computing models, materials,
19 devices, architectures, and algorithms to enable the
20 advancement of artificial intelligence and machine
21 learning.

22 (2) Efforts to—

23 (A) overcome challenges with engineering
24 and applied research of microelectronics, includ-
25 ing with respect to the physical limits on tran-

1 sistors, electrical interconnects, and memory
2 elements;

3 (B) promote long-term advancements in
4 computing technologies, including by fostering a
5 unified and multidisciplinary approach encom-
6 passing research and development into—

7 (i) next-generation algorithm design;

8 (ii) next-generation compute capa-
9 bility;

10 (iii) generative and adaptive artificial
11 intelligence for design applications;

12 (iv) photonics based microprocessors,
13 including electro-photonics;

14 (v) the chemistry and physics of new
15 materials;

16 (vi) optical communication networks,
17 including electro-photonics; and

18 (vii) safety and controls for generative
19 artificial intelligence applications for the
20 intelligence community.

21 (3) Any other activity the Director determines
22 would promote the development of microelectronics
23 research for future technologies, including optical
24 communications or quantum technologies.

1 (c) COLLABORATION AND PARTNERSHIPS.—In car-
2 rying out the program established under subsection (a),
3 the Director of National Intelligence shall actively collabo-
4 rate with relevant Government agencies, academic institu-
5 tions, and private industry to leverage expertise and re-
6 sources in conducting research.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—
8 Amounts authorized to be appropriated for the National
9 Intelligence Program of the Office of the Director of Na-
10 tional Intelligence may be made available to award con-
11 tracts and grants, and to enter into transactions other
12 than contracts, to carry out the program established under
13 subsection (a).

14 (e) REPORTING REQUIREMENTS.—The Director of
15 the Intelligence Advanced Research Projects Activity shall
16 provide to the congressional intelligence committees reg-
17 ular briefings on—

18 (1) the progress, achievements, and outcomes of
19 the program established under subsection (a);

20 (2) the partnerships and collaborations con-
21 ducted pursuant to subsection (c); and

22 (3) recommendations for future research prior-
23 ities.

1 **SEC. 907. PROGRAM FOR BEYOND 5G.**

2 (a) ESTABLISHMENT.—The Director of National In-
3 telligence, acting through the Director of the Intelligence
4 Advanced Research Projects Activity, may initiate or oth-
5 erwise carry out a program dedicated to research and de-
6 velopment efforts relevant to 6G technology and any suc-
7 cessor technologies.

8 (b) CONSULTATION.—In carrying out any program
9 under subsection (a), the Director shall consult with rel-
10 evant—

11 (1) heads of Federal departments and agencies;

12 (2) private sector entities;

13 (3) institutions of higher learning;

14 (4) federally funded research and development
15 centers; and

16 (5) such other individuals and entities as the
17 Director determines appropriate.

18 (c) 6G TECHNOLOGY DEFINED.—In this section, the
19 term “6G technology” means hardware, software, or other
20 technologies relating to sixth-generation wireless net-
21 works.

22 **SEC. 908. INTELLIGENCE COMMUNITY COMMERCIAL RE-**
23 **MOTE SENSING REQUIREMENTS.**

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

1 (1) the United States benefits from a robust
2 commercial remote sensing industry that supports a
3 Science, Technology, Engineering, and Math aca-
4 demic pipeline, enables skilled manufacturing jobs,
5 and fosters technological innovation;

6 (2) commercial remote sensing capabilities com-
7 plement and augment dedicated Government remote
8 sensing capabilities, both when integrated into Gov-
9 ernment architectures and leveraged as stand-alone
10 services;

11 (3) the Director of National Intelligence and
12 Under Secretary of Defense for Intelligence and Se-
13 curity should serve as the United States Government
14 leads for commercial remote sensing procurement
15 and seek to accommodate commercial remote sensing
16 needs of the Intelligence Community, the Depart-
17 ment of Defense, and Federal civil organizations
18 under the preview of the cognizant functional man-
19 agers; and

20 (4) a transparent, sustained investment by the
21 United States Government in commercial remote
22 sensing capabilities—

23 (A) is required to strengthen the United
24 States commercial remote sensing commercial
25 industry; and

1 (B) should include electro optical, synthetic
2 aperture radar, hyperspectral, and radio fre-
3 quency detection and other innovative
4 phenemonology that may have national security
5 applications.

6 (b) GUIDANCE REQUIRED.—Not later than 180 days
7 after the date of the enactment of this Act, the Director
8 of National Intelligence and the Under Secretary of De-
9 fense for Intelligence and Security shall jointly develop
10 guidance requiring the Commercial Strategy Board or, if
11 that is not feasible, such other entities within the intel-
12 ligence community and the Department of Defense that
13 the Director and the Under Secretary determine appro-
14 priate, to perform, on a recurring basis, the following
15 functions related to commercial remote sensing:

16 (1) Validation of the current and long-term
17 commercial remote sensing capability needs, as de-
18 termined by the relevant functional managers, of the
19 Department of Defense, the intelligence community,
20 and Federal civil users under the preview of the cog-
21 nizant functional managers.

22 (2) Development of commercial remote sensing
23 requirements documents that are unclassified and
24 releasable to United States commercial industry.

1 (3) Development of a cost estimate that is un-
2 classified and releasable to United States commercial
3 industry, covering at least 5 years, associated with
4 fulfilling the requirements contained in the commer-
5 cial remote sensing requirements documents referred
6 developed under paragraph (2).

7 (c) FUNDING LEVELS.—In the case of any fiscal year
8 for which a cost estimate is developed under subsection
9 (b)(3) and for which the budget of the President (as sub-
10 mitted to Congress pursuant to section 1105 of title 31,
11 United States Code) requests a level of funding for the
12 procurement of commercial remote sensing requirements
13 that is less than the amount identified in the cost esti-
14 mate, the President shall include with the budget an expla-
15 nation for the difference.

16 (d) REPORT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Di-
19 rector of National Intelligence and the Under Sec-
20 retary of Defense for Intelligence and Security shall
21 jointly submit to the appropriate congressional com-
22 mittees a report on the implementation of subsection
23 (b).

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—In this subsection, the term “appropriate
3 congressional committees” means—

4 (A) the congressional intelligence commit-
5 tees;

6 (B) the congressional defense committees;

7 (C) the Subcommittee on Defense of the
8 Committee on Appropriations of the House of
9 Representatives; and

10 (D) the Subcommittee on Defense of the
11 Committee on Appropriations of the Senate.

12 **SEC. 909. REQUIREMENT TO ENSURE INTELLIGENCE COM-**
13 **MUNITY DIRECTIVES APPROPRIATELY AC-**
14 **COUNT FOR ARTIFICIAL INTELLIGENCE AND**
15 **MACHINE LEARNING TOOLS IN INTEL-**
16 **LIGENCE PRODUCTS.**

17 (a) REQUIREMENT.—Not later than 120 days after
18 the date of the enactment of this Act, the Director of Na-
19 tional Intelligence shall provide to the congressional intel-
20 ligence committees a briefing on whether intelligence com-
21 munity directives in effect as of the date such briefing is
22 provided furnish intelligence community analysts with suf-
23 ficient guidance and direction with respect to the use of
24 artificial intelligence and machine learning tools in intel-
25 ligence products produced by the intelligence community.

1 (b) ELEMENTS.—The briefing required under sub-
2 section (a) shall include—

3 (1) a determination by the Director as to—

4 (A) whether Intelligence Community Direc-
5 tive 203, Analytic Standards, Intelligence Com-
6 munity Directive 206, Sourcing Requirements
7 for Disseminated Analytic Products, and any
8 other intelligence community directive related to
9 the production and dissemination of intelligence
10 products by the intelligence community in effect
11 as of the date the briefing under subsection (a)
12 is provided furnish intelligence community ana-
13 lysts with sufficient guidance and direction on
14 how to properly use, provide sourcing informa-
15 tion about, and otherwise provide transparency
16 to customers regarding the use of artificial in-
17 telligence and machine learning tools in intel-
18 ligence products produced by the intelligence
19 community; and

20 (B) whether any such intelligence commu-
21 nity directive described in subparagraph (A) re-
22 quires an update to provide such guidance and
23 direction; and

24 (2) with respect to the determination under
25 paragraph (1)—

1 (A) in the case the Director makes a deter-
2 mination that no update to an intelligence com-
3 munity directive described in such paragraph is
4 required, an explanation regarding why such in-
5 telligence community directives currently pro-
6 vide sufficient guidance and direction to intel-
7 ligence community analysts; and

8 (B) in the case the Director makes a deter-
9 mination that an update to an intelligence com-
10 munity directive described in such paragraph is
11 required, a plan and proposed timeline to up-
12 date any such intelligence community directive.

