

# Chairman's Mark (Intelligence Authorization Act for Fiscal Year 2025)

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## Subcommittee on the National Intelligence Enterprise of the Permanent Select Committee on Intelligence

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1 **SECTION 1. INTELLIGENCE SUPPORT FOR CERTAIN EXECU-**  
2 **TIVE BRANCH DEPARTMENTS AND AGENCIES.**

3 (a) BRIEFING.—Not later than 90 days after the date  
4 of the enactment of this Act, the Director of National In-  
5 telligence shall provide to the congressional intelligence  
6 committees a briefing with respect to intelligence support  
7 provided to executive branch departments and agencies  
8 that are not a part of the intelligence community in ac-  
9 cordance with Intelligence Community Directive 404 (re-  
10 lating to Executive Branch Intelligence Customers), or  
11 successor directive.

12 (b) ELEMENTS.—The briefing required under sub-  
13 section (a) shall include the following:

14 (1) A list of United States Government depart-  
15 ments and agencies that have a Federal Senior In-  
16 telligence Coordinator, an Intelligence Point of Con-  
17 tact, or a Federal Intelligence Coordination Office.

18 (2) A description of the Office of the Director  
19 of National Intelligence's insight into how depart-

1       ments and agencies that have individuals holding a  
2       position described in paragraph (1) are selected for  
3       such position, and what role the Office of the Direc-  
4       tor of National Intelligence plays in that process, if  
5       any.

6           (3) An assessment of the successes, short-  
7       comings, effectiveness, utility, and future planning  
8       for engaging with executive branch customers pursu-  
9       ant to Intelligence Community Directive 404 or any  
10      successor directive.

11      (c) DEFINITIONS.—In this section, the terms “Fed-  
12      eral Senior Intelligence Coordinator”, “Intelligence Point  
13      of Contact”, and “Federal Intelligence Coordination Of-  
14      fice” have the meaning given such terms in Intelligence  
15      Community Directive 404.

16      **SEC. 2. CONGRESSIONAL NOTIFICATIONS REGARDING EM-**  
17                            **PLOYEES WITHIN THE INTELLIGENCE COM-**  
18                            **MUNITY.**

19      (a) ANNUAL REPORTS FOR CALENDAR YEARS 2024,  
20      2025, AND 2026.—Not later than 60 days after the end  
21      of calendar years 2024, 2025, and 2026, the Director of  
22      National Intelligence shall submit to the congressional in-  
23      telligence committees a report on civilian employees in the  
24      intelligence community placed on administrative leave

1 pending possible adverse personnel action during that cal-  
2 endar year.

3 (b) ELEMENTS.—Each report under subsection (a)  
4 shall include, for the calendar year covered by the report,  
5 the following:

6 (1) The total number of employees who were  
7 placed on administrative leave pending possible ad-  
8 verse personnel action, disaggregated by intelligence  
9 community element and pay grade.

10 (2) The number of employees placed on paid  
11 administrative leave pending possible adverse per-  
12 sonnel action.

13 (3) The number of employees placed on admin-  
14 istrative leave pending possible adverse personnel ac-  
15 tion whose leave has exceeded 365 days,  
16 disaggregated by paid and unpaid status.

17 (c) NOTIFICATION OF REFERRAL TO DEPARTMENT  
18 OF JUSTICE.—If a referral is made to the Department of  
19 Justice from any element of the intelligence community  
20 regarding an allegation of misconduct against a civilian  
21 employee of the intelligence community, the head of the  
22 element of the intelligence community that employs the  
23 covered employee shall notify the congressional intelligence  
24 committees of the referral not later than 10 days after  
25 the date on which such referral is made.

1 **SEC. 3. INTELLIGENCE COMMUNITY RECRUITMENT FOR**  
2 **CERTAIN SECURITY-CLEARED SEPARATING**  
3 **MILITARY MEMBERS.**

4 (a) IN GENERAL.—The Intelligence Community  
5 Chief Human Capital Officer shall, not later than 90 days  
6 after the date of the enactment of this Act, develop a  
7 human resources strategy for enhancing the recruitment  
8 into the intelligence community of covered military mem-  
9 bers.

10 (b) CONTENTS.—The strategy developed under sub-  
11 section (a) shall address—

12 (1) a requirement for each intelligence commu-  
13 nity element to facilitate job applications for quali-  
14 fied covered military members on each element’s job  
15 application portal, on USA Jobs, or other appro-  
16 priate hiring platform;

17 (2) additional authorities or policy waivers re-  
18 quired to overcome identified barriers to enhancing  
19 the recruitment into the intelligence community of  
20 covered military members to include those military  
21 members with technical training and experience in  
22 lieu of a bachelor’s degree; and

23 (3) in consultation with military services, the  
24 development of best practices for matching job appli-  
25 cations from among covered military members who  
26 have transferable qualifying backgrounds, skills, or

1 expertise to relevant intelligence occupational spe-  
2 cialties within the Federal civilian intelligence com-  
3 munity workforce, to include coordinating intel-  
4 ligence community recruiting events and hiring  
5 blitzes.

6 (c) BRIEFING AND IMPLEMENTATION PLAN.—Not  
7 later than 30 days after the development of the strategy  
8 under subsection (a), the Intelligence Community Chief  
9 Human Capital Officer shall provide to the congressional  
10 intelligence committees a briefing regarding the strategy  
11 developed under subsection (a), including a plan for how  
12 each element of the intelligence community intends to im-  
13 plement such strategy.

14 (d) COVERED MILITARY MEMBER DEFINED.—In this  
15 section, the term “covered military member” means any  
16 servicemember transitioning out of military service who  
17 holds a current top-secret security clearance.

18 **SEC. 4. STRATEGY TO STRENGTHEN INTELLIGENCE COM-**  
19 **MUNITY RECRUITMENT EFFORTS IN THE**  
20 **UNITED STATES TERRITORIES.**

21 (a) IN GENERAL.—The Director of National Intel-  
22 ligence, acting through the Intelligence Community Chief  
23 Human Capital Officer, shall, in coordination with the  
24 human capital offices of such elements of the intelligence  
25 community as determined appropriate, develop an intel-

1 ligence community-wide strategy to strengthen efforts to  
2 recruit qualified individuals residing in the United States  
3 territories.

4 (b) BRIEFING REQUIREMENT.—Not later than 180  
5 days after the date of enactment of this Act, the Director  
6 of National Intelligence, acting through the Intelligence  
7 Community Chief Human Capital Officer, shall provide to  
8 the congressional intelligence committees a briefing with  
9 respect to the strategy developed under subsection (a), in-  
10 cluding with respect to a plan for the implementation of  
11 such strategy.

12 (c) UNITED STATES TERRITORIES DEFINED.—In  
13 this section, the term “United States territories” means  
14 Puerto Rico, the United States Virgin Islands, Guam, the  
15 Commonwealth of the Northern Mariana Islands, and  
16 American Samoa.

17 **SEC. 5. ASSESSMENT ON INTELLIGENCE RELATIONSHIP BE-**  
18 **TWEEN EGYPT AND ISRAEL.**

19 (a) REPORT.—Not later than 90 days after the date  
20 the enactment of this Act, the Director of National Intel-  
21 ligence, in coordination with the heads of such elements  
22 of the intelligence community as the Director determines  
23 appropriate, shall submit to the congressional intelligence  
24 committees a report assessing the intelligence relationship  
25 between Israel and Egypt that includes an assessment of

1 intelligence failures with respect to either country and  
2 with respect to intelligence sharing between the two coun-  
3 tries that contributed to the attack on Israel by Hamas  
4 on October 7, 2023.

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

7 (1) An assessment of the state, strengths, and  
8 limitations of any intelligence relationship between  
9 Egypt and Israel, especially with respect to Hamas  
10 and Gaza.

11 (2) The role of the United States, if any, in the  
12 relationship and an identification of the areas in  
13 which the participation of the United States would  
14 most strengthen the relationship and improve co-  
15 operation between Egypt and Israel going forward.

16 (3) A review of the failures in national and re-  
17 gional intelligence analysis, collection, and sharing  
18 that occurred before the attack on Israel by Hamas  
19 on October 7, 2023, and any lessons learned for fu-  
20 ture intelligence activities.

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

1 **SEC. 6. IMPROVEMENTS TO URGENT CONCERNS SUB-**  
2 **MITTED TO INSPECTORS GENERAL OF THE**  
3 **INTELLIGENCE COMMUNITY.**

4 (a) INSPECTOR GENERAL OF THE INTELLIGENCE  
5 COMMUNITY.—Section 103H(k)(5) of the National Secu-  
6 rity Act of 1947 (50 U.S.C. 3033(k)(5)) is amended—

7 (1) in subparagraph (A), by inserting “in writ-  
8 ing” before “to the Inspector General”;

9 (2) in subparagraph (B)—

10 (A) by striking “Not later than the end of  
11 the 14-calendar-day period beginning on the  
12 date of receipt from an employee of a complaint  
13 or information under subparagraph (A), the”  
14 and inserting “(i) The”;

15 (B) by striking “whether the complaint or  
16 information” and inserting “whether a com-  
17 plaint or information under subparagraph (A)”;  
18 and

19 (C) by adding at the end the following:

20 “(ii) The Inspector General shall com-  
21 ply with clause (i) with respect to a com-  
22 plaint or information under subparagraph  
23 (A) not later than the end of the 14-cal-  
24 endar-day period beginning on the date on  
25 which the employee who reported the com-  
26 plaint or information confirms to the In-



1           spector General that the employee reported  
2           the complaint or information to the Inspec-  
3           tor General with the intent to report to  
4           Congress the complaint or information.”;  
5           and

6           (3) by adding at the end the following:

7           “(J) In this paragraph, the term ‘em-  
8           ployee’ includes a former employee, if the com-  
9           plaint or information reported under subpara-  
10          graph (A) arises from or relates to the period  
11          during which the former employee was an em-  
12          ployee.”.

13          (b) INSPECTOR GENERAL OF THE CENTRAL INTEL-  
14          LIGENCE AGENCY.—Section 17(d)(5) of the Central Intel-  
15          ligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is  
16          amended—

17                 (1) in subparagraph (A), by inserting “in writ-  
18                 ing” before “to the Inspector General”;

19                 (2) in subparagraph (B)(i)—

20                         (A) by striking “Not later than the end of  
21                         the 14-calendar day period beginning on the  
22                         date of receipt from an employee of a complaint  
23                         or information under subparagraph (A), the”  
24                         and inserting “The”; and

1 (B) by striking “whether the complaint or  
2 information” and inserting “whether a com-  
3 plaint or information under subparagraph (A)”;

4 (3) in subparagraph (B)(ii), by striking “para-  
5 graph (1)” and inserting “subparagraph (A)”;

6 (4) in subparagraph (B)—

7 (A) by redesignating clause (ii) as clause  
8 (iii); and

9 (B) by inserting after clause (i) the fol-  
10 lowing:

11 “(ii) The Inspector General shall com-  
12 ply with clause (i) with respect to a com-  
13 plaint or information under subparagraph  
14 (A) not later than the end of the 14-cal-  
15 endar-day period beginning on the date on  
16 which the employee who reported the com-  
17 plaint or information confirms to the In-  
18 spector General that the employee reported  
19 the complaint or information to the Inspec-  
20 tor General with the intent to report to  
21 Congress the complaint or information.”;

22 and

23 (5) by adding at the end the following:

24 “(I) In this paragraph, the term ‘employee’  
25 includes a former employee or former con-

1 tractor, if the complaint or information re-  
2 ported under subparagraph (A) arises from or  
3 relates to the period during which the former  
4 employee or former contractor was an employee  
5 or contractor, as the case may be.”.

6 (c) INSPECTORS GENERAL OF OTHER ELEMENTS OF  
7 THE INTELLIGENCE COMMUNITY.—Section 416 of title 5,  
8 United States Code, is amended—

9 (1) in subsection (a), by adding at the end the  
10 following:

11 “(3) EMPLOYEE.—The term ‘employee’ includes  
12 a former employee or former contractor, if the com-  
13 plaint or information reported pursuant to this sec-  
14 tion arises from or relates to the period during  
15 which the former employee or former contractor was  
16 an employee or contractor, as the case may be.”;

17 (2) in subsection (b), by inserting “in writing”  
18 after “may report the complaint or information”  
19 each place it appears; and

20 (3) in subsection (c)—

21 (A) by redesignating paragraph (2) as  
22 paragraph (3);

23 (B) in paragraph (1)—

24 (i) by striking “Not later than the end  
25 of the 14-calendar day period beginning on

1 the date of receipt of an employee com-  
2 plaint or information under subsection (b),  
3 the” and inserting “The”; and

4 (ii) by striking “whether the com-  
5 plaint or information” and inserting  
6 “whether a complaint or information re-  
7 ported under subsection (b)”;

8 (C) by inserting after paragraph (1) the  
9 following:

10 “(2) DEADLINE FOR COMPLIANCE.—The In-  
11 spector General shall comply with paragraph (1)  
12 with respect to a complaint or information reported  
13 under subsection (b) not later than the end of the  
14 14-calendar-day period beginning on the date on  
15 which the employee who reported the complaint or  
16 information confirms to the Inspector General that  
17 the employee reported the complaint or information  
18 to the Inspector General with the intent to report to  
19 Congress the complaint or information.”.

1 **SEC. 7. PROTECTION FOR INDIVIDUALS MAKING AUTHOR-**  
2 **IZED DISCLOSURES TO INSPECTORS GEN-**  
3 **ERAL OF ELEMENTS OF THE INTELLIGENCE**  
4 **COMMUNITY.**

5 (a) INSPECTOR GENERAL OF THE INTELLIGENCE  
6 COMMUNITY.—Section 103H(g)(3) of the National Secu-  
7 rity Act of 1947 (50 U.S.C. 3033(g)(3)) is amended—

8 (1) by redesignating subparagraphs (A) and  
9 (B) as clauses (i) and (ii), respectively;

10 (2) by striking “The Inspector General is au-  
11 thorized” and inserting “(A) The Inspector General  
12 is authorized”; and

13 (3) by adding at the end the following:

14 “(B)(i) An individual may disclose classi-  
15 fied information to the Inspector General in ac-  
16 cordance with the applicable security standards  
17 and procedures established under section 102A  
18 or 803 of this Act, chapter 12 of the Atomic  
19 Energy Act of 1954 (42 U.S.C. 2161 et seq.),  
20 Executive Order 13526 (50 U.S.C. 3161 note;  
21 relating to Classified National Security Infor-  
22 mation), or any applicable provision of law.

23 “(ii) A disclosure under clause (i) of classi-  
24 fied information by an individual without appro-  
25 priate clearance or authority to access such  
26 classified information at the time of the dislo-

1           sure shall be treated as an authorized disclosure  
2           that does not violate a covered provision if the  
3           disclosure—

4                   “(I) does not include the access, han-  
5                   dling, retention, or storage of such classi-  
6                   fied information; and

7                   “(II) is otherwise made in accordance  
8                   with the applicable security standards and  
9                   procedures for such classified information.

10                  “(iii) In this subparagraph, the term ‘cov-  
11                  ered provision’ means—

12                           “(I) any otherwise applicable non-  
13                           disclosure agreement;

14                           “(II) any otherwise applicable regula-  
15                           tion or order issued under the authority of  
16                           chapter 18 of the Atomic Energy Act of  
17                           1954 (42 U.S.C. 2271 et seq.) or Execu-  
18                           tive Order 13526;

19                           “(III) section 798 of title 18, United  
20                           States Code; or

21                           “(IV) any other provision of law with  
22                           respect to the unauthorized disclosure of  
23                           national security information.”.

24           (b) INSPECTOR GENERAL OF THE CENTRAL INTEL-  
25   LIGENCE AGENCY.—Section 17(e)(3) of the Central Intel-

1 ligence Agency Act of 1949 (50 U.S.C. 3517(e)(3)) is  
2 amended—

3 (1) by redesignating subparagraphs (A) and  
4 (B) as clauses (i) and (ii), respectively;

5 (2) by striking “The Inspector General is au-  
6 thorized” and inserting “(A) The Inspector General  
7 is authorized”; and

8 (3) by adding at the end the following:

9 “(B)(i) An individual may disclose classi-  
10 fied information to the Inspector General in ac-  
11 cordance with the applicable security standards  
12 and procedures established under section 102A  
13 or 803 of the National Security Act of 1947  
14 (50 U.S.C. 3024, 3162a), chapter 12 of the  
15 Atomic Energy Act of 1954 (42 U.S.C. 2161 et  
16 seq.), Executive Order 13526 (50 U.S.C. 3161  
17 note; relating to Classified National Security  
18 Information), or any applicable provision of law.

19 “(ii) A disclosure under clause (i) of classi-  
20 fied information by an individual without appro-  
21 priate clearance or authority to access such  
22 classified information at the time of the disclo-  
23 sure shall be treated as an authorized disclosure  
24 that does not violate a covered provision if the  
25 disclosure—

1 “(I) does not include the access, han-  
2 dling, retention, or storage of such classi-  
3 fied information; and

4 “(II) is otherwise made in accordance  
5 with the applicable security standards and  
6 procedures for such classified information,

7 “(iii) In this subparagraph, the term ‘cov-  
8 ered provision’ means—

9 “(I) any otherwise applicable non-  
10 disclosure agreement;

11 “(II) any otherwise applicable regula-  
12 tion or order issued under the authority of  
13 chapter 18 of the Atomic Energy Act of  
14 1954 (42 U.S.C. 2271 et seq.) or Execu-  
15 tive Order 13526;

16 “(III) section 798 of title 18, United  
17 States Code; or

18 “(IV) any other provision of law with  
19 respect to the unauthorized disclosure of  
20 national security information.”.

21 (c) OTHER INSPECTORS GENERAL OF ELEMENTS OF  
22 THE INTELLIGENCE COMMUNITY.—Section 416 of title 5,  
23 United States Code, is amended by adding at the end the  
24 following:



1       “(i) PROTECTION FOR INDIVIDUALS MAKING AU-  
2 THORIZED DISCLOSURES.—

3           “(1) IN GENERAL.—An individual may disclose  
4 classified information to an Inspector General of an  
5 element of the intelligence community in accordance  
6 with the applicable security standards and proce-  
7 dures established under section 102A or 803 of the  
8 National Security Act of 1947 (50 U.S.C. 3024,  
9 3162a), chapter 12 of the Atomic Energy Act of  
10 1954 (42 U.S.C. 2161 et seq.), Executive Order  
11 13526 (50 U.S.C. 3161 note; relating to Classified  
12 National Security Information), or any applicable  
13 provision of law.

14           “(2) DISCLOSURE WITHOUT CLEARANCE OR AU-  
15 THORITY.—A disclosure under paragraph (1) of  
16 classified information by an individual without ap-  
17 propriate clearance or authority to access such clas-  
18 sified information at the time of the disclosure shall  
19 be treated as an authorized disclosure that does not  
20 violate a covered provision if the disclosure—

21           “(A) does not include the access, handling,  
22 retention, or storage of such classified informa-  
23 tion; and

1           “(B) is otherwise made in accordance with  
2           the applicable security standards and proce-  
3           dures for such classified information.

4           “(3) DEFINITION OF COVERED PROVISION.—In  
5           this subsection, the term ‘covered provision’  
6           means—

7           “(A) any otherwise applicable nondisclo-  
8           sure agreement;

9           “(B) any otherwise applicable regulation or  
10          order issued under the authority of chapter 18  
11          of the Atomic Energy Act of 1954 (42 U.S.C.  
12          2271 et seq.) or Executive Order 13526;

13          “(C) section 798 of title 18; or

14          “(D) any other provision of law with re-  
15          spect to the unauthorized disclosure of national  
16          security information.

17          “(4) DEFINITION.—In this subsection, the term  
18          ‘intelligence community’ has the meaning given such  
19          term in section 3 of the National Security Act of  
20          1947 (50 U.S.C. 3003).”.

21          (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
22          tion, or the amendments made by this section, may be con-  
23          strued to limit or modify the obligation of an individual  
24          to appropriately store, handle, or disseminate classified in-  
25          formation in accordance with applicable security guidance

1 and procedures, including with respect to the removal of  
2 classified information.

3 **SEC. 8. CLARIFICATION OF AUTHORITY OF CERTAIN IN-**  
4 **SPECTORS GENERAL TO RECEIVE PRO-**  
5 **TECTED DISCLOSURES.**

6 Section 1104 of the National Security Act of 1947  
7 (50 U.S. 3234) is amended—

8 (1) in subsection (b)(1), by inserting “or cov-  
9 ered intelligence community element” after “the ap-  
10 propriate inspector general of the employing agen-  
11 cy”; and

12 (2) in subsection (c)(1)(A), by inserting “or  
13 covered intelligence community element” after “the  
14 appropriate inspector general of the employing or  
15 contracting agency”.

16 **SEC. 9. EXTENSION OF REQUIREMENT FOR ANNUAL RE-**  
17 **PORT ON STRIKES UNDERTAKEN BY THE**  
18 **UNITED STATES AGAINST TERRORIST TAR-**  
19 **GETS OUTSIDE AREAS OF ACTIVE HOS-**  
20 **TILITIES.**

21 Section 1723(a) of the National Defense Authoriza-  
22 tion Act for Fiscal Year 2020 (Public Law 116–92; 133  
23 Stat. 1811) is amended—

24 (1) by striking “May 1 2020” and inserting  
25 “December 31, 2024”; and

1           (2) by striking “2022” and inserting “Decem-  
2           ber 31, 2027”.

3 **SEC. 10. REPORT ON THE ECONOMIC OUTLOOK OF CHINA.**

4           (a) IN GENERAL.—Not later than 120 days after the  
5 date of the enactment of this Act, the Director of National  
6 Intelligence, acting through the National Intelligence  
7 Council, shall, in coordination with the Assistant Sec-  
8 retary of the Treasury for Intelligence and Analysis and  
9 the Director of the Central Intelligence Agency, prepare  
10 and submit to the congressional intelligence committees a  
11 report on the economic outlook of the People’s Republic  
12 of China, which shall include alternative analyses of the  
13 economic projections of the People’s Republic of China.

14           (b) ELEMENTS.—The report required under sub-  
15 section (a) shall include the following:

16           (1) Assessments of the strengths and weak-  
17 nesses of the economy of the People’s Republic of  
18 China, including the potential effects of debt, demo-  
19 graphics, and China’s international relationships.

20           (2) Potential challenges for the People’s Repub-  
21 lic of China to sustain economic growth and the po-  
22 tential for global effects as a result.

23           (3) The implications of the economic future of  
24 the People’s Republic of China on the country’s for-  
25 eign and defense policy.

1 (c) FORM OF REPORT.—The report required under  
2 subsection (a) shall be submitted in classified form.

3 **SEC. 11. REPEAL OF REQUIREMENT WITH RESPECT TO AS-**  
4 **SESSMENTS REGARDING THE NORTHERN**  
5 **TRIANGLE AND MEXICO.**

6 Section 5522 of the National Defense Authorization  
7 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
8 2152) is repealed.

9 **SEC. 12. SECURE COMMUNICATION BETWEEN CONGRESS**  
10 **AND INTELLIGENCE COMMUNITY.**

11 Section 102A of the National Security Act of 1947  
12 (50 U.S.C. 3024) is amended by adding at the end the  
13 following new subsection:

14 “(aa) REQUIREMENTS WITH RESPECT TO SECURE  
15 COMMUNICATION BETWEEN CONGRESS AND INTEL-  
16 LIGENCE COMMUNITY.—

17 “(1) IN GENERAL.—The Director of National  
18 Intelligence shall, upon the approval of specified con-  
19 gressional leaders—

20 “(A) provide secure communications to  
21 support the oversight functions of the congres-  
22 sional intelligence committees, including  
23 through the procurement, installation, configu-  
24 ration, and maintenance of sufficient software,  
25 connectivity, information technology equipment,

1 computers, printers, and related peripheral  
2 equipment to ensure that such committees are  
3 able to communicate with the intelligence com-  
4 munity through secure data, voice, and video  
5 communications;

6 “(B) ensure that such communications en-  
7 abled under subparagraph (A) facilitate com-  
8 munication at all classification levels;

9 “(C) ensure that the requirements speci-  
10 fied in subparagraph (A) are met in conformity  
11 with applicable standards for the protection of  
12 national security information; and

13 “(D) ensure that any security limitations  
14 or controls associated with use of capabilities  
15 pursuant to subparagraph (A) are consistent  
16 with such limitations or controls imposed within  
17 the executive branch and do not impede effec-  
18 tive and efficient oversight of the intelligence  
19 community by Congress.

20 “(2) GOVERNANCE.—The Director, in coordina-  
21 tion with specified congressional leaders, shall estab-  
22 lish governance and security policies applicable to  
23 the connectivity, equipment, and software provided  
24 under this subsection and shall review and update  
25 such policies periodically, as appropriate, to address

1 counterintelligence threats and technological  
2 changes.

3 “(3) TREATMENT AS CONGRESSIONAL  
4 RECORDS.—Any data created, stored, or transmitted  
5 by the congressional intelligence committees through  
6 networks, equipment, or software provided under  
7 paragraph (1) is a congressional record and shall  
8 not be treated as an agency record for purposes of  
9 section 552 of title 5, United States Code, (com-  
10 monly known as the ‘the Freedom of Information  
11 Act’) or any other law.

12 “(4) DOCUMENTATION OF COST.—The Director  
13 shall document the funding required to satisfy this  
14 subsection within each annual budget submission to  
15 Congress, including any anticipated upgrades or re-  
16 capitalization expenditures over the 5-year period  
17 that begins on October 1 of the fiscal year for which  
18 year-by-year proposed funding is included.

19 “(5) SPECIFIED CONGRESSIONAL LEADERS DE-  
20 FINED.—In this subsection, the term ‘specified con-  
21 gressional leaders’ means—

22 “(A) the Speaker and the minority leader  
23 of the House of Representatives;

24 “(B) the majority leader and the minority  
25 leader of the Senate; and

1                   “(C) the Chair and Ranking Member of  
2                   the congressional intelligence committees.”.

3 **SEC. 13. ENHANCING PUBLIC-PRIVATE SHARING ON MA-**  
4                   **NIPULATIVE ADVERSARY PRACTICES IN**  
5                   **CRITICAL MINERAL PROJECTS.**

6           (a) STRATEGY REQUIRED.—The Director of National  
7 Intelligence shall, in consultation with the heads of such  
8 Federal agencies as the Director considers appropriate,  
9 not later than 180 days after the date of the enactment  
10 of this Act, develop a strategy to improve the sharing be-  
11 tween the Federal Government and private entities of in-  
12 formation and intelligence to mitigate the threat that for-  
13 eign adversary illicit activities and tactics pose to United  
14 States persons in foreign jurisdictions on projects relating  
15 to energy generation and storage, including with respect  
16 to critical minerals inputs.

17           (b) ELEMENTS.—The strategy required by subsection  
18 (a) shall cover—

19                   (1) how best to assemble and transmit informa-  
20 tion to United States persons—

21                           (A) to protect against foreign adversary il-  
22 licit tactics and activities relating to critical  
23 mineral projects abroad, including foreign ad-  
24 versary efforts to undermine such United States  
25 projects abroad;



1 (B) to mitigate the risk that foreign adver-  
2 sary government involvement in the ownership  
3 and control of entities engaging in deceptive or  
4 illicit activities pose to the interests of the  
5 United States; and

6 (C) to inform on economic espionage and  
7 other threats from foreign adversaries to the  
8 rights of owners of intellectual property, includ-  
9 ing owners of patents, trademarks, copyrights,  
10 and trade secrets, and other sensitive informa-  
11 tion, with respect to such property; and

12 (2) how best to receive information from United  
13 States persons on threats to United States interests  
14 in the critical mineral space.

15 (c) IMPLEMENTATION PLAN REQUIRED.—Not later  
16 than 30 days after the date on which the Director com-  
17 pletes developing the strategy pursuant to subsection (a),  
18 the Director shall submit to the congressional intelligence  
19 committees (as defined in section 3 of the National Secu-  
20 rity Act of 1947 (50 U.S.C. 3003)), or provide such com-  
21 mittees a briefing on, a plan for implementing the strat-  
22 egy, which shall include a description of risks, benefits,  
23 opportunities, and drawbacks.

1 **SEC. 14. ANALYSES AND IMPACT STATEMENTS REGARDING**  
2 **PROPOSED INVESTMENT INTO THE UNITED**  
3 **STATES.**

4 Section 102A(z) of the National Security Act of 1947  
5 (50 U.S.C. 3024(z)) is amended—

6 (1) in paragraph (2)(A) by inserting “, includ-  
7 ing with respect to counterintelligence” before the  
8 semicolon; and

9 (2) by adding at the end the following:

10 “(3) DEFINITIONS.—In this subsection:

11 “(A) The term ‘a review or an investigation of  
12 any proposed investment into the United States for  
13 which the Director has prepared analytic materials’  
14 includes a review, investigation, assessment, or anal-  
15 ysis conducted by the Director pursuant to section  
16 7 or 10(g) of Executive Order 13913 (85 Fed. Reg.  
17 19643; relating to Establishing the Committee for  
18 the Assessment of Foreign Participation in the  
19 United States Telecommunications Services Sector),  
20 or successor order.

21 “(B) The term ‘investment’ includes any activ-  
22 ity reviewed, investigated, assessed, or analyzed by  
23 the Director pursuant to section 7 or 10(g) of Exec-  
24 utive Order 13913, or successor order.”.

1 **SEC. 15. RESPONSIBILITIES AND AUTHORITIES OF THE DI-**  
2 **RECTOR OF NATIONAL INTELLIGENCE.**

3 Section 102A(f)(10) of the National Security Act of  
4 1947 (50 U.S.C. 3024(f)(10)) is amended by striking the  
5 period and inserting “, and upon receiving any such direc-  
6 tion, the Director shall notify the congressional intel-  
7 ligence committees immediately in writing with a descrip-  
8 tion of such other intelligence-related functions directed  
9 by the President.”.

10 **SEC. 16. ENABLING INTELLIGENCE COMMUNITY INTEGRA-**  
11 **TION.**

12 Title I of the National Security Act of 1947 (50  
13 U.S.C. 3021 et seq.) is amended by inserting after section  
14 113B the following new section (and conforming the table  
15 of contents at the beginning of such Act accordingly):

16 **“SEC. 113C. NON-REIMBURSABLE TRANSFER OF GOODS**  
17 **AND SERVICES WITHIN INTELLIGENCE COM-**  
18 **MUNITY IN CERTAIN CASES.**

19 “(a) IN GENERAL.—

20 “(1) AUTHORITY.—Notwithstanding any other  
21 provision of law, an element of the intelligence com-  
22 munity may, subject to such guidance or regulations  
23 as may be developed by the Director of National In-  
24 telligence, provide goods or services to another ele-  
25 ment of the intelligence community without reim-  
26 bursement or transfer of funds for such goods or

1 services for the purposes of remote work and  
2 hoteling initiatives for intelligence community em-  
3 ployees and affiliates.

4 “(2) PRIOR APPROVAL REQUIREMENT.—A  
5 transfer of goods or services under paragraph (1)  
6 may not occur without the prior approval of the  
7 heads of both the providing and receiving elements  
8 of the intelligence community.

9 “(b) HOTELING DEFINED.—In this section, the term  
10 ‘hotelings’ means an alternative work arrangement in  
11 which employees of one element of the intelligence commu-  
12 nity are authorized flexible work arrangements to work  
13 part of the time at one or more alternative worksite loca-  
14 tions, as appropriately authorized.”.

15 **SEC. 17. DEPARTMENT OF HOMELAND SECURITY INTEL-**  
16 **LIGENCE SUPPORT FOR STATE GOVERNORS.**

17 (a) IN GENERAL.—Not less frequently than once per  
18 year, the Secretary of Homeland Security, acting through  
19 the Under Secretary of Homeland Security for Intelligence  
20 and Analysis, shall ensure that an officer of the Field In-  
21 telligence Directorate of the Office of Intelligence and  
22 Analysis of the Department of Homeland Security located  
23 in each State shall engage proactively with senior officials  
24 for each State, such as the chief executive or Homeland  
25 Security Advisor of such State, with respect to matters

1 concerning homeland security or national security, con-  
2 sistent with any guidance provided by the Under Secretary  
3 of Homeland Security for Intelligence and Analysis.

4 (b) REQUIREMENT IN CERTAIN TERRITORIES OF  
5 THE UNITED STATES.—In the case of a territory which  
6 does not have a permanent Field Intelligence Directorate  
7 officer located in such territory, the headquarters element  
8 of the Field Intelligence Directorate shall designate a  
9 Field Intelligence Directorate officer who is responsible for  
10 carrying out the requirement under subsection (a) with re-  
11 spect to such territory.

12 (c) STATE DEFINED.—For purposes of this section,  
13 the term “State” means a State of the United States, the  
14 District of Columbia, Puerto Rico, American Samoa,  
15 Guam, the United States Virgin Islands, and the Com-  
16 monwealth of the Northern Mariana Islands.

17 **SEC. 18. BRIEFING ON POLICIES AND PROCEDURES FOR**  
18 **ADDRESSING THREATS FROM KNOWN OR**  
19 **SUSPECTED TERRORISTS.**

20 (a) IN GENERAL.—Not later than 30 days after the  
21 date of the enactment of this Act, representatives from  
22 the Department of Homeland Security, which shall include  
23 representatives from Customs and Border Protection,  
24 Homeland Security Investigations, and the Office of Intel-  
25 ligence and Analysis, and representatives from the Federal

1 Bureau of Investigation, which shall include representa-  
2 tives from the Threat Screening Center, shall jointly pro-  
3 vide a briefing to the appropriate congressional commit-  
4 tees with respect to existing policies and procedures for  
5 handling encounters with known or suspected terrorists at  
6 the borders of the United States.

7 (b) ELEMENTS.—The briefing required under sub-  
8 section (a) shall include a description of the following:

9 (1) The existing processes for handling encoun-  
10 ters with individuals at or between ports of entry, to  
11 include the difference in process for individuals en-  
12 countered at and between ports of entry.

13 (2) The existing processes for the handling and  
14 sharing of potentially derogatory information con-  
15 cerning individuals who are known or suspected ter-  
16 rorists.

17 (3) The existing processes for managing asylum  
18 claims of known or suspected terrorists.

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

22 (1) the congressional intelligence committees;

23 (2) the Committee on Homeland Security of the  
24 House of Representatives; and

1           (3) the Committee on Homeland Security and  
2           Governmental Affairs of the Senate.

3 **SEC. 19. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
4           **CERTAIN ACTIVITIES OF THE OVERT HUMAN**  
5           **INTELLIGENCE AND OPEN SOURCE INTEL-**  
6           **LIGENCE COLLECTION PROGRAMS OF THE**  
7           **OFFICE OF INTELLIGENCE AND ANALYSIS OF**  
8           **THE DEPARTMENT OF HOMELAND SECURITY.**

9           (a) DEFINITIONS.—In this section:

10           (1) COVERED ACTIVITY.—The term “covered  
11           activity” means—

12                   (A) with respect to the Overt Human In-  
13                   telligence Collection Program, an interview for  
14                   intelligence collection purposes with any indi-  
15                   vidual, including a United States person, who  
16                   has been criminally charged, arraigned, or  
17                   taken into the custody of a Federal, State, or  
18                   local law enforcement agency, but whose guilt  
19                   with respect to such criminal matters has not  
20                   yet been adjudicated, unless the Office of Intel-  
21                   ligence and Analysis has obtained the consent  
22                   of the interviewee following consultation with  
23                   counsel;

24                   (B) with respect to either the Overt  
25                   Human Intelligence Collection Program or the

1 Open Source Intelligence Collection Program,  
2 any collection targeting journalists in the per-  
3 formance of their journalistic functions; and

4 (C) with respect to the Overt Human In-  
5 telligence Collection Program, an interview for  
6 intelligence collection purposes with a United  
7 States person where the Office of Intelligence  
8 and Analysis lacks a reasonable belief based on  
9 facts and circumstances that the United States  
10 person may possess significant foreign intel-  
11 ligence (as defined in section 3 of the National  
12 Security Act of 1947 (50 U.S.C. 3003)).

13 (2) OVERT HUMAN INTELLIGENCE COLLECTION  
14 PROGRAM.—The term “Overt Human Intelligence  
15 Collection Program” means the program established  
16 by the Under Secretary of Homeland Security for  
17 Intelligence and Analysis pursuant to Policy Instruc-  
18 tion 907 of the Office of Intelligence and Analysis,  
19 issued on June 29, 2016, or any successor program.

20 (3) OPEN SOURCE INTELLIGENCE COLLECTION  
21 PROGRAM.—The term “Open Source Collection In-  
22 telligence Program” means the program established  
23 by the Under Secretary of Homeland Security for  
24 Intelligence and Analysis for the purpose of col-  
25 lecting intelligence and information for potential pro-



1       duction and reporting in the form of Open Source  
2       Information Reports as reflected in Policy Instruc-  
3       tion 900 of the Office of Intelligence and Analysis,  
4       issued on January 13, 2015, or any successor pro-  
5       gram.

6           (4) UNITED STATES PERSON.—The term  
7       “United States person” means—

8           (A) a United States citizen;

9           (B) an alien known by the Office of Intel-  
10       ligence and Analysis to be a permanent resident  
11       alien;

12          (C) an unincorporated association substan-  
13       tially composed of United States citizens or per-  
14       manent resident aliens; or

15          (D) a corporation incorporated in the  
16       United States, except for a corporation directed  
17       and controlled by a foreign government or gov-  
18       ernments.

19          (5) UNITED STATES PERSON INFORMATION  
20       (USPI).—The term “United States person informa-  
21       tion”—

22           (A) means information that is reasonably  
23       likely to identify 1 or more specific United  
24       States persons; and

1 (B) may be either a single item of informa-  
2 tion or information that, when combined with  
3 other available information, is reasonably likely  
4 to identify one or more specific United States  
5 persons.

6 (b) PROHIBITION ON AVAILABILITY OF FUNDS FOR  
7 COVERED ACTIVITIES OF OVERT HUMAN INTELLIGENCE  
8 COLLECTION PROGRAM AND OPEN SOURCE INTEL-  
9 LIGENCE COLLECTION PROGRAM.—None of the funds au-  
10 thorized to be appropriated by this Act may be made avail-  
11 able to the Office of Intelligence and Analysis of the De-  
12 partment of Homeland Security to conduct a covered ac-  
13 tivity.

14 (c) LIMITATION ON PERSONNEL.—None of the funds  
15 authorized to be appropriated by this Act may be used  
16 by the Office of Intelligence and Analysis of the Depart-  
17 ment of Homeland Security to increase, above the staffing  
18 level in effect on the day before the date of the enactment  
19 of the Intelligence Authorization Act for Fiscal Year 2024  
20 (division G of Public Law 118–31), the number of per-  
21 sonnel assigned to the Open Source Intelligence Division  
22 who work exclusively or predominantly on domestic ter-  
23 rorism issues.

24 (d) RULES OF CONSTRUCTION.—

1           (1) EFFECT ON OTHER INTELLIGENCE OVER-  
2           SIGHT.—Nothing in this section shall be construed  
3           as limiting or superseding the authority of any offi-  
4           cial within the Department of Homeland Security to  
5           conduct legal, privacy, civil rights, or civil liberties  
6           oversight of the intelligence activities of the Office of  
7           Intelligence and Analysis.

8           (2) SHARING AND RECEIVING INTELLIGENCE  
9           INFORMATION.—Nothing in this section shall be con-  
10          strued to prohibit, or to limit the authority of, per-  
11          sonnel of the Office of Intelligence and Analysis of  
12          the Department of Homeland Security from sharing  
13          intelligence information with, or receiving informa-  
14          tion from—

15                 (A) foreign, State, local, Tribal, or terri-  
16                 torial governments (or any agency or subdivi-  
17                 sion thereof);

18                 (B) the private sector; or

19                 (C) other elements of the Federal govern-  
20                 ment, including the components of the Depart-  
21                 ment of Homeland Security.

1 **SEC. 20. AUTHORIZATION RELATING TO CERTAIN INTEL-**  
2 **LIGENCE AND COUNTERINTELLIGENCE AC-**  
3 **TIVITIES OF COAST GUARD.**

4 The Commandant of the Coast Guard may use up  
5 to 1 percent of the amounts made available under the Na-  
6 tional Intelligence Program (as such term is defined in  
7 section 3 of the National Security Act of 1947 (50 U.S.C.  
8 3003)) for each fiscal year for the intelligence and coun-  
9 terintelligence activities of the Coast Guard for objects of  
10 a confidential, extraordinary, or emergency nature, which  
11 may be accounted for solely on the certification of the  
12 Commandant and each such certification shall be deemed  
13 a sufficient voucher for the amount therein certified.

14 **SEC. 21. REQUIREMENTS WITH RESPECT TO ACCESS OF**  
15 **FOREIGN NATIONALS TO DEPARTMENT OF**  
16 **ENERGY NATIONAL LABORATORIES.**

17 (a) IN GENERAL.—The Secretary of Energy shall  
18 designate Senior Executive employees of the United States  
19 government employed by the Department of Energy to  
20 have final approval authority with respect to authorizing  
21 the access of a foreign national into a National Laboratory  
22 in the event that an assessment of the Director of the Of-  
23 fice of Intelligence and Counterintelligence of the Depart-  
24 ment of Energy identifies potential significant risks that  
25 are not agreed to by the Director of the relevant National  
26 Laboratory.

1 (b) BRIEFING.—Not later than 90 days after the date  
2 of the enactment of this Act, the Director of the Office  
3 of Intelligence and Counterintelligence of the Department  
4 of Energy shall provide to the congressional intelligence  
5 committees a briefing with respect to the progress to en-  
6 hance the United States government’s responsibility for  
7 the Department of Energy’s approval processes with re-  
8 gard to authorizing the access of foreign nationals into  
9 National Laboratories, include with respect to requiring  
10 that such decisions are the primary responsibility of  
11 United States government leadership, as opposed to the  
12 Directors of the National Laboratories, and a plan for im-  
13 plementation of such enhancement.

14 (c) NATIONAL LABORATORY DEFINED.—In this sec-  
15 tion, the term “National Laboratory” has the meaning  
16 given that term in section 2 of the Energy Policy Act of  
17 2005 (42 U.S.C. 15801).

18 **SEC. 22. FORMALIZED COUNTERINTELLIGENCE TRAINING**

19 **FOR DEPARTMENT OF ENERGY PERSONNEL.**

20 (a) TRAINING.—Section 215(d) of the Department of  
21 Energy Organization Act (42 U.S.C. 7144b) is amended  
22 by adding at the end the following:

23 “(3) The Director shall develop and imple-  
24 ment—

1           “(A) a delineated and standardized train-  
2           ing plan with respect to counterintelligence to  
3           train all personnel in the Department; and

4           “(B) a separate delineated and standard-  
5           ized training plan with respect to counterintel-  
6           ligence to train officers in the Office who have  
7           counterintelligence responsibilities.”.

8           (b) REPORTING REQUIREMENT.—Not later than 90  
9           days after the date of the enactment of this Act, the Direc-  
10          tor of the Office of Intelligence and Counterintelligence  
11          of the Department of Energy shall provide to the congress-  
12          sional intelligence committees a briefing on the plans de-  
13          veloped under section 215(d)(3) of the Department of En-  
14          ergy Organization Act (as amended by subsection (a)), in-  
15          cluding with respect to—

- 16               (1) the training content;  
17               (2) periodicity;  
18               (3) fulfillment rate;  
19               (4) internal controls; and  
20               (5) oversight.



1       ing the stated or assumed goals of the People’s Re-  
2       public of China.

3           (3) An assessment of measures that would dis-  
4       suade the People’s Republic of China from engaging  
5       in acts of economic coercion in the Indo-Pacific re-  
6       gion and would encourage actions supporting the  
7       economic prosperity and security of the Indo-Pacific  
8       region.

9           (4) An assessment of measures, including trade  
10      diversion or regional trade agreements, that would  
11      diminish the sway and influence of the market of the  
12      People’s Republic of China with respect to countries  
13      in the Indo-Pacific region.

14          (5) An analysis of measures that would help  
15      countries in the Indo-Pacific region to build supply  
16      chains independent of the People’s Republic of  
17      China.

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

20      (d) DEFINITION.—In this section:

21          (1) APPROPRIATE CONGRESSIONAL COMMIT-  
22      TEES.—The term “appropriate congressional com-  
23      mittees” means—

24              (A) the congressional intelligence commit-  
25      tees;



1 (B) the Committee on Foreign Affairs, the  
2 Committee on Armed Services, the Committee  
3 on Appropriations, and the Select Committee on  
4 the Strategic Competition Between the United  
5 States and the Chinese Communist Party of the  
6 House of Representatives; and

7 (C) the Committee on Foreign Relations,  
8 the Committee on Armed Services, and the  
9 Committee on Appropriations of the Senate.

10 (2) INDO-PACIFIC NATIONS.—The term “Indo-  
11 Pacific region” includes the following countries:

12 (A) Australia.

13 (B) Bangladesh.

14 (C) Brunei.

15 (D) Burma (Myanmar).

16 (E) Cambodia.

17 (F) China.

18 (G) Democratic People’s Republic of  
19 Korea.

20 (H) Federated States of Micronesia.

21 (I) Fiji.

22 (J) French Polynesia.

23 (K) India.

24 (L) Indonesia.

25 (M) Japan.

- 1 (N) Kiribati.
- 2 (O) Laos.
- 3 (P) Malaysia.
- 4 (Q) Maldives.
- 5 (R) Mongolia.
- 6 (S) Nauru.
- 7 (T) Niue.
- 8 (U) Nepal.
- 9 (V) New Zealand.
- 10 (W) Palau.
- 11 (X) Papua New Guinea.
- 12 (Y) Philippines.
- 13 (Z) Republic of Korea.
- 14 (AA) Republic of Marshall Islands.
- 15 (BB) Samoa.
- 16 (CC) Singapore.
- 17 (DD) Solomon Islands.
- 18 (EE) Sri Lanka.
- 19 (FF) Thailand.
- 20 (GG) Timor-Leste.
- 21 (HH) Tonga.
- 22 (II) Tuvalu.
- 23 (JJ) Vanuatu.
- 24 (KK) Vietnam.

1 **SEC. 24. FEDERAL BUREAU OF INVESTIGATION PROACTIVE**  
2 **CYBER SUPPORT.**

3 (a) IN GENERAL.—Not later than 90 days after the  
4 date of the enactment of this Act, the Director of the Fed-  
5 eral Bureau of Investigation shall develop and make avail-  
6 able an unclassified interface for use by owners and opera-  
7 tors of United States critical infrastructure to connect  
8 with the Federal Bureau of Investigation to request cyber-  
9 related support.

10 (b) AVAILABILITY TO CONGRESSIONAL OFFICES.—  
11 The interface described in subsection (a) shall be available  
12 to congressional offices for purposes of facilitating connec-  
13 tion with the Federal Bureau of Investigation.

14 (c) INTERFACE REQUIREMENTS.—The interface de-  
15 scribed in subsection (a) shall include information with re-  
16 spect to the following:

17 (1) Best practices for cyber hygiene, specifically  
18 geared towards owners and operators of critical in-  
19 frastructure.

20 (2) Tailored information that is relevant based  
21 on the threats to specific sectors of critical infra-  
22 structure.

23 (3) Suggestions for actions owners and opera-  
24 tors of critical infrastructure are recommended to  
25 take in response to a cyber incident.

