

116TH CONGRESS
2D SESSION

H. R. 7856

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

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2020

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

A BILL

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

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

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

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

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

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

TITLE I—INTELLIGENCE ACTIVITIES

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 301. Restriction on conduct of intelligence activities.
- Sec. 302. Increase in employee compensation and benefits authorized by law.
- Sec. 303. Notice of intelligence community provision of support for Federal, State, local, or tribal government response to civil disobedience or domestic civil disturbances.
- Sec. 304. Notice of intelligence community engagement in activities pursuant to presidential emergency action documents.
- Sec. 305. Requirement to buy certain satellite component from American sources.
- Sec. 306. Limitation on construction of facilities to be used primarily by intelligence community.
- Sec. 307. Intelligence community student loan repayment programs.
- Sec. 308. Paid leave for a serious health condition.
- Sec. 309. Requirements for certain employment activities by former intelligence officers and employees.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

- Sec. 401. Clarification of authority of National Reconnaissance Office.
- Sec. 402. Establishment of Office of the Ombudsman for Analytic Objectivity.
- Sec. 403. Placement on the Executive Schedule for Department of Defense directors of the National Security Agency and the National Reconnaissance Office.
- Sec. 404. Expansion of personnel management authority to attract experts in science and engineering.
- Sec. 405. Special access programs: congressional oversight.
- Sec. 406. Senior Chief Petty Officer Shannon Kent Award for distinguished female personnel of the National Security Agency.
- Sec. 407. Department of Homeland Security intelligence and cybersecurity diversity fellowship program.
- Sec. 408. Climate Security Advisory Council and Climate Security Intelligence Center.

TITLE V—INSPECTORS GENERAL OF ELEMENTS OF THE INTEL- LIGENCE COMMUNITY AND PROTECTION OF WHISTLEBLOWERS

- Sec. 501. Independence of Inspectors General of the intelligence community.
- Sec. 502. Designation of acting inspectors general of the intelligence community in cases of vacancies.

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

TITLE VI—MATTERS RELATING TO EMERGING TECHNOLOGIES

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

TITLE VII—PROTECTION OF ELECTIONS FROM FOREIGN INFLUENCE

Subtitle A—Foreign Influence Reporting in Elections

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

Subtitle B—Foreign Influence Reporting in Elections

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

TITLE VIII—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Saudi Arabia and the Middle East

- Sec. 801. Limitation on availability of funds until submission of required report on murder of Jamal Khashoggi.
- Sec. 802. Prohibition on availability of funds for intelligence sharing relating to certain air strikes in Yemen.
- Sec. 803. Report on understanding and mitigating civilian harm from use of certain weapons systems in Yemen.

- Sec. 804. Report on prevention of proliferation of sensitive unmanned aerial vehicles and related technology.
- Sec. 805. Report on understanding potential for and preventing nuclear proliferation in the middle east.
- Sec. 806. Report on propagation of extremist ideologies from Saudi Arabia.
- Sec. 807. Report on financial influence operations of Saudi Arabia, the United Arab Emirates, and Qatar.

Subtitle B—People’s Republic of China

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

Subtitle C—Matters Relating to Other Countries

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

TITLE IX—REPORTS AND OTHER MATTERS

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

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

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

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

1 (12) The Federal Bureau of Investigation.

2 (13) The Drug Enforcement Administration.

3 (14) The National Reconnaissance Office.

4 (15) The National Geospatial-Intelligence Agen-
5 cy.

6 (16) The Department of Homeland Security.

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

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

14 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
15 THORIZATIONS.—

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

21 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
22 ject to paragraph (3), the President shall provide for
23 suitable distribution of the classified Schedule of Au-
24 thorizations referred to in subsection (a), or of ap-

1 appropriate portions of such Schedule, within the execu-
 2 utive branch.

3 (3) LIMITS ON DISCLOSURE.—The President
 4 shall not publicly disclose the classified Schedule of
 5 Authorizations or any portion of such Schedule ex-
 6 cept—

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

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

12 (C) as otherwise required by law.

13 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 14 **COUNT.**

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

19 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
 20 TIONS.—In addition to amounts authorized to be appro-
 21 priated for the Intelligence Community Management Ac-
 22 count by subsection (a), there are authorized to be appro-
 23 priated for the Intelligence Community Management Ac-
 24 count for fiscal year 2021 such additional amounts as are

1 specified in the classified Schedule of Authorizations re-
2 ferred to in section 102(a).

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

7 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated for the Cen-
9 tral Intelligence Agency Retirement and Disability Fund
10 \$514,000,000 for fiscal year 2021.

11 **TITLE III—GENERAL INTEL-**
12 **LIGENCE COMMUNITY MAT-**
13 **TERS**

14 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
15 **ACTIVITIES.**

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

20 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
21 **BENEFITS AUTHORIZED BY LAW.**

22 Appropriations authorized by this Act for salary, pay,
23 retirement, and other benefits for Federal employees may
24 be increased by such additional or supplemental amounts

1 as may be necessary for increases in such compensation
2 or benefits authorized by law.

3 **SEC. 303. NOTICE OF INTELLIGENCE COMMUNITY PROVI-**
4 **SION OF SUPPORT FOR FEDERAL, STATE,**
5 **LOCAL, OR TRIBAL GOVERNMENT RESPONSE**
6 **TO CIVIL DISOBEDIENCE OR DOMESTIC CIVIL**
7 **DISTURBANCES.**

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

10 (1) it is essential that the people of the United
11 States have trust and confidence in the legitimacy of
12 the Armed Forces and the intelligence community,
13 which are obligated to protect the rights of all the
14 people of the United States;

15 (2) in a democracy, intelligence activities must
16 not only be legitimate, they must also be perceived
17 as legitimate;

18 (3) intelligence support to domestic-focused ac-
19 tivities by the Armed Forces or Federal law enforce-
20 ment components involved in responding to protests,
21 including to monitor, assess, or otherwise track
22 Americans who are taking to the streets or otherwise
23 engaging in constitutionally protected activity within
24 the United States, is inappropriate in all but the
25 most extreme circumstances;

1 (4) although all elements of the intelligence
2 community are authorized under Executive Order
3 12333 to provide assistance to law enforcement that
4 is “not precluded by applicable law”, activities that
5 may be appropriate in the context of routine criminal
6 investigations may nevertheless be inappropriate
7 in the context of law enforcement response to protest
8 or civil disturbances.

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

12 **“SEC. 513. NOTICE OF PROVISION OF SUPPORT FOR FEDERAL,**
13 **STATE, LOCAL, OR TRIBAL GOVERN-**
14 **MENT RESPONSE TO CIVIL DISOBEDIENCE**
15 **OR DOMESTIC CIVIL DISTURBANCES.**

16 “(a) NOTICE REQUIRED.—Not later than 72 hours
17 before a covered agency provides support for any Federal,
18 State, local, or Tribal government response to a civil dis-
19 obedience or domestic civil disturbance, the head of the
20 agency shall submit to the appropriate congressional com-
21 mittees and the covered recipients notice of the provision
22 of such support.

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

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

3 “(2) The entity requesting the support.

4 “(3) The type of support requested.

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

7 “(5) A brief description of the legal basis for
8 providing the support.

9 “(6) If the provision of such support requires
10 notice to be provided under section 1055(b) of the
11 National Defense Authorization Act for Fiscal Year
12 2017 (Public Law 114–328), all the content of such
13 notice.

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

16 “(c) PUBLIC AVAILABILITY OF NOTICE.—Not later
17 than 72 hours after the date on which any notice is pro-
18 vided under subsection (a), the Director of National Intel-
19 ligence shall make the notice publicly available on the
20 internet website of the Director of National Intelligence
21 and the internet website of the agency or agencies making
22 the notification. If the notice is classified as provided
23 under subsection (d), a redacted unclassified notice shall
24 be made publicly available under this subsection.

25 “(d) FORM OF NOTICE.—

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

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

12 “(e) EMERGENCY WAIVER AUTHORITY.—

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

19 “(A) armed insurrection;

20 “(B) an act of foreign terrorism;

21 “(C) an act of domestic terrorism;

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

23 “(E) another extreme circumstance consti-
24 tuting a grave threat.

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

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

9 “(f) QUARTERLY REPORTS.—

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

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

18 “(A) the date on which the assistance was
19 requested;

20 “(B) the entity requesting the assistance;

21 “(C) the type of assistance requested;

22 “(D) detailed description of the assistance
23 that the covered agency intends to or did pro-
24 vide;

1 “(E) a brief description of the legal basis
2 for providing the assistance;

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

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

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

12 “(g) DEFINITIONS.—In this section:

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

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

16 “(A) a protest, rally, march, demonstra-
17 tion; or

18 “(B) an active, professed refusal of a cit-
19 izen to obey a law, demand, order, or command
20 of a government.

21 “(3) The term ‘domestic civil disturbance’
22 means any activity arising from a mass act (includ-
23 ing a protest, demonstration, riot, or strike) in
24 which the participants become hostile toward author-
25 ity, including—

1 “(A) the exercise of first amendment rights
2 by protesters;

3 “(B) violence or property destruction inci-
4 dent to protests; and

5 “(C) obstruction of publicly available
6 spaces, including obstruction of roads or camp-
7 ing symbolically in public places.

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

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

15 “(A) the Permanent Select Committee on
16 Intelligence and the Subcommittee on Defense
17 of the Committee on Appropriations;

18 “(B) the Select Committee on Intelligence
19 and the Subcommittee on Defense of the Com-
20 mittee on Appropriations of the Senate; and

21 “(C) in the case of support provided by a
22 select agency within the Department of De-
23 fense, the Committees on Armed Services of the
24 Senate and House of Representatives.

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

1 “(A) the Inspector General of the Intel-
2 ligence Community;

3 “(B) the inspector general of the agency
4 providing support; and

5 “(C) the Attorney General.”.

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

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

10 **SEC. 304. NOTICE OF INTELLIGENCE COMMUNITY ENGAGE-**
11 **MENT IN ACTIVITIES PURSUANT TO PRESI-**
12 **DENTIAL EMERGENCY ACTION DOCUMENTS.**

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

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

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

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

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

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

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

18 (d) DELAY OF NOTICE.—If the head of an element
19 of the intelligence community that is required to provide
20 notice under subsection (a) determines it is necessary, and
21 in the event of a specific threat to the national security
22 of the United States caused by a national emergency, the
23 head of the element may delay the submittal of such notice
24 by a period not to exceed five days. If the head of an ele-
25 ment delays the submittal of such notice under this sub-

1 section, the head shall advise the chair and ranking mem-
2 bers of the congressional intelligence committees of the ac-
3 tivity covered by the notice as soon as possible but not
4 later than 24 hours after the element has commenced the
5 activity.

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

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

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

18 (A) is designated as a presidential emer-
19 gency action document; or

20 (B) is designed to implement a presidential
21 decision or transmit a presidential request when
22 an emergency disrupts normal governmental or
23 legislative processes.

1 **SEC. 305. REQUIREMENT TO BUY CERTAIN SATELLITE COM-**
2 **PONENT FROM AMERICAN SOURCES.**

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

6 **“SEC. 1109. REQUIREMENT TO BUY CERTAIN SATELLITE**
7 **COMPONENT FROM AMERICAN SOURCES.**

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

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

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

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

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

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

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

•HR 7856 IH

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

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

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

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

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

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

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

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

25 (3) departments and agencies containing ele-
26 ments of the intelligence community have authority

1 to establish student loan repayment programs either
2 under section 5379 of title 5, United States Code,
3 or under the delegable authority of the Director of
4 National Intelligence under section 102A(n)(1) of
5 the National Security Act of 1947 (50 U.S.C.
6 3024(n)(1));

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

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

24 (b) STUDENT LOAN REPAYMENT PROGRAM STAND-
25 ARDS.—Not later than 180 days after the date of the en-

1 actment of this Act, the Director of National Intelligence,
2 or a designee of the Director who is an employee of the
3 Office of the Director of National Intelligence, shall estab-
4 lish minimum standards for the repayment of student
5 loans of employees of elements of the intelligence commu-
6 nity by such elements of the intelligence community.

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

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

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

15 (A) attracting and retaining a talented in-
16 telligence community workforce;

17 (B) competing with private sector compa-
18 nies for talented employees; and

19 (C) promoting the development of a diverse
20 workforce.

21 (d) FAILURE TO MEET STANDARDS.—Not later than
22 180 days after the date on which the standards required
23 under subsection (b) are established, the head of an ele-
24 ment of the intelligence community that does not meet
25 such standards shall submit to the appropriate congres-

1 sional committees a report containing an explanation for
2 why such element does not meet such standards and an
3 identification of any additional authority or appropriations
4 required to for the element to meet such standards.

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

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

17 (1) the Permanent Select Committee on Intel-
18 ligence of the House of Representatives;

19 (2) the Select Committee on Intelligence of the
20 Senate;

21 (3) with respect to an element of the intel-
22 ligence community within the Department of De-
23 fense, the Committees on Armed Services of the
24 Senate and House of Representatives;

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

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

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

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

21 (8) with respect to an element of the intel-
22 ligence community within the Department of the
23 Treasury, the Committee on Finance of the Senate
24 and the Committee on Financial Services of the
25 House of Representatives.

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

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

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

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

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

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

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

20 **“SEC. 305. PAID LEAVE FOR A SERIOUS HEALTH CONDI-**
 21 **TION.**

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

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

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

4 “(3) SON OR DAUGHTER.—The term ‘son or
5 daughter’ has the meaning given the term in section
6 6381 of title 5, United States Code.

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

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

17 “(2) Because of a serious health condition that
18 makes the employee unable to perform the functions
19 of the employee’s position.

20 “(c) TREATMENT OF SERIOUS HEALTH CONDITION
21 LEAVE REQUEST.—Notwithstanding any other provision
22 of law, an element of the intelligence community shall ac-
23 commodate an employee’s leave schedule request under
24 subsection (b), including a request to use such leave inter-
25 mittently or on a reduced leave schedule, to the extent that

1 the requested leave schedule does not unduly disrupt agen-
2 cy operations.

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

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

10 “(2) paid serious health condition leave—

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

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

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

23 “(D) may be granted only to the extent
24 that the employee does not receive a total of

1 more than 12 weeks of paid serious health con-
2 dition leave in any 12-month period;

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

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

14 “(e) IMPLEMENTATION.—

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

23 “(2) IMPLEMENTATION PLAN.—Not later than
24 1 year after the date of enactment of this section,
25 the Director of National Intelligence shall submit to

1 the congressional intelligence committees an imple-
2 mentation plan that includes—

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

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

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

19 “(D) all costs or operational expenses asso-
20 ciated with the implementation of subsections
21 (b) through (d).

22 “(3) DIRECTIVE.—Not later than 90 days after
23 the Director of National Intelligence submits the im-
24 plementation plan under paragraph (2), the Director
25 of National Intelligence shall issue a written direc-

1 tive to implement this section, which directive shall
2 take effect on the date of issuance.

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

6 “(1) details the number of employees of each
7 element of the intelligence community who applied
8 for and took paid serious health condition leave dur-
9 ing the year covered by the report; and

10 “(2) includes updates on major implementation
11 challenges or costs associated with paid serious
12 health condition leave.”.

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

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

17 (c) APPLICABILITY.—Section 305 of the National Se-
18 curity Act of 1947, as added by subsection (b), shall apply
19 with respect to leave taken in connection with a serious
20 health condition (as defined in subsection (a) of such sec-
21 tion 305) that occurs or continues to exist on or after the
22 date on which the Director of National Intelligence issues
23 the written directive under subsection (e)(3) of such sec-
24 tion 305.

1 **SEC. 309. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
2 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
3 **CERS AND EMPLOYEES.**

4 (a) MODIFICATIONS TO REQUIREMENT.—

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

8 **“SEC. 304. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
9 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
10 **CERS AND EMPLOYEES.**

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

17 “(b) COVERED POST-SERVICE EMPLOYMENT RE-
18 PORTING.—

19 “(1) REQUIREMENT.—The head of each ele-
20 ment of the intelligence community shall issue regu-
21 lations requiring, as a condition of employment, each
22 employee of such element occupying a covered intel-
23 ligence position to sign a written agreement requir-
24 ing the regular reporting of covered post-service em-
25 ployment to the head of such element.

26 “(2) AGREEMENT ELEMENTS.—

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

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

15 “(ii) annually (or more frequently if
16 the head of such element considers it ap-
17 propriate) report covered post-service em-
18 ployment to the head of such element.

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

22 “(i) The name of the employer.

23 “(ii) The foreign government, includ-
24 ing the specific foreign individual, agency,

1 or entity, for whom the covered post-serv-
2 ice employment is being performed.

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

5 “(iv) The nature of the services pro-
6 vided as part of the covered post-service
7 employment.

8 “(v) All financial compensation and
9 benefits received or promised for the cov-
10 ered post-service employment.

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

17 “(c) PENALTIES.—

18 “(1) CRIMINAL PENALTIES.—A former em-
19 ployee who knowingly and willfully violates sub-
20 section (a) or who knowingly and willfully fails to
21 make a required report under subsection (b) shall be
22 fined under title 18, United States Code, or impris-
23 oned for not more than 5 years, or both. Each re-
24 port under subsection (b) shall be subject to section
25 1001 of title 18, United States Code.

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

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

12 “(e) ANNUAL REPORTS.—

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

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

20 “(A) The number of former employees who
 21 occupy a covered post-service position, broken
 22 down by—

23 “(i) the name of the employer;

24 “(ii) the foreign government, includ-
 25 ing by the specific foreign individual, agen-

1 cy, or entity, for whom the covered post-
2 service employment is being performed;
3 and

4 “(iii) the nature of the services pro-
5 vided as part of the covered post-service
6 employment.

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

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

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

18 “(iii) the services provided by former
19 employees who occupy a covered post-serv-
20 ice position do not—

21 “(I) pose a current or future
22 threat to the national security of the
23 United States; or

24 “(II) pose a counterintelligence
25 risk; and

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

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

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

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

22 “(2) The name of the employer.

23 “(3) The foreign government, including the spe-
24 cific foreign individual, agency, or entity, for whom

1 the covered post-service employment is being per-
2 formed.

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

4 “(A) the risk to national security, the
5 counterintelligence risk, or both; and

6 “(B) the activities that may violate Fed-
7 eral law, infringe upon the privacy rights of
8 United States persons, or constitute abuses of
9 human rights.

10 “(g) DEFINITIONS.—In this section:

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

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

21 The term ‘covered post-service employment’ means
22 direct or indirect employment by, representation of,
23 or any provision of advice or services relating to na-
24 tional security, intelligence, the military, or internal
25 security to the government of a foreign country or

1 any company, entity, or other person whose activities
2 are directly or indirectly supervised, directed, con-
3 trolled, financed, or subsidized, in whole or in major
4 part, by any government of a foreign country.

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

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

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

17 “(A) who was an employee occupying a
18 covered intelligence position; and

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

21 “(6) GOVERNMENT OF A FOREIGN COUNTRY.—
22 The term ‘government of a foreign country’ has the
23 meaning given the term in section 1(e) of the For-
24 eign Agents Registration Act of 1938 (22 U.S.C.
25 611(e)).”.

1 (2) REVISED REGULATIONS.—

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

9 (B) CERTIFICATION.—Not later than 180
10 days after the date of the enactment of this
11 Act, the Director of National Intelligence shall
12 submit to the congressional intelligence commit-
13 tees—

14 (i) a written certification for each
15 head of an element of the intelligence com-
16 munity who has issued the updated regula-
17 tions under such section 304, as amended
18 by paragraph (1); and

19 (ii) for each head of an element of the
20 intelligence community who has not issued
21 such updated regulations, an explanation
22 for the failure to issue such updated regu-
23 lations.

24 (3) INITIAL REPORT.—In the first report sub-
25 mitted by the Director of National Intelligence

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

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

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

11 **TITLE IV—MATTERS RELATING** 12 **TO ELEMENTS OF THE INTEL-** 13 **LIGENCE COMMUNITY**

14 **SEC. 401. CLARIFICATION OF AUTHORITY OF NATIONAL RE-** 15 **CONNAISSANCE OFFICE.**

16 Section 106A of the National Security Act of 1947
 17 (50 U.S.C. 3041a) is amended—

18 (1) by redesignating subsection (d) as sub-
 19 section (e); and

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

22 “(d) CLARIFICATION OF AUTHORITY.—The Director
 23 of National Intelligence may not transfer any element of
 24 the National Reconnaissance Office to the Space Force.

1 Nothing in chapter 908 of title 10, United States Code,
 2 shall affect the authorities, duties, or responsibilities of
 3 the Director of the National Reconnaissance Office, in-
 4 cluding with respect to the authority of the Director to
 5 operate a unified organization to carry out the research,
 6 development, test, evaluation, acquisition, launch, deploy-
 7 ment, and operations of overhead reconnaissance systems
 8 and related data processing facilities of the National Re-
 9 connaissance Office.”.

10 **SEC. 402. ESTABLISHMENT OF OFFICE OF THE OMBUDS-**
 11 **MAN FOR ANALYTIC OBJECTIVITY.**

12 (a) OFFICE OF THE OMBUDSMAN FOR ANALYTIC OB-
 13 JECTIVITY.—The Central Intelligence Agency Act of 1949
 14 (50 U.S.C. 3501 et seq.) is amended by adding at the end
 15 the following:

16 **“SEC. 24. OFFICE OF THE OMBUDSMAN FOR ANALYTIC OB-**
 17 **JECTIVITY.**

18 “(a) ESTABLISHMENT.—There is established in the
 19 Agency an Office of the Ombudsman for Analytic Objec-
 20 tivity (in this section referred to as the ‘Office’), which
 21 shall be headed by an Ombudsman. The Ombudsman shall
 22 be appointed by the Director from among the senior staff
 23 officers of the Agency.

24 “(b) DUTIES AND RESPONSIBILITIES.—The Om-
 25 budsman shall—

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

4 “(2) implement a procedure by which any offi-
5 cer or employee of the Agency may submit to the Of-
6 fice a complaint alleging politicization, bias, lack of
7 objectivity, or other issues relating to a failure of
8 tradecraft in analysis conducted by the Agency;

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

16 “(A) summarizes the facts relevant to the
17 complaint;

18 “(B) documents the determination of the
19 Ombudsman with respect to the complaint; and

20 “(C) contains a recommendation for reme-
21 dial action;

22 “(4) if a complaint submitted pursuant to para-
23 graph (2) alleges politicization, bias, or lack of ob-
24 jectivity in the collection of intelligence information,

1 refer the complaint to the official responsible for su-
2 pervising collection operations of the Agency; and

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

10 “(c) REPORTS.—(1) On an annual basis, the Om-
11 budsman shall submit to the intelligence committees a re-
12 port on the results of the survey conducted pursuant to
13 subsection (b)(1) with respect to the most recent fiscal
14 year.

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

17 “(A) the number of complaints of submitted
18 pursuant to subsection (b)(2) during the most recent
19 fiscal year; and

20 “(B) a description of the nature of such com-
21 plaints, the actions taken by the Office or any other
22 relevant element or component of the Agency with
23 respect to such complaints, and the resolution of
24 such complaints.

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

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

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

8 “(d) INTELLIGENCE COMMITTEES DEFINED.—In
9 this section, the term ‘intelligence committees’ means the
10 Permanent Select Committee on Intelligence of the House
11 of Representatives and the Select Committee on Intel-
12 ligence of the Senate.”.

13 (b) REFERENCE.—Any reference in any law, regula-
14 tion, map, document, paper, or other record of the United
15 States to the Ombudsman for Analytic and Collection Ob-
16 jectivity of the Central Intelligence Agency shall be
17 deemed to be a reference to the Office of the Ombudsman
18 for Analytic Objectivity of the Central Intelligence Agency
19 established by section 24(a) of the Central Intelligence
20 Agency Act of 1949 (50 U.S.C. 3501 et seq.), as added
21 by subsection (a).

22 (c) REPORT ON SURVEYS FOR FISCAL YEARS 2018
23 AND 2019.—Not later than 10 days after the date of the
24 enactment of this Act, the Director of the Central Intel-
25 ligence Agency shall submit to the congressional intel-

1 ligence committees any reports previously prepared by the
2 Ombudsman for Analytic and Collection Objectivity with
3 respect to the surveys of analytic objectivity conducted for
4 fiscal years 2018 and 2019.

5 **SEC. 403. PLACEMENT ON THE EXECUTIVE SCHEDULE FOR**
6 **DEPARTMENT OF DEFENSE DIRECTORS OF**
7 **THE NATIONAL SECURITY AGENCY AND THE**
8 **NATIONAL RECONNAISSANCE OFFICE.**

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

13 “Director of the National Security Agency.

14 “Director of the National Reconnaissance Of-
15 fice.”.

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

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

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

1 **SEC. 404. EXPANSION OF PERSONNEL MANAGEMENT AU-**
2 **THORITY TO ATTRACT EXPERTS IN SCIENCE**
3 **AND ENGINEERING.**

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

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

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

15 (2) in subsection (b)(1)—

16 (A) in subparagraph (E), by striking “;
17 and”;

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

20 (C) by adding at the end the following new
21 subparagraph:

22 “(G) in the case of the National
23 Geospatial-Intelligence Agency, appoint individ-
24 uals to a total of not more than 7 positions in
25 the Agency, of which not more than 2 such po-

1 sitions may be positions of administration or
2 management in the Agency;” and

3 (3) in subsection (c)(2), by striking “or the
4 Joint Artificial Intelligence Center” and inserting
5 “the Joint Artificial Intelligence Center, or the Na-
6 tional Geospatial-Intelligence Agency”.

7 **SEC. 405. SPECIAL ACCESS PROGRAMS: CONGRESSIONAL**
8 **OVERSIGHT.**

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

11 (1) by striking subsection (g) and inserting the
12 following new subsection:

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

15 “(1) The Committee on Armed Services and the
16 Committee on Appropriations, and the Defense Sub-
17 committee of the Committee on Appropriations, of
18 the Senate.

19 “(2) The Committee on Armed Services and the
20 Committee on Appropriations, and the Sub-
21 committee on Defense of the Committee on Appro-
22 priations, of the House of Representatives.

23 “(3) With respect to a special access program
24 or a new special access program covered by a report
25 or notification under this section that the Secretary

1 of Defense determines to be an intelligence or intel-
 2 ligence-related special access program, and with re-
 3 spect to any other special access program or new
 4 special access program covered by a report or notifi-
 5 cation under this section or any other matters that
 6 the Secretary determines appropriate, the Perma-
 7 nent Select Committee on Intelligence of the House
 8 of Representatives and the Select Committee on In-
 9 telligence of the Senate.”; and

10 (2) by striking “defense committees” each place
 11 it appears and inserting “appropriate congressional
 12 committees”.

13 **SEC. 406. SENIOR CHIEF PETTY OFFICER SHANNON KENT**
 14 **AWARD FOR DISTINGUISHED FEMALE PER-**
 15 **SONNEL OF THE NATIONAL SECURITY AGEN-**
 16 **CY.**

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. 21. SENIOR CHIEF PETTY OFFICER SHANNON KENT**
 21 **AWARD FOR DISTINGUISHED FEMALE PER-**
 22 **SONNEL.**

23 “(a) ESTABLISHMENT.—The Director of the Na-
 24 tional Security Agency shall establish an honorary award
 25 for the recognition of female personnel of the National Se-

1 curity Agency for distinguished career contributions in
 2 support of the mission of the Agency as civilian employees
 3 or members of the Armed Forces assigned to the Agency.
 4 The award shall be known as the ‘Senior Chief Petty Offi-
 5 cer Shannon Kent Award’ and shall consist of a design
 6 determined appropriate by the Director.

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

12 **SEC. 407. DEPARTMENT OF HOMELAND SECURITY INTEL-**
 13 **LIGENCE AND CYBERSECURITY DIVERSITY**
 14 **FELLOWSHIP PROGRAM.**

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

18 **“SEC. 1333. INTELLIGENCE AND CYBERSECURITY DIVER-**
 19 **SITY FELLOWSHIP PROGRAM.**

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

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

4 “(2) receive tuition assistance from the Sec-
5 retary; and

6 “(3) upon graduation from an institution of
7 higher education and successful completion of the
8 Program (as defined by the Secretary), receive an
9 offer of employment to work in an intelligence or cy-
10 bersecurity position of the Department that is in the
11 excepted service.

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

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

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

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

19 “(B) be a sophomore, junior, or senior
20 at—

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

23 “(ii) an institution of higher education
24 that is not a historically Black college or
25 university or a minority-serving institution

1 and be an active participant in a minority-
2 serving organization of such institution.

3 “(c) DIRECT HIRE AUTHORITY.—If an individual
4 who receives an offer of employment under subsection
5 (a)(3) accepts such offer, the Secretary shall appoint,
6 without regard to provisions of subchapter I of chapter
7 33 of title 5, United States Code, (except for section 3328
8 of such title) such individual to the position specified in
9 such offer.

10 “(d) REPORTS.—

11 “(1) REPORTS.—Not later than 1 year after the
12 date of the enactment of this section, and on an an-
13 nual basis thereafter, the Secretary shall submit to
14 the appropriate committees of Congress a report on
15 the Program.

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

19 “(A) A description of outreach efforts by
20 the Secretary to raise awareness of the Pro-
21 gram among institutions of higher education in
22 which eligible individuals are enrolled.

23 “(B) Information on specific recruiting ef-
24 forts conducted by the Secretary to increase
25 participation in the Program.

1 “(C) The number of individuals partici-
2 pating in the Program, listed by the institution
3 of higher education in which the individual is
4 enrolled at the time of participation, and infor-
5 mation on the nature of such participation, in-
6 cluding on whether the duties of the individual
7 under the Program relate primarily to intel-
8 ligence or to cybersecurity.

9 “(D) The number of individuals who ac-
10 cepted an offer of employment under the Pro-
11 gram and an identification of the element with-
12 in the Department to which each individual was
13 appointed.

14 “(e) DEFINITIONS.—In this section:

15 “(1) APPROPRIATE COMMITTEES OF CON-
16 GRESS.—The term ‘appropriate committees of Con-
17 gress’ means—

18 “(A) the Committee on Homeland Security
19 and the Permanent Select Committee on Intel-
20 ligence of the House of Representatives; and

21 “(B) the Committee on Homeland Security
22 and Governmental Affairs and the Select Com-
23 mittee on Intelligence of the Senate.

1 “(2) EXCEPTED SERVICE.—The term ‘excepted
2 service’ has the meaning given that term in section
3 2103 of title 5, United States Code.

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

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

13 “(5) MINORITY-SERVING INSTITUTION.—The
14 term ‘minority-serving institution’ means an institu-
15 tion of higher education described in section 371(a)
16 of the Higher Education Act of 1965 (20 U.S.C.
17 1067q(a)).”.

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

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

21 **SEC. 408. CLIMATE SECURITY ADVISORY COUNCIL AND CLI-**
22 **MATE SECURITY INTELLIGENCE CENTER.**

23 (a) CLIMATE SECURITY ADVISORY COUNCIL.—

24 (1) REPEAL OF SUNSET.—Section 120 of the
25 National Security Act of 1947 (50 U.S.C. 3060) is

1 amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

3 (2) TECHNICAL AMENDMENT.—Subsection
4 (c)(4) of such section is amended by striking “security indicators” and inserting “intelligence indications”.

7 (b) PLAN FOR CLIMATE SECURITY INTELLIGENCE
8 CENTER.—Not later than 180 days after the date of the
9 enactment of this Act, the chair of the Climate Security
10 Advisory Council established under section 120 of the Na-
11 tional Security Act of 1947 (50 U.S.C. 3060) shall submit
12 to the congressional intelligence committees a written plan
13 to permanently establish within the Office of the Director
14 of National Intelligence a Climate Security Intelligence
15 Center (to be headed by a Director appointed by the Di-
16 rector of National Intelligence) to fulfil each of the duties
17 described in subsection (c). Such plan shall include the
18 following:

19 (1) Recommendations for the Center, developed
20 based on findings by the Climate Security Advisory
21 Council in carrying out its duties and responsibil-
22 ities, that relate to—

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

1 (B) the composition and staffing of the
2 Center with personnel from agencies of the
3 Federal Government, including through the de-
4 tail of nonintelligence community personnel to
5 the Center; and

6 (C) approaches to data-sharing, informa-
7 tion exchanges, and other types of collaboration
8 (at the appropriate level of classification), on
9 matters relating to climate security and envi-
10 ronmental science between the Center and—

11 (i) elements of the Federal Govern-
12 ment that are not elements of the intel-
13 ligence community; and

14 (ii) other key stakeholders in the sci-
15 entific enterprise of the United States, in-
16 cluding institutions of higher education,
17 Federal research laboratories (including
18 the national security laboratories), private
19 industry, and nonprofit research organiza-
20 tions.

21 (2) A proposed process for transferring from
22 the Climate Security Advisory Council to the Center
23 the functions currently carried out by such Council,
24 including a timeline for the transfer and a statement

1 on the feasibility of establishing the Center and com-
2 pleting the transfer by the end of 2022.

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

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

10 (1) To serve as the primary organization within
11 the intelligence community for—

12 (A) analyzing climate security threats and
13 the climate influence of the United States; and

14 (B) identifying and disseminating climate
15 intelligence indications and warnings.

16 (2) To assess and identify best practices in the
17 analysis of climate security, including identifying
18 publicly available information and clandestinely col-
19 lected intelligence that enables such analysis.

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

23 (A) the Measurements of Earth Data for
24 Environmental Analysis program of the Central
25 Intelligence Agency;

1 (B) the Center on Climate Change and
2 National Security of the Central Intelligence
3 Agency; and

4 (C) climate security-related activities of the
5 Director of National Intelligence.

6 (4) To use the best practices identified under
7 paragraphs (2) and (3) to inform the work of the
8 Climate Security Intelligence Center.

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

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

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

16 (d) STUDY ON ADVISORY COUNCIL MODEL FOR
17 STRATEGIC OR TRANSNATIONAL THREATS.—

18 (1) STUDY.—The Director of National Intel-
19 ligence, in coordination with the heads of other ele-
20 ments of the intelligence community determined ap-
21 propriate by the Director, shall conduct a study on
22 the effectiveness of the Climate Security Advisory
23 Council as a potential model for future advisory
24 councils that—

1 (A) focus on optimizing the collection and
2 analysis of intelligence relating to strategic or
3 transnational threats to the national security of
4 the United States (including threats posed by
5 disease outbreaks, pandemics, or other global
6 health threats); and

7 (B) are composed of elements of the intel-
8 ligence community and relevant elements of the
9 Federal Government that are not elements of
10 the intelligence community.

11 (2) REPORT.—Not later than 1 year after the
12 date of the enactment of this Act, the Director shall
13 submit to the congressional intelligence committees a
14 report containing the findings of the study under
15 paragraph (1).

16 (e) DEFINITIONS.—In this section:

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

20 (A) The national security of the United
21 States.

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

24 (i) military installations, Department
25 of Defense facilities, intelligence commu-

1 nity facilities, and other physical facilities
2 that contribute to or otherwise support op-
3 erations of the intelligence community or
4 the Department of Defense; and

5 (ii) critical infrastructure of the
6 United States (as defined in subsection (e)
7 of the Critical Infrastructures Protection
8 Act of 2001 (42 U.S.C. 5195c(e))).

9 (C) Subnational, national, regional, and
10 global politics, governance, and political sta-
11 bility.

12 (D) The security of allies and partners of
13 the United States.

14 (E) Ongoing or potential political violence,
15 including unrest, rioting, guerrilla warfare, in-
16 surgency, terrorism, rebellion, revolution, civil
17 war, and interstate war.

18 (2) CLIMATE INFLUENCE OF THE UNITED
19 STATES.—The term “climate influence of the United
20 States” means the global influence and leadership of
21 the United States with respect to the climate policies
22 of other countries, international organizations, and
23 transnational groups.

24 (3) CLIMATE INTELLIGENCE INDICATIONS AND
25 WARNINGS.—The term “climate intelligence indica-

1 tions and warnings” means climate security develop-
2 ments with the potential to—

3 (A) imminently and substantially alter the
4 political stability or degree of human security in
5 a state or region; or

6 (B) threaten the United States, the mili-
7 tary, political, or economic interests of allies or
8 coalition partners of the United States, or citi-
9 zens of the United States abroad.

10 **TITLE V—INSPECTORS GENERAL**
11 **OF ELEMENTS OF THE INTEL-**
12 **LIGENCE COMMUNITY AND**
13 **PROTECTION OF WHISTLE-**
14 **BLOWERS**

15 **SEC. 501. INDEPENDENCE OF INSPECTORS GENERAL OF**
16 **THE INTELLIGENCE COMMUNITY.**

17 (a) IN GENERAL.—The National Security Act of
18 1947 (50 U.S.C. 3001 et seq.) is amended by adding at
19 the end the following new title:

1 **“TITLE XII—MATTERS REGARD-**
2 **ING INSPECTORS GENERAL**
3 **OF ELEMENTS OF THE INTEL-**
4 **LIGENCE COMMUNITY**

5 **“Subtitle A—Inspectors General**

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

7 “(a) REMOVAL.—A covered Inspector General may be
8 removed from office only by the President. The President
9 may remove a covered Inspector General only for any of
10 the following grounds:

11 “(1) Permanent incapacity.

12 “(2) Inefficiency.

13 “(3) Neglect of duty.

14 “(4) Malfeasance.

15 “(5) Conviction of a felony or conduct involving
16 moral turpitude.

17 “(6) Substantial violations of laws, rules, or
18 regulations.

19 “(7) Gross mismanagement.

20 “(8) Gross waste of funds.

21 “(9) Abuse of authority.

22 “(b) ADMINISTRATIVE LEAVE.—A covered Inspector
23 General may be placed on administrative leave only by the
24 President. The President may place a covered Inspector

1 General on administrative leave only for any of the
2 grounds specified in subsection (a).

3 “(c) NOTIFICATION.—The President may not remove
4 a covered Inspector General under subsection (a) or place
5 a covered Inspector General on administrative leave under
6 subsection (b) unless—

7 “(1) the President transmits in writing to the
8 congressional intelligence committees a notification
9 of such removal or placement, including a detailed
10 explanation of the grounds for such removal or
11 placement and the evidence supporting such
12 grounds; and

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

16 “(d) REPORT.—Not later than 30 days after the date
17 on which the President notifies a covered Inspector Gen-
18 eral of being removed under subsection (a) or placed on
19 administrative leave under subsection (b), the office of
20 that Inspector General shall submit to the congressional
21 intelligence committees a report identifying—

22 “(1) each complaint, investigation, inspection,
23 audit, or other review or inquiry, including any in-
24 formation, allegation, or complaint reported to the
25 Attorney General in accordance with section 535 of

1 title 28, United States Code, that the Inspector Gen-
2 eral was working on as of the date of such removal
3 or placement; and

4 “(2) the status of each such complaint, inves-
5 tigation, inspection, audit, or other review or in-
6 quiry.

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

11 “(f) DEFINITIONS.—In this section:

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

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

19 (b) DEFINITION.—Section 3 of such Act (50 U.S.C.
20 3003) is amended by adding at the end the following new
21 paragraph:

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

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

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

“SUBTITLE A—INSPECTORS GENERAL

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

5 **SEC. 502. DESIGNATION OF ACTING INSPECTORS GENERAL**
 6 **OF THE INTELLIGENCE COMMUNITY IN**
 7 **CASES OF VACANCIES.**

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

11 **“SEC. 1203. DESIGNATION OF ACTING INSPECTORS GEN-**
 12 **ERAL OF THE INTELLIGENCE COMMUNITY IN**
 13 **CASES OF VACANCIES.**

14 “(a) DESIGNATION.—If a covered Inspector General
 15 dies, resigns, is removed from office, or is otherwise unable
 16 to perform the functions and duties of the office of that
 17 Inspector General, the President may only direct an indi-
 18 vidual specified in subsection (b) to perform the functions
 19 and duties of that Inspector General in an acting capacity
 20 until an individual is appointed by the President, by and
 21 with the advice and consent of the Senate, to serve as In-
 22 spector General.

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

4 “(1) The individual who holds the most senior
 5 position in that Office of the Inspector General as
 6 a career appointee in the Senior Intelligence Service,
 7 the Senior National Intelligence Service, or other ap-
 8 plicable senior executive service.

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

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of the National Security Act of 1947 is
 16 amended by inserting after the item relating to section
 17 1201, as added by section 501, the following new item:

“Sec. 1203. Designation of acting Inspectors General of the intelligence com-
 munity in cases of vacancies.”.

18 **SEC. 503. AUTHORITY OF INSPECTORS GENERAL OF THE**
 19 **INTELLIGENCE COMMUNITY TO DETERMINE**
 20 **MATTERS OF URGENT CONCERN.**

21 (a) DETERMINATION.—

22 (1) IN GENERAL.—Title XII of the National Se-
 23 curity Act of 1947, as added by section 501, is

1 amended by inserting after section 1203, as added
2 by section 502, the following new section:

3 **“SEC. 1205. DETERMINATION OF MATTERS OF URGENT**
4 **CONCERN.**

5 “(a) DETERMINATION.—Each covered Inspector
6 General shall have sole authority to determine whether any
7 complaint or information reported to the Inspector Gen-
8 eral is a matter of urgent concern. Such determination is
9 final and conclusive.

10 “(b) FOREIGN INTERFERENCE IN ELECTIONS.—In
11 addition to any other matter which is considered an urgent
12 concern pursuant to section 103H(k)(5)(G), section
13 17(d)(5)(G) of the Central Intelligence Agency Act of
14 1949 (50 U.S.C. 3517(d)(5)(G)), or other applicable pro-
15 vision of law, the term ‘urgent concern’ includes a serious
16 or flagrant problem, abuse, violation of law or Executive
17 order, or deficiency relating to foreign interference in elec-
18 tions in the United States.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of the National Security Act
21 of 1947 is amended by inserting after the item relat-
22 ing to section 1203, as added by section 502, the
23 following new item:

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

24 (b) CONFORMING AMENDMENTS.—

1 (1) INTELLIGENCE COMMUNITY.—Section
2 103H(k)(5)(G) of the National Security Act of 1947
3 (50 U.S.C. 3033(k)(5)(G)) is amended by striking
4 “In this paragraph” and inserting “In accordance
5 with section 1205, in this paragraph”.

6 (2) CENTRAL INTELLIGENCE AGENCY.—Section
7 17(d)(5)(G) of the Central Intelligence Agency Act
8 of 1949 (50 U.S.C. 3517(d)(5)(G)) is amended by
9 striking “In this paragraph” and inserting “In ac-
10 cordance with section 1205 of the National Security
11 Act of 1947, in this paragraph”.

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

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

19 “(i) a general description of the unresolved dif-
20 ferences, the particular duties or responsibilities of
21 the Inspector General involved, and, if such dif-
22 ferences relate to a complaint or information under
23 paragraph (5), a description of the complaint or in-
24 formation and the entities or individuals identified in
25 the complaint or information; and

1 “(ii) to the extent such differences can be at-
 2 tributed not only to the Director but also to any
 3 other official, department, agency, or office within
 4 the executive branch, or a component thereof, the ti-
 5 tles of such official, department, agency, or office.”.

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

9 (1) by redesignating subparagraph (B) as sub-
 10 paragraph (C); and

11 (2) by inserting after subparagraph (A) the fol-
 12 lowing new subparagraph:

13 “(B) The authority of the Director of National
 14 Intelligence under subparagraph (A) includes coordi-
 15 nating and supervising activities undertaken by ele-
 16 ments of the intelligence community for the purpose
 17 of protecting the United States from any foreign in-
 18 terference in elections in the United States.”.

19 **SEC. 504. LIMITATION ON SHARING OF INTELLIGENCE**
 20 **COMMUNITY WHISTLEBLOWER COMPLAINTS**
 21 **WITH PERSONS NAMED IN SUCH COM-**
 22 **PLAINTS.**

23 (a) IN GENERAL.—Title XII of the National Security
 24 Act of 1947, as added by section 501, is further amended

1 by inserting after section 1205, as added by section 503,
2 the following new subtitle:

3 **“Subtitle B—Protections for**
4 **Whistleblowers**

5 **“SEC. 1223. LIMITATION ON SHARING OF INTELLIGENCE**
6 **COMMUNITY WHISTLEBLOWER COMPLAINTS**
7 **WITH PERSONS NAMED IN SUCH COM-**
8 **PLAINTS.**

9 “(a) IN GENERAL.—It shall be unlawful for any em-
10 ployee or officer of the Federal Government to knowingly
11 and willfully share any whistleblower disclosure informa-
12 tion with any individual named as a subject of the whistle-
13 blower disclosure and alleged in the disclosure to have en-
14 gaged in misconduct, unless—

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

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

19 “(A) determines that such sharing is un-
20 avoidable and necessary to advance an inves-
21 tigation, audit, inspection, or evaluation by the
22 Inspector General; and

23 “(B) notifies the whistleblower of such
24 sharing before the sharing occurs; or

25 “(3) an attorney for the Government—

1 “(A) determines that such sharing is un-
 2 avoidable and necessary to advance an inves-
 3 tigation by the attorney; and

4 “(B) notifies the whistleblower of such
 5 sharing before the sharing occurs.

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

10 “(c) WHISTLEBLOWER DISCLOSURE INFORMATION
 11 DEFINED.—In this section, the term ‘whistleblower disclo-
 12 sure information’ means, with respect to a whistleblower
 13 disclosure—

14 “(1) the disclosure;

15 “(2) confirmation of the fact of the existence of
 16 the disclosure; or

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

19 (b) TECHNICAL AND CLERICAL AMENDMENTS.—

20 (1) TRANSFER.—The National Security Act of
 21 1947 (50 U.S.C. 3001 et seq.) is amended as fol-
 22 lows:

23 (A) Section 1104 is—

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

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

3 (iii) redesignated as section 1221.

4 (B) Section 1106 is—

5 (i) amended by striking “section
 6 1104” each place it appears and inserting
 7 “section 1221”;

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

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

12 (iv) redesignated as section 1225.

13 (2) CLERICAL AMENDMENTS.—The table of sec-
 14 tions at the beginning of the National Security Act
 15 of 1947 is amended—

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

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

“SUBTITLE B—PROTECTIONS FOR WHISTLEBLOWERS

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

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

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

20 (c) DEFINITIONS.—Section 3 of such Act (50 U.S.C.
 21 3003), as amended by section 501, is further amended by
 22 adding at the end the following new paragraphs:

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

3 “(10) The term ‘whistleblower disclosure’
4 means a disclosure that is protected under section
5 1221 of this Act or section 3001(j)(1) of the Intel-
6 ligence Reform and Terrorism Prevention Act of
7 2004 (50 U.S.C. 3341(j)).”.

8 (d) CONFORMING AMENDMENT.—Section 5331 of the
9 Damon Paul Nelson and Matthew Young Pollard Intel-
10 ligence Authorization Act for Fiscal Years 2018, 2019,
11 and 2020 (division E of Public Law 116–92; 50 U.S.C.
12 3033 note) is amended by striking “section 1104 of the
13 National Security Act of 1947 (50 U.S.C. 3234)” and in-
14 serting “section 1221 of the National Security Act of
15 1947”.

16 **SEC. 505. DISCLOSURES TO CONGRESS.**

17 (a) IN GENERAL.—Title XII of the National Security
18 Act of 1947, as added by section 501, is further amended
19 by inserting after section 1225, as designated by section
20 504(b), the following new section:

21 **“SEC. 1227. PROCEDURES REGARDING DISCLOSURES TO**
22 **CONGRESS.**

23 “(a) GUIDANCE.—

24 “(1) OBLIGATION TO PROVIDE SECURITY DI-
25 RECTION UPON REQUEST.—Upon the request of a

1 whistleblower, the head of the relevant element of
2 the intelligence community, acting through the cov-
3 ered Inspector General for that element, shall fur-
4 nish on a confidential basis to the whistleblower in-
5 formation regarding how the whistleblower may di-
6 rectly contact the congressional intelligence commit-
7 tees, in accordance with appropriate security prac-
8 tices, regarding a complaint or information of the
9 whistleblower pursuant to section 103H(k)(5)(D) or
10 other appropriate provision of law.

11 “(2) NONDISCLOSURE.—Unless a whistleblower
12 who makes a request under paragraph (1) provides
13 prior consent, a covered Inspector General may not
14 disclose to the head of the relevant element of the
15 intelligence community—

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

17 “(B) the element at which such whistle-
18 blower is employed, detailed, or assigned as a
19 contractor employee.

20 “(b) OVERSIGHT OF OBLIGATION.—If a covered In-
21 spector General determines that the head of an element
22 of the intelligence community denied a request by a whis-
23 tleblower under subsection (a), directed the whistleblower
24 not to contact the congressional intelligence committees,
25 or unreasonably delayed in providing information under

1 such subsection, the covered Inspector General shall notify
 2 the congressional intelligence committees of such denial,
 3 direction, or unreasonable delay.

4 “(c) PERMANENT SECURITY OFFICER.—The head of
 5 each element of the intelligence community may designate
 6 a permanent security officer in the element to provide to
 7 whistleblowers the information under subsection (a).”.

8 (b) CLERICAL AMENDMENT.—The table of sections
 9 at the beginning of the National Security Act of 1947 is
 10 amended by inserting after the item relating to section
 11 1225, as added by section 504(b), the following new item:

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

12 (c) CONFORMING AMENDMENT.—Section
 13 103H(k)(5)(D)(i) of the National Security Act of 1947
 14 (50 U.S.C. 3033(k)(5)(D)(i)) is amended by adding at the
 15 end the following: “The employee may request information
 16 pursuant to section 1227 with respect to contacting such
 17 committees.”.

18 **SEC. 506. PROHIBITION AGAINST DISCLOSURE OF WHIS-**
 19 **TLBLOWER IDENTITY AS REPRISAL**
 20 **AGAINST WHISTLEBLOWER DISCLOSURE BY**
 21 **EMPLOYEES AND CONTRACTORS IN INTEL-**
 22 **LIGENCE COMMUNITY.**

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

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

3 (2) by redesignating subparagraph (J) as sub-
4 paragraph (K); and

5 (3) by inserting after subparagraph (I) the fol-
6 lowing:

7 “(J) a knowing and willful disclosure re-
8 vealing the identity or other personally identifi-
9 able information of such employee or such con-
10 tractor employee without the express written
11 consent of such employee or such contractor
12 employee or if the Inspector General determines
13 it is necessary for the exclusive purpose of in-
14 vestigating a complaint or information received
15 under section 8H of the Inspector General Act
16 of 1978 (5 U.S.C. App. 8H); or”.

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

19 “(5) EMPLOYEE.—The term ‘employee’, with
20 respect to an agency or a covered intelligence com-
21 munity element, includes an individual who has been
22 detailed to such agency or covered intelligence com-
23 munity element.”.

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

4 “(d) ENFORCEMENT.—

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

8 “(2) PRIVATE RIGHT OF ACTION FOR UNLAW-
9 FUL, WILLFUL DISCLOSURE OF WHISTLEBLOWER
10 IDENTITY.—In a case in which an employee of an
11 agency, or other employee or officer of the Federal
12 Government, takes a personnel action described in
13 subsection (a)(3)(J) against an employee of a cov-
14 ered intelligence community element as a reprisal in
15 violation of subsection (b) or in a case in which a
16 contractor employee takes a personnel action de-
17 scribed in such subsection against another con-
18 tractor employee as a reprisal in violation of sub-
19 section (c), the employee or contractor employee
20 against whom the personnel action was taken may
21 bring a private action for all appropriate remedies,
22 including injunctive relief and compensatory and pu-
23 nitive damages, against the employee or contractor
24 employee who took the personnel action, in a Fed-
25 eral district court of competent jurisdiction within

1 180 days of when the employee or contractor em-
2 ployee first learned of or should have learned of the
3 violation.”.

4 **SEC. 507. CONFORMING AMENDMENTS AND COORDINATION**
5 **WITH OTHER PROVISIONS OF LAW.**

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

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

14 (b) CENTRAL INTELLIGENCE AGENCY.—Paragraph
15 (6) of section 17(b) of the Central Intelligence Agency Act
16 of 1949 (50 U.S.C. 3517(b)) is amended to read as fol-
17 lows:

18 “(6) The provisions of title XII of the National Secu-
19 rity Act of 1947 shall apply to the Inspector General with
20 respect to the removal of the Inspector General, a vacancy
21 in the position of the Inspector General, and any other
22 matter relating to the Inspector General as specifically
23 provided for in such title.”.

24 (c) OTHER ELEMENTS.—

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

5 **“SEC. 1207. COORDINATION WITH OTHER PROVISIONS OF**
 6 **LAW.**

7 “No provision of law that is inconsistent with any
 8 provision of this title shall be considered to supersede, re-
 9 peal, or otherwise modify a provision of this title unless
 10 such other provision of law specifically cites a provision
 11 of this title in order to supersede, repeal, or otherwise
 12 modify that provision of this title.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
 14 tions at the beginning of the National Security Act
 15 of 1947 is amended by inserting after the item relat-
 16 ing to section 1205, as added by section 503, the
 17 following new item:

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

18 **SEC. 508. SEVERABILITY.**

19 If any provision of this title, any amendment made
 20 by this title, or the application thereof to any person or
 21 circumstances is held invalid, the validity of the remainder
 22 of the title, of any such amendments, and of the applica-
 23 tion of such provisions to other persons and circumstances
 24 shall not be affected thereby.

1 **TITLE VI—MATTERS RELATING**
2 **TO EMERGING TECHNOLOGIES**

3 **SEC. 601. MODIFICATIONS TO DUTIES OF DIRECTOR OF**
4 **SCIENCE AND TECHNOLOGY.**

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

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

9 “(a) DIRECTOR OF SCIENCE AND TECHNOLOGY.—

10 “(1) DIRECTOR OF SCIENCE AND TECH-
11 NOLOGY.—There is a Director of Science and Tech-
12 nology within the Office of the Director of National
13 Intelligence who shall be appointed by and shall re-
14 port directly to the Director of National Intelligence.

15 “(2) QUALIFICATIONS FOR APPOINTMENT.—
16 The Director of Science and Technology shall be ap-
17 pointed from among Federal employees and shall
18 have a professional background and experience ap-
19 propriate for the duties of the Director of Science
20 and Technology.

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

23 “(A) leading the strategic vision for and
24 prioritization of covered activities of the intel-
25 ligence community; and

1 “(B) providing science and technological
2 expertise for intelligence analyses conducted by
3 the intelligence community with respect to cov-
4 ered activities of foreign adversaries, as re-
5 quested.

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

8 “(1) act as the primary advisor to the Director
9 of National Intelligence regarding the science and
10 technology of the intelligence community;

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

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

15 “(4) assist the Director of National Intelligence
16 in developing elements of the budget of the Office of
17 the Director of National Intelligence and the intel-
18 ligence community that relate to—

19 “(A) covered activities of the intelligence
20 community; or

21 “(B) covered activities of foreign adver-
22 saries;

23 “(5) on behalf of the Director of National Intel-
24 ligence—

1 “(A) lead the development and oversee the
 2 planning of a long-term strategy for covered ac-
 3 tivities of the intelligence community; and

4 “(B) lead the prioritization of such activi-
 5 ties;

6 “(6) share knowledge to help ensure that the
 7 intelligence community has the scientific and techno-
 8 logical expertise necessary to fulfill national and
 9 military intelligence priorities relating to the
 10 progress of foreign adversaries in covered activities;
 11 and

12 “(7) perform other such duties as may be as-
 13 signed by the Director of National Intelligence or
 14 specified by law.

15 “(c) NATIONAL INTELLIGENCE SCIENCE AND TECH-
 16 NOLOGY COMMITTEE.—

17 “(1) COMMITTEE.—There is within the Office
 18 of the Director of Science and Technology a Na-
 19 tional Intelligence Science and Technology Com-
 20 mittee, which shall be chaired by the Director of
 21 Science and Technology.

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

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

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

5 “(3) COORDINATION.—The Committee shall co-
6 ordinate the covered activities of the intelligence
7 community, including by—

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

11 “(B) assisting the Director of Science and
12 Technology in developing recommendations for
13 the Director of National Intelligence on the
14 prioritization of such activities;

15 “(C) assisting the Director of Science and
16 Technology in identifying changes to existing
17 programs and resources necessary for the ad-
18 vancement of such activities;

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

21 “(i) document the scientific and tech-
22 nological needs of each element of the in-
23 telligence community;

1 “(ii) document any anticipated or
2 planned projects, programs, or related ac-
3 tivities to address such needs; and

4 “(iii) provide information and regular
5 updates to other members of the Com-
6 mittee on ongoing covered activities of the
7 intelligence community and related projects
8 and programs (including information and
9 updates on work sponsored at federally
10 funded research and development centers),
11 in order to avoid duplicative efforts among
12 the elements of the intelligence community;
13 and

14 “(E) maintaining comprehensive and per-
15 sistent visibility into capabilities, assets, and
16 talents in science, technology, or engineering
17 that—

18 “(i) are available to the intelligence
19 community at federally funded research
20 and development centers; and

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

23 “(4) INTELLIGENCE ANALYSES.—The Com-
24 mittee may provide scientific and technological ex-
25 pertise and advice on analyses conducted by the in-

1 intelligence community on scientific and technological
2 research and development achievements of foreign
3 adversaries that affect the national security of the
4 United States, including by—

5 “(A) coordinating with (and deconflicting
6 with as appropriate) the National Intelligence
7 Officer for Science and Technology of the Office
8 of the Director of National Intelligence with re-
9 spect to threats posed by such achievements;

10 “(B) identifying investments and advance-
11 ments made by foreign adversaries in pursuit of
12 such achievements and communicating the iden-
13 tifications to policymakers and the Armed
14 Forces of the United States;

15 “(C) providing intelligence to assist na-
16 tional and military customers in identifying and
17 prioritizing technically and operationally fea-
18 sible applications of such achievements;

19 “(D) advising policymakers and the Armed
20 Forces of the United States on vulnerabilities of
21 the United States that may be revealed, ex-
22 ploited, or otherwise implicated by foreign ad-
23 versaries through such achievements; and

24 “(E) collaborating with the heads of com-
25 ponents of elements of the intelligence commu-

1 nity, including the Open Source Enterprise and
2 the Department of Defense Open Source Coun-
3 cil (or any related successor component) and
4 other appropriate entities, to analyze and ex-
5 ploit open-source science and technology intel-
6 ligence.

7 “(d) REPORTS.—

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

11 “(A) a report on the efforts of the Na-
12 tional Intelligence Science and Technology
13 Committee; and

14 “(B) a report that—

15 “(i) addresses the status of covered
16 activities of the intelligence community, in-
17 cluding any advancements made with re-
18 spect to such activities; and

19 “(ii) includes a submission from the
20 head of each element of the intelligence
21 community describing any covered activi-
22 ties sponsored by that element at a feder-
23 ally funded research and development cen-
24 ter during the most recent calendar year.

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

3 “(e) DEFINITIONS.—In this section:

4 “(1) COVERED ACTIVITIES.—The term ‘covered
5 activities’ means scientific and technological research
6 and development activities.

7 “(2) OPEN-SOURCE SCIENCE AND TECHNOLOGY
8 INTELLIGENCE.—The term ‘open-source science and
9 technology intelligence’ means information of intel-
10 ligence value regarding scientific and technological
11 developments that appears in print or electronic
12 form, including radio, television, newspapers, jour-
13 nals, the internet, commercial databases, videos,
14 graphics, drawings, or any other publicly available
15 source.”.

16 (b) INITIAL REPORTS.—

17 (1) REPORT ON EFFORTS.—Not later than 1
18 year after the date of the enactment of this Act, the
19 Director of National Intelligence shall submit the
20 first report under section 103E(d)(1)(A) of the Na-
21 tional Security Act of 1947, as amended by sub-
22 section (a).

23 (2) REPORTS ON ASSESSMENT AND COVERED
24 ACTIVITIES.—Not later than 180 days after the date
25 of the enactment of this Act, the Director of Na-

1 tional Intelligence shall submit the first reports
 2 under subparagraphs (B) and (C) of section
 3 103E(d)(1) of the National Security Act of 1947, as
 4 amended by subsection (a).

5 **SEC. 602. ANNUAL REPORTS ON RESEARCH AND DEVELOP-**
 6 **MENT FOR SCIENTIFIC AND TECHNOLOGICAL**
 7 **ADVANCEMENTS.**

8 (a) REPORTS.—Title XI of the National Security Act
 9 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
 10 305, is amended by adding at the end the following new
 11 section:

12 **“SEC. 1110. ANNUAL REPORTS ON RESEARCH AND DEVEL-**
 13 **OPMENT FOR SCIENTIFIC AND TECHNO-**
 14 **LOGICAL ADVANCEMENTS.**

15 “(a) REQUIREMENT.—On an annual basis, the Direc-
 16 tor of National Intelligence shall submit to the appropriate
 17 congressional committees a report on research and devel-
 18 opment activities conducted by adversaries of the United
 19 States regarding scientific and technological advance-
 20 ments.

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

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

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

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

6 (b) CLERICAL AMENDMENT.—The table of contents
 7 at the beginning of the National Security Act of 1947 is
 8 amended by inserting after the item relating to section
 9 1109, as added by section 305, the following new item:

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

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

15 **SEC. 603. IMPROVEMENT OF EDUCATION IN SCIENCE,**
 16 **TECHNOLOGY, ENGINEERING, ARTS, AND**
 17 **MATHEMATICS.**

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

21 **“SEC. 1003. IMPROVEMENT OF EDUCATION IN SCIENCE,**
 22 **TECHNOLOGY, ENGINEERING, ARTS, AND**
 23 **MATHEMATICS.**

24 “(a) DEFINITIONS.—In this section:

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

6 “(2) EDUCATIONAL INSTITUTION.—The term
7 ‘educational institution’ includes any public or pri-
8 vate elementary school or secondary school, institu-
9 tion of higher education, college, university, or any
10 other profit or nonprofit institution that is dedicated
11 to improving science, technology, engineering, the
12 arts, mathematics, business, law, medicine, or other
13 fields that promote development and education relat-
14 ing to science, technology, engineering, the arts,
15 mathematics, business, law, and medicine.

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

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

23 “(1) identify actions that the head may take to
24 improve education in the scientific, technology, engi-
25 neering, the arts, and mathematics (known as

1 ‘STEAM’) skills necessary to meet the long-term na-
2 tional security needs of the United States for per-
3 sonnel proficient in such skills; and

4 “(2) establish and conduct programs to carry
5 out such actions.

6 “(c) AUTHORITIES.—

7 “(1) IN GENERAL.—The head of an element of
8 the intelligence community, in support of educational
9 programs in science, technology, engineering, the
10 arts, and mathematics, may—

11 “(A) award grants to eligible entities;

12 “(B) provide cash awards and other items
13 to eligible entities;

14 “(C) accept voluntary services from eligible
15 entities;

16 “(D) support national competition judging,
17 other educational event activities, and associ-
18 ated award ceremonies in connection with such
19 educational programs; and

20 “(E) enter into one or more education
21 partnership agreements with educational insti-
22 tutions in the United States for the purpose of
23 encouraging and enhancing study in science,
24 technology, engineering, the arts, and mathe-
25 matics disciplines at all levels of education.

1 “(2) EDUCATION PARTNERSHIP AGREE-
2 MENTS.—

3 “(A) NATURE OF ASSISTANCE PRO-
4 VIDED.—Under an education partnership agree-
5 ment entered into with an educational institu-
6 tion under paragraph (1)(E), the head of an
7 element of the intelligence community may pro-
8 vide assistance to the educational institution
9 by—

10 “(i) loaning equipment to the edu-
11 cational institution for any purpose and
12 duration in support of such agreement that
13 the head considers appropriate;

14 “(ii) making personnel available to
15 teach science courses or to assist in the de-
16 velopment of science courses and materials
17 for the educational institution;

18 “(iii) providing sabbatical opportuni-
19 ties for faculty and internship opportuni-
20 ties for students;

21 “(iv) involving faculty and students of
22 the educational institution in projects of
23 that element of the intelligence community,
24 including research and technology transfer
25 or transition projects;

1 “(v) cooperating with the educational
2 institution in developing a program under
3 which students may be given academic
4 credit for work on projects of that element
5 of the intelligence community, including re-
6 search and technology transfer for transi-
7 tion projects; and

8 “(vi) providing academic and career
9 advice and assistance to students of the
10 educational institution.

11 “(B) PRIORITIES.—In entering into edu-
12 cation partnership agreements under paragraph
13 (1)(E), the head of an element of the intel-
14 ligence community shall prioritize entering into
15 education partnership agreements with the fol-
16 lowing:

17 “(i) Historically Black colleges and
18 universities and other minority-serving in-
19 stitutions, as described in section 371(a) of
20 the Higher Education Act of 1965 (20
21 U.S.C. 1067q(a)).

22 “(ii) Educational institutions serving
23 women, members of minority groups, and
24 other groups of individuals who tradition-
25 ally are involved in the science, technology,

1 engineering, arts, and mathematics profes-
2 sions in disproportionately low numbers.

3 “(d) DESIGNATION OF ADVISOR.—Each head of an
4 element of the intelligence community shall designate one
5 or more individuals within that element to advise and as-
6 sist the head regarding matters relating to science, tech-
7 nology, engineering, the arts, and mathematics education
8 and training.

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

13 (b) CLERICAL AMENDMENT.—The table of contents
14 at the beginning of the National Security Act is amended
15 by inserting after the item relating to section 1002 the
16 following new item:

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

17 **SEC. 604. QUARTERLY REPORTS ON CYBER INTELLIGENCE,**
18 **SURVEILLANCE, AND RECONNAISSANCE AC-**
19 **TIVITIES OF THE DEPARTMENT OF DEFENSE.**

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

1 **“SEC. 503A. QUARTERLY REPORTS ON CYBER INTEL-**
 2 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
 3 **SANCE ACTIVITIES OF THE DEPARTMENT OF**
 4 **DEFENSE.**

5 “On a quarterly basis, the Secretary of Defense shall
 6 submit to the congressional intelligence committees and
 7 the congressional defense committees (as defined in sec-
 8 tion 101(a) of title 10, United States Code) a report on
 9 the cyber intelligence, surveillance, and reconnaissance ac-
 10 tivities of the Department of Defense, and any other mat-
 11 ters the Secretary determines appropriate, that occurred
 12 during the quarter preceding the date of the submission
 13 of the report.”.

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

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

17 **SEC. 605. PROCESS FOR IDENTIFYING CYBER THREAT IN-**
 18 **TELLIGENCE NEEDS AND PRIORITIES.**

19 (a) SOLICITATION AND COMPILATION OF INFORMA-
 20 TION.—

21 (1) PROCESS.—Not later than 180 days after
 22 the date of the enactment of this Act, the Director
 23 of National Intelligence, in coordination with the
 24 Secretary of Homeland Security and Sector-Specific

1 Agencies the Director determines appropriate, shall
2 establish a formal process to solicit and compile in-
3 formation needs of covered entities to improve the
4 defenses of such entities against foreign cybersecu-
5 rity threats.

6 (2) RECURRENT INPUT.—The Director shall
7 ensure that the information compiled under para-
8 graph (1) is current by continuing to solicit and
9 compile information under such paragraph as fol-
10 lows:

11 (A) By not later than 30 days after the
12 date on which the Director first establishes the
13 process under such paragraph.

14 (B) On a biennial basis thereafter.

15 (b) EVALUATION.—Using the information solicited
16 and compiled under subsection (a), and using any other
17 intelligence information and processes, the Director, in co-
18 ordination with the Secretary, shall conduct an evaluation
19 with respect to the intelligence needs relating to foreign
20 cybersecurity threats. Such evaluation shall—

21 (1) identify common technologies or inter-
22 dependencies that are likely to be targeted by na-
23 tion-state adversaries;

24 (2) identify foreign intelligence gaps regarding
25 foreign cybersecurity threats to covered entities;

1 (3) identify and execute methods of empowering
2 Sector-Specific Agencies to—

3 (A) identify specific critical lines of busi-
4 nesses, technologies, and processes within their
5 respective sectors; and

6 (B) coordinate directly with the intelligence
7 community regarding sector-specific cybersecu-
8 rity threat; and

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

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

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

19 (2) evaluates the success of the intelligence
20 community in sharing relevant, actionable cybersecu-
21 rity threat intelligence with such entities; and

22 (3) addresses any legislative or policy changes
23 necessary to enhance the cybersecurity of such enti-
24 ties.

25 (d) DEFINITIONS.—In this section:

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

4 (A) The congressional intelligence commit-
5 tees.

6 (B) The Committee on Homeland Security
7 and the Committee on Armed Services of the
8 House of Representatives.

9 (C) The Committee on Homeland Security
10 and Governmental Affairs and the Committee
11 on Armed Services of the Senate.

12 (2) COVERED ENTITIES.—The term “covered
13 entities” means owners and operators of critical in-
14 frastructure.

15 (3) CRITICAL INFRASTRUCTURE.—The term
16 “critical infrastructure” has the meaning given that
17 term in section 1016(e) of the USA PATRIOT Act
18 (42 U.S.C. 5195c(e)).

19 (4) CYBERSECURITY THREAT.—The term “cy-
20 bersecurity threat” has the meaning given that term
21 in section 2201(3) of the Homeland Security Act of
22 2002 (6 U.S.C. 651(3)).

23 (5) SECTOR-SPECIFIC AGENCY.—The term
24 “Sector-Specific Agency” has the meaning given

1 that term in section 2201(5) of the Homeland Secu-
2 rity Act of 2002 (6 U.S.C. 651(5)).

3 **SEC. 606. REVIEWS OF INTELLIGENCE COMMUNITY CYBER**
4 **THREAT SHARING POSTURE AND NATIONAL**
5 **SECURITY DIRECTIVE 42.**

6 (a) REVIEW OF CYBERSECURITY THREATS.—

7 (1) IN GENERAL.—The Director of National In-
8 telligence, after coordinating with the Secretary of
9 Homeland Security, shall conduct a review of appli-
10 cable laws, policies, procedures, and resources of the
11 intelligence community that apply to the intelligence
12 community’s understanding of cybersecurity threats
13 to covered entities. Such review shall address the
14 ability of the intelligence community to share cyber
15 threat information with the Federal departments
16 and agencies responsible for providing warning and
17 indicators to covered entities to enable them to de-
18 fend against such threats.

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

22 (A) The capabilities and limitations of the
23 intelligence community in collection on foreign
24 adversary malicious cyber activity targeting cov-
25 ered entities.

1 (B) The ability of the intelligence commu-
2 nity to share cyber threat intelligence informa-
3 tion with covered entities.

4 (C) Procedures for the sanitization and de-
5 classification of intelligence, including the effi-
6 ciency of such procedures.

7 (D) Which criteria and procedures should
8 be implemented to identify intelligence commu-
9 nity products for expedited sharing.

10 (E) Current and projected national intel-
11 ligence requirements that relate to cybersecurity
12 threats to covered entities.

13 (F) Budgetary changes to ensure that the
14 intelligence community is postured to provide
15 adequate indicators and warning of cybersecu-
16 rity threats to covered entities.

17 (3) REPORT TO CONGRESS.—

18 (A) IN GENERAL.—Not later than Decem-
19 ber 31, 2021, the Director of National Intel-
20 ligence shall submit to the appropriate congres-
21 sional committees a report on the review re-
22 quired under this subsection.

23 (B) FORM OF REPORT.—The report re-
24 quired under subparagraph (A) may be sub-
25 mitted in classified or unclassified form. If such

1 report is submitted in unclassified form, it may
2 include a classified annex.

3 (b) REVIEW OF NATIONAL SECURITY DIRECTIVE
4 42.—Not later than December 31, 2021, the Secretary of
5 Defense and the Director of National Intelligence shall
6 submit to the appropriate congressional committees a re-
7 port containing the results of a review of the implementa-
8 tion and effectiveness of National Security Directive 42,
9 with a specific focus on the role of the National Manager
10 for National Security Systems. Such review shall in-
11 clude—

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

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

16 (3) recommendations to improve the cybersecu-
17 rity posture of national security assets, including
18 such assets controlled or accessed by covered enti-
19 ties.

20 (c) DEFINITIONS.—In this section:

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

1 (A) the Select Committee on Intelligence
 2 and the Committee on Homeland Security and
 3 Governmental Affairs of the Senate; and

4 (B) the Permanent Select Committee on
 5 Intelligence and the Committee on Homeland
 6 Security of the House of Representatives.

7 (2) COVERED ENTITIES.—The term “covered
 8 entities” means—

9 (A) owners and operators of critical infra-
 10 structure; and

11 (B) academic institutions in the United
 12 States, corporations incorporated in the United
 13 States, and corporations operating inside the
 14 United States.

15 **SEC. 607. FEASIBILITY STUDY ON CYBERSECURITY POLI-**
 16 **CIES OF CONTRACTORS OF OWNER OR OPER-**
 17 **ATORS OF NATIONAL SECURITY SYSTEMS .**

18 (a) STUDY.—Not later than one year after the date
 19 of the enactment of this Act, the Director of the National
 20 Security Agency shall conduct a feasibility study with re-
 21 spect to requiring contractors (including subcontractors)
 22 of departments or agencies of the Federal Government
 23 that own or operate national security systems to imple-
 24 ment mandatory cybersecurity policies or defensive meas-
 25 ures. The study shall include—

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

4 (2) whether there are sufficient legal and policy
5 authorities in place to implement such mandatory
6 cybersecurity policies or defensive measures;

7 (3) a description of enforcement mechanisms
8 for such mandatory cybersecurity policies or defen-
9 sive measures; and

10 (4) the timeline for implementation of such
11 mandatory cybersecurity policies or defensive meas-
12 ures.

13 (b) BRIEFINGS.—Not later than 90 days after the
14 date of the enactment of this Act, and quarterly thereafter
15 during the one-year period following the date of such en-
16 actment, the Director shall provide to the congressional
17 intelligence committees and the Committees on Armed
18 Services of the House of Representatives and the Senate
19 a briefing on the study.

20 (c) DEFINITIONS.—In this section:

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

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

5 **SEC. 608. ARTIFICIAL INTELLIGENCE RESEARCH AND DE-**
6 **VELOPMENT.**

7 (a) FINDINGS; SENSE OF CONGRESS.—

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

9 (A) All elements of the intelligence commu-
10 nity employ artificial intelligence in some form,
11 and the artificial intelligence research and de-
12 velopment efforts of many of the elements over-
13 lap;

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

17 (C) siloed artificial intelligence research
18 and development inefficiently splits resources
19 across the intelligence community leading to du-
20 plicative and less effective capabilities;

21 (D) developing state-of-the-art artificial in-
22 telligence capabilities requires large quantities
23 of training data, computing power, and subject
24 matter expertise;

1 (E) research and development is the larg-
2 est cost driver for artificial intelligence capabili-
3 ties but once developed, artificial intelligence
4 capabilities are generally inexpensive to provide
5 to more users;

6 (F) the Director of National Intelligence
7 has addressed similar challenges in the realm of
8 information technology through the IC IT En-
9 terprise initiative;

10 (G) the IC IT Enterprise initiative has
11 successfully consolidated capabilities like cloud
12 computing and identity management into intel-
13 ligence community-wide capabilities, primarily
14 by selecting executive agents from within the
15 intelligence community to take the lead in their
16 respective areas of interest and excellence; and

17 (H) the Augmenting Intelligence through
18 Machines initiative of the Office of the Director
19 of National Intelligence has centralized stra-
20 tegic thinking in its strategy for augmenting in-
21 telligence using machines but has not suffi-
22 ciently coordinated the artificial intelligence and
23 machine learning research programs of the in-
24 telligence community to encourage efficiency
25 and avoid duplication of effort.

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

3 (A) consolidating the resources of the intel-
4 ligence community regarding artificial intel-
5 ligence research and development to carry out
6 intelligence community-wide efforts would yield
7 economies of scale and improve mission out-
8 comes; and

9 (B) the Augmenting Intelligence through
10 Machines initiative of the Office of the Director
11 of National Intelligence should lead such ef-
12 forts.

13 (b) AI PROJECT IDENTIFICATION.—Not later than
14 180 days after the date of the enactment of this Act, the
15 Director of National Intelligence, in consultation with the
16 Chief Information Officer of the Intelligence Community,
17 the Chief Data Officer of the Intelligence Community, the
18 Director of Science and Technology of the Office of the
19 Director of National Intelligence, and the heads of ele-
20 ments of the intelligence community the Director deter-
21 mines appropriate, shall identify research areas, applica-
22 tions, supporting technologies, and infrastructure regard-
23 ing artificial intelligence that—

24 (1) would advance the mission of multiple ele-
25 ments of the intelligence community, with an empha-

1 sis in areas that are already being worked on by
2 multiple elements;

3 (2) can be either assigned to an executive agent
4 or addressed by a joint research and development ef-
5 fort; and

6 (3) have the potential to significantly impact in-
7 telligence outcomes or the efficiency of the intel-
8 ligence community.

9 (c) IMPLEMENTATION PLAN.—

10 (1) DEVELOPMENT.—With respect to each re-
11 search area, application, supporting technology, or
12 infrastructure identified under subsection (b), the
13 Director shall develop an implementation plan to
14 consolidate research and development, program man-
15 agement, acquisition, and sustainment into an intel-
16 ligence community-wide effort that results in intel-
17 ligence community-wide capabilities. Each such plan
18 shall include—

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

22 (B) recommendations to overcome such
23 barriers.

24 (2) SUBMISSION.—Not later than 180 days
25 after the date on which the Director identifies a re-

1 search area, application, supporting technology, or
2 infrastructure under subsection (b), the Director
3 shall submit to the congressional intelligence com-
4 mittees the plan under paragraph (1).

5 **SEC. 609. SEEDLING INVESTMENT IN NEXT-GENERATION**
6 **MICROELECTRONICS IN SUPPORT OF ARTIFI-**
7 **CIAL INTELLIGENCE.**

8 (a) FINDINGS.—Congress finds that—

9 (1) developing faster, more energy efficient, and
10 more resilient computing is important to the future
11 of the national security of the United States and the
12 leadership by the United States in artificial intel-
13 ligence; and

14 (2) multidisciplinary teams co-designing micro-
15 electronics for artificial intelligence will lead to un-
16 precedented capabilities that will help ensure that
17 the United States maintains its superiority in this
18 worldwide competition for economic and national se-
19 curity.

20 (b) AWARDS FOR RESEARCH AND DEVELOPMENT.—

21 The Director of National Intelligence, acting through the
22 Director of the Intelligence Advanced Research Projects
23 Activity, shall award contracts or grants, or enter into
24 transactions other than contracts, to encourage microelec-
25 tronics research.

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

5 (1) Advanced engineering and applied research
6 into novel computing models, materials, devices, ar-
7 chitectures, or algorithms to enable the advancement
8 of artificial intelligence and machine learning.

9 (2) Research efforts to—

10 (A) overcome challenges with engineering
11 and applied research of microelectronics, includ-
12 ing with respect to the physical limits on tran-
13 sistors, electrical interconnects, and memory
14 elements; or

15 (B) promote long-term advancements in
16 computing technologies, including by fostering a
17 unified and multidisciplinary approach encom-
18 passing research and development into algo-
19 rithm design, computing architectures, micro-
20 electronic devices and circuits, and the chem-
21 istry and physics of new materials.

22 (3) Any other activity the Director determines
23 would promote the development of microelectronics
24 research.

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

5 **TITLE VII—PROTECTION OF**
6 **ELECTIONS FROM FOREIGN**
7 **INFLUENCE**
8 **Subtitle A—Foreign Influence**
9 **Reporting in Elections**

10 **SEC. 701. FEDERAL CAMPAIGN REPORTING OF FOREIGN**
11 **CONTACTS.**

12 (a) INITIAL NOTICE.—

13 (1) IN GENERAL.—Section 304 of the Federal
14 Election Campaign Act of 1971 (52 U.S.C. 30104)
15 is amended by adding at the end the following new
16 subsection:

17 “(j) DISCLOSURE OF REPORTABLE FOREIGN CON-
18 TACTS.—

19 “(1) COMMITTEE OBLIGATION TO NOTIFY.—
20 Not later than 1 week after a reportable foreign con-
21 tact, each political committee shall notify the Fed-
22 eral Bureau of Investigation and the Commission of
23 the reportable foreign contact and provide a sum-
24 mary of the circumstances with respect to such re-
25 reportable foreign contact. The Federal Bureau of In-

1 vestigation, not later than 1 week after receiving a
2 notification from a political committee under this
3 paragraph, shall submit to the political committee,
4 the Permanent Select Committee on Intelligence of
5 the House of Representatives, and the Select Com-
6 mittee on Intelligence of the Senate written or elec-
7 tronic confirmation of receipt of the notification.

8 “(2) INDIVIDUAL OBLIGATION TO NOTIFY.—
9 Not later than 3 days after a reportable foreign con-
10 tact—

11 “(A) each candidate and each immediate
12 family member of a candidate shall notify the
13 treasurer or other designated official of the
14 principal campaign committee of such candidate
15 of the reportable foreign contact and provide a
16 summary of the circumstances with respect to
17 such reportable foreign contact; and

18 “(B) each official, employee, or agent of a
19 political committee shall notify the treasurer or
20 other designated official of the committee of the
21 reportable foreign contact and provide a sum-
22 mary of the circumstances with respect to such
23 reportable foreign contact.

24 “(3) REPORTABLE FOREIGN CONTACT.—In this
25 subsection:

1 “(A) IN GENERAL.—The term ‘reportable
2 foreign contact’ means any direct or indirect
3 contact or communication that—

4 “(i) is between—

5 “(I) a candidate, an immediate
6 family member of the candidate, a po-
7 litical committee, or any official, em-
8 ployee, or agent of such committee;
9 and

10 “(II) an individual that the per-
11 son described in subclause (I) knows,
12 has reason to know, or reasonably be-
13 lieves is a covered foreign national;
14 and

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

18 “(I) an offer or other proposal
19 for a contribution, donation, expendi-
20 ture, disbursement, or solicitation de-
21 scribed in section 319; or

22 “(II) coordination or collabora-
23 tion with, an offer or provision of in-
24 formation or services to or from, or
25 persistent and repeated contact with,

1 a covered foreign national in connec-
2 tion with an election.

3 “(B) EXCEPTIONS.—

4 “(i) CONTACTS IN OFFICIAL CAPACITY
5 AS ELECTED OFFICIAL.—The term ‘report-
6 able foreign contact’ shall not include any
7 contact or communication with a covered
8 foreign national by an elected official or an
9 employee of an elected official solely in an
10 official capacity as such an official or em-
11 ployee.

12 “(ii) CONTACTS FOR PURPOSES OF
13 ENABLING OBSERVATION OF ELECTIONS
14 BY INTERNATIONAL OBSERVERS.—The
15 term ‘reportable foreign contact’ shall not
16 include any contact or communication with
17 a covered foreign national by any person
18 which is made for purposes of enabling the
19 observation of elections in the United
20 States by a foreign national or the obser-
21 vation of elections outside of the United
22 States by a candidate, political committee,
23 or any official, employee, or agent of such
24 committee.

1 “(iii) EXCEPTIONS NOT APPLICABLE
2 IF CONTACTS OR COMMUNICATIONS IN-
3 VOLVE PROHIBITED DISBURSEMENTS.—A
4 contact or communication by an elected of-
5 ficial or an employee of an elected official
6 shall not be considered to be made solely
7 in an official capacity for purposes of
8 clause (i), and a contact or communication
9 shall not be considered to be made for pur-
10 poses of enabling the observation of elec-
11 tions for purposes of clause (ii), if the con-
12 tact or communication involves a contribu-
13 tion, donation, expenditure, disbursement,
14 or solicitation described in section 319.

15 “(C) COVERED FOREIGN NATIONAL DE-
16 FINED.—

17 “(i) IN GENERAL.—In this paragraph,
18 the term ‘covered foreign national’
19 means—

20 “(I) a foreign principal (as de-
21 fined in section 1(b) of the Foreign
22 Agents Registration Act of 1938 (22
23 U.S.C. 611(b))) that is a government
24 of a foreign country or a foreign polit-
25 ical party;

1 “(II) any person who acts as an
2 agent, representative, employee, or
3 servant, or any person who acts in
4 any other capacity at the order, re-
5 quest, or under the direction or con-
6 trol, of a foreign principal described in
7 subclause (I) or of a person any of
8 whose activities are directly or indi-
9 rectly supervised, directed, controlled,
10 financed, or subsidized in whole or in
11 major part by a foreign principal de-
12 scribed in subclause (I); or

13 “(III) any person included in the
14 list of specially designated nationals
15 and blocked persons maintained by
16 the Office of Foreign Assets Control
17 of the Department of the Treasury
18 pursuant to authorities relating to the
19 imposition of sanctions relating to the
20 conduct of a foreign principal de-
21 scribed in subclause (I).

22 “(ii) CLARIFICATION REGARDING AP-
23 PLICATION TO CITIZENS OF THE UNITED
24 STATES.—In the case of a citizen of the
25 United States, subclause (II) of clause (i)

1 applies only to the extent that the person
2 involved acts within the scope of that per-
3 son's status as the agent of a foreign prin-
4 cipal described in subclause (I) of clause
5 (i).

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

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

14 (b) INFORMATION INCLUDED ON REPORT.—

15 (1) IN GENERAL.—Section 304(b) of such Act
16 (52 U.S.C. 30104(b)) is amended—

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

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

21 (C) by adding at the end the following new
22 paragraph:

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

1 “(A) the date, time, and location of the
2 contact;

3 “(B) the date and time of when a des-
4 ignated official of the committee was notified of
5 the contact;

6 “(C) the identity of individuals involved;
7 and

8 “(D) a description of the contact, including
9 the nature of any contribution, donation, ex-
10 penditure, disbursement, or solicitation involved
11 and the nature of any activity described in sub-
12 section (j)(3)(A)(ii)(II) involved.”.

13 (2) EFFECTIVE DATE.—The amendment made
14 by paragraph (1) shall apply with respect to reports
15 filed on or after the expiration of the 60-day period
16 which begins on the date of the enactment of this
17 Act.

18 **SEC. 702. FEDERAL CAMPAIGN FOREIGN CONTACT RE-**
19 **PORTING COMPLIANCE SYSTEM.**

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

23 “(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE
24 POLICY.—

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

8 “(2) RETENTION AND PRESERVATION OF
9 RECORDS.—Each political committee shall establish
10 a policy that provides for the retention and preserva-
11 tion of records and information related to reportable
12 foreign contacts (as so defined) for a period of not
13 less than 3 years.

14 “(3) CERTIFICATION.—

15 “(A) IN GENERAL.—Upon filing its state-
16 ment of organization under section 303(a), and
17 with each report filed under section 304(a), the
18 treasurer of each political committee (other
19 than an authorized committee) shall certify
20 that—

21 “(i) the committee has in place poli-
22 cies that meet the requirements of para-
23 graphs (1) and (2);

1 “(ii) the committee has designated an
2 official to monitor compliance with such
3 policies; and

4 “(iii) not later than 1 week after the
5 beginning of any formal or informal affili-
6 ation with the committee, all officials, em-
7 ployees, and agents of such committee
8 will—

9 “(I) receive notice of such poli-
10 cies;

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

13 “(III) sign a certification affirm-
14 ing their understanding of such poli-
15 cies and prohibitions.

16 “(B) AUTHORIZED COMMITTEES.—With
17 respect to an authorized committee, the can-
18 didate shall make the certification required
19 under subparagraph (A).”.

20 (b) EFFECTIVE DATE.—

21 (1) IN GENERAL.—The amendment made by
22 subsection (a) shall apply with respect to political
23 committees which file a statement of organization
24 under section 303(a) of the Federal Election Cam-

1 campaign Act of 1971 (52 U.S.C. 30103(a)) on or after
2 the date of the enactment of this Act.

3 (2) TRANSITION RULE FOR EXISTING COMMIT-
4 TEES.—Not later than 30 days after the date of the
5 enactment of this Act, each political committee
6 under the Federal Election Campaign Act of 1971
7 shall file a certification with the Federal Election
8 Commission that the committee is in compliance
9 with the requirements of section 302(j) of such Act
10 (as added by subsection (a)).

11 **SEC. 703. CRIMINAL PENALTIES.**

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

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

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

1 **SEC. 704. REPORT TO CONGRESSIONAL INTELLIGENCE**
2 **COMMITTEES.**

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

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

14 (1) The number of such notifications received
15 from political committees during the year covered by
16 the report.

17 (2) A description of protocols and procedures
18 developed by the Federal Bureau of Investigation re-
19 lating to receipt and maintenance of records relating
20 to such notifications.

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

25 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES
26 DEFINED.—In this section, the term “congressional intel-

1 ligence committees” has the meaning given that term in
2 section 3 of the National Security Act of 1947 (50 U.S.C.
3 3003).

4 **SEC. 705. RULE OF CONSTRUCTION.**

5 Nothing in this subtitle or the amendments made by
6 this subtitle shall be construed—

7 (1) to impede legitimate journalistic activities;

8 or

9 (2) to impose any additional limitation on the
10 right to express political views or to participate in
11 public discourse of any individual who—

12 (A) resides in the United States;

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

17 (C) is not lawfully admitted for permanent
18 residence, as defined by section 101(a)(20) of
19 the Immigration and Nationality Act (8 U.S.C.
20 1101(a)(20)).

Subtitle B—Foreign Influence
Reporting in Elections

SEC. 711. CLARIFICATION OF APPLICATION OF FOREIGN
MONEY BAN.

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

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

(b) CLARIFICATION OF APPLICATION OF FOREIGN
MONEY BAN TO ALL CONTRIBUTIONS AND DONATIONS

1 OF THINGS OF VALUE AND TO ALL SOLICITATIONS OF
2 CONTRIBUTIONS AND DONATIONS OF THINGS OF
3 VALUE.—Section 319(a) of such Act (52 U.S.C.
4 30121(a)) is amended—

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

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

12 (3) by amending paragraph (2) to read as fol-
13 lows:

14 “(2) a person to solicit, accept, or receive (di-
15 rectly or indirectly) a contribution or donation de-
16 scribed in subparagraph (A) or (B) of paragraph
17 (1), or to solicit, accept, or receive (directly or indi-
18 rectly) an express or implied promise to make such
19 a contribution or donation, from a foreign na-
20 tional.”.

21 (c) ENHANCED PENALTY FOR CERTAIN VIOLA-
22 TIONS.—

23 (1) IN GENERAL.—Section 309(d)(1) of such
24 Act (52 U.S.C. 30109(d)(1)), as amended by section

1 703, is further amended by adding at the end the
2 following new subparagraph:

3 “(G)(i) Any person who knowingly and willfully com-
4 mits a violation of section 319 which involves a foreign
5 national which is a government of a foreign country or
6 a foreign political party, or which involves a thing of value
7 consisting of the provision of opposition research, polling,
8 or other non-public information relating to a candidate for
9 election for a Federal, State, or local office for the purpose
10 of influencing the election, shall be fined under title 18,
11 United States Code, or imprisoned for not more than 5
12 years, or both.

13 “(ii) In clause (i), each of the terms ‘government of
14 a foreign country’ and ‘foreign political party’ has the
15 meaning given such term in section 1 of the Foreign
16 Agents Registration Act of 1938, as Amended (22 U.S.C.
17 611).”.

18 (2) EFFECTIVE DATE.—The amendment made
19 by paragraph (1) shall apply with respect to viola-
20 tions committed on or after the date of the enact-
21 ment of this Act.

22 **SEC. 712. REQUIRING ACKNOWLEDGMENT OF FOREIGN**
23 **MONEY BAN BY POLITICAL COMMITTEES.**

24 (a) PROVISION OF INFORMATION BY FEDERAL ELEC-
25 TION COMMISSION.—Section 303 of the Federal Election

1 Campaign Act of 1971 (52 U.S.C. 30103) is amended by
2 adding at the end the following new subsection:

3 “(e) ACKNOWLEDGMENT OF FOREIGN MONEY
4 BAN.—

5 “(1) NOTIFICATION BY COMMISSION.—Not later
6 than 30 days after a political committee files its
7 statement of organization under subsection (a), and
8 biennially thereafter until the committee terminates,
9 the Commission shall provide the committee with a
10 written explanation of section 319.

11 “(2) ACKNOWLEDGMENT BY COMMITTEE.—

12 “(A) IN GENERAL.—Not later than 30
13 days after receiving the written explanation of
14 section 319 under paragraph (1), the committee
15 shall transmit to the Commission a signed cer-
16 tification that the committee has received such
17 written explanation and has provided a copy of
18 the explanation to all members, employees, con-
19 tractors, and volunteers of the committee.

20 “(B) PERSON RESPONSIBLE FOR SIGNA-
21 TURE.—The certification required under sub-
22 paragraph (A) shall be signed—

23 “(i) in the case of an authorized com-
24 mittee of a candidate, by the candidate; or

1 “(ii) in the case of any other political
2 committee, by the treasurer of the com-
3 mittee.”.

4 (b) EFFECTIVE DATE; TRANSITION FOR EXISTING
5 COMMITTEES.—

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

12 (2) TRANSITION FOR EXISTING COMMITTEES.—

13 (A) NOTIFICATION BY FEDERAL ELECTION
14 COMMISSION.—Not later than 90 days after the
15 date of the enactment of this Act, the Federal
16 Election Commission shall provide each political
17 committee under such Act with the written ex-
18 planation of section 319 of such Act, as re-
19 quired under section 303(e)(1) of such Act (as
20 added by subsection (a)).

21 (B) ACKNOWLEDGMENT BY COMMITTEE.—

22 Not later than 30 days after receiving the writ-
23 ten explanation under subparagraph (A), each
24 political committee under such Act shall trans-
25 mit to the Federal Election Commission the

signed certification, as required under section 303(e)(2) of such Act (as added by subsection (a)).

**TITLE VIII—MATTERS RELATING
TO FOREIGN COUNTRIES
Subtitle A—Saudi Arabia and the
Middle East**

**SEC. 801. LIMITATION ON AVAILABILITY OF FUNDS UNTIL
SUBMISSION OF REQUIRED REPORT ON MUR-
DER OF JAMAL KHASHOGGI.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) There is a strong bipartisan conviction, shared widely throughout the legislative and executive branches of the United States Government and elsewhere, that ensuring full accountability for the brutal murder on October 2, 2018, of Jamal Khashoggi, a former Washington Post columnist and resident of the United States, is in the public interest and also the national interest of the United States.

(B) Section 5714 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (division E of Public Law 116–92;

1 133 Stat. 2173) required the Director of Na-
2 tional Intelligence to submit to Congress a writ-
3 ten report in “unclassified form” that includes
4 “identification of those who carried out, partici-
5 pated in, ordered, or were otherwise complicit in
6 or responsible for the death of Jamal
7 Khashoggi.”.

8 (C) Section 1277 of the National Defense
9 Authorization Act for Fiscal Year 2020 (Public
10 Law 116–92; 133 Stat. 1701) likewise obligated
11 the Director to submit to the Committee on
12 Foreign Affairs and the Permanent Select Com-
13 mittee on Intelligence of the House of Rep-
14 resentatives and the Committee on Foreign Re-
15 lations and the Select Committee on Intel-
16 ligence of the Senate a written report on the as-
17 sessment of the intelligence community regard-
18 ing Mr. Khashoggi’s brutal murder.

19 (D) Such section 1277 specifically called,
20 among other things, for a determination and
21 presentation of evidence with respect to the ad-
22 vance knowledge and role of any current or
23 former official of the Government of Saudi Ara-
24 bia or any current or former senior Saudi polit-
25 ical figure over the directing, ordering, or tam-

1 pering of evidence in relation to Mr.
2 Khashoggi's murder.

3 (E) Such section 1277 also required the
4 Director to submit a list of foreign persons
5 whom the Director has high confidence were re-
6 sponsible for, complicit in, or otherwise know-
7 ingly and materially assisted the murder, or im-
8 peded its impartial investigation, or who or-
9 dered or otherwise directed an act or acts con-
10 tributing to or causing the murder.

11 (F) Contrary to the unambiguous and law-
12 ful command of Congress under such sections
13 5714 and 1277, the Director did not produce
14 any unclassified report as required by either
15 such section, and instead, on February 20,
16 2020, the Director submitted to such commit-
17 tees a classified report, which the Director re-
18 ferred to as an "annex".

19 (G) The evident belief of the Director that
20 no unclassified information can be produced in
21 accordance with the directives of Congress is
22 dubious, in light of the extensive body of cred-
23 ible, unclassified reporting available regarding
24 the murder of Mr. Khashoggi, and the roles and

1 culpability of officials at the highest levels of
2 the Government of Saudi Arabia.

3 (2) SENSE OF CONGRESS.—It is the sense of
4 Congress that the Director of National Intelligence
5 should reasonably have been able to produce an un-
6 classified report pursuant to section 5714 of the
7 Damon Paul Nelson and Matthew Young Pollard In-
8 telligence Authorization Act for Fiscal Years 2018,
9 2019, and 2020 and section 1277 of the National
10 Defense Authorization Act for Fiscal Year 2020 that
11 did not alter or obscure, in any way, the intelligence
12 community’s core determinations, its presentation of
13 evidence, or identification of relevant persons, as re-
14 quired, without putting sources and methods at risk.

15 (b) LIMITATION.—

16 (1) IN GENERAL.—None of the funds author-
17 ized to be appropriated by this Act or otherwise
18 made available for fiscal year 2021 for any element
19 of the intelligence community may be obligated or
20 expended for the purposes described in paragraph
21 (2) until the date on which the Director of National
22 Intelligence makes public the covered annex pursu-
23 ant to subsection (d).

24 (2) PURPOSES DESCRIBED.—The purposes de-
25 scribed in this paragraph are any engagement or

1 interaction of any kind with the General Intelligence
2 Presidency of the Government of Saudi Arabia, or
3 any other intelligence or security service of the Gov-
4 ernment of Saudi Arabia, including with respect to
5 supporting, partnering, assisting, or otherwise co-
6 operating, directly or indirectly with the General In-
7 telligence Presidency or such services.

8 (3) EXCEPTION.—The limitation in paragraph
9 (1) shall not apply to sharing information with or
10 receiving from the Government of Saudi Arabia re-
11 garding—

12 (A) a threat of death or serious bodily
13 harm to any person; or

14 (B) law enforcement activities, including
15 with respect to cooperation between the Federal
16 Bureau of Investigation and the Government of
17 Saudi Arabia.

18 (c) DECLASSIFICATION REVIEW.—

19 (1) REQUIREMENT.—Not later than 90 days
20 after the date of the enactment of this Act, the Di-
21 rector, acting through the National Intelligence
22 Council, shall complete a declassification review of
23 the covered annex.

24 (2) CONDUCT OF REVIEW.—The declassification
25 review under paragraph (1) shall—

1 (A) be conducted in accordance with sec-
2 tion 1.7 of Executive Order No. 13526 (75 Fed.
3 Reg. 707; relating to classified national security
4 information) with respect to requiring that in
5 no case shall information be classified, continue
6 to be maintained as classified, or fail to be de-
7 classified in order to—

8 (i) conceal violations of law;

9 (ii) prevent embarrassment to a per-
10 son, organization, or agency; or

11 (iii) prevent or delay the release of in-
12 formation that does not require protecting
13 in the interest of the national security;

14 (B) evaluate and take into consideration
15 the full body of credible, open-source reporting
16 available to the intelligence community regard-
17 ing the murder of Jamal Khashoggi; and

18 (C) make public as much information con-
19 tained in the covered annex as possible.

20 (d) PUBLICATION AND SUBMISSION.—

21 (1) PUBLICATION.—Following the declassifica-
22 tion review of the covered annex under subsection
23 (c), the Director shall make public on the internet
24 website of the Director the covered annex. If the de-
25 classification review determines that any information

1 in the covered annex should remain classified, the
2 Director may redact such information in a manner
3 that—

4 (A) prevents public release of information
5 only to the extent necessary to protect specific,
6 identified harms to the national security of the
7 United States; and

8 (B) does not alter or obscure the deter-
9 minations of, presentation of evidence by, or
10 identification of relevant persons by, the intel-
11 ligence community with respect to the murder
12 of Jamal Khashoggi.

13 (2) SUBMISSION.—Not later than 15 days be-
14 fore the date on which the Director makes the cov-
15 ered annex public under paragraph (1), the Director
16 shall submit to the congressional intelligence com-
17 mittees a report on the redactions made by the Di-
18 rector under such paragraph, including, for each
19 such redaction, an explanation of how the redacted
20 information would harm the national security of the
21 United States despite the robust body of available
22 open-source reporting on the murder of Jamal
23 Khashoggi.

1 (3) FORM.—The report under paragraph (2)
2 shall be in unclassified form to the extent prac-
3 ticable, but may include a classified annex.

4 (e) COVERED ANNEX DEFINED.—In this section, the
5 term “covered annex” means the report regarding the
6 murder of Jamal Khashoggi submitted on February 20,
7 2020, by the Director of National Intelligence to the Com-
8 mittee on Foreign Affairs and the Permanent Select Com-
9 mittee on Intelligence of the House of Representatives and
10 the Committee on Foreign Relations and the Select Com-
11 mittee on Intelligence of the Senate.

12 **SEC. 802. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
13 **INTELLIGENCE SHARING RELATING TO CER-**
14 **TAIN AIR STRIKES IN YEMEN.**

15 (a) PROHIBITION.—Except as provided by subsection
16 (b), none of the funds authorized to be appropriated by
17 this Act or otherwise made available for fiscal year 2021
18 for any element of the intelligence community may be obli-
19 gated or expended to share intelligence for the purpose
20 of enabling or assisting air strikes in Yemen by the Saudi
21 Arabia-led coalition.

22 (b) EXCEPTION.—The prohibition under subsection
23 (a) shall not apply with respect to the sharing of intel-
24 ligence with Saudi Arabia for the purposes of countering
25 al-Qaeda, the Islamic State in Yemen, or other terrorist

1 groups that the intelligence community assesses to be op-
2 erating in Yemen and to pose a threat to the United
3 States.

4 **SEC. 803. REPORT ON UNDERSTANDING AND MITIGATING**
5 **CIVILIAN HARM FROM USE OF CERTAIN**
6 **WEAPONS SYSTEMS IN YEMEN.**

7 (a) SENSE OF CONGRESS; POLICY.—

8 (1) SENSE OF CONGRESS.—It is the sense of
9 Congress that it is in the national interest of the
10 United States that the United States that all parties
11 to the Yemen conflict comply with the law of armed
12 conflict.

13 (2) STATEMENT OF POLICY.—It is the policy of
14 the United States that credible evidence of gross vio-
15 lations of internationally recognized human rights by
16 the coalition led by Saudi Arabia in Yemen should
17 be a principal factor in United States decisions to
18 authorize the sale, transfer, or delivery of offensive
19 weapons and equipment to the Kingdom of Saudi
20 Arabia.

21 (b) REPORT.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the Director
24 of National Intelligence, in consultation with the
25 heads of relevant intelligence community entities,

1 shall submit to the appropriate congressional com-
2 mittees a report containing—

3 (A) a detailed description of any incident
4 that has occurred since 2015 in which Saudi
5 Arabia or one of its coalition partners has been
6 determined to have used United States weapons
7 against civilians or civilian objects in Yemen;

8 (B) for each such incident, the assessment
9 of the intelligence community as to whether the
10 leadership of Saudi Arabia took credible steps
11 following the incident to alter the conduct of its
12 armed forces; and

13 (C) an assessment of—

14 (i) efforts by the Government of Saudi
15 Arabia since 2015 to avoid dispropor-
16 tionate harm to civilians and civilian ob-
17 jects in Yemen;

18 (ii) whether United States assistance
19 to the Saudi-led coalition has led to a de-
20 monstrable decrease in civilians killed or
21 injured by Saudi-led airstrikes and damage
22 to civilian infrastructure;

23 (iii) the humanitarian and strategic
24 consequences of strikes against civilians in

1 Yemen for the broader Middle East region
2 and United States interests; and

3 (iv) the credibility of written assur-
4 ances officials of Saudi Arabia provided to
5 the United States Government in 2017, in-
6 cluding whether Saudi Arabia has taken
7 substantial and meaningful steps to adhere
8 to such assurances.

9 (2) SOURCES.—The report required under this
10 subsection shall be based on all available sources.

11 (3) DELAY OF SUBMITTAL.—If the Director de-
12 termines that the report cannot be submitted by the
13 date that is 30 days after the date of the enactment
14 of this Act, the Director shall, before such date—

15 (A) submit to the appropriate congres-
16 sional committees a report setting forth the rea-
17 sons why the report cannot be submitted by
18 such date and an estimated date for the sub-
19 mission of the report; and

20 (B) together with the relevant experts from
21 the National Intelligence Council and other rel-
22 evant elements of the intelligence community,
23 testify before the appropriate congressional
24 committees with respect to the issues to be cov-
25 ered by the report.

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

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion may be construed as authorizing the use of military
 6 force or sharing of intelligence with the Government of
 7 Saudi Arabia.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “appropriate congressional com-
 10 mittees” means—

11 (A) the Committee on Foreign Affairs and
 12 the Permanent Select Committee on Intelligence
 13 of the House of Representatives; and

14 (B) the Committee on Foreign Relations
 15 and the Select Committee on Intelligence of the
 16 Senate.

17 (2) The term “offensive weapons” means preci-
 18 sion-guided munitions, other bombs, anti-tank mis-
 19 siles, small-diameter rockets, and large mortars.

20 **SEC. 804. REPORT ON PREVENTION OF PROLIFERATION OF**
 21 **SENSITIVE UNMANNED AERIAL VEHICLES**
 22 **AND RELATED TECHNOLOGY.**

23 (a) SENSE OF CONGRESS; POLICY.—

24 (1) SENSE OF CONGRESS.—It is the sense of
 25 Congress that it is in the national interest of the

1 United States to prevent the proliferation of sen-
2 sitive unmanned aerial vehicles (in this section re-
3 ferred to as “UAV”) and related technology, espe-
4 cially to China, Russia, and other countries that the
5 National Defense Strategy identifies as peer or near-
6 peer competitors.

7 (2) STATEMENT OF POLICY.—It is the policy of
8 the United States that actions to prevent the pro-
9 liferation of sensitive UAV technology to China,
10 Russia, and other countries shall be a principal fac-
11 tor in decisions of the United States to authorize the
12 sale, transfer, or delivery of category 1 UAV systems
13 to the United Arab Emirates.

14 (b) REPORT.—

15 (1) IN GENERAL.—Not later than 30 days after
16 the date of the enactment of this Act, the Director
17 of National Intelligence, in consultation with the
18 heads of relevant intelligence community elements,
19 shall submit to the appropriate congressional com-
20 mittees a report containing—

21 (A) an assessment of efforts by the United
22 Arab Emirates (in this section referred to as
23 “UAE”) since 2014 to prevent the proliferation
24 of UAV and related technology, including cat-
25 egory 1 UAV systems;

1 (B) a description of any cooperation be-
2 tween UAE-based entities and entities in China,
3 Russia, or any other country that the National
4 Defense Strategy identifies as a peer compet-
5 itor;

6 (C) a description of any effort by the gov-
7 ernment of the UAE and UAE-based entities to
8 conceal such cooperation from the United
9 States;

10 (D) a detailed inventory of all instances in
11 which the government of the UAE and UAE-
12 based entities have promoted the transfer and
13 sale of armed and unarmed UAV technology,
14 including details regarding to which countries
15 the government of the UAE and UAE-based en-
16 tities transferred or proposed transferring the
17 technology;

18 (E) a description of the attitude and will-
19 ingness of the leadership of the UAE to take
20 steps to comply with the standards of the Mis-
21 sile Technology Control Regime (in this section
22 referred to as the “MTCR”) for the export of
23 UAVs and category 1 UAV systems; and

24 (F) a description of the technological and
25 defense benefits that Russia, China, and other

1 countries are assessed to have accrued as a re-
2 sult of cooperation, research and development,
3 and related activities with UAE-based entities.

4 (2) SOURCES.—The report required under this
5 subsection shall be based on all available sources.

6 (3) DELAY OF SUBMITTAL.—If the Director de-
7 termines that the report cannot be submitted by the
8 date that is 30 days after the date of the enactment
9 of this Act, the Director shall, before such date—

10 (A) submit to the appropriate congres-
11 sional committees a report setting forth the rea-
12 sons why the report cannot be submitted by
13 such date and an estimated date for the sub-
14 mission of the report; and

15 (B) together with the relevant experts from
16 the National Intelligence Council and other rel-
17 evant elements of the intelligence community,
18 testify before the appropriate congressional
19 committees with respect to the issues to be cov-
20 ered by the report.

21 (4) FORM OF REPORT.—The report required
22 under this subsection shall be submitted in unclassi-
23 fied form, but may contain a classified annex.

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed as authorizing the sharing of intel-
3 ligence with the government of the UAE.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Affairs and
8 the Permanent Select Committee on Intelligence
9 of the House of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Select Committee on Intelligence of the
12 Senate.

13 (2) The term “UAV technology” means armed
14 and unarmed unmanned aerial vehicles capable of
15 carrying 500 kilogram payloads for more than 300
16 kilometers, including those that fly under 650 kilo-
17 meters per hour.

18 (3) The term “category 1 UAV system” means
19 a complete rocket and all unmanned aerial vehicle
20 systems (including ballistic missiles, space launch ve-
21 hicles, sounding rockets, cruise missiles, target
22 drones, and reconnaissance drones), capable of deliv-
23 ering a payload of at least 500 kilograms to a range
24 of at least 300 kilometers, and the major complete
25 subsystems (including rocket stages, engines, guid-

1 ance sets, and re-entry vehicles), related software
2 and technology, and specially designed production
3 facilities for such rockets and systems.

4 **SEC. 805. REPORT ON UNDERSTANDING POTENTIAL FOR**
5 **AND PREVENTING NUCLEAR PROLIFERATION**
6 **IN THE MIDDLE EAST.**

7 (a) SENSE OF CONGRESS; STATEMENT OF POLICY.—

8 (1) SENSE OF CONGRESS.—It is the sense of
9 Congress that—

10 (A) it is in the vital national interest of the
11 United States to prevent the onward prolifera-
12 tion of nuclear weapons technology in the Mid-
13 dle East;

14 (B) Saudi Crown Prince Mohammed bin
15 Salman’s public declaration in March 2018 that
16 Saudi Arabia would pursue a nuclear bomb if
17 Iran developed a nuclear bomb, and Iran’s sep-
18 arate decision to expand nuclear enrichment ac-
19 tivities following the withdrawal of the United
20 States from the Joint Comprehensive Plan of
21 Action in May 2018, both increase the threat of
22 a regional nuclear arms race; and

23 (C) the Comptroller General of the United
24 States concluded in May 2020 that—

1 (i) it is unclear whether the Depart-
2 ment of State and the Department of En-
3 ergy kept Congress “fully and currently in-
4 formed” of nuclear cooperation negotia-
5 tions with Saudi Arabia, as required by
6 section 123 of the Atomic Energy Act of
7 1954 (42 U.S.C. 2153); and

8 (ii) these negotiations are stalled over
9 nonproliferation conditions.

10 (2) STATEMENT OF POLICY.—It is the policy of
11 the United States that any civil nuclear cooperation
12 agreement by the United States with Saudi Arabia
13 should include strong safeguards, including the non-
14 proliferation criteria established under section 123
15 of the Atomic Energy Act of 1954 (42 U.S.C.
16 2153), to prevent the proliferation of nuclear weap-
17 ons.

18 (b) REPORT.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of the enactment of this Act, the Director
21 of National Intelligence, in consultation with the
22 heads of elements of the intelligence community that
23 the Director determines appropriate, shall submit to
24 the appropriate congressional committees a report
25 containing an assessment of the efforts by the Gov-

ernment of the Kingdom of Saudi Arabia since 2015
to develop a nuclear program.

(2) ELEMENTS.—The report under paragraph
(1) shall include an assessment of the following:

(A) The state of nuclear cooperation between Saudi Arabia and any other country other than the United States, such as the People's Republic of China or the Russian Federation.

(B) Efforts by Saudi Arabia to modernize and further develop the missile capabilities and program of Saudi Arabia, including with other countries other than the United States, such as China.

(C) The willingness of Saudi Arabia to accede to and abide by a civil nuclear cooperation agreement with the United States under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) that would include the prohibition on domestic uranium enrichment.

(D) The willingness of Saudi Arabia to sign, implement, and abide by an Additional Protocol with the International Atomic Energy Agency.

1 (E) The willingness of Saudi Arabia to ac-
2 cept international monitoring and inspections of
3 the nuclear activities of Saudi Arabia, similar in
4 scope to such monitoring and inspections that
5 Iran agreed to under the Joint Comprehensive
6 Plan of Action.

7 (F) If the United States and Saudi Arabia
8 were to enter into a civil nuclear cooperation
9 agreement under such section 123 that does not
10 contain the prohibitions and criteria described
11 in subparagraphs (C) and (D), the likelihood
12 that the United Arab Emirates would seek to
13 remove restrictions on its peaceful nuclear pro-
14 gram and renegotiate its civil nuclear coopera-
15 tion agreement with the United States.

16 (3) SOURCES.—The report under paragraph (1)
17 shall be based on all available credible sources.

18 (4) FORM.—The report under paragraph (1)
19 shall be submitted in unclassified form, but may
20 contain a classified annex.

21 (5) EXTENSION.—If the Director of National
22 Intelligence determines that the Director cannot sub-
23 mit the report under paragraph (1) by the date re-
24 quired by such paragraph, the Director shall, before
25 such date—

1 (A) submit to the appropriate congres-
2 sional committees a report setting forth the rea-
3 sons why the report cannot be submitted by
4 such date and an estimated date for the sub-
5 mission of the report; and

6 (B) along with the relevant experts from
7 the National Intelligence Council and other rel-
8 evant elements of the intelligence community,
9 testify before the appropriate congressional
10 committees on the issues that will be covered by
11 the report.

12 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed as authorizing——

14 (1) the sharing of intelligence with the Govern-
15 ment of Saudi Arabia; or

16 (2) any nuclear cooperation with the Govern-
17 ment of Saudi Arabia.

18 (d) DEFINITIONS.—In this section:

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

22 (A) the congressional intelligence commit-
23 tees; and

1 (B) the Committee on Foreign Affairs of
2 the House of Representatives and the Com-
3 mittee on Foreign Relations of the Senate.

4 (2) JOINT COMPREHENSIVE PLAN OF ACTION.—
5 The term “Joint Comprehensive Plan of Action”
6 means the Joint Comprehensive Plan of Action,
7 signed at Vienna on July 14, 2015, by Iran and by
8 the People’s Republic of China, France, Germany,
9 the Russian Federation, the United Kingdom and
10 the United States, with the High Representative of
11 the European Union for Foreign Affairs and Secu-
12 rity Policy, and all implementing materials and
13 agreements related to the Joint Comprehensive Plan
14 of Action.

15 (3) PROHIBITION ON DOMESTIC URANIUM EN-
16 RICHMENT.—The term “prohibition on domestic
17 uranium enrichment” means, with respect to a civil
18 nuclear cooperation agreement under section 123 of
19 the Atomic Energy Act of 1954 (42 U.S.C. 2153),
20 provisions in the agreement that prohibit domestic
21 uranium enrichment in the same manner as the
22 agreement entered into by the United States and the
23 United Arab Emirates under such section.

1 **SEC. 806. REPORT ON PROPAGATION OF EXTREMIST**
2 **IDEOLOGIES FROM SAUDI ARABIA.**

3 (a) REPORT.—Not later than February 1, 2021, the
4 Director of National Intelligence, acting through the Na-
5 tional Intelligence Council, shall submit to the congres-
6 sional intelligence committees a report that includes a de-
7 tailed description of—

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

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

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

19 **SEC. 807. REPORT ON FINANCIAL INFLUENCE OPERATIONS**
20 **OF SAUDI ARABIA, THE UNITED ARAB EMIR-**
21 **ATES, AND QATAR.**

22 (a) REPORT.—Not later than February 1, 2021, the
23 Director of National Intelligence, acting through the Na-
24 tional Intelligence Council, shall submit to the congres-
25 sional intelligence committees a report that includes an as-
26 sessment of any efforts, including the use of financial re-

1 sources, by the Governments of Saudi Arabia, the United
 2 Arab Emirates, or Qatar to influence political processes,
 3 policies, policymakers, or public debate in the United
 4 States (without regard to the legality of such efforts).

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

8 **Subtitle B—People’s Republic of** 9 **China**

10 **SEC. 811. ANNUAL REPORTS ON SECURITY SERVICES OF** 11 **THE PEOPLE’S REPUBLIC OF CHINA IN THE** 12 **HONG KONG SPECIAL ADMINISTRATIVE RE-** 13 **GION.**

14 (a) FINDING; SENSE OF CONGRESS.—

15 (1) FINDING.—Congress finds that the Na-
 16 tional People’s Congress of the People’s Republic of
 17 China promulgated the Law of the People’s Republic
 18 of China on Safeguarding National Security in the
 19 Hong Kong Special Administrative Region on June
 20 30, 2020.

21 (2) SENSE OF CONGRESS.—It is the sense of
 22 Congress that—

23 (A) the People’s Republic of China is le-
 24 gally bound to guarantee the civil liberties of
 25 the people of Hong Kong through 2047 under

1 the Basic Law and the “Joint Declaration of
2 the Government of the United Kingdom of
3 Great Britain and Northern Ireland and the
4 Government of the People’s Republic of China
5 on the Question of Hong Kong” (hereafter the
6 Joint Declaration), in which China committed
7 that for 50 years, the “social and economic sys-
8 tems in Hong Kong will remain unchanged, and
9 so will the life-style”;

10 (B) the Joint Declaration states that
11 “Rights and freedoms, including those of the
12 person, of speech, of the press, of assembly, of
13 association, of travel, of movement, of cor-
14 respondence, of strike, of choice of occupation,
15 of academic research and of religious belief will
16 be ensured by law in the Hong Kong Special
17 Administrative Region”, and such rights are re-
18 iterated in Chapter III of the Basic Law;

19 (C) the Law of the People’s Republic of
20 China on Safeguarding National Security in the
21 Hong Kong Special Administrative Region vio-
22 lates China’s commitments under the Joint
23 Declaration, constituting a violation of inter-
24 national law;

1 (D) the United States of America has a
2 continued interest in the autonomy of the Hong
3 Kong Special Administrative Region, particu-
4 larly as it relates to the continued viability of
5 the freedom of speech, of the press, and of pub-
6 lication; the freedom of association, or assem-
7 bly; the freedom from arbitrary or unlawful ar-
8 rest, detention, or imprisonment; the freedom
9 from arbitrary or unlawful search of, or intru-
10 sion into, a Hong Kong resident's home or
11 other premises; the freedom and privacy of
12 communication; the freedom of conscience; judi-
13 cial independence; and the right to initiate legal
14 proceedings in the courts to hold authorities ac-
15 countable for unlawful acts; and

16 (E) the introduction of the Committee for
17 Safeguarding National Security and a national
18 security division of the Hong Kong Police Force
19 that operates outside of the judicial oversight of
20 the courts of Hong Kong further extends the
21 reach of China's security apparatus, under-
22 mining the integrity and independence of the
23 judicial system of Hong Kong.

1 (b) REPORTS.—Title XI of the National Security Act
2 of 1947 (50 U.S.C. 3231 et seq.), is amended by inserting
3 after section 1107 the following new section:

4 **“SEC. 1107A. ANNUAL REPORTS ON SECURITY SERVICES OF**
5 **THE PEOPLE’S REPUBLIC OF CHINA IN THE**
6 **HONG KONG SPECIAL ADMINISTRATIVE RE-**
7 **GION.**

8 “(a) REQUIREMENT.—On an annual basis through
9 2047, the Director of National Intelligence shall submit
10 to the appropriate congressional committees, and make
11 publicly available on the internet website of the Director,
12 a report on the presence and activities of Chinese security
13 services operating within the Hong Kong Special Adminis-
14 trative Region.

15 “(b) CONTENTS.—Each report under subsection (a)
16 shall include, with respect to the year covered by the re-
17 port, the following:

18 “(1) Identification of the approximate number
19 of personnel affiliated with Chinese security services
20 operating within the Hong Kong Special Administra-
21 tive Region, including a breakdown of such per-
22 sonnel by the specific security service and the divi-
23 sion of the security service, and (to the extent pos-
24 sible) an identification of any such personnel associ-

1 ated with the national security division of the Hong
2 Kong Police Force.

3 “(2) A description of the command and control
4 structures of such security services, including infor-
5 mation regarding the extent to which such security
6 services are controlled by the Government of the
7 Hong Kong Special Administrative Region or the
8 Government of the People’s Republic of China.

9 “(3) A description of the working relationship
10 and coordination mechanisms of the Chinese security
11 services with the police force of the Hong Kong Spe-
12 cial Administrative Region.

13 “(4) A description of the activities conducted by
14 Chinese security services operating within the Hong
15 Kong Special Administrative Region, including—

16 “(A) information regarding the extent to
17 which such security services, and officers associ-
18 ated with the national security division of the
19 Hong Kong Police Force, are engaged in front-
20 line policing, serving in advisory and assistance
21 roles, or both;

22 “(B) an assessment of the likelihood of
23 such security services conducting renditions of
24 individuals from the Hong Kong Special Ad-
25 ministrative Region to China and a listing of

1 every known individual subject to such rendition
2 during the year covered by the report; and

3 “(C) an assessment of how such activities
4 conducted by Chinese security services con-
5 tribute to self-censorship and corruption within
6 the Hong Kong Special Administrative Region.

7 “(5) A discussion of the doctrine and tactics
8 employed by Chinese security services operating
9 within the Hong Kong Special Administrative Re-
10 gion, including an overview of the extent to which
11 such security services employ surveillance, detection,
12 and control methods, including ‘high-tech’ policing
13 models and ‘preventative policing tactics’, that are
14 consistent with the rise of digital authoritarianism,
15 and used in a manner similar to methods used in the
16 Xinjiang region of China.

17 “(6) An overview of the funding for Chinese se-
18 curity services operating within the Hong Kong Spe-
19 cial Administrative Region, including an assessment
20 of the extent to which funding is drawn locally from
21 the Hong Kong Special Administrative Region Gov-
22 ernment or from the Government of China.

23 “(7) A discussion of the various surveillance
24 technologies used by security services operating

1 within the Hong Kong Special Administrative Re-
2 gion, including—

3 “(A) a list of the key companies that pro-
4 vide such technologies; and

5 “(B) an assessment of the degree to which
6 such technologies can be accessed by Chinese
7 security services operating within the Hong
8 Kong Special Administrative Region.

9 “(c) COORDINATION.—In carrying out subsection (a),
10 the Director shall coordinate with the Director of the Cen-
11 tral Intelligence Agency, the Director of the National Se-
12 curity Agency, the Director of the Defense Intelligence
13 Agency, the Director of the National Geospatial-Intel-
14 ligence Agency, the Assistant Secretary of State for the
15 Bureau of Intelligence and Research, and any other rel-
16 evant head of an element of the intelligence community.

17 “(d) FORM.—Each report submitted to the appro-
18 priate congressional committees under subsection (a) shall
19 be submitted in unclassified form, but may include a clas-
20 sified annex.

21 “(e) DEFINITIONS.—In this section:

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

1 “(A) the congressional intelligence commit-
2 tees;

3 “(B) the Committee on Foreign Affairs
4 and the Committee on Armed Services of the
5 House of Representatives; and

6 “(C) the Committee on Foreign Relations
7 and the Committee on Armed Services of the
8 Senate.

9 “(2) CHINESE SECURITY SERVICES.—The term
10 ‘Chinese security services’ means—

11 “(A) the security services of the Govern-
12 ment of the People’s Republic of China, includ-
13 ing the Ministry of State Security and the Min-
14 istry of Public Security; and

15 “(B) any known front organizations or
16 aliases associated with such security services,
17 including officers associated with the national
18 security division of the Hong Kong Police Force
19 and other officers of the Hong Kong Police
20 Force selected by the Committee for Safe-
21 guarding National Security to work on matters
22 relating to national security.”.

23 (c) CLERICAL AMENDMENT.—The table of contents
24 in the first section of the National Security Act of 1947

1 is amended by inserting after the item relating to section
2 1107 the following new item:

“Sec. 1107A. Annual reports on security services of the People’s Republic of
China in the Hong Kong Special Administrative Region.”.

3 **SEC. 812. RESEARCH PARTNERSHIP ON ACTIVITIES OF**
4 **PEOPLE’S REPUBLIC OF CHINA.**

5 (a) RESEARCH PARTNERSHIP.—

6 (1) REQUIREMENT.—Not later than 180 days
7 after the date of the enactment of this Act, the Di-
8 rector of the National Geospatial-Intelligence Agency
9 shall seek to enter into a partnership with an aca-
10 demic or non-profit research institution to—

11 (A) carry out joint unclassified geospatial
12 intelligence analyses of the activities of the Peo-
13 ple’s Republic of China that pose risks to the
14 national security interests of the United States;
15 and

16 (B) make available on a publicly available
17 internet website unclassified geospatial intel-
18 ligence products relating to such analyses.

19 (2) ELEMENTS.—The Director shall ensure
20 that the activities of China analyzed under para-
21 graph (1)(A) include the following:

22 (A) Any notable developments relating to
23 the global activities of the People’s Liberation
24 Army Ground Force, the People’s Liberation

1 Army Navy, the People’s Liberation Army Air
2 Force, the People’s Liberation Army Rocket
3 Force, the People’s Liberation Army Strategic
4 Support Force, and the Chinese People’s Armed
5 Police Force Coast Guard Corps.

6 (B) Infrastructure projects associated with
7 the “One Belt, One Road” Initiative.

8 (C) Maritime land reclamation activities
9 conducted by China in the South China Sea,
10 the Indian Ocean region, and the broader mari-
11 time commons.

12 (D) Matters relevant to global public
13 health and climate security, including—

14 (i) indications and warnings of disease
15 outbreaks with pandemic potential;

16 (ii) the activities of China likely con-
17 tributing to climate change; and

18 (iii) any environmental degradation
19 directly resulting from the practices of
20 China.

21 (3) CONSORTIUM.—In carrying out paragraph
22 (1), the Director may enter into a partnership
23 with—

24 (A) one research institution; or

1 (B) a consortium of research institutions if
2 the Director determines that the inclusion of
3 multiple institutions will result in more effective
4 research conducted pursuant to this section or
5 improve the outcomes of such research.

6 (4) DURATION.—The Director shall carry out a
7 partnership under this section for a period that is
8 not less than 10 years following the date of the en-
9 actment of this Act.

10 (5) IMPROVEMENTS TO PARTNERSHIP.—The
11 Director may modify the partnership under para-
12 graph (1) or select a new research institution with
13 which to enter into such a partnership if—

14 (A) the Director consults with the congres-
15 sional intelligence committees with respect to
16 the proposed modified or new partnership;

17 (B) the modified or new partnership is car-
18 ried out in accordance with this section; and

19 (C) the Director determines that the modi-
20 fied or new partnership will result in more ef-
21 fective research conducted pursuant to this sec-
22 tion or improve the outcomes of such research.

23 (b) OPEN-SOURCE DATA.—

1 (1) IDENTIFICATION AND PUBLICATION.—Dur-
2 ing the life of the partnership under subsection (a),
3 the Director shall regularly—

4 (A) identify raw, unclassified geospatial
5 data that could improve the research conducted
6 under the partnership if the data was made
7 publicly available; and

8 (B) make such data publicly available.

9 (2) CONSULTATION.—The Director shall carry
10 out paragraph (1) in consultation with the research
11 institution or consortium of research institutions in-
12 volved with the partnership under subsection (a).

13 (c) BRIEFINGS.—Not later than 270 days after the
14 date of the enactment of this Act, and annually thereafter
15 during the life of the partnership under subsection (a),
16 the Director shall provide to the appropriate congressional
17 committees a briefing on the partnership. Each such brief-
18 ing shall include the following:

19 (1) The outcomes of research conducted under
20 the partnership.

21 (2) Identification of the actions that have been
22 taken to increase the quantity and quality of unclas-
23 sified geospatial analysis products made publicly
24 available under the partnership, including the quan-

1 tity and types of raw data the partnership has made
2 publicly available.

3 (3) Identification of actual and projected costs
4 to carry out the partnership.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the congressional intelligence committees;
9 and

10 (2) the Subcommittees on Defense of the Com-
11 mittees on Appropriations of the House of Rep-
12 resentatives and the Senate.

13 **SEC. 813. REPORT ON THE PHARMACEUTICAL AND PER-**
14 **SONAL PROTECTIVE EQUIPMENT REGU-**
15 **LATORY PRACTICES OF THE PEOPLE’S RE-**
16 **PUBLIC OF CHINA.**

17 (a) REPORT.—Not later than 120 days after the date
18 of the enactment of this Act, the Director of National In-
19 telligence shall submit to the appropriate congressional
20 committees, and make publicly available on the internet
21 website of the Director, a report on the pharmaceutical
22 and personal protective equipment regulatory practices of
23 the People’s Republic of China.

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

1 (1) An assessment of the quantity of active
2 pharmaceutical ingredients produced annually within
3 China.

4 (2) An estimate of the percentage of active
5 pharmaceutical ingredients produced globally that
6 originate in China.

7 (3) A description of the National Medical Prod-
8 ucts Administration of China, including with respect
9 to—

10 (A) the roles and responsibilities of the Ad-
11 ministration;

12 (B) the organizational structure of the Ad-
13 ministration; and

14 (C) any affiliated institutions of the Na-
15 tional Medical Products Administration.

16 (4) An assessment of the capacity of the Na-
17 tional Medical Products Administration to effectively
18 develop safety standards, efficacy standards, and
19 any other relevant standards concerning the produc-
20 tion of active pharmaceutical ingredients and phar-
21 maceutical drugs.

22 (5) An assessment of the capacity of the Na-
23 tional Medical Products Administration to enforce
24 standards on the production and distribution of ac-

1 tive pharmaceutical ingredients and pharmaceutical
2 drugs.

3 (6) An overview of qualitative disparities be-
4 tween active pharmaceutical ingredients and phar-
5 maceutical drugs approved by the National Medical
6 Products Administration and similar drugs subject
7 to regulatory oversight and approval in the markets
8 of the member states of the Organisation for Eco-
9 nomic Co-operation and Development.

10 (7) An assessment of the qualitative disparities
11 between the standards and enforcement practices of
12 the National Medical Products Administration on
13 the production and distribution of active pharma-
14 ceutical ingredients and pharmaceutical drugs and
15 the good manufacturing practice guidelines issued by
16 the International Council for Harmonization of
17 Technical Requirements for Pharmaceuticals for
18 Human Use.

19 (8) An assessment of the susceptibility of the
20 National Medical Products Administration, the sub-
21 ordinate organizations of the National Medical Prod-
22 ucts Administration, and other associated personnel
23 to engage in corrupt practices, particularly practices
24 that relate to assessing the safety of pharmaceutical
25 ingredients and other pharmaceutical drugs within

1 the authority of the National Medical Products Ad-
2 ministration.

3 (9) An assessment of the national security risks
4 associated with the reliance by the United States on
5 pharmaceutical ingredients and pharmaceutical
6 drugs originating in China, including an assessment
7 of how and whether China could leverage its produc-
8 tion of certain pharmaceutical ingredients as a
9 means to coerce the United States or the partners
10 and allies of the United States.

11 (10) An assessment of the percentage of per-
12 sonal protective equipment produced globally that
13 originates in China.

14 (11) An assessment of the national security
15 risks associated with any reliance by the United
16 States on personal protective equipment originating
17 in China, including an assessment of how and
18 whether China could leverage its production of per-
19 sonal protective equipment as a means to coerce the
20 United States or the partners and allies of the
21 United States.

22 (c) COORDINATION.—In carrying out subsection (a),
23 the Director shall coordinate with the Director of the Cen-
24 tral Intelligence Agency, the Director of the National Se-
25 curity Agency, the Director of the Defense Intelligence

1 Agency, the Director of the National Geospatial-Intel-
2 ligence Agency, and any other relevant head of an element
3 of the intelligence community.

4 (d) FORM.—The report submitted to the appropriate
5 congressional committees under subsection (a) shall be
6 submitted in unclassified form, but may include a classi-
7 fied annex.

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

11 (1) the congressional intelligence committees;

12 (2) the Committee on Foreign Affairs and the
13 Committee on Energy and Commerce of the House
14 of Representatives; and

15 (3) the Committee on Foreign Relations and
16 the Committee on Finance of the Senate.

17 **Subtitle C—Matters Relating to**
18 **Other Countries**

19 **SEC. 821. NATIONAL INTELLIGENCE ESTIMATE ON SITUA-**
20 **TION IN AFGHANISTAN.**

21 (a) REQUIREMENT.—The Director of National Intel-
22 ligence, acting through the National Intelligence Council,
23 shall produce a National Intelligence Estimate on the situ-
24 ation in Afghanistan.

1 (b) MATTERS.—The National Intelligence Estimate
2 produced under subsection (a) shall include an assessment
3 of the prospects of a durable intra-Afghan settlement of
4 the conflict in Afghanistan that leads to—

5 (1) a permanent ceasefire and sustained reduc-
6 tion in violence;

7 (2) a verifiable break between the Taliban and
8 al-Qaeda;

9 (3) verifiable cooperation by the Taliban in ef-
10 forts against al-Qaeda, the Islamic State of Iraq and
11 the Levant Khorasan, and associated international
12 terrorists the intelligence community determines are
13 active in Afghanistan and pose a threat to the
14 United States homeland or United States interests
15 abroad; and

16 (4) sustainment of the social and human rights
17 progress achieved by Afghan women and girls since
18 2001.

19 (c) SUBMISSION TO CONGRESS.—

20 (1) SUBMISSION.—Not later than February 1,
21 2021, the Director shall submit to the congressional
22 intelligence committees the National Intelligence Es-
23 timate produced under subsection (a), including all
24 intelligence reporting underlying the Estimate.

1 (2) NOTICE REGARDING SUBMISSION.—If be-
2 fore February 1, 2021, the Director determines that
3 the National Intelligence Estimate produced under
4 subsection (a) cannot be submitted by such date, the
5 Director shall (before such date)—

6 (A) submit to the congressional intelligence
7 committees a report setting forth the reasons
8 why the National Intelligence Estimate cannot
9 be submitted by such date and an estimated
10 date for the submission of the National Intel-
11 ligence Estimate; and

12 (B) testify before the congressional intel-
13 ligence committees on the issues that will be
14 covered by the National Intelligence Estimate.

15 (3) FORM.—The National Intelligence Estimate
16 shall be submitted under paragraph (1) in classified
17 form.

18 (d) PUBLIC VERSION.—Consistent with the protec-
19 tion of intelligence sources and methods, at the same time
20 as the Director submits to the congressional intelligence
21 committees the National Intelligence Estimate under sub-
22 section (c), the Director shall make publicly available on
23 the internet website of the Director an unclassified version
24 of the key findings of the National Intelligence Estimate.

1 **SEC. 822. ASSESSMENT REGARDING TENSIONS BETWEEN**
2 **ARMENIA AND AZERBAIJAN.**

3 (a) **ASSESSMENT REQUIRED.**—Not later than 90
4 days after the date of the enactment of this Act, the Direc-
5 tor of National Intelligence shall submit to the congres-
6 sional intelligence committees a written assessment re-
7 garding tensions between the governments of Armenia and
8 Azerbaijan, including with respect to the status of the
9 Nagorno-Karabakh region. Such assessment shall include
10 each of the following:

11 (1) An identification of the strategic interests of
12 the United States and its partners in the Armenia-
13 Azerbaijan region.

14 (2) A description of all significant uses of force
15 in and around the Nagorno-Karabakh region and
16 the border between Armenia and Azerbaijan during
17 calendar year 2020, including a description of each
18 significant use of force and an assessment of who
19 initiated the use of such force.

20 (3) An assessment of the effect of United
21 States military assistance to Azerbaijan and Arme-
22 nia on the regional balance of power and the likeli-
23 hood of further use of military force.

24 (4) An assessment of the likelihood of any fur-
25 ther uses of force or potentially destabilizing activi-
26 ties in the region in the near- to medium-term.

1 (b) FORM OF ASSESSMENT.—The assessment re-
2 quired under this section shall be submitted in unclassified
3 form, but may contain a classified annex.

4 **TITLE IX—REPORTS AND OTHER**
5 **MATTERS**

6 **SEC. 901. ANNUAL REPORTS ON WORLDWIDE THREATS.**

7 (a) IN GENERAL.—Title I of the National Security
8 Act of 1947 (50 U.S.C. 3021 et seq.) is amended by in-
9 serting after section 108A the following new section:

10 **“SEC. 108B. ANNUAL REPORTS ON WORLDWIDE THREATS.**

11 “(a) ANNUAL REPORTS.—Not later than the first
12 Monday in February 2021, and each year thereafter, the
13 Director of National Intelligence, in coordination with the
14 heads of the elements of the intelligence community, shall
15 submit to the appropriate congressional committees a re-
16 port containing an assessment of the intelligence commu-
17 nity with respect to worldwide threats to the national secu-
18 rity of the United States.

19 “(b) FORM.—Each report under subsection (a) shall
20 be submitted in unclassified form, but may include a clas-
21 sified annex only for the protection of intelligence sources
22 and methods relating to the matters contained in the re-
23 port.

24 “(c) HEARINGS.—

1 “(1) OPEN HEARINGS.—Upon request by the
2 appropriate congressional committees, the Director
3 (and any other head of an element of the intelligence
4 community determined appropriate by the commit-
5 tees in consultation with the Director) shall testify
6 before such committees in an open setting regarding
7 a report under subsection (a).

8 “(2) CLOSED HEARINGS.—Any information that
9 may not be disclosed during an open hearing under
10 paragraph (1) in order to protect intelligence sources
11 and methods may instead be discussed in a closed
12 hearing that immediately follows such open hearing.

13 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES
14 DEFINED.—In this section, the term ‘appropriate congres-
15 sional committees’ means—

16 “(1) the congressional intelligence committees;
17 and

18 “(2) the Committees on Armed Services of the
19 House of Representatives and the Senate.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 at the beginning of such Act is amended by inserting after
22 the item relating to section 108A the following new item:

 “Sec. 108B. Annual reports on world-wide threats.”.

1 **SEC. 902. ANNUAL INTELLIGENCE ASSESSMENTS ON RELA-**
2 **TIONSHIP BETWEEN WOMEN AND VIOLENT**
3 **EXTREMISM.**

4 (a) REPORTS.—Title XI of the National Security Act
5 of 1947 (50 U.S.C. 3231 et seq.), as amended by section
6 602, is further amended by inserting after section 1110
7 the following new section:

8 **“SEC. 1111. ANNUAL INTELLIGENCE ASSESSMENTS ON RE-**
9 **LATIONSHIP BETWEEN WOMEN AND VIOLENT**
10 **EXTREMISM.**

11 “(a) REQUIREMENT.—Not later than 180 days after
12 the date of the enactment of this section, the Director of
13 National Intelligence, in consultation with the Secretary
14 of Defense, the Secretary of State, and the head of any
15 element of the intelligence community the Director deter-
16 mines appropriate, shall submit to the appropriate con-
17 gressional committees an intelligence assessment on the
18 relationship between women and violent extremism and
19 terrorism.

20 “(b) CONTENTS.—The intelligence assessment under
21 subsection (a) shall address the following:

22 “(1) The historical trends and current state of
23 the roles of women in all aspects of violent extre-
24 mism and terrorism, including as recruiters, sympa-
25 thizers, perpetrators, and combatants, as well as

1 peace-builders and preventers of violent extremism
2 and terrorism.

3 “(2) How the roles of women in all aspects of
4 violent extremism and terrorism are likely to change
5 in the near- and medium-term.

6 “(3) The extent to which the unequal status of
7 women affects the ability of armed combatants and
8 terrorist groups to enlist or conscript women and
9 men as combatants and perpetrators of violence.

10 “(4) How terrorist groups violate the rights of
11 women and girls, including through child, early, and
12 forced marriage, abduction, sexual violence, and
13 human trafficking, and the extent to which such vio-
14 lations contribute to the spread of conflict and ter-
15 rorist activities.

16 “(5) Opportunities to address the security risk
17 posed by female extremists and leverage the roles of
18 women in counterterrorism efforts.

19 “(6) Approaches and challenges to identify, re-
20 patriate, and reintegrate women affiliated with vio-
21 lent extremist or terrorist groups, including through
22 disarmament, demobilization, and reintegration pro-
23 grams.

24 “(c) ANNUAL UPDATES.—On an annual basis, the
25 Director shall submit to the appropriate congressional

1 committees an update to the intelligence assessment under
2 subsection (a).

3 “(d) FORM.—The assessment submitted to the ap-
4 propriate congressional committees under subsection (a),
5 and each update submitted under subsection (c), shall be
6 submitted in unclassified form, but may include a classi-
7 fied annex.

8 “(e) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term ‘appropriate congres-
10 sional committees’ means—

11 “(1) the congressional intelligence committees;

12 “(2) the Committee on Foreign Affairs and the
13 Committee on Armed Services of the House of Rep-
14 resentatives; and

15 “(3) the Committee on Foreign Relations and
16 the Committee on Armed Services of the Senate.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 in the first section of the National Security Act of 1947
19 is amended by inserting after the item relating to section
20 1110, as added by section 602, the following new item:

“Sec. 1111. Annual intelligence assessments on relationship between women
and violent extremism.”.

21 **SEC. 903. ANNUAL REPORT ON CLIMATE SECURITY ADVI-**
22 **SORY COUNCIL.**

23 Section 120 of the National Security Act of 1947 (50
24 U.S.C. 3060) is amended—

1 (1) by redesignating subsections (d) and (e) as
2 subsections (e) and (f), respectively; and

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

5 “(d) ANNUAL REPORT.—Not later than January 31,
6 2021, and not less frequently than annually thereafter, the
7 chair of the Council shall submit, on behalf of the Council,
8 to the congressional intelligence committees a report de-
9 scribing the activities of the Council as described in sub-
10 section (c) during the year preceding the year during
11 which the report is submitted.”.

12 **SEC. 904. IMPROVEMENTS TO FUNDING FOR NATIONAL SE-**
13 **URITY EDUCATION PROGRAM.**

14 (a) FUNDING FOR SCHOLARSHIP, FELLOWSHIP, AND
15 GRANT PROGRAMS.—Section 810 of the David L. Boren
16 National Security Education Act of 1991 (50 U.S.C.
17 1910) is amended—

18 (1) in subsection (c), by striking “for each fis-
19 cal year, beginning with fiscal year 2005,” and in-
20 serting “for each of fiscal years 2005 through
21 2021”; and

22 (2) by adding at the end the following new sub-
23 section:

24 “(d) FISCAL YEARS BEGINNING WITH FISCAL YEAR
25 2022.—In addition to amounts that may be made avail-

1 able to the Secretary under the Fund for a fiscal year,
2 there is authorized to be appropriated to the Secretary for
3 each fiscal year, beginning with fiscal year 2022,
4 \$8,000,000, to carry out the scholarship, fellowship, and
5 grant programs under subparagraphs (A), (B), and (C),
6 respectively, of section 802(a)(1).”.

7 (b) FUNDING FOR NATIONAL FLAGSHIP LANGUAGE
8 INITIATIVE.—Section 811 of such Act (50 U.S.C. 1911)
9 is amended—

10 (1) in subsection (a), by striking
11 “\$10,000,000” and inserting “\$16,000,000”; and

12 (2) in subsection (b), by striking “for each fis-
13 cal year, beginning with fiscal year 2005,” and in-
14 serting “for each of fiscal years 2005 through
15 2021”.

16 (c) FUNDING FOR SCHOLARSHIP PROGRAM FOR AD-
17 VANCED ENGLISH LANGUAGE STUDIES.—Section 812 of
18 the David L. Boren National Security Education Act of
19 1991 (50 U.S.C. 1912) is amended—

20 (1) in subsection (a), by striking “for each fis-
21 cal year, beginning with fiscal year 2005,” and in-
22 serting “for each of fiscal years 2005 through
23 2021”;

24 (2) by redesignating subsection (b) as sub-
25 section (c);

1 (3) by inserting after subsection (a) the fol-
 2 lowing new subsection (b):

3 “(b) FISCAL YEARS BEGINNING WITH FISCAL YEAR
 4 2022.—In addition to amounts that may be made avail-
 5 able to the Secretary under the Fund for a fiscal year,
 6 there is authorized to be appropriated to the Secretary for
 7 each fiscal year, beginning with fiscal year 2022,
 8 \$2,000,000, to carry out the scholarship programs for
 9 English language studies by certain heritage community
 10 citizens under section 802(a)(1)(E).”; and

11 (4) in subsection (c), as so redesignated, by
 12 striking “subsection (a)” and inserting “this sec-
 13 tion”.

14 **SEC. 905. REPORT ON BEST PRACTICES TO PROTECT PRI-**
 15 **VACY, CIVIL LIBERTIES, AND CIVIL RIGHTS**
 16 **OF CHINESE AMERICANS.**

17 (a) REPORT.—Section 5712 of the Damon Paul Nel-
 18 son and Matthew Young Pollard Intelligence Authoriza-
 19 tion Act for Fiscal Years 2018, 2019, and 2020 (Public
 20 Law 116–92; 133 Stat. 2171) is—

21 (1) transferred to title XI of the National Secu-
 22 rity Act of 1947 (50 U.S.C. 3231 et seq.);

23 (2) inserted after section 1112 of such title, as
 24 added by section 902;

25 (3) redesignated as section 1112; and

1 (4) amended—

2 (A) in the heading, by striking “**AND**
3 **CIVIL LIBERTIES**” and inserting “, **CIVIL**
4 **LIBERTIES, AND CIVIL RIGHTS**”; and

5 (B) in subsection (b)—

6 (i) in the matter preceding paragraph
7 (1) by striking “Not later than 180 days
8 after the date of the enactment of this
9 Act,” and inserting “On an annual basis,”;
10 and

11 (ii) by striking “and civil liberties”,
12 each place it appears and inserting “, civil
13 liberties, and civil rights”.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 at the beginning of the National Security Act of 1947 is
16 amended by inserting after the item relating to section
17 1111, as added by section 902, the following new item:

“Sec. 1112. Report on best practices to protect privacy, civil liberties, and civil
rights of Chinese Americans.”.

18 **SEC. 906. NATIONAL INTELLIGENCE ESTIMATE ON THREAT**
19 **OF GLOBAL PANDEMIC DISEASE.**

20 (a) NATIONAL INTELLIGENCE ESTIMATE.—

21 (1) REQUIREMENT.—The Director of National
22 Intelligence, acting through the National Intelligence
23 Council, shall produce a National Intelligence Esti-

1 mate on the threat of global pandemic disease, in-
2 cluding with respect to the following:

3 (A) An assessment of the possible courses
4 of the COVID–19 pandemic during the 18
5 months following the date of the Estimate, in-
6 cluding—

7 (i) the projected spread of COVID–19
8 outside the United States and the likeli-
9 hood of subsequent major outbreaks;

10 (ii) the capacity of countries and
11 international organizations to combat the
12 further spread of COVID–19, including
13 risks and opportunities for further global
14 cooperation; and

15 (iii) the risks to the national security
16 and health security of the United States if
17 COVID–19 is not contained abroad.

18 (B) An assessment of the global public
19 health system and the responses of the system
20 to the COVID–19 pandemic, including—

21 (i) prospects for an effective global
22 disease surveillance and response system,
23 opportunities to advance the development
24 of such a system, and signposts for evalu-
25 ating whether or not an effective system

1 has been developed before a disease out-
2 break occurs; and

3 (ii) an assessment of global health
4 system capacity.

5 (C) An assessment of—

6 (i) the humanitarian and economic
7 implications of the COVID–19 pandemic;
8 and

9 (ii) the consequences of the COVID–
10 19 pandemic with respect to political sta-
11 bility, armed conflict, democratization, and
12 the global leadership by the United States
13 of the post-World War II international sys-
14 tem.

15 (D) An assessment of—

16 (i) likely threats by global pandemic
17 diseases during the 10-year period fol-
18 lowing the date of the Estimate;

19 (ii) global readiness to avert a future
20 global pandemic;

21 (iii) challenges and opportunities for
22 the policy of the United States to advance
23 global pandemic preparedness; and

24 (iv) the potential role of non-state and
25 state-backed global influence activities or

1 disinformation campaigns involving
2 COVID–19 or future potential global
3 pandemics.

4 (E) Any other matters the Director deter-
5 mines appropriate.

6 (2) SUBMISSION TO CONGRESS.—

7 (A) SUBMISSION.—Not later than 90 days
8 after the date of the enactment of this Act, the
9 Director shall submit to the Permanent Select
10 Committee on Intelligence of the House of Rep-
11 resentatives and the Select Committee on Intel-
12 ligence of the Senate the National Intelligence
13 Estimate produced under paragraph (1), includ-
14 ing all intelligence reporting underlying the Es-
15 timate.

16 (B) NOTICE REGARDING SUBMISSION.—If
17 before the end of the 90-day period specified in
18 subparagraph (A) the Director determines that
19 the National Intelligence Estimate under para-
20 graph (1) cannot be submitted by the end of
21 that period, the Director shall (before the end
22 of that period)—

23 (i) submit to the Permanent Select
24 Committee on Intelligence of the House of
25 Representatives and the Select Committee

on Intelligence of the Senate a report setting forth—

(I) the reasons why the National Intelligence Estimate cannot be submitted by the end of that period; and

(II) an estimated date for the submission of the National Intelligence Estimate; and

(ii) testify before such committees on the issues that will be covered by the National Intelligence Estimate.

(C) FORM.—The National Intelligence Estimate shall be submitted under subparagraph (A) in classified form.

(3) PUBLIC VERSION.—Consistent with the protection of intelligence sources and methods, at the same time as the Director submits to the congressional intelligence committees the National Intelligence Estimate under paragraph (2), the Director shall submit to the congressional committees specified in paragraph (4), and make publicly available on the internet website of the Director, an unclassified version of the National Intelligence Estimate.

1 (4) CONGRESSIONAL COMMITTEES SPECI-
2 FIED.—The congressional committees specified in
3 this paragraph are the following:

4 (A) The Committee on Appropriations, the
5 Committee on Armed Services, the Committee
6 on Energy and Commerce, the Committee on
7 Financial Services, the Committee on Foreign
8 Affairs, the Committee on Homeland Security,
9 and the Permanent Select Committee on Intel-
10 ligence of the House of Representatives.

11 (B) The Committee on Appropriations, the
12 Committee on Armed Services, the Committee
13 on Finance, the Committee on Foreign Rela-
14 tions, the Committee on Health, Education,
15 Labor, and Pensions, the Committee on Home-
16 land Security and Governmental Affairs, and
17 the Select Committee on Intelligence of the
18 Senate.

19 (5) CONSULTATION.—The Director shall pre-
20 pare the National Intelligence Estimate under para-
21 graph (1) in consultation with the Secretary of
22 Health and Human Services, the Director of the
23 Centers for Disease Control and Prevention, the
24 Secretary of State, and any other head of an ele-

1 ment of the Federal Government the Director of Na-
2 tional Intelligence determines appropriate.

3 (b) FUTURE PANDEMIC PLAN.—

4 (1) REQUIREMENT.—Not later than 90 days
5 after the date of the enactment of this Act, the
6 President shall transmit to the congressional com-
7 mittees specified in paragraph (3), and make pub-
8 licly available on the internet website of the Presi-
9 dent, a report containing a whole-of-government
10 plan for an effective response to subsequent major
11 outbreaks of the COVID–19 pandemic and for other
12 future global pandemic diseases.

13 (2) MATTERS INCLUDED.—The plan under
14 paragraph (1) shall address how to improve the fol-
15 lowing:

16 (A) Pandemic planning.

17 (B) Homeland preparedness.

18 (C) International disease surveillance.

19 (D) Diagnostic testing.

20 (E) Contact tracing.

21 (F) The role of the Federal Government
22 with respect to the regulation, acquisition, and
23 disbursement, of medical supplies and other
24 public health resources necessary to respond to
25 COVID–19 or other diseases with pandemic po-

1 tentia (including diagnostic testing equipment,
2 biomedical equipment, drugs and medicines,
3 and hygiene equipment).

4 (G) The procurement and distribution of
5 personal protective equipment.

6 (H) Early domestic response to future
7 global pandemic diseases in the United States.

8 (3) CONGRESSIONAL COMMITTEES SPECI-
9 FIED.—The congressional committees specified in
10 this paragraph are the following:

11 (A) The Committee on Appropriations, the
12 Committee on Energy and Commerce, the Com-
13 mittee on Foreign Affairs, the Committee on
14 Homeland Security, and the Permanent Select
15 Committee on Intelligence of the House of Rep-
16 resentatives.

17 (B) The Committee on Appropriations, the
18 Committee on Foreign Relations, the Com-
19 mittee on Health, Education, Labor, and Pen-
20 sions, the Committee on Homeland Security
21 and Governmental Affairs, and the Select Com-
22 mittee on Intelligence of the Senate.

23 (c) GLOBAL STRATEGY.—

24 (1) REQUIREMENT.—Not later than 90 days
25 after the date of the enactment of this Act, the

1 President, in coordination with the Director of Na-
2 tional Intelligence, shall transmit to the congres-
3 sional committees specified in paragraph (2), and
4 make publicly available on the internet website of
5 the President, a report containing a global strategy
6 for mobilizing international institutions to combat
7 the COVID–19 pandemic.

8 (2) CONGRESSIONAL COMMITTEES SPECI-
9 FIED.—The congressional committees specified in
10 this paragraph are the following:

11 (A) The Committee on Appropriations, the
12 Committee on Armed Services, the Committee
13 on Foreign Affairs, and the Permanent Select
14 Committee on Intelligence of the House of Rep-
15 resentatives.

16 (B) The Committee on Appropriations, the
17 Committee on Armed Services, the Committee
18 on Foreign Relations, and the Select Committee
19 on Intelligence of the Senate.

20 **SEC. 907. MODIFICATION OF REQUIREMENT FOR BRIEF-**
21 **INGS ON NATIONAL SECURITY EFFECTS OF**
22 **EMERGING INFECTIOUS DISEASE AND**
23 **PANDEMICS.**

24 Section 6722(b)(2) of the Damon Paul Nelson and
25 Matthew Young Pollard Intelligence Authorization Act for

1 Fiscal Years 2018, 2019, and 2020 (division E of Public
2 Law 116–98) is amended—

3 (1) in the paragraph heading, by striking
4 “QUINQUENNIAL” and inserting “ANNUAL”;

5 (2) by striking “beginning on the date that is
6 5 years after the date on which the Director submits
7 the report under paragraph (1), and every 5 years
8 thereafter” and inserting “not later than January
9 31, 2021, and annually thereafter”; and

10 (3) by inserting “required under paragraph
11 (1)” before the period at the end.

12 **SEC. 908. REPORT ON OPEN-SOURCE SCIENCE AND TECH-**
13 **NOLOGY INTELLIGENCE COLLECTION AND**
14 **ANALYSIS WITHIN THE INTELLIGENCE COM-**
15 **MUNITY.**

16 (a) REPORT.—

17 (1) REQUIREMENT.—Not later than 180 days
18 after the date of the enactment of this Act, the Di-
19 rector of National Intelligence shall submit to the
20 congressional intelligence committees, and publish on
21 the internet website of the Office of the Director of
22 National Intelligence, a report assessing the past
23 and present efforts by the United States Govern-
24 ment to collect and analyze open-source science and
25 technology intelligence.

1 (2) MATTERS INCLUDED.—The report under
2 paragraph (1) shall include a description of each of
3 the following:

4 (A) Current efforts by the intelligence
5 community to collect and analyze open-source
6 science and technology intelligence.

7 (B) Current efforts by the People’s Repub-
8 lic of China to collect, analyze, and exploit
9 open-source science and technology intelligence.

10 (C) Historical funding and human
11 resourcing trends with respect to efforts by the
12 United States Government to collect and ana-
13 lyze open-source science and technology intel-
14 ligence.

15 (D) The rationale for previous reductions
16 by the United States Government in funding or
17 staffing for efforts to collect and analyze open-
18 source science and technology intelligence.

19 (E) Any lack of authorities or statutory
20 limitations that impede efforts of the United
21 States Government to collect and analyze open-
22 source science and technology intelligence.

23 (F) The resources required for the United
24 States Government to initiate new, or expand

existing, operations to collect and analyze open-source science and technology intelligence.

(G) Recommendations for expanding operations by the United States Government to collect and analyze open-source science and technology, including an assessment of the feasibility of—

(i) establishing a funding program of record dedicated to open-source science and technology intelligence;

(ii) co-locating open source-trained intelligence officers, intelligence officers with technical capabilities, and associated staff from different entities within and outside of the intelligence community; and

(iii) training a dedicated open-source intelligence officer cadre composed of language experts and science and technology experts.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but the report submitted to the congressional intelligence committees may include a classified annex.

(b) INTERAGENCY WORKING GROUP.—

1 (1) PREPARATION OF REPORT.—The Director
2 of National Intelligence shall convene an interagency
3 working group (in this section referred to as the
4 “working group”) to prepare the report under sub-
5 section (a) and to provide the briefing under sub-
6 section (c).

7 (2) MEMBERS.—The working group shall be
8 composed of representatives from the following:

9 (A) The Scientific and Technical Intel-
10 ligence Committee of the Office of the Director
11 of National Intelligence.

12 (B) The National Intelligence Officer for
13 Science and Technology of the Office of the Di-
14 rector of National Intelligence.

15 (C) The Central Intelligence Agency.

16 (D) The Defense Intelligence Agency.

17 (E) The Department of Defense.

18 (F) The National Geospatial-Intelligence
19 Agency.

20 (G) The National Security Agency.

21 (H) The Office of Intelligence and Analysis
22 of the Department of Homeland Security.

23 (I) The Federal Bureau of Investigation.

24 (J) The Bureau for Intelligence and Re-
25 search of the Department of State.

1 (K) The Office of Intelligence and Coun-
2 terintelligence of the Department of Energy.

3 (L) Any other component of the United
4 States Government, regardless of whether the
5 component is an element of the intelligence
6 community, that the Director determines—

7 (i) collects open-source science and
8 technology intelligence; and

9 (ii) would materially assist in the ac-
10 tivities of the working group.

11 (c) INTERIM BRIEFING.—Not later than 120 days
12 after the date of the enactment of this Act, the working
13 group shall provide to the congressional intelligence com-
14 mittees a briefing on the initial findings of the working
15 group under subsection (a).

16 (d) OPEN-SOURCE SCIENCE AND TECHNOLOGY IN-
17 TELLIGENCE DEFINED.—In this section, the term “open-
18 source science and technology intelligence” means infor-
19 mation of intelligence value regarding scientific and tech-
20 nological developments that appears in print or electronic
21 form, including radio, television, newspapers, journals, the
22 internet, commercial databases, videos, graphics, draw-
23 ings, or any other publicly available source.

1 **SEC. 909. INDEPENDENT STUDY ON OPEN-SOURCE INTEL-**
2 **LIGENCE.**

3 (a) STUDY.—The Director of National Intelligence
4 shall seek to enter into an agreement with a federally
5 funded research and development center or a nongovern-
6 mental entity to conduct a comprehensive study on the fu-
7 ture of the collection, processing, exploitation, analysis,
8 dissemination, and evaluation of open-source intelligence
9 by the intelligence community. The Director shall select
10 such entity in consultation with the congressional intel-
11 ligence committees.

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

14 (1) Recommendations with respect to the gov-
15 ernance of open-source intelligence within the intel-
16 ligence community, including regarding—

17 (A) whether such governance of open-
18 source intelligence should be assigned to a func-
19 tional manager or an executive agent, or use
20 another governance structure;

21 (B) which official of the intelligence com-
22 munity should serve as such a functional man-
23 ager, executive agent, or the leader of such
24 other governance structure, and what authori-
25 ties the official should have in serving in such
26 role;

1 (C) which official of the intelligence com-
2 munity should be responsible for conducting
3 oversight by the executive branch for open-
4 source intelligence;

5 (D) which elements of the intelligence com-
6 munity should retain capabilities to collect,
7 process, exploit, and disseminate open-source
8 intelligence;

9 (E) how to effectively integrate such collec-
10 tion capabilities among the elements of the in-
11 telligence community; and

12 (F) whether to establish a new agency as
13 an element of the intelligence community dedi-
14 cated to open-source intelligence or to establish
15 a fusion center to co-locate open-source intel-
16 ligence capabilities of the elements of the intel-
17 ligence community, including a discussion of the
18 advantages and disadvantages of each such ap-
19 proach.

20 (2) Recommendations regarding the require-
21 ments processes for open-source intelligence, includ-
22 ing with respect to—

23 (A) the utility (or disutility) of a unified
24 collection management process for open-source

1 intelligence for all of the intelligence commu-
2 nity;

3 (B) what such a process might look like;

4 (C) ways to integrate an open-source re-
5 quirements process into all-source collection
6 management; and

7 (D) ways that automation might be lever-
8 aged to facilitate open-source requirements and
9 collection management.

10 (3) An assessment of the value of rejuvenating
11 a career service for a professional cadre of the intel-
12 ligence community that focuses on collecting and
13 disseminating open-source intelligence and rec-
14 ommendations for such a rejuvenation.

15 (4) Recommendations regarding the need to ad-
16 just any legal and policy frameworks (including any
17 applicable guidelines of the Attorney General) that
18 would facilitate the collection, retention, and dis-
19 semination of open-source intelligence while bal-
20 ancing customer needs with the privacy interests of
21 United States persons.

22 (5) An assessment of methods to use open-
23 source intelligence to support the operations of the
24 intelligence community, including recommendations

1 on when and how open-source intelligence should
2 support such operations.

3 (6) With respect to the data management of
4 open-source intelligence, recommendations on pro-
5 posed data ingestion tools, scraping capabilities, and
6 other tools and capabilities to collect, process, ex-
7 ploit, and analyze the volume of open-source intel-
8 ligence, including recommendations on how the intel-
9 ligence community can increase the speed and secu-
10 rity with which the intelligence community adopts
11 open-source technology and unclassified commercial
12 products.

13 (7) Any other matters the Director or the entity
14 selected to conduct the study determines appro-
15 priate.

16 (c) COOPERATION.—The Director shall make avail-
17 able to the entity selected to conduct the study under sub-
18 section (a) the necessary information and materials to con-
19 duct the study, including with respect to—

20 (1) accessing secure workspaces;

21 (2) accessing directives and policy guidance of
22 the intelligence community and other policy docu-
23 ments regarding the governance and execution of
24 open-source intelligence;

1 (3) reviewing technological systems used to con-
2 duct open-source intelligence collection;

3 (4) interviewing senior personnel of the intel-
4 ligence community, including such personnel with re-
5 sponsibility for the open-source intelligence mission
6 of the intelligence community; and

7 (5) ensuring that each head of an element of
8 the intelligence community provides the cooperation
9 described in this subsection.

10 (d) CONSULTATION.—The entity selected to conduct
11 the study under subsection (a) shall consult with the con-
12 gressional intelligence committees before beginning to con-
13 duct such study.

14 (e) REPORT.—Not later than 270 days after the date
15 of the enactment of this Act, the Director shall submit
16 to the congressional intelligence committees a report con-
17 taining the study under subsection (a), without change.
18 The report shall be unclassified, but may include a classi-
19 fied annex.

20 **SEC. 910. SURVEY ON OPEN SOURCE ENTERPRISE.**

21 (a) SURVEY.—The Director of the Central Intel-
22 ligence Agency (as the open source functional manager for
23 the intelligence community), in consultation with the Di-
24 rector of National Intelligence and any other head of an
25 element of the intelligence community that the Director

1 of the Central Intelligence Agency determines appropriate,
2 shall conduct a survey to measure the satisfaction of cus-
3 tomers of open-source intelligence with the Open Source
4 Enterprise of the Central Intelligence Agency.

5 (b) PURPOSE.—The Director shall ensure that the
6 survey under subsection (a)—

7 (1) evaluates which types of open-source intel-
8 ligence supports the missions of the customers of
9 such intelligence, regardless of whether the cus-
10 tomers are elements of the intelligence community
11 and regardless of whether the customers are receiv-
12 ing such intelligence from the Open Source Enter-
13 prise;

14 (2) evaluates how responsive the Open Source
15 Enterprise is to the missions of the elements of the
16 intelligence community and the other customers of
17 the Open Source Enterprise;

18 (3) enables the Open Source Enterprise to set
19 strategic priorities; and

20 (4) enables Congress to better oversee the stra-
21 tegic direction of the Open Source Enterprise and to
22 provide support to the collection and analysis of
23 open-source intelligence.

24 (c) CONTENTS.—

1 (1) ASSESSMENT.—The survey under sub-
2 section (a) shall include qualitative and quantitative
3 questions designed to assess the following:

4 (A) The value of support provided by the
5 Open Source Enterprise to the mission of the
6 customer taking the survey.

7 (B) The accessibility of the products of the
8 Open Source Enterprise.

9 (C) The frequency that such products are
10 used in accomplishing the mission of the cus-
11 tomer.

12 (D) The responsiveness of the Open Source
13 Enterprise to tasking requests.

14 (E) Areas in which the Open Source En-
15 terprise could improve.

16 (F) The in-house open-source intelligence
17 capabilities of the customer taking the survey,
18 including—

19 (i) a description of such capabilities;

20 (ii) how such capabilities are tailored
21 to the mission of the customer;

22 (iii) when such capabilities were estab-
23 lished; and

1 (iv) whether and to what extent the
2 customer coordinates with the Open Source
3 Enterprise regarding such capabilities.

4 (2) SURVEY ANSWERS.—A customer who re-
5 ceives the survey under subsection (a) shall make all
6 reasonable efforts to respond fully and frankly to the
7 survey.

8 (d) DESIGN METHODOLOGY.—In carrying out sub-
9 section (a), the Director of Central Intelligence shall seek
10 advice regarding design methodology for customer satis-
11 faction surveys from—

12 (1) experts in survey design of the Central In-
13 telligence Agency and the Office of the Director of
14 National Intelligence; and

15 (2) senior executives of the Bureau of Intel-
16 ligence and Research of the Department of State
17 who conduct a survey similar to the survey under
18 subsection (a).

19 (e) REPORT.—

20 (1) STRATEGY.—Not later than 180 days after
21 the date on which the survey is completed under
22 subsection (a), the Director shall submit to the con-
23 gressional intelligence committees a report on the
24 strategic direction of the Open Source Enterprise

1 based on the results of the survey, including expla-
2 nations of how the Open Source Enterprise will—

3 (A) build off the successes of the Open
4 Source Enterprise; and

5 (B) fill gaps in the collection, production,
6 analysis, or dissemination of open-source intel-
7 ligence.

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

10 (3) BRIEFING.—Not later than 30 days after
11 the date on which the Director submits to the con-
12 gressional intelligence committees the report under
13 paragraph (1), the Director shall provide to such
14 committees a briefing on the strategic direction of
15 the Open Source Enterprise.

16 **SEC. 911. INTELLIGENCE ASSESSMENT AND REPORTS ON**
17 **VIOLENT TRANSNATIONAL WHITE SUPREMA-**
18 **CIST EXTREMISM.**

19 (a) INTELLIGENCE ASSESSMENT.—

20 (1) REQUIREMENT.—Not later than 120 days
21 after the date of the enactment of this Act, the Di-
22 rector of National Intelligence, acting through the
23 Director of the National Counterterrorism Center, in
24 coordination with the Director of the Federal Bu-
25 reau of Investigation and the Under Secretary of

1 Homeland Security for Intelligence and Analysis,
2 and in consultation with other relevant Federal de-
3 partments and agencies, shall submit to the appro-
4 priate congressional committees an intelligence as-
5 sessment on threats to the United States associated
6 with foreign violent White supremacist extremist or-
7 ganizations.

8 (2) ELEMENTS.—The assessment under para-
9 graph (1) shall include the following:

10 (A) A list of foreign violent White su-
11 premacist extremist organizations.

12 (B) With respect to each such organiza-
13 tion—

14 (i) an overview of the membership,
15 ideology, and activities;

16 (ii) a description of any transnational
17 links to the United States or United States
18 persons;

19 (iii) a description of the leadership,
20 plans, intentions, and capabilities;

21 (iv) whether (and if so, to what ex-
22 tent) foreign governments or their proxies
23 provide any manner of support to such or-
24 ganizations, including a list of each such
25 foreign government or proxy;

1 (v) a description of the composition
2 and characteristics of the members and
3 support networks, including whether (and
4 if so, to what extent) the members are also
5 a part of a military, security service, or po-
6 lice;

7 (vi) a description of financing and
8 other forms of material support;

9 (vii) an assessment of trends and pat-
10 terns relative to communications, travel,
11 and training (including whether and to
12 what extent the organization is engaged in
13 or facilitating military or paramilitary
14 training);

15 (viii) an assessment of the
16 radicalization and recruitment, including
17 an analysis of the extremist messaging mo-
18 tivating members and supporters; and

19 (ix) whether (and if so, to what ex-
20 tent) foreign governments have sufficient
21 laws and policies to counter threats to the
22 United States associated with the organi-
23 zation, including best practices and gaps.

24 (C) An assessment of the status and extent
25 of information sharing, intelligence partner-

ships, foreign police cooperation, and mutual legal assistance between the United States and foreign governments relative to countering threats to the United States associated with foreign violent White supremacist extremist organizations.

(D) An assessment of intelligence gaps and recommendations on how to remedy such gaps.

(E) An opportunity analysis regarding countering such threats, including, at a minimum, with respect to mitigating and disrupting the transnational nexus.

(3) STANDARDS.—The intelligence assessment under paragraph (1) shall be conducted in a manner that meets the analytic integrity and tradecraft standards of the intelligence community.

(4) FORM AND PUBLIC RELEASE.—The intelligence assessment under paragraph (1) shall be submitted in unclassified form, but may include a classified annex in electronic form that is fully indexed and searchable. In carrying out this paragraph, the officials specified in paragraph (1) shall—

(A) ensure that the assessment is unclassified to the extent possible;

1 (B) make the unclassified assessment pub-
2 licly available on the internet websites of the of-
3 ficials—

4 (i) by not later than 30 days after
5 submission to the appropriate congres-
6 sional committees; and

7 (ii) in an electronic format that is
8 fully indexed and searchable; and

9 (C) ensure that the assessment is drafted
10 in a way to maximize the ability to share the
11 assessment, including the classified annex, with
12 the entities under paragraph (5).

13 (5) SHARING.—Consistent with the protection
14 of classified information, the Director of National
15 Intelligence, acting through the Director of the Na-
16 tional Counterterrorism Center, in coordination with
17 the Director of the Federal Bureau of Investigation
18 and the Under Secretary of Homeland Security for
19 Intelligence and Analysis, shall share the intelligence
20 assessment under paragraph (1) with—

21 (A) appropriate Federal departments and
22 agencies;

23 (B) Joint Terrorism Task Forces and the
24 Domestic Terrorism-Hate Crimes Fusion Cell
25 of the Federal Bureau of Investigation;

1 (C) State, local, and Tribal law enforce-
2 ment officials, including officials who operate
3 within State, local, and regional fusion centers
4 through the Department of Homeland Security
5 State, Local, and Regional Fusion Center Ini-
6 tiative established in accordance with section
7 210A of the Homeland Security Act of 2002 (6
8 U.S.C. 124h); and

9 (D) appropriate foreign governments, in-
10 cluding foreign intelligence services and foreign
11 police, and international institutions, that part-
12 ner with the United States on countering
13 threats associated with foreign violent White
14 supremacist extremist organizations.

15 (b) REPORT.—

16 (1) REQUIREMENT.—Not later than 150 days
17 after the date of the enactment of this Act, the Di-
18 rector of National Intelligence (acting through the
19 Director of the National Counterterrorism Center),
20 in coordination with the Secretary of State, the Sec-
21 retary of the Treasury, the Attorney General, the
22 Secretary of Homeland Security, and in a manner
23 consistent with the authorities and responsibilities of
24 such Secretary or Director, shall submit to the ap-
25 propriate congressional committees a report on the

1 use of Federal laws, regulations, and policies by the
2 Federal Government to counter threats to the
3 United States and United States persons associated
4 with foreign violent White supremacist extremist or-
5 ganizations.

6 (2) ELEMENTS.—The report under paragraph
7 shall include the following:

8 (A) An identification, description, and as-
9 sessment of the use and efficacy of, Federal
10 laws, regulations, and policies used by the Fed-
11 eral Government to address threats to the
12 United States and United States persons asso-
13 ciated with foreign violent White supremacist
14 extremist organizations, including pursuant
15 to—

16 (i) section 1016 of the Intelligence
17 Reform and Terrorism Prevention Act of
18 2004 (6 U.S.C. 485) and section 119 of
19 the National Security Act of 1949 (50
20 U.S.C. 3056), particularly with respect to
21 the coordination and integration of all in-
22 struments of national power;

23 (ii) Executive Order 12333 (50 U.S.C.
24 3001 note), as amended;

1 (iii) the designation of foreign ter-
2 rorist organizations under section 219 of
3 the Immigration and Nationality Act (8
4 U.S.C. 1189);

5 (iv) the designation of specially des-
6 ignated terrorists, specially designated
7 global terrorists, or specially designated
8 nationals and blocked persons, pursuant to
9 Executive Orders 13886, 13372, and
10 13224 and parts 594, 595, 596, and 597
11 of title 31, Code of Federal Regulations;

12 (v) National Security Presidential
13 Memorandums 7 and 9, particularly with
14 respect to the sharing of terrorism infor-
15 mation and screening and vetting activi-
16 ties; and

17 (vi) any other applicable Federal laws,
18 regulations, or policies.

19 (B) An assessment of whether (and if so,
20 to what extent and why) such Federal laws,
21 regulations, and policies are sufficient to
22 counter such threats, including a description of
23 any gaps and specific examples to illustrate
24 such gaps.

1 (C) Recommendations regarding how to
2 remedy the gaps under subparagraph (B).

3 (3) PRIVACY AND CIVIL LIBERTIES ASSESS-
4 MENT.—Not later than 180 days after the date of
5 the enactment of this Act, the Privacy and Civil Lib-
6 erties Oversight Board, in consultation with the civil
7 liberties and privacy officers of the Federal depart-
8 ments and agencies the Board determines appro-
9 priate, shall submit to the appropriate congressional
10 committees a report containing—

11 (A) an assessment of the impacts on the
12 privacy and civil liberties of United States per-
13 sons concerning the use or recommended use of
14 any Federal laws, regulations, and policies spec-
15 ified in paragraph (2); and

16 (B) recommendations on options to develop
17 protections to mitigate such impacts.

18 (4) FORM AND PUBLIC RELEASE.—The reports
19 under paragraphs (1) and (2) shall be submitted in
20 unclassified form, but may include a classified annex
21 in electronic form that is fully indexed and search-
22 able. In carrying out this paragraph, the officials re-
23 sponsible for submitting such reports shall—

24 (A) ensure that the reports are unclassified
25 to the extent possible;

(B) make the unclassified reports publicly available on the internet websites of the officials—

(i) by not later than 30 days after submission to the appropriate congressional committees; and

(ii) in an electronic format that is fully indexed and searchable.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives; and

(B) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Affairs, and the Committee on the Judiciary of the Senate.

(2) FOREIGN VIOLENT WHITE SUPREMACIST EXTREMIST ORGANIZATION.—The term “foreign violent White supremacist extremist organization”

1 means an organization, such as a neo-Nazi or racist
2 skinhead group or militia, with a substantial compo-
3 nent based outside the United States, that is en-
4 gaged in the planning or execution of racially or eth-
5 nically motivated acts of terrorism or other targeted
6 violence motivated by White supremacist extremism,
7 particularly against immigrants or individuals per-
8 ceived to be immigrants, African Americans or other
9 people of African descent, Jews, Muslims, or other
10 people perceived to be ethnic minorities or otherwise
11 not perceived to be White.

12 (3) **TERRORISM INFORMATION.**—The term “ter-
13 rorism information” has the meaning given that
14 term in section 1016(a) of the Intelligence Reform
15 and Terrorism Prevention Act of 2004 (6 U.S.C.
16 485(a)).

17 (4) **UNITED STATES PERSON.**—The term
18 “United States person” has the meaning given that
19 term in section 105A(c) of the National Security Act
20 of 1947 (50 U.S.C. 3039).

21 **SEC. 912. WIRELESS SUPPLY CHAIN INNOVATION GRANT**
22 **PROGRAM.**

23 (a) **IN GENERAL.**—From amounts made available
24 under subsection (e), the Assistant Secretary shall, begin-
25 ning not later than 18 months after the date of the enact-

1 ment of this Act, make grants on a competitive basis to
2 support the deployment and use of Open RAN 5G Net-
3 works throughout the United States by—

4 (1) promoting the use of technology, including
5 software, hardware, and microprocessing technology,
6 that will enhance competitiveness in the supply
7 chains of Open RAN 5G Networks;

8 (2) accelerating the deployment of Open Net-
9 work Equipment;

10 (3) promoting the use of Open Network Equip-
11 ment;

12 (4) establishing objective criteria that can be
13 used to determine if equipment meets the definition
14 of Open Network Equipment;

15 (5) promoting the inclusion of security features
16 that enhance the integrity and availability of Open
17 Network Equipment; or

18 (6) promoting the application of network func-
19 tion virtualization to facilitate the deployment of
20 Open RAN 5G Networks and a more diverse vendor
21 market.

22 (b) GRANT CRITERIA.—The Assistant Secretary, in
23 consultation with the Commission, the Director of the Na-
24 tional Institute of Standards and Technology, the Sec-
25 retary of Homeland Security, the Director of the Defense

1 Advanced Research Projects Agency, and the Director of
2 the Intelligence Advanced Research Projects Activity of
3 the Office of the Director of National Intelligence, shall
4 establish the criteria under which the Assistant Secretary
5 shall award a grant under subsection (a).

6 (c) REPORTS TO CONGRESS.—

7 (1) ANNUAL REPORT ON GRANTS MADE.—For
8 each fiscal year for which amounts are available to
9 make grants under subsection (a), the Assistant Sec-
10 retary shall submit to the relevant committees of
11 Congress a report that includes, with respect to that
12 fiscal year—

13 (A) a description of—

14 (i) to whom grants under subsection
15 (a) were made, the amount thereof, and
16 criteria used to award such grants; and

17 (ii) the progress the Assistant Sec-
18 retary has made in meeting the objectives
19 described in subsection (a) of the grant
20 program under this section; and

21 (B) any additional information that the
22 Assistant Secretary determines appropriate.

23 (2) REPORT ON 5G NETWORK SUPPLY CHAIN.—

24 Not later than 180 days after the date of the enact-
25 ment of this Act, the Assistant Secretary shall sub-

1 mit to the relevant committees of Congress a written
2 report—

3 (A) that includes recommendations on pro-
4 moting the competitiveness and sustainability of
5 trusted Open RAN 5G Networks; and

6 (B) identifying whether any additional au-
7 thorities are needed by the Assistant Secretary
8 to facilitate the timely adoption of Open Net-
9 work Equipment, including the authority to
10 provide loans, loan guarantees, and other forms
11 of credit extension that would maximize the use
12 of grant amounts awarded under this section.

13 (d) ADVISORY COMMITTEE.—

14 (1) ESTABLISHMENT.—The Assistant Secretary
15 shall establish an Advisory Committee to advise the
16 Assistant Secretary in the manner described in para-
17 graph (3).

18 (2) COMPOSITION.—The Advisory Committee
19 established under paragraph (1) shall be composed
20 of—

21 (A) representatives from—

22 (i) the Commission;

23 (ii) the Defense Advanced Research
24 Projects Agency;

1 (iii) the Intelligence Advanced Re-
2 search Projects Activity of the Office of
3 the Director of National Intelligence;

4 (iv) the National Institute of Stand-
5 ards and Technology;

6 (v) the Department of State;

7 (vi) the National Science Foundation;

8 and

9 (vii) the Department of Homeland Se-
10 curity; and

11 (B) other representatives from the private
12 and public sectors, at the discretion of the As-
13 sistant Secretary.

14 (3) DUTIES.—The Advisory Committee estab-
15 lished under paragraph (1) shall be used to advise
16 the Assistant Secretary on technology developments
17 to help inform—

18 (A) the strategic direction of the grant
19 program established under subsection (a); and

20 (B) efforts of the Federal Government to
21 promote a more secure, diverse, sustainable,
22 and competitive supply chain for Open RAN 5G
23 Networks.

24 (e) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) AMOUNT AUTHORIZED.—There is author-
2 ized to be appropriated to make grants under sub-
3 section (a) \$750,000,000 for fiscal years 2021
4 through 2031.

5 (2) AVAILABILITY.—Amounts made available
6 under paragraph (1) shall remain available through
7 fiscal year 2031.

8 (f) DEFINITIONS.—In this section:

9 (1) 3GPP.—The term “3GPP” means the Third
10 Generation Partnership Project.

11 (2) 5G NETWORK.—The term “5G network”
12 means a radio network as described by 3GPP Re-
13 lease 15 or higher, or any successor network.

14 (3) ASSISTANT SECRETARY.—The term “Assist-
15 ant Secretary” means the Assistant Secretary of
16 Commerce for Communications and Information.

17 (4) COMMISSION.—The term “Commission”
18 means the Federal Communications Commission.

19 (5) OPEN NETWORK EQUIPMENT.—The term
20 “Open Network Equipment” means equipment that
21 follows a set of open standards (such as O-RAN
22 standards or the Open Radio Access Network ap-
23 proach to standardization, adopted by the O-RAN
24 Alliance, 3GPP, or other organizations) and open
25 interfaces for multi-vendor network equipment inter-

1 operability, such that the equipment may be inte-
2 grated into the Radio Access Networks of an Open
3 RAN 5G Network.

4 (6) OPEN RAN 5G NETWORK.—The term “Open
5 RAN 5G Network” means a 5G network that follows
6 a set of open standards (such as O-RAN standards
7 or the Open Radio Access Network approach to
8 standardization, adopted by the O-RAN Alliance,
9 3GPP, or other organizations) and open interfaces
10 for multi-vendor network equipment interoperability.

11 (7) RELEVANT COMMITTEES OF CONGRESS.—
12 The term “relevant committees of Congress”
13 means—

14 (A) the Committee on Energy and Com-
15 merce of the House of Representatives;

16 (B) the Permanent Select Committee on
17 Intelligence of the House of Representatives;

18 (C) the Committee on Foreign Affairs of
19 the House of Representatives;

20 (D) the Committee on Homeland Security
21 of the House of Representatives;

22 (E) the Committee on Armed Services of
23 the House of Representatives;

24 (F) the Committee on Commerce, Science,
25 and Transportation of the Senate;

1 (G) the Select Committee on Intelligence of
2 the Senate;

3 (H) the Committee on Foreign Relations
4 of the Senate;

5 (I) the Committee on Homeland Security
6 and Governmental Affairs of the Senate; and

7 (J) the Committee on Armed Services of
8 the Senate.

9 **SEC. 913. SENSE OF CONGRESS REGARDING THIRD OPTION**
10 **FOUNDATION.**

11 It is the sense of the Congress that the work of the
12 Third Option Foundation to heal, help, and honor mem-
13 bers of the special operations community of the Central
14 Intelligence Agency and their families is invaluable.

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