To authorize appropriations for fiscal year 2024 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. WARNER, from the Select Committee on Intelligence, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2024 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2024”.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
3  SECT 1. SHORT TITLE; TABLE OF CONTENTS.
4  (a) Short Title.—This Act may be cited as the
5  “Intelligence Authorization Act for Fiscal Year 2024”.
“(g) APPROPRIATE CONGRESSIONAL COMMITTEES

DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the congressional defense committees;

“(2) the Select Committee on Intelligence of the Senate; and

“(3) the Permanent Select Committee on Intelligence of the House of Representatives.”.

SEC. 1104. FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA.

(a) DEFINITIONS.—In this section:

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

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term “congressional leadership” means—

(A) the majority leader of the Senate;
(B) the minority leader of the Senate;

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

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

(3) DIRECTOR.—The term “Director” means the Director of the All-domain Anomaly Resolution Office.

(4) UNIDENTIFIED ANOMALOUS PHENOMENA.—

The term “unidentified anomalous phenomena” has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(b) SENSE OF CONGRESS.—It is the sense of Congress that, due to the increasing potential for technology surprise from foreign adversaries and to ensure sufficient integration across the United States industrial base and avoid technology and security stovepipes—

(1) the United States industrial base must retain its global lead in critical advanced technologies;

and

(2) the Federal Government must expand awareness about any historical exotic technology
antecedents previously provided by the Federal Gov-
ernment for research and development purposes.

(c) LIMITATIONS.—

(1) IN GENERAL.—No amount authorized to be
appropriated or appropriated by this Act or any
other Act may be obligated or expended, directly or
indirectly, in part or in whole, for, on, in relation to,
or in support of activities involving unidentified
anomalous phenomena protected under any form of
special access or restricted access limitations that
have not been formally, officially, explicitly, and spe-
cifically described, explained, and justified to the ap-
propriate committees of Congress, congressional
leadership, and the Director, including for any ac-
tivities relating to the following:

(A) Recruiting, employing, training, equip-
ning, and operations of, and providing security
for, government or contractor personnel with a
primary, secondary, or contingency mission of
capturing, recovering, and securing unidentified
anomalous phenomena craft or pieces and com-
ponents of such craft.

(B) Analyzing such craft or pieces or com-
ponents thereof, including for the purpose of
determining properties, material composition,
method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of such craft or component technology.

(C) Managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure or compromise.

(D) Actions relating to reverse engineering or replicating unidentified anomalous phenomena technology or performance based on analysis of materials or sensor and observational information associated with unidentified anomalous phenomena.

(E) The development of propulsion technology, or aerospace craft that uses propulsion technology, systems, or subsystems, that is based on or derived from or inspired by inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena craft or materials.

(F) Any aerospace craft that uses propulsion technology other than chemical propellants, solar power, or electric ion thrust.
(2) Future Appropriations.—Paragraph (1) shall apply with respect to an amount appropriated after the date of the enactment of this Act, unless such paragraph is specifically waived for such amount, or such amount is specifically exempted from such paragraph, by an Act enacted after the date of the enactment of this Act.

(d) Notification and Reporting.—Any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access shall—

(1) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(2) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(A) all such material and information; and

(B) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena material.
(e) Liability.—No criminal or civil action may lie or be maintained in any Federal or State court against any person for receiving material or information described in subsection (d) if that person complies with the notification and reporting provisions described in such subsection.

(f) Limitation Regarding Independent Research and Development.—

(1) In General.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to material or information described in subsection (c) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (d).

(2) Effective Date and Applicability.—Paragraph (1) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to funding from amounts appropriated before, on, or after such date.
(g) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under paragraph (1) of subsection (d) or information or material under paragraph (2) of such subsection, the Director shall provide written notification of such receipt to the appropriate committees of Congress and congressional leadership.