

1 (4) The Chairman of the Joint Chiefs of Staff.

2 (5) The Director of Cost Assessment and Pro-
3 gram Evaluation.

4 (d) ANNUAL BRIEFING.—Not later than 30 days
5 after the date on which the President submits to Congress
6 a budget for each of fiscal years 2024 through 2027 pur-
7 suant to section 1105(a) of title 31, United States Code,
8 the Under Secretary of Defense for Acquisition and
9 Sustainment, acting through the senior official designated
10 under subsection (b), and the personnel of the White
11 House Military Office that the Director of the White
12 House Military Office determines appropriate shall jointly
13 provide to the congressional defense committees a briefing
14 on acquisition programs, plans, and other activities sup-
15 porting the requirements of the White House Military Of-
16 fice.

17 **SEC. 1673. UNIDENTIFIED ANOMALOUS PHENOMENA RE-**
18 **PORTING PROCEDURES.**

19 (a) MECHANISM FOR AUTHORIZED REPORTING.—

20 (1) ESTABLISHMENT.—The Secretary of De-
21 fense, acting through the head of the Office and in
22 consultation with the Director of National Intel-
23 ligence, shall establish a secure mechanism for au-
24 thorized reporting of—

1 (A) any event relating to unidentified
2 anomalous phenomena; and

3 (B) any activity or program by a depart-
4 ment or agency of the Federal Government or
5 a contractor of such a department or agency re-
6 lating to unidentified anomalous phenomena,
7 including with respect to material retrieval, ma-
8 terial analysis, reverse engineering, research
9 and development, detection and tracking, devel-
10 opmental or operational testing, and security
11 protections and enforcement.

12 (2) PROTECTION OF SYSTEMS, PROGRAMS, AND
13 ACTIVITY.—The Secretary shall ensure that the
14 mechanism for authorized reporting established
15 under paragraph (1) prevents the unauthorized pub-
16 lic reporting or compromise of classified military and
17 intelligence systems, programs, and related activity,
18 including all categories and levels of special access
19 and compartmented access programs.

20 (3) ADMINISTRATION.—The Secretary shall en-
21 sure that the mechanism for authorized reporting es-
22 tablished under paragraph (1) is administered by
23 designated and appropriately cleared employees of
24 the Department of Defense or elements of the intel-

1 ligence community or contractors of the Department
2 or such elements assigned to the Office.

3 (4) SHARING OF INFORMATION.—

4 (A) PROMPT SHARING WITHIN OFFICE.—

5 The Secretary shall ensure that the mechanism
6 for authorized reporting established under para-
7 graph (1) provides for the sharing of an author-
8 ized disclosure to personnel and supporting an-
9 alysts and scientists of the Office (regardless of
10 the classification of information contained in
11 the disclosure or any nondisclosure agree-
12 ments), unless the employees or contractors ad-
13 ministering the mechanism under paragraph (3)
14 conclude that the preponderance of information
15 available regarding the disclosure indicates that
16 the observed object and associated events and
17 activities likely relate to a special access pro-
18 gram or compartmented access program that,
19 as of the date of the disclosure, has been explic-
20 itly and clearly reported to the congressional
21 defense committees or the congressional intel-
22 ligence committees, and is documented as meet-
23 ing those criteria.

24 (B) CONGRESSIONAL NOTIFICATION.—Not
25 later than 72 hours after determining that an

1 authorized disclosure relates to a restricted ac-
2 cess activity, a special access program, or a
3 compartmented access program that has not
4 been explicitly and clearly reported to the con-
5 gressional defense committees or the congress-
6 sional intelligence committees, the Secretary
7 shall report such disclosure to such committees
8 and the congressional leadership.

9 (5) INITIAL REPORT AND PUBLICATION.—Not
10 later than 180 days after the date of the enactment
11 of this Act, the Secretary, acting through the head
12 of the Office and in consultation with the Director
13 of National Intelligence, shall—

14 (A) submit to the congressional defense
15 committees, the congressional intelligence com-
16 mittees, and the congressional leadership a re-
17 port detailing the mechanism for authorized re-
18 porting established under paragraph (1); and

19 (B) issue clear public guidance for how to
20 securely access the mechanism for authorized
21 reporting.

22 (b) PROTECTION FOR INDIVIDUALS MAKING AU-
23 THORIZED DISCLOSURES.—

24 (1) AUTHORIZED DISCLOSURES.—An author-
25 ized disclosure—

1 (A) shall not be subject to a nondisclosure
2 agreement entered into by the individual who
3 makes the disclosure;

4 (B) shall be deemed to comply with any
5 regulation or order issued under the authority
6 of Executive Order 13526 (50 U.S.C. 3161
7 note; relating to classified national security in-
8 formation) or chapter 18 of the Atomic Energy
9 Act of 1954 (42 U.S.C. 2271 et seq.); and

10 (C) is not a violation of section 798 of title
11 18, United States Code, or other provision of
12 law relating to the disclosure of information.

13 (2) PROHIBITION ON REPRISALS.—

14 (A) PROTECTION.—An employee of a de-
15 partment or agency of the Federal Government,
16 or of a contractor, subcontractor, grantee, sub-
17 grantee, or personal services contractor of such
18 a department or agency, who has authority to
19 take, direct others to take, recommend, or ap-
20 prove any personnel action, shall not, with re-
21 spect to such authority, take or fail to take, or
22 threaten to take or fail to take, a personnel ac-
23 tion, including the revocation or suspension of
24 security clearances, or termination of employ-

1 ment, with respect to any individual as a re-
2 prisal for any authorized disclosure.

3 (B) PROCEDURES.—The Secretary of De-
4 fense and the Director of National Intelligence
5 shall establish procedures for the enforcement
6 of subparagraph (A) consistent with, as appro-
7 priate, section 1034 of title 10, United States
8 Code, section 1104 of the National Security Act
9 of 1947 (50 U.S.C. 3234), or other similar pro-
10 visions of law regarding prohibited personnel
11 actions.

12 (3) NONDISCLOSURE AGREEMENTS.—

13 (A) IDENTIFICATION.—The Secretary of
14 Defense, the Director of National Intelligence,
15 the Secretary of Homeland Security, the heads
16 of such other departments and agencies of the
17 Federal Government that have supported inves-
18 tigations of the types of events covered by sub-
19 paragraph (A) of subsection (a)(1) and activi-
20 ties and programs described in subparagraph
21 (B) of such subsection, and contractors of the
22 Federal Government that have supported or are
23 supporting such activities and programs, shall
24 conduct comprehensive searches of all records
25 relating to nondisclosure orders relating to the

1 types of events described in subsection (a) and
2 provide copies of such orders, agreements, or
3 obligations to the Office.

4 (B) SUBMISSION TO CONGRESS.—The head
5 of the Office shall—

6 (i) make the records compiled under
7 subparagraph (A) accessible to the con-
8 gressional defense committees, the congres-
9 sional intelligence committees, and the con-
10 gressional leadership; and

11 (ii) not later than September 30,
12 2023, and at least once each fiscal year
13 thereafter through fiscal year 2026, pro-
14 vide to such committees and congressional
15 leadership briefings and reports on such
16 records.

17 (c) ANNUAL REPORTS.—Section 1683 of the Na-
18 tional Defense Authorization Act for Fiscal Year 2022 (50
19 U.S.C. 3373) is amended—

20 (1) by striking “aerial” each place it appears
21 and inserting “anomalous”;

22 (2) in subsection (h)—

23 (A) in paragraph (1), by inserting “and
24 the congressional leadership” after “appropriate
25 congressional committees”; and

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

3 “(Q) A summary of the reports received
4 using the mechanism for authorized reporting
5 established under section 1673 of the James M.
6 Inhofe National Defense Authorization Act for
7 Fiscal Year 2023.”; and

8 (3) in subsection (l)—

9 (A) by redesignating paragraphs (2)
10 through (5) as paragraphs (3) through (6), re-
11 spectively; and

12 (B) by inserting after paragraph (1) the
13 following new paragraph (2):

14 “(2) The term ‘congressional leadership’
15 means—

16 “(A) the majority leader of the Senate;

17 “(B) the minority leader of the Senate;

18 “(C) the Speaker of the House of Rep-
19 resentatives; and

20 “(D) the minority leader of the House of
21 Representatives.”.

22 (d) DEFINITIONS.—In this section:

23 (1) The term “authorized disclosure” means a
24 report of any information through, and in compli-

1 ance with, the mechanism for authorized reporting
2 established pursuant to subsection (a)(1).

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

7 (3) The term “congressional leadership”
8 means—

9 (A) the majority leader of the Senate;

10 (B) the minority leader of the Senate;

11 (C) the Speaker of the House of Rep-
12 representatives; and

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

15 (4) The term “intelligence community” has the
16 meaning given such term in section 3 of the Na-
17 tional Security Act of 1947 (50 U.S.C. 3003).

18 (5) The term “nondisclosure agreement” means
19 any written or oral nondisclosure agreement, order,
20 or other instrumentality or means entered into by an
21 individual that could be interpreted as a legal con-
22 straint on the individual making an authorized dis-
23 closure.

24 (6) The term “Office” means the All-domain
25 Anomaly Resolution Office established pursuant to

1 section 1683(a) of the National Defense Authoriza-
2 tion Act for Fiscal Year 2022 (50 U.S.C. 3373(a)).

3 (7) The term “personnel action” has the mean-
4 ing given such term in section 1104(a) of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3234(a)).

6 (8) The term “unidentified anomalous phe-
7 nomena” has the meaning given such term in section
8 1683(n) of the National Defense Authorization Act
9 for Fiscal Year 2022 (50 U.S.C. 3373(l)).

10 **SEC. 1674. STUDY OF WEAPONS PROGRAMS THAT ALLOW**
11 **ARMED FORCES TO ADDRESS HARD AND**
12 **DEEPLY BURIED TARGETS.**

13 (a) STUDY.—Not later than 180 days after the date
14 of the enactment of this Act, the Secretary of Defense,
15 in coordination with the Chairman of the Joint Chiefs of
16 Staff, the Commander of the United States Strategic
17 Command, and the Administrator for Nuclear Security,
18 and in consultation with the Director of National Intel-
19 ligence, shall submit to the congressional defense commit-
20 tees a study on options to hold at risk hard and deeply
21 buried targets.

22 (b) ELEMENTS.—The study under subsection (a)
23 shall include the following: