

Calendar No. 116

117TH CONGRESS }
1st Session }

SENATE

{ REPORT
117-37

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2022

AUGUST 10, 2021.—Ordered to be printed

Mr. WARNER, from the Select Committee on Intelligence,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany S. 2610]

The Select Committee on Intelligence, having considered an original bill (S. 2610) to authorize appropriations for Fiscal Year 2022 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, the Central Intelligence Agency Retirement and Disability System, and for other purposes, reports favorably thereon and recommends that the bill do pass.

CLASSIFIED ANNEX TO THE COMMITTEE REPORT

Pursuant to Section 364 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259), the Director of National Intelligence (DNI) publicly disclosed on May 28, 2021, that the request for the National Intelligence Program (NIP) for Fiscal Year 2022 was \$62.3 billion. Other than for limited unclassified appropriations, primarily the Intelligence Community Management Account, the classified nature of United States intelligence activities precludes any further disclosure, including by the Committee, of the details of its budgetary recommendations. Accordingly, the Committee has prepared a classified annex to this report that contains a classified Schedule of Authorizations. The classified Schedule of Authorizations is incorporated by reference in the Intelligence Authorization Act and has the legal status of public law.

The classified annex is made available to the Committees on Appropriations of the Senate and the House of Representatives and to the President. It is also available for review by any Member of the Senate subject to the provisions of Senate Resolution 400 of the 94th Congress (1976).

SECTION-BY-SECTION ANALYSIS AND EXPLANATION

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2022 (the “Act”) reported by the Committee.

TITLE I—INTELLIGENCE ACTIVITIES

Section 101. Authorization of appropriations

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2022.

Section 102. Classified Schedule of Authorizations

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities for Fiscal Year 2022 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

Section 103. Intelligence Community Management Account

Section 103 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the ODNI for Fiscal Year 2022.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations for the CIA Retirement and Disability Fund for Fiscal Year 2022.

TITLE III—GENERAL INTELLIGENCE MATTERS

Subtitle A—Intelligence Community Matters

Section 301. Increasing agricultural and commercial intelligence measures

Section 301 requires the Director of National Intelligence (DNI) to submit to designated congressional committees a report detailing the options for the Intelligence Community (IC) to improve intelligence support to the Department of Agriculture and the Department of Commerce.

Section 302. Plan for allowing contracts with providers of services relating to sensitive compartmented information facilities

Section 302 requires the DNI to submit a plan for allowing IC elements to contract with providers of services related to sensitive

compartmented information facilities for use of those facilities by businesses and organizations at multiple security levels.

Section 303. Plan to establish commercial geospatial intelligence data and services program office

Section 303 requires the Directors of the National Reconnaissance Office (NRO), the National Geospatial-Intelligence Agency (NGA), and the Office of the Director of National Intelligence (ODNI) to develop and submit to designated congressional committees a plan to establish a co-located joint commercial geospatial intelligence data and services program office. Section 303 further requires that the plan include milestones, an updated acquisition strategy, and a plan for the establishment of a commercial geospatial intelligence data innovation fund.

Section 304. Investment strategy for commercial geospatial intelligence services acquisition

Section 304 requires the Director of NGA, in consultation with the DNI and the Secretary of Defense, to submit to the appropriate congressional committees an investment strategy for NGA to acquire commercial geospatial intelligence data services and analytics. Section 304 further requires that the strategy include a plan to increase purchases of unclassified geospatial intelligence data services and analytics, and to articulate any challenges to procuring geospatial intelligence data and services.

Section 305. Central Intelligence Agency Acquisition Innovation Center report, strategy, and plan

Section 305 requires the Director of the Central Intelligence Agency (CIA) to submit to the congressional intelligence committees a report on the CIA's Acquisition Innovation Center and an implementation plan. The plan shall address how the Director will ensure that personnel have access to the technical expertise required to inform acquisitions specifically in technical industries, and include projections for resources to support the Acquisition Innovation Center.

Section 306. Improving authorities relating to national counterintelligence and security

Section 306 clarifies the authorities and responsibilities of the Office of the DNI's National Counterintelligence and Security Center (NCSC). Section 306 clarifies NCSC's role in coordinating strategic counterintelligence matters through outreach efforts to the IC and non-Title 50 federal agencies, as well as conducting risk assessments associated with counterintelligence threats. Section 306 also expands NCSC's role in coordinating and overseeing the development of budgets and resource allocation plans for counterintelligence programs. Finally, section 306 amends NCSC's public facing outreach authorities to include state, local and tribal authorities, foreign governments, and U.S. academic institutions.

Section 307. Removal of Chief Information Officer of the Intelligence Community from level IV of the Executive Schedule

Section 307 removes the Chief Information Officer of the Intelligence Community from Title 5, section 5315, given the position no longer requires Presidential nomination and Senate confirmation.

Section 308. Requirements relating to construction of facilities to be used primarily by intelligence community

Section 308 amends Title 50, section 3304 to increase the congressional notification threshold from \$5,000,000 to \$6,000,000 when the IC engages in certain facilities improvement or repair projects.

Section 309. Director of National Intelligence support for intelligence community diversity, equity, inclusion, and accessibility activities

Section 309 provides the DNI flexibility to expend funds in support of IC-wide workforce activities related to recruitment, retention, diversity, equity, inclusion, or accessibility, provided that they are of benefit to the whole IC.

Section 310. Establishment of Diversity, Equity, and Inclusion Officer of the intelligence community

Section 310 requires the DNI to appoint a Diversity, Equity, and Inclusion Officer to serve as the IC's principal advisor on diversity, equity, and inclusion. Section 310 further requires the Diversity, Equity, and Inclusion Officer to submit a report, at least once a year, to the congressional intelligence committees on strategies and initiatives developed to advance diversity, equity, and inclusion in the IC.

Section 311. Clarification of authority of National Reconnaissance Office

Section 311 prohibits any element of NRO from being transferred to the U.S. Space Force.

Section 312. Director of National Intelligence declassification review of information relating to terrorist attacks of September 11, 2001

Section 312 requires the DNI, in coordination with other appropriate government entities, to conduct a declassification review of information relating to the terrorist attacks of September 11, 2001. Section 312 further requires the review be completed and a report on the findings of the review be submitted to the congressional intelligence committees.

Section 313. Establishment of Chaplain Corps of the Central Intelligence Agency

Section 313 requires the CIA to establish a Chaplain Corps for the provision of spiritual or religious pastoral services.

Section 314. Pilot program on recruitment and retention in Office of Intelligence and Analysis of the Department of the Treasury

Section 314 establishes a pilot program during a four-year period in the Office of Intelligence and Analysis of the Department of the

Treasury to assess the feasibility and advisability of using adjustments of rates of pay to recruit and retain staff for financial and cyber intelligence analyst positions. Section 314 further requires the Assistant Secretary of the Treasury for Intelligence and Analysis to provide the congressional intelligence committees and the DNI with a briefing on the pilot program, and to submit a report to the appropriate congressional committees and the DNI on the effectiveness of the pilot program and recommendations as to whether the program should be modified.

Section 315. Pilot program on student loan repayment at Office of Intelligence and Analysis of Department of the Treasury

Section 315 establishes a pilot program during a three-year period in the Office of Intelligence and Analysis of the Department of the Treasury to assess the feasibility and advisability of using repayment of student loans as a recruitment incentive for employment at the Office of Intelligence and Analysis of China specialists, data scientists, cyber specialist, and others with any other analytic or technical capabilities that are in high demand. Section 315 further requires the Assistant Secretary of the Treasury for Intelligence and Analysis to submit a preliminary report, and an annual report on the pilot program. In addition, Section 315 requires the DNI to submit any recommendations to expand or modify the pilot program to the congressional intelligence committees within two years after the program's commencement.

Section 316. Prohibition on collection and analysis of United States persons' information by intelligence community based on First Amendment-protected activities

Section 316 reaffirms that no element of the IC may collect or analyze a United States person's information based on activity protected under the First Amendment of the Constitution.

Section 317. Sense of the Senate on the use of intelligence community resources for collection, assessment, and analysis of information pertaining exclusively to United States persons absent a foreign nexus

Section 317 expresses the Sense of the Senate that National Intelligence Program funds should be expended only in support of intelligence activities with a foreign nexus, and that the IC should not engage in the collection, assessment, or analysis of information that pertains exclusively to United States persons, absent a foreign nexus.

Subtitle B—Inspector General of the Intelligence Community

Section 321. Submittal of complaints and information by whistleblowers in the intelligence community to Congress

Section 321 establishes security officers and protocols to facilitate IC employees' and contractors' submission of complaints and information to Congress. Section 321 further clarifies the requirements for submitting whistleblower complaints and information and ensures bipartisan notification of such materials.

Section 322. Definitions and authorities regarding whistleblower complaints and information of urgent concern received by Inspectors General of the intelligence community

Section 322 clarifies the definition of “urgent concern” regarding whistleblower complaints and ensures that the Inspector General of the Intelligence Community (IC IG) has authority over determining whether a matter falls within the “urgent concern” definition.

Section 323. Harmonization of whistleblower protections

Section 323 establishes uniformity among IC whistleblower statutes to ensure consistency with respect to treatment of IC agency employees and contractors, and regarding protected disclosures related to security clearances and personnel actions. Section 323 further establishes parity in the legal standards applied to IC whistleblower matters by requiring an agency, in justifying an adverse security clearance or access determination against a whistleblower, to demonstrate by clear and convincing evidence that the agency would have made the same security clearance or access determination in the absence of the whistleblower’s disclosure.

Section 324. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community

Section 324 adds to prohibited personnel practices a knowing or willful disclosure that reveals an IC whistleblower’s identifying information without consent, except as necessary during the course of an investigation. Section 324 further provides an IC whistleblower with a private right of action if such disclosure is taken as a reprisal against the IC whistleblower for bringing a complaint.

Subtitle C—Reports and Assessments Pertaining to the Intelligence Community

Section 331. Report on efforts to build an integrated hybrid space architecture

Section 331 requires the DNI, in coordination with the Under Secretary of Defense for Intelligence and Security and the Director of the NRO, to submit a report on the IC’s efforts to build an integrated hybrid space architecture that combines national and commercial capabilities, and large and small satellites.

Section 332. Report on Project Maven transition

Section 332 requires the Director of the NGA, in consultation with other appropriate government entities, to submit a report on the transition of Project Maven to operational mission support, including a detailed plan of action and milestones identifying (1) points leading to the transition of Project Maven-developed geospatial intelligence capabilities to the NGA, and (2) metrics of success regarding the transition and mission support provided to the NGA.

Section 333. Assessment of intelligence community counternarcotics capabilities

Section 333 requires the DNI, in consultation with other appropriate federal government entities, to submit an assessment on the status of the IC's counternarcotics capabilities and resourcing, operational support to foreign liaison partners, and operational capacity to support the government's counternarcotics mission.

Section 334. Assessment of intelligence community's intelligence-sharing relationships with Latin American partners in counternarcotics

Section 334 requires the DNI, in consultation with other appropriate federal government entities, to submit an assessment on the IC's intelligence sharing relationships with foreign partners in Latin America on counternarcotics matters.

Section 335. Report on United States Southern Command intelligence capabilities

Section 335 requires the Director of the DIA, in consultation with other relevant federal government entities, to submit a report detailing the status of United States Southern Command's intelligence collection, analysis, and operational capabilities to support missions in Latin America.

Section 336. Director of National Intelligence report on trends in technologies of strategic importance to United States

Section 336 requires the DNI to submit to Congress, at least every two years, a report assessing foreign trends in technologies that the DNI considers of strategic importance to the United States, including the top technology focus areas. Section 336 further requires the report to include the top technology focus areas of our foreign adversaries.

Section 337. Report on Nord Stream II companies and intelligence ties

Section 337 requires the DNI, in consultation with other appropriate government entities, to submit a report on Nord Stream II efforts, including an unclassified list of companies supporting the project and an updated assessment of the current or former ties between Nord Stream's Chief Executive Officer and Russian, East German, or other hostile intelligence agencies.

Section 338. Assessment of Organization of Defensive Innovation and Research activities

Section 338 requires the DNI, in consultation with other appropriate government entities, to submit an assessment of the activities and objectives of Iran's Organization of Defense Innovation and Research (SPND), including the organization's composition, relationships to research on weapons of mass destruction, and sources of financial and material support that SPND receives (including from the Government of Iran).

Section 339. Report on intelligence community support to Visas Mantis program

Section 339 requires the DNI, in consultation with any other appropriate government entity, to submit a report on intelligence matters relating to the Visas Mantis program, including the IC's efforts to provide and plan for intelligence support to this program, and hostile intelligence service efforts to exploit this program or any program by which United States visas are issued.

Section 340. Plan for artificial intelligence digital ecosystem

Section 340 requires the DNI, within one year of enactment of this Act, to develop and submit a plan for developing and resourcing a modern digital ecosystem to enable continuous updates of artificial intelligence-powered applications.

Section 341. Study on utility of expanded personnel management authority

Section 341 requires the Under Secretary of Defense for Intelligence and Security and the DNI to submit a study on the utility of providing Department of Defense IC elements (other than the NGA) with personnel management authority to attract science and engineering experts.

Section 342. Assessment of role of foreign groups in domestic violent extremism

Section 342 requires the DNI to submit an assessment identifying the role of foreign groups (including entities, adversaries, governments, or other groups) in domestic violent extremist activities in the United States.

Section 343. Report on the assessment of all source cyber intelligence information, with an emphasis on supply chain risks

Section 343 requires the DNI to submit a report to the congressional intelligence committees on strengthening all-source intelligence integration relating to foreign cyber threats, with an emphasis on cyber supply chain risks.

Section 344. Review of National Security Agency and United States Cyber Command

Section 344 requires the Inspectors General of the IC and the Department of Defense to complete a review of the National Security Agency and United States Cyber Command to assess the current resource-sharing arrangement, and to determine whether there are issues with directing intelligence collection in support of United States Cyber Command rather than foreign intelligence collection. Section 344 further requires the Inspectors General to submit a report to the appropriate congressional committees on their findings.

Section 345. Support for and oversight of Unidentified Aerial Phenomena Task Force

Section 345 directs the DNI and the Secretary of Defense to require each IC element and the Department of Defense to make data relating to unidentified aerial phenomena available immediately to the Unidentified Aerial Phenomena Task Force and to

the National Air and Space Intelligence Center. Section 345 further requires the Unidentified Aerial Task Force to submit quarterly reports to Congress on its findings.

Section 346. Publication of unclassified appendices from reports on intelligence community participation in vulnerabilities equities process

Section 346 directs the DNI to make public the unclassified report required pursuant to 50 U.S.C. 3316a(c).

Section 347. Report on future structure and responsibilities of Foreign Malign Influence Center

Section 347 requires the DNI to conduct an assessment of the structure and responsibilities of the Foreign Malign Influence Center and submit to the congressional intelligence committees a report on its findings.

Subtitle D—People’s Republic of China

Section 351. Assessment of posture and capabilities of intelligence community with respect to actions of the People’s Republic of China targeting Taiwan

Section 351 requires the DNI and the Director of the CIA to submit an assessment to determine whether the IC is capable of providing sufficient warnings regarding the People’s Republic of China’s (PRC’s) actions towards Taiwan.

Section 352. Plan to cooperate with intelligence agencies of key democratic countries regarding technological competition with People’s Republic of China

Section 352 requires the DNI to submit to the congressional intelligence committees a plan to increase cooperation with key democratic countries, partners, and allies of the United States to track and analyze technology capabilities, efforts by the PRC to invest in specific technologies, technology development in key sectors, the efforts of the PRC relating to standard setting forums, and supply chain vulnerabilities for key sectors.

Section 353. Assessment of People’s Republic of China genomic collection

Section 353 requires the DNI, in consultation with other appropriate agencies, to submit to the designated congressional committees an assessment of the PRC’s plans, intentions, capabilities, and resources devoted to biotechnology. Section 353 further requires that the assessment include an analysis of the PRC’s efforts to acquire foreign-origin biotechnology, research and development, and genetic information; identify PRC-based organizations involved in these efforts; and include an analysis of IC resourced devoted to biotechnology.

Section 354. Updates to annual reports on influence operations and campaigns in the United States by the Chinese Communist Party

Section 354 amends the National Security Act of 1947 (50 U.S.C. 3237(b)) to require that the annual report that NCSC submits to

designated congressional committees include a listing of all known Chinese talent recruitment programs operating in the United States.

Section 355. Report on influence of People's Republic of China through Belt and Road Initiative projects with other countries

Section 355 requires the DNI to submit to the congressional intelligence committees a report on recent projects negotiated by the PRC as part of the Belt and Road Initiative, to include information about the types of such projects, costs, and potential national security implications.

Section 356. Study on the creation of an official digital currency by the People's Republic of China

Section 356 directs the President to submit to the appropriate congressional committees a report on the national security risks associated with the PRC's creation and use of an official digital currency.

Section 357. Report on efforts of Chinese Communist Party to erode freedom and autonomy in Hong Kong

Section 357 requires the DNI to submit to the congressional intelligence committees a report on the Chinese Communist Party's efforts to stifle political freedoms, influence or manipulate the judiciary, destroy freedom of the press and speech, and take actions to otherwise undermine the democratic processes of Hong Kong.

Section 358. Report on targeting renewable sectors by China

Section 358 requires the DNI to submit to the congressional intelligence committees a report assessing the PRC's efforts and advancements in certain renewable energy sectors, to include an assessment of the PRC's pursuit of rare earth minerals and the use of forced labor.

TITLE IV—ANOMALOUS HEALTH INCIDENTS

Section 401. Definition of anomalous health incident

Section 401 provides the definition for anomalous health incidents used throughout this Title.

Section 402. Assessment and report on interagency communication relating to efforts to address anomalous health incidents

Section 402 requires the DNI to conduct (1) an assessment of how the various IC elements are coordinating or collaborating with each other and with non-IC elements of the Federal Government in their efforts to address AHI; and (2) submit a report on the findings of the DNI.

Section 403. Advisory panel on the Office of Medical Services of the Central Intelligence Agency

Section 403 requires the DNI establish an advisory panel sponsored by the National Institutes of Health to assess the capabilities, expertise, and qualifications of the CIA's Office of Medical Services (OMS) related to the care and health management of IC personnel reporting symptoms of AHI. Section 403 further requires

the advisory panel to (1) review the performance of OMS for the treatment of IC personnel reporting symptoms, consistent with those AHI experienced between January 1, 2016 and December 31, 2021; (2) assess the policies and procedures that guided external treatment referral practices during that period; (3) develop recommendations regarding capabilities, processes, and policies to improve patient treatment; and (4) prepare and submit a report within 1 year of the date on which the panel is established on its activities.

Section 404. Joint task force to investigate anomalous health incidents

Section 404 requires the establishment of a joint task force by the DNI and Director of the FBI to investigate AHI, in consultation with the Secretary of Defense. Section 404 also requires the task force to complete the investigation and submit a written report on its findings.

Section 405. Reporting on occurrence of anomalous health incidents

Section 405 requires the head of an IC element to issue a report to the congressional intelligence committees of any reported incident involving an AHI occurring among its employees or contractors.

Section 406. Access to certain facilities of United States Government for assessment of anomalous health conditions

Section 406 requires the DNI to ensure that IC elements provide to IC employees and their family members experiencing symptoms of AHI timely access for medical assessment to facilities in the U.S. with expertise in traumatic brain injury. Section 406 further requires the DNI coordinate with the Secretary of Defense and the heads of any other appropriate Federal agency to ensure there is a process to provide employees and their family members with timely access to the National Intrepid Center of Excellence at Walter Reed National Military Medical Center for assessment and, if necessary, treatment no later than 60 days following enactment of this Act.

TITLE V—SECURITY CLEARANCES AND TRUSTED WORKFORCE

Section 501. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal

Section 501 requires the Executive Branch to publish adjudicative guidelines for determining eligibility to access classified information and makes these guidelines the exclusive basis for granting, denying, and revoking clearances in order to increase transparency and accountability, and ensure due process. Section 501 further codifies the right of government employees to appeal unfavorable eligibility determinations to an agency-level panel. Section 501 also creates a higher level review by a government-wide appeals panel, chaired by the DNI as the government's Security Executive Agent, to review certain agency-level panel determinations involving allegations of constitutional violations or discrimination. This DNI-led panel can remand decisions to the employing agency for reevaluation if the panel finds valid cause.

Section 502. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce

Section 502 requires the DNI to issue a policy that facilitates sharing of information that is relevant to a security clearance adjudication (known colloquially as “derogatory information”) the government obtains on cleared contractors (along with any mitigation measures put in place) with Federal contractor employers’ chief security officers, to help companies maintain robust insider threat programs. The policy must comport with privacy rights, allow individuals to verify the information, and stipulate that such sharing is only for purposes of security risk mitigation. Such sharing should be consistent with Section 2, 1–202, of the National Industrial Security Program Operational Manual Conforming Change 2 of 2016 and the Industrial Security Letter issued by the Defense Security Service in 2017 (now known as the Defense Counterintelligence and Security Agency).

Section 503. Performance measures regarding timeliness for personnel mobility

Section 503 requires the DNI to issue a policy for measuring the total time it takes to transfer personnel with security clearances and eligibility for access to information from one Federal agency to another, or from one contract to another. Section 503 further requires the DNI to submit an annual report following policy issuance and once each year for the following three years after the date of such issuance on the implementation of such policy.

Section 504. Governance of Trusted Workforce 2.0 initiative

Section 504 requires the DNI and the Director of the Office Personnel Management, in coordination with the Deputy Director for Management in the Office of Management and Budget and the Under Secretary of Defense for Intelligence and Security to (1) jointly publish in the Federal Register a policy with guidelines and standards for Federal Government agencies and industry partners to implement the Trusted Workforce 2.0 initiative; (2) periodically submit to Congress a report on the timing, delivery, and adoption of Federal Government agencies’ policies, products, and services to implement Trusted Workforce 2.0; and (3) submit to Congress performance management metrics for its implementation. Section 504 requires an independent study be conducted, via the DNI, by an entity that is not part of the Federal Government on the effectiveness of the initiatives known as Trusted Workforce 1.25, 1.5, and 2.0.

TITLE VI—OTHER INTELLIGENCE MATTERS

Section 601. National technology strategy

Section 601 requires the President submit to Congress an annual report on the United States’ technology strategy.

Section 602. Improvements relating to continuity of Privacy and Civil Liberties Oversight Board membership

Section 602 permits (1) the reappointment of a member of the Privacy and Civil Liberties Oversight Board (PCLOB) for additional terms; (2) filling a vacancy in the same manner in which the

original appointment was made; and (3) the continued service of a member following the expiration of their term.

Section 603. Air America

Section 603 establishes as a qualifying service for purposes of the Civil Service Retirement System the past service of United States citizens who were employed by Air America, a government-owned airline that provided air transport for operations in Southeast Asia.

Section 604. Access by Comptroller General of the United States to certain cybersecurity records

Section 604 permits access by the Comptroller General of the United States to any records it may require for preparing an annual report on cybersecurity and surveillance threats to Congress.

Section 605. Reports on intelligence support for and capacity of the Sergeants at Arms of the Senate and the House of Representatives and the United States Capitol Police

Section 605 requires the DNI, in coordination with the Director of FBI and Secretary of DHS, to submit a report on intelligence support provided to the Sergeant at Arms and the United States Capitol Police. Section 605 also requires a report to be filed by the Government Accountability Office on the capacity of the Sergeants at Arms and the United States Capitol Police to assess and use intelligence and threat information relevant to the physical and cyber security of Congress.

Section 606. Study on vulnerability of Global Positioning System to hostile actions

Section 606 requires the DNI, in consultation with the Secretary of Defense and the Secretary of Commerce, to conduct a study on the vulnerability of the Global Positioning System (GPS) to hostile actions, as well as any actions that the Federal Government is taking to mitigate any risks from the potential unavailability of the GPS system.

Section 607. Authority for transportation of federally owned canines associated with force protection duties of intelligence community

Section 607 authorizes IC personnel to use federal funds to transport federally-owned canines associated with force protection duties.

COMMITTEE COMMENTS

Countering China

The People's Republic of China (PRC) poses the most significant strategic challenge to the United States as the Chinese Communist Party (CCP) actively works to systematically undermine the U.S. economically, politically, and militarily while expanding the PRC's influence globally. The threat requires a whole-of-government response to counter the CCP's ambitions and malign activities globally. The CCP is actively working to control strategic technology sectors, remake international institutions to align with CCP objectives, weaken U.S. alliances, modernize its military, and increase

its trade relationships through aggressive and predatory economic behavior, while supplanting the United States' global leadership.

The CCP, through its theft of intellectual property, brutal authoritarianism, and economic might, seeks to strengthen its position abroad and enrich the Party. The world is witnessing the CCP's ongoing genocide and crimes against humanity against Uyghurs and other Muslim groups in Xinjiang, its crushing of Hong Kong's freedom and autonomy in direct violation of its treaty commitments, and its widespread use of surveillance equipment and facial recognition to control the Chinese people. The CCP actively seeks to export its authoritarian model abroad, with accompanying technology, to provide other authoritarian regimes with sophisticated tools of repression.

The Intelligence Community must reorient to engage in a strategic competition with the PRC while countering China's malign activities globally. To do so, it must continue to build open source intelligence capabilities and augment capacity; enhance sharing of intelligence capabilities; and strengthen the analytical and collection capabilities relating to non-military threats including technology competition.

Department of Homeland Security, Office of Intelligence & Analysis' role in domestic activities

The Committee is concerned about the Department of Homeland Security, Office of Intelligence & Analysis' (I&A's) use of Title 50 authorities and National Intelligence Program funds for programs and operations focused entirely on the domestic activities of U.S. persons without a foreign nexus. In particular, a number of I&A activities, including, but not limited to, the use of I&A resources to protect monuments, memorials, and statues, appear to be focused on individuals or groups that have no link to foreign governments, foreign organizations, foreign persons, or international terrorist activities. In addition, despite documented problems related to I&A's collection and dissemination of open source information collected on United States persons during protests in Portland, Oregon, I&A continues to issue open source collection requirements that are both overly broad in scope and disconnected from national intelligence missions and priorities.

Moreover, the Committee is concerned about the misuse of Title 50 authorities and intelligence funding against domestic threats, including I&A's open source collection activities related to U.S. persons. When an IC element conducts activities that involve the domestic activities of U.S. persons, it can create a perception, if not reality, that the authorities granted to the IC to combat foreign threats are being used against U.S. persons. The failure of I&A to break down its budget request by mission center or function, such as open source collection, makes it difficult for the Committee to assess the extent to which I&A is using intelligence funding to gather information about the domestic activities of U.S. persons.

Therefore, the Committee directs I&A, in coordination with FBI and ODNI, to provide a report, within 180 days following enactment of this Act. The report should include:

1. The feasibility and advisability of eliminating or transitioning I&A activities directed at the domestic activities of U.S. persons with no foreign nexus to non-IC components of

the Department of Homeland Security, subject to all relevant privacy and civil liberty protections afforded to a U.S. person;

2. The feasibility and advisability of eliminating or transitioning I&A programs directed at the domestic activities of U.S. persons with no foreign nexus to the FBI, or other law enforcement entities, subject to all relevant privacy and civil liberty protections afforded to a U.S. person; and

3. An analysis of I&A's legal authorities that permit or restrict activities that are solely focused on the domestic activities of U.S. persons absent a foreign nexus.

National Background Investigation Service (NBIS)

The Under Secretary of Defense for Intelligence & Security (USD/I&S) oversees the Defense Counterintelligence and Security Agency (DCSA), which includes the National Background Investigation Service (NBIS). Pursuant to Executive Order 13869 (April 24, 2019), NBIS will provide the information technology backbone for government-wide background investigations to support security clearances and determinations of trust for suitability and credentialing. The Committee recognizes that NBIS is the critical path to successfully implementing the Trusted Workforce 2.0 initiative that the Performance Accountability Council, led by the Office of Management and Budget, have been leading the last three years. A key feature to NBIS's success is its cybersecurity policies practices, particularly after the data breach of the Office of Personnel Management's personally identifiable information (PII) repository in 2015. The Committee believes additional explanation of NBIS's cybersecurity protocols is appropriate. The Committee equally believes that NBIS's success relies upon the scope and rate of agencies' adoption of NBIS products and services.

Therefore, the Committee directs USD/I&S to provide the congressional intelligence and defense committees, within 90 days of enactment of this Act, with a report that describes NBIS's cybersecurity protocols to protect PII; how these protocols compare to leading industry and government best practices; how NBIS is factoring in resilience into its architecture to recover from network attacks; and how NBIS is being governed to ensure stakeholder perspectives are properly accommodated.

Furthermore, the Committee directs NBIS to provide the congressional intelligence and defense committees with quarterly updates on the extent to which agencies are using NBIS products and services.

Report on engagement of National Reconnaissance Office with university community

The Committee recognizes that the survivability and resiliency of United States satellites is critically important to the United States intelligence and defense communities. Combatting current threats to US satellites requires new technologies using autonomous systems and artificial intelligence. While the National Reconnaissance Office (NRO) engages with the university community in support of basic research and developing an education workforce pipeline to help advance new technologies and produce skilled professionals, it can do more in this regard to focus on space survivability.

Therefore, the Committee directs the NRO's Survivability Assurance Office to report, within 180 days of enactment of this Act, on NRO's current efforts and future strategies to partner with a university or universities that are strategically located, host secure information facilities, and offer a strong engineering curriculum, with a particular focus on space survivability, artificial intelligence, AI test beds, and resiliency. This report should include a summary of NRO's planned university engagement and levels of funding.

Implementing NGA IG acquisition report recommendations

In November 2019, the NGA Office of Inspector General issued a report on NGA's acquisition policies and processes. The Committee fully supports the recommendations of the report, and highlights agency progress in acquisitions management process, but remains concerned that key recommendations were not fully implemented. For example, the OIG recommended that NGA's Component Acquisition Executive (CAE) not be encumbered by duties other than acquisition and that all acquisition activities should fall under the CAE. The NGA has dual-hatted the deputy director as the CAE, which does not meet the OIG report's recommendation. The Committee believes that the CAE function should be a full-time position reporting to the Director of the agency.

Therefore, the Committee directs the NGA to report, within 90 days of enactment of this Act, on its compliance with the OIG report recommendations, including a report outlining the reasons for any outstanding recommendations. The report should also include outcomes of the 90-day study on program traceability.

Utilizing AI/ML in Joint Task Force investigation into anomalous health incidents

The Committee is committed to protecting and supporting Intelligence Community and other federal government personnel who have experienced debilitating, unexplained attacks, or anomalous health incidents, while serving their country. The Committee is also focused on identifying and holding accountable those responsible for inflicting these injuries on U.S. personnel, and recognizes that artificial intelligence and machine learning tools can play an important role in identifying the actors, weapons, and patterns of these attacks.

Therefore, the Committee encourages the Joint Task Force required by Section 404 to investigate anomalous health incidents. In carrying out its investigation, the Committee urges the Joint Task Force to utilize commercially available technological tools, including but not limited to off-the-shelf automated machine learning tools, to gain insights from open source and commercially available data.

NRO acquisition of imagery from companies with foreign ownership

The Committee supports the NRO's intent to strengthen and expand investment in the U.S. commercial imagery industry and supports the concept that the NRO should build only those capabilities that it cannot acquire from the commercial market. However, the Committee is concerned about the NRO's recent commercial imagery acquisition guidance. When it comes to defining the boundaries of the U.S. commercial imagery market, there is considerable

precedent for the Department of Defense and the Intelligence Community to contract with companies with a Special Security Agreement (SSA), Foreign Ownership, Control, or Influence (FOCI) mitigation and some foreign ownership. NRO efforts to restrict the ability of U.S. companies with foreign ownership equities to compete could unnecessarily limit user access to some of the most innovative commercial imagery capabilities the market can deliver. Therefore, within 120 days of enactment of this Act, the Committee directs the NRO to provide the Committee a plan to establish a repeatable process for acquiring commercial imagery that would manage acceptable risks associated with foreign ownership. The plan should also clearly articulate specific risks that the NRO has determined would exclude from competition U.S. companies with foreign ownership equities that have an SSA and FOCI mitigation in place.

Enhancing financial intelligence capability

Sections 314 and 315 authorize pilot programs at the Office of Intelligence and Analysis at the Department of the Treasury to enhance recruitment and retention of financial intelligence professionals. The Committee believes a robust financial intelligence capability is critical to meeting 21st century threats and ensuring U.S. economic security. The Committee is concerned that the Intelligence Community has not adequately resourced well-identified demands for financial intelligence capability. Therefore, the Committee urges the Intelligence Community to take additional steps to realign collection and analysis to match growing demand for financial intelligence.

Reporting foreign employment by former intelligence community personnel

The Committee continues to have significant concerns about former Intelligence Community personnel providing support to foreign governments, particularly where it involves abuses of human rights, violations of U.S. laws, or infringements on United States persons' privacy rights. Section 5703 of the National Defense Authorization Act for Fiscal Year 2020 directed the Director of National Intelligence (DNI) to conduct a study on former intelligence personnel who have directly or indirectly provided assistance to a foreign government in a capacity that benefits the intelligence, military, or law enforcement activities of the foreign country.

As a follow-on to this study, the Committee directs the DNI to provide to the congressional intelligence committees and both the Senate Committee on Homeland Security and Governmental Affairs and the House Homeland Security Committee, within 120 days of enactment of the Act, a proposal to improve reporting and tracking of employment of former IC personnel, to include mechanisms to enforce or incentivize reporting of their employment with foreign governments.

Explicit grant, cooperative agreement, and other transaction authority

ODNI communicated to the Committee its request to explicitly set forth its acquisition and assistance tools available for executing its R&D mission in legislation, and for those tools to be available

across the IC for all such activities. The Committee understands that, while ODNI has relied on its acquisition authorities to maintain and expand acquisition and promotion of R&D services from outside entities, including academic institutions and small businesses, these authorities lack specific statements regarding the particular acquisition or assistance instruments available to the DNI. Providing explicit authorities would address questions ODNI receives concerning the availability of grants, cooperative agreements, and other transactions.

The Committee recognizes the importance of R&D activities to ODNI's mission, and the mission of the IC writ large. However, pursuant to 50 U.S.C. 3024(n), the Committee believes ODNI already has the authorities necessary to engage with non-governmental entities on R&D activities. ODNI, for its part, believes it has the authority to enter into these kinds of agreements, but it has not executed one of those agreements to date. Rather than provide additional authorities in this bill, the Committee requests that ODNI work with the Committee by providing notification when it uses existing authorities to enter into grants, cooperative agreements, and other transactions. In this way, the Committee will gain a more practical understanding about these arrangements, the frequency with which they are utilized, and what any associated funding is used to do. The Committee will in turn use this information to determine whether additional authorities are needed.

Assessment of critical supply chains

As demonstrated in The Supply Chain Assessment and Vulnerability Act of 2021, S. 849, introduced by Senators Cornyn and King, the Committee seeks to identify supply chains that are critical to the national security, economic security, or public health or safety of the United States. Furthermore, the Committee seeks to identify important vulnerabilities in such supply chains and recommendations for legislative or administrative actions to secure them. The DNI, in consultation with the Secretary of Commerce, the Secretary of Defense, and other government entities as appropriate, should lead this effort to ensure our supply chains remain robust, resilient, and capable of withstanding attacks or disruptions perpetrated by our adversaries or other man-made or naturally-occurring events. Moreover, the Committee seeks to identify those supply chains which are critical to our foreign adversaries' national security and defense.

Therefore, the Committee directs the DNI, in consultation with the Secretary of Commerce, the Secretary of Defense, and other government entities as appropriate, to provide an assessment to the congressional intelligence and armed services committees, within 120 days of the date of enactment of this Act, that: (1) identifies those supply chains which are critical to the national security, economic security, or public health of the United States; (2) identifies those supply chains which are critical to our foreign adversaries' national security and defense; (3) provides recommendations for legislative or administrative actions to secure supply chains described in section (1); and (4) analyzes the adversary supply chain vulnerabilities that can be exploited in the event of conflict, or as necessary and appropriate. This assessment shall be submitted in unclassified form, but may include a classified annex.

Unidentified Aerial Phenomena

The Committee acknowledges the recent Office of the Director of National Intelligence (ODNI) report of the Unidentified Aerial Phenomena (UAP) Task Force and the need for increased collection and data to better understand the potential national security threats that UAPs pose to our nation.

The Committee remains concerned, however, that while the U.S. Navy and the U.S. Navy-led UAP Task Force have made efforts to standardize and destigmatize UAP reporting, the ODNI report confirmed that the scope of UAP activity expands significantly beyond the U.S. Navy's equities. Subsequently, the Deputy Secretary of Defense has directed the Undersecretary of Defense for Intelligence and Security to provide a plan to formalize the mission currently performed by the UAP Task Force. Accordingly, pursuant to Section 345 of the Intelligence Authorization Act for Fiscal Year 2022 (S. 2610), the Committee has directed classified quarterly reporting on UAP-related events.

Therefore, given the Department of Defense's mandate to the Undersecretary of Defense for Intelligence and Security, and the additional reporting mandates, the Committee continues to support increased funding for UAP Task Force-related operations.

COMMITTEE ACTION

On July 28, 2021, a quorum being present, the Committee met to consider the bill and amendments. The Committee took the following actions:

Votes on amendments to the committee bill and the classified annex

By unanimous consent, the Committee made the Chairman and Vice Chairman's bill, together with the classified annex for Fiscal Year 2022, the base text for purposes of amendment.

By voice vote, the Committee adopted *en bloc* twenty-four amendments to the bill, as follows: (1) an amendment by Senator King to require an assessment of all source cyber intelligence information, with an emphasis on supply chain risks; (2) an amendment by Senator Risch to improve Section 337; (3) an amendment by Senator Risch to improve Section 353; (4) an amendment by Vice Chairman Rubio to prohibit the collection and analysis of United States persons' information by the Intelligence Community based on First Amendment-protected activities; (5) an amendment by Chairman Warner to establish a Diversity, Equity, and Inclusion Officer of the Intelligence Community; (6) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to improve Section 351 and Section 404; (7) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a report on the influence of the People's Republic of China (PRC) through Belt and Road Initiative projects; (8) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to establish a Chaplain Corps at the CIA; (9) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a plan to increase cooperation with intelligence agencies of key democratic countries to track and analyze certain matters relating to the technological competition with the PRC; (10) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require

a study on the PRC's creation of an official digital currency; (11) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a report on the efforts of the Chinese Communist Party to erode freedom and autonomy in Hong Kong; (12) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to improve Section 306; (13) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to provide legal authority for the transportation of federally-owned canines associated with the force protection duties of the Intelligence Community; (14) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to establish a pilot program on recruiting and retaining high demand positions in the Office of Intelligence and Analysis at the Department of Treasury; (15) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a report on the PRC's targeting of renewable sectors; (16) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a review of the National Security Agency and United States Cyber Command; (17) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to require a plan for allowing contracts with providers of services relating to SCIFs for use of those facilities by businesses and organizations on contracts at multiple security levels; (18) an amendment by Chairman Warner, and cosponsored by Vice Chairman Rubio, to establish a pilot program on student loan repayment to enhance recruitment of intelligence personnel in high-demand disciplines at the Office of Intelligence and Analysis at the Department of Treasury; (19) an amendment by Chairman Warner and cosponsored by Vice Chairman Rubio and Senators Feinstein, Heinrich, and Blunt, to require support for and oversight of the Unidentified Aerial Phenomena Task Force; (20) an amendment by Senator Wyden to improve Section 604; (21) an amendment by Senator Wyden to improve Section 340; (22) an amendment by Senator Wyden to require the publication of the unclassified appendices from reports on the Vulnerabilities Equities Process; (23) an amendment by Senator Cotton to express the sense of the Senate on the use of Intelligence Community resources for collection, assessment, and analysis of information pertaining exclusively to United States persons absent a foreign nexus; and (24) an amendment from Senator Burr to require a report on the future structure and responsibilities of the Foreign Malign Influence Center.

By voice vote, the Committee adopted *en bloc* twenty-eight amendments to the classified annex.

By voice vote, the Committee adopted an amendment by Senator Sasse to strike from the bill a provision to make improvements to the Steering Committee on Emerging Technology and National Security Threats, as established by section 236 of the *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021* (P.L. 116–283).

Votes to report the committee bill

On July 28, 2021, the Committee voted to report the bill, as amended, by a vote of 16 ayes and zero nays. The votes in person or by proxy were as follows: Chairman Warner—aye; Senator Feinstein—aye; Senator Wyden—aye; Senator Heinrich—aye; Senator King—aye; Senator Bennet—aye; Senator Casey—aye; Senator

Gillibrand—aye; Vice Chairman Rubio—aye; Senator Burr—aye; Senator Risch—aye; Senator Collins—aye; Senator Blunt—aye; Senator Cotton—aye; Senator Cornyn—aye; Senator Sasse—aye.

By unanimous consent, the Committee authorized the staff to make technical and conforming changes to the bill and classified annex.

COMPLIANCE WITH RULE XLIV

Rule XLIV of the Standing Rules of the Senate requires publication of a list of any “congressionally directed spending item, limited tax benefit, and limited tariff benefit” that is included in the bill or the committee report accompanying the bill. Consistent with the determination of the Committee not to create any congressionally directed spending items or earmarks, none have been included in the bill, the report to accompany it, or the classified schedule of authorizations. The bill, report, and classified schedule of authorizations also contain no limited tax benefits or limited tariff benefits.

ESTIMATE OF COSTS

Pursuant to paragraph 11(a)(3) of rule XXVI of the Standing Rules of the Senate, the Committee deems it impractical to include an estimate of the costs incurred in carrying out the provisions of this report due to the classified nature of the operations conducted pursuant to this legislation. On August 4, 2021, the Committee transmitted this bill to the Congressional Budget Office and requested an estimate of the costs incurred in carrying out the unclassified provisions.

EVALUATION OF REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee finds that no substantial regulatory impact will be incurred by implementing the provisions of this legislation.

ADDITIONAL VIEWS OF SENATOR WYDEN

The Fiscal Year 2022 Intelligence Authorization Act includes numerous provisions and amendments I put forward to protect Intelligence Community whistleblowers, defend the physical and cyber security of the U.S. Congress, and ensure greater oversight, transparency and civil liberties.

The bill includes four amendments to protect whistleblowers. The first creates a mechanism for whistleblowers to go straight to Congress without going through agency heads. The second addresses the previous administration's misreading of existing law by confirming that the inspectors general have the authority to determine which whistleblower complaints are "urgent concerns" that must be transmitted to Congress. The third prohibits the public disclosure of a whistleblower's identity as a reprisal. The final provision fixes the existing whistleblower statutes, which are confusing and contradictory, harmonizing them to strengthen whistleblower protections and provide necessary clarity to whistleblowers and inspectors general.

As the January 6, 2021, insurrection highlighted, the defense of American democracy must include the protection of the U.S. Congress. That is why I am pleased that the bill includes my provision requiring the DNI, in coordination with the Director of the FBI and the Secretary of Homeland Security, to report on intelligence support to the Senate and House Sergeants at Arms and the U.S. Capitol police. The provision, which covers both the physical and cyber security of the Congress, also directs the GAO to report on the capabilities of the Sergeants at Arms and U.S. Capitol police to use this intelligence support. A separate provision ensures that the GAO, in conducting an annual review of cyber and surveillance threats against Congress required by the Fiscal Years 2018, 2019 and 2020 Act, has the accesses it needs. These reviews are critically important to the task of protecting Congress from serious hacking and surveillance threats, including from sophisticated foreign adversaries.

In recent years, critical investigations and reports of the Privacy and Civil Liberties Oversight Board have been disrupted due to the lack of a quorum. The bill addresses this problem by allowing members to serve until their replacements are confirmed. Another provision ensures that certain data related to the Vulnerabilities Equities Process will be made public. Yet another provision requires that the DNI's plans related to artificial intelligence include recommendations to protect Americans' privacy.

Finally, I remain deeply concerned about the failures of the Federal Government's obsolete declassification system, a problem described at length during the Committee's September 9, 2020, open hearing. I am therefore pleased that the classified annex to the bill

includes several amendments I offered to advance efforts to accelerate declassification and promote declassification reform.

RON WYDEN.

ADDITIONAL VIEWS OF SENATORS WYDEN AND HEINRICH

As in previous years, our votes in favor of the Intelligence Authorization Act should not be read as an endorsement of all Intelligence Community programs and activities. We are particularly concerned about a CIA program described in a report by the Privacy and Civil Liberties Oversight Board (PCLOB), which we have requested be declassified.

RON WYDEN.
MARTIN HEINRICH.

ADDITIONAL VIEWS OF VICE CHAIRMAN RUBIO, AND SENATORS BURR, RISCH, BLUNT, COTTON, CORNYN, AND SASSE

In the wake of the attacks on September 11, 2001, Congress rightly passed legislation to improve information sharing and collaboration within the Intelligence Community—and also with federal and state and local law enforcement—to make it more likely that the Intelligence Community “connects the dots” of international terror plotting in order to safeguard against future attacks.

We note with concern, however, the growing number of Intelligence Community activities focused on U.S. persons where there is no foreign nexus, which law enforcement is poised to address. Any American who commits a crime by planning, plotting, or carrying out acts of violence in the United States should be arrested by law enforcement and prosecuted by state or federal prosecutors to the fullest extent of the law. Diverting the unique capabilities of the Intelligence Community toward domestic activities under the guise of analyzing domestic terrorism or domestic violent extremism, however, is a poor use of the IC’s capabilities, is duplicative of the resources and responsibilities of state and federal law enforcement, and erodes public trust and confidence in the Intelligence Community.

The reasons are twofold.

We must be careful not to repeat darker periods of our history when the federal government abused its power by spying on Americans for political purposes. This Committee was created, in part, as a result of these abuses, and since that time we have gone to great lengths to ensure the public that the Intelligence Community does not and will not infringe on the rights of Americans. The Intelligence Community can only perform its formidable work if it has the trust and confidence of the public at large. Intelligence Community involvement in the collection, analysis, and assessment of intelligence targeting Americans at home where no foreign nexus is present would erode that confidence. We were pleased to hear the President’s nominee for the number two position in the Intelligence Community agree in her confirmation hearing that there must be a foreign nexus before the collection and analysis capabilities of the IC are brought to bear against a U.S. person.

Equally important, the Intelligence Community needs all the resources it can muster to address the threats to this country emanating from foreign sources, be they foreign adversaries such as China, Russia, Iran, and North Korea, or international terrorist groups such as al Qaeda and the Islamic State. Resources expended by the Intelligence Community for law enforcement activities are resources not devoted to intelligence activities related to those threats.

We will continue to work to address this complex issue in a way that protects the First Amendment rights of the American people, preserves the Intelligence Community's ability to connect the dots to prevent transnational threats of terrorism at home and abroad, while also ensuring that those who plan, plot, or carry out acts of violence within the United States are prevented from doing so by law enforcement and held accountable to the fullest extent of the law.

MARCO RUBIO.
RICHARD BURR.
JAMES E. RISCH.
ROY BLUNT.
TOM COTTON.
JOHN CORNYN.
BEN SASSE.

CHANGES TO EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee finds that is necessary to dispense with the requirement of paragraph 12 to expedite the business of the Senate.

