

(C) Chairperson**(i) In general**

Except as provided in clause (ii), the chairperson of any panel convened under this subsection shall be the Inspector General of the Intelligence Community.

(ii) Conflicts of interest

If the Inspector General of the Intelligence Community finds cause to recuse himself or herself from a panel convened under this subsection, the Inspector General of the Intelligence Community shall—

(I) select a chairperson from inspectors general of the elements listed under subparagraph (A)(ii) whom the Inspector General of the Intelligence Community considers appropriate; and

(II) notify the congressional intelligence committees of such selection.

(3) Period of review

Each external review panel convened under this subsection to review a claim shall complete review of the claim no later than 270 days after the date on which the Inspector General convenes the external review panel.

(d) Remedies**(1) Panel recommendations**

If an external review panel convened under subsection (c) determines, pursuant to a review of a claim submitted by an individual under subsection (a), that the individual was the subject of a personnel action prohibited under section 3234 of this title or was subjected to a reprisal prohibited by section 3341(j)(1) of this title, the panel may recommend that the agency head take corrective action—

(A) in the case of an employee or former employee—

(i) to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the reprisal not occurred; or

(ii) reconsider the employee's or former employee's eligibility for access to classified information consistent with national security; or

(B) in any other case, such other action as the external review panel considers appropriate.

(2) Agency action**(A) In general**

Not later than 90 days after the date on which the head of an agency receives a recommendation from an external review panel under paragraph (1), the head shall—

(i) give full consideration to such recommendation; and

(ii) inform the panel and the Director of National Intelligence of what action the head has taken with respect to the recommendation.

(B) Failure to inform

The Director shall notify the President of any failures to comply with subparagraph (A)(ii).

(e) Annual reports**(1) In general**

Not less frequently than once each year, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees and the Director of National Intelligence a report on the activities under this section during the previous year.

(2) Contents

Subject to such limitations as the Inspector General of the Intelligence Community considers necessary to protect the privacy of an individual who has made a claim described in subsection (b), each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) The determinations and recommendations made by the external review panels convened under this section.

(B) The responses of the heads of agencies that received recommendations from the external review panels.

(July 26, 1947, ch. 343, title XI, §1106, as added Pub. L. 116-92, div. E, title LIII, §5332(a)(1), Dec. 20, 2019, 133 Stat. 2137.)

§ 3237. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party**(a) Requirement**

On an annual basis, consistent with the protection of intelligence sources and methods, the Director of the National Counterintelligence and Security Center shall submit to the congressional intelligence committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the influence operations and campaigns in the United States conducted by the Chinese Communist Party.

(b) Contents

Each report under subsection (a) shall include the following:

(1) A description of the organization of the United Front Work Department of the People's Republic of China, or the successors of the United Front Work Department, and the links between the United Front Work Department and the Central Committee of the Chinese Communist Party.

(2) An assessment of the degree to which organizations that are associated with or receive funding from the United Front Work Department, particularly such entities operating in the United States, are formally tasked by the Chinese Communist Party or the Government of China.

(3) A description of the efforts by the United Front Work Department and subsidiary organizations of the United Front Work Department to target, coerce, and influence foreign populations, particularly those of ethnic Chinese descent.

(4) An assessment of attempts by the Chinese Embassy, consulates, and organizations affiliated with the Chinese Communist Party (including, at a minimum, the United Front Work Department) to influence the United

States-based Chinese Student Scholar Associations.

(5) A description of the evolution of the role of the United Front Work Department under the leadership of the President of China.

(6) An assessment of the activities of the United Front Work Department designed to influence the opinions of elected leaders of the United States, or candidates for elections in the United States, with respect to issues of importance to the Chinese Communist Party.

(7) A listing of all known organizations affiliated with the United Front Work Department that are operating in the United States as of the date of the report.

(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States.

(9) With respect to reports submitted after the first report, an assessment of the change in goals, tactics, techniques, and procedures of the influence operations and campaigns conducted by the Chinese Communist Party.

(c) Coordination

In carrying out subsection (a), the Director shall coordinate with the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and any other relevant head of an element of the intelligence community.

(d) Form

Each report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(July 26, 1947, ch. 343, title XI, §1107, as added Pub. L. 116-92, div. E, title LV, §5511(a), Dec. 20, 2019, 133 Stat. 2146; amended Pub. L. 116-260, div. W, title VI, §605(a), (d)(1), Dec. 27, 2020, 134 Stat. 2386, 2387.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260, §605(d)(1)(A), substituted “Chinese Communist Party” for “Communist Party of China” in section catchline.

Subsecs. (a), (b)(1). Pub. L. 116-260, §605(d)(1)(B), substituted “Chinese Communist Party” for “Communist Party of China”.

Subsec. (b)(8), (9). Pub. L. 116-260, §605(a), added par. (8) and redesignated former par. (8) as (9).

Statutory Notes and Related Subsidiaries

INITIAL REPORT

Pub. L. 116-92, div. E, title LV, §5511(c), Dec. 20, 2019, 133 Stat. 2147, provided that: “The Director of the National Counterintelligence and Security Center shall submit to the congressional intelligence committees [Select Committee on Intelligence and Committee on Appropriations of the Senate and Permanent Select Committee on Intelligence and Committee on Appropriations of the House of Representatives], the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the

Senate the first report under section 1107 of the National Security Act of 1947 [50 U.S.C. 3237], as added by subsection (a), by not later than 180 days after the date of the enactment of this Act [Dec. 20, 2019].”

§ 3237a. Annual reports on security services of the People’s Republic of China in the Hong Kong Special Administrative Region

(a) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(C) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) Chinese security services

The term “Chinese security services” means—

(A) the security services of the Government of the People’s Republic of China, including the Ministry of State Security and the Ministry of Public Security; and

(B) any known front organizations or aliases associated with such security services, including officers associated with the national security division of the Hong Kong Police Force and other officers of the Hong Kong Police Force selected by the Committee for Safeguarding National Security to work on matters relating to national security.

(b) Requirement

On an annual basis through 2047, the Director of National Intelligence shall submit to the appropriate congressional committees a report on the presence and activities of Chinese security services operating within the Hong Kong Special Administrative Region.

(c) Contents

Each report under subsection (b) shall include, with respect to the year covered by the report, the following:

(1) Identification of the approximate number of personnel affiliated with Chinese security services operating within the Hong Kong Special Administrative Region, including a breakdown of such personnel by the specific security service and the division of the security service, and (to the extent possible) an identification of any such personnel associated with the national security division of the Hong Kong Police Force.

(2) A description of the command and control structures of such security services, including information regarding the extent to which such security services are controlled by the Government of the Hong Kong Special Administrative Region or the Government of the People’s Republic of China.

(3) A description of the working relationship and coordination mechanisms of the Chinese security services with the police force of the Hong Kong Special Administrative Region.