

subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall offer to the owner or operator of any electronic election infrastructure directly affected by such intrusion, a briefing on such intrusion, including steps that may be taken to mitigate such intrusion. Such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) Protection of sources and methods

This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

(Pub. L. 116–92, div. E, title LXV, § 6507, Dec. 20, 2019, 133 Stat. 2207.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “congressional intelligence committees”, referred to in subsec. (c)(1), see section 5003 of div. E of Pub. L. 116–92, set out as a note under section 3003 of this title.

§ 3371d. Designation of counterintelligence officer to lead election security matters

(a) In general

The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) Additional responsibilities

The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 1801 of this title) to the following:

- (1) The Federal Government election security supply chain.
- (2) Election voting systems and software.
- (3) Voter registration databases.
- (4) Critical infrastructure related to elections.
- (5) Such other Government goods and services as the Director of National Intelligence considers appropriate.

(Pub. L. 116–92, div. E, title LXV, § 6508, Dec. 20, 2019, 133 Stat. 2208.)

§ 3372. Monitoring mineral investments under Belt and Road Initiative of People’s Republic of China

(a) Report required

Not later than 1 year after December 27, 2020, the Director of National Intelligence (referred to in this section as the “Director”), in consultation with the Secretary of the Interior, the Secretary of Energy, the Secretary of Commerce, the Secretary of State, the Secretary of Defense, and the United States Trade Representative, shall submit to the appropriate congressional committees a report on investments in minerals under the Belt and Road Initiative of the People’s Republic of China that includes an assessment of—

- (1) notable past mineral investments;
- (2) whether and how such investments have increased the extent of control of minerals by the People’s Republic of China;
- (3) any efforts by the People’s Republic of China to counter or interfere with the goals of the Energy Resource Governance Initiative of the Department of State; and
- (4) the strategy of the People’s Republic of China with respect to mineral investments.

(b) Monitoring mechanism

In conjunction with each report required by subsection (a), the Director shall submit to the appropriate congressional committees a list of any minerals with respect to which—

- (1) the People’s Republic of China, directly or through the Belt and Road Initiative—
 - (A) is increasing its concentration of extraction and processing;
 - (B) is acquiring significant mining and processing facilities;
 - (C) is maintaining or increasing export restrictions; or
 - (D) has achieved substantial control of the supply of minerals used within an industry or related minerals;
- (2) there is a significant difference between domestic prices in the People’s Republic of China as compared to prices on international markets; or
- (3) there is a significant increase or volatility in price as a result of the Belt and Road Initiative of the People’s Republic of China.

(c) Critical mineral evaluation

For any mineral included on the list required by subsection (b) that is not already designated as critical by the Secretary of the Interior pursuant to section 1606(c) of title 30, the Director shall—

- (1) determine, in consultation with the Secretary of the Interior, the Secretary of Energy, the Secretary of Commerce, the Secretary of State, the Secretary of Defense, and the United States Trade Representative, whether the mineral is strategic and critical to the defense or national security of the United States; and
- (2) make a recommendation to the Secretary of the Interior regarding the designation of the mineral under section 1606(c) of title 30.

(d) Annual updates

The Director shall update the report required by subsection (a) and list required by subsection (b) not less frequently than annually.

(e) Form

Each report or list required by this section shall be submitted in unclassified form but may include a classified annex.

(f) Appropriate congressional committees defined

In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs,

the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Ways and Means, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(Pub. L. 116-260, div. Z, title VII, § 7003, Dec. 27, 2020, 134 Stat. 2577.)

§ 3373. Establishment of office, organizational structure, and authorities to address unidentified aerial phenomena

(a) Establishment of Office

Not later than 180 days after December 27, 2021, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on the day before December 27, 2021, and such other duties as are required by this section.

(b) Duties

The duties of the Office established under subsection (a) shall include the following:

(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified aerial phenomena across the Department of Defense and the intelligence community.

(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and incorporated in a centralized repository.

(3) Establishing procedures to require the timely and consistent reporting of such incidents.

(4) Evaluating links between unidentified aerial phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

(5) Evaluating the threat that such incidents present to the United States.

(6) Coordinating with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and the Department of Energy.

(7) Coordinating with allies and partners of the United States, as appropriate, to better assess the nature and extent of unidentified aerial phenomena.

(8) Preparing reports for Congress, in both classified and unclassified form, including under subsection (i).

(c) Response to and field investigations of unidentified aerial phenomena

(1) Designation

The Secretary, in coordination with the Director, shall designate one or more line orga-

nizations within the Department of Defense and the intelligence community that possess appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities to rapidly respond to, and conduct field investigations of, incidents involving unidentified aerial phenomena under the direction of the head of the Office established under subsection (a).

(2) Ability to respond

The Secretary, in coordination with the Director, shall ensure that each line organization designated under paragraph (1) has adequate personnel with the requisite expertise, equipment, transportation, and other resources necessary to respond rapidly to incidents or patterns of observations involving unidentified aerial phenomena of which the Office becomes aware.

(d) Scientific, technological, and operational analyses of data on unidentified aerial phenomena

(1) Designation

The Secretary, in coordination with the Director, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted pursuant to subsection (c) and data from other sources, including with respect to the testing of materials, medical studies, and development of theoretical models, to better understand and explain unidentified aerial phenomena.

(2) Authority

The Secretary and the Director shall each issue such directives as are necessary to ensure that the each¹ line organization designated under paragraph (1) has authority to draw on the special expertise of persons outside the Federal Government with appropriate security clearances.

(e) Data; intelligence collection

(1) Availability of data and reporting on unidentified aerial phenomena

The Director and the Secretary shall each, in coordination with one another, ensure that—

(A) each element of the intelligence community with data relating to unidentified aerial phenomena makes such data available immediately to the Office established under subsection (a) or to an entity designated by the Secretary and the Director to receive such data; and

(B) military and civilian personnel of the Department of Defense or an element of the intelligence community, and contractor personnel of the Department or such an element, have access to procedures by which the personnel shall report incidents or information, including adverse physiological effects, involving or associated with unidentified aerial phenomena directly to the Office or to an entity designated by the Secretary and the Director to receive such information.

¹ So in original.