

AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MR. KRISHNAMOORTHY OF ILLINOIS

At the end of subtitle C of title XVIII, add the following new section:

1 **SEC. 18__.** **INTELLIGENCE ASSESSMENTS ON IDENTIFYING, WARNING, AND COUNTERING GRAY**
2 **ZONE ACTIVITIES TARGETING COMPANIES OF**
3 **THE UNITED STATES.**
4

5 (a) **INTELLIGENCE ASSESSMENT ON THREATS TO**
6 **PRIVATE SECTOR.—**

7 (1) **REQUIREMENT.—**Not later than 60 days
8 after the date of the enactment of this Act, the
9 Under Secretary of Homeland Security for Intel-
10 ligence and Analysis, in consultation with the Sec-
11 retary of Commerce, shall submit to the appropriate
12 congressional committees an intelligence assessment
13 on gray zone activities that target companies of the
14 United States.

15 (2) **ELEMENTS.—**The intelligence assessment
16 under paragraph (1) shall include the following:

17 (A) With respect to gray zone activities
18 that target companies of the United States—

1 (i) a description of such activities;

2 (ii) an assessment of the effectiveness
3 of such activities in achieving the likely ob-
4 jectives of the activities; and

5 (iii) an assessment of the likelihood of
6 adversaries increasing or decreasing the
7 use of such activities.

8 (B) With respect to operations by adver-
9 saries to use such companies as a vector for
10 gray zone activities—

11 (i) a description of such operations;

12 (ii) an assessment of the effectiveness
13 of such operations in achieving the likely
14 objectives of the operations;

15 (iii) an assessment of the likelihood of
16 adversaries increasing or decreasing the
17 use of such operations.

18 (C) An appendix listing any non-obvious
19 indications and warnings of gray zone activities
20 of adversaries targeting companies of the
21 United States otherwise not included in the
22 matters under subparagraph (A) or (B).

23 (3) FORM.—The intelligence assessment under
24 paragraph (1) shall be submitted in unclassified
25 form, but may contain a classified annex. The Under

1 Secretary shall make the unclassified portion pub-
2 licly available on the internet website of the Depart-
3 ment of Homeland Security.

4 (b) BRIEFINGS TO COMPANIES.—

5 (1) REQUIREMENT.—To the extent practicable,
6 and consistent with the protection of intelligence
7 sources and methods, the Under Secretary of Home-
8 land Security for Intelligence and Analysis shall pro-
9 vide briefings to companies of the United States
10 with respect to indications and warnings relating to
11 companies being a target of or vector for gray zone
12 activities.

13 (2) CONGRESSIONAL NOTIFICATION.—Not later
14 than 120 days after the date of the enactment of
15 this Act, the Under Secretary shall notify the appro-
16 priate congressional committees of—

17 (A) the number of briefings held under
18 paragraph (1);

19 (B) any positive or negative feedback from
20 the briefings; and

21 (C) any known actions taken by companies
22 of the United States to defend the company
23 from being targeted by gray zone activities or
24 used as a vector for such activities following the
25 briefings.

1 (c) BRIEFINGS TO CONGRESS.—Not later than 90
2 days after the date of the enactment of this Act, the Under
3 Secretary of Homeland Security for Intelligence and Anal-
4 ysis shall provide to the appropriate congressional commit-
5 tees a briefing on a plan to use deployed intelligence offi-
6 cers of the Office of Intelligence and Analysis of the De-
7 partment of Homeland Security or other resources under
8 the operational control of the Under Secretary for the fol-
9 lowing purposes:

10 (1) To increase the coordination between the
11 national network of fusion centers (as such term is
12 defined in section 210A(k) of the Homeland Security
13 Act of 2002 (6 U.S.C. 124h(k)) and the United
14 States private sector regarding attempts by adver-
15 saries to use gray zone activities to target companies
16 of the United States.

17 (2) To increase the dissemination of intelligence
18 reporting regarding such attempts by adversaries.

19 (3) To raise awareness in the United States pri-
20 vate sector regarding such attempts by adversaries.

21 (4) To coordinate closely with applicable local
22 field offices of the Federal Bureau of Investigation
23 regarding the activities referred to in paragraphs (1)
24 through (3).

1 (d) WRITTEN PROPOSALS ON NEW PROGRAMS.—Not
2 later than 90 days after the date of the enactment of this
3 Act, the Undersecretary of Homeland Security for Intel-
4 ligence and Analysis shall submit to the appropriate con-
5 gressional committees not fewer than 3 written proposals
6 for new programs that would enable the Department of
7 Homeland Security to better mitigate the threat of adver-
8 saries attempting to use gray zone activities to target com-
9 panies of the United States.

10 (e) INTELLIGENCE ASSESSMENT ON OPPORTUNITIES
11 TO COUNTER PRIVATE SECTOR COERCION.—

12 (1) INTELLIGENCE ASSESSMENT.—

13 (A) REQUIREMENT.—Not later than 90
14 days after the date of the enactment of this
15 Act, the Assistant Secretary of State for Intel-
16 ligence and Research shall submit to the con-
17 gressional committees described in paragraph
18 (3) an intelligence assessment of diplomatic op-
19 portunities to counter malign adversary activi-
20 ties targeting companies of the United States,
21 including what diplomatic conditions if estab-
22 lished as a norm of world order would deter ad-
23 versaries from targeting the companies with
24 gray zone activities or using the companies as
25 vectors for such activities.

1 (B) FORM.—The intelligence assessment
2 under subparagraph (A) shall be submitted in
3 unclassified form, but may contain a classified
4 annex. The Assistant Secretary shall make the
5 unclassified portion publicly available on the
6 internet website of the Department of State.

7 (2) REPORT.—Not later than 200 days after
8 the date on which the Assistant Secretary submits
9 the intelligence assessment under paragraph (1), the
10 Secretary of State, in consultation with the head of
11 any department or agency of the United States Gov-
12 ernment the Secretary determines appropriate, shall
13 submit to the congressional committees described in
14 paragraph (3) a report on any steps the Secretary
15 is taking to establish the conditions described in
16 subparagraph (A) of paragraph (1).

17 (3) CONGRESSIONAL COMMITTEES DE-
18 SCRIBED.—The congressional committees described
19 in this paragraph are the following:

20 (A) The Select Committee on Intelligence
21 of the Senate and the Permanent Select Com-
22 mittee on Intelligence of the House of Rep-
23 resentatives.

1 (B) The Committee on Appropriations and
2 the Committee on Foreign Affairs of the House
3 of Representatives.

4 (C) The Committee on Appropriations and
5 the Committee on Foreign Relations of the Sen-
6 ate

7 (f) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means the following:

11 (A) The Select Committee on Intelligence
12 of the Senate and the Permanent Select Com-
13 mittee on Intelligence of the House of Rep-
14 resentatives.

15 (B) The Committee on Appropriations and
16 the Committee on Homeland Security of the
17 House of Representatives.

18 (C) The Committee on Appropriations and
19 the Committee on Homeland Security and Gov-
20 ernmental Affairs of the Senate.

21 (2) GRAY ZONE ACTIVITY.—The term “gray
22 zone activity” has the meaning given that term in
23 section 825 of the Intelligence Authorization Act for

1 Fiscal Year 2022 (Public Law 117–103; 136 Stat.
2 1025).

