AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MR. KRISHNAMOORTHI 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 ZONE ACTIVITIES TARGETING COMPANIES OF THE UNITED STATES.

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

(1) REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees an intelligence assessment on gray zone activities that target companies of the United States.

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

(A) With respect to gray zone activities that target companies of the United States—
(i) a description of such activities;

(ii) an assessment of the effectiveness of such activities in achieving the likely objectives of the activities; and

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

(B) With respect to operations by adversaries to use such companies as a vector for gray zone activities—

(i) a description of such operations;

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

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

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

(3) FORM.—The intelligence assessment under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex. The Under
Secretary shall make the unclassified portion publicly available on the internet website of the Department of Homeland Security.

(b) Briefings to Companies.—

(1) Requirement.—To the extent practicable, and consistent with the protection of intelligence sources and methods, the Under Secretary of Homeland Security for Intelligence and Analysis shall provide briefings to companies of the United States with respect to indications and warnings relating to companies being a target of or vector for gray zone activities.

(2) Congressional notification.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall notify the appropriate congressional committees of—

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

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

(C) any known actions taken by companies of the United States to defend the company from being targeted by gray zone activities or used as a vector for such activities following the briefings.
(c) Briefings to Congress.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall provide to the appropriate congressional committees a briefing on a plan to use deployed intelligence officers of the Office of Intelligence and Analysis of the Department of Homeland Security or other resources under the operational control of the Under Secretary for the following purposes:

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

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

(3) To raise awareness in the United States private sector regarding such attempts by adversaries.

(4) To coordinate closely with applicable local field offices of the Federal Bureau of Investigation regarding the activities referred to in paragraphs (1) through (3).
(d) **Written Proposals on New Programs.**—Not later than 90 days after the date of the enactment of this Act, the Undersecretary of Homeland Security for Intelligence and Analysis shall submit to the appropriate congressional committees not fewer than 3 written proposals for new programs that would enable the Department of Homeland Security to better mitigate the threat of adversaries attempting to use gray zone activities to target companies of the United States.

(e) **Intelligence Assessment on Opportunities to Counter Private Sector Coercion.**—

(1) **Intelligence Assessment.**—

(A) **Requirement.**—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of State for Intelligence and Research shall submit to the congressional committees described in paragraph (3) an intelligence assessment of diplomatic opportunities to counter malign adversary activities targeting companies of the United States, including what diplomatic conditions if established as a norm of world order would deter adversaries from targeting the companies with gray zone activities or using the companies as vectors for such activities.
(B) FORM.—The intelligence assessment under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex. The Assistant Secretary shall make the unclassified portion publicly available on the internet website of the Department of State.

(2) REPORT.—Not later than 200 days after the date on which the Assistant Secretary submits the intelligence assessment under paragraph (1), the Secretary of State, in consultation with the head of any department or agency of the United States Government the Secretary determines appropriate, shall submit to the congressional committees described in paragraph (3) a report on any steps the Secretary is taking to establish the conditions described in subparagraph (A) of paragraph (1).

(3) CONGRESSIONAL COMMITTEES DESCRIBED.—The congressional committees described in this paragraph are the following:

(A) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.
(B) The Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(C) The Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the following:

(A) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

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

(C) The Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) GRAY ZONE ACTIVITY.—The term “gray zone activity” has the meaning given that term in section 825 of the Intelligence Authorization Act for
Fiscal Year 2022 (Public Law 117–103; 136 Stat. 1025).