AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of subtitle D of title XVI, insert the following new section:

**SEC. 16. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN UNREPORTED ACTIVITIES.**

(a) **LIMITATION ON AVAILABILITY OF FUNDS.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 may be obligated or expended, directly or indirectly, in part or in whole, to conduct or support any activity relating to unidentified anomalous phenomena that is controlled under a classified program that has not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate congressional committees, congressional leadership, and the Director, including any of the following activities:

(1) The recruitment, employment, training, equipping, operations of, or provision of security for, a Federal employee or contractor of the Federal Government with a primary, secondary, or contingency mission of capturing, recovering, or securing
materials, objects, or devices derived from unidentified anomalous phenomena.

(2) The analysis of such materials, objects, or devices, including for the purpose of determining the properties, material composition, method of manufacture, origin, characteristics, usage and application, performance, operational modalities, or reverse engineering of the unidentified anomalous phenomena.

(3) The conduct of any action relating to reverse engineering or replicating the technology used in unidentified anomalous phenomena, or the performance of such phenomena, based on an analysis of materials or sensor and observational information associated with the unidentified anomalous phenomena.

(4) The development of propulsion technology, systems, or subsystems (or of an aerospace vehicle that uses such technology, systems, or subsystems) that is based on or derived from, in part or in whole, the inspection, analysis, or reverse engineering of recovered unidentified anomalous phenomena.

(5) The development of any aerospace vehicle that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust.
(6) The management or provision of security for the control of an activity relating to unidentified anomalous phenomena under a classified program, including the protection of information relating to such unidentified anomalous phenomena from disclosure or compromise.

(b) Notification and Reporting.—

(1) In general.—Any contractor or former contractor of the Federal Government in possession of material or information produced by the Federal Government and relating to unidentified anomalous phenomena (or derived from such material or information) that is or has been controlled under any classified program shall—

(A) not later than 60 days after the date of the enactment of this Act, notify the Director of such possession; and

(B) not later than 180 days after the date of the enactment of this Act, make available to the Director for assessment, analysis, and inspection—

(i) any such material or information; and
(ii) a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena materiel.

(2) PROTECTIONS.—The provision of notice and the making available of material and information under paragraph (1) shall be treated as an authorized disclosure under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b).

(c) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Consistent with Department of Defense Instruction Number 3204.01 (relating to oversight of independent research and development), independent research and development costs relating to material or information described in subsection (a) shall not be allowable as indirect expenses for purposes of contracts covered by such instruction, unless such material and information is made available to the Director in accordance with subsection (b).

(d) NOTICE TO CONGRESS.—Not later than 30 days after the date on which the Director has received a notification under subsection (b)(1)(A) or information or material under subsection (b)(1)(B), the Director shall submit to the appropriate congressional committees and congressional leadership a written notification of such receipt.
(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) The term “classified program” includes any special access program, alternative compensatory control measure, or any other controlled access program.

(3) The term “congressional leadership” means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

(D) the minority leader of the House of Representatives.

(4) The term “Director” means the Director of the All-domain Anomaly Resolution Office.
(5) The term “independent research and development costs” has the meaning given that term in section 4067(c) of title 10, United States Code.

(6) The term “unidentified anomalous phenomena” has the meaning given such term in section 1683(n) of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373(n)).