

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:

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

3 (a) **LIMITATION ON AVAILABILITY OF FUNDS.**—None
4 of the funds authorized to be appropriated by this Act or
5 otherwise made available for fiscal year 2024 may be obli-
6 gated or expended, directly or indirectly, in part or in
7 whole, to conduct or support any activity relating to un-
8 identified anomalous phenomena that is controlled under
9 a classified program that has not been formally, officially,
10 explicitly, and specifically described, explained, and justi-
11 fied to the appropriate congressional committees, congress-
12 sional leadership, and the Director, including any of the
13 following activities:

14 (1) The recruitment, employment, training,
15 equipping, operations of, or provision of security for,
16 a Federal employee or contractor of the Federal
17 Government with a primary, secondary, or contin-
18 gency mission of capturing, recovering, or securing

1 materials, objects, or devices derived from unidenti-
2 fied anomalous phenomena.

3 (2) The analysis of such materials, objects, or
4 devices, including for the purpose of determining the
5 properties, material composition, method of manu-
6 facture, origin, characteristics, usage and applica-
7 tion, performance, operational modalities, or reverse
8 engineering of the unidentified anomalous phe-
9 nomena.

10 (3) The conduct of any action relating to re-
11 verse engineering or replicating the technology used
12 in unidentified anomalous phenomena, or the per-
13 formance of such phenomena, based on an analysis
14 of materials or sensor and observational information
15 associated with the unidentified anomalous phe-
16 nomena.

17 (4) The development of propulsion technology,
18 systems, or subsystems (or of an aerospace vehicle
19 that uses such technology, systems, or subsystems)
20 that is based on or derived from, in part or in whole,
21 the inspection, analysis, or reverse engineering of re-
22 covered unidentified anomalous phenomena.

23 (5) The development of any aerospace vehicle
24 that uses propulsion technology other than chemical
25 propellants, solar power, and electric ion thrust.

1 (6) The management or provision of security
2 for the control of an activity relating to unidentified
3 anomalous phenomena under a classified program,
4 including the protection of information relating to
5 such unidentified anomalous phenomena from disclo-
6 sure or compromise.

7 (b) NOTIFICATION AND REPORTING.—

8 (1) IN GENERAL.—Any contractor or former
9 contractor of the Federal Government in possession
10 of material or information produced by the Federal
11 Government and relating to unidentified anomalous
12 phenomena (or derived from such material or infor-
13 mation) that is or has been controlled under any
14 classified program shall—

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

18 (B) not later than 180 days after the date
19 of the enactment of this Act, make available to
20 the Director for assessment, analysis, and in-
21 spection—

22 (i) any such material or information;
23 and

1 (ii) a comprehensive list of all non-
2 earth origin or exotic unidentified anoma-
3 lous phenomena materiel.

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

10 (c) LIMITATION REGARDING INDEPENDENT RE-
11 SEARCH AND DEVELOPMENT.—Consistent with Depart-
12 ment of Defense Instruction Number 3204.01 (relating to
13 oversight of independent research and development), inde-
14 pendent research and development costs relating to mate-
15 rial or information described in subsection (a) shall not
16 be allowable as indirect expenses for purposes of contracts
17 covered by such instruction, unless such material and in-
18 formation is made available to the Director in accordance
19 with subsection (b).

20 (d) NOTICE TO CONGRESS.—Not later than 30 days
21 after the date on which the Director has received a notifi-
22 cation under subsection (b)(1)(A) or information or mate-
23 rial under subsection (b)(1)(B), the Director shall submit
24 to the appropriate congressional committees and congres-
25 sional leadership a written notification of such receipt.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “appropriate congressional com-
3 mittees” means—

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

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

12 (2) The term “classified program” includes any
13 special access program, alternative compensatory
14 control measure, or any other controlled access pro-
15 gram.

16 (3) The term “congressional leadership”
17 means—

18 (A) the majority leader of the Senate;

19 (B) the minority leader of the Senate;

20 (C) the Speaker of the House of Rep-
21 resentatives; and

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

24 (4) The term “Director” means the Director of
25 the All-domain Anomaly Resolution Office.

1 (5) The term “independent research and devel-
2 opment costs” has the meaning given that term in
3 section 4067(c) of title 10, United States Code.

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

