

# Senate Intelligence bill gives holders of "non-earth origin or exotic UAP material" six months to make it available to AARO



**DOUGLAS DEAN JOHNSON**

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"We need to just look into whether there are rogue SAP programs that no one is pro for. The goal for me will be to have a hearing on that at some point so that we can

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**SAPs actually exist."**— Senator Kirsten Gillibrand (D-NY), quoted in "UFO Whistleblower, Meet a Conspiracy-Loving Congress," by Matt Laslo, in *WIRED*, June 13, 2023.

## By Douglas Dean Johnson

@ddeanjohnson on Twitter

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The U.S. Senate Select Committee on Intelligence (SSCI) has unanimously approved legislation containing language that appears intended to dig out any UAP-associated technology that is or ever was controlled by the federal government.

The new UAP/UFO provisions are being publicly reported in detail in this article for the first time anywhere.

The new UAP provisions are part of the Fiscal Year 2024 Intelligence Authorization Act (IAA, S. 2103), which was approved unanimously by the Senate Intelligence committee in a closed-door session on June 14. On June 21 I reported on the committee's action, but the text of the UAP amendment was not yet publicly available at that time. The committee formally filed the bill and it was assigned its number on June 22; it was posted on the Internet early on June 24.

The new UAP language (found in Section 1104 of the bill) would require "any person currently or formerly under contract with the Federal Government that has in their possession material or information provided by or derived from the Federal Government relating to unidentified anomalous phenomena that formerly or currently is protected by any form of special access or restricted access" to notify the director of the All-domain Anomaly Resolution Office (AARO) within 60 days of enactment, and to provide within 180 days (six months) "a comprehensive list of all non-earth origin or exotic unidentified anomalous phenomena material" possessed and to make it available to the AARO director for "assessment, analysis, and inspection."

AARO is the Pentagon office established by Congress to conduct investigations of unidentified anomalous phenomena (UAP), and to collect information on current and past federal government activity pertaining to UAP.

The legislation also would require the AARO director to notify designated congressional committees and leaders within 30 days after receiving any such notifications, information, or exotic materials.

The Intelligence committee legislation also includes what might be called a "safe harbor" provision, providing that if such a person complies with the notification and make-available deadlines, "No criminal or civil action may lie or be maintained in any Federal or State court against any person for receiving [UAP-related] material or information."

The "safe harbor" language might be read to imply that a private entity that obtained non-human technology from the government, and then held on to that material outside of the standard mechanisms for democratic oversight, perhaps profiting from it in some manner, might be in a legally tenuous position. If so, then such an amnesty period might smooth the way for timely and orderly disclosure. This reading of the provision is speculative; the committee has not yet published any explanatory material on the language.

Section 1104 of S. 2103 does not create any *new* criminal offenses. Neither does it confer any immunity for threats or acts of violence, perjury, or other crimes of the sorts sometimes alleged in stories about purported hidden government UFO programs.

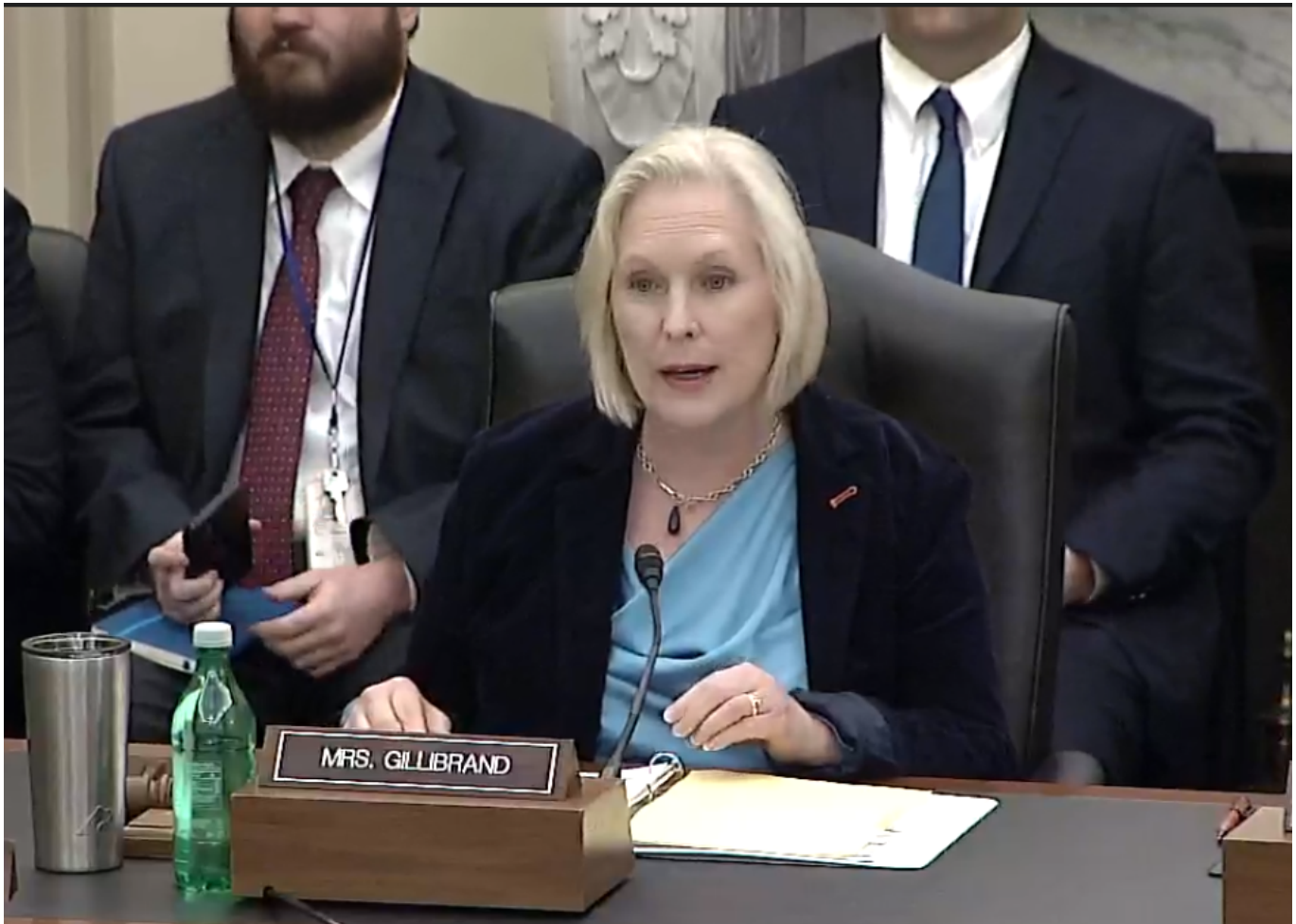
A PDF file of the UAP-related section of the bill (Sec. 1104) is embedded immediately below this paragraph. Images of the seven UAP-related pages are inserted at the bottom of this article.

### UAP text S 2103 Intelligence Authorization Act

UAP text S. 2103 (Intelligence Authorization Act).pdf • 137 KB



The seven-page committee amendment that is now Section 1104 of the bill was sponsored by Senator Kirsten Gillibrand (D-NY). It was co-sponsored by Senators Michael Rounds (R-SD), John Cornyn (R-Tx.), and Marco Rubio (R-Fl). The language was adopted by the 17-member committee without dissent (see roster below), after which the overall bill was approved unanimously.



**Senator Kirsten Gillibrand (D-NY) sits on both the Senate Select Committee on Intelligence and the Senate Armed Services Committee. She chairs the Emerging Threats and Capabilities Subcommittee of the Armed Services Committee.**

## **INTELLIGENCE COMMITTEE "NOTIFICATION" LANGUAGE IS BACKED UP BY SWEEPING FUNDING BAN FOR NON-COMPLIANCE**

Besides the notification and make-available requirements for UAP-related information and hardware, S. 2103 contains a sweeping prohibition on any future direct or indirect funding



for any special-access program (SAP) activity related to *unidentified anomalous phenomena* (as that term is broadly defined in current law--see the box below), unless the program has been "formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress, congressional leadership, and the Director [of AARO]."

"Special access program" (SAP) refers to classified programs run by the military or certain other agencies, to which access is restricted to lists of specific persons, determined on a "need to know" basis. Within the Intelligence Community, a comparable program is referred to as a "controlled access program" (CAP). There are several different categories of SAP/CAPs, some more secret than others--but under statutes beefed up in recent years, every type of SAP/CAP is supposed to be reported to least a small number of designated members of Congress.



“(7) TRANSMEDIUM OBJECTS OR DEVICES.—

The term ‘transmedium objects or devices’ means objects or devices that are—

“(A) observed to transition between space and the atmosphere, or between the atmosphere and bodies of water; and

“(B) not immediately identifiable.

“(8) UNIDENTIFIED ANOMALOUS PHENOMENA.—The term ‘unidentified anomalous phenomena’ means—

“(A) airborne objects that are not immediately identifiable; **[and]**

“(B) transmedium objects or devices; **and**

“(C) submerged objects or devices that are not immediately identifiable and that display behavior or performance characteristics suggesting that the objects or devices may be related to the objects described in subparagraph (A).”.

**The definition of "unidentified anomalous phenomena" as revised by Public Law 117-263 (enacted December 23, 2022)– a definition which *includes* "transmedium objects or devices" as defined.**

The designated "appropriate committees" are the intelligence, armed services, and appropriations committees of both houses of Congress. "Congressional leadership" is defined as the Speaker and minority leader in the House of Representatives, and the majority and minority leaders in the Senate. A total of 58 senators and 137 House members hold the positions that the bill designates to receive such notifications.

The categories of activities covered by the prospective funding ban are defined in six expansive paragraphs, to include "any activities relating to," among other things, "Recruiting, employing, training, equipping, and operations of, and providing security for, government or contractor personnel with a primary, secondary, or contingency mission of capturing, recovering, and securing unidentified anomalous phenomena craft or pieces and components of such craft," and "managing and providing security for protecting activities and information relating to unidentified anomalous phenomena from disclosure." Also included is a broad range of activity related to reverse-engineering, including work on "any aerospace craft that uses propulsion technology other than chemical propellants, solar power, and electric ion thrust."

The UAP provision also contains a "Sense of Congress" subsection, which asserts that "due to the increasing potential for technology surprise from foreign adversaries and to ensure sufficient integration across the United States industrial base and avoid technology and security stovepipes...the Federal Government must expand awareness about any historical exotic technology antecedents previously provided by the Federal Government for research and development purposes."

A "sense of Congress" measure does not create substantive law, nor does it modify or limit the effect of any substantive provisions. "Sense of Congress" language merely provides an explanation or justification for substantive requirements. In this case, the stated justification seems to be that there is a compelling need for the U.S. government to step up its efforts to reverse-engineer any exotic technology that is within its reach, and the lawmakers have concluded that this requires a relaxation of some of the extreme secrecy controls that purportedly surround study of exotic technology.

The language seems in sync with past public claims by some persons purporting to have direct or indirect knowledge of UFO "crash retrieval" programs, who have asserted that such programs had made little progress over decades, because stringent secrecy has severely limited the scientific and engineering resources available to unravel the workings of devices or materials of purportedly non-human origin. Such claims were made, for example, by an unnamed military contractor quoted by Michael Shellenberger in a June 7, 2023 article titled, "U.S. Has 12 or More Alien Spacecraft, Say Military and Intelligence Contractors."

## **MORE UAP LANGUAGE COMING IN NATIONAL DEFENSE AUTHORIZATION ACT**

Gillibrand's amendment on UFO-related special access projects has become public as part of the Intelligence Authorization Act, but the SAP issue may be addressed as well as part of a different bill, the FY 2024 National Defense Authorization Act (NDAA). In an interview reported by Matt Laslo of *WIRED* on June 13, Gillibrand said she would seek to add language to the NDAA cutting off funding for SAPs that are not properly reported to designated members of Congress. The Senate Armed Services Committee finished amending the NDAA on June 22, and then approved the bill on a vote of 24-1, but the text of the bill approved by the Senate Armed Services Committee is not yet publicly available. On June 23 Senator Gillibrand issued a press released stating that she had "secured full funding" for AARO during the committee session; her release did not mention any other UAP-related matter. An executive summary of the committee-approved NDAA also mentioned "increased funding" for AARO.

The National Defense Authorization Act sets policy and authorizes programs for most components of the military. The Intelligence Authorization Act sets policy for the Intelligence Community, which involves 18 agencies, both military and civilian. For lawmakers supportive of putting more light on any hidden UAP-related programs, having compatible language in both bills is ideal, since the subject matter straddles both realms. Having both committees speaking in concert may also be helpful in prodding a recalcitrant bureaucracy.



As part of last year's National Defense Authorization Act, enacted in December 2022, Congress mandated establishment of a "secure system" by which anyone involved in a past or current UAP or alien-tech research program may file reports with AARO. Under this new law, anyone utilizing this "secure system" to disclose UAP-related information will not be violating classification laws or non-disclosure agreements, and will enjoy legal protection from reprisals by the government or government contractors.

The 2022 law also states that the Secretary of Defense must report to designated key lawmakers within 72 hours if he determines that "an authorized disclosure [under the new system] relates to" a previously unreported UAP-related special-access program.

In addition, the 2022 law requires AARO to prepare a comprehensive report to Congress on government involvement in UFO matters, going back to January 1, 1945. The report is to include, among other things, "any program or activity that was protected by restricted access that has not been explicitly and clearly reported to Congress," and "any efforts to obfuscate, manipulate public opinion, hide, or other provide incorrect unclassified or classified information about unidentified anomalous phenomena or related activities." The report is due in June 2024. The law requires the Comptroller General, who heads the Governmental Accountability Office, an arm of Congress, to monitor the progress of the study and to periodically verbally brief designated lawmakers.

## **GRUSCH ALLEGATIONS BACKDROP FOR THE NEW SENATE COMMITTEE PROPOSALS**

The new UAP initiatives in the Senate come in the wake of reports in the media, beginning on June 5, 2023, regarding allegations by David Grusch, who in April retired from a level GS-15 position (colonel equivalent) as an intelligence officer with the National Geospatial-Intelligence Agency (NGA). Grusch's allegations were first reported in an article that appeared on the website *The Debrief* on June 5, written by Leslie Kean and Ralph Blumenthal, and were elaborated on in interviews with journalist Ross Coulthart, broadcast on *News Nation*, and in other statements.

Grusch said that while assigned to the interagency UAP Task Force (a UAP-investigating body that preceded AARO), he received classified information from multiple "current and

former senior intelligence officers" who said they were part of or had knowledge of a longstanding, highly secret program, which Grusch termed "a broad [UFO] crash-retrieval program." He said his sources told him that this program is engaged in attempts to reverse-engineer "quite a number" of "technical vehicles, call it spacecraft if you will" of non-human origin.



David Grusch on *News Nation*, June 11, 2023.

"The allegations themselves are breathtaking," Senator Brian Schatz (D-Hi.), a member of the Senate Appropriations Defense Subcommittee, told *WIRED*'s Matt Laslo. "It could be a game changer, or it could be a crank."

Kean-Blumenthal and Coulthart reported that Grusch initially reported on his findings to the Inspector General of the Department of Defense in July 2021, an action that Grusch later alleged somehow triggered various reprisals against him. The perpetrators of the alleged reprisals have not been publicly identified.

In May 2022, Grusch submitted a complaint to the Inspector General of the Intelligence Community (ICIG), employing a longstanding law, the *Intelligence Community*

*Whistleblower Protection Act* (ICWPA) ((50 U.S.C. § 3033(k)(5)), which spells out a process for members of certain intelligence agency to report matters defined as being of "urgent concern," including serious violations of law, willful withholding of information from Congress, and some types of reprisals. The law requires that the Senate and House intelligence committees to receive notification of any "urgent concern" complaint, if the ICIG finds it to be "credible," which he did in this case; the committees were notified in July 2022.

Subsequently, staff persons to the two intelligence committees separately conducted extended sworn interviews of Grusch regarding his allegations. Grusch also provided sworn statements and classified information to the inspectors general. It appears that investigations into Grusch's disclosures are ongoing by both the ICIG and the Inspector General of the Defense Department.



## Office of the Inspector General of the Intelligence Community

### DISCLOSURE OF URGENT CONCERN FORM - **UNCLASSIFIED**

The Office of the Inspector General of the Intelligence Community (ICIG) administers the *Intelligence Community Whistleblower Protection Act* (ICWPA) disclosure process (50 U.S.C. § 3033(k)(5)). The ICWPA is the lawful mechanism for **current** Intelligence Community employees and contractors to disclose matters of “urgent concern” to the congressional intelligence committees, as defined by 50 U.S.C. § 3003. The ICWPA defines an “urgent concern” as:

- A serious or flagrant problem, abuse, violation of law or Executive Order, or deficiency relating to the funding, administration, or operation of an intelligence activity within the responsibility and authority of the Director of National Intelligence involving classified information, but does not include differences of opinion concerning public policy matters.
- A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.
- An action, including personnel action described in 5 U.S.C. § 2302(a)(2)(A) of Title 5, constituting reprisal or threat of reprisal prohibited under subsection (g)(3)(B) of 50 U.S.C. § 3033 in response to an employee’s reporting an urgent concern in accordance with this section.

For additional background information, please visit [www.dni.gov/ICIG-Whistleblower](http://www.dni.gov/ICIG-Whistleblower).

☐ I affirm that my submission, including any attachments, does not include classified information. If your submission, including any attachments, may contain **CLASSIFIED INFORMATION**, please contact the [ICIG HOTLINE](#) (Open: 855-731-3260 • Secure: 933-2800) to determine appropriate submission procedures.

## PART 1 – YOUR INFORMATION

### (\*) Required Information

#### 1. Current Status\*

- ☐ Current employee of an element of the Intelligence Community.
- ☐ Current employee assigned or detailed to an element of the Intelligence Community.
- ☐ Current employee of a contractor to the Intelligence Community.
- ☐ Not a current employee of the Intelligence Community or a current employee of a contractor to the Intelligence Community. **STOP** and contact your former agency Office of Inspector General or the Office of Special Counsel for information on making a disclosure.

#### 2. Do you intend to report an urgent concern complaint to Congress pursuant to 50 U.S.C. § 3033(k)(5)?

☐ Yes ☐ No

Within hours of *The Debrief's* initial report on Grusch's claims on June 5, 2023, Pentagon spokesperson Sue Gough issued this statement: "To date, AARO has not discovered any verifiable information to substantiate claims that any programs regarding the possession or reverse-engineering of extraterrestrial materials have existed in the past or exist currently. AARO is committed to following the data and its investigation wherever it leads. AARO, working with the Office of the General Counsel and the Air Force Office of Special Investigations, has established a safe and secure process for individuals to come forward with information to aid AARO in its congressionally-mandated historical review. AARO's historical review of records and testimonies is ongoing and due to Congress by June 2024. AARO welcomes the opportunity to speak with any former or current government employee or contractor who believes they have information relevant to the historical review."

In a statement to Christopher Sharp of *Liberation Times*, published June 22, Gough stated: "AARO has been rigorously investigating alleged programs mentioned by individuals who have come forward as part of the congressionally-mandated historical review. To date, AARO has not been denied access to any United States government program, past or present, during the course of its work." Since David Grusch did not make his allegations "as part of the congressionally-mandated historical review," Ms. Gough's statement may not have applied to his allegations.

## **WHAT HAPPENS NOW WITH THE SENATE LEGISLATION?**

Both the NDAA and the IAA still have many steps to go in the legislative process. However, ultimate enactment of an NDAA by the end of 2023 is a very good bet; Congress has enacted an NDAA for the past 62 years running.

In many years, the IAA is folded into the NDAA at a late stage in the legislative process, prior to the NDAA gaining final congressional approval and being sent to the president.

One open question is how the current leaders of the Intelligence and Armed Services committees in the House of Representatives will respond to the new Senate UAP proposals. Congressmen Michael Turner (R-Ohio) and Jim Himes (D-Ct.), who are respectively the chairman and ranking minority member on the House Permanent Select Committee on



Intelligence (HPSCI), made generalized dismissive comments about the possibility of the government possessing secret alien technology, in a brief joint interview with *Fox News* on June 6 (see video clip below). They have said little if anything publicly on the matter since then. Their committee has not yet approved its version of the FY 2024 Intelligence Authorization Act.



On June 6, 2023, Congressmen Jim Himes (D-Ct.), left, and Michael Turner (R-Ohio), respectively the ranking minority member and the chairman of the House Permanent Select Committee on Intelligence (HPSCI), respond briefly to a question about the David Grusch story.

The senior members of the Armed Services Committee of the House of Representatives have said little publicly about the Grusch allegations. On June 22, that committee finished amending its version of the FY 2024 National Defense Authorization Act (H.R. 2670) and approved the bill 58-1. The committee-approved text is not yet publicly available, but no reports from the committee's voting session mentioned any UAP-related amendments, nor is any UAP-related language mentioned in a 15-page summary made available by the committee. However, UAP-related language could still be offered during consideration of the bill on the House floor, as occurred in 2022 when Reps. Mike Gallagher (R-Wi.) and Ruben Gallego (D-Az.) won adoption of a floor amendment to establish the "authorized reporting" system (a proposal that had been approved earlier by the SSCI).

Whether or not there are any UAP-related provisions in the versions of the NDAA and IAA that the full House initially passes later this year, the inclusion of UAP-related provisions in the bills approved by the two Senate committees would mean that final UAP language will be worked out in a House-Senate conference committee or other closed-door, bicameral negotiations that occur near the end of the legislative process, probably late in the year.

## POTENTIAL CONGRESSIONAL HEARING(S)

Under ordinary procedures, there would be no expectation that negotiations on the final shape of NDAA-IAA provisions pertaining to UAP would involve the leadership of the House Committee on Oversight and Accountability. To date, however, that is the only House committee that has announced that it intends to hold a public hearing on the subject.

On June 6, House Oversight Chairman James Comer (R-Ky.) told *News Nation* that he had tasked two members of that committee, Reps. Tim Burchett (R-Tn.) and Anna Paulina Luna (R-Fl.), to put together a public hearing on the subject. In an interview with Frank Camp published on *DailyWire.com* on June 17, 2023, Burchett said that he was hoping that Grusch would be able to testify at the hearing: "We would like to get him there. It's premature to say who we will have there. We'll release that when we get the okay from the committee chair of everybody that we've invited who's been cleared to come speak...I want to talk to people who have seen something and can provide some proof of what's going on." No timetable has been announced for the House Oversight Committee hearing.

Senator Gillibrand chairs the Emerging Threats and Capabilities Subcommittee of the Armed Services Committee. In remarks to Matt Laslo of *WIRED*, reported on June 13, Gillibrand said she wanted to "have a hearing at some point so that we can assess if these SAPs actually exist." Asked by Laslo whether she thought there was veracity to Grusch's claims, Gillibrand said "I have no idea. So I'm going to do the work and analyze it and figure it out."

On April 19, 2023, Gillibrand's subcommittee held both a closed (classified) hearing and an open hearing on AARO, at which AARO Director Dr. Sean Kirkpatrick was the sole witness. During that hearing, Kirkpatrick said, "I should also state clearly for the record that in our research AARO has found no credible evidence thus far of extraterrestrial activity, off world technology, or objects that defy the known laws of physics. In the event sufficient scientific

data were ever obtained that a UAP encountered can only be explained by extraterrestrial origin, we are committed to working with our interagency partners at NASA to appropriately inform U.S. government's leadership of its findings."

A provision of the 2022 law establishing AARO reads as follows: "50 U.S.C. Sec. 3373(f) (1)(A): Availability of data: The Director of National Intelligence, in coordination with the Secretary of Defense, shall ensure that each element of the intelligence community with data relating to unidentified anomalous phenomena makes such data available immediately to the Office" [i.e., AARO].

In a statement to Christopher Sharp of *Liberation Times*, published June 22, Gough said, "By law, AARO may receive all UAP-related information, including any classified national security information involving military, intelligence, and intelligence-related activities, at all levels of classification regardless of any restrictive access controls, special access programs, or compartmented access programs. Moreover, there is no restriction to AARO receiving any past or present UAP-related information, regardless of the organizational affiliation of the original classification authority within DoD, the Intelligence Community, or any other U.S. government department or agency."

In an interview with journalist Ross Coulthart, broadcast by *News Nation* on June 11, Grusch said, "Well, I know Dr. Sean Kirkpatrick. I've known him about eight years. And, you know, I expressed some concerns to Dr. Kirkpatrick about a year ago, and told him what I was starting to uncover. And he didn't follow up with me. He has my phone number. He could have called me. I hope he ultimately does the right thing. He should be able to make the same investigative discoveries I did. It's totally crazy if he doesn't."



### Kirkpatrick SASC hearing transcript 4 19 23

Kirkpatrick SASC hearing transcript 4-19-23.pdf • 458 KB



## SENATORS ACT TO BEEF UP FUNDING FOR AARO

On February 16 a bipartisan group of 16 senators – including Gillibrand, SSCI ranking minority member Senator Marco Rubio (R-Fl.), and SSCI Chairman Senator Mark Warner (D-Va.) -- sent a letter to the second-ranking officials at the Department of Defense and in the Office of the Director of National Intelligence, urging support for more robust funding for AARO, and raising questions about the pace at which the Pentagon bureaucracy has implemented some of the AARO-related mandates enacted in December, 2022.

# United States Senate

WASHINGTON, DC 20510-3205

February 16, 2023

The Honorable Kathleen H. Hicks  
Deputy Secretary of Defense  
1010 Defense Pentagon  
Washington, DC 20301-1010

The Honorable Stacey Dixon  
Principal Deputy Director of National Intelligence  
1500 Tysons McLean Drive  
McLean, VA 22102

Dear Deputy Secretary Hicks and Deputy Director Dixon,

We write today regarding implementation of Section 1683 of the *Fiscal Year 2022 National Defense Authorization Act* (NDAA) and the development of the All-domain Anomaly Resolution Office (AARO). AARO provides the opportunity to integrate and resolve threats and hazards to the U.S., while also offering increased transparency to the American people and reducing the stigma. AARO's success will depend on robust funding for its activities and cooperation between the Department of Defense and the Intelligence Community. As such, we respectfully request your assistance in securing the necessary funding and organizational support for AARO's success and longevity.

While we recognize there was an Administration request for funds in Fiscal Year 2023 (FY23) to fund basic operating expenses for AARO, it is facing a funding shortfall that will impede its ability to fulfill its mission. The amount outlined in the classified attachment is crucial to AARO's scientific plan, and the lack of funding for these capabilities presents a serious impediment to AARO's mission. We believe it is imperative for the Department of Defense to reprogram funds to cover this serious funding gap and it is for these reasons that we ask that the Department of Defense reprogram funds to prevent disruption to AARO's work. Without FY23 funding, AARO's ability to deliver integrated collection and analysis will fall behind schedule and be sub-optimized.

Additionally, while we understand that the Fiscal Year 2024 (FY24) Presidential Budget Request is all but finalized, we anticipate that the request will not include necessary Research, Development, Test, and Evaluations funding for FY24. While we appreciate that the Department of Defense has been vocal in expressing its support for the resolution of unidentified anomalous phenomena, this commitment must also be reflected in funding requests provided to Congress. Accordingly, we urge you to work with Congress to ensure that AARO is funded appropriately in FY24 and that robust funding is requested for FY25.

In addition to securing necessary funding, we request a briefing from your offices on your agencies' plan to implement the dual reporting of AARO to the leadership of the Department of Defense and the Intelligence Community. The *FY23 Intelligence Authorization Act* (IAA) requires that the Director of AARO report directly to the Deputy Secretary of Defense and the



Principal Deputy Director of National Intelligence, with administrative support provided by the Undersecretary of Defense for Intelligence and Security. The briefing should cover the balance between Intelligence Community and Department of Defense involvement, including how Title 10 and Title 50 authorities will be delegated to, and exercised by, the Director of AARO. We see it as essential that AARO's activities are not viewed or managed as solely an intelligence activity.

The FY22 and FY23 IAAs and NDAAs provided broad authorities for the resolution of unidentified anomalous phenomena across domains, demonstrating significant support for its mission from Congress. It is critical that the aspirations of AARO's mission are met with the resources necessary to succeed.

Thank you for your consideration of this request.

Sincerely,



Kirsten Gillibrand  
United States Senator



Marco Rubio  
Vice Chairman, Select  
Committee on Intelligence



Mark R. Warner  
United States Senator






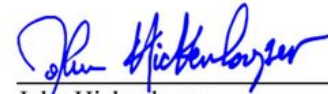
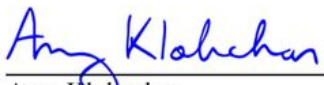
Lindsey O. Graham  
United States Senator



Martin Heinrich  
United States Senator



Kevin Cramer  
United States Senator

  
Jeanne Shaheen  
United States Senator  
Dan Sullivan  
United States Senator  
Mark Kelly  
United States Senator  
Elizabeth Warren  
United States Senator  
Tim Kaine  
United States Senator  
John Hickenlooper  
United States Senator  
Michael F. Bennet  
United States Senator  
Richard Blumenthal  
United States Senator  
Amy Klobuchar  
United States Senator  
Jacky Rosen  
United States Senator

Cc: Under Secretary of Defense (Comptroller)/CFO Michael J. McCord

In her opening remarks at her April 19 hearing on AARO, Gillibrand said, "Congress established AARO. We made it clear that we expect vigorous action...But despite our best efforts the President's budget for fiscal years '23 and '24 requested only enough funding to defray the operating expenses of AARO. It included almost no funds to sustain the critical research and development necessary to support a serious investigation. It took a letter to Secretary Austin [sic] from Senator Rubio and me and 14 other senators to get the office [AARO] temporary relief for the current fiscal year."

Following the conclusion of the Senate Armed Services Committee's closed-door voting sessions on the NDAA on June 22, Senator Gillibrand issued a press release (shown below) stating that "she had secured full funding" for AARO as part of the bill. The release did not provide any other specifics, and the bill language has not yet been released publicly. An summary of the NDAA released by the Armed Services Committee on June 23 also mentioned that the bill "authorizes increased funding for...the activities of the All-domain Anomaly Resolution Office (AARO)."

The actual appropriation of funds for military and intelligence programs is conducted in a different bill, the annual Defense Appropriations bill, which originates in the Defense subcommittees of the Senate and House Appropriations committees. Generally, any program is most secure when it has strong advocates on both the pertinent authorization (policy and oversight) committees and on the pertinent appropriations subcommittees.

## Press Release

Jun 23, 2023

### Gillibrand Secures Full Funding For UAP Office In Senate Defense Bill Markup

Today, U.S. Senator Kirsten Gillibrand announced that she had secured full funding for the All-domain Anomaly Resolution Office (AARO) in the Senate Armed Services Committee's markup of the FY24 *National Defense Authorization Act*. Earlier this year, Gillibrand and Senator Marco Rubio (R-FL) led a [bipartisan push](#) to fully fund the office after the previous year's NDAA failed to provide adequate funding.

Gillibrand and Rubio's groundbreaking AARO was created in the FY22 NDAA to focus the Department of Defense (DoD) on resolving UAP sightings, improving data sharing between DoD and the Intelligence Community on UAP sightings, addressing national security concerns, and reporting health effects people may experience in relation to UAP events. AARO has access to DoD and Intelligence Community UAP data and is required to provide Congress with briefings and reports on UAPs.

*"With aggression from adversaries on the rise and with incidents like the Chinese spy balloon, it's critical to our national security that we have strong air domain awareness over our homeland and around U.S. forces operating overseas," said Senator Gillibrand. "Fully funding AARO is essential to our national security; the office provides the opportunity to integrate and resolve threats and hazards to the U.S., while also offering increased transparency to the American people and reducing the stigma around this issue of high public interest."*

**Press release issued by Senator Kirsten Gillibrand (D-NY) following conclusion of closed-door action by the Senate Armed Services Committee on the FY 2024 National Defense Authorization Act.**







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UNITED STATES SENATE COMMITTEE ON  
**ARMED SERVICES**

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**Fiscal Year 2024**

**NATIONAL DEFENSE  
AUTHORIZATION ACT**

**Executive Summary**

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**U.S. Senator Jack Reed, Chairman**

**U.S. Senator Roger F. Wicker, Ranking Member**

**June 2023**



## UNITED STATES SENATE COMMITTEE ON **ARMED SERVICES**

- Directs a report and notification related to the transfer of operational control on the Korean Peninsula.

### **Bolstering Support for Ukraine and NATO**

- Authorizes the full fiscal year 2024 budget request for the European Deterrence Initiative (EDI).
- Extends the Ukraine Security Assistance Initiative (USAI) through fiscal year 2027 and authorizes the full budget request of \$300 million in fiscal year 2024.
- Expresses the sense of the Senate that the United States' commitment to the North Atlantic Treaty Organization (NATO) is ironclad and emphasizes the importance of maintaining a unified response to the Russian Federation's unjust war in Ukraine.
- Requires a report on the execution of, and any updates to, the multi-year strategy for security cooperation with the nations of Estonia, Latvia, and Lithuania, in light of the changes to the European security environment.
- Authorizes the Department of Defense to provide funding for the NATO Defence Innovation Accelerator for the North Atlantic joint research and development initiative.

### **Responding to Evolving Threats**

- Directs an assessment of the benefits that Iran may be garnering by assisting Russia in waging war on Ukraine.
- Authorizes increased funding for a number of initiatives, including:
  - Research on foreign malign influence operations,
  - Counter-unmanned aircraft systems technology research and development,
  - Enhancing the Department of Defense's understanding of the performance of loitering munition systems,
  - The activities of the All-domain Anomaly Resolution Office (AARO).
- Requires a report on the Department of Defense's roles and responsibilities in support of the National Strategy for the Arctic Region.
- Clarifies the mandate of the Department of Defense's Anomalous Health Incidents Cross-Functional Team to include efforts related to emerging directed energy capabilities.
- Requires an independent assessment of the lessons learned in the information operations space throughout the conflict in Ukraine in order to inform and improve U.S. information operations capabilities in the future.

### **Investing in Cutting-Edge Technologies**

- Authorizes increased funding for a number of initiatives, including:

**U.S. Senate Armed Services Committee  
FY 2024 National Defense Authorization Act  
Executive Summary  
June 23, 2023**

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# U.S. Senate Select Committee on Intelligence

## Committee Members



**Mark Warner**  
Virginia  
Chairman



**Marco Rubio**  
Florida  
Vice Chairman

### Democrats

Ron Wyden - Oregon  
Dianne Feinstein - California  
Martin Heinrich - New Mexico  
Angus S. King, Jr. - Maine  
Michael F. Bennet - Colorado  
Robert P. Casey, Jr. - Pennsylvania  
Kristen Gillibrand - New York  
Jon Ossoff - Georgia

### Republicans

James E. Risch - Idaho  
Susan M. Collins - Maine  
Tom Cotton - Arkansas  
John Cornyn - Texas  
Jerry Moran - Kansas  
James Lankford - Oklahoma  
M. Michael Rounds - South Dakota

Membership of the Senate Select Committee on Intelligence, 118th Congress.

## Majority:

- Senator Jack Reed (D-RI) –Chairman
- Senator Jeanne Shaheen (D-NH)
- Senator Kirsten Gillibrand (D-NY)
- Senator Richard Blumenthal (D-CT)
- Senator Mazie Hirono (D-HI)
- Senator Tim Kaine (D-VA)
- Senator Angus King (I-ME)
- Senator Elizabeth Warren (D-MA)
- Senator Gary Peters (D-MI)
- Senator Joe Manchin (D-WV)
- Senator Tammy Duckworth (D-IL)
- Senator Jacky Rosen (D-NV)
- Senator Mark Kelly (D-AZ)

## Minority:

**U.S. Senate Armed Services Committee  
118th Congress**

- Senator Roger Wicker (R-MS) –Ranking Member
- Senator Deb Fischer (R-NE)
- Senator Tom Cotton (R-AR)
- Senator Mike Rounds (R-SD)
- Senator Joni Ernst (R-IA)
- Senator Dan Sullivan (R-AK)
- Senator Kevin Cramer (R-ND)
- Senator Rick Scott (R-FL)
- Senator Tommy Tuberville (R-AL)
- Senator Markwayne Mullin (R-OK)
- Senator Ted Budd (R-NC)
- Senator Eric Schmitt (R-MO)

**Membership of the U.S. Senate Armed Services Committee, 118th Congress.**





#### SUBCOMMITTEE ON

## Emerging Threats and Capabilities

Responsibilities include policies and programs related to science and technology, special operations, intelligence, counterterrorism, security cooperation, strategic and information operations, countering weapons of mass destruction, and homeland defense.

**Oversight of budget accounts:** Army and Air Force research, development, test, and evaluation (RDT&E) and procurement (less technology base, space, cyber, nuclear weapons, special operations, and ammunition).

**Oversight of DOD offices:** Under Secretary of Defense for Research and Engineering; Under Secretary of Defense (Intelligence); Assistant Secretary of Defense (Homeland Defense and Global Security); and Assistant Secretary of Defense (Special Operations and Low-Intensity Conflict).

**Oversight of DOD commands and agencies:** U.S. Special Operations Command; Defense Advanced Research Projects Agency; Defense Security Cooperation Agency; National Security Agency; Defense Intelligence Agency; National Reconnaissance Office; and National Geospatial-Intelligence Agency.

## Majority Members

Sen. Kirsten Gillibrand (D-NY), Chair  
 Sen. Jeanne Shaheen (D-NH)  
 Sen. Elizabeth Warren (D-MA)  
 Sen. Gary Peters (D-MI)  
 Sen. Jacky Rosen (D-NV)  
 Sen. Mark Kelly (D-AZ)

## Minority Members

Sen. Joni Ernst (R-IA), Ranking Member  
 Sen. Tom Cotton (R-AR)  
 Sen. Markwayne Mullin (R-OK)  
 Sen. Ted Budd (R-NC)  
 Sen. Eric Schmitt (R-MO)

**"The goal for me will be to have a hearing on that at some point so that we can assess if these SAPs actually exist." – Sen. Kirsten Gillibrand (D-NY), chair, Emerging Threats and Capabilities Subcommittee, U.S. Senate Armed Services Committee (quoted in *WIRED*, June 13, 2023).**

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Calendar No. 106

118TH CONGRESS  
1ST SESSION

S. 2103

To authorize appropriations for fiscal year 2024 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. WARNER, from the Select Committee on Intelligence, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2024 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

- 1
- 2
- 3
- 4
- 5
- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**
- (a) SHORT TITLE.—This Act may be cited as the
- “Intelligence Authorization Act for Fiscal Year 2024”.

9 **SEC. 1104. FUNDING LIMITATIONS RELATING TO UNIDENTI-**  
10 **FIED ANOMALOUS PHENOMENA.**

11 (a) DEFINITIONS.—In this section:

12 (1) APPROPRIATE COMMITTEES OF CON-  
13 GRESS.—The term “appropriate committees of Con-  
14 gress” means—

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

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

23 (2) CONGRESSIONAL LEADERSHIP.—The term  
24 “congressional leadership” means—

25 (A) the majority leader of the Senate;

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1 (B) the minority leader of the Senate;

2 (C) the Speaker of the House of Rep-  
3 resentatives; and

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

6 (3) DIRECTOR.—The term “Director” means  
7 the Director of the All-domain Anomaly Resolution  
8 Office.

9 (4) UNIDENTIFIED ANOMALOUS PHENOMENA.—  
10 The term “unidentified anomalous phenomena” has  
11 the meaning given such term in section 1683(n) of  
12 the National Defense Authorization Act for Fiscal  
13 Year 2022 (50 U.S.C. 3373(n)), as amended by sec-  
14 tion 6802(a) of the Intelligence Authorization Act  
15 for Fiscal Year 2023 (Public Law 117–263).

16 (b) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that, due to the increasing potential for technology  
18 surprise from foreign adversaries and to ensure sufficient  
19 integration across the United States industrial base and  
20 avoid technology and security stovepipes—

21 (1) the United States industrial base must re-  
22 tain its global lead in critical advanced technologies;  
23 and

24 (2) the Federal Government must expand  
25 awareness about any historical exotic technology

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1       antecedents previously provided by the Federal Gov-  
2       ernment for research and development purposes.

3       (c) LIMITATIONS.—

4           (1) IN GENERAL.—No amount authorized to be  
5       appropriated or appropriated by this Act or any  
6       other Act may be obligated or expended, directly or  
7       indirectly, in part or in whole, for, on, in relation to,  
8       or in support of activities involving unidentified  
9       anomalous phenomena protected under any form of  
10      special access or restricted access limitations that  
11      have not been formally, officially, explicitly, and spe-  
12      cifically described, explained, and justified to the ap-  
13      propriate committees of Congress, congressional  
14      leadership, and the Director, including for any ac-  
15      tivities relating to the following:

16           (A) Recruiting, employing, training, equip-  
17      ping, and operations of, and providing security  
18      for, government or contractor personnel with a  
19      primary, secondary, or contingency mission of  
20      capturing, recovering, and securing unidentified  
21      anomalous phenomena craft or pieces and com-  
22      ponents of such craft.

23           (B) Analyzing such craft or pieces or com-  
24      ponents thereof, including for the purpose of  
25      determining properties, material composition,

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1 method of manufacture, origin, characteristics,  
2 usage and application, performance, operational  
3 modalities, or reverse engineering of such craft  
4 or component technology.

5 (C) Managing and providing security for  
6 protecting activities and information relating to  
7 unidentified anomalous phenomena from disclo-  
8 sure or compromise.

9 (D) Actions relating to reverse engineering  
10 or replicating unidentified anomalous phe-  
11 nomena technology or performance based on  
12 analysis of materials or sensor and observa-  
13 tional information associated with unidentified  
14 anomalous phenomena.

15 (E) The development of propulsion tech-  
16 nology, or aerospace craft that uses propulsion  
17 technology, systems, or subsystems, that is  
18 based on or derived from or inspired by inspec-  
19 tion, analysis, or reverse engineering of recov-  
20 ered unidentified anomalous phenomena craft  
21 or materials.

22 (F) Any aerospace craft that uses propul-  
23 sion technology other than chemical propellants,  
24 solar power, or electric ion thrust.

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1           (2) FUTURE APPROPRIATIONS.—Paragraph (1)  
2       shall apply with respect to an amount appropriated  
3       after the date of the enactment of this Act, unless  
4       such paragraph is specifically waived for such  
5       amount, or such amount is specifically exempted  
6       from such paragraph, by an Act enacted after the  
7       date of the enactment of this Act.

8       (d) NOTIFICATION AND REPORTING.—Any person  
9       currently or formerly under contract with the Federal  
10      Government that has in their possession material or infor-  
11      mation provided by or derived from the Federal Govern-  
12      ment relating to unidentified anomalous phenomena that  
13      formerly or currently is protected by any form of special  
14      access or restricted access shall—

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

18           (2) not later than 180 days after the date of  
19      the enactment of this Act, make available to the Di-  
20      rector for assessment, analysis, and inspection—

21                   (A) all such material and information; and

22                   (B) a comprehensive list of all non-earth  
23      origin or exotic unidentified anomalous phe-  
24      nomena material.



1 (e) LIABILITY.—No criminal or civil action may lie  
2 or be maintained in any Federal or State court against  
3 any person for receiving material or information described  
4 in subsection (d) if that person complies with the notifica-  
5 tion and reporting provisions described in such subsection.

6 (f) LIMITATION REGARDING INDEPENDENT RE-  
7 SEARCH AND DEVELOPMENT.—

8 (1) IN GENERAL.—Consistent with Department  
9 of Defense Instruction Number 3204.01 (dated Au-  
10 gust 20, 2014, incorporating change 2, dated July  
11 9, 2020; relating to Department policy for oversight  
12 of independent research and development), inde-  
13 pendent research and development funding relating  
14 to material or information described in subsection  
15 (c) shall not be allowable as indirect expenses for  
16 purposes of contracts covered by such instruction,  
17 unless such material and information is made avail-  
18 able to the Director in accordance with subsection  
19 (d).

20 (2) EFFECTIVE DATE AND APPLICABILITY.—  
21 Paragraph (1) shall take effect on the date that is  
22 60 days after the date of the enactment of this Act  
23 and shall apply with respect to funding from  
24 amounts appropriated before, on, or after such date.

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1 (g) NOTICE TO CONGRESS.—Not later than 30 days  
2 after the date on which the Director has received a notifi-  
3 cation under paragraph (1) of subsection (d) or informa-  
4 tion or material under paragraph (2) of such subsection,  
5 the Director shall provide written notification of such re-  
6 ceipt to the appropriate committees of Congress and con-  
7 gressional leadership.

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## Senate committees advancing new language seeking possible secret UFO-tech programs

By Douglas Dean Johnson @ddeanjohnson Original publication: June 21, 2023, 10 AM EDT.

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