

(1) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Ways and Means, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(Pub. L. 116-260, div. Z, title VII, § 7003, Dec. 27, 2020, 134 Stat. 2577.)

§ 3373. Establishment of All-domain Anomaly Resolution Office

(a) Establishment of Office

(1) In general

Not later than 120 days after December 23, 2022, the Secretary of Defense, in coordination with the Director of National Intelligence, shall establish an office within a component of the Office of the Secretary of Defense, or within a joint organization of the Department of Defense and the Office of the Director of National Intelligence, to carry out the duties of the Unidentified Aerial Phenomena Task Force, as in effect on December 26, 2021, and such other duties as are required by this section, including those pertaining to unidentified anomalous phenomena.

(2) Designation

The office established under paragraph (1) shall be known as the “All-domain Anomaly Resolution Office” (in this section referred to as the “Office”).

(b) Director and Deputy Director of the Office

(1) Appointment of Director

The head of the Office shall be the Director of the All-domain Anomaly Resolution Office (in this section referred to as the “Director of the Office”), who shall be appointed by the Secretary of Defense in consultation with the Director of National Intelligence.

(2) Appointment of Deputy Director

The Deputy Director of the Office shall be appointed by the Director of National Intelligence in coordination with the Secretary of Defense.

(3) Reporting

(A) In general

The Director of the Office shall report directly to the Deputy Secretary of Defense and the Principal Deputy Director of National Intelligence.

(B) Administrative and operational and security matters

The Director of the Office shall report—

(i) to the Under Secretary of Defense for Intelligence and Security on all administrative matters of the Office; and

(ii) to the Deputy Secretary of Defense and the Principal Deputy Director of Na-

tional Intelligence on all operational and security matters of the Office.

(c) Duties

The duties of the Office shall include the following:

(1) Developing procedures to synchronize and standardize the collection, reporting, and analysis of incidents, including adverse physiological effects, regarding unidentified anomalous phenomena across the Department of Defense and the intelligence community, in coordination with the Director of National Intelligence, which shall be provided to the congressional defense committees, the congressional intelligence committees, and congressional leadership.

(2) Developing processes and procedures to ensure that such incidents from each component of the Department and each element of the intelligence community are reported and stored in an appropriate manner that allows for the integration of analysis of such information.

(3) Establishing procedures to require the timely and consistent reporting of such incidents.

(4) Evaluating links between unidentified anomalous phenomena and adversarial foreign governments, other foreign governments, or nonstate actors.

(5) Evaluating the threat that such incidents present to the United States.

(6) Coordinating with other departments and agencies of the Federal Government, as appropriate, including the Federal Aviation Administration, the National Aeronautics and Space Administration, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, the National Science Foundation, and the Department of Energy.

(7) As appropriate, and in coordination with the Secretary of State, the Secretary of Defense, and the Director of National Intelligence, consulting with allies and partners of the United States to better assess the nature and extent of unidentified anomalous phenomena.

(8) Preparing reports for Congress, in both classified and unclassified form, including under subsection (j).

(d) Response to and field investigations of unidentified anomalous phenomena

(1) Designation

The Secretary of Defense and the Director of National Intelligence shall jointly designate from within their respective organizations an official, to be under the direction of the Director of the Office, responsible for ensuring the appropriate expertise, authorities, accesses, data, systems, platforms, and capabilities are available for the rapid response to, and support for, the conduct of field investigations of incidents involving unidentified anomalous phenomena.

(2) Ability to respond

The Secretary of Defense and the Director of National Intelligence shall ensure field investigations are supported by personnel with the requisite expertise, equipment, transpor-

tation, and other resources necessary to respond rapidly to incidents or patterns of observations involving unidentified anomalous phenomena.

(e) Scientific, technological, and operational analyses of data on unidentified anomalous phenomena

(1) Designation

The Secretary of Defense, in coordination with the Director of National Intelligence, shall designate one or more line organizations that will be primarily responsible for scientific, technical, and operational analysis of data gathered by field investigations conducted pursuant to subsection (d) and data from other sources, including with respect to the testing of materials, medical studies, and development of theoretical models, to better understand and explain unidentified anomalous phenomena.

(2) Authority

The Secretary of Defense and the Director of National Intelligence shall each issue such directives as are necessary to ensure that each line organization designated under paragraph (1) has authority to draw on the special expertise of persons outside the Federal Government with appropriate security clearances.

(f) Data; intelligence collection

(1) Availability of data and reporting on unidentified anomalous phenomena

(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.

(B) Reporting

The Director of National Intelligence and the Secretary of Defense shall each, in coordination with one another, ensure that military and civilian personnel of the Department of Defense or an element of the intelligence community, and contractor personnel of the Department or such an element, have access to procedures by which the personnel shall report incidents or information, including adverse physiological effects, involving or associated with unidentified anomalous phenomena directly to the Office.

(2) Intelligence collection and analysis plan

The Director of the Office, acting in coordination with the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of an intelligence collection and analysis plan to gain as much knowledge as possible regarding the technical and operational characteristics, origins, and intentions of unidentified anomalous phenomena, including with respect to the development, acquisition, deployment, and operation of technical collection capabilities necessary to detect, identify, and scientifically characterize unidentified anomalous phenomena.

(3) Use of resources and capabilities

In developing the plan under paragraph (2), the Director of the Office shall consider and propose, as appropriate, the use of any resource, capability, asset, or process of the Department and the intelligence community.

(g) Science plan

The Director of the Office, on behalf of the Secretary of Defense and the Director of National Intelligence, shall supervise the development and execution of a science plan to develop and test, as practicable, scientific theories to—

(1) account for characteristics and performance of unidentified anomalous phenomena that exceed the known state of the art in science or technology, including in the areas of propulsion, aerodynamic control, signatures, structures, materials, sensors, countermeasures, weapons, electronics, and power generation; and

(2) provide the foundation for potential future investments to replicate or otherwise better understand any such advanced characteristics and performance.

(h) Assignment of priority

The Director of National Intelligence, in consultation with and with the recommendation of the Secretary of Defense, shall assign an appropriate level of priority within the National Intelligence Priorities Framework to the requirement to understand, characterize, and respond to unidentified anomalous phenomena.

(i) Detailees from elements of the intelligence community

The heads of the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the Department of Energy, the National Geospatial-Intelligence Agency, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard, the Department of Homeland Security, and such other elements of the intelligence community as the Director of the Office considers appropriate may provide to the Office a detailee of the element to be physically located at the Office.

(j) Historical record report

(1) Report required

(A) In general

Not later than 540 days after December 23, 2022, the Director of the Office shall submit to the congressional defense committees, the congressional intelligence committees, and congressional leadership a written report detailing the historical record of the United States Government relating to unidentified anomalous phenomena, including—

- (i) the records and documents of the intelligence community;
- (ii) oral history interviews;
- (iii) open source analysis;
- (iv) interviews of current and former Government officials;
- (v) classified and unclassified national archives including any records any third party obtained pursuant to section 552 of title 5; and

(vi) such other relevant historical sources as the Director of the Office considers appropriate.

(B) Other requirements

The report submitted under subparagraph (A) shall—

(i) focus on the period beginning on January 1, 1945, and ending on the date on which the Director of the Office completes activities under this subsection; and

(ii) include a compilation and itemization of the key historical record of the involvement of the intelligence community with unidentified anomalous phenomena, including—

(I) any program or activity that was protected by restricted access that has not been explicitly and clearly reported to Congress;

(II) successful or unsuccessful efforts to identify and track unidentified anomalous phenomena; and

(III) any efforts to obfuscate, manipulate public opinion, hide, or otherwise provide incorrect unclassified or classified information about unidentified anomalous phenomena or related activities.

(2) Access to records of the National Archives and Records Administration

The Archivist of the United States shall make available to the Office such information maintained by the National Archives and Records Administration, including classified information, as the Director of the Office considers necessary to carry out paragraph (1).

(k) Annual reports

(1) Reports from All-domain Anomaly Resolution Office

(A) Requirement

Not later than 180 days after December 23, 2022, and annually thereafter for four years, the Director of the Office shall submit to the appropriate congressional committees a report on unidentified anomalous phenomena.

(B) Elements

Each report submitted under subparagraph (A) shall include, with respect to the year covered by the report, the following information:

(i) All reported unidentified anomalous phenomena-related events that occurred during the one-year period.

(ii) All reported unidentified anomalous phenomena-related events that occurred during a period other than that one-year period but were not included in an earlier report.

(iii) An analysis of data and intelligence received through each reported unidentified anomalous phenomena-related event.

(iv) An analysis of data relating to unidentified anomalous phenomena collected through—

(I) geospatial intelligence;

(II) signals intelligence;

(III) human intelligence; and

(IV) measurement and signature intelligence.

(v) The number of reported incidents of unidentified anomalous phenomena over restricted airspace of the United States during the one-year period.

(vi) An analysis of such incidents identified under clause (v).

(vii) Identification of potential aerospace or other threats posed by unidentified anomalous phenomena to the national security of the United States.

(viii) An assessment of any activity regarding unidentified anomalous phenomena that can be attributed to one or more adversarial foreign governments.

(ix) Identification of any incidents or patterns regarding unidentified anomalous phenomena that indicate a potential adversarial foreign government may have achieved a breakthrough aerospace capability.

(x) An update on the coordination by the United States with allies and partners on efforts to track, understand, and address unidentified anomalous phenomena.

(xi) An update on any efforts underway on the ability to capture or exploit discovered unidentified anomalous phenomena.

(xii) An assessment of any health-related effects for individuals that have encountered unidentified anomalous phenomena.

(xiii) The number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena associated with military nuclear assets, including strategic nuclear weapons and nuclear-powered ships and submarines.

(xiv) In consultation with the Administrator for Nuclear Security, the number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena associated with the production, transportation, or storage of nuclear weapons or components thereof.

(xv) In consultation with the Chairman of the Nuclear Regulatory Commission, the number of reported incidents, and descriptions thereof, of unidentified anomalous phenomena or drones of unknown origin associated with nuclear power generating stations, nuclear fuel storage sites, or other sites or facilities regulated by the Nuclear Regulatory Commission.

(xvi) The names of the line organizations that have been designated to perform the specific functions under subsections (d) and (e), and the specific functions for which each such line organization has been assigned primary responsibility.

(xvii) A summary of the reports received using the mechanism for authorized reporting established under section 3373b of this title.

(2) Form

Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(l) Semiannual briefings

(1) Requirement

Not later than December 31, 2022, and not less frequently than semiannually thereafter

until December 31, 2026, the Director of the Office shall provide to the appropriate congressional committees classified briefings on unidentified anomalous phenomena.

(2) First briefing

The first briefing provided under paragraph (1) shall include all incidents involving unidentified anomalous phenomena that were reported to the Unidentified Aerial Phenomena Task Force or to the Office established under subsection (a) after June 24, 2021, regardless of the date of occurrence of the incident.

(3) Subsequent briefings

Each briefing provided subsequent to the first briefing described in paragraph (2) shall include, at a minimum, all events relating to unidentified anomalous phenomena that occurred during the previous 180 days, and events relating to unidentified anomalous phenomena that were not included in an earlier briefing.

(4) Instances in which data was not shared

For each briefing period, the Director of the Office shall jointly provide to the chairman or chair and the ranking member or vice chairman of the congressional committees specified in subparagraphs (A) and (D) of subsection (n)(1) an enumeration of any instances in which data relating to unidentified anomalous phenomena was not provided to the Office because of classification restrictions on that data or for any other reason.

(m) Task Force termination

Not later than the date on which the Secretary of Defense establishes the Office under subsection (a), the Secretary shall terminate the Unidentified Aerial Phenomena Task Force.

(n) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means the following:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committees on Appropriations of the Senate and the House of Representatives.

(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

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

(E) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(F) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(2) Congressional defense committees

The term “congressional defense committees” has the meaning given such term in section 101(a) of title 10.

(3) Congressional intelligence committees

The term “congressional intelligence committees” has the meaning given such term in section 3003 of this title.

(4) Congressional leadership

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.

(5) Intelligence community

The term “intelligence community” has the meaning given such term in section 3003 of this title.

(6) Line organization

The term “line organization” means, with respect to a department or agency of the Federal Government, an organization that executes programs and activities to directly advance the core functions and missions of the department or agency to which the organization is subordinate, but, with respect to the Department of Defense, does not include a component of the Office of the Secretary of Defense.

(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;

(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).

(Pub. L. 117–81, div. A, title XVI, § 1683, Dec. 27, 2021, 135 Stat. 2118; Pub. L. 117–263, div. A, title XVI, § 1673(c), div. F, title LXVIII, § 6802(a), Dec. 23, 2022, 136 Stat. 2961, 3586; Pub. L. 118–31, div. G, title III, § 7341, Dec. 22, 2023, 137 Stat. 1062.)

Editorial Notes

AMENDMENTS

2023—Subsec. (k)(1). Pub. L. 118–31, § 7341(1), substituted “All-domain Anomaly Resolution Office” for “Director of National Intelligence and Secretary of Defense” in heading.

Subsec. (k)(1)(A). Pub. L. 118–31, § 7341(2), substituted “Director of the Office shall” for “Director of National Intelligence and the Secretary of Defense shall jointly”.

2022—Pub. L. 117–263, § 6802(a), amended section generally. Prior to amendment, section established an office, organizational structure, and authorities to address unidentified anomalous phenomena.

Pub. L. 117-263, § 1673(c)(1), substituted “anomalous” for “aerial” wherever appearing.

Subsec. (h)(1). Pub. L. 117-263, § 1673(c)(2)(A), inserted “and the congressional leadership” after “appropriate congressional committees”.

Subsec. (h)(2)(Q). Pub. L. 117-263, § 1673(c)(2)(B), added subpar. (Q).

Subsec. (l)(2) to (6). Pub. L. 117-263, § 1673(c)(3), added par. (2) and redesignated former pars. (2) to (5) as (3) to (6), respectively.

Statutory Notes and Related Subsidiaries

LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT

Pub. L. 118-31, div. A, title XVI, § 1687(b), (c), Dec. 22, 2023, 137 Stat. 621, provided that:

“(b) LIMITATION REGARDING INDEPENDENT RESEARCH AND DEVELOPMENT.—Consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), independent research and development funding relating to unidentified anomalous phenomena 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 appropriate congressional committees and congressional leadership.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives]; and

“(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(2) 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.

“(3) 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)), as amended by section 6802(a) of the Intelligence Authorization Act for Fiscal Year 2023 ([div. F of] Public Law 117-263).”

COMPTROLLER GENERAL OF THE UNITED STATES AUDITS AND BRIEFINGS ON UNIDENTIFIED ANOMALOUS PHENOMENA HISTORICAL RECORD REPORT

Pub. L. 117-263, div. F, title LXVIII, § 6803, Dec. 23, 2022, 136 Stat. 3594, provided that:

“(a) DEFINITIONS.—In this section, the terms ‘congressional leadership’ and ‘Office’ have the meanings given such terms in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802.

“(b) AUDIT.—

“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 23, 2022], the Comptroller General of the United States shall identify appropriately cleared personnel of the Government Accountability Office to audit the historical record report process described in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802, including personnel to conduct work on-site as appropriate.

“(2) PROVISION OF INFORMATION.—On a quarterly basis, and as appropriate and consistent with Government Auditing Standards, the Comptroller General of the United States shall provide the Office with information on the findings of any audits conducted by the personnel identified under paragraph (1).

“(c) VERBAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter, the Comptroller General of the United States shall verbally brief the congressional intelligence committees, the congressional defense committees, and congressional leadership on the progress of the Office with respect to the historical record report described in section 1683 of the National Defense Authorization Act for Fiscal Year 2022 (50 U.S.C. 3373), as amended by section 6802, and compliance with legislative requirements.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to restrict access of a committee of Congress under section 719(f) of title 31, United States Code, to an audit under subsection (b).”

[For definition of “congressional intelligence committees” as used in section 6803 of Pub. L. 117-263, set out above, see section 6002 of Pub. L. 117-263, set out as a note under section 3003 of this title.]

§ 3373a. Support for and oversight of Unidentified Aerial Phenomena Task Force

(a) Availability of data on unidentified aerial phenomena

The Director of National Intelligence and the Secretary of Defense shall jointly require that each element of the intelligence community and component of the Department of Defense with data relating to unidentified aerial phenomena makes¹ such data available immediately to the Unidentified Aerial Phenomena Task Force, or successor entity, and to the National Air and Space Intelligence Center.

(b) Quarterly reports

(1) In general

Not later than 90 days after March 15, 2022, and not less frequently than quarterly thereafter, the Unidentified Aerial Phenomena Task Force, or successor entity, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on the findings of the Unidentified Aerial Phenomena Task Force, or successor entity.

(2) Contents

Each report submitted under paragraph (1) shall include, at a minimum, the following:

(A) All reported unidentified aerial phenomena-related events that occurred during the period covered by the report.

(B) All reported unidentified aerial phenomena-related events that occurred during a period other than the period covered by the report but were not included in an earlier report.

(3) Form

Each report submitted under paragraph (1) shall be submitted in classified form.

(c) Definitions

In this section:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means the following:

(A) The congressional intelligence committees.

(B) The Committees on Armed Services of the House of Representatives and the Senate.

¹ So in original. Probably should be “make”.