

118TH CONGRESS  
2D SESSION

# S. 3957

To require the Director of National Intelligence to develop a strategy to improve the sharing of information and intelligence on foreign adversary tactics and illicit activities affecting the ability of United States persons to compete in foreign jurisdictions on projects relating to energy generation and storage, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 14, 2024

Mr. WARNER (for himself, Mr. RUBIO, Mr. HICKENLOOPER, Mr. LANKFORD, Mr. OSSOFF, Mr. CASSIDY, Mr. VAN HOLLEN, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

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## A BILL

To require the Director of National Intelligence to develop a strategy to improve the sharing of information and intelligence on foreign adversary tactics and illicit activities affecting the ability of United States persons to compete in foreign jurisdictions on projects relating to energy generation and storage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ENHANCING PUBLIC-PRIVATE SHARING ON MA-**  
2 **NIPULATIVE ADVERSARY PRACTICES IN**  
3 **CRITICAL MINERAL PROJECTS.**

4 (a) STRATEGY REQUIRED.—Not later than 90 days  
5 after the date of the enactment of this Act, the Director  
6 of National Intelligence shall, in consultation with the  
7 heads of such Federal agencies as the Director considers  
8 appropriate, develop a strategy to improve the sharing be-  
9 tween the Federal Government and private entities of in-  
10 formation and intelligence to mitigate the threat that for-  
11 eign adversary illicit activities and tactics pose to United  
12 States persons in foreign jurisdictions on projects relating  
13 to energy generation and storage, including with respect  
14 to critical minerals inputs.

15 (b) ELEMENTS.—The strategy required by subsection  
16 (a) shall cover—

17 (1) how best to assemble and transmit informa-  
18 tion to United States persons—

19 (A) to protect against foreign adversary il-  
20 licit tactics and activities relating to critical  
21 mineral projects abroad, including foreign ad-  
22 versary efforts to undermine such United States  
23 projects abroad;

24 (B) to mitigate the risk that foreign adver-  
25 sary government involvement in the ownership  
26 and control of entities engaging in deceptive or

1 illicit activities pose to the interests of the  
2 United States; and

3 (C) to inform on economic espionage and  
4 other threats from foreign adversaries to the  
5 rights of owners of intellectual property, includ-  
6 ing owners of patents, trademarks, copyrights,  
7 and trade secrets, and other sensitive informa-  
8 tion, with respect to such property; and

9 (2) how best to receive information from United  
10 States persons on threats to United States interests  
11 in the critical mineral space, including  
12 disinformation campaigns abroad or other suspicious  
13 malicious activity.

14 (c) IMPLEMENTATION PLAN REQUIRED.—Not later  
15 than 30 days after the date on which the Director com-  
16 pletes developing the strategy pursuant to subsection (a),  
17 the Director shall submit to the congressional intelligence  
18 committees (as defined in section 3 of the National Secu-  
19 rity Act of 1947 (50 U.S.C. 3003)), or provide such com-  
20 mittees a briefing on, a plan for implementing the strat-  
21 egy.

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