

118TH CONGRESS
1ST SESSION

H. R. 6329

To increase the availability of open-source intelligence products in the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2023

Mr. CASTRO of Texas (for himself and Mr. GALLAGHER) introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To increase the availability of open-source intelligence products in the Federal Government, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Open Source Intel-
5 ligence Availability Act”.

6 **SEC. 2. DEVELOPMENT OF PLAN TO MAKE OPEN-SOURCE**
7 **INTELLIGENCE PRODUCTS AVAILABLE TO**
8 **CERTAIN FEDERAL EMPLOYEES.**

9 (a) PLAN REQUIREMENT.—Not later than 180 days
10 after the date of the enactment of this Act, the Director

1 of National Intelligence, in consultation with such heads
2 of the elements of the intelligence community as the Direc-
3 tor considers appropriate, shall develop and submit to the
4 congressional intelligence committees a plan to make avail-
5 able to covered individuals any covered open-source intel-
6 ligence product.

7 (b) ELEMENTS.—The plan required under subsection
8 (a) shall include the following:

9 (1) Policies and procedures to make available to
10 covered individuals any covered open-source intel-
11 ligence product in a manner consistent with the pro-
12 tection of intelligence sources and methods.

13 (2) Policies and procedures to increase the
14 availability and accessibility to covered individuals of
15 publicly available foreign language material that is
16 translated by or within the intelligence community.

17 (3) Policies and procedures to ensure that the
18 head of each element of the intelligence community
19 that produces any covered open-source intelligence
20 product complies with all policies and procedures
21 issued to implement the plan submitted under sub-
22 section (a).

23 (4) Policies and procedures to ensure that any
24 covered open-source intelligence product that is
25 made available to covered individuals satisfies the re-

1 requirements under any policy, procedure, or standard
2 issued by the head of an element of the intelligence
3 community relating to the production and dissemina-
4 tion of intelligence products.

5 (5) Any obstacles to making available to cov-
6 ered individuals unclassified products derived from
7 open-source intelligence produced by the intelligence
8 community, including translated foreign language
9 material described in paragraph (2).

10 (6) With respect to implementation of the plan,
11 a discussion of the estimated timeline, any additional
12 funding or other resources, and any new authorities
13 that would be required for such implementation.

14 (7) A discussion of the feasibility and advis-
15 ability of making unclassified products derived from
16 open-source intelligence produced by the intelligence
17 community available to State and local government
18 officials who would derive value from such unclassi-
19 fied products.

20 (c) FORM.—The plan required under subsection (a)
21 shall be submitted in unclassified form, but may include
22 a classified annex.

23 (d) INTELLIGENCE COMMUNITY DIRECTIVE WITH
24 RESPECT TO OPEN-SOURCE INTELLIGENCE.—Not later
25 than 180 days after the date of the enactment of this Act,

1 the Director of National Intelligence shall update Intel-
2 ligence Community Directive 208, Maximizing the Utility
3 of Analytic Products (or any successor directive) to spe-
4 cifically address—

5 (1) the production and dissemination of unclas-
6 sified intelligence products derived entirely from
7 open-source intelligence, including from unclassified
8 publicly available information, unclassified commer-
9 cially available information, or any other type of un-
10 classified information; and

11 (2) the needs and requirements of covered indi-
12 viduals who do not hold a security clearance or have
13 access to the classified systems on which such un-
14 classified intelligence products reside.

15 (e) DEFINITIONS.—In this section:

16 (1) COVERED INDIVIDUAL.—The term “covered
17 individual” means an employee of the Federal Gov-
18 ernment—

19 (A) who is not an employee or contractor
20 of an element of the intelligence community;
21 and

22 (B) who would derive value from a covered
23 open-source intelligence product.

24 (2) COVERED OPEN-SOURCE INTELLIGENCE
25 PRODUCT.—The term “covered open-source intel-

1 ligence product” means an unclassified product de-
2 rived from open-source intelligence that is produced
3 by the intelligence community.

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