

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the expeditious disclosure of unidentified anomalous phenomena records.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 2226

To authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHUMER (for himself, Mr. ROUNDS, Mr. RUBIO, and Mrs. GILLIBRAND)

Viz:

1 At the appropriate place, insert the following:

2 **TITLE __—UNIDENTIFIED ANOM-**
3 **ALOUS PHENOMENA DISCLO-**
4 **SURE**

5 **SEC. __01. SHORT TITLE.**

6 This title may be cited as the “Unidentified Anoma-
7 lous Phenomena Disclosure Act of 2023” or the “UAP
8 Disclosure Act of 2023”.

1 **SEC. ____02. FINDINGS, DECLARATIONS, AND PURPOSES.**

2 (a) FINDINGS AND DECLARATIONS.—Congress finds
3 and declares the following:

4 (1) All Federal Government records related to
5 unidentified anomalous phenomena should be pre-
6 served and centralized for historical and Federal
7 Government purposes.

8 (2) All Federal Government records concerning
9 unidentified anomalous phenomena should carry a
10 presumption of immediate disclosure and all records
11 should be eventually disclosed to enable the public to
12 become fully informed about the history of the Fed-
13 eral Government’s knowledge and involvement sur-
14 rounding unidentified anomalous phenomena.

15 (3) Legislation is necessary to create an en-
16 forceable, independent, and accountable process for
17 the public disclosure of such records.

18 (4) Legislation is necessary because credible
19 evidence and testimony indicates that Federal Gov-
20 ernment unidentified anomalous phenomena records
21 exist that have not been declassified or subject to
22 mandatory declassification review as set forth in Ex-
23 ecutive Order 13526 (50 U.S.C. 3161 note; relating
24 to classified national security information) due in
25 part to exemptions under the Atomic Energy Act of
26 1954 (42 U.S.C. 2011 et seq.), as well as an over-

1 broad interpretation of “transclassified foreign nu-
2 clear information”, which is also exempt from man-
3 datory declassification, thereby preventing public
4 disclosure under existing provisions of law.

5 (5) Legislation is necessary because section 552
6 of title 5, United States Code (commonly referred to
7 as the “Freedom of Information Act”), as imple-
8 mented by the Executive branch of the Federal Gov-
9 ernment, has proven inadequate in achieving the
10 timely public disclosure of Government unidentified
11 anomalous phenomena records that are subject to
12 mandatory declassification review.

13 (6) Legislation is necessary to restore proper
14 oversight over unidentified anomalous phenomena
15 records by elected officials in both the executive and
16 legislative branches of the Federal Government that
17 has otherwise been lacking as of the enactment of
18 this Act.

19 (7) Legislation is necessary to afford complete
20 and timely access to all knowledge gained by the
21 Federal Government concerning unidentified anoma-
22 lous phenomena in furtherance of comprehensive
23 open scientific and technological research and devel-
24 opment essential to avoiding or mitigating potential

1 technological surprise in furtherance of urgent na-
2 tional security concerns and the public interest.

3 (b) PURPOSES.—The purposes of this title are—

4 (1) to provide for the creation of the unidenti-
5 fied anomalous phenomena Records Collection at the
6 National Archives and Records Administration; and

7 (2) to require the expeditious public trans-
8 mission to the Archivist and public disclosure of
9 such records.

10 **SEC. ____03. DEFINITIONS.**

11 In this title:

12 (1) ARCHIVIST.—The term “Archivist” means
13 the Archivist of the United States.

14 (2) CLOSE OBSERVER.—The term “close ob-
15 server” means anyone who has come into close prox-
16 imity to unidentified anomalous phenomena or non-
17 human intelligence.

18 (3) COLLECTION.—The term “Collection”
19 means the Unidentified Anomalous Phenomena
20 Records Collection established under section ____04.

21 (4) CONTROLLED DISCLOSURE CAMPAIGN
22 PLAN.—The term “Controlled Disclosure Campaign
23 Plan” means the Controlled Disclosure Campaign
24 Plan required by section ____09(c)(3).

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

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

5 (10) LEGACY PROGRAM.—The term “legacy
6 program” means all Federal, State, and local gov-
7 ernment, commercial industry, academic, and private
8 sector endeavors to collect, exploit, or reverse engi-
9 neer technologies of unknown origin or examine bio-
10 logical evidence of living or deceased non-human in-
11 telligence that pre-dates the date of the enactment
12 of this Act.

13 (11) NATIONAL ARCHIVES.—The term “Na-
14 tional Archives” means the National Archives and
15 Records Administration and all components thereof,
16 including presidential archival depositories estab-
17 lished under section 2112 of title 44, United States
18 Code.

19 (12) NON-HUMAN INTELLIGENCE.—The term
20 “non-human intelligence” means any sentient intel-
21 ligent non-human lifeform regardless of nature or ul-
22 timate origin that may be presumed responsible for
23 unidentified anomalous phenomena or of which the
24 Federal Government has become aware.

1 (13) ORIGINATING BODY.—The term “origi-
2 nating body” means the Executive agency, Federal
3 Government commission, committee of Congress, or
4 other Governmental entity that created a record or
5 particular information within a record.

6 (14) PROSAIC ATTRIBUTION.—The term “pro-
7 saic attribution” means having a human (either for-
8 eign or domestic) origin and operating according to
9 current, proven, and generally understood scientific
10 and engineering principles and established laws-of-
11 nature and not attributable to non-human intel-
12 ligence.

13 (15) PUBLIC INTEREST.—The term “public in-
14 terest” means the compelling interest in the prompt
15 public disclosure of unidentified anomalous phe-
16 nomena records for historical and Governmental
17 purposes and for the purpose of fully informing the
18 people of the United States about the history of the
19 Federal Government’s knowledge and involvement
20 surrounding unidentified anomalous phenomena.

21 (16) RECORD.—The term “record” includes a
22 book, paper, report, memorandum, directive, email,
23 text, or other form of communication, or map, pho-
24 tograph, sound or video recording, machine-readable
25 material, computerized, digitized, or electronic infor-

1 mation, including intelligence, surveillance, recon-
2 naissance, and target acquisition sensor data, re-
3 gardless of the medium on which it is stored, or
4 other documentary material, regardless of its phys-
5 ical form or characteristics.

6 (17) REVIEW BOARD.—The term “Review
7 Board” means the Unidentified Anomalous Phe-
8 nomena Records Review Board established by sec-
9 tion ____07.

10 (18) TECHNOLOGIES OF UNKNOWN ORIGIN.—
11 The term “technologies of unknown origin” means
12 any materials or meta-materials, ejecta, crash de-
13 bris, mechanisms, machinery, equipment, assemblies
14 or sub-assemblies, engineering models or processes,
15 damaged or intact aerospace vehicles, and damaged
16 or intact ocean-surface and undersea craft associ-
17 ated with unidentified anomalous phenomena or in-
18 corporating science and technology that lacks prosaic
19 attribution or known means of human manufacture.

20 (19) TEMPORARILY NON-ATTRIBUTED OB-
21 JECTS.—

22 (A) IN GENERAL.—The term “temporarily
23 non-attributed objects” means the class of ob-
24 jects that temporarily resist prosaic attribution
25 by the initial observer as a result of environ-

1 mental or system limitations associated with the
2 observation process that nevertheless ultimately
3 have an accepted human origin or known phys-
4 ical cause. Although some unidentified anoma-
5 lous phenomena may at first be interpreted as
6 temporarily non-attributed objects, they are not
7 temporarily non-attributed objects, and the two
8 categories are mutually exclusive.

9 (B) INCLUSION.—The term “temporarily
10 non-attributed objects” includes—

11 (i) natural celestial, meteorological,
12 and undersea weather phenomena;

13 (ii) mundane human-made airborne
14 objects, clutter, and marine debris;

15 (iii) Federal, State, and local govern-
16 ment, commercial industry, academic, and
17 private sector aerospace platforms;

18 (iv) Federal, State, and local govern-
19 ment, commercial industry, academic, and
20 private sector ocean-surface and undersea
21 vehicles; and

22 (v) known foreign systems.

23 (20) THIRD AGENCY.—The term “third agen-
24 cy” means a Government agency that originated a

1 unidentified anomalous phenomena record that is in
2 the possession of another Government agency.

3 (21) UNIDENTIFIED ANOMALOUS PHE-
4 NOMENA.—

5 (A) IN GENERAL.—The term “unidentified
6 anomalous phenomena” means any object oper-
7 ating or judged capable of operating in outer-
8 space, the atmosphere, ocean surfaces, or un-
9 dersea lacking prosaic attribution due to per-
10 formance characteristics and properties not pre-
11 viously known to be achievable based upon com-
12 monly accepted physical principles. Unidentified
13 anomalous phenomena are differentiated from
14 both attributed and temporarily non-attributed
15 objects by one or more of the following
16 observables:

17 (i) Instantaneous acceleration absent
18 apparent inertia.

19 (ii) Hypersonic velocity absent a ther-
20 mal signature and sonic shockwave.

21 (iii) Transmedium (such as space-to-
22 ground and air-to-undersea) travel.

23 (iv) Positive lift contrary to known
24 aerodynamic principles.

25 (v) Multispectral signature control.

1 (vi) Physical or invasive biological ef-
2 fects to close observers and the environ-
3 ment.

4 (B) INCLUSIONS.—The term “unidentified
5 anomalous phenomena” includes what were pre-
6 viously described as—

7 (i) flying discs;

8 (ii) flying saucers;

9 (iii) unidentified aerial phenomena;

10 (iv) unidentified flying objects

11 (UFOs); and

12 (v) unidentified submerged objects

13 (USOs).

14 (22) UNIDENTIFIED ANOMALOUS PHENOMENA

15 RECORD.—The term “unidentified anomalous phe-

16 nomena record” means a record that is related to

17 unidentified anomalous phenomena, technologies of

18 unknown origin, or non-human intelligence (and all

19 equivalent subjects by any other name with the spe-

20 cific and sole exclusion of temporarily non-attributed

21 objects) that was created or made available for use

22 by, obtained by, or otherwise came into the posses-

23 sion of—

24 (A) the Executive Office of the President;

1 (B) the Department of Defense and its
2 progenitors, the Department of War and the
3 Department of the Navy;

4 (C) the Department of the Army;

5 (D) the Department of the Navy;

6 (E) the Department of the Air Force, spe-
7 cifically the Air Force Office of Special Inves-
8 tigations;

9 (F) the Department of Energy and its pro-
10 genitors, the Manhattan Project, the Atomic
11 Energy Commission, and the Energy Research
12 and Development Administration;

13 (G) the Office of the Director of National
14 Intelligence;

15 (H) the Central Intelligence Agency and
16 its progenitor, the Office of Strategic Services;

17 (I) the National Reconnaissance Office;

18 (J) the Defense Intelligence Agency;

19 (K) the National Security Agency;

20 (L) the National Geospatial-Intelligence
21 Agency;

22 (M) the National Aeronautics and Space
23 Administration;

24 (N) the Federal Bureau of Investigation;

25 (O) the Federal Aviation Administration;

1 (P) the National Oceanic and Atmospheric
2 Administration;

3 (Q) the Library of Congress;

4 (R) the National Archives and Records Ad-
5 ministration;

6 (S) any Presidential library;

7 (T) any Executive agency;

8 (U) any independent office or agency;

9 (V) any other department, office, agency,
10 committee, or commission of the Federal Gov-
11 ernment;

12 (W) any State or local government depart-
13 ment, office, agency, committee, or commission
14 that provided support or assistance or per-
15 formed work, in connection with a Federal in-
16 quiry into unidentified anomalous phenomena,
17 technologies of unknown origin, or non-human
18 intelligence; and

19 (X) any private sector person or entity for-
20 merly or currently under contract or some other
21 agreement with the Federal Government.

22 **SEC. ___04. UNIDENTIFIED ANOMALOUS PHENOMENA**
23 **RECORDS COLLECTION AT THE NATIONAL**
24 **ARCHIVES AND RECORDS ADMINISTRATION.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—(A) Not later than 60 days
2 after the date of the enactment of this Act, the Ar-
3 chivist shall commence establishment of a collection
4 of records in the National Archives to be known as
5 the “Unidentified Anomalous Phenomena Records
6 Collection”.

7 (B) In carrying out subparagraph (A), the Ar-
8 chivist shall ensure the physical integrity and origi-
9 nal provenance (or if indeterminate, the earliest his-
10 torical owner) of all records in the Collection.

11 (C) The Collection shall consist of record copies
12 of all Government, Government-provided, or Govern-
13 ment-funded records relating to unidentified anoma-
14 lous phenomena, technologies of unknown origin,
15 and non-human intelligence (or equivalent subjects
16 by any other name with the specific and sole exclu-
17 sion of temporarily non-attributed objects), which
18 shall be transmitted to the National Archives in ac-
19 cordance with section 2107 of title 44, United States
20 Code.

21 (D) The Archivist shall prepare and publish a
22 subject guidebook and index to the Collection.

23 (2) CONTENTS.—The Collection shall include
24 the following:

1 (A) All unidentified anomalous phenomena
2 records, regardless of age or date of creation—

3 (i) that have been transmitted to the
4 National Archives or disclosed to the public
5 in an unredacted form prior to the date of
6 the enactment of this Act;

7 (ii) that are required to be trans-
8 mitted to the National Archives; and

9 (iii) that the disclosure of which is
10 postponed under this Act.

11 (B) A central directory comprised of iden-
12 tification aids created for each record trans-
13 mitted to the Archivist under section ____05.

14 (C) All Review Board records as required
15 by this Act.

16 (b) DISCLOSURE OF RECORDS.—All unidentified
17 anomalous phenomena records transmitted to the National
18 Archives for disclosure to the public shall—

19 (1) be included in the Collection; and

20 (2) be available to the public—

21 (A) for inspection and copying at the Na-
22 tional Archives within 30 days after their trans-
23 mission to the National Archives; and

1 (B) digitally via the National Archives on-
2 line database within a reasonable amount of
3 time not to exceed 180 days thereafter.

4 (c) FEES FOR COPYING.—The Archivist shall—

5 (1) charge fees for copying unidentified anoma-
6 lous phenomena records; and

7 (2) grant waivers of such fees pursuant to the
8 standards established by section 552(a)(4) of title 5,
9 United States Code.

10 (d) ADDITIONAL REQUIREMENTS.—

11 (1) USE OF FUNDS.—The Collection shall be
12 preserved, protected, archived, digitized, and made
13 available to the public at the National Archives and
14 via the official National Archives online database
15 using appropriations authorized, specified, and re-
16 stricted for use under the terms of this Act.

17 (2) SECURITY OF RECORDS.—The National Se-
18 curity Program Office at the National Archives, in
19 consultation with the National Archives Information
20 Security Oversight Office, shall establish a program
21 to ensure the security of the postponed unidentified
22 anomalous phenomena records in the protected, and
23 yet-to-be disclosed or classified portion of the Collec-
24 tion.

25 (e) OVERSIGHT.—

1 (1) SENATE.—Unless otherwise determined by
2 the Select Committee on Intelligence of the Senate,
3 the Committee on Homeland Security and Govern-
4 mental Affairs of the Senate shall have continuing
5 legislative oversight jurisdiction in the Senate with
6 respect to the Collection.

7 (2) HOUSE OF REPRESENTATIVES.—Unless
8 otherwise determined appropriate by the Permanent
9 Select Committee on Intelligence of the House of
10 Representatives, the Committee on Oversight and
11 Accountability of the House of Representatives shall
12 have continuing legislative oversight jurisdiction in
13 the House of Representatives with respect to the
14 Collection.

15 **SEC. ___ 05. REVIEW, IDENTIFICATION, TRANSMISSION TO**
16 **THE NATIONAL ARCHIVES, AND PUBLIC DIS-**
17 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
18 **PHENOMENA RECORDS BY GOVERNMENT OF-**
19 **FICES.**

20 (a) IDENTIFICATION, ORGANIZATION, AND PREPARA-
21 TION FOR TRANSMISSION.—

22 (1) IN GENERAL.—As soon as practicable after
23 the date of the enactment of this Act, each head of
24 a Government office shall—

1 (A) identify and organize records in the
2 possession of the Government office or under
3 the control of the Government office relating to
4 unidentified anomalous phenomena; and

5 (B) prepare such records for transmission
6 to the Archivist for inclusion in the Collection.

7 (2) PROHIBITIONS.—(A) No unidentified anom-
8 alous phenomena record shall be destroyed, altered,
9 or mutilated in any way.

10 (B) No unidentified anomalous phenomena
11 record made available or disclosed to the public prior
12 to the date of the enactment of this Act may be
13 withheld, redacted, postponed for public disclosure,
14 or reclassified.

15 (C) No unidentified anomalous phenomena
16 record created by a person or entity outside the Fed-
17 eral Government (excluding names or identities con-
18 sistent with the requirements of section ____06)
19 shall be withheld, redacted, postponed for public dis-
20 closure, or reclassified.

21 (b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHE-
22 NOMENA RECORDS PENDING REVIEW.—During the re-
23 view by the heads of Government offices under subsection
24 (c) and pending review activity by the Review Board, each
25 head of a Government office shall retain custody of the

1 unidentified anomalous phenomena records of the office
2 for purposes of preservation, security, and efficiency, un-
3 less—

4 (1) the Review Board requires the physical
5 transfer of the records for purposes of conducting an
6 independent and impartial review;

7 (2) transfer is necessary for an administrative
8 hearing or other Review Board function; or

9 (3) it is a third agency record described in sub-
10 section (c)(2)(C).

11 (c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

12 (1) IN GENERAL.—Not later than 300 days
13 after the date of the enactment of this Act, each
14 head of a Government office shall review, identify,
15 and organize each unidentified anomalous phe-
16 nomena record in the custody or possession of the
17 office for—

18 (A) disclosure to the public;

19 (B) review by the Review Board; and

20 (C) transmission to the Archivist.

21 (2) REQUIREMENTS.—In carrying out para-
22 graph (1), the head of a Government office shall—

23 (A) determine which of the records of the
24 office are unidentified anomalous phenomena
25 records;

1 (B) determine which of the unidentified
2 anomalous phenomena records of the office
3 have been officially disclosed or made publicly
4 available in a complete and unredacted form;

5 (C)(i) determine which of the unidentified
6 anomalous phenomena records of the office, or
7 particular information contained in such a
8 record, was created by a third agency or by an-
9 other Government office; and

10 (ii) transmit to a third agency or other
11 Government office those records, or particular
12 information contained in those records, or com-
13 plete and accurate copies thereof;

14 (D)(i) determine whether the unidentified
15 anomalous phenomena records of the office or
16 particular information in unidentified anoma-
17 lous phenomena records of the office are cov-
18 ered by the standards for postponement of pub-
19 lic disclosure under this title; and

20 (ii) specify on the identification aid re-
21 quired by subsection (d) the applicable post-
22 ponement provision contained in section
23 ____06;

24 (E) organize and make available to the Re-
25 view Board all unidentified anomalous phe-

1 nomena records identified under subparagraph
2 (D) the public disclosure of, which in-whole or
3 in-part, may be postponed under this title;

4 (F) organize and make available to the Re-
5 view Board any record concerning which the of-
6 fice has any uncertainty as to whether the
7 record is an unidentified anomalous phenomena
8 record governed by this title;

9 (G) give precedence of work to—

10 (i) the identification, review, and
11 transmission of unidentified anomalous
12 phenomena records not already publicly
13 available or disclosed as of the date of the
14 enactment of this Act;

15 (ii) the identification, review, and
16 transmission of all records that most un-
17 ambiguously and definitively pertain to un-
18 identified anomalous phenomena, tech-
19 nologies of unknown origin, and non-
20 human intelligence;

21 (iii) the identification, review, and
22 transmission of unidentified anomalous
23 phenomena records that on the date of the
24 enactment of this Act are the subject of

1 litigation under section 552 of title 5,
2 United States Code; and

3 (iv) the identification, review, and
4 transmission of unidentified anomalous
5 phenomena records with earliest prove-
6 nance when not inconsistent with clauses
7 (i) through (iii) and otherwise feasible; and
8 (H) make available to the Review Board
9 any additional information and records that the
10 Review Board has reason to believe the Review
11 Board requires for conducting a review under
12 this title.

13 (3) PRIORITY OF EXPEDITED REVIEW FOR DI-
14 RECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—

15 The Director of each archival depository established
16 under section 2112 of title 44, United States Code,
17 shall have as a priority the expedited review for pub-
18 lic disclosure of unidentified anomalous phenomena
19 records in the possession and custody of the deposi-
20 tory, and shall make such records available to the
21 Review Board as required by this title.

22 (d) IDENTIFICATION AIDS.—

23 (1) IN GENERAL.—(A) Not later than 45 days
24 after the date of the enactment of this Act, the Ar-
25 chivist, in consultation with the heads of such Gov-

1 ernment offices as the Archivist considers appro-
2 priate, shall prepare and make available to all Gov-
3 ernment offices a standard form of identification, or
4 finding aid, for use with each unidentified anoma-
5 lous phenomena record subject to review under this
6 title whether in hardcopy (physical), softcopy (elec-
7 tronic), or digitized data format as may be appro-
8 priate.

9 (B) The Archivist shall ensure that the identi-
10 fication aid program is established in such a manner
11 as to result in the creation of a uniform system for
12 cataloging and finding every unidentified anomalous
13 phenomena record subject to review under this title
14 where ever and how ever stored in hardcopy (phys-
15 ical), softcopy (electronic), or digitized data format.

16 (2) REQUIREMENTS FOR GOVERNMENT OF-
17 FICES.—Upon completion of an identification aid
18 using the standard form of identification prepared
19 and made available under subparagraph (A) of para-
20 graph (1) for the program established pursuant to
21 subparagraph (B) of such paragraph, the head of a
22 Government office shall—

23 (A) attach a printed copy to each physical
24 unidentified anomalous phenomena record, and
25 an electronic copy to each softcopy or digitized

1 data unidentified anomalous phenomena record,
2 the identification aid describes;

3 (B) transmit to the Review Board a print-
4 ed copy for each physical unidentified anoma-
5 lous phenomena record and an electronic copy
6 for each softcopy or digitized data unidentified
7 anomalous phenomena record the identification
8 aid describes; and

9 (C) attach a printed copy to each physical
10 unidentified anomalous phenomena record, and
11 an electronic copy to each softcopy or digitized
12 data unidentified anomalous phenomena record
13 the identification aid describes, when trans-
14 mitted to the Archivist.

15 (3) RECORDS OF THE NATIONAL ARCHIVES
16 THAT ARE PUBLICLY AVAILABLE.—Unidentified
17 anomalous phenomena records which are in the pos-
18 session of the National Archives on the date of the
19 enactment of this Act, and which have been publicly
20 available in their entirety without redaction, shall be
21 made available in the Collection without any addi-
22 tional review by the Review Board or another au-
23 thorized office under this title, and shall not be re-
24 quired to have such an identification aid unless re-
25 quired by the Archivist.

1 (e) TRANSMISSION TO THE NATIONAL ARCHIVES.—

2 Each head of a Government office shall—

3 (1) transmit to the Archivist, and make imme-
4 diately available to the public, all unidentified anom-
5 alous phenomena records of the Government office
6 that can be publicly disclosed, including those that
7 are publicly available on the date of the enactment
8 of this Act, without any redaction, adjustment, or
9 withholding under the standards of this title; and

10 (2) transmit to the Archivist upon approval for
11 postponement by the Review Board or upon comple-
12 tion of other action authorized by this title, all un-
13 identified anomalous phenomena records of the Gov-
14 ernment office the public disclosure of which has
15 been postponed, in whole or in part, under the
16 standards of this title, to become part of the pro-
17 tected, yet-to-be disclosed, or classified portion of
18 the Collection.

19 (f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMA-
20 LOUS PHENOMENA RECORDS.—An unidentified anoma-
21 lous phenomena record the public disclosure of which has
22 been postponed shall, pending transmission to the Archi-
23 vist, be held for reasons of security and preservation by
24 the originating body until such time as the information

1 security program has been established at the National Ar-
2 chives as required in section ____04(d)(2).

3 (g) PERIODIC REVIEW OF POSTPONED UNIDENTI-
4 FIED ANOMALOUS PHENOMENA RECORDS.—

5 (1) IN GENERAL.—All postponed or redacted
6 records shall be reviewed periodically by the origi-
7 nating agency and the Archivist consistent with the
8 recommendations of the Review Board in the Con-
9 trolled Disclosure Campaign Plan under section
10 ____09(c)(3)(B).

11 (2) REQUIREMENTS.—(A) A periodic review
12 under paragraph (1) shall address the public dislo-
13 sure of additional unidentified anomalous phe-
14 nomena records in the Collection under the stand-
15 ards of this title.

16 (B) All postponed unidentified anomalous phe-
17 nomena records determined to require continued
18 postponement shall require an unclassified written
19 description of the reason for such continued post-
20 ponement relevant to these specific records. Such de-
21 scription shall be provided to the Archivist and pub-
22 lished in the Federal Register upon determination.

23 (C) The time and release requirements specified
24 in the Controlled Disclosure Campaign Plan shall be
25 revised or amended only if the Review Board is still

1 in session and concurs with the rationale for post-
2 ponement, subject to the limitations in section
3 ____09(d)(1).

4 (D) The periodic review of postponed unidenti-
5 fied anomalous phenomena records shall serve to
6 downgrade and declassify security classified informa-
7 tion.

8 (E) Each unidentified anomalous phenomena
9 record shall be publicly disclosed in full, and avail-
10 able in the Collection, not later than the date that
11 is 25 years after the date of the first creation of the
12 record by the originating body, unless the President
13 certifies, as required by this title, that—

14 (i) continued postponement is made nec-
15 essary by an identifiable harm to the military
16 defense, intelligence operations, law enforce-
17 ment, or conduct of foreign relations; and

18 (ii) the identifiable harm is of such gravity
19 that it outweighs the public interest in disclo-
20 sure.

21 (h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

22 Executive agencies shall—

23 (1) transmit digital records electronically in ac-
24 cordance with section 2107 of title 44, United States
25 Code;

1 (2) charge fees for copying unidentified anoma-
2 lous phenomena records; and

3 (3) grant waivers of such fees pursuant to the
4 standards established by section 552(a)(4) of title 5,
5 United States Code.

6 **SEC. ___06. GROUNDS FOR POSTPONEMENT OF PUBLIC**
7 **DISCLOSURE OF UNIDENTIFIED ANOMALOUS**
8 **PHENOMENA RECORDS.**

9 Disclosure of unidentified anomalous phenomena
10 records or particular information in unidentified anoma-
11 lous phenomena records to the public may be postponed
12 subject to the limitations of this title if there is clear and
13 convincing evidence that—

14 (1) the threat to the military defense, intel-
15 ligence operations, or conduct of foreign relations of
16 the United States posed by the public disclosure of
17 the unidentified anomalous phenomena record is of
18 such gravity that it outweighs the public interest in
19 disclosure, and such public disclosure would reveal—

20 (A) an intelligence agent whose identity
21 currently requires protection;

22 (B) an intelligence source or method which
23 is currently utilized, or reasonably expected to
24 be utilized, by the Federal Government and
25 which has not been officially disclosed, the dis-

1 closure of which would interfere with the con-
2 duct of intelligence activities; or

3 (C) any other matter currently relating to
4 the military defense, intelligence operations, or
5 conduct of foreign relations of the United
6 States, the disclosure of which would demon-
7 strably and substantially impair the national se-
8 curity of the United States;

9 (2) the public disclosure of the unidentified
10 anomalous phenomena record would reveal the name
11 or identity of a living person who provided confiden-
12 tial information to the Federal Government and
13 would pose a substantial risk of harm to that per-
14 son;

15 (3) the public disclosure of the unidentified
16 anomalous phenomena record could reasonably be
17 expected to constitute an unwarranted invasion of
18 personal privacy, and that invasion of privacy is so
19 substantial that it outweighs the public interest; or

20 (4) the public disclosure of the unidentified
21 anomalous phenomena record would compromise the
22 existence of an understanding of confidentiality cur-
23 rently requiring protection between a Federal Gov-
24 ernment agent and a cooperating individual or a for-

1 eign government, and public disclosure would be so
2 harmful that it outweighs the public interest.

3 **SEC. ___07. ESTABLISHMENT AND POWERS OF THE UN-**
4 **IDENTIFIED ANOMALOUS PHENOMENA**
5 **RECORDS REVIEW BOARD.**

6 (a) **ESTABLISHMENT.**—There is established as an
7 independent agency a board to be known as the “Unidenti-
8 fied Anomalous Phenomena Records Review Board”.

9 (b) **APPOINTMENT.**—

10 (1) **IN GENERAL.**—The President, by and with
11 the advice and consent of the Senate, shall appoint,
12 without regard to political affiliation, 9 citizens of
13 the United States to serve as members of the Review
14 Board to ensure and facilitate the review, trans-
15 mission to the Archivist, and public disclosure of
16 government records relating to unidentified anoma-
17 lous phenomena.

18 (2) **PERIOD FOR NOMINATIONS.**—(A) The
19 President shall make nominations to the Review
20 Board not later than 90 calendar days after the date
21 of the enactment of this Act.

22 (B) If the Senate votes not to confirm a nomi-
23 nation to the Review Board, the President shall
24 make an additional nomination not later than 30
25 days thereafter.

1 (3) CONSIDERATION OF RECOMMENDATIONS.—

2 (A) The President shall make nominations to the
3 Review Board after considering persons rec-
4 ommended by the following:

5 (i) The majority leader of the Senate.

6 (ii) The minority leader of the Senate.

7 (iii) The Speaker of the House of Rep-
8 resentatives.

9 (iv) The minority leader of the House of
10 Representatives.

11 (v) The Secretary of Defense.

12 (vi) The National Academy of Sciences.

13 (vii) The UAP Disclosure Foundation.

14 (viii) The American Historical Association.

15 (ix) Such other persons and organizations
16 as the President considers appropriate.

17 (B) If an individual or organization described in
18 subparagraph (A) does not recommend at least 2
19 nominees meeting the qualifications stated in para-
20 graph (5) by the date that is 45 days after the date
21 of the enactment of this Act, the President shall
22 consider for nomination the persons recommended
23 by the other individuals and organizations described
24 in such subparagraph.

1 (C) The President may request an individual or
2 organization described in subparagraph (A) to sub-
3 mit additional nominations.

4 (4) QUALIFICATIONS.—Persons nominated to
5 the Review Board—

6 (A) shall be impartial citizens, none of
7 whom shall have had any previous or current
8 involvement with any legacy program or con-
9 trolling authority relating to the collection, ex-
10 ploitation, or reverse engineering of technologies
11 of unknown origin or the examination of bio-
12 logical evidence of living or deceased non-
13 human intelligence;

14 (B) shall be distinguished persons of high
15 national professional reputation in their respec-
16 tive fields who are capable of exercising the
17 independent and objective judgment necessary
18 to the fulfillment of their role in ensuring and
19 facilitating the review, transmission to the pub-
20 lic, and public disclosure of records related to
21 the government’s understanding of, and activi-
22 ties associated with unidentified anomalous phe-
23 nomena, technologies of unknown origin, and
24 non-human intelligence and who possess an ap-

1 preciation of the value of such material to the
2 public, scholars, and government; and

3 (C) shall include at least—

4 (i) 1 current or former national secu-
5 rity official;

6 (ii) 1 current or former foreign service
7 official;

8 (iii) 1 scientist or engineer;

9 (iv) 1 economist;

10 (v) 1 professional historian; and

11 (vi) 1 sociologist.

12 (c) SECURITY CLEARANCES.—

13 (1) IN GENERAL.—All Review Board nominees
14 shall be granted the necessary security clearances
15 and accesses, including any and all relevant Presi-
16 dential, departmental, and agency special access pro-
17 grams, in an accelerated manner subject to the
18 standard procedures for granting such clearances.

19 (2) QUALIFICATION FOR NOMINEES.—All nomi-
20 nees for appointment to the Review Board under
21 subsection (b) shall qualify for the necessary security
22 clearances and accesses prior to being considered for
23 confirmation by the Committee on Homeland Secu-
24 rity and Governmental Affairs of the Senate.

25 (d) CONFIRMATION HEARINGS.—

1 (1) HOLDING HEARINGS.—Unless the Senate
2 designates a different committee of jurisdiction, the
3 Committee on Homeland Security and Governmental
4 Affairs of the Senate shall hold confirmation hear-
5 ings, and do so within 30 days after the first date
6 in which the Senate is in session after the nomina-
7 tion of a minimum of 3 individuals for appointment
8 to the Review Board, including the Executive Direc-
9 tor established under section ____08(a).

10 (2) COMMITTEE VOTING.—Unless the Senate
11 designates a different committee of jurisdiction, the
12 Committee on Homeland Security and Governmental
13 Affairs of the Senate shall vote on the nominations,
14 and do so within 14 days after the first date on
15 which the Senate is in session after the confirmation
16 hearings, and shall report its results to the full Sen-
17 ate immediately.

18 (3) SENATE VOTING.—The Senate shall vote on
19 each nominee to confirm or reject within 14 days
20 after the first date on which the Senate is in session
21 after reported by the Committee on Homeland Secu-
22 rity and Governmental Affairs or by a different com-
23 mittee as determined by the Senate.

1 (e) VACANCY.—A vacancy on the Review Board shall
2 be filled in the same manner as specified for original ap-
3 pointment within 30 days of the occurrence of the vacancy.

4 (f) REMOVAL OF REVIEW BOARD MEMBER.—

5 (1) IN GENERAL.—No member of the Review
6 Board shall be removed from office, other than—

7 (A) by impeachment and conviction; or

8 (B) by the action of the President for inef-
9 ficiency, neglect of duty, malfeasance in office,
10 physical disability, mental incapacity, or any
11 other condition that substantially impairs the
12 performance of the member's duties.

13 (2) NOTICE OF REMOVAL.—(A) If a member of
14 the Review Board is removed from office, and that
15 removal is by the President, not later than 10 days
16 after the removal, the President shall submit to the
17 leadership of Congress, the Committee on Homeland
18 Security and Governmental Affairs of the Senate
19 and the Committee on Oversight and Reform of the
20 House of Representatives, or to alternative commit-
21 tees of jurisdiction as determined by the Senate and
22 the House of Representatives, a report specifying
23 the facts found and the grounds for the removal.

24 (B) The President shall publish in the Federal
25 Register a report submitted under subparagraph

1 (A), except that the President may, if necessary to
2 protect the rights of a person named in the report
3 or to prevent undue interference with any pending
4 prosecution, postpone or refrain from publishing any
5 or all of the report until the completion of such
6 pending cases or pursuant to privacy protection re-
7 quirements in law.

8 (3) JUDICIAL REVIEW.—(A) A member of the
9 Review Board removed from office may obtain judi-
10 cial review of the removal in a civil action com-
11 menced in the United States District Court for the
12 District of Columbia.

13 (B) The member may be reinstated or granted
14 other appropriate relief by order of the court.

15 (g) COMPENSATION OF MEMBERS.—

16 (1) IN GENERAL.—A member of the Review
17 Board, other than the Executive Director under sec-
18 tion ____08(c)(1), shall be compensated at a rate
19 equal to the daily equivalent of the annual rate of
20 basic pay prescribed for level IV of the Executive
21 Schedule under section 5315 of title 5, United
22 States Code, for each day (including travel time)
23 during which the member is engaged in the perform-
24 ance of the duties of the Review Board.

1 (2) TRAVEL EXPENSES.—A member of the Re-
2 view Board shall be allowed reasonable travel ex-
3 penses, including per diem in lieu of subsistence, at
4 rates for employees of agencies under subchapter I
5 of chapter 57 of title 5, United States Code, while
6 away from the member's home or regular place of
7 business in the performance of services for the Re-
8 view Board.

9 (h) DUTIES OF THE REVIEW BOARD.—

10 (1) IN GENERAL.—The Review Board shall con-
11 sider and render decisions on a determination by a
12 Government office to seek to postpone the disclosure
13 of unidentified anomalous phenomena records.

14 (2) CONSIDERATIONS AND RENDERING OF DE-
15 CISIONS.—In carrying out paragraph (1), the Review
16 Board shall consider and render decisions—

17 (A) whether a record constitutes a uniden-
18 tified anomalous phenomena record; and

19 (B) whether a unidentified anomalous phe-
20 nomena record or particular information in a
21 record qualifies for postponement of disclosure
22 under this title.

23 (i) POWERS.—

1 (1) IN GENERAL.—The Review Board shall
2 have the authority to act in a manner prescribed
3 under this title, including authority—

4 (A) to direct Government offices to com-
5 plete identification aids and organize unidenti-
6 fied anomalous phenomena records;

7 (B) to direct Government offices to trans-
8 mit to the Archivist unidentified anomalous
9 phenomena records as required under this title,
10 including segregable portions of unidentified
11 anomalous phenomena records and substitutes
12 and summaries of unidentified anomalous phe-
13 nomena records that can be publicly disclosed
14 to the fullest extent;

15 (C)(i) to obtain access to unidentified
16 anomalous phenomena records that have been
17 identified and organized by a Government of-
18 fice;

19 (ii) to direct a Government office to make
20 available to the Review Board, and if necessary
21 investigate the facts surrounding, additional in-
22 formation, records, or testimony from individ-
23 uals which the Review Board has reason to be-
24 lieve are required to fulfill its functions and re-
25 sponsibilities under this title; and

1 (iii) request the Attorney General to sub-
2 poena private persons to compel testimony,
3 records, and other information relevant to its
4 responsibilities under this title;

5 (D) require any Government office to ac-
6 count in writing for the destruction of any
7 records relating to unidentified anomalous phe-
8 nomena, technologies of unknown origin, or
9 non-human intelligence;

10 (E) receive information from the public re-
11 garding the identification and public disclosure
12 of unidentified anomalous phenomena records;

13 (F) hold hearings, administer oaths, and
14 subpoena witnesses and documents;

15 (G) use the Federal Acquisition Service in
16 the same manner and under the same condi-
17 tions as other Executive agencies; and

18 (H) use the United States mails in the
19 same manner and under the same conditions as
20 other Executive agencies.

21 (2) ENFORCEMENT OF SUBPOENA.—A sub-
22 poena issued under paragraph (1)(C)(iii) may be en-
23 forced by any appropriate Federal court acting pur-
24 suant to a lawful request of the Review Board.

1 (j) WITNESS IMMUNITY.—The Review Board shall be
2 considered to be an agency of the United States for pur-
3 poses of section 6001 of title 18, United States Code. Wit-
4 nesses, close observers, and whistleblowers providing infor-
5 mation directly to the Review Board shall also be afforded
6 the protections provided to such persons specified under
7 section 1673(b) of the James M. Inhofe National Defense
8 Authorization Act for Fiscal Year 2023 (50 U.S.C.
9 3373b(b)).

10 (k) OVERSIGHT.—

11 (1) SENATE.—Unless otherwise determined by
12 the Senate, the Committee on Homeland Security
13 and Governmental Affairs of the Senate shall have
14 continuing legislative oversight jurisdiction in the
15 Senate with respect to the official conduct of the Re-
16 view Board and the disposition of postponed records
17 after termination of the Review Board, and shall
18 have access to any records held or created by the
19 Review Board.

20 (2) HOUSE OF REPRESENTATIVES.—Unless
21 otherwise determined appropriate by the House of
22 Representatives, the Committee on Oversight and
23 Accountability of the House of Representatives shall
24 have continuing legislative oversight jurisdiction in
25 the House of Representatives with respect to the of-

1 ficial conduct of the Review Board and the disposi-
2 tion of postponed records after termination of the
3 Review Board, and shall have access to any records
4 held or created by the Review Board.

5 (3) DUTY TO COOPERATE.—The Review Board
6 shall have the duty to cooperate with the exercise of
7 oversight jurisdiction described in this subsection.

8 (l) SUPPORT SERVICES.—The Administrator of the
9 General Services Administration shall provide administra-
10 tive services for the Review Board on a reimbursable basis.

11 (m) INTERPRETIVE REGULATIONS.—The Review
12 Board may issue interpretive regulations.

13 (n) TERMINATION AND WINDING DOWN.—

14 (1) IN GENERAL.—The Review Board and the
15 terms of its members shall terminate not later than
16 September 30, 2030, unless extended by Congress.

17 (2) REPORTS.—Upon its termination, the Re-
18 view Board shall submit to the President and Con-
19 gress reports, including a complete and accurate ac-
20 counting of expenditures during its existence and
21 shall complete all other reporting requirements
22 under this title.

23 (3) TRANSFER OF RECORDS.—Upon termi-
24 nation and winding down, the Review Board shall
25 transfer all of its records to the Archivist for inclu-

1 sion in the Collection, and no record of the Review
2 Board shall be destroyed.

3 **SEC. ___08. UNIDENTIFIED ANOMALOUS PHENOMENA**
4 **RECORDS REVIEW BOARD PERSONNEL.**

5 (a) EXECUTIVE DIRECTOR.—

6 (1) APPOINTMENT.—Not later than 45 days
7 after the date of the enactment of this Act, the
8 President shall appoint 1 citizen of the United
9 States, without regard to political affiliation, to the
10 position of Executive Director of the Review Board.
11 This position counts as 1 of the 9 Review Board
12 members under section ___07(b)(1).

13 (2) QUALIFICATIONS.—The person appointed as
14 Executive Director shall be a private citizen of integ-
15 rity and impartiality who—

16 (A) is a distinguished professional; and

17 (B) is not a present employee of the Fed-
18 eral Government; and

19 (C) has had no previous or current involve-
20 ment with any legacy program or controlling
21 authority relating to the collection, exploitation,
22 or reverse engineering of technologies of un-
23 known origin or the examination of biological
24 evidence of living or deceased non-human intel-
25 ligence.

1 (3) SECURITY CLEARANCES.—(A) A candidate
2 for Executive Director shall be granted all the nec-
3 essary security clearances and accesses, including to
4 relevant Presidential and department or agency spe-
5 cial access and compartmented access programs in
6 an accelerated manner subject to the standard pro-
7 cedures for granting such clearances.

8 (B) A candidate shall qualify for the necessary
9 security clearances and accesses prior to being ap-
10 pointed by the President.

11 (4) FUNCTIONS.—The Executive Director
12 shall—

13 (A) serve as principal liaison to the Execu-
14 tive Office of the President and Congress;

15 (B) serve as Chairperson of the Review
16 Board;

17 (C) be responsible for the administration
18 and coordination of the Review Board’s review
19 of records;

20 (D) be responsible for the administration
21 of all official activities conducted by the Review
22 Board;

23 (E) exercise tie-breaking Review Board au-
24 thority to decide or determine whether any

1 record should be disclosed to the public or post-
2 poned for disclosure; and

3 (F) retain right-of-appeal directly to the
4 President for decisions pertaining to executive
5 branch unidentified anomalous phenomena
6 records for which the Executive Director and
7 Review Board members may disagree.

8 (5) REMOVAL.—The Executive Director shall
9 not be removed for reasons other for cause on the
10 grounds of inefficiency, neglect of duty, malfeasance
11 in office, physical disability, mental incapacity, or
12 any other condition that substantially impairs the
13 performance of the responsibilities of the Executive
14 Director or the staff of the Review Board.

15 (b) STAFF.—

16 (1) IN GENERAL.—The Review Board, without
17 regard to the civil service laws, may appoint and ter-
18minate additional personnel as are necessary to en-
19able the Review Board and its Executive Director to
20perform the duties of the Review Board.

21 (2) QUALIFICATIONS.—Except as provided in
22 subparagraph (B), a person appointed to the staff of
23 the Review Board shall be a citizen of integrity and
24 impartiality who has had no previous or current in-
25volvement with any legacy program or controlling

1 authority relating to the collection, exploitation, or
2 reverse engineering of technologies of unknown ori-
3 gin or the examination of biological evidence of liv-
4 ing or deceased non-human intelligence.

5 (3) SECURITY CLEARANCES.—(A) A candidate
6 for staff shall be granted the necessary security
7 clearances (including all necessary special access
8 program clearances) in an accelerated manner sub-
9 ject to the standard procedures for granting such
10 clearances.

11 (B)(i) The Review Board may offer conditional
12 employment to a candidate for a staff position pend-
13 ing the completion of security clearance background
14 investigations. During the pendency of such inves-
15 tigation, the Review Board shall ensure that any
16 such employee does not have access to, or responsi-
17 bility involving, classified or otherwise restricted un-
18 identified anomalous phenomena record materials.

19 (ii) If a person hired on a conditional basis
20 under clause (i) is denied or otherwise does not qual-
21 ify for all security clearances necessary to carry out
22 the responsibilities of the position for which condi-
23 tional employment has been offered, the Review
24 Board shall immediately terminate the person's em-
25 ployment.

1 (4) SUPPORT FROM NATIONAL DECLASSIFICA-
2 TION CENTER.—The Archivist shall assign one rep-
3 resentative in full-time equivalent status from the
4 National Declassification Center to advise and sup-
5 port the Review Board disclosure postponement re-
6 view process in a non-voting staff capacity.

7 (c) COMPENSATION.—Subject to such rules as may
8 be adopted by the Review Board, without regard to the
9 provisions of title 5, United States Code, governing ap-
10 pointments in the competitive service and without regard
11 to the provisions of chapter 51 and subchapter III of chap-
12 ter 53 of that title relating to classification and General
13 Schedule pay rates—

14 (1) the Executive Director shall be compensated
15 at a rate not to exceed the rate of basic pay for level
16 II of the Executive Schedule and shall serve the en-
17 tire tenure as one full-time equivalent; and

18 (2) the Executive Director shall appoint and fix
19 compensation of such other personnel as may be
20 necessary to carry out this title.

21 (d) ADVISORY COMMITTEES.—

22 (1) AUTHORITY.—The Review Board may cre-
23 ate advisory committees to assist in fulfilling the re-
24 sponsibilities of the Review Board under this title.

1 (2) FACA.—Any advisory committee created by
2 the Review Board shall be subject to chapter 10 of
3 title 5, United States Code.

4 (e) SECURITY CLEARANCE REQUIRED.—An indi-
5 vidual employed in any position by the Review Board (in-
6 cluding an individual appointed as Executive Director)
7 shall be required to qualify for any necessary security
8 clearance prior to taking office in that position, but may
9 be employed conditionally in accordance with subsection
10 (b)(3)(B) before qualifying for that clearance.

11 **SEC. ____09. REVIEW OF RECORDS BY THE UNIDENTIFIED**
12 **ANOMALOUS PHENOMENA RECORDS REVIEW**
13 **BOARD.**

14 (a) CUSTODY OF RECORDS REVIEWED BY REVIEW
15 BOARD.—Pending the outcome of a review of activity by
16 the Review Board, a Government office shall retain cus-
17 tody of its unidentified anomalous phenomena records for
18 purposes of preservation, security, and efficiency, unless—

19 (1) the Review Board requires the physical
20 transfer of records for reasons of conducting an
21 independent and impartial review; or

22 (2) such transfer is necessary for an adminis-
23 trative hearing or other official Review Board func-
24 tion.

1 (b) STARTUP REQUIREMENTS.—The Review Board
2 shall—

3 (1) not later than 90 days after the date of its
4 appointment, publish a schedule in the Federal Reg-
5 ister for review of all unidentified anomalous phe-
6 nomena records;

7 (2) not later than 180 days after the date of
8 the enactment of this Act, begin its review of un-
9 identified anomalous phenomena records under this
10 title; and

11 (3) periodically thereafter as warranted, but not
12 less frequently than semiannually, publish a revised
13 schedule in the Federal Register addressing the re-
14 view and inclusion of any unidentified anomalous
15 phenomena records subsequently discovered.

16 (c) DETERMINATIONS OF THE REVIEW BOARD.—

17 (1) IN GENERAL.—The Review Board shall di-
18 rect that all unidentified anomalous phenomena
19 records be transmitted to the Archivist and disclosed
20 to the public in the Collection in the absence of clear
21 and convincing evidence that—

22 (A) a Government record is not an uniden-
23 tified anomalous phenomena record; or

24 (B) a Government record, or particular in-
25 formation within an unidentified anomalous

1 phenomena record, qualifies for postponement
2 of public disclosure under this title.

3 (2) REQUIREMENTS.—In approving postpone-
4 ment of public disclosure of a unidentified anoma-
5 lous phenomena record, the Review Board shall seek
6 to—

7 (A) provide for the disclosure of segregable
8 parts, substitutes, or summaries of such a
9 record; and

10 (B) determine, in consultation with the
11 originating body and consistent with the stand-
12 ards for postponement under this title, which of
13 the following alternative forms of disclosure
14 shall be made by the originating body:

15 (i) Any reasonably segregable par-
16 ticular information in a unidentified anom-
17 alous phenomena record.

18 (ii) A substitute record for that infor-
19 mation which is postponed.

20 (iii) A summary of a unidentified
21 anomalous phenomena record.

22 (3) CONTROLLED DISCLOSURE CAMPAIGN
23 PLAN.—With respect to unidentified anomalous phe-
24 nomena records, particular information in unidenti-
25 fied anomalous phenomena records, recovered tech-

1 nologies of unknown origin, and biological evidence
2 for non-human intelligence the public disclosure of
3 which is postponed pursuant to section ____06, or
4 for which only substitutions or summaries have been
5 disclosed to the public, the Review Board shall cre-
6 ate and transmit to the President and to the Archi-
7 vist a Controlled Disclosure Campaign Plan, with
8 classified appendix, containing—

9 (A) a description of actions by the Review
10 Board, the originating body, the President, or
11 any Government office (including a justification
12 of any such action to postpone disclosure of any
13 record or part of any record) and of any official
14 proceedings conducted by the Review Board
15 with regard to specific unidentified anomalous
16 phenomena records; and

17 (B) a benchmark-driven plan, based upon
18 a review of the proceedings and in conformity
19 with the decisions reflected therein, recom-
20 mending precise requirements for periodic re-
21 view, downgrading, and declassification as well
22 as the exact time or specified occurrence fol-
23 lowing which each postponed item may be ap-
24 propriately disclosed to the public under this
25 title.

1 (4) NOTICE FOLLOWING REVIEW AND DETER-
2 MINATION.—(A) Following its review and a deter-
3 mination that a unidentified anomalous phenomena
4 record shall be publicly disclosed in the Collection or
5 postponed for disclosure and held in the protected
6 Collection, the Review Board shall notify the head of
7 the originating body of the determination of the Re-
8 view Board and publish a copy of the determination
9 in the Federal Register within 14 days after the de-
10 termination is made.

11 (B) Contemporaneous notice shall be made to
12 the President for Review Board determinations re-
13 garding unidentified anomalous phenomena records
14 of the executive branch of the Federal Government,
15 and to the oversight committees designated in this
16 title in the case of records of the legislative branch
17 of the Federal Government. Such notice shall con-
18 tain a written unclassified justification for public
19 disclosure or postponement of disclosure, including
20 an explanation of the application of any standards
21 contained in section ____06.

22 (d) PRESIDENTIAL AUTHORITY OVER REVIEW
23 BOARD DETERMINATION.—

24 (1) PUBLIC DISCLOSURE OR POSTPONEMENT
25 OF DISCLOSURE.—After the Review Board has made

1 a formal determination concerning the public disclo-
2 sure or postponement of disclosure of an unidenti-
3 fied anomalous phenomena record of the executive
4 branch of the Federal Government or information
5 within such a record, or of any information con-
6 tained in a unidentified anomalous phenomena
7 record, obtained or developed solely within the exec-
8 utive branch of the Federal Government, the Presi-
9 dent shall—

10 (A) have the sole and nondelegable author-
11 ity to require the disclosure or postponement of
12 such record or information under the standards
13 set forth in section ____06; and

14 (B) provide the Review Board with both an
15 unclassified and classified written certification
16 specifying the President's decision within 30
17 days after the Review Board's determination
18 and notice to the executive branch agency as re-
19 quired under this title, stating the justification
20 for the President's decision, including the appli-
21 cable grounds for postponement under section
22 ____06, accompanied by a copy of the identi-
23 fication aid required under section ____04.

24 (2) PERIODIC REVIEW.—(A) Any unidentified
25 anomalous phenomena record postponed by the

1 President shall henceforth be subject to the require-
2 ments of periodic review, downgrading, declassifica-
3 tion, and public disclosure in accordance with the
4 recommended timeline and associated requirements
5 specified in the Controlled Disclosure Campaign
6 Plan unless these conflict with the standards set
7 forth in section ____06.

8 (B) This paragraph supersedes all prior declas-
9 sification review standards that may previously have
10 been deemed applicable to unidentified anomalous
11 phenomena records.

12 (3) RECORD OF PRESIDENTIAL POSTPONE-
13 MENT.—The Review Board shall, upon its receipt—

14 (A) publish in the Federal Register a copy
15 of any unclassified written certification, state-
16 ment, and other materials transmitted by or on
17 behalf of the President with regard to postpone-
18 ment of unidentified anomalous phenomena
19 records; and

20 (B) revise or amend recommendations in
21 the Controlled Disclosure Campaign Plan ac-
22 cordingly.

23 (e) NOTICE TO PUBLIC.—Every 30 calendar days, be-
24 ginning on the date that is 60 calendar days after the date
25 on which the Review Board first approves the postpone-

1 ment of disclosure of a unidentified anomalous phenomena
2 record, the Review Board shall publish in the Federal Reg-
3 ister a notice that summarizes the postponements ap-
4 proved by the Review Board or initiated by the President,
5 the Senate, or the House of Representatives, including a
6 description of the subject, originating agency, length or
7 other physical description, and each ground for postpone-
8 ment that is relied upon to the maximum extent classifica-
9 tion restrictions permitting.

10 (f) REPORTS BY THE REVIEW BOARD.—

11 (1) IN GENERAL.—The Review Board shall re-
12 port its activities to the leadership of Congress, the
13 Committee on Homeland Security and Governmental
14 Affairs of the Senate, the Committee on Oversight
15 and Reform of the House of Representatives, the
16 President, the Archivist, and the head of any Gov-
17 ernment office whose records have been the subject
18 of Review Board activity.

19 (2) FIRST REPORT.—The first report shall be
20 issued on the date that is 1 year after the date of
21 enactment of this Act, and subsequent reports every
22 1 year thereafter until termination of the Review
23 Board.

24 (3) CONTENTS.—A report under paragraph (1)
25 shall include the following information:

1 (A) A financial report of the expenses for
2 all official activities and requirements of the
3 Review Board and its personnel.

4 (B) The progress made on review, trans-
5 mission to the Archivist, and public disclosure
6 of unidentified anomalous phenomena records.

7 (C) The estimated time and volume of un-
8 identified anomalous phenomena records in-
9 volved in the completion of the Review Board's
10 performance under this title.

11 (D) Any special problems, including re-
12 quests and the level of cooperation of Govern-
13 ment offices, with regard to the ability of the
14 Review Board to operate as required by this
15 title.

16 (E) A record of review activities, including
17 a record of postponement decisions by the Re-
18 view Board or other related actions authorized
19 by this title, and a record of the volume of
20 records reviewed and postponed.

21 (F) Suggestions and requests to Congress
22 for additional legislative authority needs.

23 (4) COPIES AND BRIEFS.—Coincident with the
24 reporting requirements in paragraph (2), or more
25 frequently as warranted by new information, the Re-

1 view Board shall provide copies to, and fully brief,
2 at a minimum the President, the Archivist, leader-
3 ship of Congress, and the Chairs and Chairmen, as
4 the case may be, and Ranking Members and Vice
5 Chairmen, as the case may be, of such other com-
6 mittees as leadership of Congress determines appro-
7 priate on the Controlled Disclosure Campaign Plan,
8 classified appendix, and postponed disclosures, spe-
9 cifically addressing—

10 (A) recommendations for periodic review,
11 downgrading, and declassification as well as the
12 exact time or specified occurrence following
13 which specific unidentified anomalous phe-
14 nomena records and material may be appro-
15 priately disclosed;

16 (B) the rationale behind each postpone-
17 ment determination and the recommended
18 means to achieve disclosure of each postponed
19 item;

20 (C) any other findings that the Review
21 Board chooses to offer; and

22 (D) an addendum containing copies of re-
23 ports of postponed records to the Archivist re-
24 quired under subsection (c)(3) made since the

1 date of the preceding report under this sub-
2 section.

3 (5) NOTICE.—At least 90 calendar days before
4 completing its work, the Review Board shall provide
5 written notice to the President and Congress of its
6 intention to terminate its operations at a specified
7 date.

8 (6) BRIEFING THE ALL-DOMAIN ANOMALY RES-
9 OLUTION OFFICE.—Coincident with the provision in
10 paragraph (5), if not accomplished earlier under
11 paragraph (4), the Review Board shall brief the All-
12 domain Anomaly Resolution Office established pur-
13 suant to section 1683 of the National Defense Au-
14 thorization Act for Fiscal Year 2022 (50 U.S.C.
15 3373), or its successor, as subsequently designated
16 by Act of Congress, on the Controlled Disclosure
17 Campaign Plan, classified appendix, and postponed
18 disclosures.

19 **SEC. ___ 10. DISCLOSURE OF RECOVERED TECHNOLOGIES**
20 **OF UNKNOWN ORIGIN AND BIOLOGICAL EVI-**
21 **DENCE OF NON-HUMAN INTELLIGENCE.**

22 (a) EXERCISE OF EMINENT DOMAIN.—The Federal
23 Government shall exercise eminent domain over any and
24 all recovered technologies of unknown origin and biological
25 evidence of non-human intelligence that may be controlled

1 by private persons or entities in the interests of the public
2 good.

3 (b) AVAILABILITY TO REVIEW BOARD.—Any and all
4 such material, should it exist, shall be made available to
5 the Review Board for personal examination and subse-
6 quent disclosure determination at a location suitable to the
7 controlling authority of said material and in a timely man-
8 ner conducive to the objectives of the Review Board in ac-
9 cordance with the requirements of this title.

10 (c) ACTIONS OF REVIEW BOARD.—In carrying out
11 subsection (b), the Review Board shall consider and render
12 decisions—

13 (1) whether the material examined constitutes
14 technologies of unknown origin or biological evidence
15 of non-human intelligence beyond a reasonable
16 doubt;

17 (2) whether recovered technologies of unknown
18 origin, biological evidence of non-human intelligence,
19 or a particular subset of material qualifies for post-
20 ponement of disclosure under this title; and

21 (3) what changes, if any, to the current disposi-
22 tion of said material should the Federal Government
23 make to facilitate full disclosure.

24 (d) REVIEW BOARD ACCESS TO TESTIMONY AND
25 WITNESSES.—The Review Board shall have access to all

1 testimony from unidentified anomalous phenomena wit-
2 nesses, close observers and legacy program personnel and
3 whistleblowers within the Federal Government's posses-
4 sion as of and after the date of the enactment of this Act
5 in furtherance of Review Board disclosure determination
6 responsibilities in section ____07(h) and subsection (c) of
7 this section.

8 (e) SOLICITATION OF ADDITIONAL WITNESSES.—
9 The Review Board shall solicit additional unidentified
10 anomalous phenomena witness and whistleblower testi-
11 mony and afford protections under section 1673(b) of the
12 James M. Inhofe National Defense Authorization Act for
13 Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed bene-
14 ficial in fulfilling Review Board responsibilities under this
15 title.

16 **SEC. ____11. DISCLOSURE OF OTHER MATERIALS AND ADDI-**
17 **TIONAL STUDY.**

18 (a) MATERIALS UNDER SEAL OF COURT.—
19 (1) INFORMATION HELD UNDER SEAL OF A
20 COURT.—The Review Board may request the Attor-
21 ney General to petition any court in the United
22 States or abroad to release any information relevant
23 to unidentified anomalous phenomena, technologies
24 of unknown origin, or non-human intelligence that is
25 held under seal of the court.

1 (2) INFORMATION HELD UNDER INJUNCTION
2 OF SECRETARY OF GRAND JURY.—(A) The Review
3 Board may request the Attorney General to petition
4 any court in the United States to release any infor-
5 mation relevant to unidentified anomalous phe-
6 nomena, technologies of unknown origin, or non-
7 human intelligence that is held under the injunction
8 of secrecy of a grand jury.

9 (B) A request for disclosure of unidentified
10 anomalous phenomena, technologies of unknown ori-
11 gin, and non-human intelligence materials under this
12 title shall be deemed to constitute a showing of par-
13 ticularized need under rule 6 of the Federal Rules
14 of Criminal Procedure.

15 (b) SENSE OF CONGRESS.—It is the sense of the
16 Congress that—

17 (1) the Attorney General should assist the Re-
18 view Board in good faith to unseal any records that
19 the Review Board determines to be relevant and held
20 under seal by a court or under the injunction of se-
21 crecy of a grand jury;

22 (2) the Secretary of State should contact any
23 foreign government that may hold material relevant
24 to unidentified anomalous phenomena, technologies

1 of unknown origin, or non-human intelligence and
2 seek disclosure of such material; and

3 (3) all heads of Executive agencies should co-
4 operate in full with the Review Board to seek the
5 disclosure of all material relevant to unidentified
6 anomalous phenomena, technologies of unknown ori-
7 gin, and non-human intelligence consistent with the
8 public interest.

9 **SEC. ___ 12. RULES OF CONSTRUCTION.**

10 (a) **PRECEDENCE OVER OTHER LAW.**—When this
11 title requires transmission of a record to the Archivist or
12 public disclosure, it shall take precedence over any other
13 provision of law (except section 6103 of the Internal Rev-
14 enue Code of 1986 specifying confidentiality and disclo-
15 sure of tax returns and tax return information), judicial
16 decision construing such provision of law, or common law
17 doctrine that would otherwise prohibit such transmission
18 or disclosure, with the exception of deeds governing access
19 to or transfer or release of gifts and donations of records
20 to the United States Government.

21 (b) **FREEDOM OF INFORMATION ACT.**—Nothing in
22 this title shall be construed to eliminate or limit any right
23 to file requests with any executive agency or seek judicial
24 review of the decisions pursuant to section 552 of title 5,
25 United States Code.

1 (c) JUDICIAL REVIEW.—Nothing in this title shall be
2 construed to preclude judicial review, under chapter 7 of
3 title 5, United States Code, of final actions taken or re-
4 quired to be taken under this title.

5 (d) EXISTING AUTHORITY.—Nothing in this title re-
6 vokes or limits the existing authority of the President, any
7 executive agency, the Senate, or the House of Representa-
8 tives, or any other entity of the Federal Government to
9 publicly disclose records in its possession.

10 (e) RULES OF THE SENATE AND HOUSE OF REP-
11 RESENTATIVES.—To the extent that any provision of this
12 title establishes a procedure to be followed in the Senate
13 or the House of Representatives, such provision is adopt-
14 ed—

15 (1) as an exercise of the rulemaking power of
16 the Senate and House of Representatives, respec-
17 tively, and is deemed to be part of the rules of each
18 House, respectively, but applicable only with respect
19 to the procedure to be followed in that House, and
20 it supersedes other rules only to the extent that it
21 is inconsistent with such rules; and

22 (2) with full recognition of the constitutional
23 right of either House to change the rules (so far as
24 they relate to the procedure of that House) at any

1 time, in the same manner, and to the same extent
2 as in the case of any other rule of that House.

3 **SEC. ____13. TERMINATION OF EFFECT OF TITLE.**

4 (a) PROVISIONS PERTAINING TO THE REVIEW
5 BOARD.—The provisions of this title that pertain to the
6 appointment and operation of the Review Board shall
7 cease to be effective when the Review Board and the terms
8 of its members have terminated pursuant to section
9 ____07(n).

10 (b) OTHER PROVISIONS.—(1) The remaining provi-
11 sions of this title shall continue in effect until such time
12 as the Archivist certifies to the President and Congress
13 that all unidentified anomalous phenomena records have
14 been made available to the public in accordance with this
15 title.

16 (2) In facilitation of the provision in paragraph (1),
17 the All-domain Anomaly Resolution Office established pur-
18 suant to section 1683 of the National Defense Authoriza-
19 tion Act for Fiscal Year 2022 (50 U.S.C. 3373), or its
20 successor as subsequently designated by Act of Congress,
21 shall develop standardized unidentified anomalous phe-
22 nomena declassification guidance applicable to any and all
23 unidentified anomalous phenomena records generated by
24 originating bodies subsequent to termination of the Review
25 Board consistent with the requirements and intent of the

1 Controlled Disclosure Campaign Plan with respect to un-
2 identified anomalous phenomena records originated prior
3 to Review Board termination.

4 **SEC. ___ 14. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—There is authorized to be appro-
6 priated to carry out the provisions of this title
7 \$20,000,000 for fiscal year 2024.

8 (b) INTERIM FUNDING.—Until such time as funds
9 are appropriated pursuant to subsection (a), the President
10 may use such sums as are available for discretionary use
11 to carry out this title.

12 **SEC. ___ 15. SEVERABILITY.**

13 If any provision of this title or the application thereof
14 to any person or circumstance is held invalid, the remain-
15 der of this title and the application of that provision to
16 other persons not similarly situated or to other cir-
17 cumstances shall not be affected by the invalidation.