

117TH CONGRESS  
2D SESSION

# H. R. 8410

To authorize certain expenditures relating to intelligence and counterintelligence activities of the Coast Guard, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2022

Mr. SEAN PATRICK MALONEY of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize certain expenditures relating to intelligence and counterintelligence activities of the Coast Guard, 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 “Coast Guard Intel-  
5       ligence Operations Improvement Act of 2022”.

1 **SEC. 2. AUTHORIZATION RELATING TO CERTAIN INTEL-**  
2 **LIGENCE AND COUNTERINTELLIGENCE AC-**  
3 **TIVITIES OF COAST GUARD.**

4 (a) AUTHORIZATION.—Subject to subsection (b), and  
5 consistent with the policies, procedures, and coordination  
6 required pursuant to section 811 of the Counterintel-  
7 ligence and Security Enhancements Act of 1994 (50  
8 U.S.C. 3381) and section 902 of the Counterintelligence  
9 Enhancement Act of 2002 (50 U.S.C. 3382), the Com-  
10 mandant of the Coast Guard may expend amounts made  
11 available for the intelligence and counterintelligence activi-  
12 ties of the Coast Guard to conduct such an activity with-  
13 out regard to any other provision of law or regulation re-  
14 lating to the expenditure of Government funds, if—

15 (1) the object of the activity is of a confidential,  
16 extraordinary, or emergency nature; and

17 (2) following each such expenditure, the Com-  
18 mandant submits to the congressional intelligence  
19 committees a certification that the object of the ac-  
20 tivity conducted was of a nature described in para-  
21 graph (1).

22 (b) LIMITATION.—Of the funds made available for a  
23 fiscal year for the intelligence and counterintelligence ac-  
24 tivities of the Coast Guard, not more than five percent  
25 may be expended during the fiscal year under subsection  
26 (a) to conduct such activities in accordance with such sub-

1 section unless, for each intended expenditure in excess of  
2 such percentage—

3 (1) the Commandant submits to the congres-  
4 sional intelligence committees a notification of the  
5 intent to expend the amounts; and

6 (2) a period of 30 days has elapsed following  
7 the date on which the Commandant submits such  
8 notification.

9 (c) ANNUAL REPORT.—

10 (1) SUBMISSION.—Not later than December 1  
11 of each year, the Commandant shall submit to the  
12 congressional intelligence committees a report on all  
13 expenditures during the preceding fiscal year under  
14 subsection (a).

15 (2) MATTERS.—Each report under paragraph  
16 (1) shall include, for each individual expenditure cov-  
17 ered by such report that is in excess of the percent-  
18 age specified in subsection (b) for the relevant fiscal  
19 year, the following:

20 (A) A detailed description of the purpose  
21 of such expenditure.

22 (B) The amount of such expenditure.

23 (C) An identification of the approving au-  
24 thority for such expenditure.

1                   (D) A justification as to why other au-  
2                   thorities available to the Coast Guard could not  
3                   be used for such expenditure.

4                   (E) Any other matters the Commandant  
5                   considers appropriate.

6           (d) CONGRESSIONAL INTELLIGENCE COMMITTEES  
7   DEFINED.—In this section, the term “congressional intel-  
8   ligence committees” has the meaning given such term in  
9   section 3 of the National Security Act of 1947 (50 U.S.C.  
10 3003).

11           (e) SUNSET.—This section shall cease to have effect  
12 on the date that is 3 years after the date of the enactment  
13 of this Act.

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