

MAY 22, 2014

RULES COMMITTEE PRINT 113-45
TEXT OF H.R. 4681, INTELLIGENCE AUTHORIZA-
TION ACT FOR FISCAL YEARS 2014 AND 2015

**[Showing the text of the bill as ordered reported by the
Permanent Select Committee on Intelligence.]**

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Intelligence Authorization Act for Fiscal Years 2014 and
4 2015”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

**TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM**

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Specific authorization of funding for High Performance Computing
Center 2.
Sec. 304. Clarification of exemption from Freedom of Information Act of iden-
tities of employees submitting complaints to the Inspector Gen-
eral of the Intelligence Community.
Sec. 305. Functional managers for the intelligence community.

- Sec. 306. Annual assessment of intelligence community performance by function.
- Sec. 307. Software licensing.
- Sec. 308. Plans to respond to unauthorized public disclosures of covert actions.
- Sec. 309. Auditability.
- Sec. 310. Public Interest Declassification Board.
- Sec. 311. Official representation items in support of the Coast Guard Attaché Program.
- Sec. 312. Declassification review of certain items collected during the mission that killed Osama bin Laden on May 1, 2011.
- Sec. 313. Merger of the Foreign Counterintelligence Program and the General Defense Intelligence Program.

Subtitle B—Reporting

- Sec. 321. Annual report on violations of law or executive order.
- Sec. 322. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations.
- Sec. 323. Reports on chemical weapons in Syria.
- Sec. 324. Reports to the intelligence community on penetrations of networks and information systems of certain contractors.
- Sec. 325. Report on electronic waste.
- Sec. 326. Promoting STEM education to meet the future workforce needs of the intelligence community.
- Sec. 327. Assessment of security of domestic oil refineries and related rail transportation infrastructure.
- Sec. 328. Repeal or modification of certain reporting requirements.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

- Sec. 401. Gifts, devises, and bequests to the Central Intelligence Agency.
- Sec. 402. Inspector General of the National Security Agency.

TITLE V—SECURITY CLEARANCE REFORM

- Sec. 501. Continuous evaluation and sharing of derogatory information regarding personnel with access to classified information.
- Sec. 502. Requirements for intelligence community contractors.
- Sec. 503. Technology improvements to security clearance processing.
- Sec. 504. Report on reciprocity of security clearances.
- Sec. 505. Improving the periodic reinvestigation process.
- Sec. 506. Appropriate committees of Congress defined.

TITLE VI—TECHNICAL AMENDMENTS

- Sec. 601. Technical amendments to the Central Intelligence Agency Act of 1949.
- Sec. 602. Technical amendments to the National Security Act of 1947 relating to the past elimination of certain positions.
- Sec. 603. Technical amendments to the Intelligence Authorization Act for Fiscal Year 2013.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

1 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
2 TEES.—The term “congressional intelligence com-
3 mittees” means—

4 (A) the Select Committee on Intelligence of
5 the Senate; and

6 (B) the Permanent Select Committee on
7 Intelligence of the House of Representatives.

8 (2) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given
10 that term in section 3(4) of the National Security
11 Act of 1947 (50 U.S.C. 3003(4)).

12 **TITLE I—INTELLIGENCE**
13 **ACTIVITIES**

14 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

15 Funds are hereby authorized to be appropriated for
16 fiscal years 2014 and 2015 for the conduct of the intel-
17 ligence and intelligence-related activities of the following
18 elements of the United States Government:

19 (1) The Office of the Director of National Intel-
20 ligence.

21 (2) The Central Intelligence Agency.

22 (3) The Department of Defense.

23 (4) The Defense Intelligence Agency.

24 (5) The National Security Agency.

1 (6) The Department of the Army, the Depart-
2 ment of the Navy, and the Department of the Air
3 Force.

4 (7) The Coast Guard.

5 (8) The Department of State.

6 (9) The Department of the Treasury.

7 (10) The Department of Energy.

8 (11) The Department of Justice.

9 (12) The Federal Bureau of Investigation.

10 (13) The Drug Enforcement Administration.

11 (14) The National Reconnaissance Office.

12 (15) The National Geospatial-Intelligence Agen-
13 cy.

14 (16) The Department of Homeland Security.

15 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

16 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
17 LEVELS.—

18 (1) FISCAL YEAR 2014.—The amounts author-
19 ized to be appropriated under section 101 and, sub-
20 ject to section 103, the authorized personnel ceilings
21 as of September 30, 2014, for the conduct of the in-
22 telligence activities of the elements listed in para-
23 graphs (1) through (16) of section 101, are those
24 specified in the classified Schedule of Authorizations
25 for fiscal year 2014 prepared to accompany the bill

1 H.R. 4681 of the One Hundred Thirteenth Con-
2 gress.

3 (2) FISCAL YEAR 2015.—The amounts author-
4 ized to be appropriated under section 101 and, sub-
5 ject to section 103, the authorized personnel ceilings
6 as of September 30, 2015, for the conduct of the in-
7 telligence activities of the elements listed in para-
8 graphs (1) through (16) of section 101, are those
9 specified in the classified Schedule of Authorizations
10 for fiscal year 2015 prepared to accompany the bill
11 H.R. 4681 of the One Hundred Thirteenth Con-
12 gress.

13 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
14 THORIZATIONS.—

15 (1) AVAILABILITY.—The classified Schedules of
16 Authorizations referred to in subsection (a) shall be
17 made available to the Committee on Appropriations
18 of the Senate, the Committee on Appropriations of
19 the House of Representatives, and to the President.

20 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
21 ject to paragraph (3), the President shall provide for
22 suitable distribution of the classified Schedules of
23 Authorizations, or of appropriate portions of the
24 Schedules, within the executive branch.

1 (3) LIMITS ON DISCLOSURE.—The President
2 shall not publicly disclose the classified Schedules of
3 Authorizations or any portion of such Schedules ex-
4 cept—

5 (A) as provided in section 601(a) of the
6 Implementing Recommendations of the 9/11
7 Commission Act of 2007 (50 U.S.C. 3306(a));

8 (B) to the extent necessary to implement
9 the budget; or

10 (C) as otherwise required by law.

11 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

12 (a) AUTHORITY FOR INCREASES.—The Director of
13 National Intelligence may authorize employment of civil-
14 ian personnel in excess of the number authorized for fiscal
15 year 2014 or 2015 by the classified Schedules of Author-
16 izations referred to in section 102(a) if the Director of
17 National Intelligence determines that such action is nec-
18 essary to the performance of important intelligence func-
19 tions, except that the number of personnel employed in
20 excess of the number authorized under such section may
21 not, for any element of the intelligence community, exceed
22 3 percent of the number of civilian personnel authorized
23 under the Schedule for such element during the fiscal year
24 covered by such Schedule.

1 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
2 rector of National Intelligence shall establish guidelines
3 that govern, for each element of the intelligence commu-
4 nity, the treatment under the personnel levels authorized
5 under section 102(a), including any exemption from such
6 personnel levels, of employment or assignment in—

7 (1) a student program, trainee program, or
8 similar program;

9 (2) a reserve corps or as a reemployed annu-
10 itant; or

11 (3) details, joint duty, or long term, full-time
12 training.

13 (c) NOTICE TO CONGRESSIONAL INTELLIGENCE
14 COMMITTEES.—The Director of National Intelligence
15 shall notify the congressional intelligence committees in
16 writing at least 15 days prior to each exercise of an au-
17 thority described in subsection (a).

18 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
19 **COUNT.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) FISCAL YEAR 2014.—There is authorized to
22 be appropriated for the Intelligence Community
23 Management Account of the Director of National In-
24 telligence for fiscal year 2014 the sum of
25 \$528,229,000. Within such amount, funds identified

1 in the classified Schedule of Authorizations referred
2 to in section 102(a) for advanced research and de-
3 velopment shall remain available until September 30,
4 2015.

5 (2) FISCAL YEAR 2015.—There is authorized to
6 be appropriated for the Intelligence Community
7 Management Account of the Director of National In-
8 telligence for fiscal year 2015 the sum of
9 \$505,476,000. Within such amount, funds identified
10 in the classified Schedule of Authorizations referred
11 to in section 102(a) for advanced research and de-
12 velopment shall remain available until September 30,
13 2016.

14 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
15 ments within the Intelligence Community Management
16 Account of the Director of National Intelligence are au-
17 thorized 855 positions as of September 30, 2014, and 777
18 positions as of September 30, 2015. Personnel serving in
19 such elements may be permanent employees of the Office
20 of the Director of National Intelligence or personnel de-
21 tailed from other elements of the United States Govern-
22 ment.

23 (c) CLASSIFIED AUTHORIZATIONS.—

24 (1) AUTHORIZATION OF APPROPRIATIONS.—

1 (A) FISCAL YEAR 2014.—In addition to
2 amounts authorized to be appropriated for the
3 Intelligence Community Management Account
4 by subsection (a), there are authorized to be ap-
5 propriated for the Community Management Ac-
6 count for fiscal year 2014 such additional
7 amounts as are specified in the classified
8 Schedule of Authorizations referred to in sec-
9 tion 102(a). Such additional amounts for ad-
10 vanced research and development shall remain
11 available until September 30, 2015.

12 (B) FISCAL YEAR 2015.—In addition to
13 amounts authorized to be appropriated for the
14 Intelligence Community Management Account
15 by subsection (a), there are authorized to be ap-
16 propriated for the Community Management Ac-
17 count for fiscal year 2014 such additional
18 amounts as are specified in the classified
19 Schedule of Authorizations referred to in sec-
20 tion 102(a). Such additional amounts for ad-
21 vanced research and development shall remain
22 available until September 30, 2016.

23 (2) AUTHORIZATION OF PERSONNEL.—

24 (A) FISCAL YEAR 2014.—In addition to
25 the personnel authorized by subsection (b) for

1 elements of the Intelligence Community Man-
2 agement Account as of September 30, 2014,
3 there are authorized such additional personnel
4 for the Community Management Account as of
5 that date as are specified in the classified
6 Schedule of Authorizations referred to in sec-
7 tion 102(a).

8 (B) FISCAL YEAR 2015.—In addition to
9 the personnel authorized by subsection (b) for
10 elements of the Intelligence Community Man-
11 agement Account as of September 30, 2015,
12 there are authorized such additional personnel
13 for the Community Management Account as of
14 that date as are specified in the classified
15 Schedule of Authorizations referred to in sec-
16 tion 102(a).

17 **TITLE II—CENTRAL INTEL-**
18 **LIGENCE AGENCY RETIRE-**
19 **MENT AND DISABILITY SYS-**
20 **TEM**

21 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated for the Cen-
23 tral Intelligence Agency Retirement and Disability Fund
24 \$514,000,000 for each of fiscal years 2014 and 2015.

1 **TITLE III—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—General Matters**

4 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
5 **BENEFITS AUTHORIZED BY LAW.**

6 Appropriations authorized by this Act for salary, pay,
7 retirement, and other benefits for Federal employees may
8 be increased by such additional or supplemental amounts
9 as may be necessary for increases in such compensation
10 or benefits authorized by law.

11 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
12 **ACTIVITIES.**

13 The authorization of appropriations by this Act shall
14 not be deemed to constitute authority for the conduct of
15 any intelligence activity which is not otherwise authorized
16 by the Constitution or the laws of the United States.

17 **SEC. 303. SPECIFIC AUTHORIZATION OF FUNDING FOR**
18 **HIGH PERFORMANCE COMPUTING CENTER 2.**

19 Funds appropriated for the construction of the High
20 Performance Computing Center 2 (HPCC 2), as described
21 in the table entitled Consolidated Cryptologic Program
22 (CCP) in the classified annex to accompany the Consoli-
23 dated and Further Continuing Appropriations Act, 2013
24 (Public Law 113–6; 127 Stat. 198), in excess of the
25 amount specified for such activity in the tables in the clas-

1 sified annex prepared to accompany the Intelligence Au-
2 thorization Act for Fiscal Year 2013 (Public Law 112–
3 277; 126 Stat. 2468) shall be specifically authorized by
4 Congress for the purposes of section 504 of the National
5 Security Act of 1947 (50 U.S.C. 3094).

6 **SEC. 304. CLARIFICATION OF EXEMPTION FROM FREEDOM**
7 **OF INFORMATION ACT OF IDENTITIES OF EM-**
8 **PLOYEES SUBMITTING COMPLAINTS TO THE**
9 **INSPECTOR GENERAL OF THE INTELLIGENCE**
10 **COMMUNITY.**

11 Section 103H(g)(3)(A) of the National Security Act
12 of 1947 (50 U.S.C. 3033(g)(3)(A)) is amended by striking
13 “undertaken;” and inserting “undertaken, and this provi-
14 sion shall qualify as a withholding statute pursuant to sub-
15 section (b)(3) of section 552 of title 5, United States Code
16 (commonly known as the ‘Freedom of Information Act’);”.

17 **SEC. 305. FUNCTIONAL MANAGERS FOR THE INTEL-**
18 **LIGENCE COMMUNITY.**

19 (a) **FUNCTIONAL MANAGERS AUTHORIZED.**—Title I
20 of the National Security Act of 1947 (50 U.S.C. 3021 et
21 seq.) is amended by inserting after section 103I the fol-
22 lowing new section:

1 **“SEC. 103J. FUNCTIONAL MANAGERS FOR THE INTEL-**
2 **LIGENCE COMMUNITY.**

3 “(a) **FUNCTIONAL MANAGERS AUTHORIZED.**—The
4 Director of National Intelligence may establish within the
5 intelligence community one or more positions of manager
6 of an intelligence function. Any position so established
7 may be known as the ‘Functional Manager’ of the intel-
8 ligence function concerned.

9 “(b) **PERSONNEL.**—The Director shall designate in-
10 dividuals to serve as manager of intelligence functions es-
11 tablished under subsection (a) from among officers and
12 employees of elements of the intelligence community.

13 “(c) **DUTIES.**—Each manager of an intelligence func-
14 tion established under subsection (a) shall have the duties
15 as follows:

16 “(1) To act as principal advisor to the Director
17 on the intelligence function.

18 “(2) To carry out such other responsibilities
19 with respect to the intelligence function as the Di-
20 rector may specify for purposes of this section.”.

21 (b) **TABLE OF CONTENTS AMENDMENT.**—The table
22 of contents in the first section of the National Security
23 Act of 1947 is amended by inserting after the item relat-
24 ing to section 103I the following new item:

“Sec. 103J. Functional managers for the intelligence community.”.

1 **SEC. 306. ANNUAL ASSESSMENT OF INTELLIGENCE COMMU-**
2 **NITY PERFORMANCE BY FUNCTION.**

3 (a) ANNUAL ASSESSMENTS REQUIRED.—Title V of
4 the National Security Act of 1947 (50 U.S.C. 3091 et
5 seq.) is amended by inserting after section 506I the fol-
6 lowing new section:

7 **“SEC. 506J. ANNUAL ASSESSMENT OF INTELLIGENCE COM-**
8 **MUNITY PERFORMANCE BY FUNCTION.**

9 “(a) IN GENERAL.—Not later than April 1, 2016,
10 and each year thereafter, the Director of National Intel-
11 ligence shall, in consultation with the Functional Man-
12 agers, submit to the congressional intelligence committees
13 a report on covered intelligence functions during the pre-
14 ceding year.

15 “(b) ELEMENTS.—Each report under subsection (a)
16 shall include for each covered intelligence function for the
17 year covered by such report the following:

18 “(1) An identification of the capabilities, pro-
19 grams, and activities of such intelligence function,
20 regardless of the element of the intelligence commu-
21 nity that carried out such capabilities, programs,
22 and activities.

23 “(2) A description of the investment and alloca-
24 tion of resources for such intelligence function, in-
25 cluding an analysis of the allocation of resources
26 within the context of the National Intelligence Strat-

1 egy, priorities for recipients of resources, and areas
2 of risk.

3 “(3) A description and assessment of the per-
4 formance of such intelligence function.

5 “(4) An identification of any issues related to
6 the application of technical interoperability stand-
7 ards in the capabilities, programs, and activities of
8 such intelligence function.

9 “(5) An identification of the operational overlap
10 or need for de-confliction, if any, within such intel-
11 ligence function.

12 “(6) A description of any efforts to integrate
13 such intelligence function with other intelligence dis-
14 ciplines as part of an integrated intelligence enter-
15 prise.

16 “(7) A description of any efforts to establish
17 consistency in tradecraft and training within such
18 intelligence function.

19 “(8) A description and assessment of develop-
20 ments in technology that bear on the future of such
21 intelligence function.

22 “(9) Such other matters relating to such intel-
23 ligence function as the Director may specify for pur-
24 poses of this section.

25 “(c) DEFINITIONS.—In this section:

1 “(1) The term ‘covered intelligence functions’
2 means each intelligence function for which a Func-
3 tional Manager has been established under section
4 103J during the year covered by a report under this
5 section.

6 “(2) The term ‘Functional Manager’ means the
7 manager of an intelligence function established
8 under section 103J.”.

9 (b) TABLE OF CONTENTS AMENDMENT.—The table
10 of contents in the first section of the National Security
11 Act of 1947 is amended by inserting after the item relat-
12 ing to section 506I the following new item:

“Sec. 506J. Annual assessment of intelligence community performance by func-
tion.”.

13 **SEC. 307. SOFTWARE LICENSING.**

14 (a) IN GENERAL.—Title I of the National Security
15 Act of 1947 (50 U.S.C. 3021 et seq.) is amended by in-
16 serting after section 108 the following new section:

17 **“SEC. 109. SOFTWARE LICENSING.**

18 “(a) REQUIREMENT FOR INVENTORIES OF SOFT-
19 WARE LICENSES.—The chief information officer of each
20 element of the intelligence community, in consultation
21 with the Chief Information Officer of the Intelligence
22 Community, shall biennially—

1 “(1) conduct an inventory of all existing soft-
2 ware licenses of such element, including utilized and
3 unutilized licenses;

4 “(2) assess the actions that could be carried out
5 by such element to achieve the greatest possible
6 economies of scale and associated cost savings in
7 software procurement and usage; and

8 “(3) submit to the Chief Information Officer of
9 the Intelligence Community each inventory required
10 by paragraph (1) and each assessment required by
11 paragraph (2).

12 “(b) INVENTORIES BY THE CHIEF INFORMATION OF-
13 FICER OF THE INTELLIGENCE COMMUNITY.—The Chief
14 Information Officer of the Intelligence Community, based
15 on the inventories and assessments required by subsection
16 (a), shall biennially—

17 “(1) compile an inventory of all existing soft-
18 ware licenses of the intelligence community, includ-
19 ing utilized and unutilized licenses; and

20 “(2) assess the actions that could be carried out
21 by the intelligence community to achieve the greatest
22 possible economies of scale and associated cost sav-
23 ings in software procurement and usage.

24 “(c) REPORTS TO CONGRESS.—The Chief Informa-
25 tion Officer of the Intelligence Community shall submit

1 to the congressional intelligence committees a copy of each
2 inventory compiled under subsection (b)(1).”.

3 (b) INITIAL INVENTORY.—

4 (1) INTELLIGENCE COMMUNITY ELEMENTS.—

5 (A) DATE.—Not later than 120 days after
6 the date of the enactment of this Act, the chief
7 information officer of each element of the intel-
8 ligence community shall complete the initial in-
9 ventory, assessment, and submission required
10 under section 109(a) of the National Security
11 Act of 1947, as added by subsection (a) of this
12 section.

13 (B) BASIS.—The initial inventory con-
14 ducted for each element of the intelligence com-
15 munity under section 109(a)(1) of the National
16 Security Act of 1947, as added by subsection
17 (a) of this section, shall be based on the inven-
18 tory of software licenses conducted pursuant to
19 section 305 of the Intelligence Authorization
20 Act for Fiscal Year 2013 (Public Law 112–277;
21 126 Stat. 2472) for such element.

22 (2) CHIEF INFORMATION OFFICER OF THE IN-
23 TELLIGENCE COMMUNITY.—Not later than 180 days
24 after the date of the enactment of this Act, the
25 Chief Information Officer of the Intelligence Com-

1 munity shall complete the initial compilation and as-
2 sessment required under section 109(b) of the Na-
3 tional Security Act of 1947, as added by subsection
4 (a).

5 (c) TABLE OF CONTENTS AMENDMENTS.—The table
6 of contents in the first section of the National Security
7 Act of 1947 is amended—

8 (1) by striking the second item relating to sec-
9 tion 104 (relating to Annual national security strat-
10 egy report); and

11 (2) by inserting after the item relating to sec-
12 tion 108 the following new item:

“Sec. 109. Software licensing.”.

13 **SEC. 308. PLANS TO RESPOND TO UNAUTHORIZED PUBLIC**
14 **DISCLOSURES OF COVERT ACTIONS.**

15 Section 503 of the National Security Act of 1947 (50
16 U.S.C. 3093) is amended by adding at the end the fol-
17 lowing new subsection:

18 “(h) For each type of activity undertaken as part of
19 a covert action, the President shall establish in writing a
20 plan to respond to the unauthorized public disclosure of
21 that type of activity.”.

22 **SEC. 309. AUDITABILITY.**

23 (a) IN GENERAL.—Title V of the National Security
24 Act of 1947 (50 U.S.C. 3091 et seq.) is amended by add-
25 ing at the end the following new section:

1 **“SEC. 509. AUDITABILITY OF CERTAIN ELEMENTS OF THE**
2 **INTELLIGENCE COMMUNITY.**

3 “(a) REQUIREMENT FOR ANNUAL AUDITS.—The
4 head of each covered entity shall ensure that there is a
5 full financial audit of such covered entity each year begin-
6 ning with fiscal year 2014. Such audits may be conducted
7 by an internal or external independent accounting or au-
8 diting organization.

9 “(b) REQUIREMENT FOR UNQUALIFIED OPINION.—
10 Beginning as early as practicable, but in no event later
11 than the audit required under subsection (a) for fiscal year
12 2016, the head of each covered entity shall take all reason-
13 able steps necessary to ensure that each audit required
14 under subsection (a) contains an unqualified opinion on
15 the financial statements of such covered entity for the fis-
16 cal year covered by such audit.

17 “(c) REPORTS TO CONGRESS.—The chief financial
18 officer of each covered entity shall provide to the congres-
19 sional intelligence committees an annual audit report from
20 an accounting or auditing organization on each audit of
21 the covered entity conducted pursuant to subsection (a).

22 “(d) COVERED ENTITY DEFINED.—In this section,
23 the term ‘covered entity’ means the Office of the Director
24 of National Intelligence, the Central Intelligence Agency,
25 the Defense Intelligence Agency, the National Security

1 Agency, the National Reconnaissance Office, and the Na-
2 tional Geospatial-Intelligence Agency.”.

3 (b) TABLE OF CONTENTS AMENDMENT.—The table
4 of contents in the first section of the National Security
5 Act of 1947 is amended by inserting after the item relat-
6 ing to section 508 the following new item:

“Sec. 509. Auditability of certain elements of the intelligence community.”.

7 **SEC. 310. PUBLIC INTEREST DECLASSIFICATION BOARD.**

8 Section 710(b) of the Public Interest Declassification
9 Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)
10 is amended by striking “2014.” and inserting “2018.”.

11 **SEC. 311. OFFICIAL REPRESENTATION ITEMS IN SUPPORT**
12 **OF THE COAST GUARD ATTACHÉ PROGRAM.**

13 Notwithstanding any other limitation on the amount
14 of funds that may be used for official representation items,
15 the Secretary of Homeland Security may use funds made
16 available to the Secretary through the National Intel-
17 ligence Program for necessary expenses for intelligence
18 analysis and operations coordination activities for official
19 representation items in support of the Coast Guard
20 Attaché Program.

1 **SEC. 312. DECLASSIFICATION REVIEW OF CERTAIN ITEMS**
2 **COLLECTED DURING THE MISSION THAT**
3 **KILLED OSAMA BIN LADEN ON MAY 1, 2011.**

4 Not later than 120 days after the date of the enact-
5 ment of this Act, the Director of National Intelligence
6 shall—

7 (1) in the manner described in the classified
8 annex to this Act—

9 (A) complete a declassification review of
10 documents collected in Abbottabad, Pakistan,
11 during the mission that killed Osama bin Laden
12 on May 1, 2011; and

13 (B) make publicly available any informa-
14 tion declassified as a result of the declassifica-
15 tion review required under paragraph (1); and

16 (2) report to the congressional intelligence com-
17 mittees—

18 (A) the results of the declassification re-
19 view required under paragraph (1); and

20 (B) a justification for not declassifying any
21 information required to be included in such de-
22 classification review that remains classified.

1 **SEC. 313. MERGER OF THE FOREIGN COUNTERINTEL-**
2 **LIGENCE PROGRAM AND THE GENERAL DE-**
3 **FENSE INTELLIGENCE PROGRAM.**

4 Notwithstanding any other provision of law, the Di-
5 rector of National Intelligence shall carry out the merger
6 of the Foreign Counterintelligence Program into the Gen-
7 eral Defense Intelligence Program as directed in the clas-
8 sified annex to this Act. The merger shall go into effect
9 no earlier than 30 days after written notification of the
10 merger is provided to the congressional intelligence com-
11 mittees.

12 **Subtitle B—Reporting**

13 **SEC. 321. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-**
14 **ECUTIVE ORDER.**

15 (a) IN GENERAL.—Title V of the National Security
16 Act of 1947 (50 U.S.C. 3091 et seq.), as amended by sec-
17 tion 309, is further amended by adding at the end the
18 following:

19 **“SEC. 510. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-**
20 **ECUTIVE ORDER.**

21 “(a) ANNUAL REPORTS REQUIRED.—The Director of
22 National Intelligence shall annually submit to the congres-
23 sional intelligence committees a report on violations of law
24 or executive order by personnel of an element of the intel-
25 ligence community that were identified during the previous
26 calendar year.

1 “(b) ELEMENTS.—Each report required under sub-
2 section (a) shall include a description of, and any action
3 taken in response to, any violation of law or executive
4 order (including Executive Order 12333 (50 U.S.C. 3001
5 note)) by personnel of an element of the intelligence com-
6 munity in the course of such employment that, during the
7 previous calendar year, was determined by the director,
8 head, general counsel, or inspector general of any element
9 of the intelligence community to have occurred.”.

10 (b) INITIAL REPORT.—The first report required
11 under section 510 of the National Security Act of 1947,
12 as added by subsection (a), shall be submitted not later
13 than one year after the date of the enactment of this Act.

14 (c) TABLE OF CONTENTS AMENDMENT.—The table
15 of sections in the first section of the National Security
16 Act of 1947, as amended by section 309 of this Act, is
17 further amended by adding after the section relating to
18 section 509, as added by such section 309, the following
19 new item:

 “Sec. 510. Annual report on violations of law or executive order.”.

20 **SEC. 322. SUBMITTAL TO CONGRESS BY HEADS OF ELE-**
21 **MENTS OF INTELLIGENCE COMMUNITY OF**
22 **PLANS FOR ORDERLY SHUTDOWN IN EVENT**
23 **OF ABSENCE OF APPROPRIATIONS.**

24 (a) IN GENERAL.—Whenever the head of an applica-
25 ble agency submits a plan to the Director of the Office

1 of Management and Budget in accordance with section
2 124 of Office of Management and Budget Circular A–11,
3 pertaining to agency operations in the absence of appro-
4 priations, or any successor circular of the Office that re-
5 quires the head of an applicable agency to submit to the
6 Director a plan for an orderly shutdown in the event of
7 the absence of appropriations, such head shall submit a
8 copy of such plan to the following:

9 (1) The congressional intelligence committees.

10 (2) The Subcommittee on Defense of the Com-
11 mittee on Appropriations of the Senate.

12 (3) The Subcommittee on Defense of the Com-
13 mittee on Appropriations of the House of Represent-
14 atives.

15 (4) In the case of a plan for an element of the
16 intelligence community that is within the Depart-
17 ment of Defense, to—

18 (A) the Committee on Armed Services of
19 the Senate; and

20 (B) the Committee on Armed Services of
21 the House of Representatives.

22 (b) HEAD OF AN APPLICABLE AGENCY DEFINED.—

23 In this section, the term “head of an applicable agency”
24 includes the following:

25 (1) The Director of National Intelligence.

1 (2) The Director of the Central Intelligence
2 Agency.

3 (3) Each head of each element of the intel-
4 ligence community that is within the Department of
5 Defense.

6 **SEC. 323. REPORTS ON CHEMICAL WEAPONS IN SYRIA.**

7 (a) IN GENERAL.—Not later than 30 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence shall submit to Congress a report on the Syr-
10 ian chemical weapons program.

11 (b) ELEMENTS.—The report required under sub-
12 section (a) shall include the following elements:

13 (1) A comprehensive assessment of chemical
14 weapon stockpiles in Syria, including names, types,
15 and quantities of chemical weapons agents, types of
16 munitions, and location and form of storage, produc-
17 tion, and research and development facilities.

18 (2) A listing of key personnel associated with
19 the Syrian chemical weapons program.

20 (3) An assessment of undeclared chemical
21 weapons stockpiles, munitions, and facilities.

22 (4) An assessment of how these stockpiles, pre-
23 cursors, and delivery systems were obtained.

24 (5) A description of key intelligence gaps re-
25 lated to the Syrian chemical weapons program.

1 (6) An assessment of any denial and deception
2 efforts on the part of the Syrian regime related to
3 its chemical weapons program.

4 (c) PROGRESS REPORTS.—Every 90 days until the
5 date that is 18 months after the date of the enactment
6 of this Act, the Director of National Intelligence shall sub-
7 mit to Congress a progress report providing any material
8 updates to the report required under subsection (a).

9 **SEC. 324. REPORTS TO THE INTELLIGENCE COMMUNITY ON**
10 **PENETRATIONS OF NETWORKS AND INFOR-**
11 **MATION SYSTEMS OF CERTAIN CONTRAC-**
12 **TORS.**

13 (a) PROCEDURES FOR REPORTING PENETRA-
14 TIONS.—The Director of National Intelligence shall estab-
15 lish procedures that require each cleared intelligence con-
16 tractor to report to an element of the intelligence commu-
17 nity designated by the Director for purposes of such proce-
18 dures when a network or information system of such con-
19 tractor that meets the criteria established pursuant to sub-
20 section (b) is successfully penetrated.

21 (b) NETWORKS AND INFORMATION SYSTEMS SUB-
22 JECT TO REPORTING.—The Director of National Intel-
23 ligence shall, in consultation with appropriate officials, es-
24 tablish criteria for covered networks to be subject to the

1 procedures for reporting system penetrations under sub-
2 section (a).

3 (c) PROCEDURE REQUIREMENTS.—

4 (1) RAPID REPORTING.—The procedures estab-
5 lished pursuant to subsection (a) shall require each
6 cleared intelligence contractor to rapidly report to an
7 element of the intelligence community designated
8 pursuant to subsection (a) of each successful pene-
9 tration of the network or information systems of
10 such contractor that meet the criteria established
11 pursuant to subsection (b). Each such report shall
12 include the following:

13 (A) A description of the technique or
14 method used in such penetration.

15 (B) A sample of the malicious software, if
16 discovered and isolated by the contractor, in-
17 volved in such penetration.

18 (C) A summary of information created by
19 or for such element in connection with any pro-
20 gram of such element that has been potentially
21 compromised due to such penetration.

22 (2) ACCESS TO EQUIPMENT AND INFORMATION
23 BY INTELLIGENCE COMMUNITY PERSONNEL.—The
24 procedures established pursuant to subsection (a)
25 shall—

1 (A) include mechanisms for intelligence
2 community personnel to, upon request, obtain
3 access to equipment or information of a cleared
4 intelligence contractor necessary to conduct fo-
5 rensic analysis in addition to any analysis con-
6 ducted by such contractor;

7 (B) provide that a cleared intelligence con-
8 tractor is only required to provide access to
9 equipment or information as described in sub-
10 paragraph (A) to determine whether informa-
11 tion created by or for an element of the intel-
12 ligence community in connection with any intel-
13 ligence community program was successfully
14 exfiltrated from a network or information sys-
15 tem of such contractor and, if so, what informa-
16 tion was exfiltrated; and

17 (C) provide for the reasonable protection of
18 trade secrets, commercial or financial informa-
19 tion, and information that can be used to iden-
20 tify a specific person (other than the name of
21 the suspected perpetrator of the penetration).

22 (3) LIMITATION ON DISSEMINATION OF CER-
23 TAIN INFORMATION.—The procedures established
24 pursuant to subsection (a) shall prohibit the dissemi-
25 nation outside the intelligence community of infor-

1 mation obtained or derived through such procedures
2 that is not created by or for the intelligence commu-
3 nity except—

4 (A) with the approval of the contractor
5 providing such information;

6 (B) to the congressional intelligence com-
7 mittees or the Subcommittees on Defense of the
8 Committees on Appropriations of the House of
9 Representatives and the Senate for such com-
10 mittees and such Subcommittees to perform
11 oversight; or

12 (C) to law enforcement agencies to inves-
13 tigate a penetration reported under this section.

14 (d) ISSUANCE OF PROCEDURES AND ESTABLISH-
15 MENT OF CRITERIA.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date of the enactment of this Act, the Director
18 of National Intelligence shall establish the proce-
19 dures required under subsection (a) and the criteria
20 required under subsection (b).

21 (2) APPLICABILITY DATE.—The requirements
22 of this section shall apply on the date on which the
23 Director of National Intelligence establishes the pro-
24 cedures required under this section.

1 (e) COORDINATION WITH THE SECRETARY OF DE-
2 FENSE TO PREVENT DUPLICATE REPORTING.—Not later
3 than 180 days after the date of the enactment of this Act,
4 the Director of National Intelligence and the Secretary of
5 Defense shall establish procedures to permit a contractor
6 that is a cleared intelligence contractor and a cleared de-
7 fense contractor under section 941 of the National De-
8 fense Authorization Act for Fiscal Year 2013 (Public Law
9 112–239; 10 U.S.C. 2224 note) to submit a single report
10 that satisfies the requirements of this section and such
11 section 941 for an incident of penetration of network or
12 information system.

13 (f) DEFINITIONS.—In this section:

14 (1) CLEARED INTELLIGENCE CONTRACTOR.—
15 The term “cleared intelligence contractor” means a
16 private entity granted clearance by the Director of
17 National Intelligence or the head of an element of
18 the intelligence community to access, receive, or
19 store classified information for the purpose of bid-
20 ding for a contract or conducting activities in sup-
21 port of any program of an element of the intelligence
22 community.

23 (2) COVERED NETWORK.—The term “covered
24 network” means a network or information system of
25 a cleared intelligence contractor that contains or

1 processes information created by or for an element
2 of the intelligence community with respect to which
3 such contractor is required to apply enhanced pro-
4 tection.

5 (g) SAVINGS CLAUSES.—Nothing in this section shall
6 be construed to alter or limit any otherwise authorized ac-
7 cess by government personnel to networks or information
8 systems owned or operated by a contractor that processes
9 or stores government data.

10 **SEC. 325. REPORT ON ELECTRONIC WASTE.**

11 (a) REPORT.—Not later than 90 days after the date
12 of the enactment of this Act, the Director of National In-
13 telligence shall submit to the congressional intelligence
14 committees a report on the extent to which the intelligence
15 community has implemented the recommendations of the
16 Inspector General of the Intelligence Community con-
17 tained in the report entitled “Study of Intelligence Com-
18 munity Electronic Waste Disposal Practices” issued in
19 May 2013. Such report shall include an assessment of the
20 extent to which the policies, standards, and guidelines of
21 the intelligence community governing the proper disposal
22 of electronic waste are applicable to covered commercial
23 electronic waste that may contain classified information.

1 (b) FORM.—The report required under subsection (a)
2 shall be submitted in unclassified form, but may include
3 a classified annex.

4 (c) DEFINITIONS.—In this section:

5 (1) COVERED COMMERCIAL ELECTRONIC
6 WASTE.—The term “covered commercial electronic
7 waste” means electronic waste of a commercial enti-
8 ty that contracts with an element of the intelligence
9 community.

10 (2) ELECTRONIC WASTE.—The term “electronic
11 waste” includes any obsolete, broken, or irreparable
12 electronic device, including a television, copier, fac-
13 simile machine, tablet, telephone, computer, com-
14 puter monitor, laptop, printer, scanner, and associ-
15 ated electrical wiring.

16 **SEC. 326. PROMOTING STEM EDUCATION TO MEET THE FU-**
17 **TURE WORKFORCE NEEDS OF THE INTEL-**
18 **LIGENCE COMMUNITY.**

19 (a) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Director of National In-
21 telligence shall submit to the Secretary of Education and
22 the congressional intelligence committees a report describ-
23 ing the anticipated hiring needs of the intelligence commu-
24 nity in the fields of science, technology, engineering, and

1 mathematics, including cybersecurity and computer lit-
2 eracy. The report shall—

3 (1) describe the extent to which competitions,
4 challenges, or internships at elements of the intel-
5 ligence community that do not involve access to clas-
6 sified information may be utilized to promote edu-
7 cation in the fields of science, technology, engineer-
8 ing, and mathematics, including cybersecurity and
9 computer literacy, within high schools or institutions
10 of higher education in the United States;

11 (2) include cost estimates for carrying out such
12 competitions, challenges, or internships; and

13 (3) include strategies for conducting expedited
14 security clearance investigations and adjudications
15 for students at institutions of higher education for
16 purposes of offering internships at elements of the
17 intelligence community.

18 (b) **CONSIDERATION OF EXISTING PROGRAMS.**—In
19 developing the report under subsection (a), the Director
20 shall take into consideration existing programs of the in-
21 telligence community, including the education programs of
22 the National Security Agency and the Information Assur-
23 ance Scholarship Program of the Department of Defense,
24 as appropriate.

25 (c) **DEFINITIONS.**—In this section:

1 (1) HIGH SCHOOL.—The term “high school”
2 mean a school that awards a secondary school di-
3 ploma.

4 (2) INSTITUTION OF HIGHER EDUCATION.—The
5 term “institution of higher education” has the
6 meaning given the term in section 101(a) of the
7 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

8 (3) SECONDARY SCHOOL.—The term “sec-
9 ondary school” has the meaning given the term in
10 section 9101 of the Elementary and Secondary Edu-
11 cation Act of 1965 (20 U.S.C. 7801).

12 **SEC. 327. ASSESSMENT OF SECURITY OF DOMESTIC OIL RE-**
13 **FINERIES AND RELATED RAIL TRANSPOR-**
14 **TATION INFRASTRUCTURE.**

15 (a) ASSESSMENT.—The Under Secretary of Home-
16 land Security for Intelligence and Analysis shall conduct
17 an intelligence assessment of the security of domestic oil
18 refineries and related rail transportation infrastructure.

19 (b) SUBMISSION.—Not later than 180 days after the
20 date of the enactment of this Act, the Under Secretary
21 of Homeland Security for Intelligence and Analysis shall
22 submit to the congressional intelligence committees—

23 (1) the results of the assessment required under
24 subsection (a); and

1 (2) any recommendations with respect to intel-
2 ligence sharing or intelligence collection to improve
3 the security of domestic oil refineries and related rail
4 transportation infrastructure to protect the commu-
5 nities surrounding such refineries or such infrastruc-
6 ture from potential harm that the Under Secretary
7 considers appropriate.

8 **SEC. 328. REPEAL OR MODIFICATION OF CERTAIN REPORT-**
9 **ING REQUIREMENTS.**

10 (a) REPEAL OF REPORTING REQUIREMENTS.—

11 (1) THREAT OF ATTACK ON THE UNITED
12 STATES USING WEAPONS OF MASS DESTRUCTION.—
13 Section 114 of the National Security Act of 1947
14 (50 U.S.C. 3050) is amended by striking subsection
15 (b).

16 (2) TREATY ON CONVENTIONAL ARMED FORCES
17 IN EUROPE.—Section 2(5)(E) of the Senate resolu-
18 tion advising and consenting to ratification of the
19 Document Agreed Among the States Parties to the
20 Treaty on Conventional Armed Forces in Europe
21 (CFE) of November 19, 1990, adopted at Vienna
22 May 31, 1996 (Treaty Doc. 105-5) (commonly re-
23 ferred to as the “CFE Flank Document”), 105th
24 Congress, agreed to May 14, 1997, is repealed.

1 (b) MODIFICATION OF REPORTING REQUIRE-
2 MENTS.—

3 (1) INTELLIGENCE ADVISORY COMMITTEES.—

4 Section 410(b) of the Intelligence Authorization Act
5 for Fiscal Year 2010 (50 U.S.C. 3309) is amended
6 to read as follows:

7 “(b) NOTIFICATION OF ESTABLISHMENT OF ADVI-
8 SORY COMMITTEE.—The Director of National Intelligence
9 and the Director of the Central Intelligence Agency shall
10 each notify the congressional intelligence committees each
11 time each such Director creates an advisory committee.
12 Each notification shall include—

13 “(1) a description of such advisory committee,
14 including the subject matter of such committee;

15 “(2) a list of members of such advisory com-
16 mittee; and

17 “(3) in the case of an advisory committee cre-
18 ated by the Director of National Intelligence, the
19 reasons for a determination by the Director under
20 section 4(b)(3) of the Federal Advisory Committee
21 Act (5 U.S.C. App.) that an advisory committee can-
22 not comply with the requirements of such Act.”.

23 (2) INTELLIGENCE INFORMATION SHARING.—

24 Section 102A(g)(4) of the National Security Act of

1 1947 (50 U.S.C. 3024(g)(4)) is amended to read as
2 follows:

3 “(4) The Director of National Intelligence shall, in
4 a timely manner, report to Congress any statute, regula-
5 tion, policy, or practice that the Director believes impedes
6 the ability of the Director to fully and effectively ensure
7 maximum availability of access to intelligence information
8 within the intelligence community consistent with the pro-
9 tection of the national security of the United States.”.

10 (3) INTELLIGENCE COMMUNITY BUSINESS SYS-
11 TEM TRANSFORMATION.—Section 506D(j) of the
12 National Security Act of 1947 (50 U.S.C. 3100(j))
13 is amended in the matter preceding paragraph (1)
14 by striking “2015” and inserting “2014”.

15 (4) ACTIVITIES OF PRIVACY AND CIVIL LIB-
16 ERTIES OFFICERS.—Section 1062(f)(1) of the Intel-
17 ligence Reform and Terrorism Prevention Act of
18 2004 (42 U.S.C. 2000ee–1(f)(1)) is amended in the
19 matter preceding subparagraph (A) by striking
20 “quarterly” and inserting “semiannually”.

21 (c) CONFORMING AMENDMENTS.—The National Se-
22 curity Act of 1947 (50 U.S.C. 3001 et seq.) is amended—
23 (1) in the table of contents in the first section,
24 by striking the item relating to section 114 and in-
25 serting the following new item:

“Sec. 114. Annual report on hiring and retention of minority employees.”;

1 (2) in section 114 (50 U.S.C. 3050)—

2 (A) by amending the heading to read as
3 follows: “ANNUAL REPORT ON HIRING AND RE-
4 TENTION OF MINORITY EMPLOYEES”;

5 (B) by striking “(a) ANNUAL REPORT ON
6 HIRING AND RETENTION OF MINORITY EM-
7 PLOYEES.—”;

8 (C) by redesignating paragraphs (1)
9 through (5) as subsections (a) through (e), re-
10 spectively;

11 (D) in subsection (b) (as so redesign-
12 nated)—

13 (i) by redesignating subparagraphs
14 (A) through (C) as paragraphs (1) through
15 (3), respectively; and

16 (ii) in paragraph (2) (as so redesign-
17 nated)—

18 (I) by redesignating clauses (i)
19 and (ii) as subparagraphs (A) and
20 (B), respectively; and

21 (II) in the matter preceding sub-
22 paragraph (A) (as so redesignated),
23 by striking “clauses (i) and (ii)” and
24 inserting “subparagraphs (A) and
25 (B)”;

1 (E) in subsection (d) (as redesignated by
2 subparagraph (C) of this paragraph), by strik-
3 ing “subsection” and inserting “section”; and
4 (F) in subsection (e) (as redesignated by
5 subparagraph (C) of this paragraph)—
6 (i) by redesignating subparagraphs
7 (A) through (C) as paragraphs (1) through
8 (3), respectively; and
9 (ii) by striking “subsection,” and in-
10 sserting “section”; and
11 (3) in section 507 (50 U.S.C. 3106)—
12 (A) in subsection (a)—
13 (i) by striking “(1) The date” and in-
14 sserting “The date”;
15 (ii) by striking “subsection (c)(1)(A)”
16 and inserting “subsection (c)(1)”;
17 (iii) by striking paragraph (2); and
18 (iv) by redesignating subparagraphs
19 (A) through (F) as paragraphs (1) through
20 (6), respectively;
21 (B) in subsection (c)(1)—
22 (i) by striking “(A) Except” and in-
23 sserting “Except”; and
24 (ii) by striking subparagraph (B); and
25 (C) in subsection (d)(1)—

- 1 (i) in subparagraph (A)—
2 (I) by striking “subsection
3 (a)(1)” and inserting “subsection
4 (a)”; and
5 (II) by inserting “and” after
6 “March 1;”;
7 (ii) by striking subparagraph (B); and
8 (iii) by redesignating subparagraph
9 (C) as subparagraph (B).

10 **TITLE IV—MATTERS RELATING**
11 **TO ELEMENTS OF THE INTEL-**
12 **LIGENCE COMMUNITY**

13 **SEC. 401. GIFTS, DEVISES, AND BEQUESTS TO THE CEN-**
14 **TRAL INTELLIGENCE AGENCY.**

15 Section 12 of the Central Intelligence Agency Act of
16 1949 (50 U.S.C. 3512) is amended—

17 (1) by striking the section heading and insert-
18 ing “GIFTS, DEVISES, AND BEQUESTS”;

19 (2) in subsection (a)(2)—

20 (A) by inserting “by the Director as a gift
21 to the Agency” after “accepted”; and

22 (B) by striking “this section” and insert-
23 ing “this subsection”;

24 (3) in subsection (b), by striking “this section,”
25 and inserting “subsection (a),”;

1 (4) in subsection (e), by striking “this section,”
2 and inserting “subsection (a),”;

3 (5) in subsection (d), by striking “this section”
4 and inserting “subsection (a)”;

5 (6) by redesignating subsection (f) as sub-
6 section (g); and

7 (7) by inserting after subsection (e) the fol-
8 lowing:

9 “(f)(1) The Director may engage in fundraising in
10 an official capacity for the benefit of nonprofit organiza-
11 tions that provide support to surviving family members of
12 deceased Agency employees or that otherwise provide sup-
13 port for the welfare, education, or recreation of Agency
14 employees, former Agency employees, or their family mem-
15 bers.

16 “(2) In this subsection, the term ‘fundraising’ means
17 the raising of funds through the active participation in the
18 promotion, production, or presentation of an event de-
19 signed to raise funds and does not include the direct solici-
20 tation of money by any other means.”.

21 **SEC. 402. INSPECTOR GENERAL OF THE NATIONAL SECU-**
22 **RITY AGENCY.**

23 (a) ELEVATION OF INSPECTOR GENERAL STATUS.—
24 The Inspector General Act of 1978 (5 U.S.C. App.) is
25 amended—

1 (1) in section 8G(a)(2), by striking “the Na-
2 tional Security Agency,”; and

3 (2) in section 12—

4 (A) in paragraph (1), by inserting “the
5 National Security Agency,” after “the Federal
6 Emergency Management Agency,”; and

7 (B) in paragraph (2), by inserting “the
8 National Security Agency,” after “the National
9 Aeronautics and Space Administration,”.

10 (b) DATE OF APPOINTMENT.—Not later than 90
11 days after the date of the enactment of this Act, the Presi-
12 dent shall nominate a person for appointment, by and with
13 the advice and consent of the Senate, as Inspector General
14 of the National Security Agency under section 3(a) of the
15 Inspector General Act of 1978 (5 U.S.C. App.) consistent
16 with the amendments made by subsection (a).

17 (c) TRANSITION RULE.—An individual serving as In-
18 specter General of the National Security Agency on the
19 date of the enactment of this Act pursuant to an appoint-
20 ment made under section 8G of the Inspector General Act
21 of 1978 (5 U.S.C. App.)—

22 (1) may continue so serving until the President
23 makes an appointment under section 3(a) of such
24 Act with respect to the National Security Agency

1 consistent with the amendments made by subsection
2 (a); and

3 (2) shall, while serving under paragraph (1), re-
4 main subject to the provisions of section 8G of such
5 Act that, immediately before the date of the enact-
6 ment of this Act, applied with respect to the Inspec-
7 tor General of the National Security Agency and
8 suffer no reduction in pay.

9 (d) SPECIAL PROVISIONS CONCERNING THE NA-
10 TIONAL SECURITY AGENCY.—The Inspector General Act
11 of 1978 (5 U.S.C. App.) is amended by inserting after
12 section 8J the following new section:

13 **“SEC. 8K. SPECIAL PROVISIONS CONCERNING THE NA-**
14 **TIONAL SECURITY AGENCY.**

15 “(a) GENERAL COUNSEL TO THE INSPECTOR GEN-
16 ERAL.—

17 “(1) IN GENERAL.—There is a General Counsel
18 to the Inspector General of the National Security
19 Agency, who shall be appointed by the Inspector
20 General of the National Security Agency.

21 “(2) DUTIES.—The General Counsel to the In-
22 spector General of the National Security Agency
23 shall—

1 “(A) serve as the chief legal officer of the
2 Office of the Inspector General of the National
3 Security Agency;

4 “(B) provide legal services only to the In-
5 specter General of the National Security Agen-
6 cy;

7 “(C) prescribe professional rules of ethics
8 and responsibilities for employees and officers
9 of, and contractors to, the National Security
10 Agency;

11 “(D) perform such functions as the Inspec-
12 tor General may prescribe; and

13 “(E) serve at the discretion of the Inspec-
14 tor General.

15 “(3) OFFICE OF THE GENERAL COUNSEL.—

16 There is an Office of the General Counsel to the In-
17 specter General of the National Security Agency.

18 The Inspector General may appoint to the Office to
19 serve as staff of the General Counsel such legal
20 counsel as the Inspector General considers appro-
21 priate.

22 “(b) TESTIMONY.—

23 “(1) AUTHORITY TO COMPEL.—The Inspector
24 General of the National Security Agency is author-
25 ized to require by subpoena the attendance and tes-

1 timony of former employees of the National Security
2 Agency or contractors, former contractors, or former
3 detailees to the National Security Agency as nec-
4 essary in the performance of functions assigned to
5 the Inspector General by this Act.

6 “(2) REFUSAL TO OBEY.—A subpoena issued
7 under this subsection, in the case of contumacy or
8 refusal to obey, shall be enforceable by order of any
9 appropriate United States district court.

10 “(3) NOTIFICATION.—The Inspector General
11 shall notify the Attorney General 7 days before
12 issuing any subpoena under this section.

13 “(c) PROHIBITIONS ON INVESTIGATIONS FOR NA-
14 TIONAL SECURITY REASONS.—

15 “(1) EVALUATIONS OF PROHIBITIONS.—Not
16 later than 7 days after the date on which the Inspec-
17 tor General of the National Security Agency receives
18 notice or a statement under section 8G(d)(2)(C) of
19 the reasons the Secretary of Defense is prohibiting
20 the Inspector General from initiating, carrying out,
21 or completing any audit or investigation, the Inspec-
22 tor General shall submit to the Permanent Select
23 Committee on Intelligence and the Committee on
24 Armed Services of the House of Representatives and
25 the Select Committee on Intelligence and the Com-

1 mittee on Armed Services of the Senate an evalua-
2 tion of such notice or such statement.

3 “(2) INCLUSION IN SEMI-ANNUAL REPORT.—
4 The Inspector General shall include in the semi-
5 annual report prepared by the Inspector General in
6 accordance with section 5(a) a description of the in-
7 stances in which the Secretary of Defense prohibited
8 the Inspector General from initiating, carrying out,
9 or completing any audit or investigation during the
10 period covered by such report.”.

11 **TITLE V—SECURITY CLEARANCE** 12 **REFORM**

13 **SEC. 501. CONTINUOUS EVALUATION AND SHARING OF DE-** 14 **ROGATORY INFORMATION REGARDING PER-** 15 **SONNEL WITH ACCESS TO CLASSIFIED IN-** 16 **FORMATION.**

17 Section 102A(j) of the National Security Act of 1947
18 (50 U.S.C. 3024(j)) is amended—

19 (1) in the heading, by striking “SENSITIVE
20 COMPARTMENTED INFORMATION” and inserting
21 “CLASSIFIED INFORMATION”;

22 (2) in paragraph (3), by striking “; and” and
23 inserting a semicolon;

24 (3) in paragraph (4), by striking the period and
25 inserting a semicolon; and

1 (4) by adding at the end the following new
2 paragraphs:

3 “(5) ensure that the background of each em-
4 ployee or officer of an element of the intelligence
5 community, each contractor to an element of the in-
6 telligence community, and each individual employee
7 of such a contractor who has been determined to be
8 eligible for access to classified information is mon-
9 itored on a continual basis under standards devel-
10 oped by the Director, including with respect to the
11 frequency of evaluation, during the period of eligi-
12 bility of such employee or officer of an element of
13 the intelligence community, such contractor, or such
14 individual employee to such a contractor to deter-
15 mine whether such employee or officer of an element
16 of the intelligence community, such contractor, and
17 such individual employee of such a contractor con-
18 tinues to meet the requirements for eligibility for ac-
19 cess to classified information; and

20 “(6) develop procedures to require information
21 sharing between elements of the intelligence commu-
22 nity concerning potentially derogatory security infor-
23 mation regarding an employee or officer of an ele-
24 ment of the intelligence community, a contractor to
25 an element of the intelligence community, or an indi-

1 teria for obtaining and retaining access to such informa-
2 tion.

3 (b) CONTENTS OF ANALYSIS.—In conducting the
4 analysis required by subsection (a), the Director of Na-
5 tional Intelligence shall evaluate the costs and benefits as-
6 sociated with—

7 (1) the elimination of manual processes in secu-
8 rity clearance investigations and adjudications, if
9 possible, and automating and integrating the ele-
10 ments of the investigation process, including—

11 (A) the clearance application process;

12 (B) case management;

13 (C) adjudication management;

14 (D) investigation methods for the collec-
15 tion, analysis, storage, retrieval, and transfer of
16 data and records; and

17 (E) records management for access and
18 eligibility determinations;

19 (2) the elimination or reduction, if possible, of
20 the use of databases and information sources that
21 cannot be accessed and processed automatically elec-
22 tronically, or modification of such databases and in-
23 formation sources, to enable electronic access and
24 processing;

1 (3) the use of government-developed and com-
2 mercial technology for continuous monitoring and
3 evaluation of government and commercial data
4 sources that can identify and flag information perti-
5 nent to adjudication guidelines and eligibility deter-
6 minations;

7 (4) the standardization of forms used for rou-
8 tine reporting required of cleared personnel (such as
9 travel, foreign contacts, and financial disclosures)
10 and use of continuous monitoring technology to ac-
11 cess databases containing such reportable informa-
12 tion to independently obtain and analyze reportable
13 data and events;

14 (5) the establishment of an authoritative central
15 repository of personnel security information that is
16 accessible electronically at multiple levels of classi-
17 fication and eliminates technical barriers to rapid
18 access to information necessary for eligibility deter-
19 minations and reciprocal recognition thereof;

20 (6) using digitally processed fingerprints, as a
21 substitute for ink or paper prints, to reduce error
22 rates and improve portability of data;

23 (7) expanding the use of technology to improve
24 an applicant's ability to discover the status of a

1 pending security clearance application or reinvestiga-
2 tion; and

3 (8) using government and publicly available
4 commercial data sources, including social media,
5 that provide independent information pertinent to
6 adjudication guidelines to improve quality and time-
7 liness, and reduce costs, of investigations and re-
8 investigations.

9 (c) REPORT TO CONGRESS.—Not later than 6
10 months after the date of the enactment of this Act, the
11 Director of National Intelligence shall submit to the ap-
12 propriate committees of Congress a report on the analysis
13 required by subsection (a).

14 **SEC. 504. REPORT ON RECIPROCITY OF SECURITY CLEAR-**
15 **ANCES.**

16 The head of the entity selected pursuant to section
17 3001(b) of the Intelligence Reform and Terrorism Preven-
18 tion Act of 2004 (50 U.S.C. 3341(b)) shall submit to the
19 appropriate committees of Congress a report each year
20 through 2017 that describes for the preceding year—

21 (1) the periods of time required by authorized
22 adjudicative agencies for accepting background in-
23 vestigations and determinations completed by an au-
24 thorized investigative entity or authorized adjudica-
25 tive agency;

1 (1) an analysis of the costs and benefits associ-
2 ated with conducting periodic reinvestigations;

3 (2) an analysis of the costs and benefits associ-
4 ated with replacing some or all periodic reinvestiga-
5 tions with a program of continuous evaluation;

6 (3) a determination of how many risk-based
7 and ad hoc periodic reinvestigations are necessary on
8 an annual basis for each component of the Federal
9 Government with employees with security clearances;

10 (4) an analysis of the potential benefits of ex-
11 panding the Government's use of continuous evalua-
12 tion tools as a means of improving the effectiveness
13 and efficiency of procedures for confirming the eligi-
14 bility of personnel for continued access to classified
15 information; and

16 (5) an analysis of how many personnel with
17 out-of-scope background investigations are employed
18 by, or contracted or detailed to, each element of the
19 intelligence community.

20 (c) PERIODIC REINVESTIGATIONS DEFINED.—In this
21 section, the term “periodic reinvestigations” has the
22 meaning given that term in section 3001(a) of the Intel-
23 ligence Reform and Terrorism Prevention Act of 2004 (50
24 U.S.C. 3341(a)).

1 **SEC. 506. APPROPRIATE COMMITTEES OF CONGRESS DE-**
2 **FINED.**

3 In this title, the term “appropriate committees of
4 Congress” means—

5 (1) the congressional intelligence committees;

6 (2) the Committee on Armed Services and the
7 Committee on Homeland Security and Governmental
8 Affairs of the Senate; and

9 (3) the Committee on Armed Services and the
10 Committee on Homeland Security of the House of
11 Representatives.

12 **TITLE VI—TECHNICAL**
13 **AMENDMENTS**

14 **SEC. 601. TECHNICAL AMENDMENTS TO THE CENTRAL IN-**
15 **TELLIGENCE AGENCY ACT OF 1949.**

16 Section 21 of the Central Intelligence Agency Act of
17 1949 (50 U.S.C. 3521) is amended—

18 (1) in subsection (b)(1)(D), by striking “section
19 (a)” and inserting “subsection (a)”; and

20 (2) in subsection (c)(2)(E), by striking “pro-
21 vider.” and inserting “provider”.

22 **SEC. 602. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**
23 **CURITY ACT OF 1947 RELATING TO THE PAST**
24 **ELIMINATION OF CERTAIN POSITIONS.**

25 Section 101(a) of the National Security Act of 1947
26 (50 U.S.C. 3021(a)) is amended—

1 (1) in paragraph (5), by striking the semicolon
2 and inserting “; and”;

3 (2) by striking paragraphs (6) and (7);

4 (3) by redesignating paragraph (8) as para-
5 graph (6); and

6 (4) in paragraph (6) (as so redesignated), by
7 striking “the Chairman of the Munitions Board, and
8 the Chairman of the Research and Development
9 Board,”.

10 **SEC. 603. TECHNICAL AMENDMENTS TO THE INTEL-**
11 **LIGENCE AUTHORIZATION ACT FOR FISCAL**
12 **YEAR 2013.**

13 (a) AMENDMENTS.—Section 506 of the Intelligence
14 Authorization Act for Fiscal Year 2013 (Public Law 112–
15 277; 126 Stat. 2478) is amended—

16 (1) by striking “Section 606(5)” and inserting
17 “Paragraph (5) of section 605”; and

18 (2) by inserting “, as redesignated by section
19 310(a)(4)(B) of this Act,” before “is amended”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall take effect as if included in the enact-
22 ment of the Intelligence Authorization Act for Fiscal Year
23 2013 (Public Law 112–277).

