

JULY 8, 2019

RULES COMMITTEE PRINT 116–22
TEXT OF H.R. 3494, DAMON PAUL NELSON AND
MATTHEW YOUNG POLLARD INTELLIGENCE
AUTHORIZATION ACT FOR FISCAL YEARS
2018, 2019, AND 2020

[Showing the text of H.R. 3494, as ordered reported by the
Permanent Select Committee on Intelligence]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Damon Paul Nelson
3 and Matthew Young Pollard Intelligence Authorization
4 Act for Fiscal Years 2018, 2019, and 2020”.

5 **SEC. 2. DIVISIONS AND TABLE OF CONTENTS.**

6 (a) DIVISIONS.—This Act is organized into two divi-
7 sions as follows:

8 (1) Division A—Intelligence Authorizations for
9 Fiscal Year 2020.

10 (2) Division B—Intelligence Authorizations for
11 Fiscal Years 2018 and 2019.

12 (b) TABLE OF CONTENTS.—The table of contents for
13 this Act is as follows:

Sec. 1. Short title.
Sec. 2. Divisions and table of contents.
Sec. 3. Definitions.

DIVISION A—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR
2020

TITLE I—INTELLIGENCE ACTIVITIES

- Sec. 101. Authorization of appropriations.
- Sec. 102. Classified schedule of authorizations.
- Sec. 103. Intelligence community management account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 301. Restriction on conduct of intelligence activities.
- Sec. 302. Increase in employee compensation and benefits authorized by law.
- Sec. 303. Paid parental leave.
- Sec. 304. Unfunded requirements of the intelligence community.
- Sec. 305. Extending the Intelligence Identities Protection Act of 1982.
- Sec. 306. Intelligence community public-private talent exchange.
- Sec. 307. Assessment of contracting practices to identify certain security and counterintelligence concerns.
- Sec. 308. Required counterintelligence briefings and notifications.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY

- Sec. 401. Establishment of Climate Security Advisory Council.
- Sec. 402. Transfer of National Intelligence University to the Office of the Director of National Intelligence.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 501. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.
- Sec. 502. Report on repression of ethnic Muslim minorities in the Xinjiang region of the People's Republic of China.
- Sec. 503. Report on efforts by People's Republic of China to influence election in Taiwan.
- Sec. 504. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.
- Sec. 505. Assessments of intentions of political leadership of the Russian Federation.
- Sec. 506. Report on death of Jamal Khashoggi.

TITLE VI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

- Sec. 601. Definitions.
- Sec. 602. Annual strategic intelligence assessment of and comprehensive report on domestic terrorism.

TITLE VII—REPORTS AND OTHER MATTERS

- Sec. 701. Modification of requirements for submission to Congress of certain reports.
- Sec. 702. Increased transparency regarding counterterrorism budget of the United States.
- Sec. 703. Task force on illicit financing of espionage and foreign influence operations.

- Sec. 704. Study on role of retired and former personnel of intelligence community with respect to certain foreign intelligence operations.
- Sec. 705. Report by Director of National Intelligence on fifth-generation wireless network technology.
- Sec. 706. Establishment of 5G prize competition.
- Sec. 707. Establishment of deepfakes prize competition.

DIVISION B—INTELLIGENCE AUTHORIZATIONS FOR FISCAL
YEARS 2018 AND 2019

TITLE XXI—INTELLIGENCE ACTIVITIES

- Sec. 2101. Authorization of appropriations.
- Sec. 2102. Classified Schedule of Authorizations.
- Sec. 2103. Intelligence Community Management Account.

TITLE XXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM

- Sec. 2201. Authorization of appropriations.
- Sec. 2202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE XXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 2301. Restriction on conduct of intelligence activities.
- Sec. 2302. Increase in employee compensation and benefits authorized by law.
- Sec. 2303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
- Sec. 2304. Modification of appointment of Chief Information Officer of the Intelligence Community.
- Sec. 2305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
- Sec. 2306. Supply Chain and Counterintelligence Risk Management Task Force.
- Sec. 2307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
- Sec. 2308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
- Sec. 2309. Elimination of sunset of authority relating to management of supply-chain risk.
- Sec. 2310. Limitations on determinations regarding certain security classifications.
- Sec. 2311. Joint Intelligence Community Council.
- Sec. 2312. Intelligence community information technology environment.
- Sec. 2313. Report on development of secure mobile voice solution for intelligence community.
- Sec. 2314. Policy on minimum insider threat standards.
- Sec. 2315. Submission of intelligence community policies.
- Sec. 2316. Expansion of intelligence community recruitment efforts.

TITLE XXIV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 2401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.
- Sec. 2402. Designation of the program manager-information sharing environment.
- Sec. 2403. Technical modification to the executive schedule.
- Sec. 2404. Chief Financial Officer of the Intelligence Community.
- Sec. 2405. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

- Sec. 2411. Central Intelligence Agency subsistence for personnel assigned to austere locations.
- Sec. 2412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.
- Sec. 2413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.
- Sec. 2414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

- Sec. 2421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.
- Sec. 2422. Establishment of Energy Infrastructure Security Center.
- Sec. 2423. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

- Sec. 2431. Plan for designation of counterintelligence component of Defense Security Service as an element of intelligence community.
- Sec. 2432. Notice not required for private entities.
- Sec. 2433. Establishment of advisory board for National Reconnaissance Office.
- Sec. 2434. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE XXV—ELECTION MATTERS

- Sec. 2501. Report on cyber attacks by foreign governments against United States election infrastructure.
- Sec. 2502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.
- Sec. 2503. Assessment of foreign intelligence threats to Federal elections.
- Sec. 2504. Strategy for countering Russian cyber threats to United States elections.
- Sec. 2505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.
- Sec. 2506. Information sharing with State election officials.
- Sec. 2507. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.
- Sec. 2508. Designation of counterintelligence officer to lead election security matters.

TITLE XXVI—SECURITY CLEARANCES

- Sec. 2601. Definitions.

- Sec. 2602. Reports and plans relating to security clearances and background investigations.
- Sec. 2603. Improving the process for security clearances.
- Sec. 2604. Goals for promptness of determinations regarding security clearances.
- Sec. 2605. Security Executive Agent.
- Sec. 2606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.
- Sec. 2607. Report on clearance in person concept.
- Sec. 2608. Reports on reciprocity for security clearances inside of departments and agencies.
- Sec. 2609. Intelligence community reports on security clearances.
- Sec. 2610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.
- Sec. 2611. Information sharing program for positions of trust and security clearances.
- Sec. 2612. Report on protections for confidentiality of whistleblower-related communications.

TITLE XXVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

- Sec. 2701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.
- Sec. 2702. Report on returning Russian compounds.
- Sec. 2703. Assessment of threat finance relating to Russia.
- Sec. 2704. Notification of an active measures campaign.
- Sec. 2705. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.
- Sec. 2706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.
- Sec. 2707. Report on Iranian support of proxy forces in Syria and Lebanon.
- Sec. 2708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.
- Sec. 2709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

- Sec. 2711. Technical correction to Inspector General study.
- Sec. 2712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.
- Sec. 2713. Review of intelligence community whistleblower matters.
- Sec. 2714. Report on role of Director of National Intelligence with respect to certain foreign investments.
- Sec. 2715. Report on surveillance by foreign governments against United States telecommunications networks.
- Sec. 2716. Biennial report on foreign investment risks.
- Sec. 2717. Modification of certain reporting requirement on travel of foreign diplomats.
- Sec. 2718. Semiannual reports on investigations of unauthorized disclosures of classified information.
- Sec. 2719. Congressional notification of designation of covered intelligence officer as persona non grata.

- Sec. 2720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.
- Sec. 2721. Inspectors General reports on classification.
- Sec. 2722. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.
- Sec. 2723. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.
- Sec. 2724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.
- Sec. 2725. Modification of requirement for annual report on hiring and retention of minority employees.
- Sec. 2726. Reports on intelligence community loan repayment and related programs.
- Sec. 2727. Repeal of certain reporting requirements.
- Sec. 2728. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.
- Sec. 2729. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.
- Sec. 2730. Intelligence assessment of North Korea revenue sources.
- Sec. 2731. Report on possible exploitation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

- Sec. 2741. Public Interest Declassification Board.
- Sec. 2742. Technical and clerical amendments to the National Security Act of 1947.
- Sec. 2743. Technical amendments related to the Department of Energy.
- Sec. 2744. Sense of Congress on notification of certain disclosures of classified information.
- Sec. 2745. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” has the meaning given such term in section
4
5
6 3 of the National Security Act of 1947 (50 U.S.C.
7 3003).

8 (2) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given

1 such term in section 3 of the National Security Act
2 of 1947 (50 U.S.C. 3003).

3 **DIVISION A—INTELLIGENCE AU-**
4 **THORIZATIONS FOR FISCAL**
5 **YEAR 2020**

6 **TITLE I—INTELLIGENCE**
7 **ACTIVITIES**

8 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 2020 for the conduct of the intelligence and
11 intelligence-related activities of the following elements of
12 the United States Government:

13 (1) The Office of the Director of National Intel-
14 ligence.

15 (2) The Central Intelligence Agency.

16 (3) The Department of Defense.

17 (4) The Defense Intelligence Agency.

18 (5) The National Security Agency.

19 (6) The Department of the Army, the Depart-
20 ment of the Navy, and the Department of the Air
21 Force.

22 (7) The Coast Guard.

23 (8) The Department of State.

24 (9) The Department of the Treasury.

25 (10) The Department of Energy.

1 (11) The Department of Justice.

2 (12) The Federal Bureau of Investigation.

3 (13) The Drug Enforcement Administration.

4 (14) The National Reconnaissance Office.

5 (15) The National Geospatial-Intelligence Agen-
6 cy.

7 (16) The Department of Homeland Security.

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

9 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
10 authorized to be appropriated under section 101 for the
11 conduct of the intelligence activities of the elements listed
12 in paragraphs (1) through (16) of section 101, are those
13 specified in the classified Schedule of Authorizations pre-
14 pared to accompany this Act.

15 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
16 THORIZATIONS.—

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

22 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
23 ject to paragraph (3), the President shall provide for
24 suitable distribution of the classified Schedule of Au-
25 thorizations referred to in subsection (a), or of ap-

1 appropriate portions of such Schedule, within the execu-
2 utive branch.

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

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

10 (B) to the extent necessary to implement
11 the budget; or

12 (C) as otherwise required by law.

13 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
14 **COUNT.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated for the Intelligence Commu-
17 nity Management Account of the Director of National In-
18 telligence for fiscal year 2020 the sum of \$565,637,000.

19 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
20 TIONS.—In addition to amounts authorized to be appro-
21 priated for the Intelligence Community Management Ac-
22 count by subsection (a), there are authorized to be appro-
23 priated for the Intelligence Community Management Ac-
24 count for fiscal year 2020 such additional amounts as are

1 specified in the classified Schedule of Authorizations re-
2 ferred to in section 102(a).

3 **TITLE II—CENTRAL INTEL-**
4 **LIGENCE AGENCY RETIRE-**
5 **MENT AND DISABILITY SYS-**
6 **TEM**

7 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated for the Cen-
9 tral Intelligence Agency Retirement and Disability fund
10 \$514,000,000 for fiscal year 2020.

11 **TITLE III—GENERAL INTEL-**
12 **LIGENCE COMMUNITY MAT-**
13 **TERS**

14 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
15 **ACTIVITIES.**

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

20 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
21 **BENEFITS AUTHORIZED BY LAW.**

22 Appropriations authorized by this Act for salary, pay,
23 retirement, and other benefits for Federal employees may
24 be increased by such additional or supplemental amounts

1 as may be necessary for increases in such compensation
2 or benefits authorized by law.

3 **SEC. 303. PAID PARENTAL LEAVE.**

4 (a) PURPOSE.—The purpose of this section is to—

5 (1) help the intelligence community recruit and
6 retain a dynamic, multi-talented, and diverse work-
7 force capable of meeting the security goals of the
8 United States; and

9 (2) establish best practices and processes for
10 other elements of the Federal Government seeking to
11 pursue similar policies.

12 (b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR
13 INTELLIGENCE COMMUNITY EMPLOYEES.—

14 (1) IN GENERAL.—Title III of the National Se-
15 curity Act of 1947 (50 U.S.C. 3071 et seq.) is
16 amended by inserting after section 304 the fol-
17 lowing:

18 **“SEC. 305. PAID PARENTAL LEAVE.**

19 “(a) PAID PARENTAL LEAVE.—Notwithstanding any
20 other provision of law, a civilian employee of an element
21 of the intelligence community shall have available a total
22 of 12 administrative workweeks of paid parental leave in
23 the event of the birth of a son or daughter of the employee,
24 or placement of a son or daughter with the employee for
25 adoption or foster care in order to care for such son or

1 daughter. Such paid parental leave shall be used during
2 the 12-month period beginning on the date of the birth
3 or placement. Nothing in this section shall be construed
4 to modify or otherwise affect the eligibility of an employee
5 of an element of the intelligence community for benefits
6 relating to leave under any other provision of law.

7 “(b) TREATMENT OF PARENTAL LEAVE REQUEST.—
8 Notwithstanding any other provision of law—

9 “(1) an element of the intelligence community
10 shall accommodate an employee’s leave request
11 under subsection (a), including a request to use such
12 leave intermittently or to create a reduced work
13 schedule, to the extent that the requested leave
14 schedule does not unduly disrupt operations; and

15 “(2) to the extent that an employee’s requested
16 leave described in paragraph (1) arises out of med-
17 ical necessity related to a serious health condition
18 connected to the birth of a son or daughter, the em-
19 ploying element shall handle the scheduling con-
20 sistent with the treatment of employees who are
21 using leave under subparagraph (C) or (D) of sec-
22 tion 6382(a)(1) of title 5, United States Code.

23 “(c) RULES RELATING TO PAID LEAVE.—Notwith-
24 standing any other provision of law—

1 “(1) an employee may not be required to first
2 use all or any portion of any unpaid leave available
3 to the employee before being allowed to use the paid
4 parental leave described in subsection (a); and

5 “(2) paid parental leave under subsection (a)—

6 “(A) shall be payable from any appropria-
7 tion or fund available for salaries or expenses
8 for positions within the employing element;

9 “(B) may not be considered to be annual
10 or vacation leave for purposes of section 5551
11 or 5552 of title 5, United States Code, or for
12 any other purpose;

13 “(C) if not used by the employee before the
14 end of the 12-month period described in sub-
15 section (a) to which the leave relates, may not
16 be available for any subsequent use and may
17 not be converted into a cash payment;

18 “(D) may be granted only to the extent
19 that the employee does not receive a total of
20 more than 12 weeks of paid parental leave in
21 any 12-month period beginning on the date of
22 a birth or placement;

23 “(E) may not be granted—

24 “(i) in excess of a lifetime aggregate
25 total of 30 administrative workweeks based

1 on placements of a foster child for any in-
2 dividual employee; or

3 “(ii) in connection with temporary fos-
4 ter care placements expected to last less
5 than 1 year;

6 “(F) may not be granted for a child being
7 placed for foster care or adoption if such leave
8 was previously granted to the same employee
9 when the same child was placed with the em-
10 ployee for foster care in the past;

11 “(G) shall be used in increments of hours
12 (or fractions thereof), with 12 administrative
13 workweeks equal to 480 hours for employees
14 with a regular full-time work schedule and con-
15 verted to a proportional number of hours for
16 employees with part-time, seasonal, or uncom-
17 mon tours of duty; and

18 “(H) may not be used during off-season
19 (nonpay status) periods for employees with sea-
20 sonal work schedules.

21 “(d) IMPLEMENTATION PLAN.—Not later than 1
22 year after the date of the enactment of this section, the
23 Director of National Intelligence shall submit to the con-
24 gressional intelligence committees an implementation plan
25 that includes—

1 “(1) processes and procedures for implementing
2 the paid parental leave policies under subsections (a)
3 through (c);

4 “(2) an explanation of how the implementation
5 of subsections (a) through (c) will be reconciled with
6 policies of other elements of the Federal Govern-
7 ment, including the impact on elements funded by
8 the National Intelligence Program that are housed
9 within agencies outside the intelligence community;
10 and

11 “(3) all costs or operational expenses associated
12 with the implementation of subsections (a) through
13 (c).

14 “(e) DIRECTIVE.—Not later than 180 days after the
15 Director of National Intelligence submits the implementa-
16 tion plan under subsection (d), the Director of National
17 Intelligence shall issue a written directive to implement
18 this section, which directive shall take effect on the date
19 of issuance.

20 “(f) ANNUAL REPORT.—The Director of National In-
21 telligence shall submit to the congressional intelligence
22 committees an annual report that—

23 “(1) details the number of employees of each
24 element of the intelligence community who applied

1 for and took paid parental leave under subsection
2 (a) during the year covered by the report;

3 “(2) details the number of—

4 “(A) employees of each element of the in-
5 telligence community stationed abroad who ap-
6 plied for and took paid parental leave under
7 subsection (a) during the year covered by the
8 report; and

9 “(B) employees of each element of the in-
10 telligence community stationed abroad who ap-
11 plied for paid parental leave but such applica-
12 tion was not granted because of an undue im-
13 pact on operations as specified in subsection
14 (b)(1); and

15 “(3) includes updates on major implementation
16 challenges or costs associated with paid parental
17 leave.

18 “(g) DEFINITION OF SON OR DAUGHTER.—For pur-
19 poses of this section, the term ‘son or daughter’ has the
20 meaning given the term in section 6381 of title 5, United
21 States Code.”.

22 (2) CLERICAL AMENDMENT.—The table of con-
23 tents in the matter preceding section 2 of the Na-
24 tional Security Act of 1947 (50 U.S.C. 3002) is

1 amended by inserting after the item relating to sec-
2 tion 304 the following:

“Sec. 305. Paid parental leave.”.

3 (c) APPLICABILITY.—Section 305 of the National Se-
4 curity Act of 1947, as added by subsection (b), shall apply
5 with respect to leave taken in connection with the birth
6 or placement of a son or daughter that occurs on or after
7 the date on which the Director of National Intelligence
8 issues the written directive under subsection (e) of such
9 section 305.

10 **SEC. 304. UNFUNDED REQUIREMENTS OF THE INTEL-**
11 **LIGENCE COMMUNITY.**

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

15 **“SEC. 512. UNFUNDED PRIORITIES OF THE INTELLIGENCE**
16 **COMMUNITY.**

17 “(a) BRIEFINGS.—Upon the request of an appro-
18 priate congressional committee, the Director of National
19 Intelligence shall provide to the committee a briefing on
20 the unfunded priorities of an element of the intelligence
21 community.

22 “(b) DEFINITIONS.—In this section:

23 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term ‘appropriate congressional com-
25 mittees’ means—

1 “(A) the congressional intelligence commit-
2 tees; and

3 “(B) the Committees on Appropriations of
4 the House of Representatives and the Senate.

5 “(2) UNFUNDED PRIORITY.—The term ‘un-
6 funded priority’, in the case of a fiscal year, means
7 a program, activity, or other initiative of an element
8 of the intelligence community that—

9 “(A) was submitted by the head of the ele-
10 ment to the Director of National Intelligence in
11 the budget proposal for the element for that fis-
12 cal year, but was not included by the Director
13 in the consolidated budget proposal submitted
14 to the President for that fiscal year; or

15 “(B) was submitted by the Director in the
16 consolidated budget proposal submitted to the
17 President for that fiscal year, but was not in-
18 cluded in the budget of the President submitted
19 to Congress for that fiscal year pursuant to sec-
20 tion 1105 of title 31, United States Code.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 in the first section of such Act is amended by inserting
23 after the item relating to section 511 the following new
24 item:

 “Sec. 512. Unfunded priorities of the intelligence community.”.

1 **SEC. 305. EXTENDING THE INTELLIGENCE IDENTITIES PRO-**
2 **TECTION ACT OF 1982.**

3 Section 605(4) of the National Security Act of 1947
4 (50 U.S.C. 3126(4)) is amended—

5 (1) in subparagraph (A)—

6 (A) by striking clause (ii);

7 (B) in clause (i), by striking “, and” and
8 inserting “;”; and

9 (C) by striking “agency—” and all that
10 follows through “whose identity” and inserting
11 “agency whose identity”; and

12 (2) in subparagraph (B)(i), by striking “resides
13 and acts outside the United States” and inserting
14 “acts”.

15 **SEC. 306. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE**
16 **TALENT EXCHANGE.**

17 (a) **POLICIES, PROCESSES, AND PROCEDURES RE-**
18 **QUIRED.**—Not later than 270 days after the date of the
19 enactment of this Act, the Director of National Intel-
20 ligence shall develop policies, processes, and procedures to
21 facilitate the rotation of personnel of the intelligence com-
22 munity to the private sector, and personnel from the pri-
23 vate sector to the intelligence community.

24 (b) **DETAIL AUTHORITY.**—Under policies developed
25 by the Director pursuant to subsection (a), pursuant to
26 a written agreement with a private-sector organization,

1 and with the consent of the employee, a head of an ele-
2 ment of the intelligence community may arrange for the
3 temporary detail of an employee of such element to such
4 private-sector organization, or from such private-sector or-
5 ganization to such element under this section.

6 (c) AGREEMENTS.—

7 (1) IN GENERAL.—A head of an element of the
8 intelligence community exercising the authority of
9 the head under subsection (a) shall provide for a
10 written agreement among the element of the intel-
11 ligence community, the private-sector organization,
12 and the employee concerned regarding the terms and
13 conditions of the employee's detail under this sec-
14 tion. The agreement—

15 (A) shall require that the employee of the
16 element, upon completion of the detail, serve in
17 the element, or elsewhere in the civil service if
18 approved by the head of the element, for a pe-
19 riod that is at least equal to the length of the
20 detail;

21 (B) shall provide that if the employee of
22 the element fails to carry out the agreement,
23 such employee shall be liable to the United
24 States for payment of all non-salary and benefit
25 expenses of the detail, unless that failure was

1 for good and sufficient reason, as determined
2 by the head of the element;

3 (C) shall contain language informing such
4 employee of the prohibition on sharing, using,
5 or otherwise improperly handling classified or
6 unclassified non-public information for the ben-
7 efit or advantage of the private-sector organiza-
8 tion;

9 (D) shall contain language governing the
10 handling of classified information by such em-
11 ployee during the detail; and

12 (E) shall contain language requiring the
13 employee to acknowledge the obligations of the
14 employee under section 1905 of title 18, United
15 States Code.

16 (2) AMOUNT OF LIABILITY.—An amount for
17 which an employee is liable under paragraph (1)
18 shall be treated as a debt due the United States.

19 (3) WAIVER.—The head of an element of the
20 intelligence community may waive, in whole or in
21 part, collection of a debt described in paragraph (2)
22 based on a determination that the collection would
23 be against equity and good conscience and not in the
24 best interests of the United States, after taking into
25 account any indication of fraud, misrepresentation,

1 fault, or lack of good faith on the part of the em-
2 ployee.

3 (d) TERMINATION.—A detail under this section may,
4 at any time and for any reason, be terminated by the head
5 of the element of the intelligence community concerned or
6 the private-sector organization concerned.

7 (e) DURATION.—

8 (1) IN GENERAL.—A detail under this section
9 shall be for a period of not less than 3 months and
10 not more than 2 years, renewable up to a total of
11 3 years.

12 (2) LONGER PERIODS.—A detail under this sec-
13 tion may be for a period in excess of 2 years, but
14 not more than 3 years, if the head of the element
15 making the detail determines that such detail is nec-
16 essary to meet critical mission or program require-
17 ments.

18 (3) LIMITATION.—No employee of an element
19 of the intelligence community may be detailed under
20 this section for more than a total of 5 years, inclu-
21 sive of all such details.

22 (f) STATUS OF FEDERAL EMPLOYEES DETAILED TO
23 PRIVATE-SECTOR ORGANIZATIONS.—

24 (1) IN GENERAL.—An employee of an element
25 of the intelligence community who is detailed to a

1 private-sector organization under this section shall
2 be considered, during the period of detail, to be on
3 a regular work assignment in the element. The writ-
4 ten agreement established under subsection (c)(1)
5 shall address the specific terms and conditions re-
6 lated to the employee's continued status as a Fed-
7 eral employee.

8 (2) REQUIREMENTS.—In establishing a tem-
9 porary detail of an employee of an element of the in-
10 telligence community to a private-sector organiza-
11 tion, the head of the element shall—

12 (A) certify that the temporary detail of
13 such employee shall not have an adverse or neg-
14 ative impact on mission attainment or organiza-
15 tional capabilities associated with the detail;
16 and

17 (B) in the case of an element of the intel-
18 ligence community in the Department of De-
19 fense, ensure that the normal duties and func-
20 tions of such employees are not, as a result of
21 and during the course of such temporary detail,
22 performed or augmented by contractor per-
23 sonnel in violation of the provisions of section
24 2461 of title 10, United States Code.

1 (g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR
2 EMPLOYEES.—An employee of a private-sector organiza-
3 tion who is detailed to an element of the intelligence com-
4 munity under this section—

5 (1) shall continue to receive pay and benefits
6 from the private-sector organization from which such
7 employee is detailed and shall not receive pay or
8 benefits from the element, except as provided in
9 paragraph (2);

10 (2) is deemed to be an employee of the element
11 for the purposes of—

12 (A) chapters 73 and 81 of title 5, United
13 States Code;

14 (B) sections 201, 203, 205, 207, 208, 209,
15 603, 606, 607, 643, 654, 1905, and 1913 of
16 title 18, United States Code;

17 (C) sections 1343, 1344, and 1349(b) of
18 title 31, United States Code;

19 (D) chapter 171 of title 28, United States
20 Code (commonly known as the “Federal Tort
21 Claims Act”) and any other Federal tort liabil-
22 ity statute;

23 (E) the Ethics in Government Act of 1978
24 (5 U.S.C. App.); and

1 (F) chapter 21 of title 41, United States
2 Code;

3 (3) may perform work that is considered inher-
4 ently governmental in nature only when requested in
5 writing by the head of the element;

6 (4) may not be used to circumvent any limita-
7 tion or restriction on the size of the workforce of the
8 element;

9 (5) shall be subject to the same requirements
10 applicable to an employee performing the same func-
11 tions and duties proposed for performance by the
12 private sector employee; and

13 (6) in the case of an element of the intelligence
14 community in the Department of Defense, may not
15 be used to circumvent the provisions of section 2461
16 of title 10, United States Code.

17 (h) PROHIBITION AGAINST CHARGING CERTAIN
18 COSTS TO THE FEDERAL GOVERNMENT.—A private-sec-
19 tor organization may not charge an element of the intel-
20 ligence community or any other agency of the Federal
21 Government, as direct costs under a Federal contract, the
22 costs of pay or benefits paid by the organization to an
23 employee detailed to an element of the intelligence commu-
24 nity under this section for the period of the detail and
25 any subsequent renewal periods.

1 (i) ADDITIONAL ADMINISTRATIVE MATTERS.—In
2 carrying out this section, the Director, pursuant to proce-
3 dures developed under subsection (a)—

4 (1) shall, to the degree practicable, ensure that
5 small business concerns are represented with respect
6 to details authorized by this section;

7 (2) may, notwithstanding any other provision of
8 law, establish criteria for elements of the intelligence
9 community to use appropriated funds to reimburse
10 small business concerns for the salaries and benefits
11 of its employees during the periods when the small
12 business concern agrees to detail its employees to
13 the intelligence community under this section;

14 (3) shall take into consideration the question of
15 how details under this section might best be used to
16 help meet the needs of the intelligence community,
17 including with respect to the training of employees;

18 (4) shall take into consideration areas of pri-
19 vate-sector expertise that are critical to the intel-
20 ligence community; and

21 (5) shall establish oversight mechanisms to de-
22 termine whether the public-private exchange author-
23 ized by this section improves the efficiency and effec-
24 tiveness of the intelligence community.

25 (j) DEFINITIONS.—In this section:

1 (1) **DETAIL.**—The term “detail” means, as ap-
2 propriate in the context in which such term is
3 used—

4 (A) the assignment or loan of an employee
5 of an element of the intelligence community to
6 a private-sector organization without a change
7 of position from the intelligence community ele-
8 ment that employs the individual; or

9 (B) the assignment or loan of an employee
10 of a private-sector organization to an element of
11 the intelligence community without a change of
12 position from the private-sector organization
13 that employs the individual.

14 (2) **PRIVATE-SECTOR ORGANIZATION.**—The
15 term “private-sector organization” means—

16 (A) a for-profit organization; or

17 (B) a not-for-profit organization.

18 (3) **SMALL BUSINESS CONCERN.**—The term
19 “small business concern” has the meaning given
20 such term in section 3703(e)(2) of title 5, United
21 States Code.

22 **SEC. 307. ASSESSMENT OF CONTRACTING PRACTICES TO**
23 **IDENTIFY CERTAIN SECURITY AND COUNTER-**
24 **INTELLIGENCE CONCERNS.**

25 (a) **ASSESSMENT.**—

1 (1) CONTRACTING PRACTICES.—The Director of
2 National Intelligence shall conduct an assessment of
3 the authorities, policies, processes, and standards
4 used by the elements of the intelligence community
5 to ensure that the elements appropriately weigh se-
6 curity and counterintelligence risks in awarding a
7 contract to a contractor that—

8 (A) carries out any joint research and de-
9 velopment activities with a covered foreign
10 country; or

11 (B) performs any contract or other agree-
12 ment entered into with a covered foreign coun-
13 try.

14 (2) ELEMENTS.—The assessment under para-
15 graph (1) shall include the following:

16 (A) An assessment of whether the authori-
17 ties, policies, processes, and standards specified
18 in paragraph (1) sufficiently identify security
19 and counterintelligence concerns.

20 (B) Identification of any authority gaps in
21 such authorities, policies, processes, and stand-
22 ards that prevent the intelligence community
23 from considering the activities specified in sub-
24 paragraphs (A) and (B) of paragraph (1) when
25 evaluating offers for a contract.

1 (3) CONSULTATION.—In carrying out para-
2 graph (1), the Director shall consult with each head
3 of an element of the intelligence community.

4 (b) REPORT.—

5 (1) REQUIREMENT.—Not later than 180 days
6 after the date of the enactment of this Act, the Di-
7 rector shall submit to the congressional intelligence
8 committees a report on the assessment under sub-
9 section (a)(1).

10 (2) MATTERS INCLUDED.—The report under
11 paragraph (1) shall include the following:

12 (A) The assessment under subsection
13 (a)(1).

14 (B) An identification of any known con-
15 tractors that have—

16 (i) carried out activities specified in
17 subparagraphs (A) and (B) of subsection
18 (a)(1); and

19 (ii) submitted an offer for a contract
20 with an element of the intelligence commu-
21 nity.

22 (C) A description of the steps that the Di-
23 rector and the heads of the elements of the in-
24 telligence community took to identify contrac-
25 tors under subparagraph (B).

1 (3) FORM.—The report under paragraph (1)
2 shall be submitted in unclassified form, but may in-
3 clude a classified annex.

4 (c) COVERED FOREIGN COUNTRY DEFINED.—In this
5 section, the term “covered foreign country” means the
6 government, or any entity affiliated with the military or
7 intelligence services of, the following foreign countries:

8 (1) The People’s Republic of China.

9 (2) The Russian Federation.

10 (3) The Democratic People’s Republic of Korea.

11 (4) The Islamic Republic of Iran.

12 **SEC. 308. REQUIRED COUNTERINTELLIGENCE BRIEFINGS**
13 **AND NOTIFICATIONS.**

14 (a) FOREIGN COUNTERINTELLIGENCE AND CYBER-
15 SECURITY THREATS TO FEDERAL ELECTION CAM-
16 PAIGNS.—

17 (1) REPORTS REQUIRED.—

18 (A) IN GENERAL.—As provided in sub-
19 paragraph (B), for each Federal election, the
20 Director of National Intelligence, in coordina-
21 tion with the Under Secretary of Homeland Se-
22 curity for Intelligence and Analysis and the Di-
23 rector of the Federal Bureau of Investigation,
24 shall make publicly available on an Internet
25 website an advisory report on foreign counter-

1 intelligence and cybersecurity threats to election
2 campaigns for Federal offices. Each such report
3 shall include, consistent with the protection of
4 sources and methods, each of the following:

5 (i) A description of foreign counter-
6 intelligence and cybersecurity threats to
7 election campaigns for Federal offices.

8 (ii) A summary of best practices that
9 election campaigns for Federal offices can
10 employ in seeking to counter such threats.

11 (iii) An identification of any publicly
12 available resources, including United
13 States Government resources, for coun-
14 tering such threats.

15 (B) SCHEDULE FOR SUBMITTAL.—A re-
16 port under this subsection shall be made avail-
17 able as follows:

18 (i) In the case of a report regarding
19 an election held for the office of Senator or
20 Member of the House of Representatives
21 during 2018, not later than the date that
22 is 60 days after the date of the enactment
23 of this Act.

24 (ii) In the case of a report regarding
25 an election for a Federal office during any

1 subsequent year, not later than the date
2 that is 1 year before the date of the elec-
3 tion.

4 (C) INFORMATION TO BE INCLUDED.—A
5 report under this subsection shall reflect the
6 most current information available to the Direc-
7 tor of National Intelligence regarding foreign
8 counterintelligence and cybersecurity threats.

9 (2) TREATMENT OF CAMPAIGNS SUBJECT TO
10 HEIGHTENED THREATS.—If the Director of the Fed-
11 eral Bureau of Investigation and the Under Sec-
12 retary of Homeland Security for Intelligence and
13 Analysis jointly determine that an election campaign
14 for Federal office is subject to a heightened foreign
15 counterintelligence or cybersecurity threat, the Di-
16 rector and the Under Secretary, consistent with the
17 protection of sources and methods, may make avail-
18 able additional information to the appropriate rep-
19 resentatives of such campaign.

20 (b) BRIEFINGS ON COUNTERINTELLIGENCE ACTIVI-
21 TIES OF THE FEDERAL BUREAU OF INVESTIGATION.—

22 (1) IN GENERAL.—Title V of the National Se-
23 curity Act of 1947 (50 U.S.C. 3091 et seq.), as
24 amended by section 304, is further amended by add-
25 ing at the end the following new section:

1 **“SEC. 513. BRIEFINGS AND NOTIFICATIONS ON COUNTER-**
2 **INTELLIGENCE ACTIVITIES OF THE FEDERAL**
3 **BUREAU OF INVESTIGATION.**

4 “(a) QUARTERLY BRIEFINGS.—In addition to, and
5 without any derogation of, the requirement under section
6 501 to keep the congressional intelligence committees fully
7 and currently informed of the intelligence and counter-
8 intelligence activities of the United States, not less fre-
9 quently than once each quarter, the Director of the Fed-
10 eral Bureau of Investigation shall provide to the congres-
11 sional intelligence committees a briefing on the counter-
12 intelligence activities of the Federal Bureau of Investiga-
13 tion. Such briefings shall include, at a minimum, an over-
14 view and update of—

15 “(1) the counterintelligence posture of the Bu-
16 reau;

17 “(2) counterintelligence investigations; and

18 “(3) any other information relating to the coun-
19 terintelligence activities of the Bureau that the Di-
20 rector determines necessary.

21 “(b) NOTIFICATIONS.—In addition to the quarterly
22 briefings under subsection (a), the Director of the Federal
23 Bureau of Investigation shall promptly notify the congres-
24 sional intelligence committees of any counterintelligence
25 investigation carried out by the Bureau with respect to

1 any counterintelligence risk or threat that is related to an
2 election or campaign for Federal office.

3 “(c) GUIDELINES.—

4 “(1) DEVELOPMENT AND CONSULTATION.—The
5 Director shall develop guidelines governing the scope
6 of the briefings provided under subsection (a), the
7 notifications provided under subsection (b), and the
8 information required by section 308(a)(2) of the
9 Damon Paul Nelson and Matthew Young Pollard In-
10 telligence Authorization Act for Fiscal Years 2018,
11 2019, and 2020. The Director shall consult the con-
12 gressional intelligence committees during such devel-
13 opment.

14 “(2) SUBMISSION.—The Director shall submit
15 to the congressional intelligence committees—

16 “(A) the guidelines under paragraph (1)
17 upon issuance; and

18 “(B) any updates to such guidelines by not
19 later than 15 days after making such update.”.

20 (2) CLERICAL AMENDMENT.—The table of con-
21 tents at the beginning of such Act, as amended by
22 section 304, is further amended by inserting after
23 the item relating to section 512 the following new
24 item:

“Sec. 513. Briefings and notifications on counterintelligence activities of the
Federal Bureau of Investigation.”.

1 **TITLE IV—MATTERS RELATING**
2 **TO ELEMENTS OF THE INTEL-**
3 **LIGENCE COMMUNITY**

4 **SEC. 401. ESTABLISHMENT OF CLIMATE SECURITY ADVI-**
5 **SORY COUNCIL.**

6 (a) ESTABLISHMENT.—Title I of the National Secu-
7 rity Act of 1947 (50 U.S.C. 3021 et seq.) is amended by
8 adding at the end the following new section:

9 **“SEC. 120. CLIMATE SECURITY ADVISORY COUNCIL.**

10 “(a) ESTABLISHMENT.—The Director of National In-
11 telligence shall establish a Climate Security Advisory
12 Council for the purpose of—

13 “(1) assisting intelligence analysts of various
14 elements of the intelligence community with respect
15 to analysis of climate security and its impact on the
16 areas of focus of such analysts;

17 “(2) facilitating coordination between the ele-
18 ments of the intelligence community and elements of
19 the Federal Government that are not elements of the
20 intelligence community in collecting data on, and
21 conducting analysis of, climate change and climate
22 security; and

23 “(3) ensuring that the intelligence community is
24 adequately prioritizing climate change in carrying
25 out its activities.

1 “(b) COMPOSITION OF COUNCIL.—

2 “(1) MEMBERS.—The Council shall be com-
3 posed of the following individuals appointed by the
4 Director of National Intelligence:

5 “(A) An appropriate official from the Na-
6 tional Intelligence Council, who shall chair the
7 Council.

8 “(B) The lead official with respect to cli-
9 mate and environmental security analysis
10 from—

11 “(i) the Central Intelligence Agency;

12 “(ii) the Bureau of Intelligence and
13 Research of the Department of State;

14 “(iii) the National Geospatial-Intel-
15 ligence Agency;

16 “(iv) the Office of Intelligence and
17 Counterintelligence of the Department of
18 Energy;

19 “(v) the Office of the Under Secretary
20 of Defense for Intelligence; and

21 “(vi) the Defense Intelligence Agency.

22 “(C) Three appropriate officials from ele-
23 ments of the Federal Government that are not
24 elements of the intelligence community that are
25 responsible for—

1 “(i) providing decision-makers with a
2 predictive understanding of the climate;

3 “(ii) making observations of our
4 Earth system that can be used by the pub-
5 lic, policymakers, and to support strategic
6 decisions; or

7 “(iii) coordinating Federal research
8 and investments in understanding the
9 forces shaping the global environment,
10 both human and natural, and their impacts
11 on society.

12 “(D) Any other officials as the Director of
13 National Intelligence or the chair of the Council
14 may determine appropriate.

15 “(2) RESPONSIBILITIES OF CHAIR.—The chair
16 of the Council shall have responsibility for—

17 “(A) identifying agencies to supply individ-
18 uals from elements of the Federal Government
19 that are not elements of the intelligence com-
20 munity;

21 “(B) securing the permission of the rel-
22 evant agency heads for the participation of such
23 individuals on the Council; and

24 “(C) any other duties that the Director of
25 National Intelligence may direct.

1 “(c) DUTIES AND RESPONSIBILITIES OF COUNCIL.—

2 The Council shall carry out the following duties and re-
3 sponsibilities:

4 “(1) To meet at least quarterly to—

5 “(A) exchange appropriate data between
6 elements of the intelligence community and ele-
7 ments of the Federal Government that are not
8 elements of the intelligence community;

9 “(B) discuss processes for the routine ex-
10 change of such data and implementation of
11 such processes; and

12 “(C) prepare summaries of the business
13 conducted at each meeting.

14 “(2) To assess and determine best practices
15 with respect to the analysis of climate security, in-
16 cluding identifying publicly available information
17 and intelligence acquired through clandestine means
18 that enables such analysis.

19 “(3) To assess and identify best practices with
20 respect to prior efforts of the intelligence community
21 to analyze climate security.

22 “(4) To assess and describe best practices for
23 identifying and disseminating climate security indi-
24 cators and warnings;

1 “(5) To recommend methods of incorporating
2 analysis of climate security and the best practices
3 identified under paragraphs (2) through (4) into ex-
4 isting analytic training programs.

5 “(6) To consult, as appropriate, with other ele-
6 ments of the intelligence community that conduct
7 analysis of climate change or climate security and
8 elements of the Federal Government that are not
9 elements of the intelligence community that conduct
10 analysis of climate change or climate security, for
11 the purpose of sharing information about ongoing ef-
12 forts and avoiding duplication of existing efforts.

13 “(7) To work with elements of the intelligence
14 community that conduct analysis of climate change
15 or climate security and elements of the Federal Gov-
16 ernment that are not elements of the intelligence
17 community that conduct analysis of climate change
18 or climate security—

19 “(A) to exchange appropriate data between
20 such elements, establish processes, procedures
21 and practices for the routine exchange of such
22 data, discuss the implementation of such proc-
23 esses; and

24 “(B) to enable and facilitate the sharing of
25 findings and analysis between such elements.

1 “(8) To assess whether the elements of the in-
2 telligence community that conduct analysis of cli-
3 mate change or climate security may inform the re-
4 search direction of academic work and the sponsored
5 work of the United States Government.

6 “(9) At the discretion of the chair of the Coun-
7 cil, to convene conferences of analysts and non-intel-
8 ligence community personnel working on climate
9 change or climate security on subjects that the chair
10 shall direct.

11 “(d) SUNSET.—The Council shall terminate on the
12 date that is 4 years after the date of the enactment of
13 this section.

14 “(e) DEFINITIONS.—In this section:

15 “(1) CLIMATE SECURITY.—The term ‘climate
16 security’ means the effects of climate change on the
17 following:

18 “(A) The national security of the United
19 States, including national security infrastruc-
20 ture.

21 “(B) Subnational, national, and regional
22 political stability.

23 “(C) The security of allies and partners of
24 the United States.

1 “(D) Ongoing or potential political vio-
2 lence, including unrest, rioting, guerrilla war-
3 fare, insurgency, terrorism, rebellion, revolution,
4 civil war, and interstate war.

5 “(2) CLIMATE INTELLIGENCE INDICATIONS AND
6 WARNINGS.—The term ‘climate intelligence indica-
7 tions and warnings’ means developments relating to
8 climate security with the potential to—

9 “(A) imminently and substantially alter
10 the political stability or degree of human secu-
11 rity in a country or region; or

12 “(B) imminently and substantially threat-
13 en—

14 “(i) the national security of the
15 United States;

16 “(ii) the military, political, or eco-
17 nomic interests of allies and partners of
18 the United States; or

19 “(iii) citizens of the United States
20 abroad.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in the first section of the National Security Act of 1947
23 is amended by inserting after the item relating to section
24 119B the following new item:

“Sec. 120. Climate Security Advisory Council.”.

1 (c) INITIAL APPOINTMENTS.—Not later than 90 days
2 after the date of the enactment of this Act, the Director
3 of National Intelligence shall appoint the members of the
4 Council under section 120 of the National Security Act
5 of 1947, as added by subsection (a).

6 **SEC. 402. TRANSFER OF NATIONAL INTELLIGENCE UNIVER-**
7 **SITY TO THE OFFICE OF THE DIRECTOR OF**
8 **NATIONAL INTELLIGENCE.**

9 (a) TRANSFER.—Not later than 90 days after the
10 date of the enactment of this Act, the Director of the De-
11 fense Intelligence Agency shall transfer to the Director of
12 National Intelligence the National Intelligence University,
13 including the functions, personnel, assets, and liabilities
14 of the University.

15 (b) DEGREE-GRANTING AUTHORITY.—

16 (1) REGULATIONS.—Under regulations pre-
17 scribed by the Director of National Intelligence, the
18 President of the National Intelligence University
19 may, upon the recommendation of the faculty of the
20 University, confer appropriate degrees upon grad-
21 uates who meet the degree requirements.

22 (2) LIMITATION.—A degree may not be con-
23 ferred under this section unless—

24 (A) the appropriate head of a Department
25 of the Federal Government has recommended

1 approval of the degree in accordance with any
2 Federal policy applicable to the granting of aca-
3 demic degrees by departments and agencies of
4 the Federal Government; and

5 (B) the University is accredited by the ap-
6 propriate civilian academic accrediting agency
7 or organization to award the degree, as deter-
8 mined by such appropriate head of a Depart-
9 ment.

10 (c) CONGRESSIONAL NOTIFICATION REQUIRE-
11 MENTS.—

12 (1) NOTIFICATION.—When seeking to establish
13 degree-granting authority under this section, the Di-
14 rector shall submit to the congressional intelligence
15 committees—

16 (A) a copy of the self-assessment question-
17 naire required by the Federal policy specified in
18 subsection (b)(2)(A); and

19 (B) any subsequent recommendations and
20 rationale of the appropriate head of a Depart-
21 ment specified in such subsection regarding es-
22 tablishing such degree-granting authority.

23 (2) MODIFICATION.—Upon any modification or
24 redesignation of existing degree-granting authority,
25 the Director shall submit to the congressional intel-

1 ligence committees a report containing the rationale
2 for the proposed modification or redesignation and
3 any subsequent recommendation described in para-
4 graph (1)(B) with respect to the proposed modifica-
5 tion or redesignation.

6 (3) ACTIONS ON NONACCREDITATION.—The Di-
7 rector shall submit to the congressional intelligence
8 committees a report containing an explanation of
9 any action by the appropriate academic accrediting
10 agency or organization not to accredit the University
11 to award any new or existing degree.

12 (d) CONFORMING REPEAL.—Effective 90 days after
13 the date of the enactment of this Act, section 2161 of title
14 10, United States Code, is repealed, and the table of sec-
15 tions at the beginning of chapter 108 of such title is
16 amended by striking the item relating to such section
17 2161.

18 **TITLE V—MATTERS RELATING** 19 **TO FOREIGN COUNTRIES**

20 **SEC. 501. ANNUAL REPORTS ON INFLUENCE OPERATIONS** 21 **AND CAMPAIGNS IN THE UNITED STATES BY** 22 **THE COMMUNIST PARTY OF CHINA.**

23 (a) REPORTS.—Title XI of the National Security Act
24 of 1947 (50 U.S.C. 3231 et seq.), as amended by section

1 2718, is further amended by adding at the end the fol-
2 lowing new section:

3 **“SEC. 1106. ANNUAL REPORTS ON INFLUENCE OPERATIONS**
4 **AND CAMPAIGNS IN THE UNITED STATES BY**
5 **THE COMMUNIST PARTY OF CHINA.**

6 “(a) REQUIREMENT.—On an annual basis, the Direc-
7 tor of the National Counterintelligence and Security Cen-
8 ter shall submit to the congressional intelligence commit-
9 tees a report on the influence operations and campaigns
10 in the United States conducted by the Communist Party
11 of China.

12 “(b) CONTENTS.—Each report under subsection (a)
13 shall include the following:

14 “(1) A description of the organization of the
15 United Front Work Department of the People’s Re-
16 public of China, or the successors of the United
17 Front Work Department, and the links between the
18 United Front Work Department and the Central
19 Committee of the Communist Party of China.

20 “(2) An assessment of the degree to which or-
21 ganizations that are associated with or receive fund-
22 ing from the United Front Work Department, par-
23 ticularly such entities operating in the United
24 States, are formally tasked by the Chinese Com-
25 munist Party or the Government of China.

1 “(3) A description of the efforts by the United
2 Front Work Department and subsidiary organiza-
3 tions of the United Front Work Department to tar-
4 get, coerce, and influence foreign populations, par-
5 ticularly those of ethnic Chinese descent.

6 “(4) An assessment of attempts by the Chinese
7 Embassy, consulates, and organizations affiliated
8 with the Chinese Communist Party (including, at a
9 minimum, the United Front Work Department) to
10 influence the United States-based Chinese Student
11 Scholar Associations.

12 “(5) A description of the evolution of the role
13 of the United Front Work Department under the
14 leadership of the President of China.

15 “(6) An assessment of the activities of the
16 United Front Work Department designed to influ-
17 ence the opinions of elected leaders of the United
18 States, or candidates for elections in the United
19 States, with respect to issues of importance to the
20 Chinese Communist Party.

21 “(7) A listing of all known organizations affili-
22 ated with the United Front Work Department that
23 are operating in the United States as of the date of
24 the report.

1 “(8) With respect to reports submitted after the
2 first report, an assessment of the change in goals,
3 tactics, techniques, and procedures of the influence
4 operations and campaigns conducted by the Chinese
5 Communist Party.

6 “(c) COORDINATION.—In carrying out subsection (a),
7 the Director shall coordinate with the Director of the Fed-
8 eral Bureau of Investigation, the Director of the Central
9 Intelligence Agency, the Director of the National Security
10 Agency, and any other relevant head of an element of the
11 intelligence community.

12 “(d) FORM.—Each report submitted under sub-
13 section (a) shall be submitted in unclassified form, but
14 may include a classified annex.”.

15 (b) CLERICAL AMENDMENT.—The table of contents
16 in the first section of the National Security Act of 1947,
17 as amended by section 2718, is further amended by insert-
18 ing after the item relating to section 1105 the following
19 new item:

 “Sec. 1106. Annual reports on influence operations and campaigns in the
 United States by the Communist Party of China.”.

20 (c) INITIAL REPORT.—The Director of the National
21 Counterintelligence and Security Center shall submit to
22 the congressional intelligence committees the first report
23 under section 1106 of the National Security Act of 1947,

1 as added by subsection (a), by not later than 180 days
2 after the date of the enactment of this Act.

3 **SEC. 502. REPORT ON REPRESSION OF ETHNIC MUSLIM MI-**
4 **NORITIES IN THE XINJIANG REGION OF THE**
5 **PEOPLE'S REPUBLIC OF CHINA.**

6 (a) REPORT.—Not later than 150 days after the date
7 of the enactment of this Act, the Director of National In-
8 telligence shall submit to the congressional intelligence
9 committees a report on activity by the People's Republic
10 of China to repress ethnic Muslim minorities in the
11 Xinjiang region of China.

12 (b) CONTENTS.—The report under subsection (a)
13 shall include the following:

14 (1) An assessment of the number of individuals
15 detained in “political reeducation camps”, and the
16 conditions in such camps for detainees, in the
17 Xinjiang region of China, including whether detain-
18 ees endure torture, forced renunciation of faith, or
19 other mistreatment.

20 (2) A description, as possible, of the geographic
21 location of such camps.

22 (3) A description, as possible, of the methods
23 used by China to “reeducate” detainees and the ele-
24 ments of China responsible for such “reeducation”.

1 (4) A description of any forced labor in such
2 camps, and any labor performed in regional factories
3 for low wages under the threat of being sent back
4 to “political reeducation camps”.

5 (5) An assessment of the level of access China
6 grants to foreign persons observing the situation in
7 Xinjiang and a description of measures used to im-
8 pede efforts to monitor the conditions in Xinjiang.

9 (6) An assessment of the surveillance, detection,
10 and control methods used by China to target ethnic
11 minorities, including new “high-tech” policing mod-
12 els and a description of any civil liberties or privacy
13 protections provided under such models.

14 (c) COORDINATION.—The Director of National Intel-
15 ligence shall carry out subsection (a) in coordination with
16 the Director of the Central Intelligence Agency, the Direc-
17 tor of the National Security Agency, the Director of the
18 National Geospatial-Intelligence Agency, and the head of
19 any other agency of the Federal Government that the Di-
20 rector of National Intelligence determines appropriate.

21 (d) FORM.—The report submitted under subsection
22 (a) shall be submitted in unclassified form, but may in-
23 clude a classified annex.

1 **SEC. 503. REPORT ON EFFORTS BY PEOPLE'S REPUBLIC OF**
2 **CHINA TO INFLUENCE ELECTION IN TAIWAN.**

3 (a) REPORT.—Consistent with section 3(c) of the
4 Taiwan Relations Act (Public Law 96–8; 22 U.S.C.
5 3302(c)), not later than 45 days after the date of the elec-
6 tion for the President and Vice President of Taiwan in
7 2020, the Director of National Intelligence shall submit
8 to the congressional intelligence committees a report on
9 any—

10 (1) influence operations conducted by China to
11 interfere in or undermine such election; and

12 (2) efforts by the United States to disrupt such
13 operations.

14 (b) ELEMENTS.—The report under subsection (a)
15 shall include the following:

16 (1) A description of any significant efforts by
17 the intelligence community to coordinate technical
18 and material support for Taiwan to identify, disrupt,
19 and combat influence operations specified in sub-
20 section (a)(1).

21 (2) A description of any efforts by the United
22 States Government to build the capacity of Taiwan
23 to disrupt external efforts that degrade a free and
24 fair election process.

25 (3) An assessment of whether and to what ex-
26 tent China conducted influence operations specified

1 in subsection (a)(1), and, if such operations oc-
2 curred—

3 (A) a comprehensive list of specific govern-
4 mental and nongovernmental entities of China
5 that were involved in supporting such oper-
6 ations and a description of the role of each such
7 entity; and

8 (B) an identification of any tactics, tech-
9 niques, and procedures used in such operations.

10 (c) FORM.—The report under subsection (a) shall be
11 submitted in unclassified form, but may include a classi-
12 fied annex.

13 **SEC. 504. ASSESSMENT OF LEGITIMATE AND ILLEGITIMATE**
14 **FINANCIAL AND OTHER ASSETS OF VLADIMIR**
15 **PUTIN.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the United States should do more to expose the
18 corruption of Vladimir Putin, whose ill-gotten wealth is
19 perhaps the most powerful global symbol of his dishonesty
20 and his persistent efforts to undermine the rule of law and
21 democracy in the Russian Federation.

22 (b) ASSESSMENT.—Not later than 180 days after the
23 date of the enactment of this Act, the Director of National
24 Intelligence shall submit to the appropriate congressional
25 committees an assessment, based on all sources of intel-

1 lidence, on the net worth and financial and other assets,
2 legitimate as well as illegitimate, of Russian President
3 Vladimir Putin and his family members, including—

4 (1) the estimated net worth of Vladimir Putin
5 and his family members;

6 (2) a description of their legitimately and ille-
7 gitimately obtained assets, including all real, per-
8 sonal, and intellectual property, bank or investment
9 or similar accounts, and any other financial or busi-
10 ness interests or holdings, including those outside of
11 Russia;

12 (3) the details of the legitimately and illegit-
13 imately obtained assets, including real, personal, and
14 intellectual property, bank or investment or similar
15 accounts, and any other financial or business inter-
16 ests or holdings, including those outside of Russia,
17 that are owned or controlled by, accessible to, or
18 otherwise maintained for the benefit of Vladimir
19 Putin, including their nature, location, manner of
20 acquisition, value, and publicly named owner (if
21 other than Vladimir Putin);

22 (4) the methods used by Vladimir Putin or oth-
23 ers acting at his direction, with his knowledge, or for
24 his benefit, to conceal Putin's interest in his ac-
25 counts, holdings, or other assets, including the es-

1 tablishment of “front” or shell companies and the
2 use of intermediaries; and

3 (5) an identification of the most significant sen-
4 ior Russian political figures, oligarchs, and any other
5 persons who have engaged in activity intended to
6 conceal the true financial condition of Vladimir
7 Putin.

8 (c) FORM.—The assessment required under sub-
9 section (b) shall be submitted either—

10 (1) in unclassified form to the extent consistent
11 with the protection of intelligence sources and meth-
12 ods, and may include a classified annex; or

13 (2) simultaneously as both an unclassified
14 version and a classified version.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means—

18 (1) the Select Committee on Intelligence, the
19 Committee on Foreign Relations, the Committee on
20 Banking, Housing, and Urban Affairs, and the Com-
21 mittee on Finance of the Senate; and

22 (2) the Permanent Select Committee on Intel-
23 ligence, Committee on Foreign Affairs, the Com-
24 mittee on Financial Services, and the Committee on
25 Ways and Means of the House of Representatives.

1 **SEC. 505. ASSESSMENTS OF INTENTIONS OF POLITICAL**
2 **LEADERSHIP OF THE RUSSIAN FEDERATION.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Director of National
5 Intelligence, and the head of any element of the intel-
6 ligence community that the Director determines appro-
7 priate, shall submit to the appropriate congressional com-
8 mittees each of the assessments described in subsection
9 (b).

10 (b) ASSESSMENTS DESCRIBED.—The assessments
11 described in this subsection are assessments based on in-
12 telligence obtained from all sources that assess the current
13 intentions of the political leadership of the Russian Fed-
14 eration with respect to the following:

15 (1) Potential military action against members
16 of the North Atlantic Treaty Organization (NATO).

17 (2) Potential responses to an enlarged United
18 States or NATO military presence in eastern Europe
19 or to increased United States military support for
20 allies and partners in the region, such as the provi-
21 sion of additional lethal military equipment to
22 Ukraine or Georgia.

23 (3) Potential actions taken for the purpose of
24 exploiting perceived divisions among the govern-
25 ments of Russia's Western adversaries.

1 (c) FORM.—Each assessment required under sub-
2 section (a) may be submitted in classified form but shall
3 also include an unclassified executive summary, consistent
4 with the protection of intelligence sources and methods.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
6 In this section, the term “appropriate congressional com-
7 mittees” means—

8 (1) the Permanent Select Committee on Intel-
9 ligence, the Committee on Foreign Affairs, and the
10 Committee on Armed Services of the House of Rep-
11 resentatives; and

12 (2) the Select Committee on Intelligence, the
13 Committee on Foreign Relations, and the Committee
14 on Armed Services of the Senate.

15 **SEC. 506. REPORT ON DEATH OF JAMAL KHASHOGGI.**

16 (a) IN GENERAL.—Not later than 30 days after the
17 date of the enactment of this Act, the Director of National
18 Intelligence shall submit to the congressional intelligence
19 committees a report on the death of Jamal Khashoggi.
20 Such report shall include identification of those who car-
21 ried out, participated in, ordered, or were otherwise
22 complicit in or responsible for the death of Jamal
23 Khashoggi, to the extent consistent with the protection of
24 sources and methods.

1 (b) FORM.—The report submitted under subsection
2 (a) shall be submitted in unclassified form.

3 **TITLE VI—FEDERAL EFFORTS**
4 **AGAINST DOMESTIC TERRORISM**

5 **SEC. 601. DEFINITIONS.**

6 In this title:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Permanent Select Committee on
11 Intelligence, the Committee on Homeland Secu-
12 rity, and the Committee on the Judiciary of the
13 House of Representatives; and

14 (B) the Select Committee on Intelligence,
15 the Committee on Homeland Security and Gov-
16 ernmental Affairs, and the Committee on the
17 Judiciary of the Senate.

18 (2) DOMESTIC TERRORISM.—The term “domes-
19 tic terrorism” has the meaning given that term in
20 section 2331 of title 18, United States Code.

21 (3) HATE CRIME.—The term “hate crime”
22 means a criminal offense under—

23 (A) sections 241, 245, 247, and 249 of
24 title 18, United States Code; and

1 (B) section 3631 of title 42, United States
2 Code.

3 (4) INTERNATIONAL TERRORISM.—The term
4 “international terrorism” has the meaning given
5 that term in section 2331 of title 18, United States
6 Code.

7 (5) TERMS IN ATTORNEY GENERAL’S GUIDE-
8 LINES FOR DOMESTIC FBI OPERATIONS.—The terms
9 “assessments”, “full investigations”, “enterprise in-
10 vestigations”, “predicated investigations”, and “pre-
11 liminary investigations” have the meanings given
12 those terms in the most recent, approved version of
13 the Attorney General’s Guidelines for Domestic FBI
14 Operations (or successor).

15 (6) TERMS IN FBI BUDGET MATERIALS.—The
16 terms “Consolidated Strategy Guide”, “Field Office
17 Strategic Plan”, “Integrated Program Management
18 Process”, and “Threat Review and Prioritization”
19 have the meanings given those terms in the mate-
20 rials submitted to Congress by the Attorney General
21 in support of the Federal Bureau of Investigation
22 budget for fiscal year 2020.

23 (7) TERRORISM.—The term “terrorism” in-
24 cludes domestic terrorism and international ter-
25 rorism.

1 (8) **TERRORISM INFORMATION.**—The term “ter-
2 rorism information” has the meaning given that
3 term in section 1016(a) of the Intelligence Reform
4 and Terrorism Prevention Act of 2004 (6 U.S.C.
5 485).

6 (9) **TIME UTILIZATION AND RECORDKEEPING**
7 **DATA.**—The term “time utilization and record-
8 keeping data” means data collected on resource utili-
9 zation and workload activity of personnel of the Fed-
10 eral Bureau of Investigation in accordance with Fed-
11 eral law.

12 **SEC. 602. ANNUAL STRATEGIC INTELLIGENCE ASSESSMENT**
13 **OF AND COMPREHENSIVE REPORT ON DO-**
14 **MESTIC TERRORISM.**

15 (a) **REPORT REQUIRED.**—

16 (1) **IN GENERAL.**—Not later than 180 days
17 after the date of the enactment of this Act, and an-
18 nually thereafter through 2025, the Director of Na-
19 tional Intelligence, the Director of the Federal Bu-
20 reau of Investigation, and the Under Secretary of
21 Homeland Security for Intelligence and Analysis
22 shall jointly submit to the appropriate congressional
23 committees a report on domestic terrorism con-
24 taining the following:

1 (A) Strategic intelligence assessment under
2 subsection (b).

3 (B) Discussion of activities under sub-
4 section (c).

5 (C) Data on domestic terrorism under sub-
6 section (d).

7 (2) RESPONSIBILITIES.—

8 (A) COORDINATION OF REPORTS AND IN-
9 TEGRATION OF INFORMATION.—The Director of
10 National Intelligence, acting through the Direc-
11 tor of the National Counterterrorism Center,
12 shall be the lead official for coordinating the
13 production of and integrating terrorism infor-
14 mation into—

15 (i) each report under paragraph (1);

16 and

17 (ii) each strategic intelligence assess-
18 ment under subsection (b).

19 (B) INFORMATION SHARING.—The Direc-
20 tor of the Federal Bureau of Investigation and
21 the Under Secretary of Homeland Security for
22 Intelligence and Analysis shall provide to the
23 Director of the National Counterterrorism Cen-
24 ter all appropriate information requested by the

1 Director of the National Counterterrorism Cen-
2 ter to carry out this section.

3 (b) STRATEGIC INTELLIGENCE ASSESSMENT.—The
4 Director of National Intelligence, the Director of the Fed-
5 eral Bureau of Investigation, and the Under Secretary of
6 Homeland Security for Intelligence and Analysis shall in-
7 clude—

8 (1) in the first report under subsection (a)(1),
9 a strategic intelligence assessment of domestic ter-
10 rorism in the United States during fiscal years
11 2017, 2018, and 2019; and

12 (2) in each subsequent report under such sub-
13 section, a strategic intelligence assessment of domes-
14 tic terrorism in the United States during the prior
15 fiscal year.

16 (c) DISCUSSION OF ACTIVITIES.—Each report under
17 subsection (a)(1) shall discuss and compare the following:

18 (1) The criteria for opening, managing, and
19 closing domestic and international terrorism inves-
20 tigation by the Federal Government.

21 (2) Standards and procedures for the Federal
22 Bureau of Investigation, the Office of Intelligence
23 and Analysis of the Department of Homeland Secu-
24 rity, and the National Counterterrorism Center, with
25 respect to the review, prioritization, and mitigation

1 of domestic and international terrorism threats in
2 the United States.

3 (3) The planning, development, production,
4 analysis, and evaluation by the United States Gov-
5 ernment of intelligence products relating to ter-
6 rorism, including both raw and finished intelligence.

7 (4) The sharing of information relating to do-
8 mestic and international terrorism by and between—

9 (A) the Federal Government;

10 (B) State, local, Tribal, territorial, and for-
11 eign governments;

12 (C) the appropriate congressional commit-
13 tees;

14 (D) non-governmental organizations; and

15 (E) the private sector.

16 (5) The criteria and methodology used by the
17 Federal Bureau of Investigation, the Office of Intel-
18 ligence and Analysis of the Department of Home-
19 land Security, and the National Counterterrorism
20 Center, to identify or assign terrorism classifications
21 to incidents of terrorism or investigations of ter-
22 rorism, including—

23 (A) a comparison of the criteria and meth-
24 odology used with respect to domestic terrorism
25 and international terrorism;

1 (B) the identification of any changes made
2 to investigative classifications; and

3 (C) a discussion of the rationale for any
4 changes identified under subparagraph (B).

5 (d) DATA ON DOMESTIC TERRORISM.—

6 (1) DATA REQUIRED.—The Director of Na-
7 tional Intelligence, the Director of the Federal Bu-
8 reau of Investigation, and the Under Secretary of
9 Homeland Security for Intelligence and Analysis
10 shall include in each report under subsection (a)(1)
11 the following data:

12 (A) For each completed or attempted inci-
13 dent of domestic terrorism that has occurred in
14 the United States during the applicable pe-
15 riod—

16 (i) a description of such incident;

17 (ii) the number and type of completed
18 and attempted Federal non-violent crimes
19 committed during such incident;

20 (iii) the number and type of completed
21 and attempted Federal and State property
22 crimes committed during such incident, in-
23 cluding an estimate of economic damages
24 resulting from such crimes; and

1 (iv) the number and type of completed
2 and attempted Federal violent crimes com-
3 mitted during such incident, including the
4 number of people injured or killed as a re-
5 sult of such crimes.

6 (B) For the applicable period—

7 (i) an identification of each assess-
8 ment, preliminary investigation, full inves-
9 tigation, and enterprise investigation with
10 a nexus to domestic terrorism opened,
11 pending, or closed by the Federal Bureau
12 of Investigation;

13 (ii) the number of assessments or in-
14 vestigations identified under clause (i) as-
15 sociated with each domestic terrorism in-
16 vestigative classification (including subcat-
17 egories);

18 (iii) the number and domestic ter-
19 rorism investigative classification (includ-
20 ing subcategories) with respect to such in-
21 vestigations initiated as a result of a refer-
22 ral or investigation by a State, local, Trib-
23 al, territorial, or foreign government of a
24 hate crime;

1 (iv) the number of Federal criminal
2 charges with a nexus to domestic ter-
3 rorism, including the number of indict-
4 ments and complaints associated with each
5 domestic terrorism investigative classifica-
6 tion (including subcategories), a summary
7 of the allegations contained in each such
8 indictment, the disposition of the prosecu-
9 tion, and, if applicable, the sentence im-
10 posed as a result of a conviction on such
11 charges;

12 (v) referrals of incidents of domestic
13 terrorism by State, local, Tribal, or terri-
14 torial governments to departments or agen-
15 cies of the Federal Government for inves-
16 tigation or prosecution, including the num-
17 ber of such referrals associated with each
18 domestic terrorism investigation classifica-
19 tion (including any subcategories), and a
20 summary of each such referral that in-
21 cludes the rationale for such referral and
22 the disposition of the applicable Federal in-
23 vestigation or prosecution;

1 (vi) intelligence products produced by
2 the intelligence community relating to do-
3 mestic terrorism, including—

4 (I) the number of such products
5 associated with each domestic ter-
6 rorism investigative classification (in-
7 cluding any subcategories); and

8 (II) with respect to the Federal
9 Bureau of Investigation, at a min-
10 imum, all relevant data available
11 through the Integrated Program Man-
12 agement Process;

13 (vii) with respect to the National
14 Counterterrorism Center, the number of
15 staff (expressed in terms of full-time
16 equivalents and positions) working on mat-
17 ters relating to domestic terrorism de-
18 scribed in clauses (i) through (vi); and

19 (viii) with respect to the Federal Bu-
20 reau of Investigation—

21 (I) the number of staff (ex-
22 pressed in terms of full-time equiva-
23 lents and positions) working on mat-
24 ters relating to domestic terrorism de-
25 scribed in clauses (i) through (vi); and

1 (II) a summary of time utiliza-
2 tion and recordkeeping data for per-
3 sonnel working on such matters, in-
4 cluding the number or percentage of
5 such personnel associated with each
6 domestic terrorism investigative classi-
7 fication (including any subcategories)
8 in the FBI Headquarters Operational
9 Divisions and Field Divisions.

10 (2) APPLICABLE PERIOD.—For purposes of this
11 subsection, the applicable period is the following:

12 (A) For the first report required under
13 subsection (a)(1)—

14 (i) with respect to the data described
15 in paragraph (1)(A) of this subsection, the
16 period on or after April 19, 1995; and

17 (ii) with respect to the data described
18 in paragraph (1)(B) of this subsection,
19 each of fiscal years 2017, 2018, and 2019.

20 (B) For each subsequent report required
21 under subsection (a)(1), the prior fiscal year.

22 (e) PROVISION OF OTHER DOCUMENTS AND MATE-
23 RIALS.—

24 (1) IN GENERAL.—Together with each report
25 under subsection (a)(1), the Director of National In-

1 intelligence, the Director of the Federal Bureau of In-
2 vestigation, and the Under Secretary of Homeland
3 Security for Intelligence and Analysis shall also sub-
4 mit to the appropriate congressional committees the
5 following documents and materials:

6 (A) With respect to the Federal Bureau of
7 Investigation, at a minimum, the most recent,
8 approved versions of—

9 (i) the Attorney General's Guidelines
10 for Domestic FBI Operations (or any suc-
11 cessor);

12 (ii) the FBI Domestic Investigations
13 and Operations Guide (or any successor);

14 (iii) the FBI Counterterrorism Policy
15 Guide (or any successor);

16 (iv) materials relating to terrorism
17 within the Threat Review and
18 Prioritization process for the headquarters
19 and field divisions of the Federal Bureau
20 of Investigation;

21 (v) the Consolidated Strategy Guide
22 (or any successor); and

23 (vi) the Field Office Strategic Plans
24 (or any successor).

1 (B) With respect to the intelligence com-
2 munity, each finished intelligence product de-
3 scribed in subsection (d)(1)(B)(vi).

4 (2) NONDUPLICATION.—If any documents or
5 materials required under paragraph (1) have been
6 previously submitted to the appropriate congres-
7 sional committees under such paragraph and have
8 not been modified since such submission, the Direc-
9 tor of National Intelligence, the Director of the Fed-
10 eral Bureau of Investigation, and the Under Sec-
11 retary of Homeland Security for Intelligence and
12 Analysis may provide a list of such documents or
13 materials in lieu of making the submission under
14 paragraph (1) for those documents or materials.

15 (f) FORMAT.—The information required under sub-
16 section (d) may be provided in a format that uses the
17 marking associated with the Central Records System (or
18 any successor system) of the Federal Bureau of Investiga-
19 tion.

20 (g) CLASSIFICATION AND PUBLIC RELEASE.—Each
21 report under subsection (a) shall be—

22 (1) unclassified, but may contain a classified
23 annex;

24 (2) with respect to the unclassified portion of
25 the report, made available on the public internet

1 website of the National Counterterrorism Center in
2 an electronic format that is fully indexed and search-
3 able; and

4 (3) with respect to a classified annex, submitted
5 to the appropriate congressional committees in an
6 electronic format that is fully indexed and search-
7 able.

8 **TITLE VII—REPORTS AND** 9 **OTHER MATTERS**

10 **SEC. 701. MODIFICATION OF REQUIREMENTS FOR SUBMIS-** 11 **SION TO CONGRESS OF CERTAIN REPORTS.**

12 (a) MODIFICATION OF REPORTS RELATING TO
13 GUANTANAMO BAY.—

14 (1) MODIFICATION.—Section 506I(b) of the
15 National Security Act of 1947 (50 U.S.C. 3105(b))
16 is amended by striking “once every 6 months” and
17 inserting “annually”.

18 (2) MODIFICATION.—Section 319(a) of the
19 Supplemental Appropriations Act, 2009 (10 U.S.C.
20 801 note) is amended by striking “every 90 days”
21 and inserting “annually”.

22 (3) REPEAL.—Section 601 of the Intelligence
23 Authorization Act for Fiscal Year 2017 (division N
24 of Public Law 115–31; 131 Stat. 827) is repealed.

1 (b) MODIFICATION TO REPORTS ON VIOLATIONS OF
2 LAW OR EXECUTIVE ORDER.—Section 511(a) of the Na-
3 tional Security Act of 1947 (50 U.S.C. 3110(a)) is amend-
4 ed—

5 (1) by striking “The Director of National Intel-
6 ligence” and inserting “The head of each element of
7 the intelligence community”; and

8 (2) by striking “an element” and inserting “the
9 element”.

10 (c) MODIFICATION TO REPORTS ON ANALYTIC IN-
11 TEGRITY.—Subsection (c) of section 1019 of the Intel-
12 ligence Reform and Terrorism Prevention Act of 2004 (50
13 U.S.C. 3364) is amended—

14 (1) in the heading, by striking “REPORTS” and
15 inserting “BRIEFINGS”; and

16 (2) by striking “submit to the congressional in-
17 telligence committees, the heads of the relevant ele-
18 ments of the intelligence community, and the heads
19 of analytic training departments a report con-
20 taining” and inserting “provide to the congressional
21 intelligence committees, the heads of the relevant
22 elements of the intelligence community, and the
23 heads of analytic training departments a briefing
24 with”.

1 (d) REPEAL OF REPORTS RELATING TO INTEL-
2 LIGENCE FUNCTIONS.—Section 506J of the National Se-
3 curity Act of 1947 (50 U.S.C. 3105a) is repealed and the
4 table of contents in the first section of such Act is amend-
5 ed by striking the item relating to section 506J.

6 (e) REPEAL OF REPORTS RELATING TO CUBA.—Sec-
7 tion 108 of the Cuban Liberty and Democratic Solidarity
8 (LIBERTAD) Act of 1996 (22 U.S.C. 6038) is repealed.

9 (f) REPEAL OF REPORTS RELATING TO ENTERTAIN-
10 MENT INDUSTRY.—Section 308 of the Intelligence Au-
11 thorization Act for Fiscal Year 2017 (50 U.S.C. 3332)
12 is amended by striking subsection (e).

13 **SEC. 702. INCREASED TRANSPARENCY REGARDING**
14 **COUNTERTERRORISM BUDGET OF THE**
15 **UNITED STATES.**

16 (a) FINDINGS.—Congress finds the following:

17 (1) Consistent with section 601(a) of the Imple-
18 menting Recommendations of the 9/11 Commission
19 Act of 2007 (50 U.S.C. 3306(a)), the recent practice
20 of the intelligence community has been to release to
21 the public—

22 (A) around the date on which the Presi-
23 dent submits to Congress a budget for a fiscal
24 year pursuant to section 1105 of title 31,
25 United States Code, the “top-line” amount of

1 total funding requested for the National Intel-
2 ligence Program for such fiscal year; and

3 (B) the amount of requested and appro-
4 priated funds for the National Intelligence Pro-
5 gram and Military Intelligence Program for cer-
6 tain prior fiscal years, consistent with the pro-
7 tection of intelligence sources and methods.

8 (2) The Directorate of Strategic Operational
9 Planning of the National Counterterrorism Center is
10 responsible for producing an annual National
11 Counterterrorism Budget report, which examines the
12 alignment of intelligence and other resources in the
13 applicable fiscal year budget with the counterter-
14 rorism goals and areas of focus in the National
15 Strategy for Counterterrorism.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) despite the difficulty of compiling and re-
19 leasing to the public comprehensive information on
20 the resource commitments of the United States to
21 counterterrorism activities and programs, including
22 with respect to such activities and programs of the
23 intelligence community, the United States Govern-
24 ment could take additional steps to enhance the un-
25 derstanding of the public with respect to such re-

1 source commitments, in a manner consistent with
2 the protection of intelligence sources and methods
3 and other national security interests; and

4 (2) the United States Government should re-
5 lease to the public as much information as possible
6 regarding the funding of counterterrorism activities
7 and programs, including activities and programs of
8 the intelligence community, in a manner consistent
9 with the protection of intelligence sources and meth-
10 ods and other national security interests.

11 (c) BRIEFING ON PUBLIC RELEASE OF INFORMA-
12 TION.—

13 (1) REQUIREMENT.—Not later than 90 days
14 after the date of the enactment of this Act, and not
15 later than 90 days after the beginning of each fiscal
16 year thereafter, the President shall ensure that the
17 congressional intelligence committees receive a brief-
18 ing from appropriate personnel of the United States
19 Government on the feasibility of releasing to the
20 public additional information relating to counterter-
21 rorism efforts of the intelligence community.

22 (2) ELEMENTS.—Each briefing required by
23 paragraph (1) shall include a discussion of the feasi-
24 bility of—

1 (A) subject to paragraph (3), releasing to
2 the public the National Counterterrorism Budg-
3 et report described in subsection (a)(2) for the
4 prior fiscal year; and

5 (B) declassifying other reports, documents,
6 or activities of the intelligence community relat-
7 ing to counterterrorism and releasing such in-
8 formation to the public in a manner consistent
9 with the protection of intelligence sources and
10 methods and other national security interests.

11 (3) RELEASE OF NATIONAL COUNTERTER-
12 RORISM BUDGET REPORT.—The President may sat-
13 isfy the requirement under paragraph (2)(A) during
14 a fiscal year by, not later than 90 days after the be-
15 ginning of the fiscal year, releasing to the public the
16 National Counterterrorism Budget report (with any
17 redactions the Director determines necessary to pro-
18 tect intelligence sources and methods and other na-
19 tional security interests) for the prior fiscal year.

20 **SEC. 703. TASK FORCE ON ILLICIT FINANCING OF ESPIO-**
21 **NAGE AND FOREIGN INFLUENCE OPER-**
22 **ATIONS.**

23 (a) ESTABLISHMENT.—Not later than 30 days after
24 the date of the enactment of this Act, the Director of Na-
25 tional Intelligence shall establish a task force to study and

1 assess the illicit financing of espionage and foreign influ-
2 ence operations directed at the United States.

3 (b) MEMBERSHIP.—The task force shall be composed
4 of the following individuals (or designees of the indi-
5 vidual):

6 (1) The Director of the Central Intelligence
7 Agency.

8 (2) The Director of the Federal Bureau of In-
9 vestigation.

10 (3) The Assistant Secretary of the Treasury for
11 Intelligence and Analysis.

12 (4) The Assistant Secretary of State for Intel-
13 ligence and Research.

14 (5) Such other heads of the elements of the in-
15 telligence community that the Director of National
16 Intelligence determines appropriate.

17 (c) CHAIRPERSON; MEETINGS.—

18 (1) CHAIRPERSON.—The Director of National
19 Intelligence shall appoint a senior official within the
20 Office of the Director of National Intelligence to
21 serve as the chairperson of the task force.

22 (2) MEETINGS.—The task force shall meet reg-
23 ularly but not less frequently than on a quarterly
24 basis.

25 (d) REPORTS.—

1 (1) INITIAL REPORT.—Not later than 180 days
2 after the date of the enactment of this Act, the task
3 force shall submit to the appropriate congressional
4 committees a report on the illicit financing of espio-
5 nage and foreign influence operations directed at the
6 United States. The report shall address the fol-
7 lowing:

8 (A) The extent of the collection by the in-
9 telligence community, from all sources (includ-
10 ing the governments of foreign countries), of in-
11 telligence and information relating to illicit fi-
12 nancing of espionage and foreign influence op-
13 erations directed at the United States, and any
14 gaps in such collection.

15 (B) Any specific legal, regulatory, policy,
16 or other prohibitions, or financial, human, tech-
17 nical, or other resource limitations or con-
18 straints, that have affected the ability of the
19 Director of National Intelligence or other heads
20 of relevant elements of the intelligence commu-
21 nity in collecting or analyzing intelligence or in-
22 formation relating to illicit financing of espio-
23 nage and foreign influence operations directed
24 at the United States.

1 (C) The methods, as of the date of the re-
2 port, by which hostile governments of foreign
3 countries or foreign organizations, and any
4 groups or persons acting on behalf of or with
5 the support of such governments or organiza-
6 tions, seek to disguise or obscure relationships
7 between such governments, organizations,
8 groups, or persons and United States persons,
9 for the purpose of conducting espionage or for-
10 eign influence operations directed at the United
11 States, including by exploiting financial laws,
12 systems, or instruments, of the United States.

13 (D) The existing practices of the intel-
14 ligence community for ensuring that intelligence
15 and information relating to the illicit financing
16 of espionage and foreign influence operations is
17 analyzed and shared with other elements of the
18 intelligence community, and any recommenda-
19 tions for improving such analysis and sharing.

20 (2) ANNUAL UPDATE.—Not later than Novem-
21 ber 1, 2020, and each year thereafter through the
22 date specified in subsection (e), the task force shall
23 submit to the appropriate congressional committees
24 an update on the report under paragraph (1).

1 (3) FORM.—Each report submitted under this
2 subsection may be submitted in classified form, but
3 if submitted in such form, shall include an unclassi-
4 fied summary.

5 (e) TERMINATION.—The task force shall terminate
6 on January 1, 2025.

7 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
8 FINED.—In this section, the term “appropriate congres-
9 sional committees” means the following:

10 (1) The congressional intelligence committees.

11 (2) The Committee on Foreign Affairs and the
12 Committee on Financial Services of the House of
13 Representatives.

14 (3) The Committee on Foreign Relations and
15 the Committee on Banking, Housing, and Urban Af-
16 fairs of the Senate.

17 **SEC. 704. STUDY ON ROLE OF RETIRED AND FORMER PER-**
18 **SONNEL OF INTELLIGENCE COMMUNITY**
19 **WITH RESPECT TO CERTAIN FOREIGN INTEL-**
20 **LIGENCE OPERATIONS.**

21 (a) STUDY.—The Director of National Intelligence
22 shall conduct a study on former intelligence personnel pro-
23 viding covered intelligence assistance.

24 (b) ELEMENTS.—The study under subsection (a)
25 shall include the following:

1 (1) An identification of, and discussion of the
2 effectiveness of, existing laws, policies, procedures,
3 and other measures relevant to the ability of ele-
4 ments of the intelligence community to prevent
5 former intelligence personnel from providing covered
6 intelligence assistance—

7 (A) without proper authorization; or

8 (B) in a manner that would violate legal or
9 policy controls if the personnel performed such
10 assistance while working for the United States
11 Government; and

12 (2) Make recommendations for such legislative,
13 regulatory, policy, or other changes as may be nec-
14 essary to ensure that the United States consistently
15 meets the objectives described in paragraph (1).

16 (c) REPORT AND PLAN.—Not later than 90 days
17 after the date of the enactment of this Act, the Director
18 shall submit to the congressional intelligence commit-
19 tees—

20 (1) a report on the findings of the Director with
21 respect to each element of the study under sub-
22 section (a); and

23 (2) a plan to implement any recommendations
24 made by the Director that the Director may imple-
25 ment without changes to Federal law.

1 (d) FORM.—The report and plan under subsection (c)
2 may be submitted in classified form.

3 (e) DEFINITIONS.—In this section:

4 (1) COVERED INTELLIGENCE ASSISTANCE.—
5 The term “covered intelligence assistance” means
6 assistance—

7 (A) provided by former intelligence per-
8 sonnel directly to, or for the benefit of, the gov-
9 ernment of a foreign country or indirectly to, or
10 for the benefit of, such a government through
11 a company or other entity; and

12 (B) that relates to intelligence or law en-
13 forcement activities of a foreign country, includ-
14 ing with respect to operations that involve
15 abuses of human rights, violations of the laws
16 of the United States, or infringements on the
17 privacy rights of United States persons.

18 (2) FORMER INTELLIGENCE PERSONNEL.—The
19 term “former intelligence personnel” means retired
20 or former personnel of the intelligence community,
21 including civilian employees of elements of the intel-
22 ligence community, members of the Armed Forces,
23 and contractors of elements of the intelligence com-
24 munity.

1 **SEC. 705. REPORT BY DIRECTOR OF NATIONAL INTEL-**
2 **LIGENCE ON FIFTH-GENERATION WIRELESS**
3 **NETWORK TECHNOLOGY.**

4 (a) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Director of National In-
6 telligence shall submit to the congressional intelligence
7 committees a report on—

8 (1) the threat to the national security of the
9 United States posed by the global and regional adop-
10 tion of fifth-generation wireless network (in this sec-
11 tion referred to as “5G wireless network”) tech-
12 nology built by foreign companies; and

13 (2) possible efforts to mitigate the threat.

14 (b) CONTENTS.—The report under subsection (a)
15 shall include—

16 (1) the timeline and scale of global and regional
17 adoption of foreign 5G wireless network technology;

18 (2) the implications of such global and regional
19 adoption on the cyber and espionage threat to the
20 United States, the interests of the United States,
21 and the cyber and collection capabilities of the
22 United States; and

23 (3) the effect of possible mitigation efforts, in-
24 cluding with respect to—

25 (A) a policy of the United States Govern-
26 ment promoting the use of strong, end-to-end

1 encryption for data transmitted over 5G wire-
2 less networks;

3 (B) a policy of the United States Govern-
4 ment promoting or funding free, open-source
5 implementation of 5G wireless network tech-
6 nology;

7 (C) subsidies or incentives provided by the
8 United States Government that could be used
9 to promote the adoption of secure 5G wireless
10 network technology developed by companies of
11 the United States or companies of allies of the
12 United States; and

13 (D) a strategy by the United States Gov-
14 ernment to reduce foreign influence and polit-
15 ical pressure in international standard-setting
16 bodies.

17 (c) FORM.—The report submitted under subsection
18 (a) shall be submitted in unclassified form, but may in-
19 clude a classified annex.

20 **SEC. 706. ESTABLISHMENT OF 5G PRIZE COMPETITION.**

21 (a) PRIZE COMPETITION.—Pursuant to section 24 of
22 the Stevenson-Wydler Technology Innovation Act of 1980
23 (15 U.S.C. 3719), the Director of National Intelligence,
24 acting through the Director of the Intelligence Advanced
25 Research Projects Agency, shall carry out a program to

1 award prizes competitively to stimulate research and de-
2 velopment relevant to 5G technology.

3 (b) PRIZE AMOUNT.—In carrying out the program
4 under subsection (a), the Director may award not more
5 than a total of \$5,000,000 to one or more winners of the
6 prize competition.

7 (c) CONSULTATION.—In carrying out the program
8 under subsection (a), the Director may consult with the
9 heads of relevant departments and agencies of the Federal
10 Government.

11 (d) 5G TECHNOLOGY DEFINED.—In this section, the
12 term “5G technology” means hardware, software, or other
13 technologies relating to fifth-generation wireless networks.

14 **SEC. 707. ESTABLISHMENT OF DEEPPAKES PRIZE COMPETI-**
15 **TION.**

16 (a) PRIZE COMPETITION.—Pursuant to section 24 of
17 the Stevenson-Wydler Technology Innovation Act of 1980
18 (15 U.S.C. 3719), the Director of National Intelligence,
19 acting through the Director of the Intelligence Advanced
20 Research Projects Agency, shall carry out a program to
21 award prizes competitively to stimulate the research, de-
22 velopment, or commercialization of technologies to auto-
23 matically detect machine-manipulated media.

24 (b) PRIZE AMOUNT.—In carrying out the program
25 under subsection (a), the Director may award not more

1 than a total of \$5,000,000 to one or more winners of the
2 prize competition.

3 (c) CONSULTATION.—In carrying out the program
4 under subsection (a), the Director may consult with the
5 heads of relevant departments and agencies of the Federal
6 Government.

7 (d) MACHINE-MANIPULATED MEDIA DEFINED.—In
8 this section, the term “machine-manipulated media”
9 means video, image, or audio recordings generated or sub-
10 stantially modified using machine-learning techniques in
11 order to falsely depict events or to falsely depict the speech
12 or conduct of an individual.

13 **DIVISION B—INTELLIGENCE AU-**
14 **THORIZATIONS FOR FISCAL**
15 **YEARS 2018 AND 2019**
16 **TITLE XXI—INTELLIGENCE**
17 **ACTIVITIES**

18 **SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) FISCAL YEAR 2019.—Funds are hereby author-
20 ized to be appropriated for fiscal year 2019 for the con-
21 duct of the intelligence and intelligence-related activities
22 of the following elements of the United States Govern-
23 ment:

24 (1) The Office of the Director of National Intel-
25 ligence.

1 (2) The Central Intelligence Agency.

2 (3) The Department of Defense.

3 (4) The Defense Intelligence Agency.

4 (5) The National Security Agency.

5 (6) The Department of the Army, the Depart-
6 ment of the Navy, and the Department of the Air
7 Force.

8 (7) The Coast Guard.

9 (8) The Department of State.

10 (9) The Department of the Treasury.

11 (10) The Department of Energy.

12 (11) The Department of Justice.

13 (12) The Federal Bureau of Investigation.

14 (13) The Drug Enforcement Administration.

15 (14) The National Reconnaissance Office.

16 (15) The National Geospatial-Intelligence Agen-
17 cy.

18 (16) The Department of Homeland Security.

19 (b) FISCAL YEAR 2018.—Funds that were appro-
20 priated for fiscal year 2018 for the conduct of the intel-
21 ligence and intelligence-related activities of the elements
22 of the United States set forth in subsection (a) are hereby
23 authorized.

1 **SEC. 2102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

2 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
3 authorized to be appropriated under section 2101 for the
4 conduct of the intelligence activities of the elements listed
5 in paragraphs (1) through (16) of section 2101, are those
6 specified in the classified Schedule of Authorizations pre-
7 pared to accompany this Act.

8 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
9 THORIZATIONS.—

10 (1) AVAILABILITY.—The classified Schedule of
11 Authorizations referred to in subsection (a) shall be
12 made available to the Committee on Appropriations
13 of the Senate, the Committee on Appropriations of
14 the House of Representatives, and to the President.

15 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
16 ject to paragraph (3), the President shall provide for
17 suitable distribution of the classified Schedule of Au-
18 thorizations referred to in subsection (a), or of ap-
19 propriate portions of such Schedule, within the exec-
20 utive branch.

21 (3) LIMITS ON DISCLOSURE.—The President
22 shall not publicly disclose the classified Schedule of
23 Authorizations or any portion of such Schedule ex-
24 cept—

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

4 (B) to the extent necessary to implement
5 the budget; or

6 (C) as otherwise required by law.

7 **SEC. 2103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
8 **COUNT.**

9 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
10 authorized to be appropriated for the Intelligence Commu-
11 nity Management Account of the Director of National In-
12 telligence for fiscal year 2019 the sum of \$522,424,000.

13 (b) **CLASSIFIED AUTHORIZATION OF APPROPRIA-**
14 **TIONS.**—In addition to amounts authorized to be appro-
15 priated for the Intelligence Community Management Ac-
16 count by subsection (a), there are authorized to be appro-
17 priated for the Intelligence Community Management Ac-
18 count for fiscal year 2019 such additional amounts as are
19 specified in the classified Schedule of Authorizations re-
20 ferred to in section 2102(a).

1 **TITLE XXII—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 \$514,000,000 for fiscal year 2019.

9 **SEC. 2202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
10 **OF THE CENTRAL INTELLIGENCE AGENCY.**

11 (a) COMPUTATION OF ANNUITIES.—

12 (1) IN GENERAL.—Section 221 of the Central
13 Intelligence Agency Retirement Act (50 U.S.C.
14 2031) is amended—

15 (A) in subsection (a)(3)(B), by striking the
16 period at the end and inserting “, as deter-
17 mined by using the annual rate of basic pay
18 that would be payable for full-time service in
19 that position.”;

20 (B) in subsection (b)(1)(C)(i), by striking
21 “12-month” and inserting “2-year”;

22 (C) in subsection (f)(2), by striking “one
23 year” and inserting “two years”;

1 (D) in subsection (g)(2), by striking “one
2 year” each place such term appears and insert-
3 ing “two years”;

4 (E) by redesignating subsections (h), (i),
5 (j), (k), and (l) as subsections (i), (j), (k), (l),
6 and (m), respectively; and

7 (F) by inserting after subsection (g) the
8 following:

9 “(h) **CONDITIONAL ELECTION OF INSURABLE INTER-
10 EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT
11 THE TIME OF RETIREMENT.**—

12 “(1) **AUTHORITY TO MAKE DESIGNATION.**—

13 Subject to the rights of former spouses under sub-
14 section (b) and section 222, at the time of retire-
15 ment a married participant found by the Director to
16 be in good health may elect to receive an annuity re-
17 duced in accordance with subsection (f)(1)(B) and
18 designate in writing an individual having an insur-
19 able interest in the participant to receive an annuity
20 under the system after the participant’s death, ex-
21 cept that any such election to provide an insurable
22 interest survivor annuity to the participant’s spouse
23 shall only be effective if the participant’s spouse
24 waives the spousal right to a survivor annuity under

1 this Act. The amount of the annuity shall be equal
2 to 55 percent of the participant's reduced annuity.

3 “(2) REDUCTION IN PARTICIPANT’S ANNUITY.—

4 The annuity payable to the participant making such
5 election shall be reduced by 10 percent of an annuity
6 computed under subsection (a) and by an additional
7 5 percent for each full 5 years the designated indi-
8 vidual is younger than the participant. The total re-
9 duction under this subparagraph may not exceed 40
10 percent.

11 “(3) COMMENCEMENT OF SURVIVOR ANNU-

12 ITY.—The annuity payable to the designated indi-
13 vidual shall begin on the day after the retired partici-
14 pant dies and terminate on the last day of the
15 month before the designated individual dies.

16 “(4) RECOMPUTATION OF PARTICIPANT’S AN-

17 NUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
18 annuity that is reduced under this subsection shall,
19 effective the first day of the month following the
20 death of the designated individual, be recomputed
21 and paid as if the annuity had not been so re-
22 duced.”.

23 (2) CONFORMING AMENDMENTS.—

24 (A) CENTRAL INTELLIGENCE AGENCY RE-

25 TIREMENT ACT.—The Central Intelligence

1 Agency Retirement Act (50 U.S.C. 2001 et
2 seq.) is amended—

3 (i) in section 232(b)(1) (50 U.S.C.
4 2052(b)(1)), by striking “221(h),” and in-
5 serting “221(i),”; and

6 (ii) in section 252(h)(4) (50 U.S.C.
7 2082(h)(4)), by striking “221(k)” and in-
8 serting “221(l)”.

9 (B) CENTRAL INTELLIGENCE AGENCY ACT
10 OF 1949.—Subsection (a) of section 14 of the
11 Central Intelligence Agency Act of 1949 (50
12 U.S.C. 3514(a)) is amended by striking
13 “221(h)(2), 221(i), 221(l),” and inserting
14 “221(i)(2), 221(j), 221(m),”.

15 (b) ANNUITIES FOR FORMER SPOUSES.—Subpara-
16 graph (B) of section 222(b)(5) of the Central Intelligence
17 Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is
18 amended by striking “one year” and inserting “two
19 years”.

20 (c) PRIOR SERVICE CREDIT.—Subparagraph (A) of
21 section 252(b)(3) of the Central Intelligence Agency Re-
22 tirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by
23 striking “October 1, 1990” both places that term appears
24 and inserting “March 31, 1991”.

1 (d) REEMPLOYMENT COMPENSATION.—Section 273
2 of the Central Intelligence Agency Retirement Act (50
3 U.S.C. 2113) is amended—

4 (1) by redesignating subsections (b) and (c) as
5 subsections (c) and (d), respectively; and

6 (2) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) PART-TIME REEMPLOYED ANNUITANTS.—The
9 Director shall have the authority to reemploy an annuitant
10 on a part-time basis in accordance with section 8344(l)
11 of title 5, United States Code.”.

12 (e) EFFECTIVE DATE AND APPLICATION.—The
13 amendments made by subsection (a)(1)(A) and subsection
14 (c) shall take effect as if enacted on October 28, 2009,
15 and shall apply to computations or participants, respec-
16 tively, as of such date.

17 **TITLE XXIII—GENERAL INTEL-**
18 **LIGENCE COMMUNITY MAT-**
19 **TERS**

20 **SEC. 2301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
21 **ACTIVITIES.**

22 The authorization of appropriations by this division
23 shall not be deemed to constitute authority for the conduct
24 of any intelligence activity which is not otherwise author-
25 ized by the Constitution or the laws of the United States.

1 **SEC. 2302. INCREASE IN EMPLOYEE COMPENSATION AND**
2 **BENEFITS AUTHORIZED BY LAW.**

3 Appropriations authorized by this division for salary,
4 pay, retirement, and other benefits for Federal employees
5 may be increased by such additional or supplemental
6 amounts as may be necessary for increases in such com-
7 pensation or benefits authorized by law.

8 **SEC. 2303. MODIFICATION OF SPECIAL PAY AUTHORITY**
9 **FOR SCIENCE, TECHNOLOGY, ENGINEERING,**
10 **OR MATHEMATICS POSITIONS AND ADDITION**
11 **OF SPECIAL PAY AUTHORITY FOR CYBER PO-**
12 **SITIONS.**

13 Section 113B of the National Security Act of 1947
14 (50 U.S.C. 3049a) is amended—

15 (1) by amending subsection (a) to read as fol-
16 lows:

17 “(a) SPECIAL RATES OF PAY FOR POSITIONS RE-
18 QUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGI-
19 NEERING, OR MATHEMATICS.—

20 “(1) IN GENERAL.—Notwithstanding part III
21 of title 5, United States Code, the head of each ele-
22 ment of the intelligence community may, for 1 or
23 more categories of positions in such element that re-
24 quire expertise in science, technology, engineering,
25 or mathematics—

1 “(A) establish higher minimum rates of
2 pay; and

3 “(B) make corresponding increases in all
4 rates of pay of the pay range for each grade or
5 level, subject to subsection (b) or (c), as appli-
6 cable.

7 “(2) TREATMENT.—The special rate supple-
8 ments resulting from the establishment of higher
9 rates under paragraph (1) shall be basic pay for the
10 same or similar purposes as those specified in sec-
11 tion 5305(j) of title 5, United States Code.”;

12 (2) by redesignating subsections (b) through (f)
13 as subsections (c) through (g), respectively;

14 (3) by inserting after subsection (a) the fol-
15 lowing:

16 “(b) SPECIAL RATES OF PAY FOR CYBER POSI-
17 TIONS.—

18 “(1) IN GENERAL.—Notwithstanding subsection
19 (c), the Director of the National Security Agency
20 may establish a special rate of pay—

21 “(A) not to exceed the rate of basic pay
22 payable for level II of the Executive Schedule
23 under section 5313 of title 5, United States
24 Code, if the Director certifies to the Under Sec-
25 retary of Defense for Intelligence, in consulta-

1 tion with the Under Secretary of Defense for
2 Personnel and Readiness, that the rate of pay
3 is for positions that perform functions that exe-
4 cute the cyber mission of the Agency; or

5 “(B) not to exceed the rate of basic pay
6 payable for the Vice President of the United
7 States under section 104 of title 3, United
8 States Code, if the Director certifies to the Sec-
9 retary of Defense, by name, individuals that
10 have advanced skills and competencies and that
11 perform critical functions that execute the cyber
12 mission of the Agency.

13 “(2) PAY LIMITATION.—Employees receiving a
14 special rate under paragraph (1) shall be subject to
15 an aggregate pay limitation that parallels the limita-
16 tion established in section 5307 of title 5, United
17 States Code, except that—

18 “(A) any allowance, differential, bonus,
19 award, or other similar cash payment in addi-
20 tion to basic pay that is authorized under title
21 10, United States Code, (or any other applica-
22 ble law in addition to title 5 of such Code, ex-
23 cluding the Fair Labor Standards Act of 1938
24 (29 U.S.C. 201 et seq.)) shall also be counted
25 as part of aggregate compensation; and

1 “(B) aggregate compensation may not ex-
2 ceed the rate established for the Vice President
3 of the United States under section 104 of title
4 3, United States Code.

5 “(3) LIMITATION ON NUMBER OF RECIPI-
6 ENTS.—The number of individuals who receive basic
7 pay established under paragraph (1)(B) may not ex-
8 ceed 100 at any time.

9 “(4) LIMITATION ON USE AS COMPARATIVE
10 REFERENCE.—Notwithstanding any other provision
11 of law, special rates of pay and the limitation estab-
12 lished under paragraph (1)(B) may not be used as
13 comparative references for the purpose of fixing the
14 rates of basic pay or maximum pay limitations of
15 qualified positions under section 1599f of title 10,
16 United States Code, or section 226 of the Homeland
17 Security Act of 2002 (6 U.S.C. 147).”;

18 (4) in subsection (c), as redesignated by para-
19 graph (2), by striking “A minimum” and inserting
20 “Except as provided in subsection (b), a minimum”;

21 (5) in subsection (d), as redesignated by para-
22 graph (2), by inserting “or (b)” after “by subsection
23 (a)”;

24 (6) in subsection (g), as redesignated by para-
25 graph (2)—

1 (A) in paragraph (1), by striking “Not
2 later than 90 days after the date of the enact-
3 ment of the Intelligence Authorization Act for
4 Fiscal Year 2017” and inserting “Not later
5 than 90 days after the date of the enactment of
6 the Damon Paul Nelson and Matthew Young
7 Pollard Intelligence Authorization Act for Fis-
8 cal Years 2018 and 2019”; and

9 (B) in paragraph (2)(A), by inserting “or
10 (b)” after “subsection (a)”.

11 **SEC. 2304. MODIFICATION OF APPOINTMENT OF CHIEF IN-**
12 **FORMATION OFFICER OF THE INTELLIGENCE**
13 **COMMUNITY.**

14 Section 103G(a) of the National Security Act of 1947
15 (50 U.S.C. 3032(a)) is amended by striking “President”
16 and inserting “Director”.

17 **SEC. 2305. DIRECTOR OF NATIONAL INTELLIGENCE RE-**
18 **VIEW OF PLACEMENT OF POSITIONS WITHIN**
19 **THE INTELLIGENCE COMMUNITY ON THE EX-**
20 **ECUTIVE SCHEDULE.**

21 (a) REVIEW.—The Director of National Intelligence,
22 in coordination with the Director of the Office of Per-
23 sonnel Management, shall conduct a review of positions
24 within the intelligence community regarding the placement
25 of such positions on the Executive Schedule under sub-

1 chapter II of chapter 53 of title 5, United States Code.
2 In carrying out such review, the Director of National In-
3 telligence, in coordination with the Director of the Office
4 of Personnel Management, shall determine—

5 (1) the standards under which such review will
6 be conducted;

7 (2) which positions should or should not be on
8 the Executive Schedule; and

9 (3) for those positions that should be on the
10 Executive Schedule, the level of the Executive
11 Schedule at which such positions should be placed.

12 (b) REPORT.—Not later than 60 days after the date
13 on which the review under subsection (a) is completed, the
14 Director of National Intelligence shall submit to the con-
15 gressional intelligence committees, the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate, and the Committee on Oversight and Reform of the
18 House of Representatives an unredacted report describing
19 the standards by which the review was conducted and the
20 outcome of the review.

21 **SEC. 2306. SUPPLY CHAIN AND COUNTERINTELLIGENCE**
22 **RISK MANAGEMENT TASK FORCE.**

23 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means the following:

1 (1) The congressional intelligence committees.

2 (2) The Committee on Armed Services and the
3 Committee on Homeland Security and Governmental
4 Affairs of the Senate.

5 (3) The Committee on Armed Services, the
6 Committee on Homeland Security, and the Com-
7 mittee on Oversight and Reform of the House of
8 Representatives.

9 (b) REQUIREMENT TO ESTABLISH.—The Director of
10 National Intelligence shall establish a Supply Chain and
11 Counterintelligence Risk Management Task Force to
12 standardize information sharing between the intelligence
13 community and the acquisition community of the United
14 States Government with respect to the supply chain and
15 counterintelligence risks.

16 (c) MEMBERS.—The Supply Chain and Counterintel-
17 ligence Risk Management Task Force established under
18 subsection (b) shall be composed of—

19 (1) a representative of the Defense Security
20 Service of the Department of Defense;

21 (2) a representative of the General Services Ad-
22 ministration;

23 (3) a representative of the Office of Federal
24 Procurement Policy of the Office of Management
25 and Budget;

1 (4) a representative of the Department of
2 Homeland Security;

3 (5) a representative of the Federal Bureau of
4 Investigation;

5 (6) the Director of the National Counterintel-
6 ligence and Security Center; and

7 (7) any other members the Director of National
8 Intelligence determines appropriate.

9 (d) SECURITY CLEARANCES.—Each member of the
10 Supply Chain and Counterintelligence Risk Management
11 Task Force established under subsection (b) shall have a
12 security clearance at the top secret level and be able to
13 access sensitive compartmented information.

14 (e) ANNUAL REPORT.—The Supply Chain and Coun-
15 terintelligence Risk Management Task Force established
16 under subsection (b) shall submit to the appropriate con-
17 gressional committees an annual report that describes the
18 activities of the Task Force during the previous year, in-
19 cluding identification of the supply chain and counterintel-
20 ligence risks shared with the acquisition community of the
21 United States Government by the intelligence community.

1 **SEC. 2307. CONSIDERATION OF ADVERSARIAL TELE-**
2 **COMMUNICATIONS AND CYBERSECURITY IN-**
3 **FRASTRUCTURE WHEN SHARING INTEL-**
4 **LIGENCE WITH FOREIGN GOVERNMENTS AND**
5 **ENTITIES.**

6 Whenever the head of an element of the intelligence
7 community enters into an intelligence sharing agreement
8 with a foreign government or any other foreign entity, the
9 head of the element shall consider the pervasiveness of
10 telecommunications and cybersecurity infrastructure,
11 equipment, and services provided by adversaries of the
12 United States, particularly China and Russia, or entities
13 of such adversaries in the country or region of the foreign
14 government or other foreign entity entering into the agree-
15 ment.

16 **SEC. 2308. CYBER PROTECTION SUPPORT FOR THE PER-**
17 **SONNEL OF THE INTELLIGENCE COMMUNITY**
18 **IN POSITIONS HIGHLY VULNERABLE TO**
19 **CYBER ATTACK.**

20 (a) DEFINITIONS.—In this section:

21 (1) PERSONAL ACCOUNTS.—The term “personal
22 accounts” means accounts for online and tele-
23 communications services, including telephone, resi-
24 dential Internet access, email, text and multimedia
25 messaging, cloud computing, social media, health
26 care, and financial services, used by personnel of the

1 intelligence community outside of the scope of their
2 employment with elements of the intelligence com-
3 munity.

4 (2) PERSONAL TECHNOLOGY DEVICES.—The
5 term “personal technology devices” means tech-
6 nology devices used by personnel of the intelligence
7 community outside of the scope of their employment
8 with elements of the intelligence community, includ-
9 ing networks to which such devices connect.

10 (b) AUTHORITY TO PROVIDE CYBER PROTECTION
11 SUPPORT.—

12 (1) IN GENERAL.—Subject to a determination
13 by the Director of National Intelligence, the Director
14 may provide cyber protection support for the per-
15 sonal technology devices and personal accounts of
16 the personnel described in paragraph (2).

17 (2) AT-RISK PERSONNEL.—The personnel de-
18 scribed in this paragraph are personnel of the intel-
19 ligence community—

20 (A) who the Director determines to be
21 highly vulnerable to cyber attacks and hostile
22 information collection activities because of the
23 positions occupied by such personnel in the in-
24 telligence community; and

1 (B) whose personal technology devices or
2 personal accounts are highly vulnerable to cyber
3 attacks and hostile information collection activi-
4 ties.

5 (c) NATURE OF CYBER PROTECTION SUPPORT.—
6 Subject to the availability of resources, the cyber protec-
7 tion support provided to personnel under subsection (b)
8 may include training, advice, assistance, and other services
9 relating to cyber attacks and hostile information collection
10 activities.

11 (d) LIMITATION ON SUPPORT.—Nothing in this sec-
12 tion shall be construed—

13 (1) to encourage personnel of the intelligence
14 community to use personal technology devices for of-
15 ficial business; or

16 (2) to authorize cyber protection support for
17 senior intelligence community personnel using per-
18 sonal devices, networks, and personal accounts in an
19 official capacity.

20 (e) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Director shall submit
22 to the congressional intelligence committees a report on
23 the provision of cyber protection support under subsection
24 (b). The report shall include—

1 (1) a description of the methodology used to
2 make the determination under subsection (b)(2); and

3 (2) guidance for the use of cyber protection
4 support and tracking of support requests for per-
5 sonnel receiving cyber protection support under sub-
6 section (b).

7 **SEC. 2309. ELIMINATION OF SUNSET OF AUTHORITY RELAT-**
8 **ING TO MANAGEMENT OF SUPPLY-CHAIN**
9 **RISK.**

10 Section 309 of the Intelligence Authorization Act for
11 Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329
12 note) is amended by striking subsection (g).

13 **SEC. 2310. LIMITATIONS ON DETERMINATIONS REGARDING**
14 **CERTAIN SECURITY CLASSIFICATIONS.**

15 (a) PROHIBITION.—An officer of an element of the
16 intelligence community who has been nominated by the
17 President for a position that requires the advice and con-
18 sent of the Senate may not make a classification decision
19 with respect to information related to such officer’s nomi-
20 nation.

21 (b) CLASSIFICATION DETERMINATIONS.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), in a case in which an officer described in
24 subsection (a) has been nominated as described in
25 such subsection and classification authority rests

1 with the officer or another officer who reports di-
2 rectly to such officer, a classification decision with
3 respect to information relating to the officer shall be
4 made by the Director of National Intelligence.

5 (2) NOMINATIONS OF DIRECTOR OF NATIONAL
6 INTELLIGENCE.—In a case described in paragraph
7 (1) in which the officer nominated is the Director of
8 National Intelligence, the classification decision shall
9 be made by the Principal Deputy Director of Na-
10 tional Intelligence.

11 (c) REPORTS.—Whenever the Director or the Prin-
12 cipal Deputy Director makes a decision under subsection
13 (b), the Director or the Principal Deputy Director, as the
14 case may be, shall submit to the congressional intelligence
15 committees a report detailing the reasons for the decision.

16 **SEC. 2311. JOINT INTELLIGENCE COMMUNITY COUNCIL.**

17 (a) MEETINGS.—Section 101A(d) of the National Se-
18 curity Act of 1947 (50 U.S.C. 3022(d)) is amended—

19 (1) by striking “regular”; and

20 (2) by inserting “as the Director considers ap-
21 propriate” after “Council”.

22 (b) REPORT ON FUNCTION AND UTILITY OF THE
23 JOINT INTELLIGENCE COMMUNITY COUNCIL.—

24 (1) IN GENERAL.—No later than 180 days after
25 the date of the enactment of this Act, the Director

1 of National Intelligence, in coordination with the Ex-
2 ecutive Office of the President and members of the
3 Joint Intelligence Community Council, shall submit
4 to the congressional intelligence committees a report
5 on the function and utility of the Joint Intelligence
6 Community Council.

7 (2) CONTENTS.—The report required by para-
8 graph (1) shall include the following:

9 (A) The number of physical or virtual
10 meetings held by the Council per year since the
11 Council's inception.

12 (B) A description of the effect and accom-
13 plishments of the Council.

14 (C) An explanation of the unique role of
15 the Council relative to other entities, including
16 with respect to the National Security Council
17 and the Executive Committee of the intelligence
18 community.

19 (D) Recommendations for the future role
20 and operation of the Council.

21 (E) Such other matters relating to the
22 function and utility of the Council as the Direc-
23 tor considers appropriate.

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

4 **SEC. 2312. INTELLIGENCE COMMUNITY INFORMATION**
5 **TECHNOLOGY ENVIRONMENT.**

6 (a) DEFINITIONS.—In this section:

7 (1) CORE SERVICE.—The term “core service”
8 means a capability that is available to multiple ele-
9 ments of the intelligence community and required
10 for consistent operation of the intelligence commu-
11 nity information technology environment.

12 (2) INTELLIGENCE COMMUNITY INFORMATION
13 TECHNOLOGY ENVIRONMENT.—The term “intel-
14 ligence community information technology environ-
15 ment” means all of the information technology serv-
16 ices across the intelligence community, including the
17 data sharing and protection environment across mul-
18 tiple classification domains.

19 (b) ROLES AND RESPONSIBILITIES.—

20 (1) DIRECTOR OF NATIONAL INTELLIGENCE.—
21 The Director of National Intelligence shall be re-
22 sponsible for coordinating the performance by ele-
23 ments of the intelligence community of the intel-
24 ligence community information technology environ-
25 ment, including each of the following:

1 (A) Ensuring compliance with all applica-
2 ble environment rules and regulations of such
3 environment.

4 (B) Ensuring measurable performance
5 goals exist for such environment.

6 (C) Documenting standards and practices
7 of such environment.

8 (D) Acting as an arbiter among elements
9 of the intelligence community related to any
10 disagreements arising out of the implementa-
11 tion of such environment.

12 (E) Delegating responsibilities to the ele-
13 ments of the intelligence community and car-
14 rying out such other responsibilities as are nec-
15 essary for the effective implementation of such
16 environment.

17 (2) CORE SERVICE PROVIDERS.—Providers of
18 core services shall be responsible for—

19 (A) providing core services, in coordination
20 with the Director of National Intelligence; and

21 (B) providing the Director with informa-
22 tion requested and required to fulfill the re-
23 sponsibilities of the Director under paragraph
24 (1).

25 (3) USE OF CORE SERVICES.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), each element of the intel-
3 ligence community shall use core services when
4 such services are available.

5 (B) EXCEPTION.—The Director of Na-
6 tional Intelligence may provide for a written ex-
7 ception to the requirement under subparagraph
8 (A) if the Director determines there is a com-
9 pelling financial or mission need for such excep-
10 tion.

11 (c) MANAGEMENT ACCOUNTABILITY.—Not later than
12 90 days after the date of the enactment of this Act, the
13 Director of National Intelligence shall designate and main-
14 tain one or more accountable executives of the intelligence
15 community information technology environment to be re-
16 sponsible for—

17 (1) management, financial control, and integra-
18 tion of such environment;

19 (2) overseeing the performance of each core
20 service, including establishing measurable service re-
21 quirements and schedules;

22 (3) to the degree feasible, ensuring testing of
23 each core service of such environment, including
24 testing by the intended users, to evaluate perform-

1 ance against measurable service requirements and to
2 ensure the capability meets user requirements; and
3 (4) coordinate transition or restructuring ef-
4 forts of such environment, including phaseout of leg-
5 acy systems.

6 (d) SECURITY PLAN.—Not later than 180 days after
7 the date of the enactment of this Act, the Director of Na-
8 tional Intelligence shall develop and maintain a security
9 plan for the intelligence community information tech-
10 nology environment.

11 (e) LONG-TERM ROADMAP.—Not later than 180 days
12 after the date of the enactment of this Act, and during
13 each of the second and fourth fiscal quarters thereafter,
14 the Director of National Intelligence shall submit to the
15 congressional intelligence committees a long-term road-
16 map that shall include each of the following:

17 (1) A description of the minimum required and
18 desired core service requirements, including—

19 (A) key performance parameters; and

20 (B) an assessment of current, measured
21 performance.

22 (2) implementation milestones for the intel-
23 ligence community information technology environ-
24 ment, including each of the following:

1 (A) A schedule for expected deliveries of
2 core service capabilities during each of the fol-
3 lowing phases:

4 (i) Concept refinement and technology
5 maturity demonstration.

6 (ii) Development, integration, and
7 demonstration.

8 (iii) Production, deployment, and
9 sustainment.

10 (iv) System retirement.

11 (B) Dependencies of such core service ca-
12 pabilities.

13 (C) Plans for the transition or restruc-
14 turing necessary to incorporate core service ca-
15 pabilities.

16 (D) A description of any legacy systems
17 and discontinued capabilities to be phased out.

18 (3) Such other matters as the Director deter-
19 mines appropriate.

20 (f) BUSINESS PLAN.—Not later than 180 days after
21 the date of the enactment of this Act, and during each
22 of the second and fourth fiscal quarters thereafter, the Di-
23 rector of National Intelligence shall submit to the congres-
24 sional intelligence committees a business plan that in-
25 cludes each of the following:

1 (1) A systematic approach to identify core serv-
2 ice funding requests for the intelligence community
3 information technology environment within the pro-
4 posed budget, including multiyear plans to imple-
5 ment the long-term roadmap required by subsection
6 (e).

7 (2) A uniform approach by which each element
8 of the intelligence community shall identify the cost
9 of legacy information technology or alternative capa-
10 bilities where services of the intelligence community
11 information technology environment will also be
12 available.

13 (3) A uniform effort by which each element of
14 the intelligence community shall identify transition
15 and restructuring costs for new, existing, and retir-
16 ing services of the intelligence community informa-
17 tion technology environment, as well as services of
18 such environment that have changed designations as
19 a core service.

20 (g) QUARTERLY PRESENTATIONS.—Beginning not
21 later than 180 days after the date of the enactment of
22 this Act, the Director of National Intelligence shall provide
23 to the congressional intelligence committees quarterly up-
24 dates regarding ongoing implementation of the intelligence
25 community information technology environment as com-

1 pared to the requirements in the most recently submitted
2 security plan required by subsection (d), long-term road-
3 map required by subsection (e), and business plan re-
4 quired by subsection (f).

5 (h) **ADDITIONAL NOTIFICATIONS.**—The Director of
6 National Intelligence shall provide timely notification to
7 the congressional intelligence committees regarding any
8 policy changes related to or affecting the intelligence com-
9 munity information technology environment, new initia-
10 tives or strategies related to or impacting such environ-
11 ment, and changes or deficiencies in the execution of the
12 security plan required by subsection (d), long-term road-
13 map required by subsection (e), and business plan re-
14 quired by subsection (f).

15 (i) **SUNSET.**—The section shall have no effect on or
16 after September 30, 2024.

17 **SEC. 2313. REPORT ON DEVELOPMENT OF SECURE MOBILE**
18 **VOICE SOLUTION FOR INTELLIGENCE COM-**
19 **MUNITY.**

20 (a) **IN GENERAL.**—Not later than 180 days after the
21 date of the enactment of this Act, the Director of National
22 Intelligence, in coordination with the Director of the Cen-
23 tral Intelligence Agency and the Director of the National
24 Security Agency, shall submit to the congressional intel-
25 ligence committees a classified report on the feasibility,

1 desirability, cost, and required schedule associated with
2 the implementation of a secure mobile voice solution for
3 the intelligence community.

4 (b) CONTENTS.—The report required by subsection
5 (a) shall include, at a minimum, the following:

6 (1) The benefits and disadvantages of a secure
7 mobile voice solution.

8 (2) Whether the intelligence community could
9 leverage commercially available technology for classi-
10 fied voice communications that operates on commer-
11 cial mobile networks in a secure manner and identi-
12 fying the accompanying security risks to such net-
13 works.

14 (3) A description of any policies or community
15 guidance that would be necessary to govern the po-
16 tential solution, such as a process for determining
17 the appropriate use of a secure mobile telephone and
18 any limitations associated with such use.

19 **SEC. 2314. POLICY ON MINIMUM INSIDER THREAT STAND-**
20 **ARDS.**

21 (a) POLICY REQUIRED.—Not later than 60 days after
22 the date of the enactment of this Act, the Director of Na-
23 tional Intelligence shall establish a policy for minimum in-
24 sider threat standards that is consistent with the National

1 Insider Threat Policy and Minimum Standards for Execu-
2 tive Branch Insider Threat Programs.

3 (b) IMPLEMENTATION.—Not later than 180 days
4 after the date of the enactment of this Act, the head of
5 each element of the intelligence community shall imple-
6 ment the policy established under subsection (a).

7 **SEC. 2315. SUBMISSION OF INTELLIGENCE COMMUNITY**
8 **POLICIES.**

9 (a) DEFINITIONS.—In this section:

10 (1) ELECTRONIC REPOSITORY.—The term
11 “electronic repository” means the electronic distribu-
12 tion mechanism, in use as of the date of the enact-
13 ment of this Act, or any successor electronic dis-
14 tribution mechanism, by which the Director of Na-
15 tional Intelligence submits to the congressional intel-
16 ligence committees information.

17 (2) POLICY.—The term “policy”, with respect
18 to the intelligence community, includes unclassified
19 or classified—

20 (A) directives, policy guidance, and policy
21 memoranda of the intelligence community;

22 (B) executive correspondence of the Direc-
23 tor of National Intelligence; and

24 (C) any equivalent successor policy instru-
25 ments.

1 (b) SUBMISSION OF POLICIES.—

2 (1) CURRENT POLICY.—Not later than 180
3 days after the date of the enactment of this Act, the
4 Director of National Intelligence shall submit to the
5 congressional intelligence committees using the elec-
6 tronic repository all nonpublicly available policies
7 issued by the Director of National Intelligence for
8 the intelligence community that are in effect as of
9 the date of the submission.

10 (2) CONTINUOUS UPDATES.—Not later than 15
11 days after the date on which the Director of Na-
12 tional Intelligence issues, modifies, or rescinds a pol-
13 icy of the intelligence community, the Director
14 shall—

15 (A) notify the congressional intelligence
16 committees of such addition, modification, or
17 removal; and

18 (B) update the electronic repository with
19 respect to such addition, modification, or re-
20 moval.

21 **SEC. 2316. EXPANSION OF INTELLIGENCE COMMUNITY RE-**
22 **CRUITMENT EFFORTS.**

23 In order to further increase the diversity of the intel-
24 ligence community workforce, not later than 90 days after
25 the date of the enactment of this Act, the Director of Na-

1 tional Intelligence, in consultation with heads of elements
2 of the Intelligence Community, shall create, implement,
3 and submit to the congressional intelligence committees a
4 written plan to ensure that rural and underrepresented re-
5 gions are more fully and consistently represented in such
6 elements' employment recruitment efforts. Upon receipt of
7 the plan, the congressional committees shall have 60 days
8 to submit comments to the Director of National Intel-
9 ligence before such plan shall be implemented.

10 **TITLE XXIV—MATTERS RELAT-**
11 **ING TO ELEMENTS OF THE IN-**
12 **TELLIGENCE COMMUNITY**

13 **Subtitle A—Office of the Director**
14 **of National Intelligence**

15 **SEC. 2401. AUTHORITY FOR PROTECTION OF CURRENT AND**
16 **FORMER EMPLOYEES OF THE OFFICE OF THE**
17 **DIRECTOR OF NATIONAL INTELLIGENCE.**

18 Section 5(a)(4) of the Central Intelligence Agency
19 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-
20 ing “such personnel of the Office of the Director of Na-
21 tional Intelligence as the Director of National Intelligence
22 may designate;” and inserting “current and former per-
23 sonnel of the Office of the Director of National Intel-
24 ligence and their immediate families as the Director of Na-
25 tional Intelligence may designate;”.

1 **SEC. 2402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
2 **FORMATION SHARING ENVIRONMENT.**

3 (a) INFORMATION SHARING ENVIRONMENT.—Sec-
4 tion 1016(b) of the Intelligence Reform and Terrorism
5 Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

6 (1) in paragraph (1), by striking “President”
7 and inserting “Director of National Intelligence”;
8 and

9 (2) in paragraph (2), by striking “President”
10 both places that term appears and inserting “Direc-
11 tor of National Intelligence”.

12 (b) PROGRAM MANAGER.—Section 1016(f)(1) of the
13 Intelligence Reform and Terrorism Prevention Act of
14 2004 (6 U.S.C. 485(f)(1)) is amended by striking “The
15 individual designated as the program manager shall serve
16 as program manager until removed from service or re-
17 placed by the President (at the President’s sole discre-
18 tion).” and inserting “Beginning on the date of the enact-
19 ment of the Damon Paul Nelson and Matthew Young Pol-
20 lard Intelligence Authorization Act for Fiscal Years 2018,
21 2019 and 2020, each individual designated as the program
22 manager shall be appointed by the Director of National
23 Intelligence.”.

1 **SEC. 2403. TECHNICAL MODIFICATION TO THE EXECUTIVE**
2 **SCHEDULE.**

3 Section 5315 of title 5, United States Code, is
4 amended by adding at the end the following:

5 “Director of the National Counterintelligence and Se-
6 curity Center.”.

7 **SEC. 2404. CHIEF FINANCIAL OFFICER OF THE INTEL-**
8 **LIGENCE COMMUNITY.**

9 Section 103I(a) of the National Security Act of 1947
10 (50 U.S.C. 3034(a)) is amended by adding at the end the
11 following new sentence: “The Chief Financial Officer shall
12 report directly to the Director of National Intelligence.”.

13 **SEC. 2405. CHIEF INFORMATION OFFICER OF THE INTEL-**
14 **LIGENCE COMMUNITY.**

15 Section 103G(a) of the National Security Act of 1947
16 (50 U.S.C. 3032(a)) is amended by adding at the end the
17 following new sentence: “The Chief Information Officer
18 shall report directly to the Director of National Intel-
19 ligence.”.

20 **Subtitle B—Central Intelligence**
21 **Agency**

22 **SEC. 2411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE**
23 **FOR PERSONNEL ASSIGNED TO AUSTERE LO-**
24 **CATIONS.**

25 Subsection (a) of section 5 of the Central Intelligence
26 Agency Act of 1949 (50 U.S.C. 3506) is amended—

1 (1) in paragraph (1), by striking “(50 U.S.C.
2 403–4a).,” and inserting “(50 U.S.C. 403–4a),”;

3 (2) in paragraph (6), by striking “and” at the
4 end;

5 (3) in paragraph (7), by striking the period at
6 the end and inserting “; and”; and

7 (4) by adding at the end the following new
8 paragraph (8):

9 “(8) Upon the approval of the Director, pro-
10 vide, during any fiscal year, with or without reim-
11 bursement, subsistence to any personnel assigned to
12 an overseas location designated by the Agency as an
13 austere location.”.

14 **SEC. 2412. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
15 **ERS’ COMPENSATION PAYMENTS AND OTHER**
16 **PAYMENTS FOR CENTRAL INTELLIGENCE**
17 **AGENCY PERSONNEL.**

18 (a) IN GENERAL.—The Central Intelligence Agency
19 Act of 1949 (50 U.S.C. 3501 et seq.) is amended by in-
20 serting after section 19 the following new section:

21 **“SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS IN-**
22 **JURED BY REASON OF WAR, INSURGENCY,**
23 **HOSTILE ACT, OR TERRORIST ACTIVITIES.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) COVERED DEPENDENT.—The term ‘cov-
2 ered dependent’ means a family member (as defined
3 by the Director) of a covered employee who, on or
4 after September 11, 2001—

5 “(A) accompanies the covered employee to
6 an assigned duty station in a foreign country;
7 and

8 “(B) becomes injured by reason of a quali-
9 fying injury.

10 “(2) COVERED EMPLOYEE.—The term ‘covered
11 employee’ means an officer or employee of the Cen-
12 tral Intelligence Agency who, on or after September
13 11, 2001, becomes injured by reason of a qualifying
14 injury.

15 “(3) COVERED INDIVIDUAL.—The term ‘cov-
16 ered individual’ means an individual who—

17 “(A)(i) is detailed to the Central Intel-
18 ligence Agency from other agencies of the
19 United States Government or from the Armed
20 Forces; or

21 “(ii) is affiliated with the Central Intel-
22 ligence Agency, as determined by the Director;
23 and

1 “(B) who, on or after September 11, 2001,
2 becomes injured by reason of a qualifying in-
3 jury.

4 “(4) QUALIFYING INJURY.—The term ‘quali-
5 fying injury’ means the following:

6 “(A) With respect to a covered dependent,
7 an injury incurred—

8 “(i) during a period in which the cov-
9 ered dependent is accompanying the cov-
10 ered employee to an assigned duty station
11 in a foreign country;

12 “(ii) in connection with war, insur-
13 gency, hostile act, terrorist activity, or
14 other incident designated by the Director;
15 and

16 “(iii) that was not the result of the
17 willful misconduct of the covered depend-
18 ent.

19 “(B) With respect to a covered employee
20 or a covered individual, an injury incurred—

21 “(i) during a period of assignment to
22 a duty station in a foreign country;

23 “(ii) in connection with a war, insur-
24 gency, hostile act, terrorist activity, or

1 other incident designated by the Director;

2 and

3 “(iii) that was not the result of the

4 willful misconduct of the covered employee

5 or the covered individual.

6 “(b) ADJUSTMENT OF COMPENSATION FOR CERTAIN

7 INJURIES.—

8 “(1) INCREASE.—The Director may increase

9 the amount of monthly compensation paid to a cov-

10 ered employee under section 8105 of title 5, United

11 States Code. Subject to paragraph (2), the Director

12 may determine the amount of each such increase by

13 taking into account—

14 “(A) the severity of the qualifying injury;

15 “(B) the circumstances by which the cov-

16 ered employee became injured; and

17 “(C) the seniority of the covered employee.

18 “(2) MAXIMUM.—Notwithstanding chapter 81

19 of title 5, United States Code, the total amount of

20 monthly compensation increased under paragraph

21 (1) may not exceed the monthly pay of the max-

22 imum rate of basic pay for GS-15 of the General

23 Schedule under section 5332 of such title.

24 “(c) COSTS FOR TREATING QUALIFYING INJURIES.—

25 The Director may pay the costs of treating a qualifying

1 injury of a covered employee, a covered individual, or a
2 covered dependent, or may reimburse a covered employee,
3 a covered individual, or a covered dependent for such
4 costs, that are not otherwise covered by chapter 81 of title
5 5, United States Code, or other provision of Federal law.

6 “(d) TREATMENT OF AMOUNTS.—For purposes of
7 section 104 of the Internal Revenue Code of 1986,
8 amounts paid pursuant to this section shall be treated as
9 amounts paid under chapter 81 of title 5, United States
10 Code.”.

11 (b) REGULATIONS.—Not later than 120 days after
12 the date of the enactment of this Act, the Director of the
13 Central Intelligence Agency shall—

14 (1) prescribe regulations ensuring the fair and
15 equitable implementation of section 19A of the Cen-
16 tral Intelligence Agency Act of 1949, as added by
17 subsection (a); and

18 (2) submit to the congressional intelligence
19 committees such regulations.

20 (c) APPLICATION.—Section 19A of the Central Intel-
21 ligence Agency Act of 1949, as added by subsection (a),
22 shall apply with respect to—

23 (1) payments made to covered employees (as
24 defined in such section) under section 8105 of title

1 5, United States Code, beginning on or after the
2 date of the enactment of this Act; and

3 (2) treatment described in subsection (b) of
4 such section 19A occurring on or after the date of
5 the enactment of this Act.

6 **SEC. 2413. EXPANSION OF SECURITY PROTECTIVE SERVICE**
7 **JURISDICTION OF THE CENTRAL INTEL-**
8 **LIGENCE AGENCY.**

9 Subsection (a)(1) of section 15 of the Central Intel-
10 ligence Agency Act of 1949 (50 U.S.C. 3515(a)) is amend-
11 ed—

12 (1) in subparagraph (B), by striking “500
13 feet;” and inserting “500 yards;”; and

14 (2) in subparagraph (D), by striking “500
15 feet.” and inserting “500 yards.”.

16 **SEC. 2414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
17 **REQUIREMENT FOR CERTAIN SENIOR LEVEL**
18 **POSITIONS IN THE CENTRAL INTELLIGENCE**
19 **AGENCY.**

20 (a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY
21 REQUIREMENT.—Section 104A of the National Security
22 Act of 1947 (50 U.S.C. 3036) is amended by striking sub-
23 section (g).

24 (b) CONFORMING REPEAL OF REPORT REQUIRE-
25 MENT.—Section 611 of the Intelligence Authorization Act

1 for Fiscal Year 2005 (Public Law 108–487) is amended
2 by striking subsection (c).

3 **Subtitle C—Office of Intelligence**
4 **and Counterintelligence of De-**
5 **partment of Energy**

6 **SEC. 2421. CONSOLIDATION OF DEPARTMENT OF ENERGY**
7 **OFFICES OF INTELLIGENCE AND COUNTER-**
8 **INTELLIGENCE.**

9 (a) IN GENERAL.—Section 215 of the Department of
10 Energy Organization Act (42 U.S.C. 7144b) is amended
11 to read as follows:

12 “OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

13 “SEC. 215. (a) DEFINITIONS.—In this section, the
14 terms ‘intelligence community’ and ‘National Intelligence
15 Program’ have the meanings given such terms in section
16 3 of the National Security Act of 1947 (50 U.S.C. 3003).

17 “(b) IN GENERAL.—There is in the Department an
18 Office of Intelligence and Counterintelligence. Such office
19 shall be under the National Intelligence Program.

20 “(c) DIRECTOR.—(1) The head of the Office shall be
21 the Director of the Office of Intelligence and Counterintel-
22 ligence, who shall be an employee in the Senior Executive
23 Service, the Senior Intelligence Service, the Senior Na-
24 tional Intelligence Service, or any other Service that the
25 Secretary, in coordination with the Director of National

1 Intelligence, considers appropriate. The Director of the
2 Office shall report directly to the Secretary.

3 “(2) The Secretary shall select an individual to serve
4 as the Director from among individuals who have substan-
5 tial expertise in matters relating to the intelligence com-
6 munity, including foreign intelligence and counterintel-
7 ligence.

8 “(d) DUTIES.—(1) Subject to the authority, direc-
9 tion, and control of the Secretary, the Director shall per-
10 form such duties and exercise such powers as the Sec-
11 retary may prescribe.

12 “(2) The Director shall be responsible for estab-
13 lishing policy for intelligence and counterintelligence pro-
14 grams and activities at the Department.”.

15 (b) CONFORMING REPEAL.—Section 216 of the De-
16 partment of Energy Organization Act (42 U.S.C. 7144c)
17 is hereby repealed.

18 (c) CLERICAL AMENDMENT.—The table of contents
19 at the beginning of the Department of Energy Organiza-
20 tion Act is amended by striking the items relating to sec-
21 tions 215 and 216 and inserting the following new item:

“Sec. 215. Office of Intelligence and Counterintelligence.”.

1 **SEC. 2422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE**
2 **SECURITY CENTER.**

3 Section 215 of the Department of Energy Organiza-
4 tion Act (42 U.S.C. 7144b), as amended by section 2421,
5 is further amended by adding at the end the following:

6 “(e) ENERGY INFRASTRUCTURE SECURITY CEN-
7 TER.—(1)(A) The President shall establish an Energy In-
8 frastructure Security Center, taking into account all ap-
9 propriate government tools to analyze and disseminate in-
10 telligence relating to the security of the energy infrastruc-
11 ture of the United States.

12 “(B) The Director of Intelligence and Counterintel-
13 ligence shall appoint the head of the Energy Infrastruc-
14 ture Security Center.

15 “(C) The Energy Infrastructure Security Center shall
16 be located within the Office of Intelligence and Counter-
17 intelligence.

18 “(2) In establishing the Energy Infrastructure Secu-
19 rity Center, the Director of the Office of Intelligence and
20 Counterintelligence shall address the following missions
21 and objectives to coordinate and disseminate intelligence
22 relating to the security of the energy infrastructure of the
23 United States:

24 “(A) Establishing a primary organization with-
25 in the United States Government for analyzing and
26 integrating all intelligence possessed or acquired by

1 the United States pertaining to the security of the
2 energy infrastructure of the United States.

3 “(B) Ensuring that appropriate departments
4 and agencies have full access to and receive intel-
5 ligence support needed to execute the plans or activi-
6 ties of the agencies, and perform independent, alter-
7 native analyses.

8 “(C) Establishing a central repository on known
9 and suspected foreign threats to the energy infra-
10 structure of the United States, including with re-
11 spect to any individuals, groups, or entities engaged
12 in activities targeting such infrastructure, and the
13 goals, strategies, capabilities, and networks of such
14 individuals, groups, or entities.

15 “(D) Disseminating intelligence information re-
16 lating to the security of the energy infrastructure of
17 the United States, including threats and analyses, to
18 the President, to the appropriate departments and
19 agencies, and to the appropriate committees of Con-
20 gress.

21 “(3) The President may waive the requirements of
22 this subsection, and any parts thereof, if the President de-
23 termines that such requirements do not materially improve
24 the ability of the United States Government to prevent
25 and halt attacks against the energy infrastructure of the

1 United States. Such waiver shall be made in writing to
2 Congress and shall include a description of how the mis-
3 sions and objectives in paragraph (2) are being met.

4 “(4) If the President decides not to exercise the waiv-
5 er authority granted by paragraph (3), the President shall
6 submit to Congress from time to time updates and plans
7 regarding the establishment of an Energy Infrastructure
8 Security Center.”.

9 **SEC. 2423. REPEAL OF DEPARTMENT OF ENERGY INTEL-**
10 **LIGENCE EXECUTIVE COMMITTEE AND BUDG-**
11 **ET REPORTING REQUIREMENT.**

12 Section 214 of the Department of Energy Organiza-
13 tion Act (42 U.S.C. 7144a) is amended—

14 (1) by striking “(a)”; and

15 (2) by striking subsections (b) and (c).

16 **Subtitle D—Other Elements**

17 **SEC. 2431. PLAN FOR DESIGNATION OF COUNTERINTEL-**
18 **LIGENCE COMPONENT OF DEFENSE SECU-**
19 **RITY SERVICE AS AN ELEMENT OF INTEL-**
20 **LIGENCE COMMUNITY.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, the Director of National Intelligence and
23 Under Secretary of Defense for Intelligence, in coordina-
24 tion with the Director of the National Counterintelligence
25 and Security Center, shall submit to the congressional in-

1 telligence committees, the Committee on Armed Services
2 of the Senate, and the Committee on Armed Services of
3 the House of Representatives a plan to designate the coun-
4 terintelligence component of the Defense Security Service
5 of the Department of Defense as an element of the intel-
6 ligence community by not later than January 1, 2020.

7 Such plan shall—

8 (1) address the implications of such designation
9 on the authorities, governance, personnel, resources,
10 information technology, collection, analytic products,
11 information sharing, and business processes of the
12 Defense Security Service and the intelligence com-
13 munity; and

14 (2) not address the personnel security functions
15 of the Defense Security Service.

16 **SEC. 2432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.**

17 Section 3553 of title 44, United States Code, is
18 amended—

19 (1) by redesignating subsection (j) as sub-
20 section (k); and

21 (2) by inserting after subsection (i) the fol-
22 lowing:

23 “(j) **RULE OF CONSTRUCTION.**—Nothing in this sec-
24 tion shall be construed to require the Secretary to provide

1 notice to any private entity before the Secretary issues a
2 binding operational directive under subsection (b)(2).”.

3 **SEC. 2433. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
4 **TIONAL RECONNAISSANCE OFFICE.**

5 (a) ESTABLISHMENT.—Section 106A of the National
6 Security Act of 1947 (50 U.S.C. 3041a) is amended by
7 adding at the end the following new subsection:

8 “(d) ADVISORY BOARD.—

9 “(1) ESTABLISHMENT.—There is established in
10 the National Reconnaissance Office an advisory
11 board (in this section referred to as the ‘Board’).

12 “(2) DUTIES.—The Board shall—

13 “(A) study matters relating to the mission
14 of the National Reconnaissance Office, includ-
15 ing with respect to promoting innovation, com-
16 petition, and resilience in space, overhead re-
17 connaissance, acquisition, and other matters;
18 and

19 “(B) advise and report directly to the Di-
20 rector with respect to such matters.

21 “(3) MEMBERS.—

22 “(A) NUMBER AND APPOINTMENT.—

23 “(i) IN GENERAL.—The Board shall
24 be composed of 5 members appointed by
25 the Director from among individuals with

1 demonstrated academic, government, busi-
2 ness, or other expertise relevant to the mis-
3 sion and functions of the National Recon-
4 naissance Office.

5 “(ii) NOTIFICATION.—Not later than
6 30 days after the date on which the Direc-
7 tor appoints a member to the Board, the
8 Director shall notify the congressional in-
9 telligence committees and the congressional
10 defense committees (as defined in section
11 101(a) of title 10, United States Code) of
12 such appointment.

13 “(B) TERMS.—Each member shall be ap-
14 pointed for a term of 2 years. Except as pro-
15 vided by subparagraph (C), a member may not
16 serve more than 3 terms.

17 “(C) VACANCY.—Any member appointed to
18 fill a vacancy occurring before the expiration of
19 the term for which the member’s predecessor
20 was appointed shall be appointed only for the
21 remainder of that term. A member may serve
22 after the expiration of that member’s term until
23 a successor has taken office.

1 “(D) CHAIR.—The Board shall have a
2 Chair, who shall be appointed by the Director
3 from among the members.

4 “(E) TRAVEL EXPENSES.—Each member
5 shall receive travel expenses, including per diem
6 in lieu of subsistence, in accordance with appli-
7 cable provisions under subchapter I of chapter
8 57 of title 5, United States Code.

9 “(F) EXECUTIVE SECRETARY.—The Direc-
10 tor may appoint an executive secretary, who
11 shall be an employee of the National Reconnaiss-
12 sance Office, to support the Board.

13 “(4) MEETINGS.—The Board shall meet not
14 less than quarterly, but may meet more frequently
15 at the call of the Director.

16 “(5) REPORTS.—Not later than March 31 of
17 each year, the Board shall submit to the Director
18 and to the congressional intelligence committees a
19 report on the activities and significant findings of
20 the Board during the preceding year.

21 “(6) NONAPPLICABILITY OF CERTAIN REQUIRE-
22 MENTS.—The Federal Advisory Committee Act (5
23 U.S.C. App.) shall not apply to the Board.

1 “(7) TERMINATION.—The Board shall termi-
2 nate on the date that is 3 years after the date of the
3 first meeting of the Board.”.

4 (b) INITIAL APPOINTMENTS.—Not later than 180
5 days after the date of the enactment of this Act, the Direc-
6 tor of the National Reconnaissance Office shall appoint
7 the initial 5 members to the advisory board under sub-
8 section (d) of section 106A of the National Security Act
9 of 1947 (50 U.S.C. 3041a), as added by subsection (a).

10 **SEC. 2434. COLLOCATION OF CERTAIN DEPARTMENT OF**
11 **HOMELAND SECURITY PERSONNEL AT FIELD**
12 **LOCATIONS.**

13 (a) IDENTIFICATION OF OPPORTUNITIES FOR COL-
14 LOCATION.—Not later than 60 days after the date of the
15 enactment of this Act, the Under Secretary of Homeland
16 Security for Intelligence and Analysis shall identify, in
17 consultation with the Commissioner of U.S. Customs and
18 Border Protection, the Administrator of the Transpor-
19 tation Security Administration, the Director of U.S. Immi-
20 gration and Customs Enforcement, and the heads of such
21 other elements of the Department of Homeland Security
22 as the Under Secretary considers appropriate, opportuni-
23 ties for collocation of officers of the Office of Intelligence
24 and Analysis in the field outside of the greater Wash-
25 ington, District of Columbia, area in order to support

1 operational units from U.S. Customs and Border Protec-
2 tion, the Transportation Security Administration, U.S.
3 Immigration and Customs Enforcement, and other ele-
4 ments of the Department of Homeland Security.

5 (b) PLAN FOR COLLOCATION.—Not later than 120
6 days after the date of the enactment of this Act, the Under
7 Secretary shall submit to the congressional intelligence
8 committees a report that includes a plan for collocation
9 as described in subsection (a).

10 **TITLE XXV—ELECTION MATTERS**

11 **SEC. 2501. REPORT ON CYBER ATTACKS BY FOREIGN GOV- 12 ERNMENTS AGAINST UNITED STATES ELEC- 13 TION INFRASTRUCTURE.**

14 (a) DEFINITIONS.—In this section:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the congressional intelligence commit-
19 tees;

20 (B) the Committee on Homeland Security
21 and Governmental Affairs of the Senate;

22 (C) the Committee on Homeland Security
23 of the House of Representatives;

24 (D) the Committee on Foreign Relations of
25 the Senate; and

1 (E) the Committee on Foreign Affairs of
2 the House of Representatives.

3 (2) CONGRESSIONAL LEADERSHIP.—The term
4 “congressional leadership” includes the following:

5 (A) The majority leader of the Senate.

6 (B) The minority leader of the Senate.

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

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

11 (3) STATE.—The term “State” means any
12 State of the United States, the District of Columbia,
13 the Commonwealth of Puerto Rico, and any territory
14 or possession of the United States.

15 (b) REPORT REQUIRED.—Not later than 60 days
16 after the date of the enactment of this Act, the Under
17 Secretary of Homeland Security for Intelligence and Anal-
18 ysis shall submit to congressional leadership and the ap-
19 propriate congressional committees a report on cyber at-
20 tacks and attempted cyber attacks by foreign governments
21 on United States election infrastructure in States and lo-
22 calities in connection with the 2016 Presidential election
23 in the United States and such cyber attacks or attempted
24 cyber attacks as the Under Secretary anticipates against
25 such infrastructure. Such report shall identify the States

1 and localities affected and shall include cyber attacks and
2 attempted cyber attacks against voter registration data-
3 bases, voting machines, voting-related computer networks,
4 and the networks of Secretaries of State and other election
5 officials of the various States.

6 (c) FORM.—The report submitted under subsection
7 (b) shall be submitted in unclassified form, but may in-
8 clude a classified annex.

9 **SEC. 2502. REVIEW OF INTELLIGENCE COMMUNITY'S POS-**
10 **TURE TO COLLECT AGAINST AND ANALYZE**
11 **RUSSIAN EFFORTS TO INFLUENCE THE PRES-**
12 **IDENTIAL ELECTION.**

13 (a) REVIEW REQUIRED.—Not later than 1 year after
14 the date of the enactment of this Act, the Director of Na-
15 tional Intelligence shall—

16 (1) complete an after action review of the pos-
17 ture of the intelligence community to collect against
18 and analyze efforts of the Government of Russia to
19 interfere in the 2016 Presidential election in the
20 United States; and

21 (2) submit to the congressional intelligence
22 committees a report on the findings of the Director
23 with respect to such review.

24 (b) ELEMENTS.—The review required by subsection
25 (a) shall include, with respect to the posture and efforts

1 described in paragraph (1) of such subsection, the fol-
2 lowing:

3 (1) An assessment of whether the resources of
4 the intelligence community were properly aligned to
5 detect and respond to the efforts described in sub-
6 section (a)(1).

7 (2) An assessment of the information sharing
8 that occurred within elements of the intelligence
9 community.

10 (3) An assessment of the information sharing
11 that occurred between elements of the intelligence
12 community.

13 (4) An assessment of applicable authorities nec-
14 essary to collect on any such efforts and any defi-
15 ciencies in those authorities.

16 (5) A review of the use of open source material
17 to inform analysis and warning of such efforts.

18 (6) A review of the use of alternative and pre-
19 dictive analysis.

20 (c) FORM OF REPORT.—The report required by sub-
21 section (a)(2) shall be submitted to the congressional intel-
22 ligence committees in a classified form.

23 **SEC. 2503. ASSESSMENT OF FOREIGN INTELLIGENCE**
24 **THREATS TO FEDERAL ELECTIONS.**

25 (a) DEFINITIONS.—In this section:

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

4 (A) the congressional intelligence commit-
5 tees;

6 (B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate; and

8 (C) the Committee on Homeland Security
9 of the House of Representatives.

10 (2) CONGRESSIONAL LEADERSHIP.—The term
11 “congressional leadership” includes the following:

12 (A) The majority leader of the Senate.

13 (B) The minority leader of the Senate.

14 (C) The Speaker of the House of Rep-
15 resentatives.

16 (D) The minority leader of the House of
17 Representatives.

18 (3) SECURITY VULNERABILITY.—The term “se-
19 curity vulnerability” has the meaning given such
20 term in section 102 of the Cybersecurity Information
21 Sharing Act of 2015 (6 U.S.C. 1501).

22 (b) IN GENERAL.—The Director of National Intel-
23 ligence, in coordination with the Director of the Central
24 Intelligence Agency, the Director of the National Security
25 Agency, the Director of the Federal Bureau of Investiga-

1 tion, the Secretary of Homeland Security, and the heads
2 of other relevant elements of the intelligence community,
3 shall—

4 (1) commence not later than 1 year before any
5 regularly scheduled Federal election occurring after
6 December 31, 2018, and complete not later than
7 180 days before such election, an assessment of se-
8 curity vulnerabilities of State election systems; and

9 (2) not later than 180 days before any regularly
10 scheduled Federal election occurring after December
11 31, 2018, submit a report on such security
12 vulnerabilities and an assessment of foreign intel-
13 ligence threats to the election to—

14 (A) congressional leadership; and

15 (B) the appropriate congressional commit-
16 tees.

17 (c) UPDATE.—Not later than 90 days before any reg-
18 ularly scheduled Federal election occurring after Decem-
19 ber 31, 2018, the Director of National Intelligence shall—

20 (1) update the assessment of foreign intel-
21 ligence threats to that election; and

22 (2) submit the updated assessment to—

23 (A) congressional leadership; and

24 (B) the appropriate congressional commit-
25 tees.

1 **SEC. 2504. STRATEGY FOR COUNTERING RUSSIAN CYBER**
2 **THREATS TO UNITED STATES ELECTIONS.**

3 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
4 DEFINED.—In this section, the term “appropriate con-
5 gressional committees” means the following:

6 (1) The congressional intelligence committees.

7 (2) The Committee on Armed Services and the
8 Committee on Homeland Security and Governmental
9 Affairs of the Senate.

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

13 (4) The Committee on Foreign Relations of the
14 Senate.

15 (5) The Committee on Foreign Affairs of the
16 House of Representatives.

17 (b) REQUIREMENT FOR A STRATEGY.—Not later
18 than 90 days after the date of the enactment of this Act,
19 the Director of National Intelligence, in coordination with
20 the Secretary of Homeland Security, the Director of the
21 Federal Bureau of Investigation, the Director of the Cen-
22 tral Intelligence Agency, the Secretary of State, the Sec-
23 retary of Defense, and the Secretary of the Treasury, shall
24 develop a whole-of-government strategy for countering the
25 threat of Russian cyber attacks and attempted cyber at-
26 tacks against electoral systems and processes in the

1 United States, including Federal, State, and local election
2 systems, voter registration databases, voting tabulation
3 equipment, and equipment and processes for the secure
4 transmission of election results.

5 (c) ELEMENTS OF THE STRATEGY.—The strategy re-
6 quired by subsection (b) shall include the following ele-
7 ments:

8 (1) A whole-of-government approach to pro-
9 tecting United States electoral systems and proc-
10 esses that includes the agencies and departments in-
11 dicated in subsection (b) as well as any other agen-
12 cies and departments of the United States, as deter-
13 mined appropriate by the Director of National Intel-
14 ligence and the Secretary of Homeland Security.

15 (2) Input solicited from Secretaries of State of
16 the various States and the chief election officials of
17 the States.

18 (3) Technical security measures, including
19 auditable paper trails for voting machines, securing
20 wireless and Internet connections, and other tech-
21 nical safeguards.

22 (4) Detection of cyber threats, including attacks
23 and attempted attacks by Russian government or
24 nongovernment cyber threat actors.

1 (5) Improvements in the identification and at-
2 tribution of Russian government or nongovernment
3 cyber threat actors.

4 (6) Deterrence, including actions and measures
5 that could or should be undertaken against or com-
6 municated to the Government of Russia or other en-
7 tities to deter attacks against, or interference with,
8 United States election systems and processes.

9 (7) Improvements in Federal Government com-
10 munications with State and local election officials.

11 (8) Public education and communication ef-
12 forts.

13 (9) Benchmarks and milestones to enable the
14 measurement of concrete steps taken and progress
15 made in the implementation of the strategy.

16 (d) CONGRESSIONAL BRIEFING.—Not later than 90
17 days after the date of the enactment of this Act, the Direc-
18 tor of National Intelligence and the Secretary of Home-
19 land Security shall jointly brief the appropriate congres-
20 sional committees on the strategy developed under sub-
21 section (b).

1 **SEC. 2505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
2 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
3 **ELECTIONS AND REFERENDA.**

4 (a) **RUSSIAN INFLUENCE CAMPAIGN DEFINED.**—In
5 this section, the term “Russian influence campaign”
6 means any effort, covert or overt, and by any means, at-
7 tributable to the Russian Federation directed at an elec-
8 tion, referendum, or similar process in a country other
9 than the Russian Federation or the United States.

10 (b) **ASSESSMENT REQUIRED.**—Not later than 60
11 days after the date of the enactment of this Act, the Direc-
12 tor of National Intelligence shall submit to the congres-
13 sional intelligence committees a report containing an ana-
14 lytical assessment of the most significant Russian influ-
15 ence campaigns, if any, conducted during the 3-year pe-
16 riod preceding the date of the enactment of this Act, as
17 well as the most significant current or planned such Rus-
18 sian influence campaigns, if any. Such assessment shall
19 include—

20 (1) a summary of such significant Russian in-
21 fluence campaigns, including, at a minimum, the
22 specific means by which such campaigns were con-
23 ducted, are being conducted, or likely will be con-
24 ducted, as appropriate, and the specific goal of each
25 such campaign;

1 (2) a summary of any defenses against or re-
2 sponses to such Russian influence campaigns by the
3 foreign state holding the elections or referenda;

4 (3) a summary of any relevant activities by ele-
5 ments of the intelligence community undertaken for
6 the purpose of assisting the government of such for-
7 eign state in defending against or responding to
8 such Russian influence campaigns; and

9 (4) an assessment of the effectiveness of such
10 defenses and responses described in paragraphs (2)
11 and (3).

12 (c) FORM.—The report required by subsection (b)
13 may be submitted in classified form, but if so submitted,
14 shall contain an unclassified summary.

15 **SEC. 2506. INFORMATION SHARING WITH STATE ELECTION**
16 **OFFICIALS.**

17 (a) STATE DEFINED.—In this section, the term
18 “State” means any State of the United States, the Dis-
19 trict of Columbia, the Commonwealth of Puerto Rico, and
20 any territory or possession of the United States.

21 (b) SECURITY CLEARANCES.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the Director
24 of National Intelligence shall support the Under Sec-
25 retary of Homeland Security for Intelligence and

1 Analysis, and any other official of the Department
2 of Homeland Security designated by the Secretary of
3 Homeland Security, in sponsoring a security clear-
4 ance up to the top secret level for each eligible chief
5 election official of a State or the District of Colum-
6 bia, and additional eligible designees of such election
7 official as appropriate, at the time that such election
8 official assumes such position.

9 (2) INTERIM CLEARANCES.—Consistent with
10 applicable policies and directives, the Director of Na-
11 tional Intelligence may issue interim clearances, for
12 a period to be determined by the Director, to a chief
13 election official as described in paragraph (1) and up
14 to 1 designee of such official under such paragraph.

15 (c) INFORMATION SHARING.—

16 (1) IN GENERAL.—The Director of National In-
17 telligence shall assist the Under Secretary of Home-
18 land Security for Intelligence and Analysis and the
19 Under Secretary responsible for overseeing critical
20 infrastructure protection, cybersecurity, and other
21 related programs of the Department (as specified in
22 section 103(a)(1)(H) of the Homeland Security Act
23 of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any
24 appropriate classified information related to threats
25 to election systems and to the integrity of the elec-

1 tion process with chief election officials and such
2 designees who have received a security clearance
3 under subsection (b).

4 (2) COORDINATION.—The Under Secretary of
5 Homeland Security for Intelligence and Analysis
6 shall coordinate with the Director of National Intel-
7 ligence and the Under Secretary responsible for
8 overseeing critical infrastructure protection, cyberse-
9 curity, and other related programs of the Depart-
10 ment (as specified in section 103(a)(1)(H) of the
11 Homeland Security Act of 2002 (6 U.S.C.
12 113(a)(1)(H))) to facilitate the sharing of informa-
13 tion to the affected Secretaries of State or States.

14 **SEC. 2507. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER**
15 **INTRUSIONS AND ACTIVE MEASURES CAM-**
16 **PAIGNS DIRECTED AT ELECTIONS FOR FED-**
17 **ERAL OFFICES.**

18 (a) DEFINITIONS.—In this section:

19 (1) ACTIVE MEASURES CAMPAIGN.—The term
20 “active measures campaign” means a foreign semi-
21 covert or covert intelligence operation.

22 (2) CANDIDATE, ELECTION, AND POLITICAL
23 PARTY.—The terms “candidate”, “election”, and
24 “political party” have the meanings given those

1 terms in section 301 of the Federal Election Cam-
2 paign Act of 1971 (52 U.S.C. 30101).

3 (3) CONGRESSIONAL LEADERSHIP.—The term
4 “congressional leadership” includes the following:

5 (A) The majority leader of the Senate.

6 (B) The minority leader of the Senate.

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

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

11 (4) CYBER INTRUSION.—The term “cyber in-
12 trusion” means an electronic occurrence that actu-
13 ally or imminently jeopardizes, without lawful au-
14 thority, electronic election infrastructure, or the in-
15 tegrity, confidentiality, or availability of information
16 within such infrastructure.

17 (5) ELECTRONIC ELECTION INFRASTRUC-
18 TURE.—The term “electronic election infrastruc-
19 ture” means an electronic information system of any
20 of the following that is related to an election for
21 Federal office:

22 (A) The Federal Government.

23 (B) A State or local government.

24 (C) A political party.

25 (D) The election campaign of a candidate.

1 (6) FEDERAL OFFICE.—The term “Federal of-
2 fice” has the meaning given that term in section 301
3 of the Federal Election Campaign Act of 1971 (52
4 U.S.C. 30101).

5 (7) HIGH CONFIDENCE.—The term “high con-
6 fidence”, with respect to a determination, means
7 that the determination is based on high-quality in-
8 formation from multiple sources.

9 (8) MODERATE CONFIDENCE.—The term “mod-
10 erate confidence”, with respect to a determination,
11 means that a determination is credibly sourced and
12 plausible but not of sufficient quality or corrobo-
13 rated sufficiently to warrant a higher level of con-
14 fidence.

15 (9) OTHER APPROPRIATE CONGRESSIONAL COM-
16 MITTEES.—The term “other appropriate congres-
17 sional committees” means—

18 (A) the Committee on Armed Services, the
19 Committee on Homeland Security and Govern-
20 mental Affairs, and the Committee on Appro-
21 priations of the Senate; and

22 (B) the Committee on Armed Services, the
23 Committee on Homeland Security, and the
24 Committee on Appropriations of the House of
25 Representatives.

1 (b) DETERMINATIONS OF SIGNIFICANT FOREIGN
2 CYBER INTRUSIONS AND ACTIVE MEASURES CAM-
3 PAIGNS.—The Director of National Intelligence, the Di-
4 rector of the Federal Bureau of Investigation, and the
5 Secretary of Homeland Security shall jointly carry out
6 subsection (c) if such Directors and the Secretary jointly
7 determine—

8 (1) that on or after the date of the enactment
9 of this Act, a significant foreign cyber intrusion or
10 active measures campaign intended to influence an
11 upcoming election for any Federal office has oc-
12 curred or is occurring; and

13 (2) with moderate or high confidence, that such
14 intrusion or campaign can be attributed to a foreign
15 state or to a foreign nonstate person, group, or other
16 entity.

17 (c) BRIEFING.—

18 (1) IN GENERAL.—Not later than 14 days after
19 making a determination under subsection (b), the
20 Director of National Intelligence, the Director of the
21 Federal Bureau of Investigation, and the Secretary
22 of Homeland Security shall jointly provide a briefing
23 to the congressional leadership, the congressional in-
24 telligence committees and, consistent with the pro-
25 tection of sources and methods, the other appro-

1 appropriate congressional committees. The briefing shall
2 be classified and address, at a minimum, the fol-
3 lowing:

4 (A) A description of the significant foreign
5 cyber intrusion or active measures campaign, as
6 the case may be, covered by the determination.

7 (B) An identification of the foreign state
8 or foreign nonstate person, group, or other enti-
9 ty, to which such intrusion or campaign has
10 been attributed.

11 (C) The desirability and feasibility of the
12 public release of information about the cyber in-
13 trusion or active measures campaign.

14 (D) Any other information such Directors
15 and the Secretary jointly determine appropriate.

16 (2) ELECTRONIC ELECTION INFRASTRUCTURE
17 BRIEFINGS.—With respect to a significant foreign
18 cyber intrusion covered by a determination under
19 subsection (b), the Secretary of Homeland Security,
20 in consultation with the Director of National Intel-
21 ligence and the Director of the Federal Bureau of
22 Investigation, shall offer to the owner or operator of
23 any electronic election infrastructure directly af-
24 fected by such intrusion, a briefing on such intru-
25 sion, including steps that may be taken to mitigate

1 such intrusion. Such briefing may be classified and
2 made available only to individuals with appropriate
3 security clearances.

4 (3) PROTECTION OF SOURCES AND METH-
5 ODS.—This subsection shall be carried out in a man-
6 ner that is consistent with the protection of sources
7 and methods.

8 **SEC. 2508. DESIGNATION OF COUNTERINTELLIGENCE OFFI-**
9 **CER TO LEAD ELECTION SECURITY MATTERS.**

10 (a) IN GENERAL.—The Director of National Intel-
11 ligence shall designate a national counterintelligence offi-
12 cer within the National Counterintelligence and Security
13 Center to lead, manage, and coordinate counterintelligence
14 matters relating to election security.

15 (b) ADDITIONAL RESPONSIBILITIES.—The person
16 designated under subsection (a) shall also lead, manage,
17 and coordinate counterintelligence matters relating to
18 risks posed by interference from foreign powers (as de-
19 fined in section 101 of the Foreign Intelligence Surveil-
20 lance Act of 1978 (50 U.S.C. 1801)) to the following:

- 21 (1) The Federal Government election security
22 supply chain.
- 23 (2) Election voting systems and software.
- 24 (3) Voter registration databases.
- 25 (4) Critical infrastructure related to elections.

1 (5) Such other Government goods and services
2 as the Director of National Intelligence considers ap-
3 propriate.

4 **TITLE XXVI—SECURITY** 5 **CLEARANCES**

6 **SEC. 2601. DEFINITIONS.**

7 In this title:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
9 **TEES.**—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-
12 tees;

13 (B) the Committee on Armed Services of
14 the Senate;

15 (C) the Committee on Appropriations of
16 the Senate;

17 (D) the Committee on Homeland Security
18 and Governmental Affairs of the Senate;

19 (E) the Committee on Armed Services of
20 the House of Representatives;

21 (F) the Committee on Appropriations of
22 the House of Representatives;

23 (G) the Committee on Homeland Security
24 of the House of Representatives; and

1 (H) the Committee on Oversight and Re-
2 form of the House of Representatives.

3 (2) APPROPRIATE INDUSTRY PARTNERS.—The
4 term “appropriate industry partner” means a con-
5 tractor, licensee, or grantee (as defined in section
6 101(a) of Executive Order 12829 (50 U.S.C. 3161
7 note; relating to National Industrial Security Pro-
8 gram)) that is participating in the National Indus-
9 trial Security Program established by such Executive
10 Order.

11 (3) CONTINUOUS VETTING.—The term “contin-
12 uous vetting” has the meaning given such term in
13 Executive Order 13467 (50 U.S.C. 3161 note; relat-
14 ing to reforming processes related to suitability for
15 government employment, fitness for contractor em-
16 ployees, and eligibility for access to classified na-
17 tional security information).

18 (4) COUNCIL.—The term “Council” means the
19 Security, Suitability, and Credentialing Performance
20 Accountability Council established pursuant to such
21 Executive Order, or any successor entity.

22 (5) SECURITY EXECUTIVE AGENT.—The term
23 “Security Executive Agent” means the officer serv-
24 ing as the Security Executive Agent pursuant to sec-

1 tion 803 of the National Security Act of 1947, as
2 added by section 2605.

3 (6) SUITABILITY AND CREDENTIALING EXECU-
4 TIVE AGENT.—The term “Suitability and
5 Credentialing Executive Agent” means the Director
6 of the Office of Personnel Management acting as the
7 Suitability and Credentialing Executive Agent in ac-
8 cordance with Executive Order 13467 (50 U.S.C.
9 3161 note; relating to reforming processes related to
10 suitability for government employment, fitness for
11 contractor employees, and eligibility for access to
12 classified national security information), or any suc-
13 cessor entity.

14 **SEC. 2602. REPORTS AND PLANS RELATING TO SECURITY**
15 **CLEARANCES AND BACKGROUND INVESTIGA-**
16 **TIONS.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) ensuring the trustworthiness and security of
20 the workforce, facilities, and information of the Fed-
21 eral Government is of the highest priority to na-
22 tional security and public safety;

23 (2) the President and Congress should
24 prioritize the modernization of the personnel security

1 framework to improve its efficiency, effectiveness,
2 and accountability;

3 (3) the current system for security clearance,
4 suitability and fitness for employment, and
5 credentialing lacks efficiencies and capabilities to
6 meet the current threat environment, recruit and re-
7 tain a trusted workforce, and capitalize on modern
8 technologies; and

9 (4) changes to policies or processes to improve
10 this system should be vetted through the Council to
11 ensure standardization, portability, and reciprocity
12 in security clearances across the Federal Govern-
13 ment.

14 (b) ACCOUNTABILITY PLANS AND REPORTS.—

15 (1) PLANS.—Not later than 90 days after the
16 date of the enactment of this Act, the Council shall
17 submit to the appropriate congressional committees
18 and make available to appropriate industry partners
19 the following:

20 (A) A plan, with milestones, to reduce the
21 background investigation inventory to 200,000,
22 or an otherwise sustainable steady-level, by the
23 end of year 2020. Such plan shall include notes
24 of any required changes in investigative and ad-
25 judicative standards or resources.

1 (B) A plan to consolidate the conduct of
2 background investigations associated with the
3 processing for security clearances in the most
4 effective and efficient manner between the Na-
5 tional Background Investigation Bureau and
6 the Defense Security Service, or a successor or-
7 ganization. Such plan shall address required
8 funding, personnel, contracts, information tech-
9 nology, field office structure, policy, governance,
10 schedule, transition costs, and effects on stake-
11 holders.

12 (2) REPORT ON THE FUTURE OF PERSONNEL
13 SECURITY.—

14 (A) IN GENERAL.—Not later than 180
15 days after the date of the enactment of this
16 Act, the Chairman of the Council, in coordina-
17 tion with the members of the Council, shall sub-
18 mit to the appropriate congressional committees
19 and make available to appropriate industry
20 partners a report on the future of personnel se-
21 curity to reflect changes in threats, the work-
22 force, and technology.

23 (B) CONTENTS.—The report submitted
24 under subparagraph (A) shall include the fol-
25 lowing:

1 (i) A risk framework for granting and
2 renewing access to classified information.

3 (ii) A discussion of the use of tech-
4 nologies to prevent, detect, and monitor
5 threats.

6 (iii) A discussion of efforts to address
7 reciprocity and portability.

8 (iv) A discussion of the characteristics
9 of effective insider threat programs.

10 (v) An analysis of how to integrate
11 data from continuous evaluation, insider
12 threat programs, and human resources
13 data.

14 (vi) Recommendations on interagency
15 governance.

16 (3) PLAN FOR IMPLEMENTATION.—Not later
17 than 180 days after the date of the enactment of
18 this Act, the Chairman of the Council, in coordina-
19 tion with the members of the Council, shall submit
20 to the appropriate congressional committees and
21 make available to appropriate industry partners a
22 plan to implement the report's framework and rec-
23 ommendations submitted under paragraph (2)(A).

24 (4) CONGRESSIONAL NOTIFICATIONS.—Not less
25 frequently than quarterly, the Security Executive

1 Agent shall make available to the public a report re-
2 garding the status of the disposition of requests re-
3 ceived from departments and agencies of the Federal
4 Government for a change to, or approval under, the
5 Federal investigative standards, the national adju-
6 dicative guidelines, continuous evaluation, or other
7 national policy regarding personnel security.

8 **SEC. 2603. IMPROVING THE PROCESS FOR SECURITY**
9 **CLEARANCES.**

10 (a) **REVIEWS.**—Not later than 180 days after the
11 date of the enactment of this Act, the Security Executive
12 Agent, in coordination with the members of the Council,
13 shall submit to the appropriate congressional committees
14 and make available to appropriate industry partners a re-
15 port that includes the following:

16 (1) A review of whether the information re-
17 quested on the Questionnaire for National Security
18 Positions (Standard Form 86) and by the Federal
19 Investigative Standards prescribed by the Office of
20 Personnel Management and the Office of the Direc-
21 tor of National Intelligence appropriately supports
22 the adjudicative guidelines under Security Executive
23 Agent Directive 4 (known as the “National Security
24 Adjudicative Guidelines”). Such review shall include
25 identification of whether any such information cur-

1 rently collected is unnecessary to support the adju-
2 dicative guidelines.

3 (2) An assessment of whether such Question-
4 naire, Standards, and guidelines should be revised to
5 account for the prospect of a holder of a security
6 clearance becoming an insider threat.

7 (3) Recommendations to improve the back-
8 ground investigation process by—

9 (A) simplifying the Questionnaire for Na-
10 tional Security Positions (Standard Form 86)
11 and increasing customer support to applicants
12 completing such Questionnaire;

13 (B) using remote techniques and central-
14 ized locations to support or replace field inves-
15 tigation work;

16 (C) using secure and reliable digitization of
17 information obtained during the clearance proc-
18 ess;

19 (D) building the capacity of the back-
20 ground investigation labor sector; and

21 (E) replacing periodic reinvestigations with
22 continuous evaluation techniques in all appro-
23 priate circumstances.

24 (b) **POLICY, STRATEGY, AND IMPLEMENTATION.**—

25 Not later than 180 days after the date of the enactment

1 of this Act, the Security Executive Agent shall, in coordi-
2 nation with the members of the Council, establish the fol-
3 lowing:

4 (1) A policy and implementation plan for the
5 issuance of interim security clearances.

6 (2) A policy and implementation plan to ensure
7 contractors are treated consistently in the security
8 clearance process across agencies and departments
9 of the United States as compared to employees of
10 such agencies and departments. Such policy shall
11 address—

12 (A) prioritization of processing security
13 clearances based on the mission the contractors
14 will be performing;

15 (B) standardization in the forms that
16 agencies issue to initiate the process for a secu-
17 rity clearance;

18 (C) digitization of background investiga-
19 tion-related forms;

20 (D) use of the polygraph;

21 (E) the application of the adjudicative
22 guidelines under Security Executive Agent Di-
23 rective 4 (known as the “National Security Ad-
24 judicative Guidelines”);

1 (F) reciprocal recognition of clearances
2 across agencies and departments of the United
3 States, regardless of status of periodic reinves-
4 tigation;

5 (G) tracking of clearance files as individ-
6 uals move from employment with an agency or
7 department of the United States to employment
8 in the private sector;

9 (H) collection of timelines for movement of
10 contractors across agencies and departments;

11 (I) reporting on security incidents and job
12 performance, consistent with section 552a of
13 title 5, United States Code (commonly known
14 as the “Privacy Act of 1974”), that may affect
15 the ability to hold a security clearance;

16 (J) any recommended changes to the Fed-
17 eral Acquisition Regulations (FAR) necessary
18 to ensure that information affecting contractor
19 clearances or suitability is appropriately and ex-
20 peditiously shared between and among agencies
21 and contractors; and

22 (K) portability of contractor security clear-
23 ances between or among contracts at the same
24 agency and between or among contracts at dif-

1 ferent agencies that require the same level of
2 clearance.

3 (3) A strategy and implementation plan that—

4 (A) provides for periodic reinvestigations
5 as part of a security clearance determination
6 only on an as-needed, risk-based basis;

7 (B) includes actions to assess the extent to
8 which automated records checks and other con-
9 tinuous evaluation methods may be used to ex-
10 pedite or focus reinvestigations; and

11 (C) provides an exception for certain popu-
12 lations if the Security Executive Agent—

13 (i) determines such populations re-
14 quire reinvestigations at regular intervals;
15 and

16 (ii) provides written justification to
17 the appropriate congressional committees
18 for any such determination.

19 (4) A policy and implementation plan for agen-
20 cies and departments of the United States, as a part
21 of the security clearance process, to accept auto-
22 mated records checks generated pursuant to a secu-
23 rity clearance applicant's employment with a prior
24 employer.

1 (5) A policy for the use of certain background
2 materials on individuals collected by the private sec-
3 tor for background investigation purposes.

4 (6) Uniform standards for agency continuous
5 evaluation programs to ensure quality and reci-
6 procity in accepting enrollment in a continuous vet-
7 ting program as a substitute for a periodic investiga-
8 tion for continued access to classified information.

9 **SEC. 2604. GOALS FOR PROMPTNESS OF DETERMINATIONS**
10 **REGARDING SECURITY CLEARANCES.**

11 (a) **RECIPROCIITY DEFINED.**—In this section, the
12 term “reciprocity” means reciprocal recognition by Fed-
13 eral departments and agencies of eligibility for access to
14 classified information.

15 (b) **IN GENERAL.**—The Council shall reform the se-
16 curity clearance process with the objective that, by Decem-
17 ber 31, 2021, 90 percent of all determinations, other than
18 determinations regarding populations identified under sec-
19 tion 2603(b)(3)(C), regarding—

20 (1) security clearances—

21 (A) at the secret level are issued in 30
22 days or fewer; and

23 (B) at the top secret level are issued in 90
24 days or fewer; and

1 (2) reciprocity of security clearances at the
2 same level are recognized in 2 weeks or fewer.

3 (c) CERTAIN REINVESTIGATIONS.—The Council shall
4 reform the security clearance process with the goal that
5 by December 31, 2021, reinvestigation on a set periodicity
6 is not required for more than 10 percent of the population
7 that holds a security clearance.

8 (d) EQUIVALENT METRICS.—

9 (1) IN GENERAL.—If the Council develops a set
10 of performance metrics that it certifies to the appro-
11 priate congressional committees should achieve sub-
12 stantially equivalent outcomes as those outlined in
13 subsections (b) and (c), the Council may use those
14 metrics for purposes of compliance within this provi-
15 sion.

16 (2) NOTICE.—If the Council uses the authority
17 provided by paragraph (1) to use metrics as de-
18 scribed in such paragraph, the Council shall, not
19 later than 30 days after communicating such metrics
20 to departments and agencies, notify the appropriate
21 congressional committees that it is using such au-
22 thority.

23 (e) PLAN.—Not later than 180 days after the date
24 of the enactment of this Act, the Council shall submit to
25 the appropriate congressional committees and make avail-

1 able to appropriate industry partners a plan to carry out
2 this section. Such plan shall include recommended interim
3 milestones for the goals set forth in subsections (b) and
4 (c) for 2019, 2020, and 2021.

5 **SEC. 2605. SECURITY EXECUTIVE AGENT.**

6 (a) IN GENERAL.—Title VIII of the National Secu-
7 rity Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

8 (1) by redesignating sections 803 and 804 as
9 sections 804 and 805, respectively; and

10 (2) by inserting after section 802 the following:

11 **“SEC. 803. SECURITY EXECUTIVE AGENT.**

12 “(a) IN GENERAL.—The Director of National Intel-
13 ligence, or such other officer of the United States as the
14 President may designate, shall serve as the Security Exec-
15 utive Agent for all departments and agencies of the United
16 States.

17 “(b) DUTIES.—The duties of the Security Executive
18 Agent are as follows:

19 “(1) To direct the oversight of investigations,
20 reinvestigations, adjudications, and, as applicable,
21 polygraphs for eligibility for access to classified in-
22 formation or eligibility to hold a sensitive position
23 made by any Federal agency.

24 “(2) To review the national security back-
25 ground investigation and adjudication programs of

1 Federal agencies to determine whether such pro-
2 grams are being implemented in accordance with
3 this section.

4 “(3) To develop and issue uniform and con-
5 sistent policies and procedures to ensure the effec-
6 tive, efficient, timely, and secure completion of inves-
7 tigation, polygraphs, and adjudications relating to
8 determinations of eligibility for access to classified
9 information or eligibility to hold a sensitive position.

10 “(4) Unless otherwise designated by law, to
11 serve as the final authority to designate a Federal
12 agency or agencies to conduct investigations of per-
13 sons who are proposed for access to classified infor-
14 mation or for eligibility to hold a sensitive position
15 to ascertain whether such persons satisfy the criteria
16 for obtaining and retaining access to classified infor-
17 mation or eligibility to hold a sensitive position, as
18 applicable.

19 “(5) Unless otherwise designated by law, to
20 serve as the final authority to designate a Federal
21 agency or agencies to determine eligibility for access
22 to classified information or eligibility to hold a sen-
23 sitive position in accordance with Executive Order
24 12968 (50 U.S.C. 3161 note; relating to access to
25 classified information).

1 “(6) To ensure reciprocal recognition of eligi-
2 bility for access to classified information or eligibility
3 to hold a sensitive position among Federal agencies,
4 including acting as the final authority to arbitrate
5 and resolve disputes among such agencies involving
6 the reciprocity of investigations and adjudications of
7 eligibility.

8 “(7) To execute all other duties assigned to the
9 Security Executive Agent by law.

10 “(c) AUTHORITIES.—The Security Executive Agent
11 shall—

12 “(1) issue guidelines and instructions to the
13 heads of Federal agencies to ensure appropriate uni-
14 formity, centralization, efficiency, effectiveness, time-
15 liness, and security in processes relating to deter-
16 minations by such agencies of eligibility for access to
17 classified information or eligibility to hold a sensitive
18 position, including such matters as investigations,
19 polygraphs, adjudications, and reciprocity;

20 “(2) have the authority to grant exceptions to,
21 or waivers of, national security investigative require-
22 ments, including issuing implementing or clarifying
23 guidance, as necessary;

24 “(3) have the authority to assign, in whole or
25 in part, to the head of any Federal agency (solely or

1 jointly) any of the duties of the Security Executive
2 Agent described in subsection (b) or the authorities
3 described in paragraphs (1) and (2), provided that
4 the exercise of such assigned duties or authorities is
5 subject to the oversight of the Security Executive
6 Agent, including such terms and conditions (includ-
7 ing approval by the Security Executive Agent) as the
8 Security Executive Agent determines appropriate;
9 and

10 “(4) define and set standards for continuous
11 evaluation for continued access to classified informa-
12 tion and for eligibility to hold a sensitive position.”.

13 (b) REPORT ON RECOMMENDATIONS FOR REVISING
14 AUTHORITIES.—Not later than 30 days after the date on
15 which the Chairman of the Council submits to the appro-
16 priate congressional committees the report required by
17 section 2602(b)(2)(A), the Chairman shall submit to the
18 appropriate congressional committees such recommenda-
19 tions as the Chairman may have for revising the authori-
20 ties of the Security Executive Agent.

21 (c) CONFORMING AMENDMENT.—Section
22 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is
23 amended by striking “in section 804” and inserting “in
24 section 805”.

1 (d) CLERICAL AMENDMENT.—The table of contents
2 in the matter preceding section 2 of such Act (50 U.S.C.
3 3002) is amended by striking the items relating to sections
4 803 and 804 and inserting the following:

“Sec. 803. Security Executive Agent.

“Sec. 804. Exceptions.

“Sec. 805. Definitions.”.

5 **SEC. 2606. REPORT ON UNIFIED, SIMPLIFIED, GOVERN-**
6 **MENTWIDE STANDARDS FOR POSITIONS OF**
7 **TRUST AND SECURITY CLEARANCES.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Security Executive Agent and the
10 Suitability and Credentialing Executive Agent, in coordi-
11 nation with the other members of the Council, shall jointly
12 submit to the appropriate congressional committees and
13 make available to appropriate industry partners a report
14 regarding the advisability and the risks, benefits, and
15 costs to the Government and to industry of consolidating
16 to not more than 3 tiers for positions of trust and security
17 clearances.

18 **SEC. 2607. REPORT ON CLEARANCE IN PERSON CONCEPT.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that to reflect the greater mobility of the modern
21 workforce, alternative methodologies merit analysis to
22 allow greater flexibility for individuals moving in and out
23 of positions that require access to classified information,
24 while still preserving security.

1 (b) REPORT REQUIRED.—Not later than 90 days
2 after the date of the enactment of this Act, the Security
3 Executive Agent shall submit to the appropriate congress-
4 sional committees and make available to appropriate in-
5 dustry partners a report that describes the requirements,
6 feasibility, and advisability of implementing a clearance in
7 person concept described in subsection (c).

8 (c) CLEARANCE IN PERSON CONCEPT.—The clear-
9 ance in person concept—

10 (1) permits an individual who once held a secu-
11 rity clearance to maintain his or her eligibility for
12 access to classified information, networks, and facili-
13 ties for up to 3 years after the individual's eligibility
14 for access to classified information would otherwise
15 lapse; and

16 (2) recognizes, unless otherwise directed by the
17 Security Executive Agent, an individual's security
18 clearance and background investigation as current,
19 regardless of employment status, contingent on en-
20 rollment in a continuous vetting program.

21 (d) CONTENTS.—The report required under sub-
22 section (b) shall address—

23 (1) requirements for an individual to voluntarily
24 remain in a continuous evaluation program validated
25 by the Security Executive Agent even if the indi-

1 vidual is not in a position requiring access to classi-
2 fied information;

3 (2) appropriate safeguards for privacy;

4 (3) advantages to government and industry;

5 (4) the costs and savings associated with imple-
6 mentation;

7 (5) the risks of such implementation, including
8 security and counterintelligence risks;

9 (6) an appropriate funding model; and

10 (7) fairness to small companies and inde-
11 pendent contractors.

12 **SEC. 2608. REPORTS ON RECIPROCITY FOR SECURITY**
13 **CLEARANCES INSIDE OF DEPARTMENTS AND**
14 **AGENCIES.**

15 (a) **RECIPROCALLY RECOGNIZED DEFINED.**—In this
16 section, the term “reciprocally recognized” means recip-
17 rocal recognition by Federal departments and agencies of
18 eligibility for access to classified information.

19 (b) **REPORTS TO SECURITY EXECUTIVE AGENT.**—
20 The head of each Federal department or agency shall sub-
21 mit an annual report to the Security Executive Agent
22 that—

23 (1) identifies the number of individuals whose
24 security clearances take more than 2 weeks to be re-

1 ciproccally recognized after such individuals move to
2 another part of such department or agency; and

3 (2) breaks out the information described in
4 paragraph (1) by type of clearance and the reasons
5 for any delays.

6 (c) ANNUAL REPORT.—Not less frequently than once
7 each year, the Security Executive Agent shall submit to
8 the appropriate congressional committees and make avail-
9 able to industry partners an annual report that summa-
10 rizes the information received pursuant to subsection (b)
11 during the period covered by such report.

12 **SEC. 2609. INTELLIGENCE COMMUNITY REPORTS ON SECU-**
13 **RITY CLEARANCES.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) despite sustained efforts by Congress and
17 the executive branch, an unacceptable backlog in
18 processing and adjudicating security clearances per-
19 sists, both within elements of the intelligence com-
20 munity and in other departments of the Federal
21 Government, with some processing times exceeding a
22 year or even more;

23 (2) the protracted clearance timetable threatens
24 the ability of elements of the intelligence community

1 to hire and retain highly qualified individuals, and
2 thus to fulfill the missions of such elements;

3 (3) the prospect of a lengthy clearance process
4 deters some such individuals from seeking employ-
5 ment with the intelligence community in the first
6 place, and, when faced with a long wait time, those
7 with conditional offers of employment may opt to
8 discontinue the security clearance process and pur-
9 sue different opportunities;

10 (4) now more than ever, therefore, the broken
11 security clearance process badly needs fundamental
12 reform; and

13 (5) in the meantime, to ensure the ability of
14 elements of the intelligence community to hire and
15 retain highly qualified personnel, elements should
16 consider, to the extent possible and consistent with
17 national security, permitting new employees to enter
18 on duty immediately or nearly so, and to perform,
19 on a temporary basis pending final adjudication of
20 their security clearances, work that either does not
21 require a security clearance or requires only a low-
22 level interim clearance.

23 (b) IN GENERAL.—Section 506H of the National Se-
24 curity Act of 1947 (50 U.S.C. 3104) is amended—

25 (1) in subsection (a)(1)—

1 (A) in subparagraph (A)(ii), by inserting
2 “and” after the semicolon;

3 (B) in subparagraph (B)(ii), by striking “;
4 and” and inserting a period; and

5 (C) by striking subparagraph (C);

6 (2) by redesignating subsection (b) as sub-
7 section (c);

8 (3) by inserting after subsection (a) the fol-
9 lowing new subsection (b):

10 “(b) INTELLIGENCE COMMUNITY REPORTS.—(1)

11 Not later than March 1 of each year, the Director of Na-
12 tional Intelligence shall submit to the congressional intel-
13 ligence committees, the Committee on Homeland Security
14 and Governmental Affairs of the Senate, and the Com-
15 mittee on Homeland Security of the House of Representa-
16 tives a report on the security clearances processed by each
17 element of the intelligence community during the pre-
18 ceding fiscal year. Each such report shall separately iden-
19 tify security clearances processed for Federal employees
20 and contractor employees sponsored by each such element.

21 “(2) Each report submitted under paragraph (1)
22 shall include each of the following for each element of the
23 intelligence community for the fiscal year covered by the
24 report:

1 “(A) The total number of initial security clear-
2 ance background investigations sponsored for new
3 applicants.

4 “(B) The total number of security clearance
5 periodic reinvestigations sponsored for existing em-
6 ployees.

7 “(C) The total number of initial security clear-
8 ance background investigations for new applicants
9 that were adjudicated with notice of a determination
10 provided to the prospective applicant, including—

11 “(i) the total number that were adju-
12 dicated favorably and granted access to classi-
13 fied information; and

14 “(ii) the total number that were adju-
15 dicated unfavorably and resulted in a denial or
16 revocation of a security clearance.

17 “(D) The total number of security clearance
18 periodic background investigations that were adju-
19 dicated with notice of a determination provided to
20 the existing employee, including—

21 “(i) the total number that were adju-
22 dicated favorably; and

23 “(ii) the total number that were adju-
24 dicated unfavorably and resulted in a denial or
25 revocation of a security clearance.

1 “(E) The total number of pending security
2 clearance background investigations, including initial
3 applicant investigations and periodic reinvestiga-
4 tions, that were not adjudicated as of the last day
5 of such year and that remained pending as follows:

6 “(i) For 180 days or less.

7 “(ii) For 180 days or longer, but less than
8 12 months.

9 “(iii) For 12 months or longer, but less
10 than 18 months.

11 “(iv) For 18 months or longer, but less
12 than 24 months.

13 “(v) For 24 months or longer.

14 “(F) In the case of security clearance deter-
15 minations completed or pending during the year pre-
16 ceding the year for which the report is submitted
17 that have taken longer than 12 months to com-
18 plete—

19 “(i) an explanation of the causes for the
20 delays incurred during the period covered by
21 the report; and

22 “(ii) the number of such delays involving a
23 polygraph requirement.

24 “(G) The percentage of security clearance in-
25 vestigations, including initial and periodic reinves-

1 tigations, that resulted in a denial or revocation of
2 a security clearance.

3 “(H) The percentage of security clearance in-
4 vestigations that resulted in incomplete information.

5 “(I) The percentage of security clearance inves-
6 tigations that did not result in enough information
7 to make a decision on potentially adverse informa-
8 tion.

9 “(3) The report required under this subsection shall
10 be submitted in unclassified form, but may include a clas-
11 sified annex.”; and

12 (4) in subsection (c), as redesignated by para-
13 graph (2), by striking “subsection (a)(1)” and in-
14 serting “subsections (a)(1) and (b)”.

15 **SEC. 2610. PERIODIC REPORT ON POSITIONS IN THE INTEL-**
16 **LIGENCE COMMUNITY THAT CAN BE CON-**
17 **DUCTED WITHOUT ACCESS TO CLASSIFIED**
18 **INFORMATION, NETWORKS, OR FACILITIES.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act and not less frequently than once every
21 5 years thereafter, the Director of National Intelligence
22 shall submit to the congressional intelligence committees
23 a report that reviews the intelligence community for which
24 positions can be conducted without access to classified in-

1 formation, networks, or facilities, or may only require a
2 security clearance at the secret level.

3 **SEC. 2611. INFORMATION SHARING PROGRAM FOR POSI-**
4 **TIONS OF TRUST AND SECURITY CLEAR-**
5 **ANCES.**

6 (a) PROGRAM REQUIRED.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Security
9 Executive Agent and the Suitability and
10 Credentialing Executive Agent shall establish and
11 implement a program to share between and among
12 agencies of the Federal Government and industry
13 partners of the Federal Government relevant back-
14 ground information regarding individuals applying
15 for and currently occupying national security posi-
16 tions and positions of trust, in order to ensure the
17 Federal Government maintains a trusted workforce.

18 (2) DESIGNATION.—The program established
19 under paragraph (1) shall be known as the “Trusted
20 Information Provider Program” (in this section re-
21 ferred to as the “Program”).

22 (b) PRIVACY SAFEGUARDS.—The Security Executive
23 Agent and the Suitability and Credentialing Executive
24 Agent shall ensure that the Program includes such safe-
25 guards for privacy as the Security Executive Agent and

1 the Suitability and Credentialing Executive Agent consider
2 appropriate.

3 (c) PROVISION OF INFORMATION TO THE FEDERAL
4 GOVERNMENT.—The Program shall include requirements
5 that enable investigative service providers and agencies of
6 the Federal Government to leverage certain pre-employ-
7 ment information gathered during the employment or mili-
8 tary recruiting process, and other relevant security or
9 human resources information obtained during employment
10 with or for the Federal Government, that satisfy Federal
11 investigative standards, while safeguarding personnel pri-
12 vacy.

13 (d) INFORMATION AND RECORDS.—The information
14 and records considered under the Program shall include
15 the following:

- 16 (1) Date and place of birth.
- 17 (2) Citizenship or immigration and naturaliza-
18 tion information.
- 19 (3) Education records.
- 20 (4) Employment records.
- 21 (5) Employment or social references.
- 22 (6) Military service records.
- 23 (7) State and local law enforcement checks.
- 24 (8) Criminal history checks.
- 25 (9) Financial records or information.

1 (10) Foreign travel, relatives, or associations.

2 (11) Social media checks.

3 (12) Such other information or records as may
4 be relevant to obtaining or maintaining national se-
5 curity, suitability, fitness, or credentialing eligibility.

6 (e) IMPLEMENTATION PLAN.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Security
9 Executive Agent and the Suitability and
10 Credentialing Executive Agent shall jointly submit to
11 the appropriate congressional committees and make
12 available to appropriate industry partners a plan for
13 the implementation of the Program.

14 (2) ELEMENTS.—The plan required by para-
15 graph (1) shall include the following:

16 (A) Mechanisms that address privacy, na-
17 tional security, suitability or fitness,
18 credentialing, and human resources or military
19 recruitment processes.

20 (B) Such recommendations for legislative
21 or administrative action as the Security Execu-
22 tive Agent and the Suitability and Credentialing
23 Executive Agent consider appropriate to carry
24 out or improve the Program.

1 (f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFOR-
2 MATION SHARING.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, the Se-
5 curity Executive Agent and the Suitability and
6 Credentialing Executive Agent shall jointly submit to
7 the appropriate congressional committees and make
8 available to appropriate industry partners a plan for
9 the implementation of a pilot program to assess the
10 feasibility and advisability of expanding the Program
11 to include the sharing of information held by the
12 Federal Government related to contract personnel
13 with the security office of the employers of those
14 contractor personnel.

15 (2) ELEMENTS.—The plan required by para-
16 graph (1) shall include the following:

17 (A) Mechanisms that address privacy, na-
18 tional security, suitability or fitness,
19 credentialing, and human resources or military
20 recruitment processes.

21 (B) Such recommendations for legislative
22 or administrative action as the Security Execu-
23 tive Agent and the Suitability and Credentialing
24 Executive Agent consider appropriate to carry
25 out or improve the pilot program.

1 (g) REVIEW.—Not later than 1 year after the date
2 of the enactment of this Act, the Security Executive Agent
3 and the Suitability and Credentialing Executive Agent
4 shall jointly submit to the appropriate congressional com-
5 mittees and make available to appropriate industry part-
6 ners a review of the plans submitted under subsections
7 (e)(1) and (f)(1) and utility and effectiveness of the pro-
8 grams described in such plans.

9 **SEC. 2612. REPORT ON PROTECTIONS FOR CONFIDEN-**
10 **TIALITY OF WHISTLEBLOWER-RELATED COM-**
11 **MUNICATIONS.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, the Security Executive Agent shall, in
14 coordination with the Inspector General of the Intelligence
15 Community, submit to the appropriate congressional com-
16 mittees a report detailing the controls employed by the in-
17 telligence community to ensure that continuous vetting
18 programs, including those involving user activity moni-
19 toring, protect the confidentiality of whistleblower-related
20 communications.

1 **TITLE XXVII—REPORTS AND**
2 **OTHER MATTERS**
3 **Subtitle A—Matters Relating to**
4 **Russia and Other Foreign Powers**

5 **SEC. 2701. LIMITATION RELATING TO ESTABLISHMENT OR**
6 **SUPPORT OF CYBERSECURITY UNIT WITH**
7 **THE RUSSIAN FEDERATION.**

8 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term “appropriate con-
10 gressional committees” means—

- 11 (1) the congressional intelligence committees;
12 (2) the Committee on Armed Services of the
13 Senate and the Committee on Armed Services of the
14 House of Representatives; and
15 (3) the Committee on Foreign Relations of the
16 Senate and the Committee on Foreign Affairs of the
17 House of Representatives.

18 (b) LIMITATION.—

- 19 (1) IN GENERAL.—No amount may be ex-
20 pended by the Federal Government, other than the
21 Department of Defense, to enter into or implement
22 any bilateral agreement between the United States
23 and the Russian Federation regarding cybersecurity,
24 including the establishment or support of any cyber-
25 security unit, unless, at least 30 days prior to the

1 conclusion of any such agreement, the Director of
2 National Intelligence submits to the appropriate con-
3 gressional committees a report on such agreement
4 that includes the elements required by subsection
5 (c).

6 (2) DEPARTMENT OF DEFENSE AGREE-
7 MENTS.—Any agreement between the Department of
8 Defense and the Russian Federation regarding cy-
9 bersecurity shall be conducted in accordance with
10 section 1232 of the National Defense Authorization
11 Act for Fiscal Year 2017 (Public Law 114–328), as
12 amended by section 1231 of the National Defense
13 Authorization Act for Fiscal Year 2018 (Public Law
14 115–91).

15 (c) ELEMENTS.—If the Director submits a report
16 under subsection (b) with respect to an agreement, such
17 report shall include a description of each of the following:

18 (1) The purpose of the agreement.

19 (2) The nature of any intelligence to be shared
20 pursuant to the agreement.

21 (3) The expected value to national security re-
22 sulting from the implementation of the agreement.

23 (4) Such counterintelligence concerns associated
24 with the agreement as the Director may have and

1 such measures as the Director expects to be taken
2 to mitigate such concerns.

3 (d) **RULE OF CONSTRUCTION.**—This section shall not
4 be construed to affect any existing authority of the Direc-
5 tor of National Intelligence, the Director of the Central
6 Intelligence Agency, or another head of an element of the
7 intelligence community, to share or receive foreign intel-
8 ligence on a case-by-case basis.

9 **SEC. 2702. REPORT ON RETURNING RUSSIAN COMPOUNDS.**

10 (a) **COVERED COMPOUNDS DEFINED.**—In this sec-
11 tion, the term “covered compounds” means the real prop-
12 erty in New York, the real property in Maryland, and the
13 real property in San Francisco, California, that were
14 under the control of the Government of Russia in 2016
15 and were removed from such control in response to various
16 transgressions by the Government of Russia, including the
17 interference by the Government of Russia in the 2016
18 election in the United States.

19 (b) **REQUIREMENT FOR REPORT.**—Not later than
20 180 days after the date of the enactment of this Act, the
21 Director of National Intelligence shall submit to the con-
22 gressional intelligence committees, and the Committee on
23 Foreign Relations of the Senate and the Committee on
24 Foreign Affairs of the House of Representatives (only with
25 respect to the unclassified report), a report on the intel-

1 ligen ce risks of returning the covered compounds to Rus-
2 sian control.

3 (c) FORM OF REPORT.—The report required by this
4 section shall be submitted in classified and unclassified
5 forms.

6 **SEC. 2703. ASSESSMENT OF THREAT FINANCE RELATING**
7 **TO RUSSIA.**

8 (a) THREAT FINANCE DEFINED.—In this section,
9 the term “threat finance” means—

10 (1) the financing of cyber operations, global in-
11 fluence campaigns, intelligence service activities, pro-
12 liferation, terrorism, or transnational crime and
13 drug organizations;

14 (2) the methods and entities used to spend,
15 store, move, raise, conceal, or launder money or
16 value, on behalf of threat actors;

17 (3) sanctions evasion; and

18 (4) other forms of threat finance activity do-
19 mestic ally or international ly, as defined by the Presi-
20 dent.

21 (b) REPORT REQUIRED.—Not later than 60 days
22 after the date of the enactment of this Act, the Director
23 of National Intelligence, in coordination with the Assistant
24 Secretary of the Treasury for Intelligence and Analysis,
25 shall submit to the congressional intelligence committees

1 a report containing an assessment of Russian threat fi-
2 nance. The assessment shall be based on intelligence from
3 all sources, including from the Office of Terrorism and
4 Financial Intelligence of the Department of the Treasury.

5 (c) ELEMENTS.—The report required by subsection
6 (b) shall include each of the following:

7 (1) A summary of leading examples from the 3-
8 year period preceding the date of the submittal of
9 the report of threat finance activities conducted by,
10 for the benefit of, or at the behest of—

11 (A) officials of the Government of Russia;

12 (B) persons subject to sanctions under any
13 provision of law imposing sanctions with respect
14 to Russia;

15 (C) Russian nationals subject to sanctions
16 under any other provision of law; or

17 (D) Russian oligarchs or organized crimi-
18 nals.

19 (2) An assessment with respect to any trends or
20 patterns in threat finance activities relating to Rus-
21 sia, including common methods of conducting such
22 activities and global nodes of money laundering used
23 by Russian threat actors described in paragraph (1)
24 and associated entities.

1 (3) An assessment of any connections between
2 Russian individuals involved in money laundering
3 and the Government of Russia.

4 (4) A summary of engagement and coordination
5 with international partners on threat finance relat-
6 ing to Russia, especially in Europe, including exam-
7 ples of such engagement and coordination.

8 (5) An identification of any resource and collec-
9 tion gaps.

10 (6) An identification of—

11 (A) entry points of money laundering by
12 Russian and associated entities into the United
13 States;

14 (B) any vulnerabilities within the United
15 States legal and financial system, including spe-
16 cific sectors, which have been or could be ex-
17 ploited in connection with Russian threat fi-
18 nance activities; and

19 (C) the counterintelligence threat posed by
20 Russian money laundering and other forms of
21 threat finance, as well as the threat to the
22 United States financial system and United
23 States efforts to enforce sanctions and combat
24 organized crime.

1 (7) Any other matters the Director determines
2 appropriate.

3 (d) FORM OF REPORT.—The report required under
4 subsection (b) may be submitted in classified form.

5 **SEC. 2704. NOTIFICATION OF AN ACTIVE MEASURES CAM-**
6 **PAIGN.**

7 (a) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional intelligence commit-
12 tees;

13 (B) the Committee on Armed Services of
14 the Senate and the Committee on Armed Serv-
15 ices of the House of Representatives; and

16 (C) the Committee on Foreign Relations of
17 the Senate and the Committee on Foreign Af-
18 fairs of the House of Representatives.

19 (2) CONGRESSIONAL LEADERSHIP.—The term
20 “congressional leadership” includes the following:

21 (A) The majority leader of the Senate.

22 (B) The minority leader of the Senate.

23 (C) The Speaker of the House of Rep-
24 resentatives.

1 (D) The minority leader of the House of
2 Representatives.

3 (b) REQUIREMENT FOR NOTIFICATION.—The Direc-
4 tor of National Intelligence, in cooperation with the Direc-
5 tor of the Federal Bureau of Investigation and the head
6 of any other relevant agency, shall notify the congressional
7 leadership and the Chairman and Vice Chairman or Rank-
8 ing Member of each of the appropriate congressional com-
9 mittees, and of other relevant committees of jurisdiction,
10 each time the Director of National Intelligence determines
11 there is credible information that a foreign power has, is,
12 or will attempt to employ a covert influence or active
13 measures campaign with regard to the modernization, em-
14 ployment, doctrine, or force posture of the nuclear deter-
15 rent or missile defense.

16 (c) CONTENT OF NOTIFICATION.—Each notification
17 required by subsection (b) shall include information con-
18 cerning actions taken by the United States to expose or
19 halt an attempt referred to in subsection (b).

20 **SEC. 2705. NOTIFICATION OF TRAVEL BY ACCREDITED DIP-**
21 **LOMATIC AND CONSULAR PERSONNEL OF**
22 **THE RUSSIAN FEDERATION IN THE UNITED**
23 **STATES.**

24 In carrying out the advance notification requirements
25 set out in section 502 of the Intelligence Authorization

1 Act for Fiscal Year 2017 (division N of Public Law 115–
2 31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary
3 of State shall—

4 (1) ensure that the Russian Federation provides
5 notification to the Secretary of State at least 2 busi-
6 ness days in advance of all travel that is subject to
7 such requirements by accredited diplomatic and con-
8 sular personnel of the Russian Federation in the
9 United States, and take necessary action to secure
10 full compliance by Russian personnel and address
11 any noncompliance; and

12 (2) provide notice of travel described in para-
13 graph (1) to the Director of National Intelligence
14 and the Director of the Federal Bureau of Investiga-
15 tion within 1 hour of receiving notice of such travel.

16 **SEC. 2706. REPORT ON OUTREACH STRATEGY ADDRESSING**
17 **THREATS FROM UNITED STATES ADVER-**
18 **SARIES TO THE UNITED STATES TECH-**
19 **NOLOGY SECTOR.**

20 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the congressional intelligence committees;

1 (2) the Committee on Armed Services and the
2 Committee on Homeland Security and Governmental
3 Affairs of the Senate; and

4 (3) the Committee on Armed Services, Com-
5 mittee on Homeland Security, and the Committee on
6 Oversight and Reform of the House of Representa-
7 tives.

8 (b) REPORT REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Director
10 of National Intelligence shall submit to the appropriate
11 committees of Congress a report detailing outreach by the
12 intelligence community and the Defense Intelligence En-
13 terprise to United States industrial, commercial, scientific,
14 technical, and academic communities on matters relating
15 to the efforts of adversaries of the United States to ac-
16 quire critical United States technology, intellectual prop-
17 erty, and research and development information.

18 (c) CONTENTS.—The report required by subsection
19 (b) shall include the following:

20 (1) A review of the current outreach efforts of
21 the intelligence community and the Defense Intel-
22 ligence Enterprise described in subsection (b), in-
23 cluding the type of information conveyed in the out-
24 reach.

1 (2) A determination of the appropriate element
2 of the intelligence community to lead such outreach
3 efforts.

4 (3) An assessment of potential methods for im-
5 proving the effectiveness of such outreach, including
6 an assessment of the following:

7 (A) Those critical technologies, infrastruc-
8 ture, or related supply chains that are at risk
9 from the efforts of adversaries described in sub-
10 section (b).

11 (B) The necessity and advisability of
12 granting security clearances to company or
13 community leadership, when necessary and ap-
14 propriate, to allow for tailored classified brief-
15 ings on specific targeted threats.

16 (C) The advisability of partnering with en-
17 tities of the Federal Government that are not
18 elements of the intelligence community and rel-
19 evant regulatory and industry groups described
20 in subsection (b), to convey key messages across
21 sectors targeted by United States adversaries.

22 (D) Strategies to assist affected elements
23 of the communities described in subparagraph
24 (C) in mitigating, deterring, and protecting
25 against the broad range of threats from the ef-

1 forts of adversaries described in subsection (b),
2 with focus on producing information that en-
3 ables private entities to justify business deci-
4 sions related to national security concerns.

5 (E) The advisability of the establishment
6 of a United States Government-wide task force
7 to coordinate outreach and activities to combat
8 the threats from efforts of adversaries described
9 in subsection (b).

10 (F) Such other matters as the Director of
11 National Intelligence may consider necessary.

12 (d) CONSULTATION ENCOURAGED.—In preparing the
13 report required by subsection (b), the Director is encour-
14 aged to consult with other government agencies, think
15 tanks, academia, representatives of the financial industry,
16 or such other entities as the Director considers appro-
17 prium.

18 (e) FORM.—The report required by subsection (b)
19 shall be submitted in unclassified form, but may include
20 a classified annex as necessary.

21 **SEC. 2707. REPORT ON IRANIAN SUPPORT OF PROXY**
22 **FORCES IN SYRIA AND LEBANON.**

23 (a) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Armed Services, the
5 Committee on Foreign Relations, and the Select
6 Committee on Intelligence of the Senate; and

7 (B) the Committee on Armed Services, the
8 Committee on Foreign Affairs, and the Perma-
9 nent Select Committee on Intelligence of the
10 House of Representatives.

11 (2) ARMS OR RELATED MATERIAL.—The term
12 “arms or related material” means—

13 (A) nuclear, biological, chemical, or radio-
14 logical weapons or materials or components of
15 such weapons;

16 (B) ballistic or cruise missile weapons or
17 materials or components of such weapons;

18 (C) destabilizing numbers and types of ad-
19 vanced conventional weapons;

20 (D) defense articles or defense services, as
21 those terms are defined in paragraphs (3) and
22 (4), respectively, of section 47 of the Arms Ex-
23 port Control Act (22 U.S.C. 2794);

1 (E) defense information, as that term is
2 defined in section 644 of the Foreign Assist-
3 ance Act of 1961 (22 U.S.C. 2403); or

4 (F) items designated by the President for
5 purposes of the United States Munitions List
6 under section 38(a)(1) of the Arms Export
7 Control Act (22 U.S.C. 2778(a)(1)).

8 (b) REPORT REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Director
10 of National Intelligence shall submit to the appropriate
11 committees of Congress a report on Iranian support of
12 proxy forces in Syria and Lebanon and the threat posed
13 to Israel, other United States regional allies, and other
14 specified interests of the United States as a result of such
15 support.

16 (c) MATTERS FOR INCLUSION.—The report required
17 under subsection (b) shall include information relating to
18 the following matters with respect to both the strategic
19 and tactical implications for the United States and its al-
20 lies:

21 (1) A description of arms or related materiel
22 transferred by Iran to Hizballah since March 2011,
23 including the number of such arms or related mate-
24 riel and whether such transfer was by land, sea, or

1 air, as well as financial and additional technological
2 capabilities transferred by Iran to Hizballah.

3 (2) A description of Iranian and Iranian-con-
4 trolled personnel, including Hizballah, Shiite mili-
5 tias, and Iran's Revolutionary Guard Corps forces,
6 operating within Syria, including the number and
7 geographic distribution of such personnel operating
8 within 30 kilometers of the Israeli borders with
9 Syria and Lebanon.

10 (3) An assessment of Hizballah's operational
11 lessons learned based on its recent experiences in
12 Syria.

13 (4) A description of any rocket-producing facili-
14 ties in Lebanon for nonstate actors, including wheth-
15 er such facilities were assessed to be built at the di-
16 rection of Hizballah leadership, Iranian leadership,
17 or in consultation between Iranian leadership and
18 Hizballah leadership.

19 (5) An analysis of the foreign and domestic
20 supply chains that significantly facilitate, support, or
21 otherwise aid Hizballah's acquisition or development
22 of missile production facilities, including the geo-
23 graphic distribution of such foreign and domestic
24 supply chains.

1 (6) An assessment of the provision of goods,
2 services, or technology transferred by Iran or its af-
3 filiates to Hizballah to indigenously manufacture or
4 otherwise produce missiles.

5 (7) An identification of foreign persons that are
6 based on credible information, facilitating the trans-
7 fer of significant financial support or arms or re-
8 lated materiel to Hizballah.

9 (8) A description of the threat posed to Israel
10 and other United States allies in the Middle East by
11 the transfer of arms or related material or other
12 support offered to Hizballah and other proxies from
13 Iran.

14 (d) FORM OF REPORT.—The report required under
15 subsection (b) shall be submitted in unclassified form, but
16 may include a classified annex.

17 **SEC. 2708. ANNUAL REPORT ON IRANIAN EXPENDITURES**
18 **SUPPORTING FOREIGN MILITARY AND TER-**
19 **RORIST ACTIVITIES.**

20 (a) ANNUAL REPORT REQUIRED.—Not later than 90
21 days after the date of the enactment of this Act and not
22 less frequently than once each year thereafter, the Direc-
23 tor of National Intelligence shall submit to Congress a re-
24 port describing Iranian expenditures in the previous cal-

1 endar year on military and terrorist activities outside the
2 country, including each of the following:

3 (1) The amount spent in such calendar year on
4 activities by the Islamic Revolutionary Guard Corps,
5 including activities providing support for—

6 (A) Hizballah;

7 (B) Houthi rebels in Yemen;

8 (C) Hamas;

9 (D) proxy forces in Iraq and Syria; or

10 (E) any other entity or country the Direc-
11 tor determines to be relevant.

12 (2) The amount spent in such calendar year for
13 ballistic missile research and testing or other activi-
14 ties that the Director determines are destabilizing to
15 the Middle East region.

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

19 **SEC. 2709. EXPANSION OF SCOPE OF COMMITTEE TO**
20 **COUNTER ACTIVE MEASURES AND REPORT**
21 **ON ESTABLISHMENT OF FOREIGN MALIGN IN-**
22 **FLUENCE CENTER.**

23 (a) SCOPE OF COMMITTEE TO COUNTER ACTIVE
24 MEASURES.—

1 (1) IN GENERAL.—Section 501 of the Intel-
2 ligence Authorization Act for Fiscal Year 2017
3 (Public Law 115–31; 50 U.S.C. 3001 note) is
4 amended—

5 (A) in subsections (a) through (h)—

6 (i) by inserting “, the People’s Repub-
7 lic of China, the Islamic Republic of Iran,
8 the Democratic People’s Republic of
9 Korea, or other nation state” after “Rus-
10 sian Federation” each place it appears;
11 and

12 (ii) by inserting “, China, Iran, North
13 Korea, or other nation state” after “Rus-
14 sia” each place it appears; and

15 (B) in the section heading, by inserting “,
16 **THE PEOPLE’S REPUBLIC OF CHINA, THE**
17 **ISLAMIC REPUBLIC OF IRAN, THE DEMO-**
18 **CRATIC PEOPLE’S REPUBLIC OF KOREA,**
19 **OR OTHER NATION STATE”** after “**RUSSIAN**
20 **FEDERATION”**’.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents in section 1(b) of such Act is amended by
23 striking the item relating to section 501 and insert-
24 ing the following new item:

“Sec. 501. Committee to counter active measures by the Russian Federation, the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, or other nation states to exert covert influence over peoples and governments.”.

1 (b) REPORT REQUIRED.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the Di-
4 rector of National Intelligence, in coordination with
5 such elements of the intelligence community as the
6 Director considers relevant, shall submit to the con-
7 gressional intelligence committees a report on the
8 feasibility and advisability of establishing a center,
9 to be known as the “Foreign Malign Influence Re-
10 sponse Center”, that—

11 (A) is comprised of analysts from all ap-
12 propriate elements of the intelligence commu-
13 nity, including elements with related diplomatic
14 and law enforcement functions;

15 (B) has access to all intelligence and other
16 reporting acquired by the United States Gov-
17 ernment on foreign efforts to influence, through
18 overt and covert malign activities, United
19 States political processes and elections;

20 (C) provides comprehensive assessment,
21 and indications and warning, of such activities;
22 and

1 (D) provides for enhanced dissemination of
2 such assessment to United States policy mak-
3 ers.

4 (2) CONTENTS.—The Report required by para-
5 graph (1) shall include the following:

6 (A) A discussion of the desirability of the
7 establishment of such center and any barriers
8 to such establishment.

9 (B) Such recommendations and other mat-
10 ters as the Director considers appropriate.

11 **Subtitle B—Reports**

12 **SEC. 2711. TECHNICAL CORRECTION TO INSPECTOR GEN- 13 ERAL STUDY.**

14 Section 11001(d) of title 5, United States Code, is
15 amended—

16 (1) in the subsection heading, by striking
17 “AUDIT” and inserting “REVIEW”;

18 (2) in paragraph (1), by striking “audit” and
19 inserting “review”; and

20 (3) in paragraph (2), by striking “audit” and
21 inserting “review”.

22 **SEC. 2712. REPORTS ON AUTHORITIES OF THE CHIEF IN- 23 TELLIGENCE OFFICER OF THE DEPARTMENT 24 OF HOMELAND SECURITY.**

25 (a) DEFINITIONS.—In this section:

1 (1) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the congressional intelligence commit-
5 tees;

6 (B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate; and

8 (C) the Committee on Homeland Security
9 of the House of Representatives.

10 (2) HOMELAND SECURITY INTELLIGENCE EN-
11 TERPRISE.—The term “Homeland Security Intel-
12 ligence Enterprise” has the meaning given such
13 term in Department of Homeland Security Instruc-
14 tion Number 264–01–001, or successor authority.

15 (b) REPORT REQUIRED.—Not later than 120 days
16 after the date of the enactment of this Act, the Secretary
17 of Homeland Security, in consultation with the Under Sec-
18 retary of Homeland Security for Intelligence and Analysis,
19 shall submit to the appropriate committees of Congress
20 a report on the authorities of the Under Secretary.

21 (c) ELEMENTS.—The report required by subsection
22 (b) shall include each of the following:

23 (1) An analysis of whether the Under Secretary
24 has the legal and policy authority necessary to orga-
25 nize and lead the Homeland Security Intelligence

1 Enterprise, with respect to intelligence, and, if not,
2 a description of—

3 (A) the obstacles to exercising the authori-
4 ties of the Chief Intelligence Officer of the De-
5 partment and the Homeland Security Intel-
6 ligence Council, of which the Chief Intelligence
7 Officer is the chair; and

8 (B) the legal and policy changes necessary
9 to effectively coordinate, organize, and lead in-
10 telligence activities of the Department of Home-
11 land Security.

12 (2) A description of the actions that the Sec-
13 retary has taken to address the inability of the
14 Under Secretary to require components of the De-
15 partment, other than the Office of Intelligence and
16 Analysis of the Department to—

17 (A) coordinate intelligence programs; and

18 (B) integrate and standardize intelligence
19 products produced by such other components.

20 **SEC. 2713. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
21 **TLEBLOWER MATTERS.**

22 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
23 Inspector General of the Intelligence Community, in con-
24 sultation with the inspectors general for the Central Intel-
25 ligence Agency, the National Security Agency, the Na-

1 tional Geospatial-Intelligence Agency, the Defense Intel-
2 ligence Agency, and the National Reconnaissance Office,
3 shall conduct a review of the authorities, policies, inves-
4 tigatory standards, and other practices and procedures re-
5 lating to intelligence community whistleblower matters,
6 with respect to such inspectors general.

7 (b) OBJECTIVE OF REVIEW.—The objective of the re-
8 view required under subsection (a) is to identify any dis-
9 crepancies, inconsistencies, or other issues, which frustrate
10 the timely and effective reporting of intelligence commu-
11 nity whistleblower matters to appropriate inspectors gen-
12 eral and to the congressional intelligence committees, and
13 the fair and expeditious investigation and resolution of
14 such matters.

15 (c) CONDUCT OF REVIEW.—The Inspector General of
16 the Intelligence Community shall take such measures as
17 the Inspector General determines necessary in order to en-
18 sure that the review required by subsection (a) is con-
19 ducted in an independent and objective fashion.

20 (d) REPORT.—Not later than 270 days after the date
21 of the enactment of this Act, the Inspector General of the
22 Intelligence Community shall submit to the congressional
23 intelligence committees a written report containing the re-
24 sults of the review required under subsection (a), along
25 with recommendations to improve the timely and effective

1 reporting of intelligence community whistleblower matters
2 to inspectors general and to the congressional intelligence
3 committees and the fair and expeditious investigation and
4 resolution of such matters.

5 **SEC. 2714. REPORT ON ROLE OF DIRECTOR OF NATIONAL**
6 **INTELLIGENCE WITH RESPECT TO CERTAIN**
7 **FOREIGN INVESTMENTS.**

8 (a) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Director of National In-
10 telligence, in consultation with the heads of the elements
11 of the intelligence community determined appropriate by
12 the Director, shall submit to the congressional intelligence
13 committees a report on the role of the Director in pre-
14 paring analytic materials in connection with the evaluation
15 by the Federal Government of national security risks asso-
16 ciated with potential foreign investments into the United
17 States.

18 (b) ELEMENTS.—The report under subsection (a)
19 shall include—

20 (1) a description of the current process for the
21 provision of the analytic materials described in sub-
22 section (a);

23 (2) an identification of the most significant ben-
24 efits and drawbacks of such process with respect to
25 the role of the Director, including the sufficiency of

1 resources and personnel to prepare such materials;
2 and

3 (3) recommendations to improve such process.

4 **SEC. 2715. REPORT ON SURVEILLANCE BY FOREIGN GOV-**
5 **ERNMENTS AGAINST UNITED STATES TELE-**
6 **COMMUNICATIONS NETWORKS.**

7 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
8 DEFINED.—In this section, the term “appropriate con-
9 gressional committees” means the following:

10 (1) The congressional intelligence committees.

11 (2) The Committee on the Judiciary and the
12 Committee on Homeland Security and Governmental
13 Affairs of the Senate.

14 (3) The Committee on the Judiciary and the
15 Committee on Homeland Security of the House of
16 Representatives.

17 (b) REPORT.—Not later than 180 days after the date
18 of the enactment of this Act, the Director of National In-
19 telligence shall, in coordination with the Director of the
20 Central Intelligence Agency, the Director of the National
21 Security Agency, the Director of the Federal Bureau of
22 Investigation, and the Secretary of Homeland Security,
23 submit to the appropriate congressional committees a re-
24 port describing—

1 (1) any attempts known to the intelligence com-
2 munity by foreign governments to exploit cybersecu-
3 rity vulnerabilities in United States telecommuni-
4 cations networks (including Signaling System No. 7)
5 to target for surveillance United States persons, in-
6 cluding employees of the Federal Government; and

7 (2) any actions, as of the date of the enactment
8 of this Act, taken by the intelligence community to
9 protect agencies and personnel of the United States
10 Government from surveillance conducted by foreign
11 governments.

12 **SEC. 2716. BIENNIAL REPORT ON FOREIGN INVESTMENT**
13 **RISKS.**

14 (a) INTELLIGENCE COMMUNITY INTERAGENCY
15 WORKING GROUP.—

16 (1) REQUIREMENT TO ESTABLISH.—The Direc-
17 tor of National Intelligence shall establish an intel-
18 ligence community interagency working group to
19 prepare the biennial reports required by subsection

20 (b).

21 (2) CHAIRPERSON.—The Director of National
22 Intelligence shall serve as the chairperson of such
23 interagency working group.

24 (3) MEMBERSHIP.—Such interagency working
25 group shall be composed of representatives of each

1 element of the intelligence community that the Di-
2 rector of National Intelligence determines appro-
3 priate.

4 (b) BIENNIAL REPORT ON FOREIGN INVESTMENT
5 RISKS.—

6 (1) REPORT REQUIRED.—Not later than 180
7 days after the date of the enactment of this Act and
8 not less frequently than once every 2 years there-
9 after, the Director of National Intelligence shall sub-
10 mit to the congressional intelligence committees, the
11 Committee on Homeland Security and Governmental
12 Affairs of the Senate, and the Committee on Home-
13 land Security of the House of Representatives a re-
14 port on foreign investment risks prepared by the
15 interagency working group established under sub-
16 section (a).

17 (2) ELEMENTS.—Each report required by para-
18 graph (1) shall include identification, analysis, and
19 explanation of the following:

20 (A) Any current or projected major threats
21 to the national security of the United States
22 with respect to foreign investment.

23 (B) Any strategy used by a foreign country
24 that such interagency working group has identi-
25 fied to be a country of special concern to use

1 foreign investment to target the acquisition of
2 critical technologies, critical materials, or crit-
3 ical infrastructure.

4 (C) Any economic espionage efforts di-
5 rected at the United States by a foreign coun-
6 try, particularly such a country of special con-
7 cern.

8 **SEC. 2717. MODIFICATION OF CERTAIN REPORTING RE-**
9 **QUIREMENT ON TRAVEL OF FOREIGN DIP-**
10 **LOMATS.**

11 Section 502(d)(2) of the Intelligence Authorization
12 Act for Fiscal Year 2017 (Public Law 115–31) is amended
13 by striking “the number” and inserting “a best estimate”.

14 **SEC. 2718. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
15 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
16 **FIED INFORMATION.**

17 (a) IN GENERAL.—Title XI of the National Security
18 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
19 ing at the end the following new section:

20 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
21 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
22 **FIED INFORMATION.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) COVERED OFFICIAL.—The term ‘covered
25 official’ means—

1 “(A) the heads of each element of the in-
2 telligence community; and

3 “(B) the inspectors general with oversight
4 responsibility for an element of the intelligence
5 community.

6 “(2) INVESTIGATION.—The term ‘investigation’
7 means any inquiry, whether formal or informal, into
8 the existence of an unauthorized public disclosure of
9 classified information.

10 “(3) UNAUTHORIZED DISCLOSURE OF CLASSI-
11 FIED INFORMATION.—The term ‘unauthorized dis-
12 closure of classified information’ means any unau-
13 thorized disclosure of classified information to any
14 recipient.

15 “(4) UNAUTHORIZED PUBLIC DISCLOSURE OF
16 CLASSIFIED INFORMATION.—The term ‘unauthorized
17 public disclosure of classified information’ means the
18 unauthorized disclosure of classified information to a
19 journalist or media organization.

20 “(b) INTELLIGENCE COMMUNITY REPORTING.—

21 “(1) IN GENERAL.—Not less frequently than
22 once every 6 months, each covered official shall sub-
23 mit to the congressional intelligence committees a
24 report on investigations of unauthorized public dis-
25 closures of classified information.

1 “(2) ELEMENTS.—Each report submitted under
2 paragraph (1) shall include, with respect to the pre-
3 ceding 6-month period, the following:

4 “(A) The number of investigations opened
5 by the covered official regarding an unauthor-
6 ized public disclosure of classified information.

7 “(B) The number of investigations com-
8 pleted by the covered official regarding an un-
9 authorized public disclosure of classified infor-
10 mation.

11 “(C) Of the number of such completed in-
12 vestigations identified under subparagraph (B),
13 the number referred to the Attorney General
14 for criminal investigation.

15 “(c) DEPARTMENT OF JUSTICE REPORTING.—

16 “(1) IN GENERAL.—Not less frequently than
17 once every 6 months, the Assistant Attorney General
18 for National Security of the Department of Justice,
19 in consultation with the Director of the Federal Bu-
20 reau of Investigation, shall submit to the congres-
21 sional intelligence committees, the Committee on the
22 Judiciary of the Senate, and the Committee on the
23 Judiciary of the House of Representatives a report
24 on the status of each referral made to the Depart-
25 ment of Justice from any element of the intelligence

1 community regarding an unauthorized disclosure of
2 classified information made during the most recent
3 365-day period or any referral that has not yet been
4 closed, regardless of the date the referral was made.

5 “(2) CONTENTS.—Each report submitted under
6 paragraph (1) shall include, for each referral covered
7 by the report, at a minimum, the following:

8 “(A) The date the referral was received.

9 “(B) A statement indicating whether the
10 alleged unauthorized disclosure described in the
11 referral was substantiated by the Department
12 of Justice.

13 “(C) A statement indicating the highest
14 level of classification of the information that
15 was revealed in the unauthorized disclosure.

16 “(D) A statement indicating whether an
17 open criminal investigation related to the refer-
18 ral is active.

19 “(E) A statement indicating whether any
20 criminal charges have been filed related to the
21 referral.

22 “(F) A statement indicating whether the
23 Department of Justice has been able to at-
24 tribute the unauthorized disclosure to a par-
25 ticular entity or individual.

1 “(d) FORM OF REPORTS.—Each report submitted
2 under this section shall be submitted in unclassified form,
3 but may have a classified annex.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in the first section of the National Security Act of 1947
6 is amended by inserting after the item relating to section
7 1104 the following new item:

 “Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of
classified information.”.

8 **SEC. 2719. CONGRESSIONAL NOTIFICATION OF DESIGNA-**
9 **TION OF COVERED INTELLIGENCE OFFICER**
10 **AS PERSONA NON GRATA.**

11 (a) COVERED INTELLIGENCE OFFICER DEFINED.—
12 In this section, the term “covered intelligence officer”
13 means—

14 (1) a United States intelligence officer serving
15 in a post in a foreign country; or

16 (2) a known or suspected foreign intelligence of-
17 ficer serving in a United States post.

18 (b) REQUIREMENT FOR REPORTS.—Not later than
19 72 hours after a covered intelligence officer is designated
20 as a persona non grata, the Director of National Intel-
21 ligence, in consultation with the Secretary of State, shall
22 submit to the congressional intelligence committees, the
23 Committee on Foreign Relations of the Senate, and the
24 Committee on Foreign Affairs of the House of Representa-

1 tives a notification of that designation. Each such notifica-
2 tion shall include—

- 3 (1) the date of the designation;
- 4 (2) the basis for the designation; and
- 5 (3) a justification for the expulsion.

6 **SEC. 2720. REPORTS ON INTELLIGENCE COMMUNITY PAR-**
7 **TICIPATION IN VULNERABILITIES EQUITIES**
8 **PROCESS OF FEDERAL GOVERNMENT.**

9 (a) DEFINITIONS.—In this section:

10 (1) VULNERABILITIES EQUITIES POLICY AND
11 PROCESS DOCUMENT.—The term “Vulnerabilities
12 Equities Policy and Process document” means the
13 executive branch document entitled “Vulnerabilities
14 Equities Policy and Process” dated November 15,
15 2017.

16 (2) VULNERABILITIES EQUITIES PROCESS.—
17 The term “Vulnerabilities Equities Process” means
18 the interagency review of vulnerabilities, pursuant to
19 the Vulnerabilities Equities Policy and Process docu-
20 ment or any successor document.

21 (3) VULNERABILITY.—The term “vulnerability”
22 means a weakness in an information system or its
23 components (for example, system security proce-
24 dures, hardware design, and internal controls) that

1 could be exploited or could affect confidentiality, in-
2 tegrity, or availability of information.

3 (b) REPORTS ON PROCESS AND CRITERIA UNDER
4 VULNERABILITIES EQUITIES POLICY AND PROCESS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Director
7 of National Intelligence shall submit to the congress-
8 sional intelligence committees a written report de-
9 scribing—

10 (A) with respect to each element of the in-
11 telligence community—

12 (i) the title of the official or officials
13 responsible for determining whether, pur-
14 suant to criteria contained in the
15 Vulnerabilities Equities Policy and Process
16 document or any successor document, a
17 vulnerability must be submitted for review
18 under the Vulnerabilities Equities Process;
19 and

20 (ii) the process used by such element
21 to make such determination; and

22 (B) the roles or responsibilities of that ele-
23 ment during a review of a vulnerability sub-
24 mitted to the Vulnerabilities Equities Process.

1 (2) CHANGES TO PROCESS OR CRITERIA.—Not
2 later than 30 days after any significant change is
3 made to the process and criteria used by any ele-
4 ment of the intelligence community for determining
5 whether to submit a vulnerability for review under
6 the Vulnerabilities Equities Process, such element
7 shall submit to the congressional intelligence com-
8 mittees a report describing such change.

9 (3) FORM OF REPORTS.—Each report sub-
10 mitted under this subsection shall be submitted in
11 unclassified form, but may include a classified
12 annex.

13 (c) ANNUAL REPORTS.—

14 (1) IN GENERAL.—Not less frequently than
15 once each calendar year, the Director of National In-
16 telligence shall submit to the congressional intel-
17 ligence committees a classified report containing,
18 with respect to the previous year—

19 (A) the number of vulnerabilities submitted
20 for review under the Vulnerabilities Equities
21 Process;

22 (B) the number of vulnerabilities described
23 in subparagraph (A) disclosed to each vendor
24 responsible for correcting the vulnerability, or

1 to the public, pursuant to the Vulnerabilities
2 Equities Process; and

3 (C) the aggregate number, by category, of
4 the vulnerabilities excluded from review under
5 the Vulnerabilities Equities Process, as de-
6 scribed in paragraph 5.4 of the Vulnerabilities
7 Equities Policy and Process document.

8 (2) UNCLASSIFIED INFORMATION.—Each report
9 submitted under paragraph (1) shall include an un-
10 classified appendix that contains—

11 (A) the aggregate number of vulnerabilities
12 disclosed to vendors or the public pursuant to
13 the Vulnerabilities Equities Process; and

14 (B) the aggregate number of vulnerabilities
15 disclosed to vendors or the public pursuant to
16 the Vulnerabilities Equities Process known to
17 have been patched.

18 (3) NON-DUPLICATION.—The Director of Na-
19 tional Intelligence may forgo submission of an an-
20 nual report required under this subsection for a cal-
21 endar year, if the Director notifies the intelligence
22 committees in writing that, with respect to the same
23 calendar year, an annual report required by para-
24 graph 4.3 of the Vulnerabilities Equities Policy and
25 Process document already has been submitted to

1 Congress, and such annual report contains the infor-
2 mation that would otherwise be required to be in-
3 cluded in an annual report under this subsection.

4 **SEC. 2721. INSPECTORS GENERAL REPORTS ON CLASSI-**
5 **FICATION.**

6 (a) **REPORTS REQUIRED.**—Not later than October 1,
7 2019, each Inspector General listed in subsection (b) shall
8 submit to the congressional intelligence committees a re-
9 port that includes, with respect to the department or agen-
10 cy of the Inspector General, analyses of the following:

11 (1) The accuracy of the application of classi-
12 fication and handling markers on a representative
13 sample of finished reports, including such reports
14 that are compartmented.

15 (2) Compliance with declassification procedures.

16 (3) The effectiveness of processes for identi-
17 fying topics of public or historical importance that
18 merit prioritization for a declassification review.

19 (b) **INSPECTORS GENERAL LISTED.**—The Inspectors
20 General listed in this subsection are as follows:

21 (1) The Inspector General of the Intelligence
22 Community.

23 (2) The Inspector General of the Central Intel-
24 ligence Agency.

1 (3) The Inspector General of the National Se-
2 curity Agency.

3 (4) The Inspector General of the Defense Intel-
4 ligence Agency.

5 (5) The Inspector General of the National Re-
6 connaissance Office.

7 (6) The Inspector General of the National
8 Geospatial-Intelligence Agency.

9 **SEC. 2722. REPORTS ON GLOBAL WATER INSECURITY AND**
10 **NATIONAL SECURITY IMPLICATIONS AND**
11 **BRIEFING ON EMERGING INFECTIOUS DIS-**
12 **EASE AND PANDEMICS.**

13 (a) REPORTS ON GLOBAL WATER INSECURITY AND
14 NATIONAL SECURITY IMPLICATIONS.—

15 (1) REPORTS REQUIRED.—Not later than 180
16 days after the date of the enactment of this Act and
17 not less frequently than once every 5 years there-
18 after, the Director of National Intelligence shall sub-
19 mit to the congressional intelligence committees a
20 report on the implications of water insecurity on the
21 national security interest of the United States, in-
22 cluding consideration of social, economic, agricul-
23 tural, and environmental factors.

24 (2) ASSESSMENT SCOPE AND FOCUS.—Each re-
25 port submitted under paragraph (1) shall include an

1 assessment of water insecurity described in such
2 subsection with a global scope, but focus on areas of
3 the world—

4 (A) of strategic, economic, or humanitarian
5 interest to the United States—

6 (i) that are, as of the date of the re-
7 port, at the greatest risk of instability,
8 conflict, human insecurity, or mass dis-
9 placement; or

10 (ii) where challenges relating to water
11 insecurity are likely to emerge and become
12 significant during the 5-year or the 20-
13 year period beginning on the date of the
14 report; and

15 (B) where challenges relating to water in-
16 security are likely to imperil the national secu-
17 rity interests of the United States or allies of
18 the United States.

19 (3) CONSULTATION.—In researching a report
20 required by paragraph (1), the Director shall consult
21 with—

22 (A) such stakeholders within the intel-
23 ligence community, the Department of Defense,
24 and the Department of State as the Director
25 considers appropriate; and

1 (B) such additional Federal agencies and
2 persons in the private sector as the Director
3 considers appropriate.

4 (4) FORM.—Each report submitted under para-
5 graph (1) shall be submitted in unclassified form,
6 but may include a classified annex.

7 (b) BRIEFING ON EMERGING INFECTIOUS DISEASE
8 AND PANDEMICS.—

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES DEFINED.—In this subsection, the term “ap-
11 propriate congressional committees” means—

12 (A) the congressional intelligence commit-
13 tees;

14 (B) the Committee on Foreign Affairs, the
15 Committee on Armed Services, and the Com-
16 mittee on Appropriations of the House of Rep-
17 resentatives; and

18 (C) the Committee on Foreign Relations,
19 the Committee on Armed Services, and the
20 Committee on Appropriations of the Senate.

21 (2) BRIEFING.—Not later than 120 days after
22 the date of the enactment of this Act, the Director
23 of National Intelligence shall provide to the appro-
24 priate congressional committees a briefing on the an-
25 ticipated geopolitical effects of emerging infectious

1 disease (including deliberate, accidental, and natu-
2 rally occurring infectious disease threats) and
3 pandemics, and their implications on the national se-
4 curity of the United States.

5 (3) CONTENT.—The briefing under paragraph
6 (2) shall include an assessment of—

7 (A) the economic, social, political, and se-
8 curity risks, costs, and impacts of emerging in-
9 fectionous diseases on the United States and the
10 international political and economic system;

11 (B) the economic, social, political, and se-
12 curity risks, costs, and impacts of a major
13 transnational pandemic on the United States
14 and the international political and economic
15 system; and

16 (C) contributing trends and factors to the
17 matters assessed under subparagraphs (A) and
18 (B).

19 (4) EXAMINATION OF RESPONSE CAPACITY.—In
20 examining the risks, costs, and impacts of emerging
21 infectious disease and a possible transnational pan-
22 demic under paragraph (3), the Director of National
23 Intelligence shall also examine in the briefing under
24 paragraph (2) the response capacity within affected

1 countries and the international system. In consid-
2 ering response capacity, the Director shall include—

3 (A) the ability of affected nations to effec-
4 tively detect and manage emerging infectious
5 diseases and a possible transnational pandemic;

6 (B) the role and capacity of international
7 organizations and nongovernmental organiza-
8 tions to respond to emerging infectious disease
9 and a possible pandemic, and their ability to co-
10 ordinate with affected and donor nations; and

11 (C) the effectiveness of current inter-
12 national frameworks, agreements, and health
13 systems to respond to emerging infectious dis-
14 eases and a possible transnational pandemic.

15 (5) FORM.—The briefing under paragraph (2)
16 may be classified.

17 **SEC. 2723. ANNUAL REPORT ON MEMORANDA OF UNDER-**
18 **STANDING BETWEEN ELEMENTS OF INTEL-**
19 **LIGENCE COMMUNITY AND OTHER ENTITIES**
20 **OF THE UNITED STATES GOVERNMENT RE-**
21 **GARDING SIGNIFICANT OPERATIONAL AC-**
22 **TIVITIES OR POLICY.**

23 Section 311 of the Intelligence Authorization Act for
24 Fiscal Year 2017 (50 U.S.C. 3313) is amended—

1 (1) by redesignating subsection (b) as sub-
2 section (c); and

3 (2) by striking subsection (a) and inserting the
4 following:

5 “(a) IN GENERAL.—Each year, concurrent with the
6 annual budget request submitted by the President to Con-
7 gress under section 1105 of title 31, United States Code,
8 each head of an element of the intelligence community
9 shall submit to the congressional intelligence committees
10 a report that lists each memorandum of understanding or
11 other agreement regarding significant operational activi-
12 ties or policy entered into during the most recently com-
13 pleted fiscal year between or among such element and any
14 other entity of the United States Government.

15 “(b) PROVISION OF DOCUMENTS.—Each head of an
16 element of an intelligence community who receives a re-
17 quest from the Select Committee on Intelligence of the
18 Senate or the Permanent Select Committee on Intelligence
19 of the House of Representatives for a copy of a memo-
20 randum of understanding or other document listed in a
21 report submitted by the head under subsection (a) shall
22 submit to such committee the requested copy as soon as
23 practicable after receiving such request.”.

1 **SEC. 2724. STUDY ON THE FEASIBILITY OF ENCRYPTING**
2 **UNCLASSIFIED WIRELINE AND WIRELESS**
3 **TELEPHONE CALLS.**

4 (a) **STUDY REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, the Director
6 of National Intelligence shall complete a study on the fea-
7 sibility of encrypting unclassified wireline and wireless
8 telephone calls between personnel in the intelligence com-
9 munity.

10 (b) **REPORT.**—Not later than 90 days after the date
11 on which the Director completes the study required by
12 subsection (a), the Director shall submit to the congres-
13 sional intelligence committees a report on the Director’s
14 findings with respect to such study.

15 **SEC. 2725. MODIFICATION OF REQUIREMENT FOR ANNUAL**
16 **REPORT ON HIRING AND RETENTION OF MI-**
17 **NORITY EMPLOYEES.**

18 (a) **EXPANSION OF PERIOD OF REPORT.**—Subsection
19 (a) of section 114 of the National Security Act of 1947
20 (50 U.S.C. 3050) is amended by inserting “and the pre-
21 ceding 5 fiscal years” after “fiscal year”.

22 (b) **CLARIFICATION ON DISAGGREGATION OF**
23 **DATA.**—Subsection (b) of such section is amended, in the
24 matter before paragraph (1), by striking “disaggregated
25 data by category of covered person from each element of
26 the intelligence community” and inserting “data,

1 disaggregated by category of covered person and by ele-
2 ment of the intelligence community,”.

3 **SEC. 2726. REPORTS ON INTELLIGENCE COMMUNITY LOAN**
4 **REPAYMENT AND RELATED PROGRAMS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) there should be established, through the
8 issuing of an Intelligence Community Directive or
9 otherwise, an intelligence community-wide program
10 for student loan repayment, student loan forgive-
11 ness, financial counseling, and related matters, for
12 employees of the intelligence community;

13 (2) creating such a program would enhance the
14 ability of the elements of the intelligence community
15 to recruit, hire, and retain highly qualified per-
16 sonnel, including with respect to mission-critical and
17 hard-to-fill positions;

18 (3) such a program, including with respect to
19 eligibility requirements, should be designed so as to
20 maximize the ability of the elements of the intel-
21 ligence community to recruit, hire, and retain highly
22 qualified personnel, including with respect to mis-
23 sion-critical and hard-to-fill positions; and

24 (4) to the extent possible, such a program
25 should be uniform throughout the intelligence com-

1 munity and publicly promoted by each element of
2 the intelligence community to both current employ-
3 ees of the element as well as to prospective employ-
4 ees of the element.

5 (b) REPORT ON POTENTIAL INTELLIGENCE COMMU-
6 NITY-WIDE PROGRAM.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of National Intelligence, in cooperation with
10 the heads of the elements of the intelligence commu-
11 nity and the heads of any other appropriate depart-
12 ment or agency of the Federal Government, shall
13 submit to the congressional intelligence committees a
14 report on potentially establishing and carrying out
15 an intelligence community-wide program for student
16 loan repayment, student loan forgiveness, financial
17 counseling, and related matters, as described in sub-
18 section (a).

19 (2) MATTERS INCLUDED.—The report under
20 paragraph (1) shall include, at a minimum, the fol-
21 lowing:

22 (A) A description of the financial resources
23 that the elements of the intelligence community
24 would require to establish and initially carry
25 out the program specified in paragraph (1).

1 (B) A description of the practical steps to
2 establish and carry out such a program.

3 (C) The identification of any legislative ac-
4 tion the Director determines necessary to estab-
5 lish and carry out such a program.

6 (c) ANNUAL REPORTS ON ESTABLISHED PRO-
7 GRAMS.—

8 (1) COVERED PROGRAMS DEFINED.—In this
9 subsection, the term “covered programs” means any
10 loan repayment program, loan forgiveness program,
11 financial counseling program, or similar program,
12 established pursuant to title X of the National Secu-
13 rity Act of 1947 (50 U.S.C. 3191 et seq.) or any
14 other provision of law that may be administered or
15 used by an element of the intelligence community.

16 (2) ANNUAL REPORTS REQUIRED.—Not less
17 frequently than once each year, the Director of Na-
18 tional Intelligence shall submit to the congressional
19 intelligence committees a report on the covered pro-
20 grams. Each such report shall include, with respect
21 to the period covered by the report, the following:

22 (A) The number of personnel from each
23 element of the intelligence community who used
24 each covered program.

1 (B) The total amount of funds each ele-
2 ment expended for each such program.

3 (C) A description of the efforts made by
4 each element to promote each covered program
5 pursuant to both the personnel of the element
6 of the intelligence community and to prospec-
7 tive personnel.

8 **SEC. 2727. REPEAL OF CERTAIN REPORTING REQUIRE-**
9 **MENTS.**

10 (a) CORRECTING LONG-STANDING MATERIAL WEAK-
11 NESSES.—Section 368 of the Intelligence Authorization
12 Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C.
13 3051 note) is hereby repealed.

14 (b) INTERAGENCY THREAT ASSESSMENT AND CO-
15 ORDINATION GROUP.—Section 210D of the Homeland Se-
16 curity Act of 2002 (6 U.S.C. 124k) is amended—

17 (1) by striking subsection (c); and

18 (2) by redesignating subsections (d) through (i)
19 as subsections (c) through (h), respectively; and

20 (3) in subsection (c), as so redesignated—

21 (A) in paragraph (8), by striking “; and”
22 and inserting a period; and

23 (B) by striking paragraph (9).

1 (c) INSPECTOR GENERAL REPORT.—Section 8H of
2 the Inspector General Act of 1978 (5 U.S.C. App.) is
3 amended—

4 (1) by striking subsection (g); and

5 (2) by redesignating subsections (h) and (i) as
6 subsections (g) and (h), respectively.

7 **SEC. 2728. INSPECTOR GENERAL OF THE INTELLIGENCE**
8 **COMMUNITY REPORT ON SENIOR EXECU-**
9 **TIVES OF THE OFFICE OF THE DIRECTOR OF**
10 **NATIONAL INTELLIGENCE.**

11 (a) SENIOR EXECUTIVE SERVICE POSITION DE-
12 FINED.—In this section, the term “Senior Executive Serv-
13 ice position” has the meaning given that term in section
14 3132(a)(2) of title 5, United States Code, and includes
15 any position above the GS–15, step 10, level of the Gen-
16 eral Schedule under section 5332 of such title.

17 (b) REPORT.—Not later than 90 days after the date
18 of the enactment of this Act, the Inspector General of the
19 Intelligence Community shall submit to the congressional
20 intelligence committees a report on the number of Senior
21 Executive Service positions in the Office of the Director
22 of National Intelligence.

23 (c) MATTERS INCLUDED.—The report under sub-
24 section (b) shall include the following:

1 (1) The number of required Senior Executive
2 Service positions for the Office of the Director of
3 National Intelligence.

4 (2) Whether such requirements are reasonably
5 based on the mission of the Office.

6 (3) A discussion of how the number of the Sen-
7 ior Executive Service positions in the Office compare
8 to the number of senior positions at comparable or-
9 ganizations.

10 (d) COOPERATION.—The Director of National Intel-
11 ligence shall provide to the Inspector General of the Intel-
12 ligence Community any information requested by the In-
13 spector General of the Intelligence Community that is nec-
14 essary to carry out this section by not later than 14 cal-
15 endar days after the date on which the Inspector General
16 of the Intelligence Community makes such request.

17 **SEC. 2729. BRIEFING ON FEDERAL BUREAU OF INVESTIGA-**
18 **TION OFFERING PERMANENT RESIDENCE TO**
19 **SOURCES AND COOPERATORS.**

20 Not later than 30 days after the date of the enact-
21 ment of this Act, the Director of the Federal Bureau of
22 Investigation shall provide to the congressional intelligence
23 committees a briefing on the ability of the Federal Bureau
24 of Investigation to offer, as an inducement to assisting the
25 Bureau, permanent residence within the United States to

1 foreign individuals who are sources or cooperators in coun-
2 terintelligence or other national security-related investiga-
3 tions. The briefing shall address the following:

4 (1) The extent to which the Bureau may make
5 such offers, whether independently or in conjunction
6 with other agencies and departments of the United
7 States Government, including a discussion of the au-
8 thorities provided by section 101(a)(15)(S) of the
9 Immigration and Nationality Act (8 U.S.C.
10 1101(a)(15)(S)), section 7 of the Central Intel-
11 ligence Agency Act (50 U.S.C. 3508), and any other
12 provision of law under which the Bureau may make
13 such offers.

14 (2) An overview of the policies and operational
15 practices of the Bureau with respect to making such
16 offers.

17 (3) The sufficiency of such policies and prac-
18 tices with respect to inducing individuals to cooper-
19 ate with, serve as sources for such investigations, or
20 both.

21 (4) Whether the Director recommends any leg-
22 islative actions to improve such policies and prac-
23 tices, particularly with respect to the counterintel-
24 ligence efforts of the Bureau.

1 **SEC. 2730. INTELLIGENCE ASSESSMENT OF NORTH KOREA**
2 **REVENUE SOURCES.**

3 (a) ASSESSMENT REQUIRED.—Not later than 180
4 days after the date of the enactment of this Act, the Direc-
5 tor of National Intelligence, in coordination with the As-
6 sistant Secretary of State for Intelligence and Research
7 and the Assistant Secretary of the Treasury for Intel-
8 ligence and Analysis, shall produce an intelligence assess-
9 ment of the revenue sources of the North Korean regime.
10 Such assessment shall include revenue from the following
11 sources:

12 (1) Trade in coal, iron, and iron ore.

13 (2) The provision of fishing rights to North Ko-
14 rean territorial waters.

15 (3) Trade in gold, titanium ore, vanadium ore,
16 copper, silver, nickel, zinc, or rare earth minerals,
17 and other stores of value.

18 (4) Trade in textiles.

19 (5) Sales of conventional defense articles and
20 services.

21 (6) Sales of controlled goods, ballistic missiles,
22 and other associated items.

23 (7) Other types of manufacturing for export, as
24 the Director of National Intelligence considers ap-
25 propriate.

1 (8) The exportation of workers from North
2 Korea in a manner intended to generate significant
3 revenue, directly or indirectly, for use by the govern-
4 ment of North Korea.

5 (9) The provision of nonhumanitarian goods
6 (such as food, medicine, and medical devices) and
7 services by other countries.

8 (10) The provision of services, including bank-
9 ing and other support, including by entities located
10 in the Russian Federation, China, and Iran.

11 (11) Online commercial activities of the Govern-
12 ment of North Korea, including online gambling.

13 (12) Criminal activities, including cyber-enabled
14 crime and counterfeit goods.

15 (b) ELEMENTS.—The assessment required under
16 subsection (a) shall include an identification of each of the
17 following:

18 (1) The sources of North Korea's funding.

19 (2) Financial and non-financial networks, in-
20 cluding supply chain management, transportation,
21 and facilitation, through which North Korea accesses
22 the United States and international financial sys-
23 tems and repatriates and exports capital, goods, and
24 services; and

1 (3) the global financial institutions, money serv-
2 ices business, and payment systems that assist
3 North Korea with financial transactions.

4 (c) SUBMITTAL TO CONGRESS.—Upon completion of
5 the assessment required under subsection (a), the Director
6 of National Intelligence shall submit to the congressional
7 intelligence committees a copy of such assessment.

8 **SEC. 2731. REPORT ON POSSIBLE EXPLOITATION OF VIR-**
9 **TUAL CURRENCIES BY TERRORIST ACTORS.**

10 (a) SHORT TITLE.—This section may be cited as the
11 “Stop Terrorist Use of Virtual Currencies Act”.

12 (b) REPORT.—Not later than 1 year after the date
13 of the enactment of this Act, the Director of National In-
14 telligence, in consultation with the Secretary of the Treas-
15 ury, shall submit to Congress a report on the possible ex-
16 ploitation of virtual currencies by terrorist actors. Such
17 report shall include the following elements:

18 (1) An assessment of the means and methods
19 by which international terrorist organizations and
20 State sponsors of terrorism use virtual currencies.

21 (2) An assessment of the use by terrorist orga-
22 nizations and State sponsors of terrorism of virtual
23 currencies compared to the use by such organiza-
24 tions and States of other forms of financing to sup-
25 port operations, including an assessment of the col-

1 lection posture of the intelligence community on the
2 use of virtual currencies by such organizations and
3 States.

4 (3) A description of any existing legal impedi-
5 ments that inhibit or prevent the intelligence com-
6 munity from collecting information on or helping
7 prevent the use of virtual currencies by international
8 terrorist organizations and State sponsors of ter-
9 rorism and an identification of any gaps in existing
10 law that could be exploited for illicit funding by such
11 organizations and States.

12 (c) FORM OF REPORT.—The report required by sub-
13 section (b) shall be submitted in unclassified form, but
14 may include a classified annex.

15 **Subtitle C—Other Matters**

16 **SEC. 2741. PUBLIC INTEREST DECLASSIFICATION BOARD.**

17 Section 710(b) of the Public Interest Declassification
18 Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)
19 is amended by striking “December 31, 2018” and insert-
20 ing “December 31, 2028”.

21 **SEC. 2742. TECHNICAL AND CLERICAL AMENDMENTS TO** 22 **THE NATIONAL SECURITY ACT OF 1947.**

23 (a) TABLE OF CONTENTS.—The table of contents at
24 the beginning of the National Security Act of 1947 (50
25 U.S.C. 3001 et seq.) is amended—

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

“Sec. 3. Definitions.”;

3 (2) by striking the item relating to section 107;

4 (3) by striking the item relating to section
5 113B and inserting the following new item:

“Sec. 113B. Special pay authority for science, technology, engineering, or
mathematics positions.”;

6 (4) by striking the items relating to sections
7 202, 203, 204, 208, 209, 210, 211, 212, 213, and
8 214; and

9 (5) by inserting after the item relating to sec-
10 tion 311 the following new item:

“Sec. 312. Repealing and saving provisions.”.

11 (b) OTHER TECHNICAL CORRECTIONS.—Such Act is
12 further amended—

13 (1) in section 102A—

14 (A) in subparagraph (G) of paragraph (1)
15 of subsection (g), by moving the margins of
16 such subparagraph 2 ems to the left; and

17 (B) in paragraph (3) of subsection (v), by
18 moving the margins of such paragraph 2 ems to
19 the left;

20 (2) in section 106—

21 (A) by inserting “SEC. 106.” before “(a)”;

22 and

1 (B) in subparagraph (I) of paragraph (2)
2 of subsection (b), by moving the margins of
3 such subparagraph 2 ems to the left;

4 (3) by striking section 107;

5 (4) in section 108(c), by striking “in both a
6 classified and an unclassified form” and inserting
7 “to Congress in classified form, but may include an
8 unclassified summary”;

9 (5) in section 112(c)(1), by striking “section
10 103(c)(7)” and inserting “section 102A(i)”;

11 (6) by amending section 201 to read as follows:

12 **“SEC. 201. DEPARTMENT OF DEFENSE.**

13 “Except to the extent inconsistent with the provisions
14 of this Act or other provisions of law, the provisions of
15 title 5, United States Code, shall be applicable to the De-
16 partment of Defense.”;

17 (7) in section 205, by redesignating subsections
18 (b) and (c) as subsections (a) and (b), respectively;

19 (8) in section 206, by striking “(a)”;

20 (9) in section 207, by striking “(c)”;

21 (10) in section 308(a), by striking “this Act”
22 and inserting “sections 2, 101, 102, 103, and 303
23 of this Act”;

24 (11) by redesignating section 411 as section
25 312;

1 (12) in section 503—

2 (A) in paragraph (5) of subsection (c)—

3 (i) by moving the margins of such
4 paragraph 2 ems to the left; and

5 (ii) by moving the margins of sub-
6 paragraph (B) of such paragraph 2 ems to
7 the left; and

8 (B) in paragraph (2) of subsection (d), by
9 moving the margins of such paragraph 2 ems to
10 the left; and

11 (13) in subparagraph (B) of paragraph (3) of
12 subsection (a) of section 504, by moving the margins
13 of such subparagraph 2 ems to the right.

14 **SEC. 2743. TECHNICAL AMENDMENTS RELATED TO THE DE-**
15 **PARTMENT OF ENERGY.**

16 (a) NATIONAL NUCLEAR SECURITY ADMINISTRATION
17 ACT.—

18 (1) CLARIFICATION OF FUNCTIONS OF THE AD-
19 MINISTRATOR FOR NUCLEAR SECURITY.—Subsection
20 (b) of section 3212 of the National Nuclear Security
21 Administration Act (50 U.S.C. 2402(b)) is amend-
22 ed—

23 (A) by striking paragraphs (11) and (12);
24 and

1 (B) by redesignating paragraphs (13)
2 through (19) as paragraphs (11) through (17),
3 respectively.

4 (2) COUNTERINTELLIGENCE PROGRAMS.—Sec-
5 tion 3233(b) of the National Nuclear Security Ad-
6 ministration Act (50 U.S.C. 2423(b)) is amended—

7 (A) by striking “Administration” and in-
8 serting “Department”; and

9 (B) by inserting “Intelligence and” after
10 “the Office of”.

11 (b) ATOMIC ENERGY DEFENSE ACT.—Section
12 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.
13 2674(b)(2)) is amended by inserting “Intelligence and”
14 after “The Director of”.

15 (c) NATIONAL SECURITY ACT OF 1947.—Paragraph
16 (2) of section 106(b) of the National Security Act of 1947
17 (50 U.S.C. 3041(b)(2)) is amended—

18 (1) in subparagraph (E), by inserting “and
19 Counterintelligence” after “Office of Intelligence”;

20 (2) by striking subparagraph (F); and

21 (3) by redesignating subparagraphs (G), (H),
22 and (I) as subparagraphs (F), (G), and (H), respec-
23 tively.

1 **SEC. 2744. SENSE OF CONGRESS ON NOTIFICATION OF CER-**
2 **TAIN DISCLOSURES OF CLASSIFIED INFOR-**
3 **MATION.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADVERSARY FOREIGN GOVERNMENT.—The
6 term “adversary foreign government” means the
7 government of any of the following foreign countries:

8 (A) North Korea.

9 (B) Iran.

10 (C) China.

11 (D) Russia.

12 (E) Cuba.

13 (2) COVERED CLASSIFIED INFORMATION.—The
14 term “covered classified information” means classi-
15 fied information that was—

16 (A) collected by an element of the intel-
17 ligence community; or

18 (B) provided by the intelligence service or
19 military of a foreign country to an element of
20 the intelligence community.

21 (3) ESTABLISHED INTELLIGENCE CHANNELS.—
22 The term “established intelligence channels” means
23 methods to exchange intelligence to coordinate for-
24 eign intelligence relationships, as established pursu-
25 ant to law by the Director of National Intelligence,
26 the Director of the Central Intelligence Agency, the

1 Director of the National Security Agency, or other
2 head of an element of the intelligence community.

3 (4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—

4 The term “individual in the executive branch”
5 means any officer or employee of the executive
6 branch, including individuals—

7 (A) occupying a position specified in article
8 II of the Constitution;

9 (B) appointed to a position by an indi-
10 vidual described in subparagraph (A); or

11 (C) serving in the civil service or the Sen-
12 ior Executive Service (or similar service for sen-
13 ior executives of particular departments or
14 agencies).

15 (b) FINDINGS.—Congress finds that section 502 of
16 the National Security Act of 1947 (50 U.S.C. 3092) re-
17 quires elements of the intelligence community to keep the
18 congressional intelligence committees “fully and currently
19 informed” about all “intelligence activities” of the United
20 States, and to “furnish to the congressional intelligence
21 committees any information or material concerning intel-
22 ligence activities * * * which is requested by either of the
23 congressional intelligence committees in order to carry out
24 its authorized responsibilities.”.

1 (c) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) section 502 of the National Security Act of
4 1947 (50 U.S.C. 3092), together with other intel-
5 ligence community authorities, obligates an element
6 of the intelligence community to submit to the con-
7 gressional intelligence committees written notifica-
8 tion, by not later than 7 days after becoming aware,
9 that an individual in the executive branch has dis-
10 closed covered classified information to an official of
11 an adversary foreign government using methods
12 other than established intelligence channels; and

13 (2) each such notification should include—

14 (A) the date and place of the disclosure of
15 classified information covered by the notifica-
16 tion;

17 (B) a description of such classified infor-
18 mation;

19 (C) identification of the individual who
20 made such disclosure and the individual to
21 whom such disclosure was made; and

22 (D) a summary of the circumstances of
23 such disclosure.

1 **SEC. 2745. SENSE OF CONGRESS ON CONSIDERATION OF**
2 **ESPIONAGE ACTIVITIES WHEN CONSIDERING**
3 **WHETHER OR NOT TO PROVIDE VISAS TO**
4 **FOREIGN INDIVIDUALS TO BE ACCREDITED**
5 **TO A UNITED NATIONS MISSION IN THE**
6 **UNITED STATES.**

7 It is the sense of the Congress that the Secretary of
8 State, in considering whether or not to provide a visa to
9 a foreign individual to be accredited to a United Nations
10 mission in the United States, should consider—

11 (1) known and suspected intelligence activities,
12 espionage activities, including activities constituting
13 precursors to espionage, carried out by the indi-
14 vidual against the United States, foreign allies of the
15 United States, or foreign partners of the United
16 States; and

17 (2) the status of an individual as a known or
18 suspected intelligence officer for a foreign adversary.

