

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 3017

To authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. BURR

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Intelligence Authorization Act for Fiscal Year 2017”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

2

- Sec. 103. Personnel ceiling adjustments.
- Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 301. Restriction on conduct of intelligence activities.
- Sec. 302. Increase in employee compensation and benefits authorized by law.
- Sec. 303. Support to nonprofit organizations assisting intelligence community employees.
- Sec. 304. Promotion of science, technology, engineering, and mathematics education in the intelligence community.
- Sec. 305. Retention of employees of the intelligence community who have science, technology, engineering, or mathematics expertise.
- Sec. 306. Multi-sector workforce.
- Sec. 307. Notification of repair or modification of facilities to be used primarily by the intelligence community.
- Sec. 308. Guidance and reporting requirement regarding the interactions between the intelligence community and entertainment industry.
- Sec. 309. Protections for independent inspectors general of certain elements of the intelligence community.
- Sec. 310. Congressional oversight of policy directives and guidance.
- Sec. 311. Notification of memoranda of understanding.
- Sec. 312. Assistance for nationally significant critical infrastructure.
- Sec. 313. Technical correction to Executive Schedule.
- Sec. 314. Maximum amount charged for declassification reviews.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE
INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Designation of the Director of the National Counterintelligence and Security Center.
- Sec. 402. Analyses and impact statements by Director of National Intelligence regarding investment into the United States.
- Sec. 403. Assistance for governmental entities and private entities in recognizing online violent extremist content.

Subtitle B—Central Intelligence Agency

- Sec. 411. Enhanced death benefits for personnel of the Central Intelligence Agency.
- Sec. 412. Pay and retirement authorities of the Inspector General of the Central Intelligence Agency.

Subtitle C—Other Elements

- Sec. 421. Enhancing the technical workforce for the Federal Bureau of Investigation.
- Sec. 422. Plan on assumption of certain weather missions by the National Reconnaissance Office.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

- Sec. 501. Committee to counter active measures by the Russian Federation to exert covert influence over peoples and governments.
- Sec. 502. Travel of accredited diplomatic and consular personnel of the Russian Federation in the United States.
- Sec. 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states.

TITLE VI—REPORTS AND OTHER MATTERS

- Sec. 601. Declassification review with respect to detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 602. Cyber Center for Education and Innovation-Home of the National Cryptologic Museum.
- Sec. 603. Report on national security systems.
- Sec. 604. Joint facilities certification.
- Sec. 605. Leadership and management of space activities.
- Sec. 606. Advances in life sciences and biotechnology.
- Sec. 607. Reports on declassification proposals.
- Sec. 608. Improvement in Government classification and declassification.
- Sec. 609. Report on implementation of research and development recommendations.
- Sec. 610. Report on Intelligence Community Research and Development Corps.
- Sec. 611. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community.
- Sec. 612. Report on intelligence community employees detailed to National Security Council.
- Sec. 613. Intelligence community reporting to Congress on foreign fighter flows.
- Sec. 614. Report on cybersecurity threats to seaports of the United States and maritime shipping.
- Sec. 615. Report on counter-narrative activities.
- Sec. 616. Report on reprisals against contractors of the intelligence community.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

6 (A) the Select Committee on Intelligence of
 7 the Senate; and

8 (B) the Permanent Select Committee on
 9 Intelligence of the House of Representatives.

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

5 **TITLE I—INTELLIGENCE**
6 **ACTIVITIES**

7 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2017 for the conduct of the intelligence and
10 intelligence-related activities of the following elements of
11 the United States Government:

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

14 (2) The Central Intelligence Agency.

15 (3) The Department of Defense.

16 (4) The Defense Intelligence Agency.

17 (5) The National Security Agency.

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

21 (7) The Coast Guard.

22 (8) The Department of State.

23 (9) The Department of the Treasury.

24 (10) The Department of Energy.

25 (11) The Department of Justice.

1 (12) The Federal Bureau of Investigation.

2 (13) The Drug Enforcement Administration.

3 (14) The National Reconnaissance Office.

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

6 (16) The Department of Homeland Security.

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

8 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
9 authorized to be appropriated under section 101 and, sub-
10 ject to section 103, the authorized personnel ceilings as
11 of September 30, 2017, for the conduct of the intelligence
12 activities of the elements listed in paragraphs (1) through
13 (16) of section 101, are those specified in the classified
14 Schedule of Authorizations prepared to accompany the bill
15 S.3017 of the One Hundred Fourteenth Congress.

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

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

23 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
24 ject to paragraph (3), the President shall provide for
25 suitable distribution of the classified Schedule of Au-

1 thorizations referred to in subsection (a), or of ap-
2 propriate portions of such Schedule, within the exec-
3 utive branch.

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

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

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

13 (C) as otherwise required by law.

14 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

15 (a) AUTHORITY FOR INCREASES.—The Director of
16 National Intelligence may authorize employment of civil-
17 ian personnel in excess of the number authorized for fiscal
18 year 2017 by the classified Schedule of Authorizations re-
19 ferred to in section 102(a) if the Director of National In-
20 telligence determines that such action is necessary to the
21 performance of important intelligence functions, except
22 that the number of personnel employed in excess of the
23 number authorized under such section may not, for any
24 element of the intelligence community, exceed—

1 (1) 3 percent of the number of civilian per-
2 sonnel authorized under such schedule for such ele-
3 ment; or

4 (2) 10 percent of the number of civilian per-
5 sonnel authorized under such schedule for such ele-
6 ment for the purposes of contractor conversions.

7 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
8 rector of National Intelligence shall establish guidelines
9 that govern, for each element of the intelligence commu-
10 nity, the treatment under the personnel levels authorized
11 under section 102(a), including any exemption from such
12 personnel levels, of employment or assignment in—

13 (1) a student program, trainee program, or
14 similar program;

15 (2) a reserve corps or as a reemployed annu-
16 itant; or

17 (3) details, joint duty, or long-term, full-time
18 training.

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

24 (d) CONTRACTOR CONVERSIONS.—

1 (1) AUTHORITY FOR INCREASES.—In addition
2 to the authority under subsection (a), the Director
3 of National Intelligence may authorize employment
4 of civilian personnel in an element of the intelligence
5 community in excess of the number authorized for
6 fiscal year 2017 by the classified Schedule of Au-
7 thorizations referred to in section 102(a), as such
8 number may be increased pursuant to subsection
9 (a), if—

10 (A) the Director determines that the in-
11 crease under this paragraph is necessary to
12 convert the performance of any function of the
13 element by contractors to performance by civil-
14 ian personnel; and

15 (B) the number of civilian personnel of the
16 element employed in excess of the number au-
17 thorized under such section 102(a), as such
18 number may be increased pursuant to both sub-
19 section (a) and this paragraph, does not exceed
20 10 percent of the number of civilian personnel
21 authorized under such schedule for the element.

22 (2) NOTICE TO CONGRESSIONAL INTELLIGENCE
23 COMMITTEES.—Not less than 30 days prior to exer-
24 cising the authority described in paragraph (1), the

1 Director of National Intelligence shall submit to the
2 congressional intelligence committees, in writing—

3 (A) notification of exercising such author-
4 ity;

5 (B) justification for making the conversion
6 described in subparagraph (A) of such para-
7 graph; and

8 (C) certification that such conversion is
9 cost effective.

10 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
11 **COUNT.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
13 authorized to be appropriated for the Intelligence Commu-
14 nity Management Account of the Director of National In-
15 telligence for fiscal year 2017 the sum of \$561,788,000.
16 Within such amount, funds identified in the classified
17 Schedule of Authorizations referred to in section 102(a)
18 for advanced research and development shall remain avail-
19 able until September 30, 2018.

20 (b) **AUTHORIZED PERSONNEL LEVELS.**—The ele-
21 ments within the Intelligence Community Management
22 Account of the Director of National Intelligence are au-
23 thorized 787 positions as of September 30, 2017. Per-
24 sonnel serving in such elements may be permanent em-
25 ployees of the Office of the Director of National Intel-

1 ligence or personnel detailed from other elements of the
2 United States Government.

3 (c) CLASSIFIED AUTHORIZATIONS.—

4 (1) AUTHORIZATION OF APPROPRIATIONS.—In
5 addition to amounts authorized to be appropriated
6 for the Intelligence Community Management Ac-
7 count by subsection (a), there are authorized to be
8 appropriated for the Intelligence Community Man-
9 agement Account for fiscal year 2017 such addi-
10 tional amounts as are specified in the classified
11 Schedule of Authorizations referred to in section
12 102(a). Such additional amounts made available for
13 advanced research and development shall remain
14 available until September 30, 2018.

15 (2) AUTHORIZATION OF PERSONNEL.—In addi-
16 tion to the personnel authorized by subsection (b)
17 for elements of the Intelligence Community Manage-
18 ment Account as of September 30, 2017, there are
19 authorized such additional personnel for the Com-
20 munity Management Account as of that date as are
21 specified in the classified Schedule of Authorizations
22 referred to in section 102(a).

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

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 for fiscal year 2017 the sum of \$514,000,000.

9 **TITLE III—GENERAL INTEL-**
10 **LIGENCE COMMUNITY MAT-**
11 **TERS**

12 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
13 **ACTIVITIES.**

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

18 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
19 **BENEFITS AUTHORIZED BY LAW.**

20 Appropriations authorized by this Act for salary, pay,
21 retirement, and other benefits for Federal employees may
22 be increased by such additional or supplemental amounts
23 as may be necessary for increases in such compensation
24 or benefits authorized by law.

1 **SEC. 303. SUPPORT TO NONPROFIT ORGANIZATIONS AS-**
2 **SISTING INTELLIGENCE COMMUNITY EM-**
3 **PLOYEES.**

4 (a) DIRECTOR OF NATIONAL INTELLIGENCE.—Sec-
5 tion 102A of the National Security Act of 1947 (50 U.S.C.
6 3024) is amended by adding at the end the following:

7 “(y) FUNDRAISING.—(1) The Director of National
8 Intelligence may engage in fundraising in an official ca-
9 pacity for the benefit of nonprofit organizations that—

10 “(A) provide support to surviving family mem-
11 bers of a deceased employee of an element of the in-
12 telligence community; or

13 “(B) otherwise provide support for the welfare,
14 education, or recreation of employees of an element
15 of the intelligence community, former employees of
16 an element of the intelligence community, or family
17 members of such employees.

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

23 “(3) Not later than 7 days after the date the Director
24 engages in fundraising authorized by this subsection or
25 at the time the decision is made to participate in such

1 fundraising, the Director shall notify the congressional in-
2 telligence committees of such fundraising.

3 “(4) The Director, in consultation with the Director
4 of the Office of Government Ethics, shall issue regulations
5 to carry out the authority provided in this subsection.
6 Such regulations shall ensure that such authority is exer-
7 cised in a manner that is consistent with all relevant eth-
8 ical constraints and principles, including the avoidance of
9 any prohibited conflict of interest or appearance of improp-
10 riety.”.

11 (b) DIRECTOR OF THE CENTRAL INTELLIGENCE
12 AGENCY.—Section 12(f) of the Central Intelligence Agen-
13 cy Act of 1949 (50 U.S.C. 3512(f)) is amended by adding
14 at the end the following:

15 “(3) Not later than the date that is 7 days after the
16 date the Director engages in fundraising authorized by
17 this subsection or at the time the decision is made to par-
18 ticipate in such fundraising, the Director shall notify the
19 Select Committee on Intelligence of the Senate and the
20 Permanent Select Committee on Intelligence of the House
21 of Representatives of the fundraising.”.

1 **SEC. 304. PROMOTION OF SCIENCE, TECHNOLOGY, ENGI-**
2 **NEERING, AND MATHEMATICS EDUCATION IN**
3 **THE INTELLIGENCE COMMUNITY.**

4 (a) REQUIREMENT FOR INVESTMENT STRATEGY FOR
5 STEM RECRUITING AND OUTREACH ACTIVITIES.—Along
6 with the budget for fiscal year 2018 submitted by the
7 President pursuant to section 1105(a) of title 31, United
8 States Code, the Director of National Intelligence shall
9 submit a five-year investment strategy for outreach and
10 recruiting efforts in the fields of science, technology, engi-
11 neering, and mathematics (STEM), to include cybersecu-
12 rity and computer literacy.

13 (b) REQUIREMENT FOR INTELLIGENCE COMMUNITY
14 PLANS FOR STEM RECRUITING AND OUTREACH ACTIVI-
15 TIES.—For each of the fiscal years 2018 through 2022,
16 the head of each element of the intelligence community
17 shall submit an investment plan along with the materials
18 submitted as justification of the budget request of such
19 element that supports the strategy required by subsection
20 (a).

21 **SEC. 305. RETENTION OF EMPLOYEES OF THE INTEL-**
22 **LIGENCE COMMUNITY WHO HAVE SCIENCE,**
23 **TECHNOLOGY, ENGINEERING, OR MATHE-**
24 **MATICS EXPERTISE.**

25 (a) SPECIAL RATES OF PAY FOR CERTAIN OCCUPA-
26 TIONS IN THE INTELLIGENCE COMMUNITY.—The Na-

1 tional Security Act of 1947 (50 U.S.C. 3001 et seq.) is
2 amended by inserting after section 113A the following:

3 **“SEC. 113B. SPECIAL PAY AUTHORITY FOR SCIENCE, TECH-**
4 **NOLOGY, ENGINEERING, OR MATHEMATICS**
5 **POSITIONS.**

6 “(a) **AUTHORITY TO SET SPECIAL RATES OF PAY.—**
7 Notwithstanding part III of title 5, United States Code,
8 the head of each element of the intelligence community
9 may establish higher minimum rates of pay for 1 or more
10 categories of positions in such element that require exper-
11 tise in science, technology, engineering, or mathematics
12 (STEM).

13 “(b) **MAXIMUM SPECIAL RATE OF PAY.—**A minimum
14 rate of pay established for a category of positions under
15 subsection (a) may not exceed the maximum rate of basic
16 pay (excluding any locality-based comparability payment
17 under section 5304 of title 5, United States Code, or simi-
18 lar provision of law) for the position in that category of
19 positions without the authority of subsection (a) by more
20 than 30 percent, and no rate may be established under
21 this section in excess of the rate of basic pay payable for
22 level IV of the Executive Schedule under section 5315 of
23 title 5, United States Code.

24 “(c) **NOTIFICATION OF REMOVAL FROM SPECIAL**
25 **RATE OF PAY.—**If the head of an element of the intel-

1 lidence community removes a category of positions from
2 coverage under a rate of pay authorized by subsection (a)
3 after that rate of pay takes effect—

4 “(1) the head of such element shall provide no-
5 tice of the loss of coverage of the special rate of pay
6 to each individual in such category; and

7 “(2) the loss of coverage will take effect on the
8 first day of the first pay period after the date of the
9 notice.

10 “(d) REVISION OF SPECIAL RATES OF PAY.—Subject
11 to the limitations in this section, rates of pay established
12 under this section by the head of the element of the intel-
13 lidence community may be revised from time to time by
14 the head of such element and the revisions have the force
15 and effect of statute.

16 “(e) REGULATIONS.—The head of each element of
17 the intelligence community shall promulgate regulations to
18 carry out this section with respect to such element, which
19 shall, to the extent practicable, be comparable to the regu-
20 lations promulgated to carry out section 5305 of title 5,
21 United States Code.

22 “(f) REPORTS.—

23 “(1) REQUIREMENT FOR REPORTS.—Not later
24 than 90 days after the date of the enactment of the
25 Intelligence Authorization Act for Fiscal Year 2017,

1 the head of each element of the intelligence commu-
2 nity shall submit to the congressional intelligence
3 committees a report on any rates of pay established
4 for such element under this section.

5 “(2) CONTENTS.—Each report required by
6 paragraph (1) shall contain for each element of the
7 intelligence community—

8 “(A) a description of any rates of pay es-
9 tablished under subsection (a); and

10 “(B) the number of positions in such ele-
11 ment that will be subject to such rates of pay.”.

12 (b) TABLE OF CONTENTS AMENDMENT.—The table
13 of contents in the first section of the National Security
14 Act of 1947 is amended by inserting after the item relat-
15 ing to section 113A the following:

“Sec. 113B. Special pay authority for science, technology, engineering, or math
positions.”.

16 **SEC. 306. MULTI-SECTOR WORKFORCE.**

17 (a) MULTI-SECTOR WORKFORCE INITIATIVE.—

18 (1) REQUIREMENT.—Beginning on October 1,
19 2018, the Director of National Intelligence shall im-
20 plement a multi-sector workforce initiative—

21 (A) to improve management of the work-
22 force of the intelligence community;

1 (B) to achieve an appropriate ratio of em-
2 ployees of the United States Government and
3 core contractors in such workforce; and

4 (C) to establish processes that enables ele-
5 ments of the intelligence community to build
6 and maintain an appropriate ratio of such em-
7 ployees and core contractors.

8 (2) BRIEFING TO CONGRESS.—Not later than
9 July 1, 2018, the Director of National Intelligence
10 shall brief the congressional intelligence committees
11 on the initiative required by paragraph (1).

12 (b) MANAGEMENT BASED ON WORKLOAD REQUIRE-
13 MENTS.—

14 (1) IN GENERAL.—Beginning on October 1,
15 2018, the personnel of the intelligence community
16 shall be managed each fiscal year solely on the basis
17 of, and consistent with—

18 (A) the workload required to carry out the
19 functions and activities of the intelligence com-
20 munity; and

21 (B) the funds made available to the intel-
22 ligence community for such fiscal year.

23 (2) PROHIBITION ON CONSTRAINTS OR LIMITA-
24 TIONS.—Beginning on October 1, 2018, the manage-
25 ment of such personnel in any fiscal year shall not

1 be subject to any constraint or limitation in terms
2 of man years, end strength, full-time equivalent posi-
3 tions, or maximum number of employees.

4 (c) REQUIRED EMPLOYEES.—The Director of Na-
5 tional Intelligence shall ensure that there are employed
6 during a fiscal year employees in the number and with
7 the combination of skills and qualifications that are nec-
8 essary to carry out the functions for which funds are pro-
9 vided to the intelligence community for that fiscal year.

10 (d) BRIEFING AND REPORT TO CONGRESS.—Not
11 later than 180 days after the date of the enactment of
12 this Act, the Director of National Intelligence shall issue
13 a written report and provide a briefing to the congres-
14 sional intelligence committees on—

15 (1) the methodology used to calculate the num-
16 ber of civilian and contractor full-time equivalent po-
17 sitions in the intelligence community;

18 (2) the cost analysis tool used to calculate per-
19 sonnel costs in the intelligence community; and

20 (3) the plans of the Director of National Intel-
21 ligence and the head of each element of the intel-
22 ligence community to implement a multi-sector
23 workforce as required by subsections (a) and (b).

24 (e) REPORT.—Not later than 180 days after date of
25 the enactment of this Act, the Inspector General of the

1 Intelligence Community shall submit to the congressional
2 intelligence committees a written report on the accuracy
3 of intelligence community data for the numbers and costs
4 associated with the civilian and contractor workforce in
5 each element of the intelligence community.

6 **SEC. 307. NOTIFICATION OF REPAIR OR MODIFICATION OF**
7 **FACILITIES TO BE USED PRIMARILY BY THE**
8 **INTELLIGENCE COMMUNITY.**

9 Section 602(a)(2) of the Intelligence Authorization
10 Act for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is
11 amended by striking “improvement project to” and insert-
12 ing “project for the improvement, repair, or modification
13 of”.

14 **SEC. 308. GUIDANCE AND REPORTING REQUIREMENT RE-**
15 **GARDING THE INTERACTIONS BETWEEN THE**
16 **INTELLIGENCE COMMUNITY AND ENTER-**
17 **TAINMENT INDUSTRY.**

18 (a) DEFINITIONS.—In this section:

19 (1) ENGAGEMENT.—The term “engagement”—

20 (A) means any significant interaction be-
21 tween an element of the intelligence community
22 and an entertainment industry entity for the
23 purposes of contributing to an entertainment
24 product intended to be heard, read, viewed, or
25 otherwise experienced by the public; and

1 (B) does not include routine inquiries
2 made by the press or news media to the public
3 affairs office of an intelligence community.

4 (2) ENTERTAINMENT INDUSTRY ENTITY.—The
5 term “entertainment industry entity” means an enti-
6 ty that creates, produces, promotes, or distributes a
7 work of entertainment intended to be heard, read,
8 viewed, or otherwise experienced by an audience, in-
9 cluding—

10 (A) theater productions, motion pictures,
11 radio broadcasts, television broadcasts,
12 podcasts, webcasts, other sound or visual re-
13 cording, music, or dance;

14 (B) books and other published material;
15 and

16 (C) such other entertainment activity, as
17 determined by the Director of National Intel-
18 ligence.

19 (b) DIRECTOR OF NATIONAL INTELLIGENCE GUID-
20 ANCE.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Di-
23 rector of National Intelligence shall issue, and re-
24 lease to the public, guidance regarding engagements

1 by elements of the intelligence community with en-
2 tertainment industry entities.

3 (2) CRITERIA.—The guidance required by para-
4 graph (1) shall—

5 (A) permit an element of the intelligence
6 community to conduct engagements, if the head
7 of the element, or a designee of such head, pro-
8 vides prior approval; and

9 (B) require an unclassified annual report
10 to the congressional intelligence committees re-
11 garding engagements.

12 (c) ANNUAL REPORT.—Each report required by sub-
13 section (b)(2)(B) shall include the following:

14 (1) A description of the nature and duration of
15 each engagement included in the review.

16 (A) The cost incurred by the United States
17 Government for each such engagement.

18 (B) A description of the benefits to the
19 United States Government for each such en-
20 gagement.

21 (C) A determination of whether any infor-
22 mation was declassified, and whether any classi-
23 fied information was improperly disclosed, or
24 each such engagement.

1 (D) A description of the work produced
2 through each such engagement.

3 **SEC. 309. PROTECTIONS FOR INDEPENDENT INSPECTORS**

4 **GENERAL OF CERTAIN ELEMENTS OF THE IN-**
5 **TELLIGENCE COMMUNITY.**

6 (a) LIMITATION ON ACTIVITIES OF EMPLOYEES OF
7 AN OFFICE OF INSPECTOR GENERAL.—

8 (1) LIMITATIONS.—Not later than 180 days
9 after the date of the enactment of this Act, the Di-
10 rector of National Intelligence shall develop and im-
11 plement a uniform policy for each covered office of
12 an inspector general to better ensure the independ-
13 ence of each such office. Such policy shall include—

14 (A) provisions to prevent any conflict of in-
15 terest related to a matter any employee of a
16 covered office of an inspector general personally
17 and substantially participated in during pre-
18 vious employment;

19 (B) standards to ensure personnel of a cov-
20 ered office of an inspector general are free both
21 in fact and in appearance from personal, exter-
22 nal, and organizational impairments to inde-
23 pendence;

24 (C) provisions to permit the head of each
25 covered office of an inspector general to waive

1 the application of the policy with respect to an
2 individual if such head—

3 (i) prepares a written and signed jus-
4 tification for such waiver that sets out, in
5 detail, the need for such waiver, provided
6 that waivers shall not be issued for in fact
7 impairments to independence; and

8 (ii) submits to the congressional intel-
9 ligence committees each such justification;
10 and

11 (D) any other protections the Director de-
12 termines appropriate.

13 (2) COVERED OFFICE OF AN INSPECTOR GEN-
14 ERAL DEFINED.—The term “covered office of an in-
15 spector general” means—

16 (A) the Office of the Inspector General of
17 the Intelligence Community; and

18 (B) the office of an inspector general for—

19 (i) the Office of the Director of Na-
20 tional Intelligence;

21 (ii) the Central Intelligence Agency;

22 (iii) the National Security Agency;

23 (iv) the Defense Intelligence Agency;

24 (v) the National Geospatial-Intel-
25 ligence Agency; and

1 (vi) the National Reconnaissance Of-
2 fice.

3 (3) BRIEFING TO THE CONGRESSIONAL INTEL-
4 LIGENCE COMMITTEES.—Prior to the date that the
5 policy required by paragraph (1) takes effect, the
6 Director of National Intelligence shall provide the
7 congressional intelligence committees a briefing on
8 such policy.

9 (b) LIMITATION ON ROTATION OF EMPLOYEES OF AN
10 OFFICE OF INSPECTOR GENERAL.—Section 102A(l)(3) of
11 the National Security Act of 1947 (50 U.S.C. 3024(l)(3))
12 is amended by adding at the end the following:

13 “(D) The mechanisms prescribed under subpara-
14 graph (A) and any other policies of the Director—

15 “(i) may not require an employee of an office
16 of inspector general for an element of the intel-
17 ligence community, including the Office of the In-
18 spector General of the Intelligence Community, to
19 rotate to a position in an office or organization of
20 such an element over which such office of inspector
21 general exercises jurisdiction; and

22 “(ii) shall be implemented in a manner that ex-
23 empts employees of an office of inspector general
24 from a rotation that may impact the independence
25 of such office.”.

1 **SEC. 310. CONGRESSIONAL OVERSIGHT OF POLICY DIREC-**
2 **TIVES AND GUIDANCE.**

3 (a) COVERED POLICY DOCUMENT DEFINED.—In this
4 section, the term “covered policy document” means any
5 classified or unclassified Presidential Policy Directive,
6 Presidential Policy Guidance, or other similar policy docu-
7 ment issued by the President, including any classified or
8 unclassified annex to such a Directive, Guidance, or other
9 document, that assigns tasks, roles, or responsibilities to
10 the intelligence community or an element of the intel-
11 ligence community.

12 (b) SUBMISSIONS TO CONGRESS.—The Director of
13 National Intelligence shall submit to the congressional in-
14 telligence committees the following:

15 (1) Not later than 15 days after the date that
16 a covered policy document is issued, a written notice
17 of the issuance and a summary of the subject matter
18 addressed by such covered policy document.

19 (2) Not later than 15 days after the date that
20 the Director issues any guidance or direction on im-
21 plementation of a covered policy document or imple-
22 ments a covered policy document, a copy of such
23 guidance or direction or a description of such imple-
24 mentation.

25 (3) Not later than 15 days after the date of the
26 enactment of this Act, for any covered policy docu-

1 ment issued prior to such date that is being imple-
2 mented by any element of the intelligence commu-
3 nity or that is in effect on such date—

4 (A) a written notice that includes the date
5 such covered policy document was issued and a
6 summary of the subject matter addressed by
7 such covered policy document; and

8 (B) if the Director has issued any guid-
9 ance or direction on implementation of such
10 covered policy document or is implementing
11 such covered policy document, a copy of the
12 guidance or direction or a written description of
13 such implementation.

14 **SEC. 311. NOTIFICATION OF MEMORANDA OF UNDER-**
15 **STANDING.**

16 (a) IN GENERAL.—The head of each element of the
17 intelligence community shall submit to the congressional
18 intelligence committees a copy of each memorandum of
19 understanding or other agreement regarding significant
20 operational activities or policy between or among such ele-
21 ment and any other entity or entities of the United States
22 Government—

23 (1) for such a memorandum or agreement that
24 is in effect on the date of the enactment of this Act,
25 not later than 60 days after such date; and

1 (2) for such a memorandum or agreement en-
2 tered into after such date, in a timely manner and
3 not more than 60 days after the date such memo-
4 randum or other agreement is entered into.

5 (b) ADMINISTRATIVE MEMORANDUM OR AGREE-
6 MENT.—Nothing in this section may be construed to re-
7 quire an element of the intelligence community to submit
8 to the congressional intelligence committees any memo-
9 randum or agreement that is solely administrative in na-
10 ture, including a memorandum or agreement regarding
11 joint duty or other routine personnel assignments.

12 **SEC. 312. ASSISTANCE FOR NATIONALLY SIGNIFICANT**
13 **CRITICAL INFRASTRUCTURE.**

14 (a) DEFINITIONS.—In this section:

15 (1) COVERED CRITICAL INFRASTRUCTURE.—
16 The term “covered critical infrastructure” means the
17 critical infrastructure identified pursuant to section
18 9(a) of Executive Order No. 13636 of February 12,
19 2013 (78 Fed. Reg. 11742; related to improving
20 critical infrastructure cybersecurity).

21 (2) COVERED CYBER ASSET.—The term “cov-
22 ered cyber asset” means an information system or
23 industrial control system that is essential to the op-
24 eration of covered critical infrastructure.

1 (3) PROGRAM.—Except as otherwise specifically
2 provided, the term “program” means the program
3 required by subsection (b).

4 (4) SECTOR-SPECIFIC AGENCY.—The term “sec-
5 tor-specific agency” has the meaning given that term
6 in Presidential Policy Directive-21, issued February
7 12, 2013 (related to critical infrastructure security
8 and resilience), or any successor.

9 (5) UNDER SECRETARY, NATIONAL PROTEC-
10 TION AND PROGRAMS DIRECTORATE.—The term
11 “Under Secretary, National Protection and Pro-
12 grams Directorate” means the Under Secretary re-
13 sponsible for overseeing critical infrastructure pro-
14 tection, cybersecurity, and other related programs of
15 the Department of Homeland Security established in
16 section 103(a)(1)(H) of the Homeland Security Act
17 of 2002 (6 U.S.C. 113(a)(1)(H)).

18 (6) VOLUNTARY PARTICIPANT.—The term “vol-
19 untary participant” means an entity eligible to par-
20 ticipate in the program under subsection (e)(2) that
21 has voluntarily elected to participate in the program.

22 (b) REQUIREMENT FOR PROGRAM.—Not later than
23 180 days after the date of the enactment of this Act, the
24 Under Secretary, National Protection and Programs Di-
25 rectorate, in consultation with appropriate covered critical

1 infrastructure and sector-specific agencies, shall carry out
2 a program to provide assistance to covered critical infra-
3 structure consistent with subsection (f).

4 (c) OBJECTIVE.—The objective of the program shall
5 be to reduce the risk of regional or national catastrophic
6 harm caused by a cyber attack against covered critical in-
7 frastructure.

8 (d) VOLUNTARY PARTICIPATION.—Participation in
9 the program by covered critical infrastructure shall be on
10 a voluntary basis.

11 (e) INTELLIGENCE COMMUNITY PARTICIPATION.—

12 (1) COORDINATION AND MANAGEMENT.—The
13 Under Secretary for Intelligence and Analysis of the
14 Department of Homeland Security shall coordinate
15 and lead the provision of assistance from the appro-
16 priate elements of the intelligence community to the
17 Under Secretary, National Protection and Programs
18 Directorate, and voluntary participants through the
19 national cybersecurity and communications integra-
20 tion center established under section 227 of the
21 Homeland Security Act of 2002 (6 U.S.C. 148) to
22 fulfill the requirements of this section.

23 (2) ACTIVITIES.—In the manner required by
24 this subsection and subject to the concurrence of the
25 Under Secretary for Intelligence and Analysis of the

1 Department of Homeland Security, the appropriate
2 elements of the intelligence community are author-
3 ized to carry out the following activities to support
4 the program:

5 (A) Activities to develop a national strat-
6 egy to effectively leverage intelligence commu-
7 nity resources made available to support the
8 program.

9 (B) Activities to consult with the Director
10 of National Intelligence and other appropriate
11 intelligence and law enforcement agencies to
12 identify within the existing framework gov-
13 erning intelligence prioritization, intelligence
14 gaps and foreign intelligence collection require-
15 ments relevant to the security of covered cyber
16 assets and covered critical infrastructure.

17 (C) Activities to improve the detection,
18 prevention, and mitigation of espionage con-
19 ducted by foreign actors against or concerning
20 covered critical infrastructure.

21 (D) Activities to identify or provide assist-
22 ance related to the research, design, and devel-
23 opment of protective and mitigation measures
24 for covered cyber assets and the components of
25 covered cyber assets.

1 (E) Activities to provide technical assist-
2 ance and input to voluntary participants for
3 testing and exercises related to covered cyber
4 assets.

5 (f) RELATIONSHIP TO EXISTING PROGRAMS.—This
6 section shall be carried out in a manner consistent with
7 the existing roles, responsibilities, authorities, and activi-
8 ties of the United States Government.

9 (g) NO COST TO COVERED CRITICAL INFRASTRUC-
10 TURE PARTICIPANTS.—A voluntary participant in the pro-
11 gram that is covered critical infrastructure shall not be
12 required to reimburse the United States Government for
13 the use of any facility, personnel, contractor, equipment,
14 service, or information of the United States Government
15 utilized in an activity carried out pursuant to the program.

16 (h) PRIORITIZATION OF ASSISTANCE.—The Director
17 of National Intelligence shall consider the national signifi-
18 cance of covered critical infrastructure identified in the
19 process established by the Under Secretary, National Pro-
20 tection and Programs Directorate, in the Director's proc-
21 ess for prioritizing requirements and effectively allocating
22 the resources of the intelligence community for assisting
23 government efforts to help protect critical infrastructure
24 owned or operated in the private sector.

1 (i) PARTICIPATION APPROVAL.—Participation in the
2 program by any private entity shall be subject to the ap-
3 proval of the Under Secretary, National Protection and
4 Programs Directorate, and in the case of any support as-
5 sistance provided by the intelligence community, the ap-
6 proval of the Director of National Intelligence.

7 (j) NO NEW REGULATORY AUTHORITY.—Nothing in
8 this section may be construed to authorize the Director
9 of National Intelligence, the Secretary of Homeland Secu-
10 rity, or any other Federal regulator to promulgate new
11 regulations.

12 (k) BRIEFING.—Not less frequently than once each
13 year, the Secretary of Homeland Security shall brief the
14 congressional intelligence committees, the Committee on
15 Homeland Security and Governmental Affairs of the Sen-
16 ate, and Committee on Homeland Security of the House
17 of Representatives on progress and challenges of the pro-
18 gram.

19 (l) CONSTRUCTION.—Nothing in this section may be
20 construed to limit any authority or responsibility of an
21 agency or department of the United States under any law
22 in effect on the date of the enactment of this Act.

1 **SEC. 313. TECHNICAL CORRECTION TO EXECUTIVE SCHED-**
2 **ULE.**

3 Section 5313 of title 5, United States Code, is
4 amended by striking the item relating to “Director of the
5 National Counter Proliferation Center.”.

6 **SEC. 314. MAXIMUM AMOUNT CHARGED FOR DECLAS-**
7 **SIFICATION REVIEWS.**

8 In reviewing and processing a request by a person
9 for the mandatory declassification of information pursuant
10 to Executive Order No. 13526, a successor executive
11 order, or any provision of law, the head of an element of
12 the intelligence community—

13 (1) may not charge the person reproduction
14 fees in excess of the amount of fees that the head
15 would charge the person for reproduction required in
16 the course of processing a request for information
17 under section 552 of title 5, United States Code
18 (commonly referred to as the “Freedom of Informa-
19 tion Act”); and

20 (2) may waive or reduce any processing fees in
21 the same manner as the head waives or reduces fees
22 under such section 552.

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

4 **Subtitle A—Office of the Director**
5 **of National Intelligence**

6 **SEC. 401. DESIGNATION OF THE DIRECTOR OF THE NA-**
7 **TIONAL COUNTERINTELLIGENCE AND SECU-**
8 **RITY CENTER.**

9 (a) IN GENERAL.—

10 (1) IN GENERAL.—Section 902 of the Counter-
11 intelligence Enhancement Act of 2002 (50 U.S.C.
12 3382) is amended to read as follows:

13 **“SEC. 902. DIRECTOR OF THE NATIONAL COUNTERINTEL-**
14 **LIGENCE AND SECURITY CENTER.**

15 “(a) ESTABLISHMENT.—There shall be a Director of
16 the National Counterintelligence and Security Center (re-
17 ferred to in this section as the ‘Director’), who shall be
18 appointed by the President, by and with the advice and
19 consent of the Senate.

20 “(b) MISSION.—The mission of the Director shall be
21 to serve as the head of national counterintelligence for the
22 United States Government.

23 “(c) DUTIES.—Subject to the direction and control
24 of the Director of National Intelligence, the duties of the
25 Director are as follows:

1 “(1) To carry out the mission referred to in
2 subsection (b).

3 “(2) To act as chairperson of the National
4 Counterintelligence Policy Board established under
5 section 811 of the Counterintelligence and Security
6 Enhancements Act of 1994 (50 U.S.C. 3381).

7 “(3) To act as head of the National Counter-
8 intelligence and Security Center established under
9 section 904.

10 “(4) To participate as an observer on such
11 boards, committees, and entities of the executive
12 branch as the Director of National Intelligence con-
13 sidered appropriate for the discharge of the mission
14 and functions of the Director and the National
15 Counterintelligence and Security Center under sec-
16 tion 904.”.

17 (2) TABLE OF CONTENTS AMENDMENT.—The
18 table of contents in section 1(b) of the Intelligence
19 Authorization Act for Fiscal Year 2003 (Public Law
20 107–306; 116 Stat. 2383) is amended by striking
21 the item relating to section 902 and inserting the
22 following:

“Sec. 902. Director of the National Counterintelligence and Security Center.”.

23 (3) TECHNICAL EFFECTIVE DATE.—The
24 amendment made by subsection (a) of section 401 of
25 the Intelligence Authorization Act for Fiscal Year

1 2016 (division M of Public Law 114–113) shall not
2 take effect, or, if the date of the enactment of this
3 Act is on or after the effective date specified in sub-
4 section (b) of such section, such amendment shall be
5 deemed to not have taken effect.

6 (b) NATIONAL COUNTERINTELLIGENCE AND SECU-
7 RITY CENTER.—

8 (1) IN GENERAL.—Section 904 of the Counter-
9 intelligence Enhancement Act of 2002 (50 U.S.C.
10 3383) is amended—

11 (A) by striking the section heading and in-
12 serting “**NATIONAL COUNTERINTEL-**
13 **LIGENCE AND SECURITY CENTER.**”; and

14 (B) by striking subsections (a), (b), and
15 (c) and inserting the following:

16 “(a) ESTABLISHMENT.—There shall be a National
17 Counterintelligence and Security Center.

18 “(b) HEAD OF CENTER.—The Director of the Na-
19 tional Counterintelligence and Security Center shall be the
20 head of the National Counterintelligence and Security
21 Center.

22 “(c) LOCATION OF CENTER.—The National Counter-
23 intelligence and Security Center shall be located in the Of-
24 fice of the Director of National Intelligence.”.

1 (2) FUNCTIONS.—Section 904(d) of the Coun-
2 terintelligence Enhancement Act of 2002 (50 U.S.C.
3 3383(d)) is amended—

4 (A) in the matter preceding paragraph (1),
5 by striking “National Counterintelligence Exec-
6 utive, the functions of the Office of the Na-
7 tional Counterintelligence Executive” and in-
8 serting “Director of the National Counterintel-
9 ligence and Security Center, the functions of
10 the National Counterintelligence and Security
11 Center”;

12 (B) in paragraph (5), in the matter pre-
13 ceding subparagraph (A), by striking “In con-
14 sultation with” and inserting “At the direction
15 of”; and

16 (C) in paragraph (6), in the matter pre-
17 ceding subparagraph (A), by striking “Office”
18 and inserting “National Counterintelligence and
19 Security Center”.

20 (3) PERSONNEL.—Section 904(f) of the Coun-
21 terintelligence Enhancement Act of 2002 (50 U.S.C.
22 3383(f)) is amended—

23 (A) in paragraph (1), by striking “Office
24 of the National Counterintelligence Executive
25 may consist of personnel employed by the Of-

1 fice” and inserting “National Counterintel-
2 ligence and Security Center may consist of per-
3 sonnel employed by the Center”; and

4 (B) in paragraph (2), by striking “Na-
5 tional Counterintelligence Executive” and in-
6 serting “Director of the National Counterintel-
7 ligence and Security Center”.

8 (4) TREATMENT OF ACTIVITIES UNDER CER-
9 TAIN ADMINISTRATIVE LAWS.—Section 904(g) of the
10 Counterintelligence Enhancement Act of 2002 (50
11 U.S.C. 3383(g)) is amended by striking “Office shall
12 be treated as operational files of the Central Intel-
13 ligence Agency for purposes of section 701 of the
14 National Security Act of 1947 (50 U.S.C. 431)” and
15 inserting “National Counterintelligence and Security
16 Center shall be treated as operational files of the
17 Central Intelligence Agency for purposes of section
18 701 of the National Security Act of 1947 (50 U.S.C.
19 3141)”.

20 (5) OVERSIGHT BY CONGRESS.—Section 904(h)
21 of the Counterintelligence Enhancement Act of 2002
22 (50 U.S.C. 3383(h)) is amended—

23 (A) in the matter preceding paragraph (1),
24 by striking “Office of the National Counter-

1 intelligence Executive” and inserting “National
2 Counterintelligence and Security Center”; and

3 (B) in paragraphs (1) and (2), by striking
4 “Office” and inserting “Center” both places
5 that term appears.

6 (6) TABLE OF CONTENTS AMENDMENT.—The
7 table of contents in section 1(b) of the Intelligence
8 Authorization Act for Fiscal Year 2003 (Public Law
9 107–306; 116 Stat. 2383), as amended by sub-
10 section (a)(2), is further amended by striking the
11 item relating to section 904 and inserting the fol-
12 lowing:

“Sec. 904. National Counterintelligence and Security Center.”.

13 (c) OVERSIGHT OF NATIONAL INTELLIGENCE CEN-
14 TERS.—Section 102A(f)(2) of the National Security Act
15 of 1947 (50 U.S.C. 3024(f)(2)) is amended by inserting
16 “, the National Counterproliferation Center, and the Na-
17 tional Counterintelligence and Security Center” after
18 “National Counterterrorism Center”.

19 (d) DIRECTOR OF THE NATIONAL COUNTERINTEL-
20 LIGENCE AND SECURITY CENTER WITHIN THE OFFICE
21 OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—Para-
22 graph (8) of section 103(c) of the National Security Act
23 of 1947 (50 U.S.C. 3025(c)) is amended to read as fol-
24 lows:

1 “(8) The Director of the National Counterintel-
2 ligence and Security Center.”.

3 (e) DUTIES OF THE DIRECTOR OF THE NATIONAL
4 COUNTERINTELLIGENCE AND SECURITY CENTER.—

5 (1) IN GENERAL.—Section 103F of the Na-
6 tional Security Act of 1947 (50 U.S.C. 3031) is
7 amended—

8 (A) by striking the section heading and in-
9 serting “DIRECTOR OF THE NATIONAL COUN-
10 TERINTELLIGENCE AND SECURITY CENTER”;

11 (B) in subsection (a)—

12 (i) by striking the subsection heading
13 and inserting “DIRECTOR OF THE NA-
14 TIONAL COUNTERINTELLIGENCE AND SE-
15 CURITY CENTER.—”; and

16 (ii) by striking “National Counter-
17 intelligence Executive under section 902 of
18 the Counterintelligence Enhancement Act
19 of 2002 (title IX of Public Law 107–306;
20 50 U.S.C. 402b et seq.)” and inserting
21 “Director of the National Counterintel-
22 ligence and Security Center appointed
23 under section 902 of the Counterintel-
24 ligence Enhancement Act of 2002 (50
25 U.S.C. 3382)”; and

1 (C) in subsection (b), by striking “Na-
2 tional Counterintelligence Executive” and in-
3 serting “Director of the National Counterintel-
4 ligence and Security Center”.

5 (2) TABLE OF CONTENTS AMENDMENT.—The
6 table of contents in the first section of the National
7 Security Act of 1947 is amended by striking the
8 item relating to section 103F and inserting the fol-
9 lowing:

 “Sec. 103F. Director of the National Counterintelligence and Security Cen-
 ter.”.

10 (f) COORDINATION OF COUNTERINTELLIGENCE AC-
11 TIVITIES.—Section 811 of the Counterintelligence and Se-
12 curity Enhancements Act of 1994 (50 U.S.C. 3381) is
13 amended—

14 (1) in subsection (b), by striking “National
15 Counterintelligence Executive under section 902 of
16 the Counterintelligence Enhancement Act of 2002”
17 and inserting “Director of the National Counter-
18 intelligence and Security Center appointed under
19 section 902 of the Counterintelligence Enhancement
20 Act of 2002 (50 U.S.C. 3382)”;

21 (2) in subsection (c)(1), by striking “National
22 Counterintelligence Executive.” and inserting “Di-
23 rector of the National Counterintelligence and Secu-
24 rity Center.”; and

1 (3) in subsection (d)(1)(B)(ii)—

2 (A) by striking “National Counterintel-
3 ligence Executive” and inserting “Director of
4 the National Counterintelligence and Security
5 Center”; and

6 (B) by striking “by the Office of the Na-
7 tional Counterintelligence Executive under sec-
8 tion 904(e)(2) of that Act” and inserting “pur-
9 suant to section 904(d)(2) of that Act (50
10 U.S.C. 3383(d)(2))”.

11 (g) INTELLIGENCE AND NATIONAL SECURITY AS-
12 PECTS OF ESPIONAGE PROSECUTIONS.—Section 341(b) of
13 the Intelligence Authorization Act for Fiscal Year 2004
14 (Public Law 108–177, 28 U.S.C. 519 note) is amended
15 by striking “Office of the National Counterintelligence Ex-
16 ecutive,” and inserting “National Counterintelligence and
17 Security Center,”.

18 **SEC. 402. ANALYSES AND IMPACT STATEMENTS BY DIREC-**
19 **TOR OF NATIONAL INTELLIGENCE REGARD-**
20 **ING INVESTMENT INTO THE UNITED STATES.**

21 Section 102A of the National Security Act of 1947
22 (50 U.S.C. 3024), as amended by section 303, is further
23 amended by adding at the end the following new sub-
24 section:

1 “(z) ANALYSES AND IMPACT STATEMENTS REGARD-
2 ING PROPOSED INVESTMENT INTO THE UNITED
3 STATES.—(1) Not later than 20 days after the completion
4 of a review or an investigation of any proposed investment
5 into the United States for which the Director has prepared
6 analytic materials, the Director shall submit to the Select
7 Committee on Intelligence of the Senate and the Perma-
8 nent Select Committee on Intelligence of the House of
9 Representative copies of such analytic materials, including
10 any supplements or amendments to such analysis made
11 by the Director.

12 “(2) Not later than 60 days after the completion of
13 consideration by the United States Government of any in-
14 vestment described in paragraph (1), the Director shall
15 determine whether such investment will have an oper-
16 ational impact on the intelligence community, and, if so,
17 shall submit a report on such impact to the Select Com-
18 mittee on Intelligence of the Senate and the Permanent
19 Select Committee on Intelligence of the House of Rep-
20 resentatives. Each such report shall—

21 “(A) describe the operational impact of the in-
22 vestment on the intelligence community; and

23 “(B) describe any actions that have been or will
24 be taken to mitigate such impact.”.

1 **SEC. 403. ASSISTANCE FOR GOVERNMENTAL ENTITIES AND**
2 **PRIVATE ENTITIES IN RECOGNIZING ONLINE**
3 **VIOLENT EXTREMIST CONTENT.**

4 (a) ASSISTANCE TO RECOGNIZE ONLINE VIOLENT
5 EXTREMIST CONTENT.—Not later than 180 days after the
6 date of the enactment of this Act, and consistent with the
7 protection of intelligence sources and methods, the Direc-
8 tor of National Intelligence shall publish on a publicly
9 available Internet website a list of all logos, symbols, insig-
10 nia, and other markings commonly associated with, or
11 adopted by, an organization designated by the Secretary
12 of State as a foreign terrorist organization under section
13 219(a) of the Immigration and Nationality Act (8 U.S.C.
14 1189(a)).

15 (b) UPDATES.—The Director shall update the list
16 published under subsection (a) every 180 days or more
17 frequently as needed.

18 **Subtitle B—Central Intelligence**
19 **Agency**

20 **SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL**
21 **OF THE CENTRAL INTELLIGENCE AGENCY.**

22 Section 11 of the Central Intelligence Agency Act of
23 1949 (50 U.S.C. 3511) is amended to read as follows:

1 “BENEFITS AVAILABLE IN EVENT OF THE DEATH OF
2 PERSONNEL

3 “SEC. 11. (a) AUTHORITY.—The Director may pay
4 death benefits substantially similar to those authorized for
5 members of the Foreign Service pursuant to the Foreign
6 Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other
7 provision of law. The Director may adjust the eligibility
8 for death benefits as necessary to meet the unique require-
9 ments of the mission of the Agency.

10 “(b) REGULATIONS.—Regulations issued pursuant to
11 this section shall be submitted to the Select Committee
12 on Intelligence of the Senate and the Permanent Select
13 Committee on Intelligence of the House of Representatives
14 before such regulations take effect.”

15 **SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE IN-**
16 **SPECTOR GENERAL OF THE CENTRAL INTEL-**
17 **LIGENCE AGENCY.**

18 (a) IN GENERAL.—Section 17(e)(7) of the Central
19 Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7))
20 is amended by adding at the end the following new sub-
21 paragraph:

22 “(C)(i) The Inspector General may designate an offi-
23 cer or employee appointed in accordance with subpara-
24 graph (A) as a law enforcement officer solely for purposes
25 of subchapter III of chapter 83 or chapter 84 of title 5,

1 United States Code, if such officer or employee is ap-
2 pointed to a position with responsibility for investigating
3 suspected offenses against the criminal laws of the United
4 States.

5 “(ii) In carrying out clause (i), the Inspector General
6 shall ensure that any authority under such clause is exer-
7 cised in a manner consistent with section 3307 of title 5,
8 United States Code, as it relates to law enforcement offi-
9 cers.

10 “(iii) For purposes of applying sections 3307(d),
11 8335(b), and 8425(b) of title 5, United States Code, the
12 Inspector General may exercise the functions, powers, and
13 duties of an agency head or appointing authority with re-
14 spect to the Office.”.

15 (b) **RULE OF CONSTRUCTION.**—Subparagraph (C) of
16 section 17(e)(7) of the Central Intelligence Agency Act of
17 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a),
18 may not be construed to confer on the Inspector General
19 of the Central Intelligence Agency, or any other officer
20 or employee of the Agency, any police or law enforcement
21 or internal security functions or authorities.

1 **Subtitle C—Other Elements**

2 **SEC. 421. ENHANCING THE TECHNICAL WORKFORCE FOR**
3 **THE FEDERAL BUREAU OF INVESTIGATION.**

4 (a) **REPORT REQUIRED.**—Building on the basic cyber
5 human capital strategic plan provided to the congressional
6 intelligence committees in 2015, not later than 180 days
7 after the date of the enactment of this Act and updated
8 two years thereafter, the Director of the Federal Bureau
9 of Investigation shall submit to the congressional intel-
10 ligence committees, the Committee on the Judiciary of the
11 Senate, and the Committee on the Judiciary of the House
12 of Representatives a comprehensive strategic workforce re-
13 port regarding initiatives to effectively integrate informa-
14 tion technology expertise in the investigative process.

15 (b) **ELEMENTS.**—The report required by subsection
16 (a) shall include the following:

17 (1) An assessment, including measurable bench-
18 marks, of progress on initiatives to recruit, train,
19 and retain personnel with the necessary skills and
20 experiences in vital areas, including encryption, cryp-
21 tography, and big data analytics.

22 (2) An assessment of whether officers of the
23 Federal Bureau of Investigation who possess such
24 skills are fully integrated into the Bureau’s work, in-
25 cluding Agent-led investigations.

1 (3) A description of the quality and quantity of
2 the collaborations between the Bureau and private
3 sector entities on cyber issues, including the status
4 of efforts to benefit from employees with experience
5 transitioning between the public and private sectors.

6 (4) An assessment of the utility of reinstating,
7 if applicable, and leveraging the Director's Advisory
8 Board, which was originally constituted in 2005, to
9 provide outside advice on how to better integrate
10 technical expertise with the investigative process and
11 on emerging concerns in cyber-related issues.

12 **SEC. 422. PLAN ON ASSUMPTION OF CERTAIN WEATHER**
13 **MISSIONS BY THE NATIONAL RECONNAIS-**
14 **SANCE OFFICE.**

15 (a) PLAN.—

16 (1) IN GENERAL.—Except as provided in sub-
17 section (c), the Director of the National Reconnaissance Office shall develop a plan for the National
18 Reconnaissance Office to address how to carry out
19 covered space-based environmental monitoring mis-
20 sions. Such plan shall include—

22 (A) a description of the related national se-
23 curity requirements for such missions;

24 (B) a description of the appropriate man-
25 ner to meet such requirements; and

1 (C) the amount of funds that would be
2 necessary to be transferred from the Air Force
3 to the National Reconnaissance Office during
4 fiscal years 2018 through 2022 to carry out
5 such plan.

6 (2) ACTIVITIES.—In developing the plan under
7 paragraph (1), the Director may conduct pre-acqui-
8 sition activities, including with respect to requests
9 for information, analyses of alternatives, study con-
10 tracts, modeling and simulation, and other activities
11 the Director determines necessary to develop such
12 plan.

13 (3) SUBMISSION.—Not later than July 1, 2017,
14 and except as provided in subsection (c), the Direc-
15 tor shall submit to the appropriate congressional
16 committees the plan under paragraph (1).

17 (b) INDEPENDENT COST ESTIMATE.—The Director
18 of the Cost Assessment Improvement Group of the Office
19 of the Director of National Intelligence, in coordination
20 with the Director of Cost Assessment and Program Eval-
21 uation, shall certify to the appropriate congressional com-
22 mittees that the amounts of funds identified under sub-
23 section (a)(1)(C) as being necessary to transfer are appro-
24 priate and include funding for positions and personnel to
25 support program office costs.

1 (c) WAIVER BASED ON REPORT AND CERTIFICATION
2 OF AIR FORCE ACQUISITION PROGRAM.—The Director of
3 the National Reconnaissance Office may waive the re-
4 quirement to develop a plan under subsection (a), if the
5 Under Secretary of Defense for Acquisition Technology,
6 and Logistics and the Chairman of the Joint Chiefs of
7 Staff jointly submit to the appropriate congressional com-
8 mittees a report by not later than July 1, 2017) that con-
9 tains—

10 (1) a certification that the Secretary of the Air
11 Force is carrying out a formal acquisition program
12 that has received Milestone A approval to address
13 the cloud characterization and theater weather im-
14 agery requirements of the Department of Defense;
15 and

16 (2) an identification of the cost, schedule, re-
17 quirements, and acquisition strategy of such acquisi-
18 tion program.

19 (d) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the congressional intelligence commit-
24 tees; and

1 (B) the congressional defense committees
2 (as defined in section 101(a)(16) of title 10,
3 United States Code).

4 (2) COVERED SPACE-BASED ENVIRONMENTAL
5 MONITORING MISSIONS.—The term “covered space-
6 based environmental monitoring missions” means
7 the acquisition programs necessary to meet the na-
8 tional security requirements for cloud characteriza-
9 tion and theater weather imagery.

10 (3) MILESTONE A APPROVAL.—The term “Mile-
11 stone A approval” has the meaning given that term
12 in section 2366a(d) of title 10, United States Code.

13 **TITLE V—MATTERS RELATING**
14 **TO FOREIGN COUNTRIES**

15 **SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY**
16 **THE RUSSIAN FEDERATION TO EXERT COV-**
17 **ERT INFLUENCE OVER PEOPLES AND GOV-**
18 **ERNMENTS.**

19 (a) DEFINITIONS.—In this section:

20 (1) ACTIVE MEASURES BY RUSSIA TO EXERT
21 COVERT INFLUENCE.—The term “active measures
22 by Russia to exert covert influence” means activities
23 intended to influence a person or government that
24 are carried out in coordination with, or at the behest
25 of, political leaders or the security services of the

1 Russian Federation and the role of the Russian Fed-
2 eration has been hidden or not acknowledged pub-
3 licly, including the following:

4 (A) Establishment or funding of a front
5 group.

6 (B) Covert broadcasting.

7 (C) Media manipulation.

8 (D) Disinformation and forgeries.

9 (E) Funding agents of influence.

10 (F) Incitement and offensive counterintel-
11 ligence.

12 (G) Assassinations.

13 (H) Terrorist acts.

14 (2) APPROPRIATE COMMITTEES OF CON-
15 GRESS.—The term “appropriate committees of Con-
16 gress” means—

17 (A) the congressional intelligence commit-
18 tees;

19 (B) the Committee on Armed Services and
20 the Committee on Foreign Relations of the Sen-
21 ate; and

22 (C) the Committee on Armed Services and
23 the Committee on Foreign Affairs of the House
24 of Representatives.

1 (b) ESTABLISHMENT.—There is established within
2 the executive branch an interagency committee to counter
3 active measures by the Russian Federation to exert covert
4 influence.

5 (c) MEMBERSHIP.—

6 (1) IN GENERAL.—

7 (A) APPOINTMENT.—Each head of an
8 agency or department of the Government set
9 out under subparagraph (B) shall appoint one
10 member of the committee established by sub-
11 section (b) from among officials of such agency
12 or department who occupy a position that is re-
13 quired to be appointed by the President, with
14 the advice and consent of the Senate.

15 (B) HEAD OF AN AGENCY OR DEPART-
16 MENT.—The head of an agency or department
17 of the Government set out under this subpara-
18 graph are the following:

19 (i) The Director of National Intel-
20 ligence.

21 (ii) The Secretary of State.

22 (iii) The Secretary of Defense.

23 (iv) The Secretary of the Treasury.

24 (v) The Attorney General.

25 (vi) The Secretary of Energy.

1 (vii) The Director of the Federal Bu-
2 reau of Investigation.

3 (viii) The head of any other agency or
4 department of the United States Govern-
5 ment designated by the President for pur-
6 poses of this section.

7 (d) MEETINGS.—The committee shall meet on a reg-
8 ular basis.

9 (e) DUTIES.—The duties of the committee estab-
10 lished by subsection (b) shall be as follows:

11 (1) To counter active measures by Russia to
12 exert covert influence, including by exposing false-
13 hoods, agents of influence, corruption, human rights
14 abuses, terrorism, and assassinations carried out by
15 the security services or political elites of the Russian
16 Federation or their proxies.

17 (2) Such other duties as the President may des-
18 ignate for purposes of this section.

19 (f) STAFF.—The committee established by subsection
20 (b) may employ such staff as the members of such com-
21 mittee consider appropriate.

22 (g) BUDGET REQUEST.—A request for funds re-
23 quired for the functioning of the committee established by
24 subsection (b) may be included in each budget for a fiscal

1 year submitted by the President pursuant to section
2 1105(a) of title 31, United States Code.

3 (h) ANNUAL REPORT.—

4 (1) REQUIREMENT.—Not later than 180 days
5 after the date of the enactment of this Act, and an-
6 nually thereafter, and consistent with the protection
7 of intelligence sources and methods, the committee
8 established by subsection (b) shall submit to the ap-
9 propriate committees of Congress a report describing
10 steps being taken by the committee to counter active
11 measures by Russia to exert covert influence.

12 (2) CONTENT.—Each report required by para-
13 graph (1) shall include the following:

14 (A) A summary of the active measures by
15 the Russian Federation to exert covert influence
16 during the previous year, including significant
17 incidents and notable trends.

18 (B) A description of the key initiatives of
19 the committee.

20 (C) A description of the implementation of
21 the committee's initiatives by the head of an
22 agency or department of the Government set
23 out under subsection (c)(1)(B).

24 (D) An analysis of the impact of the com-
25 mittee's initiatives.

1 (E) Recommendations for changes to the
2 committee's initiatives from the previous year.

3 (3) SEPARATE REPORTING REQUIREMENT.—

4 The requirement to submit an annual report under
5 paragraph (1) is in addition to any other reporting
6 requirements with respect to Russia.

7 **SEC. 502. TRAVEL OF ACCREDITED DIPLOMATIC AND CON-**
8 **SULAR PERSONNEL OF THE RUSSIAN FED-**
9 **ERATION IN THE UNITED STATES.**

10 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
11 FINED.—In this section, the term “appropriate commit-
12 tees of Congress” means—

13 (1) the congressional intelligence committees;

14 (2) the Committee on Foreign Relations and
15 the Committee on the Judiciary of the Senate; and

16 (3) the Committee on Foreign Affairs and the
17 Committee on the Judiciary of the House of Rep-
18 resentatives.

19 (b) ADVANCE NOTIFICATION REQUIREMENT.—The
20 Secretary of State shall, in coordination with the Director
21 of the Federal Bureau of Investigation and the Director
22 of National Intelligence, establish a mandatory advance
23 notification regime governing all travel by accredited dip-
24 lomatic and consular personnel of the Russian Federation
25 in the United States and take necessary action to secure

1 full compliance by Russian personnel and address any
2 noncompliance.

3 (c) INTERAGENCY COOPERATION.—The Secretary of
4 State, the Director of the Federal Bureau of Investigation,
5 and the Director of National Intelligence shall develop
6 written mechanisms to share information—

7 (1) on travel by accredited diplomatic and con-
8 sular personnel of the Russian Federation who are
9 in the United States; and

10 (2) on any known or suspected noncompliance
11 by such personnel with the regime required by sub-
12 section (b).

13 (d) QUARTERLY REPORTS.—Not later than 90 days
14 after the date of the enactment of this Act, and quarterly
15 thereafter, and consistent with the protection of intel-
16 ligence sources and methods—

17 (1) the Secretary of State shall submit to the
18 appropriate committees of Congress a written report
19 detailing the number of notifications submitted
20 under the regime required by subsection (b); and

21 (2) the Secretary of State and the Director of
22 the Federal Bureau of Investigation shall jointly
23 submit to the appropriate committees of Congress a
24 written report detailing the number of known or sus-
25 pected violations of such requirements by any ac-

1 credited diplomatic and consular personnel of the
2 Russian Federation.

3 **SEC. 503. STUDY AND REPORT ON ENHANCED INTEL-**
4 **LIGENCE AND INFORMATION SHARING WITH**
5 **OPEN SKIES TREATY MEMBER STATES.**

6 (a) DEFINITIONS.—In this section:

7 (1) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means—

10 (A) congressional intelligence committees;

11 (B) the Committee on Armed Services and
12 the Committee on Foreign Relations of the Sen-
13 ate; and

14 (C) the Committee on Armed Services and
15 the Committee on Foreign Affairs of the House
16 of Representatives.

17 (2) COVERED STATE PARTY.—The term “cov-
18 ered state party” means a foreign country, that—

19 (A) was a state party to the Open Skies
20 Treaty on February 22, 2016; and

21 (B) is not the Russian Federation or the
22 Republic of Belarus.

23 (3) OPEN SKIES TREATY.—The term “Open
24 Skies Treaty” means the Treaty on Open Skies,

1 done at Helsinki March 24, 1992, and entered into
2 force January 1, 2002.

3 (b) FEASIBILITY STUDY.—

4 (1) REQUIREMENT FOR STUDY.—Not later than
5 180 days after the date of the enactment of this Act,
6 the Director of National Intelligence shall conduct
7 and submit to the appropriate committees of Con-
8 gress a study to determine the feasibility of creating
9 an intelligence sharing arrangement and database to
10 provide covered state parties with imagery that is
11 comparable, delivered more frequently, and in equal
12 or higher resolution than imagery available through
13 the database established under the Open Skies Trea-
14 ty.

15 (2) ELEMENTS.—The study required by para-
16 graph (1) shall include an evaluation of the fol-
17 lowing:

18 (A) The methods by which the United
19 States could collect and provide imagery, in-
20 cluding commercial satellite imagery, national
21 technical means, and through other intelligence,
22 surveillance, and reconnaissance platforms,
23 under an information sharing arrangement and
24 database referred to in paragraph (1).

1 (B) The ability of other covered state par-
2 ties to contribute imagery to the arrangement
3 and database.

4 (C) Any impediments to the United States
5 and other covered states parties providing such
6 imagery, including any statutory barriers,
7 insufficiencies in the ability to collect the im-
8 agery or funding, under such an arrangement.

9 (D) Whether imagery of Moscow,
10 Chechnya, the international border between
11 Russia and Georgia, Kaliningrad, or the Repub-
12 lic of Belarus could be provided under such an
13 arrangement.

14 (E) The annual and projected costs associ-
15 ated with the establishment of such an arrange-
16 ment and database, as compared with costs to
17 the United States and other covered state par-
18 ties of being parties to the Open Skies Treaty,
19 including Open Skies Treaty plane mainte-
20 nance, aircraft fuel, crew expenses, mitigation
21 measures necessary associated with Russian
22 Federation overflights of the United States or
23 covered state parties, and new sensor develop-
24 ment and acquisition.

1 (3) SUPPORT FROM OTHER FEDERAL AGEN-
2 CIES.—Each head of a Federal agency shall provide
3 such support to the Director as may be necessary
4 for the Director to conduct the study required by
5 paragraph (1).

6 (c) REPORT.—

7 (1) REQUIREMENT FOR REPORT.—Not later
8 than 180 days after the date of the enactment of
9 this Act, the Director of National Intelligence shall
10 submit to the appropriate committees of Congress
11 the report described in this subsection.

12 (2) CONTENT OF REPORT.—The report re-
13 quired by paragraph (1) shall include the following:

14 (A) An intelligence assessment of Russian
15 Federation warfighting doctrine and the extent
16 to which Russian Federation flights under the
17 Open Skies Treaty contribute to such doctrine.

18 (B) A counterintelligence analysis as to
19 whether the Russian Federation has, could
20 have, or intends to have the capability to exceed
21 the imagery limits set forth in the Open Skies
22 Treaty.

23 (C) A list of intelligence exchanges with
24 covered state parties that have been updated on
25 the information described in subparagraphs (A)

1 reports regarding detainees, such other intelligence
2 report or reports that contain the same or similar
3 information regarding the individual's past terrorist
4 activities;

5 (2) make available to the public—

6 (A) any intelligence reports declassified as
7 a result of the declassification review; and

8 (B) with respect to each individual trans-
9 ferred or released, for whom intelligence reports
10 are declassified as a result of the declassifica-
11 tion review, an unclassified summary which
12 shall be prepared by the President of measures
13 being taken by the country to which the indi-
14 vidual was transferred or released to monitor
15 the individual and to prevent the individual
16 from carrying out future terrorist activities; and

17 (3) submit to the congressional intelligence
18 committees a report setting out the results of the de-
19 classification review, including a description of intel-
20 ligence reports covered by the review that were not
21 declassified.

22 (b) SCHEDULE.—

23 (1) TRANSFER OR RELEASE PRIOR TO ENACT-
24 MENT.—Not later than 210 days after the date of
25 the enactment of this Act, the Director of National

1 Intelligence shall submit the report required by sub-
2 section (a)(3), which shall include the results of the
3 declassification review completed for each individual
4 detained at United States Naval Station, Guanta-
5 namo Bay, Cuba, who was transferred or released
6 from United States Naval Station, Guantanamo
7 Bay, prior to the date of the enactment of this Act.

8 (2) TRANSFER OR RELEASE AFTER ENACT-
9 MENT.—Not later than 120 days after the date an
10 individual detained at United States Naval Station,
11 Guantanamo Bay, on or after the date of the enact-
12 ment of this Act is transferred or released from
13 United States Naval Station, Guantanamo Bay, the
14 Director shall submit the report required by sub-
15 section (a)(3) for such individual.

16 (c) PAST TERRORIST ACTIVITIES.—For purposes of
17 this section, the past terrorist activities of an individual
18 shall include all terrorist activities conducted by the indi-
19 vidual before the individual's transfer to the detention fa-
20 cility at United States Naval Station, Guantanamo Bay,
21 including, at a minimum, the following:

22 (1) The terrorist organization, if any, with
23 which affiliated.

24 (2) The terrorist training, if any, received.

1 (3) The role in past terrorist attacks against
2 United States interests or allies.

3 (4) The direct responsibility, if any, for the
4 death of United States citizens or members of the
5 Armed Forces.

6 (5) Any admission of any matter specified in
7 paragraphs (1) through (4).

8 (6) A description of the intelligence supporting
9 any matter specified in paragraphs (1) through (5),
10 including the extent to which such intelligence was
11 corroborated, the level of confidence held by the in-
12 telligence community, and any dissent or reassess-
13 ment by an element of the intelligence community.

14 **SEC. 602. CYBER CENTER FOR EDUCATION AND INNOVA-**
15 **TION-HOME OF THE NATIONAL CRYPTOLOGIC**
16 **MUSEUM.**

17 (a) AUTHORITY TO ESTABLISH AND OPERATE CEN-
18 TER.—Chapter 449 of title 10, United States Code, is
19 amended by adding at the end the following new section:

20 **“§ 4781. Cyber Center for Education and Innovation-**
21 **Home of the National Cryptologic Mu-**
22 **seum**

23 “(a) ESTABLISHMENT.—(1) The Secretary of De-
24 fense may establish at a publicly accessible location at
25 Fort George G. Meade the ‘Cyber Center for Education

1 and Innovation-Home of the National Cryptologic Mu-
2 seum' (in this section referred to as the 'Center').

3 “(2) The Center may be used for the identification,
4 curation, storage, and public viewing of materials relating
5 to the activities of the National Security Agency, its prede-
6 cessor or successor organizations, and the history of
7 cryptology.

8 “(3) The Center may contain meeting, conference,
9 and classroom facilities that will be used to support such
10 education, training, public outreach, and other purposes
11 as the Secretary considers appropriate.

12 “(b) DESIGN, CONSTRUCTION, AND OPERATION.—
13 The Secretary may enter into an agreement with the Na-
14 tional Cryptologic Museum Foundation (in this section re-
15 ferred to as the 'Foundation'), a nonprofit organization,
16 for the design, construction, and operation of the Center.

17 “(c) ACCEPTANCE AUTHORITY.—(1) If the Founda-
18 tion constructs the Center pursuant to an agreement with
19 the Foundation under subsection (b), upon satisfactory
20 completion of the Center's construction or any phase
21 thereof, as determined by the Secretary, and upon full sat-
22 isfaction by the Foundation of any other obligations pur-
23 suant to such agreement, the Secretary may accept the
24 Center (or any phase thereof) from the Foundation, and

1 all right, title, and interest in the Center or such phase
2 shall vest in the United States.

3 “(2) Notwithstanding section 1342 of title 31, the
4 Secretary may accept services from the Foundation in con-
5 nection with the design construction, and operation of the
6 Center. For purposes of this section and any other provi-
7 sion of law, employees or personnel of the Foundation
8 shall not be considered to be employees of the United
9 States.

10 “(d) FEES AND USER CHARGES.—(1) The Secretary
11 may assess fees and user charges to cover the cost of the
12 use of Center facilities and property, including rental,
13 user, conference, and concession fees.

14 “(2) Amounts received under paragraph (1) shall be
15 deposited into the fund established under subsection (e).

16 “(e) FUND.—(1) Upon the Secretary’s acceptance of
17 the Center under subsection (c)(1)) there is established
18 in the Treasury a fund to be known as the ‘Cyber Center
19 for Education and Innovation-Home of the National
20 Cryptologic Museum Fund’ (in this subsection referred to
21 as the ‘Fund’).

22 “(2) The Fund shall consist of the following amounts:

23 “(A) Fees and user charges deposited by the
24 Secretary under subsection (d)

1 “(B) Any other amounts received by the Sec-
2 retary which are attributable to the operation of the
3 Center.

4 “(3) Amounts in the Fund shall be available to the
5 Secretary for the benefit and operation of the Center, in-
6 cluding the costs of operation and the acquisition of books,
7 manuscripts, works of art, historical artifacts, drawings,
8 plans, models, and condemned or obsolete combat mate-
9 riel.

10 “(4) Amounts in the Fund shall be available without
11 fiscal year limitation.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 449 of title 10, United State
14 Code, is amended by adding at the end the following new
15 item:

 “4781. Cyber Center for Education and Innovation-Home of the National
 Cryptologic Museum.”.

16 **SEC. 603. REPORT ON NATIONAL SECURITY SYSTEMS.**

17 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
18 FINED.—In this section, the term “appropriate commit-
19 tees of Congress” means—

20 (1) the congressional intelligence committees;

21 (2) the Committee on Appropriations and the
22 Committee on Armed Services of the Senate; and

1 (3) the Committee on Appropriations and the
2 Committee on Armed Services of the House of Rep-
3 resentatives.

4 (b) REPORT.—Not later than 120 days after the date
5 of the enactment of this Act, and annually thereafter, the
6 Director of the National Security Agency, in coordination
7 with the Secretary of Defense and the Chairman of the
8 Joint Chiefs of Staff, shall submit to the appropriate com-
9 mittees of Congress a report on national security systems.

10 (c) CONTENT.—Each report submitted under sub-
11 section (b) shall include information related to—

12 (1) national security systems or components
13 thereof that have been decertified and are still in
14 operational use;

15 (2) extension requests and the current status of
16 any national security systems still in use or compo-
17 nents thereof that have been decertified and are still
18 in use;

19 (3) national security systems known to not be
20 in compliance with the policies, principles, stand-
21 ards, and guidelines issued by the Committee on Na-
22 tional Security Systems established pursuant to Na-
23 tional Security Directive 42, signed by the President
24 on July 5, 1990; and

1 (4) organizations which have not provided ac-
2 cess or information to the Director of the National
3 Security Agency that is adequate to enable the Di-
4 rector to make a determination as to whether such
5 organizations are in compliance with the policies,
6 principles, standards, and guidelines issued by such
7 Committee on National Security Systems.

8 **SEC. 604. JOINT FACILITIES CERTIFICATION.**

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

10 (1) The Director of National Intelligence set a
11 strategic goal to use joint facilities as a means to
12 save costs by consolidating administrative and sup-
13 port functions across multiple elements of the intel-
14 ligence community.

15 (2) The use of joint facilities provides more op-
16 portunities for operational collaboration and infor-
17 mation sharing among elements of the intelligence
18 community.

19 (b) CERTIFICATION.—Before an element of the intel-
20 ligence community purchases, leases, or constructs a new
21 facility that is 20,000 square feet or larger, the head of
22 that element of the intelligence community shall submit
23 to the Director of National Intelligence—

24 (1) a written certification that, to the best of
25 the knowledge of the head of such element, all pro-

1 spective joint facilities in the vicinity have been con-
2 sidered and the element is unable to identify a joint
3 facility that meets the operational requirements of
4 such element; and

5 (2) a written statement listing the reasons for
6 not participating in the prospective joint facilities
7 considered by the element.

8 **SEC. 605. LEADERSHIP AND MANAGEMENT OF SPACE AC-**
9 **TIVITIES.**

10 (a) **APPROPRIATE COMMITTEES OF CONGRESS DE-**
11 **FINED.**—In this section, the term “appropriate commit-
12 **tees of Congress”** means the congressional intelligence
13 **committees, the Committee on Armed Services of the Sen-**
14 **ate, and the Committee on Armed Services of the House**
15 **of Representatives.**

16 (b) **UPDATE TO STRATEGY FOR COMPREHENSIVE**
17 **INTERAGENCY REVIEW OF THE UNITED STATES NA-**
18 **TIONAL SECURITY OVERHEAD SATELLITE ARCHITEC-**
19 **TURE.**—Not later than 180 days after the date of the en-
20 **actment of this Act, the Director of National Intelligence,**
21 **in consultation with the Secretary of Defense and the**
22 **Chairman of the Joint Chiefs of Staff, shall issue a written**
23 **update to the strategy required by section 312 of the Intel-**
24 **ligence Authorization Act for Fiscal Year 2016 (division**
25 **M of Public Law 114–113; 129 Stat. 2919).**

1 (c) UNITY OF EFFORT IN SPACE OPERATIONS BE-
2 BETWEEN THE INTELLIGENCE COMMUNITY AND DEPART-
3 MENT OF DEFENSE.—

4 (1) REQUIREMENT FOR PLAN.—Not later than
5 180 days after the date of the enactment of this Act,
6 the Director of National Intelligence, in consultation
7 with the Secretary of Defense, shall submit to the
8 appropriate committees of Congress a plan to func-
9 tionally integrate the governance, operations, anal-
10 ysis, collection, policy, and acquisition activities re-
11 lated to space and counterspace carried out by the
12 intelligence community. The plan shall include anal-
13 ysis of no fewer than 2 alternative constructs to im-
14 plement this plan, and an assessment of statutory,
15 policy, organizational, programmatic, and resources
16 changes that may be required to implement each al-
17 ternative construct.

18 (2) APPOINTMENT BY THE DIRECTOR OF NA-
19 TIONAL INTELLIGENCE.—Not later than 30 days
20 after the date of the enactment of this Act, the Di-
21 rector of National Intelligence, in consultation with
22 the Secretary of Defense, shall appoint a single offi-
23 cial to oversee development of the plan required by
24 paragraph (1).

1 (3) SCOPE OF PLAN.—The plan required by
2 paragraph (1) shall include methods to functionally
3 integrate activities carried out by—

4 (A) the National Reconnaissance Office;

5 (B) the functional managers for signals in-
6 telligence and geospatial intelligence;

7 (C) the Office of the Director of National
8 Intelligence;

9 (D) other Intelligence Community elements
10 with space-related programs;

11 (E) joint interagency efforts; and

12 (F) other entities as identified by the Di-
13 rector of National Intelligence in coordination
14 with the Secretary of Defense.

15 (d) INTELLIGENCE COMMUNITY SPACE WORK-
16 FORCE.—Not later than 180 days after the date of the
17 enactment of this Act, the Director of National Intel-
18 ligence shall submit to the congressional intelligence com-
19 mittees a workforce plan to recruit, develop, and retain
20 personnel in the intelligence community with skills and ex-
21 perience in space and counterspace operations, analysis,
22 collection, policy, and acquisition.

23 (e) JOINT INTERAGENCY COMBINED SPACE OPER-
24 ATIONS CENTER.—

1 (1) SUBMISSION TO CONGRESS.—The Director
2 of the National Reconnaissance Office and the Com-
3 mander of the United States Strategic Command, in
4 consultation with the Director of National Intel-
5 ligence, the Under Secretary of Defense for Intel-
6 ligence, and the Chairman of the Joint Chiefs of
7 Staff, shall submit to the appropriate committees of
8 Congress concept of operations and requirements
9 documents for the Joint Interagency Combined
10 Space Operations Center by the date that is the ear-
11 lier of—

12 (A) the completion of the experimental
13 phase of such Center; or

14 (B) 30 days after the date of the enact-
15 ment of this Act.

16 (2) QUARTERLY BRIEFINGS.—The Director of
17 the National Reconnaissance Office and the Com-
18 mander of the United States Strategic Command, in
19 coordination with the Director of National Intel-
20 ligence and Under Secretary of Defense for Intel-
21 ligence, shall provide to the appropriate committees
22 of Congress briefings providing updates on activities
23 and progress of the Joint Interagency Combined
24 Space Operations Center to begin 30 days after the
25 date of the enactment of this Act. Such briefings

1 shall be quarterly for the first year following enact-
2 ment, and annually thereafter.

3 **SEC. 606. ADVANCES IN LIFE SCIENCES AND BIO-**
4 **TECHNOLOGY.**

5 (a) REQUIREMENT FOR PLAN.—Not later than 180
6 days after the date of the enactment of this Act, the Direc-
7 tor of National Intelligence shall brief the congressional
8 intelligence committees on a proposed plan to monitor ad-
9 vances in life sciences and biotechnology to be carried out
10 by the Director.

11 (b) CONTENTS OF PLAN.—The plan required by sub-
12 section (a) shall include—

13 (1) a description of the approach the elements
14 of the intelligence community will take to make use
15 of organic life science and biotechnology expertise,
16 within and outside the intelligence community on a
17 routine and contingency basis;

18 (2) an assessment of the current collection and
19 analytical posture of the life sciences and bio-
20 technology portfolio as it relates to United States
21 competitiveness and the global bio-economy, the
22 risks and threats evolving with advances in genetic
23 editing technologies, and the implications of such ad-
24 vances on future biodefense requirements; and

1 (3) an analysis of organizational requirements
2 and responsibilities, including potentially creating
3 new positions.

4 (c) REPORT TO CONGRESS.—Not later than 180 days
5 after the date of the enactment of this Act, the Director
6 of National Intelligence shall submit to the congressional
7 intelligence committees, the Committee on Armed Services
8 of the Senate, and the Committee on Armed Services of
9 the House of Representatives a report and provide a brief-
10 ing on the role of the intelligence community in the event
11 of a biological attack on the United States, including an
12 assessment of the capabilities and gaps in technical capa-
13 bilities that exist to address the potential circumstance of
14 a novel unknown pathogen.

15 **SEC. 607. REPORTS ON DECLASSIFICATION PROPOSALS.**

16 (a) COVERED STUDIES DEFINED.—In this section,
17 the term “covered studies” means the studies that the Di-
18 rector of National Intelligence requested that the elements
19 of the intelligence community produce in the course of pro-
20 ducing the fundamental classification guidance review for
21 fiscal year 2017 required by Executive Order No. 13526
22 (50 U.S.C. 3161 note), as follows:

23 (1) A study of the feasibility of reducing the
24 number of original classification authorities in each
25 element of the intelligence community to the min-

1 imum number required and any negative impacts
2 that reduction could have on mission capabilities.

3 (2) A study of the actions required to imple-
4 ment a proactive discretionary declassification pro-
5 gram distinct from the systematic, automatic, and
6 mandatory declassification review programs outlined
7 in part 2001 of title 32, Code of Federal Regula-
8 tions, including section 2001.35 of such part.

9 (3) A study of the benefits and drawbacks of
10 implementing a single classification guide that could
11 be used by all elements of the intelligence commu-
12 nity in the nonoperational and more common areas
13 of such elements.

14 (4) A study of whether the classification level of
15 “confidential” could be eliminated within agency-
16 generated classification guides from use by elements
17 of the intelligence community and any negative im-
18 pacts that elimination could have on mission success.

19 (b) REPORTS AND BRIEFINGS TO CONGRESS.—

20 (1) PROGRESS REPORT.—Not later than 30
21 days after the date of the enactment of this Act, the
22 Director of National Intelligence shall submit a re-
23 port to the congressional intelligence committees and
24 provide the congressional intelligence committees a

1 briefing on the progress of the elements of the intel-
2 ligence community in producing the covered studies.

3 (2) FINAL REPORT.—Not later than the earlier
4 of 120 days after the date of the enactment of this
5 Act or June 30, 2017, the Director of National In-
6 telligence shall submit a report and provide a brief-
7 ing to the congressional intelligence committees on—

8 (A) the final versions of the covered stud-
9 ies that have been provided to the Director by
10 the elements of the intelligence community; and

11 (B) a plan for implementation of each ini-
12 tiative included in each such covered study.

13 **SEC. 608. IMPROVEMENT IN GOVERNMENT CLASSIFICA-**
14 **TION AND DECLASSIFICATION.**

15 (a) REVIEW OF GOVERNMENT CLASSIFICATION AND
16 DECLASSIFICATION.—Not later than 180 days after the
17 date of the enactment of this Act, the Director of National
18 Intelligence shall—

19 (1) review the system by which the Government
20 classifies and declassifies information;

21 (2) develop recommendations—

22 (A) to make such system a more effective
23 tool for the protection of information relating to
24 national security;

1 (B) to improve the sharing of information
2 with partners and allies of the Government; and

3 (C) to support the appropriate declassifica-
4 tion of information; and

5 (3) submit to the congressional intelligence
6 committees a report with—

7 (A) the findings of the Director with re-
8 spect to the review conducted under paragraph
9 (1); and

10 (B) the recommendations developed under
11 paragraph (2).

12 (b) ANNUAL CERTIFICATION OF CONTROLLED AC-
13 CESS PROGRAMS.—

14 (1) IN GENERAL.—Not less frequently than
15 once each year, the Director of National Intelligence
16 shall certify in writing to the congressional intel-
17 ligence committees whether the creation, validation,
18 or substantial modification, including termination,
19 for all existing and proposed controlled access pro-
20 grams, and the compartments and subcompartments
21 within each, are substantiated and justified based on
22 the information required by paragraph (2).

23 (2) INFORMATION REQUIRED.—Each certifi-
24 cation pursuant to paragraph (1) shall include—

1 (A) the rationale for the revalidation, vali-
2 dation, or substantial modification, including
3 termination, of each controlled access program,
4 compartment and subcompartment;

5 (B) the identification of a control officer
6 for each controlled access program; and

7 (C) a statement of protection requirements
8 for each controlled access program.

9 **SEC. 609. REPORT ON IMPLEMENTATION OF RESEARCH**
10 **AND DEVELOPMENT RECOMMENDATIONS.**

11 Not later than 120 days after the date of the enact-
12 ment of this Act, the Director of National Intelligence
13 shall submit to the congressional intelligence committees
14 a report that includes the following:

15 (1) An assessment of the actions each element
16 of the intelligence community has completed to im-
17 plement the recommendations made by the National
18 Commission for the Review of the Research and De-
19 velopment Programs of the United States Intel-
20 ligence Community established under section 1002
21 of the Intelligence Authorization Act for Fiscal Year
22 2003 (Public Law 107–306; 50 U.S.C. 3001 note).

23 (2) An analysis of the balance between short-,
24 medium-, and long-term research efforts carried out
25 by each element of the intelligence community.

1 **SEC. 610. REPORT ON INTELLIGENCE COMMUNITY RE-**
2 **SEARCH AND DEVELOPMENT CORPS.**

3 Not later than 120 days after the date of the enact-
4 ment of this Act, the Director of National Intelligence
5 shall submit to the congressional intelligence committees
6 a report and provide briefing on a plan, with milestones
7 and benchmarks, to implement an Intelligence Community
8 Research and Development Corps, as recommended in the
9 Report of the National Commission for the Review of the
10 Research and Development Programs of the United States
11 Intelligence Community, including an assessment—

12 (1) of the funding and modification to existing
13 authorities needed to allow for the implementation of
14 such Corps; and

15 (2) of additional legislative authorities, if any,
16 necessary to undertake such implementation.

17 **SEC. 611. REPORT ON INFORMATION RELATING TO ACA-**
18 **DEMIC PROGRAMS, SCHOLARSHIPS, FELLOW-**
19 **SHIPS, AND INTERNSHIPS SPONSORED, AD-**
20 **MINISTERED, OR USED BY THE INTEL-**
21 **LIGENCE COMMUNITY.**

22 (a) REPORT.—Not later than 120 days after the date
23 of the enactment of this Act, the Director of National In-
24 telligence shall submit to the congressional intelligence
25 committees a report by the intelligence community regard-

1 ing covered academic programs. Such report shall in-
2 clude—

3 (1) a description of the extent to which the Di-
4 rector and the heads of the elements of the intel-
5 ligence community independently collect information
6 on covered academic programs, including with re-
7 spect to—

8 (A) the number of applicants for such pro-
9 grams;

10 (B) the number of individuals who have
11 participated in such programs; and

12 (C) the number of individuals who have
13 participated in such programs and were hired
14 by an element of the intelligence community
15 after completing such program;

16 (2) to the extent that the Director and the
17 heads independently collect the information de-
18 scribed in paragraph (1), a chart, table, or other
19 compilation illustrating such information for each
20 covered academic program and element of the intel-
21 ligence community, as appropriate, during the three-
22 year period preceding the date of the report; and

23 (3) to the extent that the Director and the
24 heads do not independently collect the information

1 described in paragraph (1) as of the date of the re-
2 port—

3 (A) whether the Director and the heads
4 can begin collecting such information during
5 fiscal year 2017; and

6 (B) the personnel, tools, and other re-
7 sources required by the Director and the heads
8 to independently collect such information.

9 (b) COVERED ACADEMIC PROGRAMS DEFINED.—In
10 this section, the term “covered academic programs”
11 means—

12 (1) the Federal Cyber Scholarship-for-Service
13 Program under section 302 of the Cybersecurity En-
14 hancement Act of 2014 (15 U.S.C. 7442);

15 (2) the National Security Education Program
16 under the David L. Boren National Security Edu-
17 cation Act of 1991 (50 U.S.C. 1901 et seq.);

18 (3) the Science, Mathematics, and Research for
19 Transformation Defense Education Program under
20 section 2192a of title 10, United States Code;

21 (4) the National Centers of Academic Excel-
22 lence in Information Assurance and Cyber Defense
23 of the National Security Agency and the Depart-
24 ment of Homeland Security; and

1 (5) any other academic program, scholarship
2 program, fellowship program, or internship program
3 sponsored, administered, or used by an element of
4 the intelligence community.

5 **SEC. 612. REPORT ON INTELLIGENCE COMMUNITY EM-**
6 **PLOYEES DETAILED TO NATIONAL SECURITY**
7 **COUNCIL.**

8 Not later than 60 days after the date of the enact-
9 ment of this Act, the Director of National Intelligence
10 shall submit to the congressional intelligence committees
11 a report listing, by year, the number of employees of an
12 element of the intelligence community who have been de-
13 tailed to the National Security Council during the 10-year
14 period preceding the date of the report.

15 **SEC. 613. INTELLIGENCE COMMUNITY REPORTING TO CON-**
16 **GRESS ON FOREIGN FIGHTER FLOWS.**

17 (a) **REPORTS REQUIRED.**—Not later than 60 days
18 after the date of the enactment of this Act, and every 180
19 days thereafter, the Director of National Intelligence, con-
20 sistent with the protection of intelligence sources and
21 methods, shall submit to the appropriate congressional
22 committees a report on foreign fighter flows to and from
23 terrorist safe havens abroad.

1 (b) CONTENTS.—Each report submitted under sub-
2 section (a) shall include, with respect to each terrorist safe
3 haven, the following:

4 (1) The total number of foreign fighters who
5 have traveled or are suspected of having traveled to
6 the terrorist safe haven since 2011, including the
7 countries of origin of such foreign fighters.

8 (2) The total number of United States citizens
9 present in the terrorist safe haven.

10 (3) The total number of foreign fighters who
11 have left the terrorist safe haven or whose where-
12 abouts are unknown.

13 (c) FORM.—The reports submitted under subsection
14 (a) may be submitted in classified form. If such a report
15 is submitted in classified form, such report shall also in-
16 clude an unclassified summary.

17 (d) SUNSET.—The requirement to submit reports
18 under subsection (a) shall terminate on the date that is
19 two years after the date of the enactment of this Act.

20 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
21 FINED.—In this section, the term “appropriate congress-
22 sional committees” means—

23 (1) in the Senate—

24 (A) the Committee on Armed Services;

25 (B) the Select Committee on Intelligence;

- 1 (C) the Committee on the Judiciary;
- 2 (D) the Committee on Homeland Security
- 3 and Governmental Affairs;
- 4 (E) the Committee on Banking, Housing,
- 5 and Urban Affairs;
- 6 (F) the Committee on Foreign Relations;
- 7 and
- 8 (G) the Committee on Appropriations; and
- 9 (2) in the House of Representatives—
- 10 (A) the Committee on Armed Services;
- 11 (B) the Permanent Select Committee on
- 12 Intelligence;
- 13 (C) the Committee on the Judiciary;
- 14 (D) the Committee on Homeland Security;
- 15 (E) the Committee on Financial Services;
- 16 (F) the Committee on Foreign Affairs; and
- 17 (G) the Committee on Appropriations.

18 **SEC. 614. REPORT ON CYBERSECURITY THREATS TO SEA-**

19 **PORTS OF THE UNITED STATES AND MARI-**

20 **TIME SHIPPING.**

21 (a) REPORT.—Not later than 180 days after the date

22 of the enactment of this Act, the Under Secretary of

23 Homeland Security for Intelligence and Analysis, in con-

24 sultation with the Director of National Intelligence, and

25 consistent with the protection of sources and methods,

1 shall submit to the appropriate congressional committees
2 a report on the cybersecurity threats to, and the cyber
3 vulnerabilities within, the software, communications net-
4 works, computer networks, or other systems employed
5 by—

6 (1) entities conducting significant operations at
7 seaports in the United States;

8 (2) the maritime shipping concerns of the
9 United States; and

10 (3) entities conducting significant operations at
11 transshipment points in the United States.

12 (b) MATTERS INCLUDED.—The report under sub-
13 section (a) shall include the following:

14 (1) A description of any recent and significant
15 cyberattacks or cybersecurity threats directed
16 against software, communications networks, com-
17 puter networks, or other systems employed by the
18 entities and concerns described in paragraphs (1)
19 through (3) of subsection (a).

20 (2) An assessment of—

21 (A) any planned cyberattacks directed
22 against such software, networks, and systems;

23 (B) any significant vulnerabilities to such
24 software, networks, and systems; and

1 (C) how such entities and concerns are
2 mitigating such vulnerabilities.

3 (3) An update on the status of the efforts of
4 the Coast Guard to include cybersecurity concerns in
5 the National Response Framework, Emergency Sup-
6 port Functions, or both, relating to the shipping or
7 ports of the United States.

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

11 (1) the congressional intelligence committees;

12 (2) the Committee on Homeland Security and
13 Governmental Affairs and the Committee on Com-
14 merce, Science, and Transportation of the Senate;
15 and

16 (3) the Committee on Homeland Security and
17 the Committee on Transportation and Infrastructure
18 of the House of Representatives.

19 **SEC. 615. REPORT ON COUNTER-NARRATIVE ACTIVITIES.**

20 (a) REPORT.—Not later than 60 days after the date
21 of the enactment of this Act, the Under Secretary for In-
22 telligence and Analysis of the Department of Homeland
23 Security, in coordination with the Office of Community
24 Partnerships, and consistent with the protection of sources
25 and methods, shall submit to the appropriate congres-

1 sional committees a report on the counter-narrative activi-
2 ties of the Department of Homeland Security with respect
3 to the Islamic State and other extremist groups.

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

6 (1) A description of whether, and to what ex-
7 tent, the Secretary of Homeland Security, in con-
8 ducting counter-messaging narrative activities with
9 respect to the Islamic State and other extremist
10 groups, consults or coordinates with the Secretary of
11 State, regarding the counter-messaging narrative ac-
12 tivities undertaken by the Department of State with
13 respect to the Islamic State and other extremist
14 groups, including counter-messaging narrative activi-
15 ties conducted by the Global Engagement Center of
16 the Department of State.

17 (2) Any criteria employed by the Secretary of
18 Homeland Security for selecting, developing, promul-
19 gating, or changing the counter-messaging narrative
20 approach of the Department of Homeland Security,
21 including any counter-messaging narratives, with re-
22 spect to the Islamic State and other extremist
23 groups.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the congressional intelligence committees;
5 and

6 (2) the Committee on Homeland Security and
7 Governmental Affairs and the Committee on the Ju-
8 diciary of the Senate; and

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

12 **SEC. 616. REPORT ON REPRISALS AGAINST CONTRACTORS**
13 **OF THE INTELLIGENCE COMMUNITY.**

14 (a) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Inspector General of the
16 Intelligence Community, consistent with the protection of
17 sources and methods, shall submit to the congressional in-
18 telligence committees a report on reprisals made against
19 covered contractor employees.

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

22 (1) Identification of the number of known or
23 claimed reprisals made against covered contractor
24 employees during the 3-year period preceding the

1 date of the report and any evaluation of such reprisals.
2

3 (2) An evaluation of the usefulness of estab-
4 lishing a prohibition on reprisals against covered
5 contractor employees as a means of encouraging
6 such contractors to make protected disclosures.

7 (3) A description of any challenges associated
8 with establishing such a prohibition, including with
9 respect to the nature of the relationship between the
10 Federal Government, the contractor, and the covered
11 contractor employee.

12 (4) A description of any approaches taken by
13 the Federal Government to account for reprisals
14 against non-intelligence community contractors who
15 make protected disclosures, including pursuant to
16 section 2409 of title 10, United States Code, and
17 sections 4705 and 4712 of title 41, United States
18 Code.

19 (5) Any recommendations the Inspector General
20 determines appropriate.

21 (c) DEFINITIONS.—In this section:

22 (1) COVERED CONTRACTOR EMPLOYEE.—The
23 term “covered contractor employee” means an em-
24 ployee of a contractor of an element of the intel-
25 ligence community.

1 (2) REPRISAL.—The term “reprisal” means the
2 discharge or other adverse personnel action made
3 against a covered contractor employee for making a
4 disclosure of information that would be a disclosure
5 protected by law if the contractor were an employee
6 of the Federal Government.