[Committee Print]

(Reflecting the actions of the Permanent Select Committee on Intelligence on June 27, 2019)

116TH CONGRESS 1ST SESSION H. R. 3494

To authorize appropriations for fiscal years 2018, 2019, and 2020 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.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Damon Paul Nelson
5 and Matthew Young Pollard Intelligence Authorization
6 Act for Fiscal Years 2018, 2019, and 2020”.

116th Congress 1st Session
H. R. 3494

To authorize appropriations for fiscal years 2018, 2019, and 2020 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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.
This Act may be cited as the “Damon Paul Nelson
and Matthew Young Pollard Intelligence Authorization
Act for Fiscal Years 2018, 2019, and 2020”.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
SEC. 2. DIVISIONS AND TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into two divisions as follows:

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

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

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

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

DIVISION A—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

TITLE I—INTELLIGENCE ACTIVITIES

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

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

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

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

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES
Sec. 501. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.


Sec. 503. Report on efforts by People’s Republic of China to influence election in Taiwan.

Sec. 504. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.

Sec. 505. Assessments of intentions of political leadership of the Russian Federation.


TITLE VI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

Sec. 601. Definitions.

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

TITLE VII—REPORTS AND OTHER MATTERS

Sec. 701. Modification of requirements for submission to Congress of certain reports.

Sec. 702. Increased transparency regarding counterterrorism budget of the United States.

Sec. 703. Task force on illicit financing of espionage and foreign influence operations.

Sec. 704. Study on role of retired and former personnel of intelligence community with respect to certain foreign intelligence operations.

Sec. 705. Report by Director of National Intelligence on fifth-generation wireless network technology.

Sec. 706. Establishment of 5G prize competition.

Sec. 707. Establishment of deepfakes prize competition.

DIVISION B—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

TITLE XXI—INTELLIGENCE ACTIVITIES

Sec. 2101. Authorization of appropriations.

Sec. 2102. Classified Schedule of Authorizations.

Sec. 2103. Intelligence Community Management Account.

TITLE XXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 2201. Authorization of appropriations.

Sec. 2202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE XXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 2301. Restriction on conduct of intelligence activities.

Sec. 2302. Increase in employee compensation and benefits authorized by law.

Sec. 2303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.

Sec. 2304. Modification of appointment of Chief Information Officer of the Intelligence Community.
Sec. 2305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.

Sec. 2306. Supply Chain and Counterintelligence Risk Management Task Force.

Sec. 2307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.

Sec. 2308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.

Sec. 2309. Elimination of sunset of authority relating to management of supply-chain risk.

Sec. 2310. Limitations on determinations regarding certain security classifications.

Sec. 2311. Joint Intelligence Community Council.

Sec. 2312. Intelligence community information technology environment.

Sec. 2313. Report on development of secure mobile voice solution for intelligence community.

Sec. 2314. Policy on minimum insider threat standards.

Sec. 2315. Submission of intelligence community policies.

Sec. 2316. Expansion of intelligence community recruitment efforts.

TITLE XXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 2401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Sec. 2402. Designation of the program manager-information sharing environment.

Sec. 2403. Technical modification to the executive schedule.

Sec. 2404. Chief Financial Officer of the Intelligence Community.

Sec. 2405. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

Sec. 2411. Central Intelligence Agency subsistence for personnel assigned to austere locations.

Sec. 2412. Special rules for certain monthly workers’ compensation payments and other payments for Central Intelligence Agency personnel.

Sec. 2413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.

Sec. 2414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

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

Sec. 2421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.

Sec. 2422. Establishment of Energy Infrastructure Security Center.

Sec. 2423. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

Sec. 2432. Notice not required for private entities.

Sec. 2433. Establishment of advisory board for National Reconnaissance Office.

Sec. 2434. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE XXV—ELECTION MATTERS

Sec. 2501. Report on cyber attacks by foreign governments against United States election infrastructure.

Sec. 2502. Review of intelligence community’s posture to collect against and analyze Russian efforts to influence the Presidential election.

Sec. 2503. Assessment of foreign intelligence threats to Federal elections.

Sec. 2504. Strategy for countering Russian cyber threats to United States elections.

Sec. 2505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 2506. Information sharing with State election officials.

Sec. 2507. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.

Sec. 2508. Designation of counterintelligence officer to lead election security matters.

TITLE XXVI—SECURITY CLEARANCES

Sec. 2601. Definitions.

Sec. 2602. Reports and plans relating to security clearances and background investigations.

Sec. 2603. Improving the process for security clearances.

Sec. 2604. Goals for promptness of determinations regarding security clearances.

Sec. 2605. Security Executive Agent.


Sec. 2607. Report on clearance in person concept.

Sec. 2608. Reports on reciprocity for security clearances inside of departments and agencies.

Sec. 2609. Intelligence community reports on security clearances.

Sec. 2610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.

Sec. 2611. Information sharing program for positions of trust and security clearances.

Sec. 2612. Report on protections for confidentiality of whistleblower-related communications.

TITLE XXVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

Sec. 2701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.

Sec. 2702. Report on returning Russian compounds.

Sec. 2703. Assessment of threat finance relating to Russia.

Sec. 2704. Notification of an active measures campaign.
Sec. 2705. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.

Sec. 2706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.

Sec. 2707. Report on Iranian support of proxy forces in Syria and Lebanon.

Sec. 2708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.

Sec. 2709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

Sec. 2711. Technical correction to Inspector General study.

Sec. 2712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 2713. Review of intelligence community whistleblower matters.

Sec. 2714. Report on role of Director of National Intelligence with respect to certain foreign investments.


Sec. 2716. Biennial report on foreign investment risks.

Sec. 2717. Modification of certain reporting requirement on travel of foreign diplomats.

Sec. 2718. Semiannual reports on investigations of unauthorized disclosures of classified information.

Sec. 2719. Congressional notification of designation of covered intelligence officer as persona non grata.

Sec. 2720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Sec. 2721. Inspectors General reports on classification.

Sec. 2722. Reports on global water insecurity and national security implications and briefing on emerging infectious diseases and pandemics.

Sec. 2723. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.

Sec. 2724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Sec. 2725. Modification of requirement for annual report on hiring and retention of minority employees.

Sec. 2726. Reports on intelligence community loan repayment and related programs.

Sec. 2727. Repeal of certain reporting requirements.

Sec. 2728. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.

Sec. 2729. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.

Sec. 2730. Intelligence assessment of North Korea revenue sources.

Sec. 2731. Report on possible exploitation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

Sec. 2741. Public Interest Declassification Board.

Sec. 2742. Technical and clerical amendments to the National Security Act of 1947.
SECT. 2743. Technical amendments related to the Department of Energy.

Sec. 2744. Sense of Congress on notification of certain disclosures of classified information.

Sec. 2745. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

SEC. 3. DEFINITIONS.

In this Act:

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

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

DIVISION A—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:
(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.


(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.


(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.


SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

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

(b) Availability of Classified Schedule of Authorizations.—

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

(2) Distribution by the President.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) Limits on Disclosure.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

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

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

(C) as otherwise required by law.
SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) Authorization of Appropriations.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2020 the sum of $565,637,000.

(b) Classified Authorization of Appropriations.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability fund $514,000,000 for fiscal year 2020.
TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

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

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

SEC. 303. PAID PARENTAL LEAVE.

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

(1) help the intelligence community recruit and retain a dynamic, multi-talented, and diverse workforce capable of meeting the security goals of the United States; and

(2) establish best practices and processes for other elements of the Federal Government seeking to pursue similar policies.
(b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR INTELLIGENCE COMMUNITY EMPLOYEES.—

(1) IN GENERAL.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 304 the following:

“SEC. 305. PAID PARENTAL LEAVE.

“(a) PAID PARENTAL LEAVE.—Notwithstanding any other provision of law, a civilian employee of an element of the intelligence community shall have available a total of 12 administrative workweeks of paid parental leave in the event of the birth of a son or daughter of the employee, or placement of a son or daughter with the employee for adoption or foster care in order to care for such son or daughter. Such paid parental leave shall be used during the 12-month period beginning on the date of the birth or placement. Nothing in this section shall be construed to modify or otherwise affect the eligibility of an employee of an element of the intelligence community for benefits relating to leave under any other provision of law.

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

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

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

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

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

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

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

“(B) may not be considered to be annual
or vacation leave for purposes of section 5551
or 5552 of title 5, United States Code, or for
any other purpose;
“(C) if not used by the employee before the end of the 12-month period described in subsection (a) to which the leave relates, may not be available for any subsequent use and may not be converted into a cash payment;

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

“(E) may not be granted—

“(i) in excess of a lifetime aggregate total of 30 administrative workweeks based on placements of a foster child for any individual employee; or

“(ii) in connection with temporary foster care placements expected to last less than 1 year;

“(F) may not be granted for a child being placed for foster care or adoption if such leave was previously granted to the same employee when the same child was placed with the employee for foster care in the past;

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

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

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

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

“(2) an explanation of how the implementation
of subsections (a) through (c) will be reconciled with
policies of other elements of the Federal Govern-
ment, including the impact on elements funded by
the National Intelligence Program that are housed
within agencies outside the intelligence community; and
“(3) all costs or operational expenses associated with the implementation of subsections (a) through (c).

“(e) DIRECTIVE.—Not later than 180 days after the Director of National Intelligence submits the implementation plan under subsection (d), the Director of National Intelligence shall issue a written directive to implement this section, which directive shall take effect on the date of issuance.

“(f) ANNUAL REPORT.—The Director of National Intelligence shall submit to the congressional intelligence committees an annual report that—

“(1) details the number of employees of each element of the intelligence community who applied for and took paid parental leave under subsection (a) during the year covered by the report;

“(2) details the number of—

“(A) employees of each element of the intelligence community stationed abroad who applied for and took paid parental leave under subsection (a) during the year covered by the report; and

“(B) employees of each element of the intelligence community stationed abroad who applied for paid parental leave but such applica-
tion was not granted because of an undue impact on operations as specified in subsection (b)(1); and

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

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

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 304 the following:

“Sec. 305. Paid parental leave.”.

(e) APPLICABILITY.—Section 305 of the National Security Act of 1947, as added by subsection (b), shall apply with respect to leave taken in connection with the birth or placement of a son or daughter that occurs on or after the date on which the Director of National Intelligence issues the written directive under subsection (e) of such section 305.
SEC. 304. UNFUNDED REQUIREMENTS OF THE INTELLIGENCE COMMUNITY.

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

“SEC. 512. UNFUNDED PRIORITIES OF THE INTELLIGENCE COMMUNITY.

“(a) BRIEFINGS.—Upon the request of an appropriate congressional committee, the Director of National Intelligence shall provide to the committee a briefing on the unfunded priorities of an element of the intelligence community.

“(b) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the congressional intelligence committees; and

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

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

“(A) was submitted by the head of the element to the Director of National Intelligence in
the budget proposal for the element for that fiscal year, but was not included by the Director in the consolidated budget proposal submitted to the President for that fiscal year; or

“(B) was submitted by the Director in the consolidated budget proposal submitted to the President for that fiscal year, but was not included in the budget of the President submitted to Congress for that fiscal year pursuant to section 1105 of title 31, United States Code.”.

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

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

SEC. 305. EXTENDING THE INTELLIGENCE IDENTITIES PROTECTION ACT OF 1982.

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

(1) in subparagraph (A)—

(A) by striking clause (ii);

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

(C) by striking “agency—” and all that follows through “whose identity” and inserting “agency whose identity”; and
(2) in subparagraph (B)(i), by striking “resides and acts outside the United States” and inserting “acts”.

SEC. 306. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE.

(a) POLICIES, PROCESSES, AND PROCEDURES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(b) DETAIL AUTHORITY.—Under policies developed by the Director pursuant to subsection (a), pursuant to a written agreement with a private-sector organization, and with the consent of the employee, a head of an element of the intelligence community may arrange for the temporary detail of an employee of such element to such private-sector organization, or from such private-sector organization to such element under this section.

(c) AGREEMENTS.—

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

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

(B) shall provide that if the employee of
the element fails to carry out the agreement,
such employee shall be liable to the United
States for payment of all non-salary and benefit
expenses of the detail, unless that failure was
for good and sufficient reason, as determined
by the head of the element;

(C) shall contain language informing such
employee of the prohibition on sharing, using,
or otherwise improperly handling classified or
unclassified non-public information for the ben-
efit or advantage of the private-sector organiza-
tion;
(D) shall contain language governing the handling of classified information by such employee during the detail; and

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

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

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

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

(e) DURATION.—
(1) In general.—A detail under this section shall be for a period of not less than 3 months and not more than 2 years, renewable up to a total of 3 years.

(2) Longer periods.—A detail under this section may be for a period in excess of 2 years, but not more than 3 years, if the head of the element making the detail determines that such detail is necessary to meet critical mission or program requirements.

(3) Limitation.—No employee of an element of the intelligence community may be detailed under this section for more than a total of 5 years, inclusive of all such details.

(f) Status of Federal Employees Detailed to Private-sector Organizations.—

(1) In general.—An employee of an element of the intelligence community who is detailed to a private-sector organization under this section shall be considered, during the period of detail, to be on a regular work assignment in the element. The written agreement established under subsection (c)(1) shall address the specific terms and conditions related to the employee’s continued status as a Federal employee.
(2) REQUIREMENTS.—In establishing a temporary detail of an employee of an element of the intelligence community to a private-sector organization, the head of the element shall—

(A) certify that the temporary detail of such employee shall not have an adverse or negative impact on mission attainment or organizational capabilities associated with the detail; and

(B) in the case of an element of the intelligence community in the Department of Defense, ensure that the normal duties and functions of such employees are not, as a result of and during the course of such temporary detail, performed or augmented by contractor personnel in violation of the provisions of section 2461 of title 10, United States Code.

(g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is detailed to an element of the intelligence community under this section—

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

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

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

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

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

(D) chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”) and any other Federal tort liability statute;

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

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

(3) may perform work that is considered inherently governmental in nature only when requested in writing by the head of the element;

(4) may not be used to circumvent any limitation or restriction on the size of the workforce of the element;
(5) shall be subject to the same requirements applicable to an employee performing the same functions and duties proposed for performance by the private sector employee; and

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

(h) Prohibition Against Charging Certain Costs to the Federal Government.—A private-sector organization may not charge an element of the intelligence community or any other agency of the Federal Government, as direct costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee detailed to an element of the intelligence community under this section for the period of the detail and any subsequent renewal periods.

(i) Additional Administrative Matters.—In carrying out this section, the Director, pursuant to procedures developed under subsection (a)—

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

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

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

(4) shall take into consideration areas of private-sector expertise that are critical to the intelligence community; and

(5) shall establish oversight mechanisms to determine whether the public-private exchange authorized by this section improves the efficiency and effectiveness of the intelligence community.

/j/ DEFINITIONS.—In this section:

(1) DETAIL.—The term “detail” means, as appropriate in the context in which such term is used—

(A) the assignment or loan of an employee of an element of the intelligence community to a private-sector organization without a change of position from the intelligence community element that employs the individual; or
(B) the assignment or loan of an employee of a private-sector organization to an element of the intelligence community without a change of position from the private-sector organization that employs the individual.

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

(A) a for-profit organization; or

(B) a not-for-profit organization.

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

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

(a) ASSESSMENT.—

(1) CONTRACTING PRACTICES.—The Director of National Intelligence shall conduct an assessment of the authorities, policies, processes, and standards used by the elements of the intelligence community to ensure that the elements appropriately weigh security and counterintelligence risks in awarding a contract to a contractor that—
(A) carries out any joint research and development activities with a covered foreign country; or

(B) performs any contract or other agreement entered into with a covered foreign country.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of whether the authorities, policies, processes, and standards specified in paragraph (1) sufficiently identify security and counterintelligence concerns.

(B) Identification of any authority gaps in such authorities, policies, processes, and standards that prevent the intelligence community from considering the activities specified in subparagraphs (A) and (B) of paragraph (1) when evaluating offers for a contract.

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

(b) REPORT.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence
committees a report on the assessment under subsection (a)(1).

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

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

(B) An identification of any known contractors that have—

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

(ii) submitted an offer for a contract with an element of the intelligence community.

(C) A description of the steps that the Director and the heads of the elements of the intelligence community took to identify contractors under subparagraph (B).

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

(c) COVERED FOREIGN COUNTRY DEFINED.—In this section, the term “covered foreign country” means the government, or any entity affiliated with the military or intelligence services of, the following foreign countries:
(1) The People’s Republic of China.
(2) The Russian Federation.
(3) The Democratic People’s Republic of Korea.
(4) The Islamic Republic of Iran.

SEC. 308. REQUIRED COUNTERINTELLIGENCE BRIEFINGS AND NOTIFICATIONS.

(a) Foreign Counterintelligence and Cybersecurity Threats to Federal Election Campaigns.—

(1) Reports required.—

(A) In general.—As provided in subparagraph (B), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an Internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(i) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.
(ii) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(iii) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(B) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

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

(ii) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the date of the election.

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

(2) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

(b) BRIEFINGS ON COUNTERINTELLIGENCE ACTIVITIES OF THE FEDERAL BUREAU OF INVESTIGATION.—

(1) IN GENERAL.—Title V of section 501 of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section 304, is further amended by adding at the end the following new section:

“SEC. 513. BRIEFINGS AND NOTIFICATIONS ON COUNTERINTELLIGENCE ACTIVITIES OF THE FEDERAL BUREAU OF INVESTIGATION.

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

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

“(2) counterintelligence investigations; and

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

“(b) NOTIFICATIONS.—In addition to the quarterly
briefings under subsection (a), the Director of the Federal
Bureau of Investigation shall promptly notify the congress-
ional intelligence committees of any counterintelligence
investigation carried out by the Bureau with respect to
any counterintelligence risk or threat that is related to an
election or campaign for Federal office.

“(c) GUIDELINES.—

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

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

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

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

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

“Sec. 513. Briefings and notifications on counterintelligence activities of the
Federal Bureau of Investigation.”.
title iv—matters relating to elements of the intelligence community

sec. 401. establishment of climate security advisory council.

(a) establishment.—title i of the national security act of 1947 (50 u.s.c. 3021 et seq.) is amended by adding at the end the following new section:

“sec. 120. climate security advisory council.

“(a) establishment.—the director of national intelligence shall establish a climate security advisory council for the purpose of—

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

“(2) facilitating coordination between the elements of the intelligence community and elements of the federal government that are not elements of the intelligence community in collecting data on, and conducting analysis of, climate change and climate security; and

“(3) ensuring that the intelligence community is adequately prioritizing climate change in carrying out its activities.
“(b) COMPOSITION OF COUNCIL.—

“(1) MEMBERS.—The Council shall be composed of the following individuals appointed by the Director of National Intelligence:

“(A) An appropriate official from the National Intelligence Council, who shall chair the Council.

“(B) The lead official with respect to climate and environmental security analysis from—

“(i) the Central Intelligence Agency;

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

“(iii) the National Geospatial-Intelligence Agency;

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

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

“(vi) the Defense Intelligence Agency.

“(C) Three appropriate officials from elements of the Federal Government that are not responsible for—
“(i) providing decision-makers with a predictive understanding of the climate;

“(ii) making observations of our Earth system that can be used by the public, policymakers, and to support strategic decisions; or

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

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

“(2) Responsibilities of Chair.—The chair of the Council shall have responsibility for—

“(A) identifying agencies to supply individuals from elements of the Federal Government that are not elements of the intelligence community;

“(B) securing the permission of the relevant agency heads for the participation of such individuals on the Council; and

“(C) any other duties that the Director of National Intelligence may direct.
“(c) DUTIES AND RESPONSIBILITIES OF COUNCIL.—

The Council shall carry out the following duties and responsibilities:

“(1) To meet at least quarterly to—

“(A) exchange appropriate data between elements of the intelligence community and elements of the Federal Government that are not elements of the intelligence community;

“(B) discuss processes for the routine exchange of such data and implementation of such processes; and

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

“(2) To assess and determine best practices with respect to the analysis of climate security, including identifying publicly available information and intelligence acquired through clandestine means that enables such analysis.

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

“(4) To assess and describe best practices for identifying and disseminating climate security indicators and warnings;
“(5) To recommend methods of incorporating analysis of climate security and the best practices identified under paragraphs (2) through (4) into existing analytic training programs.

“(6) To consult, as appropriate, with other elements of the intelligence community that conduct analysis of climate change or climate security and elements of the Federal Government that are not elements of the intelligence community that conduct analysis of climate change or climate security, for the purpose of sharing information about ongoing efforts and avoiding duplication of existing efforts.

“(7) To work with elements of the intelligence community that conduct analysis of climate change or climate security and elements of the Federal Government that are not elements of the intelligence community that conduct analysis of climate change or climate security—

“(A) to exchange appropriate data between such elements, establish processes, procedures and practices for the routine exchange of such data, discuss the implementation of such processes; and

“(B) to enable and facilitate the sharing of findings and analysis between such elements.
“(8) To assess whether the elements of the intelligence community that conduct analysis of climate change or climate security may inform the research direction of academic work and the sponsored work of the United States Government.

“(9) At the discretion of the chair of the Council, to convene conferences of analysts and non-intelligence community personnel working on climate change or climate security on subjects that the chair shall direct.

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

“(e) DEFINITIONS.—In this section:

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

“(A) The national security of the United States, including national security infrastructure.

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

“(C) The security of allies and partners of the United States.
“(D) Ongoing or potential political violence, including unrest, rioting, guerrilla warfare, insurgency, terrorism, rebellion, revolution, civil war, and interstate war.

“(2) CLIMATE INTELLIGENCE INDICATIONS AND WARNINGS.—The term ‘climate intelligence indications and warnings’ means developments relating to climate security with the potential to—

“(A) imminently and substantially alter the political stability or degree of human security in a country or region; or

“(B) imminently and substantially threaten—

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

“(ii) the military, political, or economic interests of allies and partners of the United States; or

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

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

“Sec. 120. Climate Security Advisory Council.”.
(c) Initial Appointments.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall appoint the members of the Council under section 120 of the National Security Act of 1947, as added by subsection (a).

SEC. 402. TRANSFER OF NATIONAL INTELLIGENCE UNIVERSITY TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) Transfer.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall transfer to the Director of National Intelligence the National Intelligence University, including the functions, personnel, assets, and liabilities of the University.

(b) Degree-Granting Authority.—

(1) Regulations.—Under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

(2) Limitation.—A degree may not be conferred under this section unless—

(A) the appropriate head of a Department of the Federal Government has recommended
approval of the degree in accordance with any Federal policy applicable to the granting of academic degrees by departments and agencies of the Federal Government; and

(B) the University is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by such appropriate head of a Department.

(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

(1) NOTIFICATION.—When seeking to establish degree-granting authority under this section, the Director shall submit to the congressional intelligence committees—

(A) a copy of the self-assessment questionnaire required by the Federal policy specified in subsection (b)(2)(A); and

(B) any subsequent recommendations and rationale of the appropriate head of a Department specified in such subsection regarding establishing such degree-granting authority.

(2) MODIFICATION.—Upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intel-
ligence committees a report containing the rationale
for the proposed modification or redesignation and
any subsequent recommendation described in para-
graph (1)(B) with respect to the proposed modifica-
tion or redesignation.

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

(d) CONFORMING REPEAL.—Effective 90 days after
the date of the enactment of this Act, section 2161 of title
10, United States Code, is repealed.

TITLE V—MATTERS RELATING
TO FOREIGN COUNTRIES

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

(a) REPORTS.—Title XI of the National Security Act
of 1947 (50 U.S.C. 3231 et seq.), as amended by section
2718, is further amended by adding at the end the fol-
lowing new section:
“SEC. 1106. ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE COMMUNIST PARTY OF CHINA.

“(a) REQUIREMENT.—On an annual basis, the Director of the National Counterintelligence and Security Center shall submit to the congressional intelligence committees a report on the influence operations and campaigns in the United States conducted by the Communist Party of China.

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

“(1) A description of the organization of the United Front Work Department of the People’s Republic of China, or the successors of the United Front Work Department, and the links between the United Front Work Department and the Central Committee of the Communist Party of China.

“(2) An assessment of the degree to which organizations that are associated with or receive funding from the United Front Work Department, particularly such entities operating in the United States, are formally tasked by the Chinese Communist Party or the Government of China.

“(3) A description of the efforts by the United Front Work Department and subsidiary organizations of the United Front Work Department to tar-
get, coerce, and influence foreign populations, particularly those of ethnic Chinese descent.

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

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

“(6) An assessment of the activities of the United Front Work Department designed to influence the opinions of elected leaders of the United States, or candidates for elections in the United States, with respect to issues of importance to the Chinese Communist Party.

“(7) A listing of all known organizations affiliated with the United Front Work Department that are operating in the United States as of the date of the report.

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

“(c) COORDINATION.—In carrying out subsection (a), the Director shall coordinate with the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and any other relevant head of an element of the intelligence community.

“(d) FORM.—Each report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947, as amended by section 2718, is further amended by inserting after the item relating to section 1105 the following new item:

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

(c) INITIAL REPORT.—The Director of the National Counterintelligence and Security Center shall submit to the congressional intelligence committees the first report under section 1106 of the National Security Act of 1947, as added by subsection (a), by not later than 180 days after the date of the enactment of this Act.
SEC. 502. REPORT ON REPRESSION OF ETHNIC MUSLIM MINORITIES IN THE XINJIANG REGION OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) REPORT.—Not later than 150 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on activity by the People’s Republic of China to repress ethnic Muslim minorities in the Xinjiang region of China.

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

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

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

(3) A description, as possible, of the methods used by China to “reeducate” detainees and the elements of China responsible for such “reeducation”.

(4) A description of any forced labor in such camps, and any labor performed in regional factories for low wages under the threat of being sent back to “political reeducation camps”.
(5) An assessment of the level of access China grants to foreign persons observing the situation in Xinjiang and a description of measures used to impede efforts to monitor the conditions in Xinjiang.

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

(c) COORDINATION.—The Director of National Intelligence shall carry out subsection (a) in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the National Geospatial-Intelligence Agency, and the head of any other agency of the Federal Government that the Director of National Intelligence determines appropriate.

(d) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 503. REPORT ON EFFORTS BY PEOPLE’S REPUBLIC OF CHINA TO INFLUENCE ELECTION IN TAIWAN.

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

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

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

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

(1) A description of any significant efforts by the intelligence community to coordinate technical and material support for Taiwan to identify, disrupt, and combat influence operations specified in subsection (a)(1).

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

(3) An assessment of whether and to what extent China conducted influence operations specified in subsection (a)(1), and, if such operations occurred—

(A) a comprehensive list of specific governmental and nongovernmental entities of China that were involved in supporting such oper-
ations and a description of the role of each such
entity; and

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

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

SEC. 504. ASSESSMENT OF LEGITIMATE AND ILLEGITIMATE
FINANCIAL AND OTHER ASSETS OF VLADIMIR
PUTIN.

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

(b) ASSESSMENT.—Not later than 180 days after the
date of the enactment of this Act, the Director of National
Intelligence shall submit to the appropriate congressional
committees an assessment, based on all sources of intel-
ligence, on the net worth and financial and other assets,
legitimate as well as illegitimate, of Russian President
Vladimir Putin and his family members, including—

(1) the estimated net worth of Vladimir Putin
and his family members;
(2) a description of their legitimately and illegitimately obtained assets, including all real, personal, and intellectual property, bank or investment or similar accounts, and any other financial or business interests or holdings, including those outside of Russia;

(3) the details of the legitimately and illegitimately obtained assets, including real, personal, and intellectual property, bank or investment or similar accounts, and any other financial or business interests or holdings, including those outside of Russia, that are owned or controlled by, accessible to, or otherwise maintained for the benefit of Vladimir Putin, including their nature, location, manner of acquisition, value, and publicly named owner (if other than Vladimir Putin);

(4) the methods used by Vladimir Putin or others acting at his direction, with his knowledge, or for his benefit, to conceal Putin’s interest in his accounts, holdings, or other assets, including the establishment of “front” or shell companies and the use of intermediaries; and

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

(c) **FORM.—**The assessment required under subsection (b) shall be submitted either—

(1) in unclassified form to the extent consistent with the protection of intelligence sources and methods, and may include a classified annex; or

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

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—**In this section, the term “appropriate congressional committees” means—

(1) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(2) the Permanent Select Committee on Intelligence, Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

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

(a) **IN GENERAL.—**Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, and the head of any element of the intel-
intelligence community that the Director determines appropriate, shall submit to the appropriate congressional committees each of the assessments described in subsection (b).

(b) ASSESSMENTS DESCRIBED.—The assessments described in this subsection are assessments based on intelligence obtained from all sources that assess the current intentions of the political leadership of the Russian Federation with respect to the following:

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

(2) Potential responses to an enlarged United States or NATO military presence in eastern Europe or to increased United States military support for allies and partners in the region, such as the provision of additional lethal military equipment to Ukraine or Georgia.

(3) Potential actions taken for the purpose of exploiting perceived divisions among the governments of Russia’s Western adversaries.

(c) FORM.—Each assessment required under subsection (a) may be submitted in classified form but shall also include an unclassified executive summary, consistent with the protection of intelligence sources and methods.
(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

In this section, the term “appropriate congressional committees” means—

(1) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives; and

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

SEC. 506. REPORT ON DEATH OF JAMAL KHASHOGGI.

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

(b) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form.
TITLE VI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

SEC. 601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Permanent Select Committee on Intelligence, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives; and

(B) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.

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

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

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

(B) section 3631 of title 42, United States Code.
(4) INTERNATIONAL TERRORISM.—The term “international terrorism” has the meaning given that term in section 2331 of title 18, United States Code.

(5) TERMS IN ATTORNEY GENERAL’S GUIDELINES FOR DOMESTIC FBI OPERATIONS.—The terms “assessments”, “full investigations”, “enterprise investigations”, “predicated investigations”, and “preliminary investigations” have the meanings given those terms in the most recent, approved version of the Attorney General’s Guidelines for Domestic FBI Operations (or successor).


(7) TERRORISM.—The term “terrorism” includes domestic terrorism and international terrorism.

(8) TERRORISM INFORMATION.—The term “terrorism information” has the meaning given that
term in section 1016(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485).

(9) **TIME UTILIZATION AND RECORDKEEPING DATA.**—The term “time utilization and record-keeping data” means data collected on resource utilization and workload activity of personnel of the Federal Bureau of Investigation in accordance with Federal law.

## SEC. 602. ANNUAL STRATEGIC INTELLIGENCE ASSESSMENT OF AND COMPREHENSIVE REPORT ON DOMESTIC TERRORISM.

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2025, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Under Secretary of Homeland Security for Intelligence and Analysis shall jointly submit to the appropriate congressional committees a report on domestic terrorism containing the following:

(A) Strategic intelligence assessment under subsection (b).
(B) Discussion of activities under subsection (e).

(C) Data on domestic terrorism under subsection (d).

(2) Responsibilities.—

(A) Coordination of reports and integration of information.—The Director of National Intelligence, acting through the Director of the National Counterterrorism Center, shall be the lead official for coordinating the production of and integrating terrorism information into—

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

(ii) each strategic intelligence assessment under subsection (b).

(B) Information sharing.—The Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis shall provide to the Director of the National Counterterrorism Center all appropriate information requested by the Director of the National Counterterrorism Center to carry out this section.
(b) **Strategic Intelligence Assessment.**—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Under Secretary of Homeland Security for Intelligence and Analysis shall include—

(1) in the first report under subsection (a)(1), a strategic intelligence assessment of domestic terrorism in the United States during fiscal years 2017, 2018, and 2019; and

(2) in each subsequent report under such subsection, a strategic intelligence assessment of domestic terrorism in the United States during the prior fiscal year.

(e) **Discussion of Activities.**—Each report under subsection (a)(1) shall discuss and compare the following:

(1) The criteria for opening, managing, and closing domestic and international terrorism investigations by the Federal Government.

(2) Standards and procedures for the Federal Bureau of Investigation, the Office of Intelligence and Analysis of the Department of Homeland Security, and the National Counterterrorism Center, with respect to the review, prioritization, and mitigation of domestic and international terrorism threats in the United States.
(3) The planning, development, production, analysis, and evaluation by the United States Government of intelligence products relating to terrorism, including both raw and finished intelligence.

(4) The sharing of information relating to domestic and international terrorism by and between—

(A) the Federal Government;

(B) State, local, Tribal, territorial, and foreign governments;

(C) the appropriate congressional committees;

(D) non-governmental organizations; and

(E) the private sector.

(5) The criteria and methodology used by the Federal Bureau of Investigation, the Office of Intelligence and Analysis of the Department of Homeland Security, and the National Counterterrorism Center, to identify or assign terrorism classifications to incidents of terrorism or investigations of terrorism, including—

(A) a comparison of the criteria and methodology used with respect to domestic terrorism and international terrorism;

(B) the identification of any changes made to investigative classifications; and
(C) a discussion of the rationale for any changes identified under subparagraph (B).

(d) DATA ON DOMESTIC TERRORISM.—

(1) DATA REQUIRED.—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Under Secretary of Homeland Security for Intelligence and Analysis shall include in each report under subsection (a)(1) the following data:

(A) For each completed or attempted incident of domestic terrorism that has occurred in the United States during the applicable period—

(i) a description of such incident;

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

(iii) the number and type of completed and attempted Federal and State property crimes committed during such incident, including an estimate of economic damages resulting from such crimes; and

(iv) the number and type of completed and attempted Federal violent crimes committed during such incident, including the
number of people injured or killed as a result of such crimes.

(B) For the applicable period—

(i) an identification of each assessment, preliminary investigation, full investigation, and enterprise investigation with a nexus to domestic terrorism opened, pending, or closed by the Federal Bureau of Investigation;

(ii) the number of assessments or investigations identified under clause (i) associated with each domestic terrorism investigative classification (including subcategories);

(iii) the number and domestic terrorism investigative classification (including subcategories) with respect to such investigations initiated as a result of a referral or investigation by a State, local, Tribal, territorial, or foreign government of a hate crime;

(iv) the number of Federal criminal charges with a nexus to domestic terrorism, including the number of indictments and complaints associated with each
domestic terrorism investigative classification (including subcategories), a summary of the allegations contained in each such indictment, the disposition of the prosecution, and, if applicable, the sentence imposed as a result of a conviction on such charges;

(v) referrals of incidents of domestic terrorism by State, local, Tribal, or territorial governments to departments or agencies of the Federal Government for investigation or prosecution, including the number of such referrals associated with each domestic terrorism investigation classification (including any subcategories), and a summary of each such referral that includes the rationale for such referral and the disposition of the applicable Federal investigation or prosecution;

(vi) intelligence products produced by the intelligence community relating to domestic terrorism, including—

(I) the number of such products associated with each domestic ter-
rorism investigative classification (including any subcategories); and

(II) with respect to the Federal Bureau of Investigation, at a minimum, all relevant data available through the Integrated Program Management Process;

(vii) with respect to the National Counterterrorism Center, the number of staff (expressed in terms of full-time equivalents and positions) working on matters relating to domestic terrorism described in clauses (i) through (vi); and

(viii) with respect to the Federal Bureau of Investigation—

(I) the number of staff (expressed in terms of full-time equivalents and positions) working on matters relating to domestic terrorism described in clauses (i) through (vi); and

(II) a summary of time utilization and recordkeeping data for personnel working on such matters, including the number or percentage of such personnel associated with each
domestic terrorism investigative classification (including any subcategories) in the FBI Headquarters Operational Divisions and Field Divisions.

(2) **Applicable Period.**—For purposes of this subsection, the applicable period is the following:

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

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

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

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

(e) **Provision of Other Documents and Materials.**—

(1) **In General.**—Together with each report under subsection (a)(1), the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Under Secretary of Homeland Security for Intelligence and Analysis shall also submit to the appropriate congressional committees the following documents and materials:
(A) With respect to the Federal Bureau of Investigation, at a minimum, the most recent, approved versions of—

(i) the Attorney General’s Guidelines for Domestic FBI Operations (or any successor);

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

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

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

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

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

(B) With respect to the intelligence community, each finished intelligence product described in subsection (d)(1)(B)(vi).

(2) NONDUPLICATION.—If any documents or materials required under paragraph (1) have been previously submitted to the appropriate congres-
sional committees under such paragraph and have not been modified since such submission, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Under Secretary of Homeland Security for Intelligence and Analysis may provide a list of such documents or materials in lieu of making the submission under paragraph (1) for those documents or materials.

(f) FORMAT.—The information required under subsection (d) may be provided in a format that uses the marking associated with the Central Records System (or any successor system) of the Federal Bureau of Investigation.

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

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

(2) with respect to the unclassified portion of the report, made available on the public internet website of the National Counterterrorism Center in an electronic format that is fully indexed and searchable; and

(3) with respect to a classified annex, submitted to the appropriate congressional committees in an
electronic format that is fully indexed and searchable.

**TITLE VII—REPORTS AND OTHER MATTERS**

**SEC. 701. MODIFICATION OF REQUIREMENTS FOR SUBMISSION TO CONGRESS OF CERTAIN REPORTS.**

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

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

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

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

(b) **MODIFICATION TO REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.—**Section 511(a) of the National Security Act of 1947 (50 U.S.C. 3110(a)) is amended—
(1) by striking “The Director of National Intelligence” and inserting “The head of each element of the intelligence community”; and

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

(c) Modification to Reports on Analytic Integrity.—Subsection (e) of section 1019 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3364) is amended—

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

(2) by striking “submit to the congressional intelligence committees, the heads of the relevant elements of the intelligence community, and the heads of analytic training departments a report containing” and inserting “provide to the congressional intelligence committees, the heads of the relevant elements of the intelligence community, and the heads of analytic training departments a briefing with”.

(d) Repeal of Reports Relating to Intelligence Functions.—Section 506J of the National Security Act of 1947 (50 U.S.C. 3105a) is repealed and the table of contents in the first section of such Act is amended by striking the item relating to section 506J.
(e) Repeal of Reports Relating to Cuba.—Section 108 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6038) is repealed.


(g) Repeal of Reports Relating to Interagency Threat Assessment and Coordination Group.—Section 210D of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) in subsection (c), by striking “manager shall—” and all that follows through the period at the end of paragraph (3) and inserting “manager shall monitor and assess the efficacy of the ITACG.”; and

(2) in subsection (d)(9), by striking “for use in the annual reports required by subsection (c)(2)”.

SEC. 702. INCREASED TRANSPARENCY REGARDING COUNTERTERRORISM BUDGET OF THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Consistent with section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a)), the recent practice
of the intelligence community has been to release to
the public—

(A) around the date on which the Presi-
dent submits to Congress a budget for a fiscal
year pursuant to section 1105 of title 31,
United States Code, the “top-line” amount of
total funding requested for the National Intel-
ligence Program for such fiscal year; and

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

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

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

(1) despite the difficulty of compiling and re-
leasing to the public comprehensive information on
the resource commitments of the United States to
counterterrorism activities and programs, including
with respect to such activities and programs of the
intelligence community, the United States Govern-
ment could take additional steps to enhance the un-
derstanding of the public with respect to such re-
source commitments, in a manner consistent with
the protection of intelligence sources and methods
and other national security interests; and

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

(c) Briefing on Public Release of Information.—

(1) Requirement.—Not later than 90 days
after the date of the enactment of this Act, and not
later than 90 days after the beginning of each fiscal
year thereafter, the President shall ensure that the
congressional intelligence committees receive a brief-
ing from appropriate personnel of the United States
Government on the feasibility of releasing to the
public additional information relating to counterterrorism efforts of the intelligence community.

(2) ELEMENTS.—Each briefing required by paragraph (1) shall include a discussion of the feasibility of—

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

(B) declassifying other reports, documents, or activities of the intelligence community relating to counterterrorism and releasing such information to the public in a manner consistent with the protection of intelligence sources and methods and other national security interests.

(3) RELEASE OF NATIONAL COUNTERTERRORISM BUDGET REPORT.—The President may satisfy the requirement under paragraph (2)(A) during a fiscal year by, not later than 90 days after the beginning of the fiscal year, releasing to the public the National Counterterrorism Budget report (with any redactions the Director determines necessary to protect intelligence sources and methods and other national security interests) for the prior fiscal year.
SEC. 703. TASK FORCE ON ILLICIT FINANCING OF ESPIONAGE AND FOREIGN INFLUENCE OPERATIONS.

(a) Establishment.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a task force to study and assess the illicit financing of espionage and foreign influence operations directed at the United States.

(b) Membership.—The task force shall be composed of the following individuals (or designees of the individual):

(1) The Director of the Central Intelligence Agency.

(2) The Director of the Federal Bureau of Investigation.

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

(4) The Assistant Secretary of State for Intelligence and Research.

(5) Such other heads of the elements of the intelligence community that the Director of National Intelligence determines appropriate.

(c) Chairperson; Meetings.—

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

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

(d) REPORTS.—

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

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

(B) Any specific legal, regulatory, policy,
or other prohibitions, or financial, human, tech-
ical, or other resource limitations or con-
straints, that have affected the ability of the
Director of National Intelligence or other heads
of relevant elements of the intelligence commu-

nity in collecting or analyzing intelligence or in-

formation relating to illicit financing of espion-

age and foreign influence operations directed

at the United States.

(C) The methods, as of the date of the re-

port, by which hostile governments of foreign
countries or foreign organizations, and any
groups or persons acting on behalf of or with
the support of such governments or organiza-
tions, seek to disguise or obscure relationships
between such governments, organizations,

groups, or persons and United States persons,

for the purpose of conducting espionage or for-

eign influence operations directed at the United

States, including by exploiting financial laws,
systems, or instruments, of the United States.

(D) The existing practices of the intel-

gligence community for ensuring that intelligence
and information relating to the illicit financing
of espionage and foreign influence operations is
analyzed and shared with other elements of the
intelligence community, and any recommenda-
tions for improving such analysis and sharing.
(2) **Annual Update.**—Not later than November 1, 2020, and each year thereafter through the date specified in subsection (e), the task force shall submit to the appropriate congressional committees an update on the report under paragraph (1).

(3) **Form.**—Each report submitted under this subsection may be submitted in classified form, but if submitted in such form, shall include an unclassified summary.

(e) **Termination.**—The task force shall terminate on January 1, 2025.

(f) **Appropriate Congressional Committees Defined.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional intelligence committees.

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

(3) The Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.
SEC. 704. STUDY ON ROLE OF RETIRED AND FORMER PERSONNEL OF INTELLIGENCE COMMUNITY WITH RESPECT TO CERTAIN FOREIGN INTELLIGENCE OPERATIONS.

(a) Study.—The Director of National Intelligence shall conduct a study on former intelligence personnel providing covered intelligence assistance.

(b) Elements.—The study under subsection (a) shall include the following:

(1) An identification of, and discussion of the effectiveness of, existing laws, policies, procedures, and other measures relevant to the ability of elements of the intelligence community to prevent former intelligence personnel from providing covered intelligence assistance—

(A) without proper authorization; or

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

(2) Make recommendations for such legislative, regulatory, policy, or other changes as may be necessary to ensure that the United States consistently meets the objectives described in paragraph (1).

(c) Report and Plan.—Not later than 90 days after the date of the enactment of this Act, the Director
shall submit to the congressional intelligence committees—

(1) a report on the findings of the Director with respect to each element of the study under subsection (a); and

(2) a plan to implement any recommendations made by the Director that the Director may implement without changes to Federal law.

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

(e) DEFINITIONS.—In this section:

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

(A) provided by former intelligence personnel directly to, or for the benefit of, the government of a foreign country or indirectly to, or for the benefit of, such a government through a company or other entity; and

(B) that relates to intelligence or law enforcement activities of a foreign country, including with respect to operations that involve abuses of human rights, violations of the laws of the United States, or infringements on the privacy rights of United States persons.
(2) Former intelligence personnel.—The term “former intelligence personnel” means retired or former personnel of the intelligence community, including civilian employees of elements of the intelligence community, members of the Armed Forces, and contractors of elements of the intelligence community.

SEC. 705. REPORT BY DIRECTOR OF NATIONAL INTELLIGENCE ON FIFTH-GENERATION WIRELESS NETWORK TECHNOLOGY.

(a) Report.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on—

(1) the threat to the national security of the United States posed by the global and regional adoption of fifth-generation wireless network (in this section referred to as “5G wireless network”) technology built by foreign companies; and

(2) possible efforts to mitigate the threat.

(b) Contents.—The report under subsection (a) shall include—

(1) the timeline and scale of global and regional adoption of foreign 5G wireless network technology;
(2) the implications of such global and regional adoption on the cyber and espionage threat to the United States, the interests of the United States, and the cyber and collection capabilities of the United States; and

(3) the effect of possible mitigation efforts, including with respect to—

(A) a policy of the United States Government promoting the use of strong, end-to-end encryption for data transmitted over 5G wireless networks;

(B) a policy of the United States Government promoting or funding free, open-source implementation of 5G wireless network technology;

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

(D) a strategy by the United States Government to reduce foreign influence and political pressure in international standard-setting bodies.
(c) Form.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 706. ESTABLISHMENT OF 5G PRIZE COMPETITION.

(a) Prize Competition.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Director of National Intelligence, acting through the Director of the Intelligence Advanced Research Projects Agency, shall carry out a program to award prizes competitively to stimulate research and development relevant to 5G technology.

(b) Prize Amount.—In carrying out the program under subsection (a), the Director may award not more than a total of $5,000,000 to one or more winners of the prize competition.

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

(d) 5G Technology Defined.—In this section, the term “5G technology” means hardware, software, or other technologies relating to fifth-generation wireless networks.
SEC. 707. ESTABLISHMENT OF DEEPFAKES PRIZE COMPETITION.

(a) Prize Competition.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Director of National Intelligence, acting through the Director of the Intelligence Advanced Research Projects Agency, shall carry out a program to award prizes competitively to stimulate the research, development, or commercialization of technologies to automatically detect machine-manipulated media.

(b) Prize Amount.—In carrying out the program under subsection (a), the Director may award not more than a total of $5,000,000 to one or more winners of the prize competition.

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

(d) Machine-manipulated Media Defined.—In this section, the term “machine-manipulated media” means video, image, or audio recordings generated or substantially modified using machine-learning techniques in order to falsely depict events or to falsely depict the speech or conduct of an individual.
DIVISION B—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019
TITLE XXI—INTELLIGENCE ACTIVITIES

SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.

(a) Fiscal Year 2019.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.


(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.


(b) Fiscal Year 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States set forth in subsection (a) are hereby authorized.

SEC. 2102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) Specifications of Amounts.—The amounts authorized to be appropriated under section 2101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 2101, are those specified in the classified Schedule of Authorizations prepared to accompany this Act.

(b) Availability of Classified Schedule of Authorizations.—

(1) Availability.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.
(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

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

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

(C) as otherwise required by law.

SEC. 2103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2019 the sum of $522,424,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Ac-
count by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2019 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 2102(a).

TITLE XXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

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

(a) Computation of Annuities.—

(1) In general.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting “, as determined by using the annual rate of basic pay that would be payable for full-time service in that position.”;
(B) in subsection (b)(1)(C)(i), by striking “12-month” and inserting “2-year”; 

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

(D) in subsection (g)(2), by striking “one year” each place such term appears and inserting “two years”; 

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

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

“(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

“(1) Authority to make designation.—

Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant’s death, except that any such election to provide an insurable
interest survivor annuity to the participant’s spouse shall only be effective if the participant’s spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant’s reduced annuity.

“(2) Reduction in Participant’s Annuity.—
The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

“(3) Commencement of Survivor Annuity.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

“(4) Recomputation of Participant’s Annuity on Death of Designated Individual.—An annuity that is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.”.
CONFORMING AMENDMENTS.—

(A) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking “221(h),” and inserting “221(i),”; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking “221(k)” and inserting “221(l)”.

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

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

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

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

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

(2) by inserting after subsection (a) the fol-

lowing:

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

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

TITLE XXIII—GENERAL INTEL-
LIGENCE COMMUNITY MAT-
TERS

SEC. 2301. RESTRICTION ON CONDUCT OF INTELLIGENCE
ACTIVITIES.

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

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

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

SEC. 2303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS POSITIONS AND ADDITION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

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

(1) by amending subsection (a) to read as follows:

“(a) SPECIAL RATES OF PAY FOR POSITIONS REQUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

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

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

“(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

“(2) TREATMENT.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5305(j) of title 5, United States Code.”;

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

(3) by inserting after subsection (a) the following:

“(b) SPECIAL RATES OF PAY FOR CYBER POSITIONS.—

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

“(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5, United States
Code, if the Director certifies to the Under Secretary of Defense for Intelligence, in consultation with the Under Secretary of Defense for Personnel and Readiness, that the rate of pay is for positions that perform functions that execute the cyber mission of the Agency; or

“(B) not to exceed the rate of basic pay payable for the Vice President of the United States under section 104 of title 3, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the cyber mission of the Agency.

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

“(A) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under title 10, United States Code, (or any other applicable law in addition to title 5 of such Code, excluding the Fair Labor Standards Act of 1938
(29 U.S.C. 201 et seq.) shall also be counted as part of aggregate compensation; and

“(B) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3, United States Code.

“(3) Limitation on number of recipients.—The number of individuals who receive basic pay established under paragraph (1)(B) may not exceed 100 at any time.

“(4) Limitation on use as comparative reference.—Notwithstanding any other provision of law, special rates of pay and the limitation established under paragraph (1)(B) may not be used as comparative references for the purpose of fixing the rates of basic pay or maximum pay limitations of qualified positions under section 1599f of title 10, United States Code, or section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147).”;

(4) in subsection (e), as redesignated by paragraph (2), by striking “A minimum” and inserting “Except as provided in subsection (b), a minimum”;

(5) in subsection (d), as redesignated by paragraph (2), by inserting “or (b)” after “by subsection (a)”;}
(6) in subsection (g), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking “Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017” and inserting “Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019”; and

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

SEC. 2304. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

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

SEC. 2305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions
within the intelligence community regarding the placement of such positions on the Executive Schedule under sub-
chapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National In-
telligence, in coordination with the Director of the Office of Personnel Management, shall determine—

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

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

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

(b) REPORT.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the con-
gressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Sen-
ate, and the Committee on Oversight and Reform of the House of Representatives an unredacted report describing the standards by which the review was conducted and the outcome of the review.
SEC. 2306. SUPPLY CHAIN AND COUNTERINTELLIGENCE RISK MANAGEMENT TASK FORCE.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional intelligence committees.

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

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

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

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;
(2) a representative of the General Services Administration;

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

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

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

(6) the Director of the National Counterintelligence and Security Center; and

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

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

(e) ANNUAL REPORT.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence...
intelligence risks shared with the acquisition community of the United States Government by the intelligence community.

SEC. 2307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever the head of an element of the intelligence community enters into an intelligence sharing agreement with a foreign government or any other foreign entity, the head of the element shall consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities of such adversaries in the country or region of the foreign government or other foreign entity entering into the agreement.

SEC. 2308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) Personal accounts.—The term “personal accounts” means accounts for online and telecommunications services, including telephone, resi-
dential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) Personal technology devices.—The term “personal technology devices” means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect.

(b) Authority to Provide Cyber Protection Support.—

(1) In general.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support for the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) At-risk personnel.—The personnel described in this paragraph are personnel of the intelligence community—

(A) who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the
positions occupied by such personnel in the intelligence community; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) **Nature of Cyber Protection Support.**—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) **Limitation on Support.**—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity.

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

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

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (b).

SEC. 2309. ELIMINATION OF SUNSET OF AUTHORITY RELATING TO MANAGEMENT OF SUPPLY-CHAIN RISK.

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

SEC. 2310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—An officer of an element of the intelligence community who has been nominated by the President for a position that requires the advice and consent of the Senate may not make a classification decision with respect to information related to such officer’s nomination.

(b) CLASSIFICATION DETERMINATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), in a case in which an officer described in
subsection (a) has been nominated as described in such subsection and classification authority rests with the officer or another officer who reports directly to such officer, a classification decision with respect to information relating to the officer shall be made by the Director of National Intelligence.

(2) NOMINATIONS OF DIRECTOR OF NATIONAL INTELLIGENCE.—In a case described in paragraph (1) in which the officer nominated is the Director of National Intelligence, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

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

SEC. 2311. JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) MEETINGS.—Section 101A(d) of the National Security Act of 1947 (50 U.S.C. 3022(d)) is amended—

(1) by striking “regular”; and

(2) by inserting “as the Director considers appropriate” after “Council”.

(b) REPORT ON FUNCTION AND UTILITY OF THE JOINT INTELLIGENCE COMMUNITY COUNCIL.—
(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community Council, shall submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

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

(B) A description of the effect and accomplishments of the Council.

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

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

(E) Such other matters relating to the function and utility of the Council as the Director considers appropriate.
108

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

SEC. 2312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CORE SERVICE.—The term “core service” means a capability that is available to multiple elements of the intelligence community and required for consistent operation of the intelligence community information technology environment.

(2) INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.—The term “intelligence community information technology environment” means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classification domains.

(b) ROLES AND RESPONSIBILITIES.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be responsible for coordinating the performance by elements of the intelligence community of the intelligence community information technology environment, including each of the following:
(A) Ensuring compliance with all applicable environment rules and regulations of such environment.

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

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary for the effective implementation of such environment.

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

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

(B) providing the Director with information requested and required to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—
(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) EXCEPTION.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment to be responsible for—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service of such environment, including testing by the intended users, to evaluate perform-
ance against measurable service requirements and to
ensure the capability meets user requirements; and

(4) coordinate transition or restructuring ef-
forts of such environment, including phaseout of leg-
acy systems.

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

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

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

(A) key performance parameters; and

(B) an assessment of current, measured
performance.

(2) implementation milestones for the intel-
ligence community information technology environ-
ment, including each of the following:
(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(C) Plans for the transition or restructuring necessary to incorporate core service capabilities.

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

(3) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congres-
sional intelligence committees a business plan that in-
cludes each of the following:
(1) A systematic approach to identify core service funding requests for the intelligence community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e).

(2) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as com-
pared to the requirements in the most recently submitted
security plan required by subsection (d), long-term road-
map required by subsection (e), and business plan re-
quired by subsection (f).

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

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

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

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Director of National
Intelligence, in coordination with the Director of the Cen-
tral Intelligence Agency and the Director of the National
Security Agency, shall submit to the congressional intel-
ligence committees a classified report on the feasibility,
desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

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

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

(2) Whether the intelligence community could leverage commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

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

SEC. 2314. POLICY ON MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy for minimum insider threat standards that is consistent with the National
Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 2315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICIES.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term “electronic repository” means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

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

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

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.
(b) Submission of Policies.—

(1) Current Policy.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) Continuous Updates.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

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

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 2316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence community workforce, not later than 90 days after the date of the enactment of this Act, the Director of Na-
tional Intelligence, in consultation with heads of elements of the Intelligence Community, shall create, implement, and submit to the congressional intelligence committees a written plan to ensure that rural and underrepresented regions are more fully and consistently represented in such elements’ employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intel-
ligence before such plan shall be implemented.

TITLE XXIV—MATTERS RELATING TO ELEMENTS OF THE IN-
TELLIGENCE COMMUNITY
Subtitle A—Office of the Director of National Intelligence
SEC. 2401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

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


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

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

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

and

(2) in paragraph (2), by striking “President” both places that term appears and inserting “Director of National Intelligence”.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by striking “The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion).” and inserting “Beginning on the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019 and 2020, each individual designated as the program manager shall be appointed by the Director of National Intelligence.”.
SEC. 2403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

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

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

SEC. 2404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

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

SEC. 2405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

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

Subtitle B—Central Intelligence Agency

SEC. 2411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—
(1) in paragraph (1), by striking “(50 U.S.C. 403–4a),” and inserting “(50 U.S.C. 403–4a),”;
(2) in paragraph (6), by striking “and” at the end;
(3) in paragraph (7), by striking the period at the end and inserting “; and”; and
(4) by adding at the end the following new paragraph (8):
“(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.”.

SEC. 2412. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS’ COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR CENTRAL INTELLIGENCE AGENCY PERSONNEL.

(a) In general.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by inserting after section 19 the following new section:

“SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS INJURED BY REASON OF WAR, INSURGENCY, HOSTILE ACT, OR TERRORIST ACTIVITIES.

“(a) Definitions.—In this section:
“(1) Covered dependent.—The term ‘covered dependent’ means a family member (as defined by the Director) of a covered employee who, on or after September 11, 2001—

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

“(B) becomes injured by reason of a qualifying injury.

“(2) Covered employee.—The term ‘covered employee’ means an officer or employee of the Central Intelligence Agency who, on or after September 11, 2001, becomes injured by reason of a qualifying injury.

“(3) Covered individual.—The term ‘covered individual’ means an individual who—

“(A)(i) is detailed to the Central Intelligence Agency from other agencies of the United States Government or from the Armed Forces; or

“(ii) is affiliated with the Central Intelligence Agency, as determined by the Director; and
“(B) who, on or after September 11, 2001,
becomes injured by reason of a qualifying in-
jury.

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

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

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

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

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

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

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

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

and

“(iii) that was not the result of the

willful misconduct of the covered employee

or the covered individual.

“(b) ADJUSTMENT OF COMPENSATION FOR CERTAIN

INJURIES.—

“(1) INCREASE.—The Director may increase

the amount of monthly compensation paid to a cov-

ered employee under section 8105 of title 5, United

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

may determine the amount of each such increase by

taking into account—

“(A) the severity of the qualifying injury;

“(B) the circumstances by which the cov-

ered employee became injured; and

“(C) the seniority of the covered employee.

“(2) MAXIMUM.—Notwithstanding chapter 81

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

monthly compensation increased under paragraph

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

imum rate of basic pay for GS–15 of the General

Schedule under section 5332 of such title.

“(c) COSTS FOR TREATING QUALIFYING INJURIES.—

The Director may pay the costs of treating a qualifying
injury of a covered employee, a covered individual, or a
covered dependent, or may reimburse a covered employee,
a covered individual, or a covered dependent for such
costs, that are not otherwise covered by chapter 81 of title
5, United States Code, or other provision of Federal law.

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

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

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

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

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

(1) payments made to covered employees (as
defined in such section) under section 8105 of title
5, United States Code, beginning on or after the
date of the enactment of this Act; and
(2) treatment described in subsection (b) of
such section 19A occurring on or after the date of
the enactment of this Act.

SEC. 2413. EXPANSION OF SECURITY PROTECTIVE SERVICE
JURISDICTION OF THE CENTRAL INTEL-
LIGENCE AGENCY.

Subsection (a) of section 15 of the Central Intel-
ligence Act of 1949 (50 U.S.C. 3515(a)) is amended—
(1) in the subsection heading, by striking “Po-
licemen” and inserting “Police Officers”; and
(2) in paragraph (1)—
(A) in subparagraph (B), by striking “500
feet;” and inserting “500 yards;”; and
(B) in subparagraph (D), by striking “500
feet.” and inserting “500 yards.”.

SEC. 2414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY
REQUIREMENT FOR CERTAIN SENIOR LEVEL
POSITIONS IN THE CENTRAL INTELLIGENCE
AGENCY.

(a) Repeal of Foreign Language Proficiency
Requirement.—Section 104A of the National Security
Act of 1947 (50 U.S.C. 3036) is amended by striking sub-
section (g).
(b) Conforming Repeal of Report Requirement.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

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

SEC. 2421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICES OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) In General.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:

“OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

“SEC. 215. (a) DEFINITIONS.—In this section, the terms ‘intelligence community’ and ‘National Intelligence Program’ have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(b) IN GENERAL.—There is in the Department an Office of Intelligence and Counterintelligence. Such office shall be under the National Intelligence Program.

“(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the
Secretary, in coordination with the Director of National Intelligence, considers appropriate. The Director of the Office shall report directly to the Secretary.

“(2) The Secretary shall select an individual to serve as the Director from among individuals who have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.

“(d) Duties.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exercise such powers as the Secretary may prescribe.

“(2) The Director shall be responsible for establishing policy for intelligence and counterintelligence programs and activities at the Department.”.

(b) Conforming Repeal.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.

(c) Clerical Amendment.—The table of contents at the beginning of the Department of Energy Organization Act is amended by striking the items relating to sections 215 and 216 and inserting the following new item:

“215. Office of Intelligence and Counterintelligence.”.
SEC. 2422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE SECURITY CENTER.

Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b), as amended by section 2421, is further amended by adding at the end the following:

“(e) ENERGY INFRASTRUCTURE SECURITY CENTER.—(1)(A) The President shall establish an Energy Infrastructure Security Center, taking into account all appropriate government tools to analyze and disseminate intelligence relating to the security of the energy infrastructure of the United States.

“(B) The Director of Intelligence and Counterintelligence shall appoint the head of the Energy Infrastructure Security Center.

“(C) The Energy Infrastructure Security Center shall be located within the Office of Intelligence and Counterintelligence.

“(2) In establishing the Energy Infrastructure Security Center, the Director of the Office of Intelligence and Counterintelligence shall address the following missions and objectives to coordinate and disseminate intelligence relating to the security of the energy infrastructure of the United States:

“(A) Establishing a primary organization within the United States Government for analyzing and integrating all intelligence possessed or acquired by...
the United States pertaining to the security of the
energy infrastructure of the United States.

“(B) Ensuring that appropriate departments
and agencies have full access to and receive intel-
ligence support needed to execute the plans or activi-
ties of the agencies, and perform independent, alter-
native analyses.

“(C) Establishing a central repository on known
and suspected foreign threats to the energy infra-
structure of the United States, including with re-
spect to any individuals, groups, or entities engaged
in activities targeting such infrastructure, and the
goals, strategies, capabilities, and networks of such
individuals, groups, or entities.

“(D) Disseminating intelligence information re-
lating to the security of the energy infrastructure of
the United States, including threats and analyses, to
the President, to the appropriate departments and
agencies, and to the appropriate committees of Con-
gress.

“(3) The President may waive the requirements of
this subsection, and any parts thereof, if the President de-
termines that such requirements do not materially improve
the ability of the United States Government to prevent
and halt attacks against the energy infrastructure of the
United States. Such waiver shall be made in writing to Congress and shall include a description of how the missions and objectives in paragraph (2) are being met.

“(4) If the President decides not to exercise the waiver authority granted by paragraph (3), the President shall submit to Congress from time to time updates and plans regarding the establishment of an Energy Infrastructure Security Center.”.

SEC. 2423. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 7144a) is amended—

(1) by striking “(a) DUTY OF SECRETARY.—”;

and

(2) by striking subsections (b) and (e).

Subtitle D—Other Elements

SEC. 2431. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence
and Security Center, shall submit to the congressional in-
telligence committees, the Committee on Armed Services
of the Senate, and the Committee on Armed Services of
the House of Representatives a plan to designate the coun-
terintelligence component of the Defense Security Service
of the Department of Defense as an element of the intel-
ligence community by not later than January 1, 2020.

Such plan shall—

(1) address the implications of such designation
on the authorities, governance, personnel, resources,
information technology, collection, analytic products,
information sharing, and business processes of the
Defense Security Service and the intelligence com-

munity; and

(2) not address the personnel security functions

SEC. 2432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 3553 of title 44, United States Code, is
amended—

(1) by redesignating subsection (j) as sub-
section (k); and

(2) by inserting after subsection (i) the fol-

lowing:

“(j) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to require the Secretary to provide
notice to any private entity before the Secretary issues a binding operational directive under subsection (b)(2).”.

SEC. 2433. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL RECONNAISSANCE OFFICE.

(a) ESTABLISHMENT.—Section 106A of the National Security Act of 1947 (50 U.S.C. 3041a) is amended by adding at the end the following new subsection:

“(d) ADVISORY BOARD.—

“(1) ESTABLISHMENT.—There is established in the National Reconnaissance Office an advisory board (in this section referred to as the ‘Board’).

“(2) DUTIES.—The Board shall—

“(A) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and

“(B) advise and report directly to the Director with respect to such matters.

“(3) MEMBERS.—

“(A) NUMBER AND APPOINTMENT.—

“(i) IN GENERAL.—The Board shall be composed of 5 members appointed by the Director from among individuals with
demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.

“(ii) Notification.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

“(B) Terms.—Each member shall be appointed for a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

“(C) Vacancy.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office.
“(D) Chair.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

“(E) Travel Expenses.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

“(F) Executive Secretary.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

“(4) Meetings.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

“(5) Reports.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

“(6) Nonapplicability of Certain Requirements.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.
“(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.”.

(b) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 2434. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT FIELD LOCATIONS.

(a) IDENTIFICATION OF OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, the Director of U.S. Immigration and Customs Enforcement, and the heads of such other elements of the Department of Homeland Security as the Under Secretary considers appropriate, opportunities for collocation of officers of the Office of Intelligence and Analysis in the field outside of the greater Washington, District of Columbia, area in order to support
operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) Plan for Collocation.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

TITLE XXV—ELECTION MATTERS

SEC. 2501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) Definitions.—In this section:

(1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Foreign Relations of the Senate; and
(E) the Committee on Foreign Affairs of
the House of Representatives.

(2) **CONGRESSIONAL LEADERSHIP.**—The term
“congressional leadership” includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Rep-
resentatives.

(D) The minority leader of the House of
Representatives.

(3) **STATE.**—The term “State” means any
State of the United States, the District of Columbia,
the Commonwealth of Puerto Rico, and any territory
or possession of the United States.

(b) **REPORT REQUIRED.**—Not later than 60 days
after the date of the enactment of this Act, the Under
Secretary of Homeland Security for Intelligence and Analy-
sis shall submit to congressional leadership and the ap-
propriate congressional committees a report on cyber at-
tacks and attempted cyber attacks by foreign governments
on United States election infrastructure in States and lo-
calities in connection with the 2016 Presidential election
in the United States and such cyber attacks or attempted
cyber attacks as the Under Secretary anticipates against
such infrastructure. Such report shall identify the States
and localities affected and shall include cyber attacks and
attempted cyber attacks against voter registration data-
bases, voting machines, voting-related computer networks,
and the networks of Secretaries of State and other election
officials of the various States.

(c) Form.—The report submitted under subsection 
(b) shall be submitted in unclassified form, but may in-
clude a classified annex.

SEC. 2502. REVIEW OF INTELLIGENCE COMMUNITY’S POS-
TURE TO COLLECT AGAINST AND ANALYZE 
RUSSIAN EFFORTS TO INFLUENCE THE PRES-
IDENTIAL ELECTION.

(a) Review Required.—Not later than 1 year after 
the date of the enactment of this Act, the Director of Na-
tional Intelligence shall—

(1) complete an after action review of the posture of the intelligence community to collect against 
and analyze efforts of the Government of Russia to 
interfere in the 2016 Presidential election in the 
United States; and

(2) submit to the congressional intelligence 
committees a report on the findings of the Director 
with respect to such review.

(b) Elements.—The review required by subsection 
(a) shall include, with respect to the posture and efforts
described in paragraph (1) of such subsection, the fol-
lowing:

(1) An assessment of whether the resources of
the intelligence community were properly aligned to
detect and respond to the efforts described in sub-
section (a)(1).

(2) An assessment of the information sharing
that occurred within elements of the intelligence
community.

(3) An assessment of the information sharing
that occurred between elements of the intelligence
community.

(4) An assessment of applicable authorities nec-
essary to collect on any such efforts and any defi-
ciencies in those authorities.

(5) A review of the use of open source material
to inform analysis and warning of such efforts.

(6) A review of the use of alternative and pre-
dictive analysis.

(c) FORM OF REPORT.—The report required by sub-
section (a)(2) shall be submitted to the congressional intel-
ligence committees in a classified form.

SEC. 2503. ASSESSMENT OF FOREIGN INTELLIGENCE
THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:
141

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) **CONGRESSIONAL LEADERSHIP.**—The term "congressional leadership" includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) **SECURITY VULNERABILITY.**—The term "security vulnerability" has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) **IN GENERAL.—**The Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investiga-
tion, the Secretary of Homeland Security, and the heads
of other relevant elements of the intelligence community,
shall—

(1) commence not later than 1 year before any
regularly scheduled Federal election occurring after
December 31, 2018, and complete not later than
180 days before such election, an assessment of se-
curity vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly
scheduled Federal election occurring after December
31, 2018, submit a report on such security
vulnerabilities and an assessment of foreign intel-
ligence threats to the election to—

(A) congressional leadership; and

(B) the appropriate congressional commit-
tees.

(c) UPDATE.—Not later than 90 days before any reg-
ularly scheduled Federal election occurring after Decem-
ber 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intel-
ligence threats to that election; and

(2) submit the updated assessment to—

(A) congressional leadership; and

(B) the appropriate congressional commit-
tees.
SEC. 2504. STRATEGY FOR COUNTERING RUSSIAN CYBER THREATS TO UNITED STATES ELECTIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional intelligence committees.

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

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) The Committee on Foreign Relations of the Senate.

(5) The Committee on Foreign Affairs of the House of Representatives.

(b) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury, shall develop a whole-of-government strategy for countering the threat of Russian cyber attacks and attempted cyber attacks against electoral systems and processes in the
United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and processes for the secure transmission of election results.

(c) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments indicated in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including auditable paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian government or nongovernment cyber threat actors.
(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Deterrence, including actions and measures that could or should be undertaken against or communicated to the Government of Russia or other entities to deter attacks against, or interference with, United States election systems and processes.

(7) Improvements in Federal Government communications with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

(d) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall jointly brief the appropriate congressional committees on the strategy developed under subsection (b).
SEC. 2505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) Russian Influence Campaign Defined.—In this section, the term “Russian influence campaign” means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) Assessment Required.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;
(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(c) Form.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 2506. INFORMATION SHARING WITH STATE ELECTION OFFICIALS.

(a) State Defined.—In this section, the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) Security Clearances.—

(1) In General.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and
Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and additional eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(2) **INTERIM CLEARANCES.**—Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to 1 designee of such official under such paragraph.

(c) **INFORMATION SHARING.**—

(1) **IN GENERAL.**—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any appropriate classified information related to threats to election systems and to the integrity of the elec-
tion process with chief election officials and such
designees who have received a security clearance
under subsection (b).

(2) COORDINATION.—The Under Secretary of
Homeland Security for Intelligence and Analysis
shall coordinate with the Director of National Intel-
ligence and the Under Secretary responsible for
overseeing critical infrastructure protection, cyberse-
curity, and other related programs of the Depart-
ment (as specified in section 103(a)(1)(H) of the
113(a)(1)(H))) to facilitate the sharing of informa-
tion to the affected Secretaries of State or States.

SEC. 2507. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER
INTRUSIONS AND ACTIVE MEASURES CAM-
PAIGNS DIRECTED AT ELECTIONS FOR FED-
ERAL OFFICES.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES CAMPAIGN.—The term
“active measures campaign” means a foreign semi-
covert or covert intelligence operation.

(2) CANDIDATE, ELECTION, AND POLITICAL
PARTY.—The terms “candidate”, “election”, and
“political party” have the meanings given those

(3) CONGRESSIONAL LEADERSHIP.—The term “congressional leadership” includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(4) CYBER INTRUSION.—The term “cyber intrusion” means an electronic occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) ELECTRONIC ELECTION INFRASTRUCTURE.—The term “electronic election infrastructure” means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.
(6) **Federal Office.**—The term “Federal office” has the meaning given that term in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(7) **High Confidence.**—The term “high confidence”, with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) **Moderate Confidence.**—The term “moderate confidence”, with respect to a determination, means that a determination is credibly sourced and plausible but not of sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(9) **Other Appropriate Congressional Committees.**—The term “other appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.
(b) Determinations of Significant Foreign Cyber Intrusions and Active Measures Campaigns.—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly carry out subsection (c) if such Directors and the Secretary jointly determine—

1. that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has occurred or is occurring; and
2. with moderate or high confidence, that such intrusion or campaign can be attributed to a foreign state or to a foreign nonstate person, group, or other entity.

(c) Briefing.—
1. In General.—Not later than 14 days after making a determination under subsection (b), the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly provide a briefing to the congressional leadership, the congressional intelligence committees and, consistent with the protection of sources and methods, the other appro-
priate congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) An identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The desirability and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion covered by a determination under subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall offer to the owner or operator of any electronic election infrastructure directly affected by such intrusion, a briefing on such intrusion, including steps that may be taken to mitigate
such intrusion. Such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) Protection of Sources and Methods.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 2508. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) In General.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) Additional Responsibilities.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) to the following:

(1) The Federal Government election security supply chain.

(2) Election voting systems and software.

(3) Voter registration databases.

(4) Critical infrastructure related to elections.
(5) Such other Government goods and services as the Director of National Intelligence considers appropriate.

TITLE XXVI—SECURITY CLEARANCES

SEC. 2601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and
(H) the Committee on Oversight and Reform of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term “appropriate industry partner” means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term “continuous vetting” has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term “Council” means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to such Executive Order, or any successor entity.

(5) SECURITY EXECUTIVE AGENT.—The term “Security Executive Agent” means the officer serving as the Security Executive Agent pursuant to sec-
tion 803 of the National Security Act of 1947, as added by section 2605.

(6) **Suitability and credentialing executive agent.**—The term “Suitability and Credentialing Executive Agent” means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), or any successor entity.

**SEC. 2602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.**

(a) **Sense of Congress.**—It is the sense of Congress that—

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security
framework to improve its efficiency, effectiveness,
and accountability;

(3) the current system for security clearance,
suitability and fitness for employment, and
credentialing lacks efficiencies and capabilities to
meet the current threat environment, recruit and re-
tain a trusted workforce, and capitalize on modern
technologies; and

(4) changes to policies or processes to improve
this system should be vetted through the Council to
ensure standardization, portability, and reciprocity
in security clearances across the Federal Govern-
ment.

(b) ACCOUNTABILITY PLANS AND REPORTS.—

(1) PLANS.—Not later than 90 days after the
date of the enactment of this Act, the Council shall
submit to the appropriate congressional committees
and make available to appropriate industry partners
the following:

(A) A plan, with milestones, to reduce the
background investigation inventory to 200,000,
or an otherwise sustainable steady-level, by the
end of year 2020. Such plan shall include notes
of any required changes in investigative and ad-
judicative standards or resources.
(B) A plan to consolidate the conduct of background investigations associated with the processing for security clearances in the most effective and efficient manner between the National Background Investigation Bureau and the Defense Security Service, or a successor organization. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) Report on the future of personnel security.—

(A) In general.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect changes in threats, the workforce, and technology.

(B) Contents.—The report submitted under subparagraph (A) shall include the following:
(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(3) Plan for Implementation.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report’s framework and recommendations submitted under paragraph (2)(A).

(4) Congressional Notifications.—Not less frequently than quarterly, the Security Executive
Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal investigative standards, the national adjudicative guidelines, continuous evaluation, or other national policy regarding personnel security.

SEC. 2603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) Reviews.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall include identification of whether any such information cur-
rently collected is unnecessary to support the adju-
dicative guidelines.

(2) An assessment of whether such Question-
naire, Standards, and guidelines should be revised to
account for the prospect of a holder of a security
clearance becoming an insider threat.

(3) Recommendations to improve the back-
ground investigation process by—

(A) simplifying the Questionnaire for Na-
tional Security Positions (Standard Form 86)
and increasing customer support to applicants
completing such Questionnaire;

(B) using remote techniques and central-
ized locations to support or replace field inves-
tigation work;

(C) using secure and reliable digitization of
information obtained during the clearance proc-
есс;

(D) building the capacity of the back-
ground investigation labor sector; and

(E) replacing periodic reinvestigations with
continuous evaluation techniques in all appro-
priate circumstances.

(b) POLICY, STRATEGY, AND IMPLEMENTATION.—

Not later than 180 days after the date of the enactment
of this Act, the Security Executive Agent shall, in coordination with the members of the Council, establish the following:

(1) A policy and implementation plan for the issuance of interim security clearances.

(2) A policy and implementation plan to ensure contractors are treated consistently in the security clearance process across agencies and departments of the United States as compared to employees of such agencies and departments. Such policy shall address—

(A) prioritization of processing security clearances based on the mission the contractors will be performing;

(B) standardization in the forms that agencies issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) use of the polygraph;

(E) the application of the adjudicative guidelines under Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”);
(F) reciprocal recognition of clearances across agencies and departments of the United States, regardless of status of periodic reinvestigation;

(G) tracking of clearance files as individuals move from employment with an agency or department of the United States to employment in the private sector;

(H) collection of timelines for movement of contractors across agencies and departments;

(I) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting contractor clearances or suitability is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at dif-
ferent agencies that require the same level of clearance.

(3) A strategy and implementation plan that—

(A) provides for periodic reinvestigations as part of a security clearance determination only on an as-needed, risk-based basis;

(B) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to expedite or focus reinvestigations; and

(C) provides an exception for certain populations if the Security Executive Agent—

(i) determines such populations require reinvestigations at regular intervals; and

(ii) provides written justification to the appropriate congressional committees for any such determination.

(4) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks generated pursuant to a security clearance applicant’s employment with a prior employer.
(5) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(6) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 2604. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) Reciprocity Defined.—In this section, the term “reciprocity” means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) In General.—The Council shall reform the security clearance process with the objective that, by December 31, 2021, 90 percent of all determinations, other than determinations regarding populations identified under section 2603(b)(3)(C), regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and
(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(c) CERTAIN REINVESTIGATIONS.—The Council shall reform the security clearance process with the goal that by December 31, 2021, reinvestigation on a set periodicity is not required for more than 10 percent of the population that holds a security clearance.

(d) EQUIVALENT METRICS.—

(1) IN GENERAL.—If the Council develops a set of performance metrics that it certifies to the appropriate congressional committees should achieve substantially equivalent outcomes as those outlined in subsections (b) and (c), the Council may use those metrics for purposes of compliance within this provision.

(2) NOTICE.—If the Council uses the authority provided by paragraph (1) to use metrics as described in such paragraph, the Council shall, not later than 30 days after communicating such metrics to departments and agencies, notify the appropriate congressional committees that it is using such authority.

(e) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make avail-
able to appropriate industry partners a plan to carry out this section. Such plan shall include recommended interim milestones for the goals set forth in subsections (b) and (c) for 2019, 2020, and 2021.

SEC. 2605. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

(1) by redesignating sections 803 and 804 as sections 804 and 805, respectively; and

(2) by inserting after section 802 the following:

“SEC. 803. SECURITY EXECUTIVE AGENT.

“(a) IN GENERAL.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall serve as the Security Executive Agent for all departments and agencies of the United States.

“(b) DUTIES.—The duties of the Security Executive Agent are as follows:

“(1) To direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

“(2) To review the national security background investigation and adjudication programs of
Federal agencies to determine whether such programs are being implemented in accordance with this section.

“(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

“(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position, as applicable.

“(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information).
“(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position among Federal agencies, including acting as the final authority to arbitrate and resolve disputes among such agencies involving the reciprocity of investigations and adjudications of eligibility.

“(7) To execute all other duties assigned to the Security Executive Agent by law.

“(c) Authorities.—The Security Executive Agent shall—

“(1) issue guidelines and instructions to the heads of Federal agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and security in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

“(2) have the authority to grant exceptions to, or waivers of, national security investigative requirements, including issuing implementing or clarifying guidance, as necessary;

“(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or part of another agency) who has determined that the information or position is required to meet the requirements of national security investigations and adjudications.
jointly) any of the duties of the Security Executive Agent described in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

“(4) define and set standards for continuous evaluation for continued access to classified information and for eligibility to hold a sensitive position.”.

(b) REPORT ON RECOMMENDATIONS FOR REVISING AUTHORITIES.—Not later than 30 days after the date on which the Chairman of the Council submits to the appropriate congressional committees the report required by section 2602(b)(2)(A), the Chairman shall submit to the appropriate congressional committees such recommendations as the Chairman may have for revising the authorities of the Security Executive Agent.

(c) CONFORMING AMENDMENT.—Section 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is amended by striking “in section 804” and inserting “in section 805”.
(d) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by striking the items relating to sections 803 and 804 and inserting the following:

"Sec. 803. Security Executive Agent.
"Sec. 804. Exceptions.
"Sec. 805. Definitions."

SEC. 2606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a report regarding the advisability and the risks, benefits, and costs to the Government and to industry of consolidating to not more than 3 tiers for positions of trust and security clearances.

SEC. 2607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.
(b) **Report Required.**—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that describes the requirements, feasibility, and advisability of implementing a clearance in person concept described in subsection (c).

(c) **Clearance in Person Concept.**—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, networks, and facilities for up to 3 years after the individual’s eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual’s security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

(d) **Contents.**—The report required under subsection (b) shall address—

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent even if the indi-
individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) fairness to small companies and independent contractors.

SEC. 2608. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE OF DEPARTMENTS AND AGENCIES.

(a) Reciprocally Recognized Defined.—In this section, the term “reciprocally recognized” means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) Reports to Security Executive Agent.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—

(1) identifies the number of individuals whose security clearances take more than 2 weeks to be re-
ciprocally recognized after such individuals move to
another part of such department or agency; and

(2) breaks out the information described in
paragraph (1) by type of clearance and the reasons
for any delays.

(c) ANNUAL REPORT.—Not less frequently than once
each year, the Security Executive Agent shall submit to
the appropriate congressional committees and make avail-
able to industry partners an annual report that summa-
rizes the information received pursuant to subsection (b)
during the period covered by such report.

SEC. 2609. INTELLIGENCE COMMUNITY REPORTS ON SECU-
RITY CLEARANCES.

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

(1) despite sustained efforts by Congress and
the executive branch, an unacceptable backlog in
processing and adjudicating security clearances per-
sists, both within elements of the intelligence com-
ment and in other departments of the Federal
Government, with some processing times exceeding a
year or even more;

(2) the protracted clearance timetable threatens
the ability of elements of the intelligence community
to hire and retain highly qualified individuals, and thus to fulfill the missions of such elements;

(3) the prospect of a lengthy clearance process deters some such individuals from seeking employment with the intelligence community in the first place, and, when faced with a long wait time, those with conditional offers of employment may opt to discontinue the security clearance process and pursue different opportunities;

(4) now more than ever, therefore, the broken security clearance process badly needs fundamental reform; and

(5) in the meantime, to ensure the ability of elements of the intelligence community to hire and retain highly qualified personnel, elements should consider, to the extent possible and consistent with national security, permitting new employees to enter on duty immediately or nearly so, and to perform, on a temporary basis pending final adjudication of their security clearances, work that either does not require a security clearance or requires only a low-level interim clearance.

(b) IN GENERAL.—Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—
(A) in subparagraph (A)(ii), by inserting “and” after the semicolon;
(B) in subparagraph (B)(ii), by striking “; and” and inserting a period; and
(C) by striking subparagraph (C);
(2) by redesignating subsection (b) as subsection (c);
(3) by inserting after subsection (a) the following new subsection (b):
   “(b) INTELLIGENCE COMMUNITY REPORTS.—(1) Not later than March 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on the security clearances processed by each element of the intelligence community during the preceding fiscal year. Each such report shall separately identify security clearances processed for Federal employees and contractor employees sponsored by each such element.
   “(2) Each report submitted under paragraph (1) shall include each of the following for each element of the intelligence community for the fiscal year covered by the report:
“(A) The total number of initial security clearance background investigations sponsored for new applicants.

“(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

“(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

“(i) the total number that were adjudicated favorably and granted access to classified information; and

“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

“(i) the total number that were adjudicated favorably; and
“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic re-investigations, that were not adjudicated as of the last day of such year and that remained pending as follows:

“(i) For 180 days or less.

“(ii) For 180 days or longer, but less than 12 months.

“(iii) For 12 months or longer, but less than 18 months.

“(iv) For 18 months or longer, but less than 24 months.

“(v) For 24 months or longer.

“(F) In the case of security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

“(i) an explanation of the causes for the delays incurred during the period covered by the report; and
“(iii) the number of such delays involving a polygraph requirement.

“(G) The percentage of security clearance investigations, including initial and periodic re-investigations, that resulted in a denial or revocation of a security clearance.

“(H) The percentage of security clearance investigations that resulted in incomplete information.

“(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

“(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”; and

(4) in subsection (c), as redesignated by paragraph (2), by striking “subsection (a)(1)” and inserting “subsections (a)(1) and (b)”.

SEC. 2610. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHOUT ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 180 days after the date of the enactment of this Act and not less frequently than once every
5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the secret level.

SEC. 2611. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) Program Required.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information regarding individuals applying for and currently occupying national security positions and positions of trust, in order to ensure the Federal Government maintains a trusted workforce.

(2) Designation.—The program established under paragraph (1) shall be known as the “Trusted Information Provider Program” (in this section referred to as the “Program”).
(b) Privacy Safeguards.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

c) Provision of Information to the Federal Government.—The Program shall include requirements that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information gathered during the employment or military recruiting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) Information and Records.—The information and records considered under the Program shall include the following:

(1) Date and place of birth.

(2) Citizenship or immigration and naturalization information.

(3) Education records.

(4) Employment records.

(5) Employment or social references.
(6) Military service records.

(7) State and local law enforcement checks.

(8) Criminal history checks.

(9) Financial records or information.

(10) Foreign travel, relatives, or associations.

(11) Social media checks.

(12) Such other information or records as may be relevant to obtaining or maintaining national security, suitability, fitness, or credentialing eligibility.

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Execu-
(f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of a pilot program to assess the feasibility and advisability of expanding the Program to include the sharing of information held by the Federal Government related to contract personnel with the security office of the employers of those contractor personnel.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Execu-
(g) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a review of the plans submitted under subsections (e)(1) and (f)(1) and utility and effectiveness of the programs described in such plans.

SEC. 2612. REPORT ON PROTECTIONS FOR CONFIDENTIALITY OF WHISTLEBLOWER-RELATED COMMUNICATIONS.

Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the Inspector General of the Intelligence Community, submit to the appropriate congressional committees a report detailing the controls employed by the intelligence community to ensure that continuous vetting programs, including those involving user activity monitoring, protect the confidentiality of whistleblower-related communications.
TITLE XXVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

SEC. 2701. LIMITATION RELATING TO ESTABLISHMENT OR SUPPORT OF CYBERSECURITY UNIT WITH THE RUSSIAN FEDERATION.

(a) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) Limitation.—

(1) In General.—No amount may be expended by the Federal Government, other than the Department of Defense, to enter into or implement any bilateral agreement between the United States and the Russian Federation regarding cybersecurity, including the establishment or support of any cybersecurity unit, unless, at least 30 days prior to the
conclusion of any such agreement, the Director of National Intelligence submits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(2) DEPARTMENT OF DEFENSE AGREEMENTS.—Any agreement between the Department of Defense and the Russian Federation regarding cybersecurity shall be conducted in accordance with section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(c) ELEMENTS.—If the Director submits a report under subsection (b) with respect to an agreement, such report shall include a description of each of the following:

(1) The purpose of the agreement.

(2) The nature of any intelligence to be shared pursuant to the agreement.

(3) The expected value to national security resulting from the implementation of the agreement.

(4) Such counterintelligence concerns associated with the agreement as the Director may have and
such measures as the Director expects to be taken
to mitigate such concerns.
(d) RULE OF CONSTRUCTION.—This section shall not
be construed to affect any existing authority of the Direc-
tor of National Intelligence, the Director of the Central
Intelligence Agency, or another head of an element of the
intelligence community, to share or receive foreign intel-
ligence on a case-by-case basis.

SEC. 2702. REPORT ON RETURNING RUSSIAN COMPOUNDS.
(a) COVERED COMPOUNDS DEFINED.—In this sec-
tion, the term “covered compounds” means the real prop-
erty in New York, the real property in Maryland, and the
real property in San Francisco, California, that were
under the control of the Government of Russia in 2016
and were removed from such control in response to various
transgressions by the Government of Russia, including the
interference by the Government of Russia in the 2016
election in the United States.
(b) REQUIREMENT FOR REPORT.—Not later than
180 days after the date of the enactment of this Act, the
Director of National Intelligence shall submit to the con-
gressional intelligence committees, and the Committee on
Foreign Relations of the Senate and the Committee on
Foreign Affairs of the House of Representatives (only with
respect to the unclassified report), a report on the intel-
ligence risks of returning the covered compounds to Russian control.

(c) FORM OF REPORT.—The report required by this section shall be submitted in classified and unclassified forms.

SEC. 2703. ASSESSMENT OF THREAT FINANCE RELATING TO RUSSIA.

(a) THREAT FINANCE DEFINED.—In this section, the term “threat finance” means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, conceal, or launder money or value, on behalf of threat actors;

(3) sanctions evasion; and

(4) other forms of threat finance activity domestically or internationally, as defined by the President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to the congressional intelligence committees
a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) A summary of leading examples from the 3-year period preceding the date of the submittal of the report of threat finance activities conducted by, for the benefit of, or at the behest of—

(A) officials of the Government of Russia;

(B) persons subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(C) Russian nationals subject to sanctions under any other provision of law; or

(D) Russian oligarchs or organized criminals.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian threat actors described in paragraph (1) and associated entities.
(3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.

(4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(5) An identification of any resource and collection gaps.

(6) An identification of—

(A) entry points of money laundering by Russian and associated entities into the United States;

(B) any vulnerabilities within the United States legal and financial system, including specific sectors, which have been or could be exploited in connection with Russian threat finance activities; and

(C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.
(7) Any other matters the Director determines appropriate.

(d) Form of Report.—The report required under subsection (b) may be submitted in classified form.

SEC. 2704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) Definitions.—In this section:

(1) Appropriate congressional committees.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) Congressional leadership.—The term “congressional leadership” includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.
(D) The minority leader of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman or Ranking Member of each of the appropriate congressional committees, and of other relevant committees of jurisdiction, each time the Director of National Intelligence determines there is credible information that a foreign power has, is, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(e) CONTENT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attempt referred to in subsection (b).

SEC. 2705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES.

In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization
Act for Fiscal Year 2017 (division N of Public Law 115–
31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary
of State shall—

(1) ensure that the Russian Federation provides
notification to the Secretary of State at least 2 busi-
ness days in advance of all travel that is subject to
such requirements by accredited diplomatic and con-
sular personnel of the Russian Federation in the
United States, and take necessary action to secure
full compliance by Russian personnel and address
any noncompliance; and

(2) provide notice of travel described in para-
graph (1) to the Director of National Intelligence
and the Director of the Federal Bureau of Investiga-
tion within 1 hour of receiving notice of such travel.

SEC. 2706. REPORT ON OUTREACH STRATEGY ADDRESSING
THREATS FROM UNITED STATES ADVER-
SARIES TO THE UNITED STATES TECH-
NOLOGY SECTOR.

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

(1) the congressional intelligence committees;
(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industrial, commercial, scientific, technical, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach.
(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:

(A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b).

(B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.

(C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(D) Strategies to assist affected elements of the communities described in subparagraph (C) in mitigating, deterring, and protecting against the broad range of threats from the ef-
forts of adversaries described in subsection (b), with focus on producing information that enables private entities to justify business decisions related to national security concerns.

(E) The advisability of the establishment of a United States Government-wide task force to coordinate outreach and activities to combat the threats from efforts of adversaries described in subsection (b).

(F) Such other matters as the Director of National Intelligence may consider necessary.

(d) CONSULTATION ENCOURAGED.—In preparing the report required by subsection (b), the Director is encouraged to consult with other government agencies, think tanks, academia, representatives of the financial industry, or such other entities as the Director considers appropriate.

(e) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex as necessary.

SEC. 2707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARMS OR RELATED MATERIAL.—The term “arms or related material” means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(B) ballistic or cruise missile weapons or materials or components of such weapons;

(C) destabilizing numbers and types of advanced conventional weapons;

(D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794);
(E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403); or

(F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on Iranian support of proxy forces in Syria and Lebanon and the threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(e) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related materiel transferred by Iran to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfer was by land, sea, or
air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shiite militias, and Iran’s Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah’s operational lessons learned based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon for nonstate actors, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iranian leadership, or in consultation between Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah’s acquisition or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.
(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to indigenously manufacture or otherwise produce missiles.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related materiel to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

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

SEC. 2708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to Congress a report describing Iranian expenditures in the previous cal-
202

end year on military and terrorist activities outside the

country, including each of the following:

(1) The amount spent in such calendar year on

activities by the Islamic Revolutionary Guard Corps,

including activities providing support for—

(A) Hizballah;

(B) Houthi rebels in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; or

(E) any other entity or country the Direc-
tor determines to be relevant.

(2) The amount spent in such calendar year for

ballistic missile research and testing or other activi-
ties that the Director determines are destabilizing to

the Middle East region.

(b) FORM.—The report required under subsection (a)

shall be submitted in unclassified form, but may include

a classified annex.

SEC. 2709. EXPANSION OF SCOPE OF COMMITTEE TO

COUNTER ACTIVE MEASURES AND REPORT

ON ESTABLISHMENT OF FOREIGN MALIGN IN-

FLUENCE CENTER.

(a) Scope of Committee to Counter Active

Measures.—
(1) **In General.—**Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended—

(A) in subsections (a) through (h)—

(i) by inserting “, the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, or other nation state” after “Russian Federation” each place it appears; and

(ii) by inserting “, China, Iran, North Korea, or other nation state” after “Russia” each place it appears; and

(B) in the section heading, by inserting “, THE PEOPLE’S REPUBLIC OF CHINA, THE ISLAMIC REPUBLIC OF IRAN, THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA, OR OTHER NATION STATE” after “RUSSIAN FEDERATION”.

(2) **Clerical Amendment.—**The table of contents in section 1(b) of such Act is amended by striking the item relating to section 501 and inserting the following new item:
(b) Report Required.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with such elements of the intelligence community as the Director considers relevant, shall submit to the congressional intelligence committees a report on the feasibility and advisability of establishing a center, to be known as the “Foreign Malign Influence Response Center”, that—

(A) is comprised of analysts from all appropriate elements of the intelligence community, including elements with related diplomatic and law enforcement functions;

(B) has access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, United States political processes and elections;

(C) provides comprehensive assessment, and indications and warning, of such activities; and
(D) provides for enhanced dissemination of such assessment to United States policy makers.

(2) CONTENTS.—The Report required by paragraph (1) shall include the following:

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment.

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 2711. TECHNICAL CORRECTION TO INSPECTOR GENERAL STUDY.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking “AUDIT” and inserting “REVIEW”;

(2) in paragraph (1), by striking “audit” and inserting “review”; and

(3) in paragraph (2), by striking “audit” and inserting “review”.

SEC. 2712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:
(1) **Appropriate Committees of Congress.**—The term “appropriate committees of Congress” means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) **Homeland Security Intelligence Enterprise.**—The term “Homeland Security Intelligence Enterprise” has the meaning given such term in Department of Homeland Security Instruction Number 264–01–001, or successor authority.

(b) **Report Required.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

(c) **Elements.**—The report required by subsection (b) shall include each of the following:

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence
Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Council, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department, other than the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 2713. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) Review of Whistleblower Matters.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the Na-
tional Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) Objective of Review.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) Conduct of Review.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) Report.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective
reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 2714. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a description of the current process for the provision of the analytic materials described in subsection (a);

(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of
resources and personnel to prepare such materials;

and

(3) recommendations to improve such process.

SEC. 2715. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing—
(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signaling System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 2716. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—

(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial reports required by subsection (b).

(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each
element of the intelligence community that the Director of National Intelligence determines appropriate.

(b) Biennial Report on Foreign Investment Risks.—

(1) Report Required.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on foreign investment risks prepared by the interagency working group established under subsection (a).

(2) Elements.—Each report required by paragraph (1) shall include identification, analysis, and explanation of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country that such interagency working group has identified to be a country of special concern to use
foreign investment to target the acquisition of
critical technologies, critical materials, or crit-
cical infrastructure.

(C) Any economic espionage efforts di-
rected at the United States by a foreign coun-
try, particularly such a country of special con-
cern.

SEC. 2717. MODIFICATION OF CERTAIN REPORTING RE-
QUIREMENT ON TRAVEL OF FOREIGN DIP-
LOMATS.

Section 502(d)(2) of the Intelligence Authorization
Act for Fiscal Year 2017 (Public Law 115–31) is amended
by striking “the number” and inserting “a best estimate”.

SEC. 2718. SEMIANNUAL REPORTS ON INVESTIGATIONS OF
UNAUTHORIZED DISCLOSURES OF CLASSI-
FIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security
Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
ing at the end the following new section:

“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF
UNAUTHORIZED DISCLOSURES OF CLASSI-
FIED INFORMATION.

“(a) DEFINITIONS.—In this section:

“(1) COVERED OFFICIAL.—The term ‘covered
official’ means—
“(A) the heads of each element of the intelligence community; and

“(B) the inspectors general with oversight responsibility for an element of the intelligence community.

“(2) INVESTIGATION.—The term ‘investigation’ means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

“(3) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term ‘unauthorized disclosure of classified information’ means any unauthorized disclosure of classified information to any recipient.

“(4) UNAUTHORIZED PUBLIC DISCLOSURE OF CLASSIFIED INFORMATION.—The term ‘unauthorized public disclosure of classified information’ means the unauthorized disclosure of classified information to a journalist or media organization.

“(b) INTELLIGENCE COMMUNITY REPORTING.—

“(1) IN GENERAL.—Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.
“(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

“(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

“(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

“(C) Of the number of such completed investigations identified under subparagraph (B), the number referred to the Attorney General for criminal investigation.

“(e) DEPARTMENT OF JUSTICE REPORTING.—

“(1) IN GENERAL.—Not less frequently than once every 6 months, the Assistant Attorney General for National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence
community regarding an unauthorized disclosure of
classified information made during the most recent
365-day period or any referral that has not yet been
closed, regardless of the date the referral was made.

“(2) CONTENTS.—Each report submitted under
paragraph (1) shall include, for each referral covered
by the report, at a minimum, the following:

“(A) The date the referral was received.

“(B) A statement indicating whether the
alleged unauthorized disclosure described in the
referral was substantiated by the Department
of Justice.

“(C) A statement indicating the highest
level of classification of the information that
was revealed in the unauthorized disclosure.

“(D) A statement indicating whether an
open criminal investigation related to the refer-
ral is active.

“(E) A statement indicating whether any
criminal charges have been filed related to the
referral.

“(F) A statement indicating whether the
Department of Justice has been able to at-
tribute the unauthorized disclosure to a par-
ticular entity or individual.
“(d) Form of Reports.—Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.”.

(b) Clerical Amendment.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.”.

SEC. 2719. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) Covered Intelligence Officer Defined.—In this section, the term “covered intelligence officer” means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) Requirement for Reports.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representa-
atives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 2720. REPORTS ON INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESS OF FEDERAL GOVERNMENT.

(a) Definitions.—In this section:


(2) Vulnerabilities Equities Process.—The term “Vulnerabilities Equities Process” means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) Vulnerability.—The term “vulnerability” means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that
could be exploited or could affect confidentiality, integrity, or availability of information.

(b) Reports on Process and Criteria Under Vulnerabilities Equities Policy and Process.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

(A) with respect to each element of the intelligence community—

(i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.
(2) **Changes to process or criteria.**—Not later than 30 days after any significant change is made to the process and criteria used by any element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(3) **Form of reports.**—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) **Annual reports.**—

(1) **In general.**—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or
to the public, pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report required by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to
Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 2721. INSPECTORS GENERAL REPORTS ON CLASSIFICATION.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(2) Compliance with declassification procedures.

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.
(3) The Inspector General of the National Security Agency.


(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 2722. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(a) Reports on Global Water Insecurity and National Security Implications.—

(1) Reports required.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(2) Assessment scope and focus.—Each report submitted under paragraph (1) shall include an
assessment of water insecurity described in such
subsection with a global scope, but focus on areas of
the world—

(A) of strategic, economic, or humanitarian
interest to the United States—

(i) that are, as of the date of the re-
port, at the greatest risk of instability,
conflict, human insecurity, or mass dis-
placement; or

(ii) where challenges relating to water
insecurity are likely to emerge and become
significant during the 5-year or the 20-
year period beginning on the date of the
report; and

(B) where challenges relating to water in-
security are likely to imperil the national secu-
rity interests of the United States or allies of
the United States.

(3) CONSULTATION.—In researching a report
required by paragraph (1), the Director shall consult
with—

(A) such stakeholders within the intel-
ligence community, the Department of Defense,
and the Department of State as the Director
considers appropriate; and
(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

(4) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious
disease (including deliberate, accidental, and naturally occurring infectious disease threats) and pandemics, and their implications on the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the economic, social, political, and security risks, costs, and impacts of a major transnational pandemic on the United States and the international political and economic system; and

(C) contributing trends and factors to the matters assessed under subparagraphs (A) and (B).

(4) EXAMINATION OF RESPONSE CAPACITY.—In examining the risks, costs, and impacts of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall also examine in the briefing under paragraph (2) the response capacity within affected
countries and the international system. In considering response capacity, the Director shall include—

(A) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(B) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease and a possible pandemic, and their ability to coordinate with affected and donor nations; and

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(5) FORM.—The briefing under paragraph (2) may be classified.

SEC. 2723. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—
(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government.

“(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.”.
SEC. 2724. STUDY ON THE FEASIBILITY OF ENCRYPTING UNCLASSIFIED WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) Study Required.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) Report.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director’s findings with respect to such study.

SEC. 2725. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.

(a) Expansion of Period of Report.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by inserting “and the preceding 5 fiscal years” after “fiscal year”.

(b) Clarification on Disaggregation of Data.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking “disaggregated data by category of covered person from each element of the intelligence community” and inserting “data,
disaggregated by category of covered person and by ele-
ment of the intelligence community,”.

SEC. 2726. REPORTS ON INTELLIGENCE COMMUNITY LOAN
REPAYMENT AND RELATED PROGRAMS.

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

(1) there should be established, through the
issuing of an Intelligence Community Directive or
otherwise, an intelligence community-wide program
for student loan repayment, student loan forgive-
ness, financial counseling, and related matters, for
employees of the intelligence community;

(2) creating such a program would enhance the
ability of the elements of the intelligence community
to recruit, hire, and retain highly qualified per-
sonnel, including with respect to mission-critical and
hard-to-fill positions;

(3) such a program, including with respect to
eligibility requirements, should be designed so as to
maximize the ability of the elements of the intel-
ligence community to recruit, hire, and retain highly
qualified personnel, including with respect to mis-

(4) to the extent possible, such a program
should be uniform throughout the intelligence com-
munity and publicly promoted by each element of
the intelligence community to both current employ-
ees of the element as well as to prospective employ-
ees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMU-
NITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, the Di-
rector of National Intelligence, in cooperation with
the heads of the elements of the intelligence commu-
nity and the heads of any other appropriate depart-
ment or agency of the Federal Government, shall
submit to the congressional intelligence committees a
report on potentially establishing and carrying out
an intelligence community-wide program for student
loan repayment, student loan forgiveness, financial
counseling, and related matters, as described in sub-
section (a).

(2) MATTERS INCLUDED.—The report under
paragraph (1) shall include, at a minimum, the fol-
lowing:

(A) A description of the financial resources
that the elements of the intelligence community
would require to establish and initially carry
out the program specified in paragraph (1).
(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) Annual Reports on Established Programs.—

(1) Covered Programs Defined.—In this subsection, the term “covered programs” means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) Annual Reports Required.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of personnel from each element of the intelligence community who used each covered program.
(B) The total amount of funds each element expended for each such program.

(C) A description of the efforts made by each element to promote each covered program pursuant to both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 2727. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 210D of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(3) in subsection (c), as so redesignated—

(A) in paragraph (8), by striking “; and” and inserting a period; and

(B) by striking paragraph (9).

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h), respectively.


(a) Senior Executive Service Position Defined.—In this section, the term “Senior Executive Service position” has the meaning given that term in section 3132(a)(2) of title 5, United States Code, and includes any position above the GS–15, step 10, level of the General Schedule under section 5332 of such title.

(b) Report.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.

(e) Matters Included.—The report under subsection (b) shall include the following:
(1) The number of required Senior Executive Service positions for the Office of the Director of National Intelligence.

(2) Whether such requirements are reasonably based on the mission of the Office.

(3) A discussion of how the number of the Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations.

(d) COOPERATION.—The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 2729. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION OFFERING PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the ability of the Federal Bureau of Investigation to offer, as an inducement to assisting the Bureau, permanent residence within the United States to
foreign individuals who are sources or cooperators in counterintelligence or other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by section 101(a)(15)(S) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(S)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 3508), and any other provision of law under which the Bureau may make such offers.

(2) An overview of the policies and operational practices of the Bureau with respect to making such offers.

(3) The sufficiency of such policies and practices with respect to inducing individuals to cooperate with, serve as sources for such investigations, or both.

(4) Whether the Director recommends any legislative actions to improve such policies and practices, particularly with respect to the counterintelligence efforts of the Bureau.
SEC. 2730. INTELLIGENCE ASSESSMENT OF NORTH KOREA

REVENUE SOURCES.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Assistant Secretary of the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime. Such assessment shall include revenue from the following sources:

1. Trade in coal, iron, and iron ore.
2. The provision of fishing rights to North Korean territorial waters.
3. Trade in gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals, and other stores of value.
4. Trade in textiles.
5. Sales of conventional defense articles and services.
6. Sales of controlled goods, ballistic missiles, and other associated items.
7. Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.
(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods (such as food, medicine, and medical devices) and services by other countries.

(10) The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

(11) Online commercial activities of the Government of North Korea, including online gambling.

(12) Criminal activities, including cyber-enabled crime and counterfeit goods.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) The sources of North Korea’s funding.

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services; and
(3) the global financial institutions, money services business, and payment systems that assist North Korea with financial transactions.

(c) SUBMITTAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 2731. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the “Stop Terrorist Use of Virtual Currencies Act”.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other forms of financing to support operations, including an assessment of the col-
lection posture of the intelligence community on the
use of virtual currencies by such organizations and
States.

(3) A description of any existing legal impedi-
ments that inhibit or prevent the intelligence com-
community from collecting information on or helping
prevent the use of virtual currencies by international
terrorist organizations and State sponsors of ter-
rorism and an identification of any gaps in existing
law that could be exploited for illicit funding by such
organizations and States.

(c) FORM OF REPORT.—The report required by sub-
section (b) shall be submitted in unclassified form, but
may include a classified annex.

Subtitle C—Other Matters

SEC. 2741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification
is amended by striking “December 31, 2018” and insert-
ing “December 31, 2028”.

SEC. 2742. TECHNICAL AND CLERICAL AMENDMENTS TO
THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of contents at
the beginning of the National Security Act of 1947 (50
U.S.C. 3001 et seq.) is amended—
(1) by inserting after the item relating to section 2 the following new item:

“Sec. 3. Definitions.”;

(2) by striking the item relating to section 107;

(3) by striking the item relating to section 113B and inserting the following new item:

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

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 214; and

(5) by inserting after the item relating to section 311 the following new item:

“Sec. 312. Repealing and saving provisions.”.

(b) OTHER TECHNICAL CORRECTIONS.—Such Act is further amended—

(1) in section 102A—

(A) in subparagraph (G) of paragraph (1) of subsection (g), by moving the margins of such subparagraph 2 ems to the left; and

(B) in paragraph (3) of subsection (v), by moving the margins of such paragraph 2 ems to the left;

(2) in section 106—

(A) by inserting “SEC. 106” before “(a)”;

and
(B) in subparagraph (I) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;

(3) by striking section 107;

(4) in section 108(c), by striking “in both a classified and an unclassified form” and inserting “to Congress in classified form, but may include an unclassified summary”;

(5) in section 112(e)(1), by striking “section 103(c)(7)” and inserting “section 102A(i)”;

(6) by amending section 201 to read as follows:

“SEC. 201. DEPARTMENT OF DEFENSE.

“Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 5, United States Code, shall be applicable to the Department of Defense.”;

(7) in section 205, by redesignating subsections (b) and (e) as subsections (a) and (b), respectively;

(8) in section 206, by striking “(a)”;

(9) in section 207, by striking “(e)”;

(10) in section 308(a), by striking “this Act” and inserting “sections 2, 101, 102, 103, and 303 of this Act”;

(11) by redesignating section 411 as section 312;
(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of sub-paragraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left; and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 2743. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—

(1) CLARIFICATION OF FUNCTIONS OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.—Subsection (b) of section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(A) by striking paragraphs (11) and (12); and
(B) by redesignating paragraphs (13) through (19) as paragraphs (11) through (17), respectively.

(2) COUNTERINTELLIGENCE PROGRAMS.—Section 3233(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(A) by striking “Administration” and inserting “Department”; and

(B) by inserting “Intelligence and” after “the Office of”.

(b) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting “Intelligence and” after “The Director of”.

c) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting “and Counterintelligence” after “Office of Intelligence”;

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and
(4) in subparagraph (H), as so redesignated, by realigning the margin of such subparagraph 2 ems to the left.

SEC. 2744. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

(1) ADVERSARY FOREIGN GOVERNMENT.—The term “adversary foreign government” means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) COVERED CLASSIFIED INFORMATION.—The term “covered classified information” means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term “established intelligence channels” means
methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—
The term “individual in the executive branch” means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the Senior Executive Service (or similar service for senior executives of particular departments or agencies).

(b) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees “fully and currently informed” about all “intelligence activities” of the United States, and to “furnish to the congressional intelligence committees any information or material concerning intel-
intelligence activities * * * which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.”.

(c) Sense of Congress.—It is the sense of Congress that—

(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092), together with other intelligence community authorities, obligates an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and
(D) a summary of the circumstances of
such disclosure.

SEC. 2745. SENSE OF CONGRESS ON CONSIDERATION OF
ESPIONAGE ACTIVITIES WHEN CONSIDERING
WHETHER OR NOT TO PROVIDE VISAS TO
FOREIGN INDIVIDUALS TO BE ACCREDITED
TO A UNITED NATIONS MISSION IN THE
UNITED STATES.

It is the sense of the Congress that the Secretary of
State, in considering whether or not to provide a visa to
a foreign individual to be accredited to a United Nations
mission in the United States, should consider—

(1) known and suspected intelligence activities,
espionage activities, including activities constituting
precursors to espionage, carried out by the indi-
vidual against the United States, foreign allies of the
United States, or foreign partners of the United
States; and

(2) the status of an individual as a known or
suspected intelligence officer for a foreign adversary.