

113TH CONGRESS
2D SESSION

H. R. 4681

IN THE SENATE OF THE UNITED STATES

JUNE 2, 2014

Received; read twice and referred to the Select Committee on Intelligence

AN ACT

To authorize appropriations for fiscal years 2014 and 2015 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Intelligence Authorization Act for Fiscal Years 2014 and
 6 2015”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

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

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Specific authorization of funding for High Performance Computing
Center 2.

Sec. 304. Clarification of exemption from Freedom of Information Act of iden-
tities of employees submitting complaints to the Inspector Gen-
eral of the Intelligence Community.

Sec. 305. Functional managers for the intelligence community.

Sec. 306. Annual assessment of intelligence community performance by func-
tion.

Sec. 307. Software licensing.

Sec. 308. Plans to respond to unauthorized public disclosures of covert actions.

Sec. 309. Auditability.

Sec. 310. Restrictions on certain former intelligence officers and employees.

Sec. 311. Public Interest Declassification Board.

Sec. 312. Official representation items in support of the Coast Guard Attaché
Program.

Sec. 313. Declassification review of certain items collected during the mission
that killed Osama bin Laden on May 1, 2011.

- Sec. 314. Merger of the Foreign Counterintelligence Program and the General Defense Intelligence Program.
- Sec. 315. Inclusion of Predominantly Black Institutions in intelligence officer training program.

Subtitle B—Reporting

- Sec. 321. Annual report on violations of law or executive order.
- Sec. 322. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations.
- Sec. 323. Reports on chemical weapons in Syria.
- Sec. 324. Reports to the intelligence community on penetrations of networks and information systems of certain contractors.
- Sec. 325. Report on electronic waste.
- Sec. 326. Promoting STEM education to meet the future workforce needs of the intelligence community.
- Sec. 327. Assessment of security of domestic oil refineries and related rail transportation infrastructure.
- Sec. 328. Repeal or modification of certain reporting requirements.
- Sec. 329. Report on declassification process.
- Sec. 330. Director of National Intelligence study on the use of contractors in the conduct of intelligence activities.
- Sec. 331. Assessment of the efficacy of memoranda of understanding to facilitate intelligence-sharing.
- Sec. 332. Report on foreign man-made electromagnetic pulse weapons.
- Sec. 333. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda, its affiliated groups, associated groups, and adherents.
- Sec. 334. Report on retraining veterans in cybersecurity.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

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

TITLE V—SECURITY CLEARANCE REFORM

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

TITLE VI—TECHNICAL AMENDMENTS

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

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

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

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

14 **TITLE I—INTELLIGENCE**
15 **ACTIVITIES**

16 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

21 (1) The Office of the Director of National Intel-
22 ligence.

23 (2) The Central Intelligence Agency.

24 (3) The Department of Defense.

25 (4) The Defense Intelligence Agency.

26 (5) The National Security 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.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—

(1) FISCAL YEAR 2014.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2014, 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 for fiscal year 2014 prepared to accompany the bill

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

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

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

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

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

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

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

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

10 (C) as otherwise required by law.

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

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

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

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

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

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

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

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

20 (a) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

23 (c) CLASSIFIED AUTHORIZATIONS.—

24 (1) AUTHORIZATION OF APPROPRIATIONS.—

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

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

23 (2) AUTHORIZATION OF PERSONNEL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 “(c) DEFINITIONS.—In this section:

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

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

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

“Sec. 506J. Annual assessment of intelligence community performance by function.”.

13 SEC. 307. SOFTWARE LICENSING.

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

17 **“SEC. 109. SOFTWARE LICENSING.**

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

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

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

8 “(A) increasing the centralization of the
9 management of software licenses;

10 “(B) increasing the regular tracking and
11 maintaining of comprehensive inventories of
12 software licenses using automated discovery and
13 inventory tools and metrics;

14 “(C) analyzing software license data to in-
15 form investment decisions; and

16 “(D) providing appropriate personnel with
17 sufficient software licenses management train-
18 ing; and

19 “(3) submit to the Chief Information Officer of
20 the Intelligence Community each inventory required
21 by paragraph (1) and each assessment required by
22 paragraph (2).

23 “(b) INVENTORIES BY THE CHIEF INFORMATION OF-
24 FICER OF THE INTELLIGENCE COMMUNITY.—The Chief
25 Information Officer of the Intelligence Community, based

1 on the inventories and assessments required by subsection
2 (a), shall biennially—

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

6 “(2) assess the actions that could be carried out
7 by the intelligence community to achieve the greatest
8 possible economies of scale and associated cost sav-
9 ings in software procurement and usage, including—

10 “(A) increasing the centralization of the
11 management of software licenses;

12 “(B) increasing the regular tracking and
13 maintaining of comprehensive inventories of
14 software licenses using automated discovery and
15 inventory tools and metrics;

16 “(C) analyzing software license data to in-
17 form investment decisions; and

18 “(D) providing appropriate personnel with
19 sufficient software licenses management train-
20 ing; and

21 “(3) based on the assessment required under
22 paragraph (2), make such recommendations with re-
23 spect to software procurement and usage to the Di-
24 rector of National Intelligence as the Chief Informa-
25 tion Officer considers appropriate.

1 “(c) REPORTS TO CONGRESS.—The Chief Informa-
2 tion Officer of the Intelligence Community shall submit
3 to the congressional intelligence committees a copy of each
4 inventory compiled under subsection (b)(1).

5 “(d) IMPLEMENTATION OF RECOMMENDATIONS.—
6 Not later than 180 days after the date on which the Direc-
7 tor of National Intelligence receives recommendations
8 from the Chief Information Officer of the Intelligence
9 Community in accordance with subsection (b)(3), the Di-
10 rector of National Intelligence shall, to the extent prac-
11 ticable, issue guidelines for the intelligence community on
12 software procurement and usage based on such rec-
13 ommendations.”.

14 (b) INITIAL INVENTORY.—

15 (1) INTELLIGENCE COMMUNITY ELEMENTS.—

16 (A) DATE.—Not later than 120 days after
17 the date of the enactment of this Act, the chief
18 information officer of each element of the intel-
19 ligence community shall complete the initial in-
20 ventory, assessment, and submission required
21 under section 109(a) of the National Security
22 Act of 1947, as added by subsection (a) of this
23 section.

24 (B) BASIS.—The initial inventory con-
25 ducted for each element of the intelligence com-

1 munity under section 109(a)(1) of the National
2 Security Act of 1947, as added by subsection
3 (a) of this section, shall be based on the inven-
4 tory of software licenses conducted pursuant to
5 section 305 of the Intelligence Authorization
6 Act for Fiscal Year 2013 (Public Law 112–277;
7 126 Stat. 2472) for such element.

8 (2) CHIEF INFORMATION OFFICER OF THE IN-
9 TELLIGENCE COMMUNITY.—Not later than 180 days
10 after the date of the enactment of this Act, the
11 Chief Information Officer of the Intelligence Com-
12 munity shall complete the initial compilation and as-
13 sessment required under section 109(b) of the Na-
14 tional Security Act of 1947, as added by subsection
15 (a).

16 (c) TABLE OF CONTENTS AMENDMENTS.—The table
17 of contents in the first section of the National Security
18 Act of 1947 is amended—

19 (1) by striking the second item relating to sec-
20 tion 104 (relating to Annual national security strat-
21 egy report); and

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

“Sec. 109. Software licensing.”.

1 **SEC. 308. PLANS TO RESPOND TO UNAUTHORIZED PUBLIC**
2 **DISCLOSURES OF COVERT ACTIONS.**

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

6 “(h) For each type of activity undertaken as part of
7 a covert action, the President shall establish in writing a
8 plan to respond to the unauthorized public disclosure of
9 that type of activity.”.

10 **SEC. 309. AUDITABILITY.**

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

14 **“SEC. 509. AUDITABILITY OF CERTAIN ELEMENTS OF THE**
15 **INTELLIGENCE COMMUNITY.**

16 “(a) REQUIREMENT FOR ANNUAL AUDITS.—The
17 head of each covered entity shall ensure that there is a
18 full financial audit of such covered entity each year begin-
19 ning with fiscal year 2014. Such audits may be conducted
20 by an internal or external independent accounting or au-
21 diting organization.

22 “(b) REQUIREMENT FOR UNQUALIFIED OPINION.—
23 Beginning as early as practicable, but in no event later
24 than the audit required under subsection (a) for fiscal year
25 2016, the head of each covered entity shall take all reason-
26 able steps necessary to ensure that each audit required

1 under subsection (a) contains an unqualified opinion on
 2 the financial statements of such covered entity for the fis-
 3 cal year covered by such audit.

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

9 “(d) COVERED ENTITY DEFINED.—In this section,
 10 the term ‘covered entity’ means the Office of the Director
 11 of National Intelligence, the Central Intelligence Agency,
 12 the Defense Intelligence Agency, the National Security
 13 Agency, the National Reconnaissance Office, and the Na-
 14 tional Geospatial-Intelligence Agency.”.

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

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

19 **SEC. 310. RESTRICTIONS ON CERTAIN FORMER INTEL-**
 20 **LIGENCE OFFICERS AND EMPLOYEES.**

21 (a) RESTRICTION.—Title III of the National Security
 22 Act of 1947 (50 U.S.C. 3071 et seq.) is amended by in-
 23 serting after section 303 the following new section:

1 **“SEC. 304. RESTRICTIONS ON CERTAIN FORMER INTEL-**
2 **LIGENCE OFFICERS AND EMPLOYEES.**

3 “(a) NEGOTIATIONS.—A covered employee shall no-
4 tify the element of the intelligence community employing
5 such employee not later than 3 business days after the
6 commencement of any negotiation for future employment
7 or compensation between such covered employee and a
8 covered entity.

9 “(b) SEPARATION.—A covered employee may not
10 commence employment with or be contracted by a covered
11 entity—

12 “(1) for a period of one year following the ter-
13 mination of the service or employment of such cov-
14 ered employee by an element of the intelligence com-
15 munity; and

16 “(2) for a period of two years following such
17 termination with respect to any matter that was a
18 part of the official responsibility of such covered em-
19 ployee during the final year of the service or employ-
20 ment of such covered employee by an element of the
21 intelligence community.

22 “(c) ANNUAL REPORTING.—

23 “(1) REPORTING REQUIRED.—Each former cov-
24 ered employee who was a covered employee at the
25 time of separation from an element of the intel-
26 ligence community shall annually report in writing

1 to the element of the intelligence community that
2 most recently previously employed such covered em-
3 ployee any payment received in the preceding year
4 from a foreign government or a covered entity.

5 “(2) APPLICABILITY.—The requirement to sub-
6 mit a report under paragraph (1) for each former
7 covered employee shall terminate on the date that is
8 5 years after the date on which such former covered
9 employee was most recently employed by an element
10 of the intelligence community.

11 “(d) DETERMINATION OF FOREIGN GOVERNMENTS
12 POSING A SIGNIFICANT COUNTERINTELLIGENCE
13 THREAT.—The Director of National Intelligence shall an-
14 nually—

15 “(1) determine which foreign governments pose
16 a significant counterintelligence threat to the United
17 States; and

18 “(2) submit to the congressional intelligence
19 committees a list of such foreign governments.

20 “(e) DEFINITIONS.—In this section:

21 “(1) COVERED EMPLOYEE.—The term ‘covered
22 employee’ means—

23 “(A) an employee of an element of the in-
24 telligence community with access to sensitive

1 compartmented information occupying a posi-
2 tion—

3 “(i) classified at GS–15 of the Gen-
4 eral Schedule (chapter 53 of title 5, United
5 States Code); or

6 “(ii) as a senior civilian officer of the
7 intelligence community (as defined in Intel-
8 ligence Community Directive No. 610 or
9 any successor directive); and

10 “(B) a person who during the preceding
11 12-month period was an officer or employee of
12 the Congress (as defined in section 109(13) of
13 the Ethics in Government Act of 1978 (5
14 U.S.C. App.)) with access to sensitive compart-
15 mented information.

16 “(2) COVERED ENTITY.—The term ‘covered en-
17 tity’ means—

18 “(A) any person acting on behalf or under
19 the supervision of a designated foreign govern-
20 ment; or

21 “(B) any entity owned or controlled by a
22 designated foreign government.

23 “(3) DESIGNATED FOREIGN GOVERNMENT.—
24 The term ‘designated foreign government’ means a
25 government that the Director of National Intel-

1 ligence determines poses a significant counterintel-
2 ligence threat to the United States under subsection
3 (d).”.

4 (b) EFFECTIVE DATE OF NEGOTIATION PERIOD NO-
5 TICE.—The requirement under section 304(a) of the Na-
6 tional Security Act of 1947, as added by subsection (a)
7 of this section, shall take effect on the date that is 30
8 days after the date of the enactment of this Act.

9 (c) APPLICABILITY OF SEPARATION PERIOD.—The
10 requirement under section 304(b) of the National Security
11 Act of 1947, as added by subsection (a) of this section,
12 shall not apply to a covered employee that has entered into
13 an employment agreement on or before the date of the
14 enactment of this Act.

15 (d) FIRST REPORTING REQUIREMENT.—The first re-
16 port required to be submitted by each former covered em-
17 ployee under section 304(c) of the National Security Act
18 of 1947, as added by subsection (a) of this section, shall
19 be submitted not later than one year after the date of the
20 enactment of this Act.

21 (e) FIRST DESIGNATION REQUIREMENT.—The Di-
22 rector of National Intelligence shall submit to the congres-
23 sional intelligence committees the initial list of foreign
24 governments under section 304(d) of the National Secu-
25 rity Act of 1947, as added by subsection (a) of this sec-

1 tion, not later than 30 days after the date of the enact-
2 ment of this Act.

3 (f) TABLE OF CONTENTS AMENDMENTS.—The table
4 of contents in the first section of such Act is amended—

5 (1) by striking the second item relating to sec-
6 tion 302 (Under Secretaries and Assistant Secre-
7 taries) and the items relating to sections 304, 305,
8 and 306; and

9 (2) by inserting after the item relating to sec-
10 tion 303 the following new item:

“Sec. 304. Restrictions on certain former intelligence officers and employees.”.

11 **SEC. 311. PUBLIC INTEREST DECLASSIFICATION BOARD.**

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

15 **SEC. 312. OFFICIAL REPRESENTATION ITEMS IN SUPPORT**
16 **OF THE COAST GUARD ATTACHÉ PROGRAM.**

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

1 **SEC. 313. DECLASSIFICATION REVIEW OF CERTAIN ITEMS**
2 **COLLECTED DURING THE MISSION THAT**
3 **KILLED OSAMA BIN LADEN ON MAY 1, 2011.**

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

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

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

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

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

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

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

1 **SEC. 314. MERGER OF THE FOREIGN COUNTERINTEL-**
2 **LIGENCE PROGRAM AND THE GENERAL DE-**
3 **FENSE INTELLIGENCE PROGRAM.**

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

12 **SEC. 315. INCLUSION OF PREDOMINANTLY BLACK INSTITU-**
13 **TIONS IN INTELLIGENCE OFFICER TRAINING**
14 **PROGRAM.**

15 Section 1024 of the National Security Act of 1947
16 (50 U.S.C. 3224) is amended—

17 (1) in subsection (c)(1), by inserting “and Pre-
18 dominantly Black Institutions” after “universities”;
19 and

20 (2) in subsection (g)—

21 (A) by redesignating paragraph (4) as
22 paragraph (5); and

23 (B) by inserting after paragraph (3) the
24 following new paragraph:

25 “(4) PREDOMINANTLY BLACK INSTITUTION.—

26 The term ‘Predominantly Black Institution’ has the

1 meaning given the term in section 318 of the Higher
2 education Act of 1965 (20 U.S.C. 1059e).”.

3 **Subtitle B—Reporting**

4 **SEC. 321. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-** 5 **ECUTIVE ORDER.**

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

10 **“SEC. 510. ANNUAL REPORT ON VIOLATIONS OF LAW OR EX-** 11 **ECUTIVE ORDER.**

12 “(a) ANNUAL REPORTS REQUIRED.—The Director of
13 National Intelligence shall annually submit to the congres-
14 sional intelligence committees a report on violations of law
15 or executive order by personnel of an element of the intel-
16 ligence community that were identified during the previous
17 calendar year.

18 “(b) ELEMENTS.—Each report required under sub-
19 section (a) shall, consistent with the need to preserve on-
20 going criminal investigations, include a description of, and
21 any action taken in response to, any violation of law or
22 executive order (including Executive Order No. 12333 (50
23 U.S.C. 3001 note)) relating to intelligence activities com-
24 mitted by personnel of an element of the intelligence com-

1 munity in the course of the employment of such personnel
2 that, during the previous calendar year, was—

3 “(1) determined by the director, head, or gen-
4 eral counsel of any element of the intelligence com-
5 munity to have occurred;

6 “(2) referred to the Department of Justice for
7 possible criminal prosecution; or

8 “(3) substantiated by the inspector general of
9 any element of the intelligence community.”.

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

14 (c) GUIDELINES.—Not later than 180 days after the
15 date of the enactment of this Act, the Director of National
16 Intelligence, in consultation with the head of each element
17 of the intelligence community, shall—

18 (1) issue guidelines to carry out section 510 of
19 the National Security Act of 1947, as added by sub-
20 section (a) of this section; and

21 (2) submit such guidelines to the congressional
22 intelligence committees.

23 (d) TABLE OF CONTENTS AMENDMENT.—The table
24 of sections in the first section of the National Security
25 Act of 1947, as amended by section 309 of this Act, is

1 further amended by adding after the section relating to
 2 section 509, as added by such section 309, the following
 3 new item:

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

4 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion or the amendments made by this section shall be con-
 6 strued to alter any requirement existing on the date of
 7 the enactment of this Act to submit a report under any
 8 provision of law.

9 **SEC. 322. SUBMITTAL TO CONGRESS BY HEADS OF ELE-**
 10 **MENTS OF INTELLIGENCE COMMUNITY OF**
 11 **PLANS FOR ORDERLY SHUTDOWN IN EVENT**
 12 **OF ABSENCE OF APPROPRIATIONS.**

13 (a) IN GENERAL.—Whenever the head of an applica-
 14 ble agency submits a plan to the Director of the Office
 15 of Management and Budget in accordance with section
 16 124 of Office of Management and Budget Circular A–11,
 17 pertaining to agency operations in the absence of appro-
 18 priations, or any successor circular of the Office that re-
 19 quires the head of an applicable agency to submit to the
 20 Director a plan for an orderly shutdown in the event of
 21 the absence of appropriations, such head shall submit a
 22 copy of such plan to the following:

- 23 (1) The congressional intelligence committees.
- 24 (2) The Subcommittee on Defense of the Com-
- 25 mittee on Appropriations of the Senate.

1 (3) The Subcommittee on Defense of the Com-
2 mittee on Appropriations of the House of Represent-
3 atives.

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

7 (A) the Committee on Armed Services of
8 the Senate; and

9 (B) the Committee on Armed Services of
10 the House of Representatives.

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

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

14 (1) The Director of National Intelligence.

15 (2) The Director of the Central Intelligence
16 Agency.

17 (3) Each head of each element of the intel-
18 ligence community that is within the Department of
19 Defense.

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

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

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

3 (1) A comprehensive assessment of chemical
4 weapon stockpiles in Syria, including names, types,
5 and quantities of chemical weapons agents, types of
6 munitions, and location and form of storage, produc-
7 tion, and research and development facilities.

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

10 (3) An assessment of undeclared chemical
11 weapons stockpiles, munitions, and facilities.

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

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

16 (6) An assessment of any denial and deception
17 efforts on the part of the Syrian regime related to
18 its chemical weapons program.

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

1 **SEC. 324. REPORTS TO THE INTELLIGENCE COMMUNITY ON**
2 **PENETRATIONS OF NETWORKS AND INFOR-**
3 **MATION SYSTEMS OF CERTAIN CONTRAC-**
4 **TORS.**

5 (a) PROCEDURES FOR REPORTING PENETRA-
6 TIONS.—The Director of National Intelligence shall estab-
7 lish procedures that require each cleared intelligence con-
8 tractor to report to an element of the intelligence commu-
9 nity designated by the Director for purposes of such proce-
10 dures when a network or information system of such con-
11 tractor that meets the criteria established pursuant to sub-
12 section (b) is successfully penetrated.

13 (b) NETWORKS AND INFORMATION SYSTEMS SUB-
14 JECT TO REPORTING.—The Director of National Intel-
15 ligence shall, in consultation with appropriate officials, es-
16 tablish criteria for covered networks to be subject to the
17 procedures for reporting system penetrations under sub-
18 section (a).

19 (c) PROCEDURE REQUIREMENTS.—

20 (1) RAPID REPORTING.—The procedures estab-
21 lished pursuant to subsection (a) shall require each
22 cleared intelligence contractor to rapidly report to an
23 element of the intelligence community designated
24 pursuant to subsection (a) of each successful pene-
25 tration of the network or information systems of
26 such contractor that meet the criteria established

1 pursuant to subsection (b). Each such report shall
2 include the following:

3 (A) A description of the technique or
4 method used in such penetration.

5 (B) A sample of the malicious software, if
6 discovered and isolated by the contractor, in-
7 volved in such penetration.

8 (C) A summary of information created by
9 or for such element in connection with any pro-
10 gram of such element that has been potentially
11 compromised due to such penetration.

12 (2) ACCESS TO EQUIPMENT AND INFORMATION
13 BY INTELLIGENCE COMMUNITY PERSONNEL.—The
14 procedures established pursuant to subsection (a)
15 shall—

16 (A) include mechanisms for intelligence
17 community personnel to, upon request, obtain
18 access to equipment or information of a cleared
19 intelligence contractor necessary to conduct fo-
20 rensic analysis in addition to any analysis con-
21 ducted by such contractor;

22 (B) provide that a cleared intelligence con-
23 tractor is only required to provide access to
24 equipment or information as described in sub-
25 paragraph (A) to determine whether informa-

tion created by or for an element of the intelligence community in connection with any intelligence community program was successfully exfiltrated from a network or information system of such contractor and, if so, what information was exfiltrated; and

(C) provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person (other than the name of the suspected perpetrator of the penetration).

(3) LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION.—The procedures established pursuant to subsection (a) shall prohibit the dissemination outside the intelligence community of information obtained or derived through such procedures that is not created by or for the intelligence community except—

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

(B) to the congressional intelligence committees or the Subcommittees on Defense of the Committees on Appropriations of the House of Representatives and the Senate for such com-

1 mittees and such Subcommittees to perform
2 oversight; or

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

5 (d) ISSUANCE OF PROCEDURES AND ESTABLISH-
6 MENT OF CRITERIA.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the Director
9 of National Intelligence shall establish the proce-
10 dures required under subsection (a) and the criteria
11 required under subsection (b).

12 (2) APPLICABILITY DATE.—The requirements
13 of this section shall apply on the date on which the
14 Director of National Intelligence establishes the pro-
15 cedures required under this section.

16 (e) COORDINATION WITH THE SECRETARY OF DE-
17 FENSE TO PREVENT DUPLICATE REPORTING.—Not later
18 than 180 days after the date of the enactment of this Act,
19 the Director of National Intelligence and the Secretary of
20 Defense shall establish procedures to permit a contractor
21 that is a cleared intelligence contractor and a cleared de-
22 fense contractor under section 941 of the National De-
23 fense Authorization Act for Fiscal Year 2013 (Public Law
24 112–239; 10 U.S.C. 2224 note) to submit a single report
25 that satisfies the requirements of this section and such

1 section 941 for an incident of penetration of network or
2 information system.

3 (f) DEFINITIONS.—In this section:

4 (1) CLEARED INTELLIGENCE CONTRACTOR.—

5 The term “cleared intelligence contractor” means a
6 private entity granted clearance by the Director of
7 National Intelligence or the head of an element of
8 the intelligence community to access, receive, or
9 store classified information for the purpose of bid-
10 ding for a contract or conducting activities in sup-
11 port of any program of an element of the intelligence
12 community.

13 (2) COVERED NETWORK.—The term “covered
14 network” means a network or information system of
15 a cleared intelligence contractor that contains or
16 processes information created by or for an element
17 of the intelligence community with respect to which
18 such contractor is required to apply enhanced pro-
19 tection.

20 (g) SAVINGS CLAUSES.—Nothing in this section shall
21 be construed to alter or limit any otherwise authorized ac-
22 cess by government personnel to networks or information
23 systems owned or operated by a contractor that processes
24 or stores government data.

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

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

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

18 (c) DEFINITIONS.—In this section:

19 (1) COVERED COMMERCIAL ELECTRONIC
20 WASTE.—The term “covered commercial electronic
21 waste” means electronic waste of a commercial enti-
22 ty that contracts with an element of the intelligence
23 community.

24 (2) ELECTRONIC WASTE.—The term “electronic
25 waste” includes any obsolete, broken, or irreparable
26 electronic device, including a television, copier, fac-

1 simile machine, tablet, telephone, computer, com-
2 puter monitor, laptop, printer, scanner, and associ-
3 ated electrical wiring.

4 **SEC. 326. PROMOTING STEM EDUCATION TO MEET THE FU-**
5 **TURE WORKFORCE NEEDS OF THE INTEL-**
6 **LIGENCE COMMUNITY.**

7 (a) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Director of National In-
9 telligence shall submit to the Secretary of Education and
10 the congressional intelligence committees a report describ-
11 ing the anticipated hiring needs of the intelligence commu-
12 nity in the fields of science, technology, engineering, and
13 mathematics, including cybersecurity and computer lit-
14 eracy. The report shall—

15 (1) describe the extent to which competitions,
16 challenges, or internships at elements of the intel-
17 ligence community that do not involve access to clas-
18 sified information may be utilized to promote edu-
19 cation in the fields of science, technology, engineer-
20 ing, and mathematics, including cybersecurity and
21 computer literacy, within high schools or institutions
22 of higher education in the United States;

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

1 (3) include strategies for conducting expedited
2 security clearance investigations and adjudications
3 for students at institutions of higher education for
4 purposes of offering internships at elements of the
5 intelligence community.

6 (b) CONSIDERATION OF EXISTING PROGRAMS.—In
7 developing the report under subsection (a), the Director
8 shall take into consideration existing programs of the in-
9 telligence community, including the education programs of
10 the National Security Agency and the Information Assur-
11 ance Scholarship Program of the Department of Defense,
12 as appropriate.

13 (c) DEFINITIONS.—In this section:

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

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

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

1 **SEC. 327. ASSESSMENT OF SECURITY OF DOMESTIC OIL RE-**
2 **FINERIES AND RELATED RAIL TRANSPOR-**
3 **TATION INFRASTRUCTURE.**

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

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

12 (1) the results of the assessment required under
13 subsection (a); and

14 (2) any recommendations with respect to intel-
15 ligence sharing or intelligence collection to improve
16 the security of domestic oil refineries and related rail
17 transportation infrastructure to protect the commu-
18 nities surrounding such refineries or such infrastruc-
19 ture from potential harm that the Under Secretary
20 considers appropriate.

21 **SEC. 328. REPEAL OR MODIFICATION OF CERTAIN REPORT-**
22 **ING REQUIREMENTS.**

23 (a) REPEAL OF REPORTING REQUIREMENTS.—

24 (1) THREAT OF ATTACK ON THE UNITED
25 STATES USING WEAPONS OF MASS DESTRUCTION.—
26 Section 114 of the National Security Act of 1947

1 (50 U.S.C. 3050) is amended by striking subsection
2 (b).

3 (2) TREATY ON CONVENTIONAL ARMED FORCES
4 IN EUROPE.—Section 2(5)(E) of the Senate resolu-
5 tion advising and consenting to ratification of the
6 Document Agreed Among the States Parties to the
7 Treaty on Conventional Armed Forces in Europe
8 (CFE) of November 19, 1990, adopted at Vienna
9 May 31, 1996 (Treaty Doc. 105–5) (commonly re-
10 ferred to as the “CFE Flank Document”), 105th
11 Congress, agreed to May 14, 1997, is repealed.

12 (b) MODIFICATION OF REPORTING REQUIRE-
13 MENTS.—

14 (1) INTELLIGENCE ADVISORY COMMITTEES.—
15 Section 410(b) of the Intelligence Authorization Act
16 for Fiscal Year 2010 (50 U.S.C. 3309) is amended
17 to read as follows:

18 “(b) NOTIFICATION OF ESTABLISHMENT OF ADVI-
19 SORY COMMITTEE.—The Director of National Intelligence
20 and the Director of the Central Intelligence Agency shall
21 each notify the congressional intelligence committees each
22 time each such Director creates an advisory committee.
23 Each notification shall include—

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

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

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

9 (2) INTELLIGENCE INFORMATION SHARING.—
10 Section 102A(g)(4) of the National Security Act of
11 1947 (50 U.S.C. 3024(g)(4)) is amended to read as
12 follows:

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

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

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

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

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

12 (2) in section 114 (50 U.S.C. 3050)—
13 (A) by amending the heading to read as
14 follows: “ANNUAL REPORT ON HIRING AND RE-
15 TENTION OF MINORITY EMPLOYEES”;
16 (B) by striking “(a) ANNUAL REPORT ON
17 HIRING AND RETENTION OF MINORITY EM-
18 PLOYEES.—”;
19 (C) by redesignating paragraphs (1)
20 through (5) as subsections (a) through (e), re-
21 spectively;
22 (D) in subsection (b) (as so redesign-
23 nated)—

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

4 (ii) in paragraph (2) (as so redesign-
5 nated)—

6 (I) by redesignating clauses (i)
7 and (ii) as subparagraphs (A) and
8 (B), respectively; and

9 (II) in the matter preceding sub-
10 paragraph (A) (as so redesignated),
11 by striking “clauses (i) and (ii)” and
12 inserting “subparagraphs (A) and
13 (B)”;

14 (E) in subsection (d) (as redesignated by
15 subparagraph (C) of this paragraph), by strik-
16 ing “subsection” and inserting “section”; and

17 (F) in subsection (e) (as redesignated by
18 subparagraph (C) of this paragraph)—

19 (i) by redesignating subparagraphs
20 (A) through (C) as paragraphs (1) through
21 (3), respectively; and

22 (ii) by striking “subsection,” and in-
23 serting “section”; and

24 (3) in section 507 (50 U.S.C. 3106)—

25 (A) in subsection (a)—

1 (i) by striking “(1) The date” and in-
2 serting “The date”;

3 (ii) by striking “subsection (c)(1)(A)”
4 and inserting “subsection (c)(1)”;

5 (iii) by striking paragraph (2); and

6 (iv) by redesignating subparagraphs
7 (A) through (F) as paragraphs (1) through
8 (6), respectively;

9 (B) in subsection (c)(1)—

10 (i) by striking “(A) Except” and in-
11 serting “Except”; and

12 (ii) by striking subparagraph (B); and
13 (C) in subsection (d)(1)—

14 (i) in subparagraph (A)—

15 (I) by striking “subsection
16 (a)(1)” and inserting “subsection
17 (a)”; and

18 (II) by inserting “and” after
19 “March 1;”;

20 (ii) by striking subparagraph (B); and

21 (iii) by redesignating subparagraph
22 (C) as subparagraph (B).

1 **SEC. 329. REPORT ON DECLASSIFICATION PROCESS.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Director of National Intelligence
4 shall submit to Congress a report describing—

5 (1) how to improve the declassification process
6 across the intelligence community; and

7 (2) what steps the intelligence community can
8 take, or what legislation may be necessary, to enable
9 the National Declassification Center to better ac-
10 complish the missions assigned to the Center by Ex-
11 ecutive Order No. 13526.

12 **SEC. 330. DIRECTOR OF NATIONAL INTELLIGENCE STUDY**
13 **ON THE USE OF CONTRACTORS IN THE CON-**
14 **DUCT OF INTELLIGENCE ACTIVITIES.**

15 The Director of National Intelligence shall conduct
16 an assessment of the reliance of intelligence activities on
17 contractors to support Government activities, including an
18 assessment of—

19 (1) contractors performing intelligence activities
20 (including intelligence analysis); and

21 (2) the skills performed by contractors and the
22 availability of Federal employees to perform those
23 skills.

1 **SEC. 331. ASSESSMENT OF THE EFFICACY OF MEMORANDA**
2 **OF UNDERSTANDING TO FACILITATE INTEL-**
3 **LIGENCE-SHARING.**

4 Not later than 90 days after the date of the enact-
5 ment of this Act, the Under Secretary of Homeland Secu-
6 rity for Intelligence and Analysis, in consultation with the
7 Director of the Federal Bureau of Investigation and the
8 Program Manager of the Information Sharing Environ-
9 ment, shall submit to the congressional intelligence com-
10 mittees, the Committee on Homeland Security of the
11 House of Representatives, and the Committee on Home-
12 land Security and Governmental Affairs of the Senate an
13 assessment of the efficacy of the memoranda of under-
14 standing signed between Federal, State, local, tribal, and
15 territorial agencies to facilitate intelligence-sharing within
16 and separate from the Joint Terrorism Task Force. Such
17 assessment shall include—

18 (1) any language within such memoranda of un-
19 derstanding that prohibited or may be construed to
20 prohibit intelligence-sharing between Federal, State,
21 local, tribal, and territorial agencies; and

22 (2) any recommendations for memoranda of un-
23 derstanding to better facilitate intelligence-sharing
24 between Federal, State, local, tribal, and territorial
25 agencies.

1 **SEC. 332. REPORT ON FOREIGN MAN-MADE ELECTRO-**
2 **MAGNETIC PULSE WEAPONS.**

3 (a) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Director of National In-
5 telligence shall submit to the congressional intelligence
6 committees and the Committees on Armed Services of the
7 House of Representatives and the Senate a report on the
8 threat posed by man-made electromagnetic pulse weapons
9 to United States interests through 2025, including threats
10 from foreign countries and foreign non-State actors.

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

14 **SEC. 333. REPORT ON UNITED STATES COUNTERTER-**
15 **RORISM STRATEGY TO DISRUPT, DISMANTLE,**
16 **AND DEFEAT AL-QAEDA, ITS AFFILIATED**
17 **GROUPS, ASSOCIATED GROUPS, AND ADHER-**
18 **ENTS.**

19 (a) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Di-
22 rector of National Intelligence shall submit to the
23 appropriate committees of Congress a comprehensive
24 report on the United States counterterrorism strat-
25 egy to disrupt, dismantle, and defeat al-Qaeda, its
26 affiliated groups, associated groups, and adherents.

1 (2) COORDINATION.—The report required by
2 paragraph (1) shall be prepared in coordination with
3 the Secretary of State, the Secretary of the Treas-
4 ury, the Attorney General, and the Secretary of De-
5 fense, and the head of any other department or
6 agency of the United States Government that has
7 responsibility for activities directed at combating al-
8 Qaeda, its affiliated groups, associated groups, and
9 adherents.

10 (3) ELEMENTS.—The report required by para-
11 graph (1) shall include the following:

12 (A) A definition of—

13 (i) al-Qaeda core, including a list of
14 which known individuals constitute al-
15 Qaeda core;

16 (ii) an affiliated group of al-Qaeda,
17 including a list of which known groups
18 constitute an affiliate group of al-Qaeda;

19 (iii) an associated group of al-Qaeda,
20 including a list of which known groups
21 constitute an associated group of al-Qaeda;

22 (iv) an adherent of al-Qaeda, includ-
23 ing a list of which known groups constitute
24 an adherent of al-Qaeda; and

1 (v) a group aligned with al-Qaeda, in-
2 cluding a description of what actions a
3 group takes or statements it makes that
4 qualify it as a group aligned with al-Qaeda.

5 (B) An assessment of the relationship be-
6 tween all identified al-Qaeda affiliated groups,
7 associated groups, and adherents with al-Qaeda
8 core.

9 (C) An assessment of the strengthening or
10 weakening of al-Qaeda, its affiliated groups, as-
11 sociated groups, and adherents, from January
12 1, 2010, to the present, including a description
13 of the metrics that are used to assess strength-
14 ening or weakening and an assessment of the
15 relative increase or decrease in violent attacks
16 attributed to such entities.

17 (D) An assessment of whether or not an
18 individual can be a member of al-Qaeda core if
19 such individual is not located in Afghanistan or
20 Pakistan.

21 (E) An assessment of whether or not an
22 individual can be a member of al-Qaeda core as
23 well as a member of an al-Qaeda affiliated
24 group, associated group, or adherent.

25 (F) A definition of defeat of core al-Qaeda.

1 (G) An assessment of the extent or coordi-
2 nation, command, and control between core al-
3 Qaeda, its affiliated groups, associated groups,
4 and adherents, specifically addressing each such
5 entity.

6 (H) An assessment of the effectiveness of
7 counterterrorism operations against core al-
8 Qaeda, its affiliated groups, associated groups,
9 and adherents, and whether such operations
10 have had a sustained impact on the capabilities
11 and effectiveness of core al-Qaeda, its affiliated
12 groups, associated groups, and adherents.

13 (4) FORM.—The report required by paragraph
14 (1) shall be submitted in unclassified form, but may
15 include a classified annex.

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

19 (1) the Permanent Select Committee on Intel-
20 ligence, the Committee on Foreign Affairs, and the
21 Committee on Armed Services of the House of Rep-
22 resentatives; and

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

1 **SEC. 334. REPORT ON RETRAINING VETERANS IN CYBERSE-**
 2 **CURITY.**

3 Not later than 180 days after the date of the enact-
 4 ment of this Act, the Director of National Intelligence, in
 5 consultation with the Secretary of Defense, the Secretary
 6 of Veterans Affairs, and the Secretary of Homeland Secu-
 7 rity, shall submit to Congress recommendations for re-
 8 training veterans and retired members of elements of the
 9 intelligence community in cybersecurity.

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

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

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

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

19 (2) in subsection (a)(2)—

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

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

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

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

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

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

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

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

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

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

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

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

3 (2) in section 12—

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

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

10 (b) DATE OF APPOINTMENT.—Not later than 90
11 days after the date of the resignation, reassignment, or
12 removal of the Inspector General of the National Security
13 Agency appointed pursuant to section 8G of the Inspector
14 General Act of 1978 (5 U.S.C. App.) as in effect before
15 the date of the enactment of this Act and serving on such
16 date, the President shall nominate a person for appoint-
17 ment, by and with the advice and consent of the Senate,
18 as Inspector General of the National Security Agency
19 under section 3(a) of the Inspector General Act of 1978
20 (5 U.S.C. App.) consistent with the amendments made by
21 subsection (a).

22 (c) TRANSITION RULE.—An individual serving as In-
23 spector General of the National Security Agency on the
24 date of the enactment of this Act pursuant to an appoint-

1 ment made under section 8G of the Inspector General Act
2 of 1978 (5 U.S.C. App.)—

3 (1) may continue so serving until the President
4 makes an appointment under section 3(a) of such
5 Act with respect to the National Security Agency
6 consistent with the amendments made by subsection
7 (a); and

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

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

18 **“SEC. 8K. SPECIAL PROVISIONS CONCERNING THE NA-**
19 **TIONAL SECURITY AGENCY.**

20 **“(a) GENERAL COUNSEL TO THE INSPECTOR GEN-**
21 **ERAL.—**

22 **“(1) IN GENERAL.—**There is a General Counsel
23 to the Inspector General of the National Security
24 Agency, who shall be appointed by the Inspector
25 General of the National Security Agency.

1 “(2) DUTIES.—The General Counsel to the In-
2 specter General of the National Security Agency
3 shall—

4 “(A) serve as the chief legal officer of the
5 Office of the Inspector General of the National
6 Security Agency;

7 “(B) provide legal services only to the In-
8 specter General of the National Security Agen-
9 cy;

10 “(C) prescribe professional rules of ethics
11 and responsibilities for employees and officers
12 of, and contractors to, the Office of the Inspec-
13 tor General of the National Security Agency;

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

16 “(E) serve at the discretion of the Inspec-
17 tor General.

18 “(3) OFFICE OF THE GENERAL COUNSEL.—
19 There is an Office of the General Counsel to the In-
20 specter General of the National Security Agency.
21 The Inspector General may appoint to the Office to
22 serve as staff of the General Counsel such legal
23 counsel as the Inspector General considers appro-
24 priate.

25 “(b) TESTIMONY.—

1 “(1) AUTHORITY TO COMPEL.—The Inspector
2 General of the National Security Agency is author-
3 ized to require by subpoena the attendance and tes-
4 timony of former employees of the National Security
5 Agency or contractors, former contractors, or former
6 detailees to the National Security Agency as nec-
7 essary in the performance of functions assigned to
8 the Inspector General by this Act.

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

13 “(3) NOTIFICATION.—The Inspector General
14 shall notify the Attorney General 7 days before
15 issuing any subpoena under this section.

16 “(c) PROHIBITIONS ON INVESTIGATIONS FOR NA-
17 TIONAL SECURITY REASONS.—

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

1 Committee on Intelligence and the Committee on
 2 Armed Services of the House of Representatives and
 3 the Select Committee on Intelligence and the Com-
 4 mittee on Armed Services of the Senate an evalua-
 5 tion of such notice or such statement.

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

14 **TITLE V—SECURITY CLEARANCE** 15 **REFORM**

16 **SEC. 501. CONTINUOUS EVALUATION AND SHARING OF DE-**
 17 **ROGATORY INFORMATION REGARDING PER-**
 18 **SONNEL WITH ACCESS TO CLASSIFIED IN-**
 19 **FORMATION.**

20 Section 102A(j) of the National Security Act of 1947
 21 (50 U.S.C. 3024(j)) is amended—

22 (1) in the heading, by striking “SENSITIVE
 23 COMPARTMENTED INFORMATION” and inserting
 24 “CLASSIFIED INFORMATION”;

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

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

5 (4) by adding at the end the following new
6 paragraphs:

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

24 “(6) develop procedures to require information
25 sharing between elements of the intelligence commu-

1 nity concerning potentially derogatory security infor-
 2 mation regarding an employee or officer of an ele-
 3 ment of the intelligence community, a contractor to
 4 an element of the intelligence community, or an indi-
 5 vidual employee of such a contractor that may im-
 6 pact the eligibility of such employee or officer of an
 7 element of the intelligence community, such con-
 8 tractor, or such individual employee of such a con-
 9 tractor for a security clearance.”.

10 **SEC. 502. REQUIREMENTS FOR INTELLIGENCE COMMUNITY**
 11 **CONTRACTORS.**

12 (a) REQUIREMENTS.—Section 102A of the National
 13 Security Act of 1947 (50 U.S.C. 3024) is amended by
 14 adding at the end the following new subsection:

15 “(x) REQUIREMENTS FOR INTELLIGENCE COMMU-
 16 NITY CONTRACTORS.—The Director of National Intel-
 17 ligence, in consultation with the head of each department
 18 of the Federal Government that contains an element of
 19 the intelligence community and the Director of the Central
 20 Intelligence Agency, shall—

21 “(1) ensure that—

22 “(A) any contractor to an element of the
 23 intelligence community with access to a classi-
 24 fied network or classified information develops
 25 and operates a security plan that is consistent

1 with standards established by the Director of
2 National Intelligence for intelligence community
3 networks; and

4 “(B) each contract awarded by an element
5 of the intelligence community includes provi-
6 sions requiring the contractor comply with such
7 plan and such standards;

8 “(2) conduct periodic assessments of each secu-
9 rity plan required under paragraph (1)(A) to ensure
10 such security plan complies with the requirements of
11 such paragraph; and

12 “(3) ensure that the insider threat detection ca-
13 pabilities and insider threat policies of the intel-
14 ligence community apply to facilities of contractors
15 with access to a classified network.”.

16 (b) APPLICABILITY.—The amendment made by sub-
17 section (a) shall apply with respect to contracts entered
18 into or renewed after the date of the enactment of this
19 Act.

20 **SEC. 503. TECHNOLOGY IMPROVEMENTS TO SECURITY**
21 **CLEARANCE PROCESSING.**

22 (a) IN GENERAL.—The Director of National Intel-
23 ligence, in consultation with the Secretary of Defense and
24 the Director of the Office of Personnel Management, shall
25 conduct an analysis of the relative costs and benefits of

1 potential improvements to the process for investigating
2 persons who are proposed for access to classified informa-
3 tion and adjudicating whether such persons satisfy the cri-
4 teria for obtaining and retaining access to such informa-
5 tion.

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

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

14 (A) the clearance application process;

15 (B) case management;

16 (C) adjudication management;

17 (D) investigation methods for the collec-
18 tion, analysis, storage, retrieval, and transfer of
19 data and records; and

20 (E) records management for access and
21 eligibility determinations;

22 (2) the elimination or reduction, if possible, of
23 the use of databases and information sources that
24 cannot be accessed and processed automatically elec-
25 tronically, or modification of such databases and in-

1 formation sources, to enable electronic access and
2 processing;

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

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

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

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

(c) REPORT TO CONGRESS.—Not later than 6 months 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 the analysis required by subsection (a).

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

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1 thorized investigative entity or authorized adjudica-
2 tive agency;

3 (2) the total number of cases in which a back-
4 ground investigation or determination completed by
5 an authorized investigative entity or authorized ad-
6 judicative agency is accepted by another agency;

7 (3) the total number of cases in which a back-
8 ground investigation or determination completed by
9 an authorized investigative entity or authorized ad-
10 judicative agency is not accepted by another agency;
11 and

12 (4) such other information or recommendations
13 as the head of the entity selected pursuant to such
14 section 3001(b) considers appropriate.

15 **SEC. 505. IMPROVING THE PERIODIC REINVESTIGATION**
16 **PROCESS.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, and annually thereafter
19 until December 31, 2017, the Director of National Intel-
20 ligence, in consultation with the Secretary of Defense and
21 the Director of the Office of Personnel Management, shall
22 transmit to the appropriate committees of Congress a
23 strategic plan for updating the process for periodic re-
24 investigations consistent with a continuous evaluation pro-
25 gram.

1 (b) CONTENTS.—The plan required by subsection (a)
2 shall include—

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

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

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

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

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

22 (c) PERIODIC REINVESTIGATIONS DEFINED.—In this
23 section, the term “periodic reinvestigations” has the
24 meaning given that term in section 3001(a) of the Intel-

1 ligence Reform and Terrorism Prevention Act of 2004 (50
2 U.S.C. 3341(a)).

3 **SEC. 506. APPROPRIATE COMMITTEES OF CONGRESS DE-**
4 **FINED.**

5 In this title, the term “appropriate committees of
6 Congress” means—

7 (1) the congressional intelligence committees;

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

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

14 **TITLE VI—TECHNICAL**
15 **AMENDMENTS**

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

18 Section 21 of the Central Intelligence Agency Act of
19 1949 (50 U.S.C. 3521) is amended—

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

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

1 **SEC. 602. TECHNICAL AMENDMENTS TO THE NATIONAL SE-**
2 **CURITY ACT OF 1947 RELATING TO THE PAST**
3 **ELIMINATION OF CERTAIN POSITIONS.**

4 Section 101(a) of the National Security Act of 1947
5 (50 U.S.C. 3021(a)) is amended—

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

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

9 (3) by redesignating paragraph (8) as para-
10 graph (6); and

11 (4) in paragraph (6) (as so redesignated), by
12 striking “the Chairman of the Munitions Board, and
13 the Chairman of the Research and Development
14 Board,”.

15 **SEC. 603. TECHNICAL AMENDMENTS TO THE INTEL-**
16 **LIGENCE AUTHORIZATION ACT FOR FISCAL**
17 **YEAR 2013.**

18 (a) AMENDMENTS.—Section 506 of the Intelligence
19 Authorization Act for Fiscal Year 2013 (Public Law 112–
20 277; 126 Stat. 2478) is amended—

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

23 (2) by inserting “, as redesignated by section
24 310(a)(4)(B) of this Act,” before “is amended”.

25 (b) EFFECTIVE DATE.—The amendments made by
26 subsection (a) shall take effect as if included in the enact-

1 ment of the Intelligence Authorization Act for Fiscal Year
2 2013 (Public Law 112–277).

Passed the House of Representatives May 30, 2014.

Attest: KAREN L. HAAS,
Clerk.