all Americans are as fortunate. Their injuries can have more devastating consequences and may result in death or lasting disability.

The TBI program at the Department of Health and Human Services was first established in 1996 and has been reauthorized twice, in 2001 and, again, in 2008.

The legislation before the House today, once again, reauthorizes the TBI program. It would extend TBI surveillance and research activities. It will also expand grants for TBI services and support administered across Health and Human Services.

I want to commend the sponsors of the legislation, Congressman Pascrell and Congressman Waxman, and I also want to acknowledge the leadership of Chairman Upton, Chairman Pitts, Ranking Member Waxman, and Ranking Member Fallone and the work of our committee staff in advancing this bill through the Energy and Commerce Committee and bringing it to the floor today.

I support this bipartisan bill and urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

☐ 1915

Mr. PITTS. Mr. Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey, Congressman Pascrell, my good friend and colleague.

Mr. PASCRELL. Mr. Speaker, I rise today in support of the passage of this legislation, the Traumatic Brain Injury Reauthorization Act of 2014.

I want to thank Chairman Upton and Ranking Member Waxman; Chairman Pitts; my friend from New Jersey, Ranking Member Fallone, and Mr. Green for their thoughtful consideration and support for millions of traumatic brain injury survivors and their families. Additionally, I want to thank my fellow cochair of the Congressional Brain Injury Task Force, Congressman Tom Rooney of Florida, for his leadership on this important issue as well.

Throughout my 13 years working on this issue, I have witnessed firsthand how these programs make a difference in people’s lives.

You have heard the numbers, but let’s go beyond the numbers. Traumatic brain injury has become the signature wound of the wars in Afghanistan and Iraq. Twenty percent of our soldiers deployed are estimated to have experienced a brain injury. Many returning servicemembers suffering from TBI will receive care and rehabilitation services within the Department of Defense and Veterans Affairs.

But others suffering from TBIs that are initially undiagnosed or misdiagnosed will later look to the civilian community and local resources for information and service. That is why it is essential that we continue to foster civilian-military collaboration, like the Department of Defense Center of Excellence for Psychological Health and Traumatic Brain Injury, to build a system that ensures returning troops receive what they need to put their lives back together again.

Unfortunately, TBI remains the silent epidemic in this country. That is why the legislation today is so critical.

The TBI Act is the only legislation that specifies how it allocates Federal funds for programs supporting individuals with brain injury.

Originally passed in 1996 and reauthorized in 2000 and 2008, the TBI Act represents a foundation for coordinated and balanced public policy on prevention, education, research, and community living for people living with TBI and their circles of support.

And it has produced results. For nearly 18 years, the Traumatic Brain Injury Act has successfully provided direction and legal authority for the vast traumatic brain injury community.

Grants within the TBI Act have helped States improve access to health and other services for persons with TBI. Prior to this law, they did not have the tools to even assess their own needs.

Thanks to the TBI Act and its directive to the Centers for Disease Control and Prevention, we now have a record of incidents, including details and prevalence, plans for prevention, and, finally, access to treatment. We have also begun to educate the public and provide much-needed scientific data for our scientists, health care providers, and policymakers.

Additionally, under this act, the National Institutes of Health is conducting basic and applied research in TBI, making great strides in our knowledge of the brain and the impact of TBI. Mr. Speaker, this is in direct correlation to the President’s Brain Initiative. We keep on meeting together to explore this new horizon, which I think is going to dramatically have very positive consequences.

The Traumatic Brain Injury Reauthorization Act of 2014 will elevate the TBI program within Health and Human Services by moving the program from Maternal and Child Health’s Children’s Program, in acknowledgement of the impact of TBI across the age span, including older adults and returning servicemembers and veterans. Our intention is for the program to be relocated to the Administration on Community Living to better coordinate with Federal agencies regarding the long-term services and support available to individuals with other disabilities.

Brain injury survivors from all walks of life, and their families, look to community and local resources for all types of information and assistance. Regardless of the source of the injury, this legislation will ensure the framework, the information, and research resources, are available to help.

Mr. Speaker, only a strong commitment will allow us to continue the incredible advances we have made in the area of basic brain injury: prevention, detection, early treatment, physical and mental rehabilitation, long-term care, and patient advocacy issues.

I urge my colleagues to join me in support of this important bill.

Mr. GENE GREEN of Texas. I urge support for this legislation, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, this is another piece of important legislation, and it enjoys bipartisan support. I urge the Members to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules and pass the bill, H.R. 1098, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. ROGERS of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1681) to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes. The Clerk read the title of the bill.

The text of the bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2014”.

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

<table>
<thead>
<tr>
<th>Title</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>I—Intelligence Activities</td>
<td>Sec. 101</td>
</tr>
<tr>
<td>II—Central Intelligence Agency, Retirement and Disability System</td>
<td>Sec. 201</td>
</tr>
<tr>
<td>III—General Provisions</td>
<td>Sec. 301</td>
</tr>
</tbody>
</table>

TITILE 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.

TITILE II—CENTRAL INTELLIGENCE AGENCY, RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

Sec. 202. CIARDS and FERS special retirement credit for service on detail to another agency.

TITILE 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.
Sec. 304. Clarification of exemption from Freedom of Information Act of identities of employees submitting complaints to the Inspector General of the Intelligence Community.

Sec. 305. Functional managers for the intelligence community.

Sec. 306. Annual assessment of intelligence community performance by function.

Sec. 307. Software licensing.

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

Sec. 309. Availability.

Sec. 310. Reports of fraud, waste, and abuse.

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.

Subtitle B—Reporting

Sec. 321. Significant interpretations of law concerning intelligence activities.

Sec. 322. Review for official publication of opinions of the Office of Legal Counsel of the Department of Justice concerning intelligence activities.

Sec. 323. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations.

Sec. 324. Reports on chemical weapons in Syria.

Sec. 325. Reports to the intelligence community on penetrations of networks and information systems of certain contractors.


Sec. 327. Promoting STEM education to meet the future workforce needs of the intelligence community.

Sec. 328. Repeal of the termination of notification requirements regarding that notification shall be notified in the national intelligence.

Sec. 329. Repeal or modification of certain notification requirements.

Title IV—Matters Relating to Elements of the Intelligence Community

Subtitle A—National Security Agency

Sec. 401. Appointment of the Director of the National Security Agency.


Sec. 403. Effective date and applicability.

Subtitle B—National Reconnaissance Office

Sec. 411. Appointment of the Director of the National Reconnaissance Office.

Sec. 412. Appointment of the Inspector General of the National Reconnaissance Office.

Sec. 413. Effective date and applicability.

Subtitle C—Central Intelligence Agency

Sec. 421. Gifts, devises, and bequests.

Title V—Security Clearance Reform

Sec. 501. Continuous evaluation and sharing of adversary 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. Reports on reciprocity of security clearances.

Sec. 505. Improving the periodic reinvestigation process.

Sec. 506. Appointments of committees of Congress defined.

Title VI—Intelligence Community Whistleblower Protections

Sec. 601. Protection of intelligence community whistleblowers.

Sec. 602. Review of security clearance or access determinations.

Sec. 603. Revisions of other laws.

Sec. 604. Policies and procedures; non-applicability to certain terminations.

Title VII—Technical Amendments

Sec. 701. Technical amendments to the Central Intelligence Agency Act of 1949.

Sec. 702. Technical amendments to the National Security Act of 1947 relating to the past elimination of certain positions.


Sec. 2. Definitions.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" means—

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

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

(2) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given such term (4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

Title I—Intelligence Activities


Funds are hereby authorized to be appropriated for fiscal year 2014 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 and Personnel Levels.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings 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 prepared to accompany the bill S. 1681 of the One Hundred Thirteenth Congress.
authorized to be appropriated for the Community Management Account for fiscal year 2014 such additional amounts as are specified in the classified Schedule of Authorities referred to in section 1004(b), not to exceed such additional amounts for research and development shall remain available until September 30, 2015.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2014, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorities referred to in section 1004(b).

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 for fiscal year 2014 the sum of $514,000,000.

SEC. 202. CARDS AND FERS SPECIAL RETIREMENT CREDIT FOR SERVICE ON DETAIL TO ANOTHER AGENCY.

(a) IN GENERAL.—Section 203(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013) is amended—

(1) in the matter preceding paragraph (1), by striking “service in the Agency performed” and inserting “service performed by an Agency employee”;

(2) in paragraph (1), by striking “Agency activities” and inserting “intelligence activities”;

(b) APPLICATION.—The amendment made by subsection (a) shall be applied to retired or deceased officers of the Central Intelligence Agency who were designated at any time under section 203 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013) prior to the date of the enactment of this Act.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

SEC. 301. 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. 302. 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. 303. SPECIFIC AUTHORIZATION OF FUNDING FOR HIGH PERFORMANCE COMPUTING CENTER 2 (HPCC 2).

Funds appropriated for the construction of the High Performance Computing Center 2 (HPCC 2), as described in the table entitled Consolidated Cryptologic Program (CCP) in the classified annex to accompany the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 198), in excess of the amount specified for such activity in the tables in the classified annex prepared to accompany the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2468) shall be available to the Secretary of Defense for the purposes of section 304 of the National Security Act of 1947 (50 U.S.C. 3094).

SEC. 304. CLARIFICATION OF EXEMPTION FROM FREEDOM OF INFORMATION ACT OF IDENTITIES OF EMPLOYEES SUBMITTED TO THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 103E of the National Security Act of 1947 (50 U.S.C. 3033(e)(3)(A)) is amended by striking “undertaken” and inserting “undertaken and as a result of” in subsection (b)(6).

SEC. 305. FUNCTIONAL MANAGERS FOR THE INTELLIGENCE COMMUNITY.

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

(b) FUNCTIONAL MANAGERS.—The Director of the National Intelligence may establish within the intelligence community one or more positions of manager of an intelligence function. Any position so established may be known as the ‘Functional Manager’ of the intelligence function concerned.

(c) PERSONNEL.—The Director shall designate individuals to serve as manager of intelligence functions established under subsection (a) from among officers and employees of elements of the intelligence community.

(d) DUTIES.—Each manager of an intelligence function established under subsection (a) shall have the duties as follows:

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

(2) To develop and document such other responsibilities with respect to the intelligence function as the Director may specify for purposes of this section.

SEC. 306. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:

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:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 308. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 309. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 310. 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:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 311. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 312. 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:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 313. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:

SEC. 314. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3051 et seq.) is amended by inserting after section 506I the following new item:

(b) TABLE OF CONTENTS 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 506I the following new item:
National Security Act of 1947, as added by subsection (a) of this section.

SEC. 310. REPORTS OF FRAUD, WASTE, AND ABUSE.

Section 8(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended in paragraph (1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and by inserting after subparagraph (A) the following:

‘‘(B) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community, who intends to report to Congress a complaint or information concerning intelligence activities conducted by such element of the intelligence community, may report such complaint or information to the Inspector General of the Intelligence Community.’’.

SEC. 311. PUBLIC INTEREST DECLASSIFICATION ACT OF 2014.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking ‘‘2014,’’ and inserting ‘‘2015.’’

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

Notwithstanding any other limitation on the amount of funds that may be used for official representation items, the Secretary of Homeland Security may use funds made available to the Secretary through the National Intelligence Program for necessary expenses for intelligence analysis and operations coordination activities for 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.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) in the manner described in the classified annex to this Act, make publicly available any information classified by the Secretaries of State, Defense, and Homeland Security and the Attorney General of the United States that have been provided to an element of the intelligence community, the Central Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, the National Security Agency, the National Counterterrorism Center, or the Office of the Director of National Intelligence, pursuant to section 503(c)(2) of the National Security Act of 1947 (50 U.S.C. 3033(k)).’’.

SEC. 314. MERGER OF THE FOREIGN COUNTER- INTELLIGENCE PROGRAM AND THE GENERAL DEFENSE INTELLIGENCE PROGRAM.

Notwithstanding any other provision of law, the Director of National Intelligence shall carry out the merger of the Foreign Counterintelligence Program into the General Defense Intelligence Program as directed in the classified annex to this Act. The merger shall go into effect no earlier than 30 days after the date of the notification of the merger is provided to the congressional intelligence committees.
(4) The potential significance of an opinion to the overall jurisprudence of the Office of Legal Counsel.
(5) Such other factors as the Attorney General or the Director of National Intelligence consider appropriate.

(c) Presumption.—The process of review established under subsection (a) shall apply a presumption that information submitted to the Office of Legal Counsel should be published when practicable, consistent with national security and other confidentiality considerations.

(d) Construction.—Nothing in this section shall affect any requirement of the Office of Legal Counsel, including publication under any circumstance as follows:
(1) When publication would reveal classified or other sensitive information relating to national security.
(2) When publication could reasonably be anticipated to interfere with Federal law enforcement efforts or is prohibited by law.
(3) When publication would conflict with preserving internal Executive branch deliberative processes or protecting other information properly subject to privilege.

(e) Requirement to Provide Classified Opinions to Congress.—
(1) In General.—Any opinion of the Office of Legal Counsel that would have been selected for publication under the process of review established under subsection (a) but for the fact that publication would reveal classified or other sensitive information relating to national security shall be provided or made available to the appropriate committees of Congress.

(2) Procedures for Covert Action.—If the President determines that it is essential to limit access to a covert action finding under section 503(c)(2) of the National Security Act of 1947 (50 U.S.C. 3093(c)(2)), the procedures established under subsection (a) may limit access to information concerning such finding that would otherwise be provided or made available under this subsection to those members of Congress who have been granted access to such finding under section 503(c)(2).

(f) Judicial Review.—The determination whether an opinion of the Office of Legal Counsel is appropriate for official publication under the process of review established under this subsection is discretionary and is not subject to judicial review.

SEC. 232. SUBMITTAL TO CONGRESS BY HEADS OF ELEMENTS OF INTELLIGENCE COMMUNITY OF PLANS FOR ORDELY SHUTDOWN IN EVENT OF ABSENCE OF APPROPRIATIONS.
(a) In General.—Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A-11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following:
(1) The congressional intelligence committees.
(2) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.
(3) The Subcommittee on Defense of the Committee on Appropriations of the Senate.
(4) The Committee on Armed Services of the Senate.
(5) The Committee on Armed Services of the House of Representatives.

(b) Head of an Applicable Agency Defined.—In this section, the term "head of an applicable agency" includes the following:
(1) The Director of National Intelligence.
(2) The Director of the Central Intelligence Agency.
(3) Each head of each element of the intelligence community that is within the Department of Defense, to—
(A) The Committee on Armed Services of the Senate.
(B) The Committee on Armed Services of the House of Representatives.
(4) The Secretary of Defense to—
(A) The Committee on Armed Services of the House of Representatives.
(B) The Committee on Armed Services of the Senate.

(c) Presumption.—The process of review established under subsection (a) shall apply a presumption that information submitted to the Office of Legal Counsel should be published when practicable, consistent with national security and other confidentiality considerations.

(d) Construction.—Nothing in this section shall affect any requirement of the Office of Legal Counsel, including publication under any circumstance as follows:
(1) When publication would reveal classified or other sensitive information relating to national security.
(2) When publication could reasonably be anticipated to interfere with Federal law enforcement efforts or is prohibited by law.
(3) When publication would conflict with preserving internal Executive branch deliberative processes or protecting other information properly subject to privilege.

SEC. 324. REPORTS ON CHEMICAL WEAPONS IN SYRIA
(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 Congress a report on the Syrian chemical weapons program.

(b) Elements Required Under Subsection (a) Shall Include the Following:
(1) A comprehensive assessment of chemical weapon stockpiles in Syria, including names, types, and quantities of chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities.
(2) A listing of key personnel associated with the Syrian chemical weapons program.
(3) An assessment of related nuclear, biological, and chemical weapons stockpiles, munitions, and facilities.
(4) An assessment of how these stockpiles, precursors, and delivery systems were obtained.
(5) A description of key intelligence gaps related to the Syrian chemical weapons program.

SEC. 325. REPORTS TO THE INTELLIGENCE COMMUNITY ON PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS
(a) Procedures for Reporting Penetrations.—The Director of National Intelligence shall establish procedures that require each cleared intelligence contractor to report to an element of the intelligence community designated by the Director for purposes of such procedures any penetration that the contractor considers a successful penetration under subsection (a) of each successful penetration of the network or information system.

(b) Networks and Information Systems Subject to Reporting.—The Director of National Intelligence shall, in consultation with appropriate officials, establish criteria for covered networks to be subject to the procedures for reporting system penetrations under subsection (a).

(c) Procedure Requirements.—
(1) RAPID REPORTING.—The procedures established under subsection (a) shall require each cleared intelligence contractor to rapidly report to an element of the intelligence community designated pursuant to subsection (b) any penetration of the network or information systems of such contractor that meet the criteria established pursuant to subsection (b).

SEC. 326. REQUIREMENT TO PROVIDE CLASSIFIED OPINIONS TO CONGRESS.
(a) In General.—Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A-11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following:
(1) The congressional intelligence committees.
(2) The Subcommittee on Defense of the Committee on Appropriations of the Senate.
(3) Each head of each element of the intelligence community in connection with any program of such element that has been provided or made available under such procedures when a network or information system of such contractor that meets the criteria established pursuant to subsection (a) shall include the following elements:
(1) The congressional intelligence committees.
(2) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.
(3) Each head of each element of the intelligence community in connection with any program of such element that has been provided or made available under such procedures when a network or information system of such contractor that meets the criteria established pursuant to subsection (a) shall include the following:
(1) A description of the technique or method used in such penetration.
(2) A sample of the malicious software, if discovered, used by the contractor, involved in such penetration.

(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).
that contains or processes information created by or for an element of the intelligence community with respect to which such contractor is required to apply enhanced protection.

(g) SAVINGS CLAUSES.—Nothing in this section shall be construed to alter or limit any other authority of access by government personnel to networks or information systems owned or operated by a contractor that processes or stores government data.

SEC. 325. ELECTRONIC WASTE.

(a) REPORT.—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 report on the proper disposal of electronic waste that are applicable to covered commercial electronic waste that may contain classified information.

(b) DEFINITIONS.—In this section:

(1) COVERED COMMERCIAL ELECTRONIC WASTE.—The term ‘‘covered commercial electronic waste’’ means electronic waste of a commercial entity that contracts with an element of the intelligence community.

(2) ELECTRONIC WASTE.—The term ‘‘electronic waste’’ means electronic waste of a commercial entity that contains or processes information created by or for an element of the intelligence community that is required to apply enhanced protection.

SEC. 326. REPORT ON ELECTRONIC WASTE.

(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 the proper disposal of electronic waste that may contain classified information.

(b) DEFINITIONS.—In this section:

(1) COVERED COMMERCIAL ELECTRONIC WASTE.—The term ‘‘covered commercial electronic waste’’ means electronic waste of a commercial entity that contracts with an element of the intelligence community.

SEC. 327. PROMOTING STEM EDUCATION TO MEET THE FUTURE WORKFORCE NEEDS OF THE INTELLIGENCE COMMUNITY.

(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 Secretary of Education and the congressional intelligence committees a report describing the anticipated hiring needs of the intelligence community in the fields of science, technology, engineering, and mathematics, including cybersecurity and computer literacy, within high schools or institutions of higher education in the United States;

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

(3) include strategies for conducting expedited security clearances for students at institutions of higher education for purposes of offering internships at elements of the intelligence community.

(b) CONSIDERATION OF EXISTING PROGRAMS.—In developing the report under subsection (a), the Director shall take into consideration existing programs of the National Security Agency and the Intelligence Community Scholarship Program of the Department of Defense that are appropriate.

(c) DEFINITIONS.—In this section:

(1) the term ‘‘high school’’ means a school that awards a secondary school diploma.

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

(3) SECONDARY SCHOOL.—The term ‘‘secondary school’’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 328. REPEAL OF THE TERMINATION OF THE NATIONAL SECURITY AGENCY BUSINESS SYSTEM TRANSFORMATION PROGRAMS REGARDING THE AUTHORIZED DISCLOSURE OF NATIONAL INTELLIGENCE.

Section 504 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2477) is amended by striking subsection (e).

SEC. 329. REPEAL OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) REPEAL OF REPORTING REQUIREMENTS.—

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

(2) DEPARTMENT OF DEFENSE.—Section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by striking subsection (c).

(b) DEFINITIONS.—In this section:

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

‘‘(1) a description of such advisory committee, including the subject matter of such committee;’’.

(2) STATUS COMMITTEE.—Section 410(b) of the Intelligence Authorization Act for Fiscal Year 2010 (50 U.S.C. 3309) is amended by—

(A) by striking ‘‘subsection (a)(1)’’ and inserting ‘‘subsection (c)(1)’’; and

(B) by striking ‘‘subsection (a)(2)’’ and inserting ‘‘subsection (c)(2)’’;

(3) INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.—Section 506D(j) of the National Security Act of 1947 (50 U.S.C. 3100(j)) is amended in the matter preceding paragraph (1) by striking ‘‘2013’’ and inserting ‘‘2014’’.

(4) ACTIVITIES OF PRIVACY AND CIVIL LIBERTIES OFFICERS.—Section 1062(c)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–3(1)(b)) is amended by striking ‘‘itian’’ and inserting ‘‘semi–’’.
(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—

(1) IN GENERAL.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

SEC. 402. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.


(1) in section 8(a)(2), by striking ‘‘the National Security Agency’’; and

(2) in section 12—

(A) in paragraph (1), by striking ‘‘or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code,’’ and inserting ‘‘the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; the Director of the National Security Agency’’; and

(B) in paragraph (2), by striking ‘‘or the Commissions established under section 15301 of title 40, United States Code,’’ and inserting ‘‘the Commissions established under section 15301 of title 40, United States Code, the National Security Agency’’.

SEC. 403. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—Except as otherwise specifically provided, the amendments made by sections 401 and 402 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 401—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Security Agency by the individual performing such duties on October 1, 2014; and

(2) in the case of section 402—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Security Agency by the individual performing such duties on October 1, 2014.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Security Agency or the Inspector General of the National Security Agency on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), and with the advice and consent of the Senate.

Subtitle B—National Reconnaissance Office

SEC. 411. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.), is amended by adding after section 106 the following:

‘‘SEC. 106A. DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE.

‘‘(a) IN GENERAL.—There is a Director of the National Reconnaissance Office.

‘‘(b) APPOINTMENT.—The Director of the National Reconnaissance Office shall be appointed by the President, by and with the advice and consent of the Senate.

‘‘(c) FUNCTIONS AND DUTIES.—The Director of the National Reconnaissance Office shall be the head of the National Reconnaissance Office and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.’’.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—

(1) IN GENERAL.—The President may designate the National Reconnaissance Office as a position of importance and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after the item relating to section 106 the following:

‘‘Sec. 106A. Director of the National Reconnaissance Office.’’

SEC. 412. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.


(1) in section 8(a)(2), as amended by section 402, is further amended by striking ‘‘the National Reconnaissance Office’’; and

(2) in section 12, as amended by section 402, is further amended—

(A) in paragraph (1), by inserting ‘‘or the Director of the National Reconnaissance Office’’ before ‘‘as the case may be’’; and

(B) in paragraph (2), by inserting ‘‘or the National Reconnaissance Office’’ before ‘‘as the case may be’’.

SEC. 413. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—The amendments made by sections 411 and 412 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 411—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Reconnaissance Office by the individual performing such duties on October 1, 2014; and

(2) in the case of section 412—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Reconnaissance Office by the individual performing such duties on October 1, 2014.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Security Agency or the Inspector General of the National Security Agency on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), and with the advice and consent of the Senate.

Title V—Security Clearance Reform

SEC. 501. CONTINUOUS EVALUATION AND SHARING OF DEROGATORY INFORMATION REGARDING PERSONNEL WITH ACCESS TO CLASSIFIED INFORMATION.

Section 102A(j) of the National Security Act of 1947 (50 U.S.C. 3026(j)) is amended—

(1) in the heading, by striking ‘‘SENSITIVE COMPARTMENTED INFORMATION’’ and inserting ‘‘CLASSIFIED INFORMATION’’;

(2) in paragraph (3), by striking ‘‘; and’’ and inserting a semicolon;

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

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

‘‘(b) ensure that the background of each employee or officer of an element of the intelligence community, each contractor to an element of the intelligence community, and each individual employed by or acting for a contractor who has been determined to be eligible for access to classified information is monitored on a continual basis under standards established by the President with respect to the frequency of evaluation, during the period of eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee to such a contractor to determine whether such employee or officer of an element of the intelligence community, such contractor, or such individual employee of such a contractor continues to meet the requirements for eligibility for access to classified information; and

(c) develop procedures to ensure information sharing between elements of the intelligence community concerning potentially derogatory security information regarding such employee or officer of an element of the intelligence community, a contractor to an element of the intelligence community, or
an individual employee of such a contractor that may impact the eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee of such a contractor for a security clearance.'"

SEC. 502. REQUIREMENTS FOR INTELLIGENCE COMMUNITY CONTRACTORS.

(a) REQUIREMENTS.—The Director of National Intelligence, in consultation with the head of each department of the Federal Government that contains an element of the intelligence community and the Director of the Central Intelligence Agency, shall—

(1) ensure that—

(A) any contractor to an element of the intelligence community with access to a classified network or classified information develops and operates a security plan that is consistent with standards established by the Director of National Intelligence for intelligence community networks; and

(B) any contractor to an element of the intelligence community includes provisions requiring the contractor comply with such plan and such standards;

(2) develop and disseminate guidance for the elements of the intelligence community on the development of an effective security plan, including—

(A) the development of a security plan; and

(B) the establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition therefor;

(3) record identity threats and insider threat policies of the intelligence community as part of the security plan and of the assurance mechanisms.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to contracts entered into or renewed after the date of the enactment of this Act.

SEC. 503. TECHNOLOGY IMPROVEMENTS TO SECURITY CLEARANCE PROCESSING.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall conduct an analysis of the relative costs and benefits of potential improvements to the process for investigating persons who are proposed for access to classified information and adjudicating security clearances to satisfy the criteria for obtaining and retaining access to such information.

(b) INTELLIGENCE IMPROVEMENT ANALYSIS.—In conducting the analysis required by subsection (a), the Director of National Intelligence shall evaluate the costs and benefits associated with—

(1) the use of automated processes in security clearance investigations and adjudications, if possible, and automating and integrating the elements of the investigation process, including—

(A) the clearance application process;

(B) case management;

(C) adjudication management;

(D) analytical methods for the collection, analysis, storage, retrieval, and transfer of data and records; and

(E) records management for access and eligibility determinations;

(2) the elimination or reduction, if possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, to enable electronic access and processing; and

(3) the use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to adjudication guidelines and eligibility determinations;

(4) the standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring databases to contain such reportable information to independently obtain and analyze reportable data and events;

(5) the establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition therefor;

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

(7) expanding the use of technology to improve an applicant’s ability to discover the status of a pending security clearance application or reevaluation; and

(8) using government and publicly available commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines to improve efficiency and reduce costs, of investigations and reevaluations.

(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).

SEC. 504. REPORT ON RECIROCITY OF SECURITY CLEARANCE.

The head of each element 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—

(1) the periods of time required by authorized adjudicative agencies for accepting background investigations and determinations completed by an authorized investigative entity or authorized adjudicative agency;

(2) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is accepted by another agency;

(3) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is not accepted by another agency; and

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

SEC. 505. IMPROVING THE PERIODIC REINVESTIGATION PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until December 31, 2017, the Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall transmit to the appropriate committees of Congress a strategic plan for updating the process for periodic reinvestigations consistent with a continuous evaluation program.

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

(1) an analysis of the costs and benefits associated with conducting periodic reinvestigations;

(2) an analysis of the costs and benefits associated with conducting all periodic reinvestigations with a program of continuous evaluation;

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

(4) an analysis of the potential benefits of expanding the Government’s use of continuous evaluation tools as a means of improving the effectiveness and efficiency of procedures for confirming the eligibility of personnel for continued access to classified information; and

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

(c) PERIODIC REINVESTIGATIONS DEFINED.—

In this section, the term “periodic reinvestigations” has the meaning given that term in section 3003(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)).

SEC. 506. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

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

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs in the Senate; and

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

TITLE VI—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

SEC. 601. PROTECTION OF INTELLIGENCE COMMUNITY WHISTLEBLOWERS.

(a) IN GENERAL.—(1) Section 101 of the National Security Act of 1947 (50 U.S.C. 3211) is amended by adding at the end the following new subsection:

"(f) Definitions.—In this section:

"(1) AGENCY.—The term ‘agency’ means an executive department or independent establishment, as defined under sections 101 and 104 of title 5, United States Code, that contains an intelligence community element, except the Federal Bureau of Investigation.

"(2) COVERED INTELLIGENCE COMMUNITY ELEMENT.—The term ‘covered intelligence community element’—

"(A) means—

(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, or the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

(ii) any entity or unit thereof determined by the President under section 2302(a)(2)(C)(i) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

"(B) does not include the Federal Bureau of Investigation.

"(3) PERSONNEL ACTION.—The term ‘personnel action’ means, with respect to an employee in a position in a covered intelligence community element (other than a position excepted from the competitive service due to its confidential, policy-determining, policy-making, or policy-advocating character)—

"(A) an appointment;

"(B) a promotion;

"(C) a disciplinary or corrective action;

"(D) a detail, transfer, or reassignment;

"(E) a demotion, suspension, or termination;

"(F) a reinstatement or restoration;

"(G) a performance evaluation;

"(H) a decision concerning pay, benefits, or awards;

"(I) a decision concerning education or training if such education or training may..."
reasonably be expected to lead to an appointment, promotion, or performance evaluation; or

{J}[2] any other significant change in duties, responsibilities, or working conditions.

{L}[1] In General.—Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action in connection with—

{L} (a) developing policies and procedures that permit, to the extent practicable, individuals to appeal a determination to suspend or revoke a security clearance or access to classified information and to retain their security clearance or access in the interest of national security; or

{L} (b) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information that will not, with respect to the employee's government employment status while such challenge is pending; and

{L} (c) authorizing, or a supervisor, who participated in an activity that the employee reasonably believes evidences—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (iii) the disclosure of information that would reasonably be expected to lead to an appointment, promotion, or performance evaluation; or

{L} (iv) any other significant change in duties, responsibilities, or working conditions.

{L} (d) in paragraph (5), by striking "and"

{L} (e) in paragraph (6), by striking the period at the end and inserting ";" and

{L} (f) by inserting after paragraph (6) the following:

{L} "(7) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2014—

{L} (A) developing policies and procedures that permit, to the extent practicable, individuals to appeal a determination to suspend or revoke a security clearance or access to classified information and to retain their security clearance or access in the interest of national security; or

{L} (B) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information that will not, with respect to the employee's government employment status while such challenge is pending; and

{L} (C) authorizing, or a supervisor, who participated in an activity that the employee reasonably believes evidences—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (C) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence to receive such disclosures) of a covered intelligence community element—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (C) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence to receive such disclosures) of a covered intelligence community element—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (C) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence to receive such disclosures) of a covered intelligence community element—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (C) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence to receive such disclosures) of a covered intelligence community element—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

{L} (C) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence to receive such disclosures) of a covered intelligence community element—

{L} (i) a violation of any Federal law, rule, or regulation;

{L} (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;
“(A) APPEAL.—Within 60 days after receiving notice of an adverse final agency determination under a proceeding under paragraph (4), an employee or former employee may request an appeal by the Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, that determination in accordance with the procedures established under subparagraph (B).

“(B) POLICIES AND PROCEDURES.—The Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, shall develop and implement policies and procedures for adjudicating employee appeals authorized by subparagraph (A).

“(C) CONGRESSIONAL NOTIFICATION.—Consistent with the protection of sources and methods, the National Director of National Intelligence issues an order regarding an appeal pursuant to the policies and procedures established by this paragraph, the Director of National Intelligence shall notify the congressional intelligence committees.

“(D) NONAPPLICABILITY TO CERTAIN TERMINATIONS.—Section 1104 of the National Security Act of 1947, as added by section 601 of this Act, and section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341), as amended by section 602 of this Act, shall not apply if—

(1) the affected employee is concurrently terminated under—

(A) section 1009 of title 10, United States Code;

(B) by the authority of the Director of National Intelligence under section 102A(m) of the National Security Act of 1947 (50 U.S.C. 3024(m)), if the Director determines that the termination is in the interest of the United States;

(C) the authority of the Director of the Central Intelligence Agency under section 101(e) of the National Security Act of 1947 (50 U.S.C. 3038(e)), if the Director determines that the termination is in the interest of the United States; or

(2) section 7532 of title 5, United States Code, if the head of the agency determines that the termination is in the interest of the United States; and

(3) not later than 30 days after such termi-

nated the affected employee notifies the congressional intelligence committees of the termination.

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. TECHNICAL AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

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

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

(2) in subsection (c)(2)(E), by striking “provider,” and inserting “provider”.

SEC. 702. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947 RELATING TO THE PAST ELIMINATION OF CERTAIN POSITIONS.

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

(1) in paragraph (5), by striking the semi-

colon and inserting “;”;

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

(3) by redesignating paragraph (8) as para-

graph (6); and

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

SEC. 703. TECHNICAL AMENDMENTS TO THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

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

(1) by striking “Section 606(5)” and insert-

ing “Paragraph (5) of section 606”; and

(2) by inserting “, as redesignated by sec-

tion 316(a)(4)(B) of this Act,” before “is am-

ended”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if
Mr. Speaker, I ask unanimous consent that all Senate bill, S. 1681. And S. 1681 also the same form as are contained in the Senate bill, S. 1681. And S. 1681 also produced a bipartisan and bicameral Intelligence Authorization Act that we are also emboldened adversaries like Russia and China, who are increasing their military and intelligence spending and are working to change the international order, to the detriment of the United States and our interests. We rightly demand that our intelligence agencies provide policymakers with the best and most timely information possible on the threats we face. We ask them to track terrorists wherever they train, plan, and raise funds. We ask them to stop devastating cyber attacks on the American jobs. We ask them to track nuclear and missile threats. And we demand that they get it right every day of the year.

The dedicated men and women of the intelligence community are some of the finest patriots I have had the privilege to meet. And within budget constraints and the often unclear policy landscape where the threat is very uncertain, it is impossible to discern precisely what is happening and to allocate resources with the intent to prevent, and disrupt potential terrorist attacks. This bill does that.

And we need the intelligence authorization acts to promote fiscal discipline. This bill makes cuts to certain areas and adds money in other in a responsible, well thought-out, and fiscally prudent way. The result is a budget below the President’s request. In fact, since Chairman Rogers and I assumed leadership of the Intelligence Committee, we have reduced the Intelligence Committee’s budget by 20 percent, without reducing capability. I am pleased to see the Senate is going along with us.

I do want to acknowledge, also, Senators Feinstein and Chambliss for working together with us in a partnership to do what is right for our country and our national security.

The unclassified legislative text in this Senate bill is very similar to what this Chamber debated last month. It is short to the point of S. 1681 and reserves the balance of my time. Mr. Ruppersberger. Mr. Speaker, I yield myself as much time as I may consume.

I first want to thank the gentleman from Michigan, Chairman Rogers, for his leadership. Once again, he has produced a bipartisan and bicameral Intelligence Authorization Act that we are taking up today.

I know he is retiring. He has served this country as an FBI agent and on the Intelligence Committee, and now as chairman. We are going to miss him. But I know that whatever he does, he will always think of the United States of America first. So I thank the gentleman for his leadership and his friendship.

I also want to acknowledge the members of our committee, both Democrat and Republican, and our staff who have worked together in a bipartisan way to do what is right for our country.

Now, this Chamber passed its fiscal year 2014 and 2015 Intelligence Authorization Act less than a month ago, with overwhelming bipartisan support. Today we are taking up just the Senate’s fiscal year 2014 bill, which the Senate recently passed by unanimous consent.

I hope the House passes this bill and sends it to the President’s desk today. We need these annual intelligence authorization acts to ensure the most rigorous oversight and accountability over all U.S. intelligence agencies and over all U.S. intelligence activities. We must ensure that our intelligence agencies have funds only on programs from which Congress is informed and approves. This bill does that.

We also need these annual intelligence authorizations to set the priorities for our intelligence professionals and their agencies and to allocate resources to critical national security programs, including those that detect, prevent, and disrupt potential terrorist attacks. This bill does that, also.

And we need the intelligence authorization acts to promote fiscal discipline. This bill makes cuts to certain areas and adds money in other in a responsible, well thought-out, and fiscally prudent way. The result is a budget below the President’s request. In fact, since Chairman Rogers and I assumed leadership of the Intelligence Committee, we have reduced the Intelligence Committee’s budget by 20 percent, without reducing capability. I am pleased to see the Senate is going along with us.

I do want to acknowledge, also, Senators Feinstein and Chambliss for working together with us in a partnership to do what is right for our country and our national security.

The unclassified legislative text in this Senate bill is very similar to what this Chamber debated last month. It makes substantial improvements to the security clearance process. It requires detailed reports on matters such as electronic waste and chemical weapons in Syria. And it promotes education in science, technology, engineering, and math.

The Senate also added three substantive provisions, all of which greatly promote transparency, oversight, and accountability.

First, the bill creates independent, Senate-confirmed NSA and National Reconnaissance Office directors, as well as independent, Senate-confirmed NSA and NRO inspectors general.

Second, the bill requires the Attorney General to establish a process for
the regular review for publication of Department of Justice legal opinions provided to the intelligence community.

It also requires that any classified opinions that can’t be published be made available to the appropriate committees or Members of Congress. Third, it amends the National Security Act to prohibit any personnel actions against a lawful intelligence community whistleblower.

As for the classified schedule of authorizations, it is identical, except for some minor, prorated adjustments. We encouraged all Members to review the classified schedule of authorizations, as well as the classified text, and I am pleased that so many have come down to the Intelligence Committee’s classified spaces to do so.

We have spent a long time poring over every aspect of this bill—in our committee spaces, at the agencies, with the Senate, and in the remotest corners of the Earth, where our intelligence professionals operate—and I can say this is a very good bill, which I am proud to support.

For the sake of keeping the country and its allies safe, for the sake of vigorously pursuing our most important initiatives, and to ensure the most classified intelligence programs, and for the sake of our intelligence professionals who work 24 hours a day, 7 days a week, often in harm’s way, I urge my colleagues to pass this bill and send it to the President today.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Alabama, TERRI SEWELL, who is a very good member of our committee.

I just want to say that Ms. SEWELL is a new member of the Intelligence Committee, and through her dedication, intellect, and willingness to travel, she is quickly becoming a highly influential member on our committee.

She also keeps her focus on the people, both the American people as a whole, and the intelligence professionals who work every day to keep us safe.

Ms. SEWELL of Alabama. Mr. Speaker, I stand in support of the Fiscal Year 2014 Intelligence Authorization Act. The annual authorization act is the most substantial oversight mechanism Congress has over the intelligence community.

Most of the work within the intelligence community and our work on the Intelligence Committee happen behind closed doors and, therefore, far from the television cameras. Let me assure you, though, just because C-SPAN is not in the room when we have our regular meetings and hearings does not mean there is a lack of opinion, discussion, and debate.

There is rigorous back and forth about the necessity and the necessary number of core contractors within the intelligence community, how to best exploit and preserve the documents from the Osama bin Laden raid, and the appropriate ways to respond to unauthorized public disclosure of covert actions.

We ask hard questions in this committee of our witnesses. We read and study legal authorities for U.S. engagement around the world and ensure that the intelligence professionals tasked with protecting America not only have the tools they need to do their jobs, but are held accountable for their actions.

Director Clapper said recently that “at the heart of our work is our people.” This bill makes some important changes in the workforce of the intelligence community. It requires the Director of National Intelligence to ensure that contractors have in place security measures consistent with the DNI standards for intelligence community networks.

It requires the DNI to ensure insider threat capabilities of the IC apply to contractors. The bill also requires the DNI to submit a strategic plan for improving the process of reinvestigation, so those who have not cleared clearance are interviewed on a routine basis, to ensure they continue to uphold the standards and requirements necessary to access classified information.

On a final note about the workforce of the intelligence community, Director Clapper continued, “A diverse workforce is critical to the mission success.”

He is right. The threats America faces are complex, ranging from proliferation of nuclear weapons to terrorism, to Russian plans and intentions. We need people who understand all cultures and backgrounds and who can use their unique experience for creative solutions.

The IC has made some progress on diversity. Minority representation in the largest intelligence agencies increased to 24 percent in 2013; yet there is still work to be done.

Recently, the CIA released an unclassified report on women in leadership and found that women in the CIA who sought greater responsibility were hindered by organizational and societal challenges.

Indeed, throughout the major intelligence agencies, female hiring has remained below 40 percent for the fourth consecutive year. Women made up 51 percent of the general population in 2013, but only 39 percent of the workforce in the IC community.

In addition, the percentage of female managers was only 35.5 percent. CIA is reviewing the situation of its minority and women officers, and I commend that initiative, and I strongly urge other agencies within the IC to do the same.

This bill and the IC’s efforts are good steps in the right direction. However, we have to stay in stride and look for efforts to create a more inclusive, equitable, and diverse workforce.

Going forward, I hope to look at the status of women and minority workers throughout the IC and how to increase their management ranks. Our workforce is our greatest asset and our greatest strength.

There are many parts of this bill which cannot be discussed on the floor. The United States keeps secrets for a reason. However, let me say that the intelligence professionals at each of the 16 IC agencies go to work every day to do their jobs, keep America number one, and to protect the homeland.

I want to commend Chairman Rogers and Ranking Member Ruppersberger for their leadership on the Intel Committee. It was a committee assignment that I was not sure I wanted to accept at first, but I know how important our national security is.

I want to thank the gentleman, Mr. Chairman, and the ranking member’s staff for helping new members come up to speed. Indeed, what we do here is so critically important. The Fiscal Year 2014 Intelligence Authorization is a critically important bill. I urge my colleagues to support it.

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just wanted to thank the gentlewoman for joining us on the committee. It is sometimes long hours and thankless work, and I am fairly confident our IQ on the committee has doubled since she has arrived on the committee.

Penetrating questions, robust debate, curiosity that has no bounds, and her travel around the world has been critically important to the work we do on the committee, and the work that she and her colleagues do as she is truly the best in the world.

I think that is one of the reasons it is such a good bill. I wanted to thank the gentlewoman for her work on the 2014 fiscal bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, to ensure the most rigorous oversight and accountability over all U.S. intelligence agencies and all U.S. intelligence activities, I urge my colleagues to vote for this important bill.

I also urge my colleagues to support this bill for the sake of all of us, not just in America, but around the world, who benefit from the work of our intelligence community in the United States.

Mr. Speaker, I urge my colleagues to support this bill, so that our dedicated intelligence professionals who work worldwide—often in harm’s way—can keep us safe and our allies safe. They are truly the best in the world.

We can disagree about policy, but we should never disagree about the professionalism, bravery, and devotion to the
rule of law that are the hallmarks of our intelligence professionals.

Finally, once again, let me just thank you, Mr. Chairman, for your leadership for these past years. I also want to sincerely thank every member of the Select Committee.

I want to thank Congresswoman Terri Sewell for being here tonight and for being involved in this bill. You were a big part of our success.

We debate, and we argue, but we always negotiate, and we always keep in our minds what is most important: the security, privacy, and civil liberties of the American people.

Together with the Senate—and I thank Senators Feinstein and Chambliss again—we have produced for the House to consider today a truly strong bill, which I am proud to support. I urge all my colleagues to support it as well.

Mr. Speaker, I yield back the balance of my time.

Mr. Rogers of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I want to thank my ranking member, and I want to thank all the staff—Republican and Democrat staff. These bills don’t come together for the fond wishes of us Members alone.

We have very dedicated and committed staff who sit down and work through the issues, just the way the Members do, and we wouldn’t have this product today if it weren’t for that collaboration, and I want to thank all of them for that.

Mr. Speaker, I want to thank Dutch on a personal note. There is a lot to not like in this town, and there is a lot to not like in this place, but it shows you—and I think it shows Americans—that when you sit down and have mutual respect for each other, even though we disagreed on certain issues, you can come to a conclusion that is in the best interest of the United States.

Through forging that relationship, I think we forged a lasting friendship that I will always be grateful for, so I want to thank you for that.

Thank you for your work on national security, and thanks to all the staff who brought us here today. We have a lot more work to do, so we can’t be too nice to them.

We are going to have to get a lot of pounds of flesh between now and the end of the year, to get a lot of work done.

With that, Mr. Speaker, I would ask and encourage this body to support a bill that will provide national security safety for the United States for the following years.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. Rogers) that the House suspend the rules and pass the bill, S. 1681.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HONORABLE JIM JORDAN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable Jim Jordan, Member of Congress:


Hon. John A. Boehner, Speaker, U.S. House of Representatives, Washington, DC.

Dear Mr. Speaker: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the United States District Court for the Northern District of Ohio, for my testimony in a criminal case.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

Jim Jordan, Member of Congress.

ILLEGAL IMMIGRATION INVASION

(Mr. Rohrabacher asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHrabacher. Mr. Speaker, our current immigration policies and political rhetoric broadcast to people around the world that they can come here illegally without consequence. In fact, if they do, they will be rewarded for it. We send this message, and then we act surprised when an illegal immigration invasion into our country Skyrockets.

A growing crisis at our southern border sees tens of thousands of children being abandoned at our doorstep. Their parents miscalculated. They heard someone talk about the DREAM Act and thought their children would be taken care of.

Ultimately, this crisis was brought on by Democrats and Republicans who have advocated granting legal status to those people who are here illegally, especially in terms of the so-called “DREAMers.”

While most of those advocating such policies have good motives and good hearts, they have unintentionally created a humanitarian and bureaucratic crisis that our government is not equipped to handle.

I say we should send them home. The children and those who have come here illegally need to be sent home, whether they are adults or children.

PLAYING POLITICS WITH THE CAMERA

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2013, the gentleman from Iowa (Mr. King) is recognized for 60 minutes as the designee of the majority leader, Mr. King of Iowa. Mr. Speaker, it is my privilege to address you here on the floor of the House of Representatives, and I appreciate the opportunity to do so.

There are a number of topics that are on my mind, and generally for me, Mr. Speaker, it flows from the previous debate.

As I listened to the deliberation and the dialogue and I will say the cooperative nature that came between the chairman and the ranking member of the Select Committee on Intelligence here this evening, Mr. Speaker, I appreciate that kind of dialogue, and I think our Founding Fathers would be very pleased if they could see that this work that is being done, a lot of it behind closed doors in the Select Committee on Intelligence, is being done in a deliberative process, sometimes in a classified setting, but often in a non-partisan environment.

It seems as though, when the television cameras come on, the partisan nature of this United States Congress is amplified by the media’s coverage of the events that take place. Then when the doors get closed, we get serious about policy in a different kind of a way.

We are no longer messaging to America or simply having that kind of debate and dialogue that our Founding Fathers envisioned. I don’t know that it is particularly a phenomenon that is unique to the United States Congress.

At the time of our Founding Fathers, we didn’t have instantaneous media communications that went out across the District of Columbia or into the States or across the country, for that matter, or the world.

□ 1945

As technology developed, they had the printing press. The printing press allowed for newspaper to be printed in a limited form, in a compressed and compact form. And as that message went out across the country, sometimes it took weeks for the actions here in Congress to penetrate into the public. And by then, there was another wave of action and another wave of action, an entirely different rhythm here in Congress as compared to the rhythm that we have here. I think the pace of what we do in this Congress is related to the ability to translate a message out to the American people and out to the world.

And so now going from an era when information traveled at its fastest pace, as our Founding Fathers helped shape this Nation, information traveled at its fastest pace about as fast as a horse could gallop. That was the closest thing they had to lightning speed of communications back in 1776. Today, information travels at the speed of light, and it is not only that there is a single piece of information that goes