

114TH CONGRESS  
1ST SESSION

# H. R. 2596

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## AN ACT

To authorize appropriations for fiscal year 2016 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,*

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Intelligence Authorization Act for Fiscal Year 2016”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 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. Prior congressional notification of initiations of certain new special  
access programs.

Sec. 304. Prior congressional notification of transfers of funds for certain intel-  
ligence activities.

Sec. 305. Designation of lead intelligence officer for tunnels.

Sec. 306. Clarification of authority of Privacy and Civil Liberties Oversight  
Board.

Sec. 307. Reporting process required for tracking certain requests for country  
clearance.

Sec. 308. Prohibition on sharing of certain information in response to foreign  
government inquiries.

Sec. 309. National Cyber Threat Intelligence Integration Center.

Sec. 310. Intelligence community business system transformation.

Sec. 311. Inclusion of Inspector General of Intelligence Community in Council  
of Inspectors General on Integrity and Efficiency.

Sec. 312. Authorities of the Inspector General for the Central Intelligence  
Agency.

Sec. 313. Provision of information and assistance to Inspector General of the  
Intelligence Community.

Sec. 314. Clarification relating to information access by Comptroller General.

Sec. 315. Use of homeland security grant funds in conjunction with Depart-  
ment of Energy national laboratories.

Sec. 316. Technical amendments relating to pay under title 5, United States  
Code.

Sec. 317. Inclusion of Hispanic-serving institutions in grant program to enhance recruiting of intelligence community workforce.

Subtitle B—Matters Relating to United States Naval Station, Guantanamo Bay, Cuba

Sec. 321. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 322. Prohibition on use of funds to construct or modify facilities in United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 323. Prohibition on use of funds to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to combat zones.

Subtitle C—Reports

Sec. 331. Reports to Congress on individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 332. Reports on foreign fighters.

Sec. 333. Reports on prisoner population at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 334. Report on use of certain business concerns.

Sec. 335. Repeal of certain reporting requirements.

Sec. 336. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community.

Sec. 337. Report on effects of data breach of Office of Personnel Management.

Sec. 338. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.

Sec. 339. Report on continuous evaluation of security clearances.

Sec. 340. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms.

Sec. 341. Report on national security cooperation between United States, India, and Israel.

Sec. 342. Cyber attack standards of measurement study.

Sec. 343. Report on wildlife trafficking.

Sec. 344. Report on terrorist use of social media.

Sec. 345. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat ISIL, al-Qaeda, and their affiliated groups, associated groups, and adherents.

**1 SEC. 2. DEFINITIONS.**

**2 In this Act:**

**3 (a) CONGRESSIONAL INTELLIGENCE COMMITTEES.—**

**4 The term “congressional intelligence committees”**  
**5 means—**

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

1           (2) the Permanent Select Committee on Intel-  
2           ligence of the House of Representatives.

3           (b) INTELLIGENCE COMMUNITY.—The term “intel-  
4           ligence community” has the meaning given that term in  
5           section 3(4) of the National Security Act of 1947 (50  
6           U.S.C. 3003(4)).

7                           **TITLE I—INTELLIGENCE**  
8                           **ACTIVITIES**

9           **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

10           Funds are hereby authorized to be appropriated for  
11           fiscal year 2016 for the conduct of the intelligence and  
12           intelligence-related activities of the following elements of  
13           the United States Government:

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

16                   (2) The Central Intelligence Agency.

17                   (3) The Department of Defense.

18                   (4) The Defense Intelligence Agency.

19                   (5) The National Security Agency.

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

23                   (7) The Coast Guard.

24                   (8) The Department of State.

25                   (9) The Department of the Treasury.

1 (10) The Department of Energy.

2 (11) The Department of Justice.

3 (12) The Federal Bureau of Investigation.

4 (13) The Drug Enforcement Administration.

5 (14) The National Reconnaissance Office.

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

8 (16) The Department of Homeland Security.

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

10 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL  
11 LEVELS.—The amounts authorized to be appropriated  
12 under section 101 and, subject to section 103, the author-  
13 ized personnel ceilings as of September 30, 2016, for the  
14 conduct of the intelligence activities of the elements listed  
15 in paragraphs (1) through (16) of section 101, are those  
16 specified in the classified Schedule of Authorizations pre-  
17 pared to accompany the bill H.R. 2596 of the One Hun-  
18 dred Fourteenth Congress.

19 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
20 THORIZATIONS.—

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

1           (2) DISTRIBUTION BY THE PRESIDENT.—Sub-  
2       ject to paragraph (3), the President shall provide for  
3       suitable distribution of the classified Schedule of Au-  
4       thorizations, or of appropriate portions of the Sched-  
5       ule, within the executive branch.

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

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

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

15           (C) as otherwise required by law.

16 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

17       (a) AUTHORITY FOR INCREASES.—The Director of  
18       National Intelligence may authorize employment of civil-  
19       ian personnel in excess of the number authorized for fiscal  
20       year 2016 by the classified Schedule of Authorizations re-  
21       ferred to in section 102(a) if the Director of National In-  
22       telligence determines that such action is necessary to the  
23       performance of important intelligence functions, except  
24       that the number of personnel employed in excess of the  
25       number authorized under such section may not, for any

1 element of the intelligence community, exceed 3 percent  
2 of the number of civilian personnel authorized under such  
3 schedule for such element.

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

10 (1) a student program, trainee program, or  
11 similar program;

12 (2) a reserve corps or as a reemployed annu-  
13 itant; or

14 (3) details, joint duty, or long-term, full-time  
15 training.

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

21 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
22 **COUNT.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated for the Intelligence Commu-  
25 nity Management Account of the Director of National In-

1 telligence for fiscal year 2016 the sum of \$501,850,000.  
2 Within such amount, funds identified in the classified  
3 Schedule of Authorizations referred to in section 102(a)  
4 for advanced research and development shall remain avail-  
5 able until September 30, 2017.

6 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-  
7 ments within the Intelligence Community Management  
8 Account of the Director of National Intelligence are au-  
9 thorized 785 positions as of September 30, 2016. Per-  
10 sonnel serving in such elements may be permanent em-  
11 ployees of the Office of the Director of National Intel-  
12 ligence or personnel detailed from other elements of the  
13 United States Government.

14 (c) CLASSIFIED AUTHORIZATIONS.—

15 (1) AUTHORIZATION OF APPROPRIATIONS.—In  
16 addition to amounts authorized to be appropriated  
17 for the Intelligence Community Management Ac-  
18 count by subsection (a), there are authorized to be  
19 appropriated for the Community Management Ac-  
20 count for fiscal year 2016 such additional amounts  
21 as are specified in the classified Schedule of Author-  
22 izations referred to in section 102(a). Such addi-  
23 tional amounts for advanced research and develop-  
24 ment shall remain available until September 30,  
25 2017.



1           (2) AUTHORIZATION OF PERSONNEL.—In addi-  
2           tion to the personnel authorized by subsection (b)  
3           for elements of the Intelligence Community Manage-  
4           ment Account as of September 30, 2016, there are  
5           authorized such additional personnel for the Com-  
6           munity Management Account as of that date as are  
7           specified in the classified Schedule of Authorizations  
8           referred to in section 102(a).

9       **TITLE     II—CENTRAL     INTEL-**  
10       **LIGENCE    AGENCY    RETIRE-**  
11       **MENT     AND   DISABILITY   SYS-**  
12       **TEM**

13   **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

14       There is authorized to be appropriated for the Cen-  
15       tral Intelligence Agency Retirement and Disability Fund  
16       for fiscal year 2016 the sum of \$514,000,000.

17       **TITLE III—GENERAL**  
18       **PROVISIONS**

19       **Subtitle A—General Matters**

20   **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**  
21       **BENEFITS AUTHORIZED BY LAW.**

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

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

3 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
4 **ACTIVITIES.**

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

9 **SEC. 303. PRIOR CONGRESSIONAL NOTIFICATION OF INTI-**  
10 **ATIONS OF CERTAIN NEW SPECIAL ACCESS**  
11 **PROGRAMS.**

12 (a) LIMITATION.—Except as provided in subsection  
13 (b), none of the funds authorized to be appropriated by  
14 this Act or otherwise made available for the intelligence  
15 community for fiscal year 2016 may be used to initiate  
16 any new special access program pertaining to any intel-  
17 ligence or intelligence-related activity or covert action un-  
18 less the Director of National Intelligence or the Secretary  
19 of Defense, as appropriate, submits to the congressional  
20 intelligence committees and the Committees on Armed  
21 Services of the House of Representatives and the Senate,  
22 by not later than 30 days before initiating such a program,  
23 written notification of the intention to initiate the pro-  
24 gram.

25 (b) WAIVER.—

1           (1) IN GENERAL.—The Director of National In-  
2           telligence or the Secretary of Defense, as appro-  
3           priate, may waive subsection (a) with respect to the  
4           initiation of a new special access program if the Di-  
5           rector or Secretary, as the case may be, determines  
6           that an emergency situation makes it impossible or  
7           impractical to provide the notice required under such  
8           subsection by the date that is 30 days before such  
9           initiation.

10          (2) NOTICE.—If the Director or Secretary  
11          issues a waiver under paragraph (1), the Director or  
12          Secretary, as the case may be, shall submit to the  
13          congressional intelligence committees and the Com-  
14          mittees on Armed Services of the House of Rep-  
15          resentatives and the Senate, by not later than 48  
16          hours after the initiation of the new special access  
17          program covered by the waiver, written notice of the  
18          waiver and a justification for the waiver, including  
19          a description of the emergency situation that neces-  
20          sitated the waiver.

21          (c) SPECIAL ACCESS PROGRAM DEFINED.—In this  
22          section, the term “special access program” has the mean-  
23          ing given such term in Executive Order No. 13526 as in  
24          effect on the date of the enactment of this Act.

1 **SEC. 304. PRIOR CONGRESSIONAL NOTIFICATION OF**  
2 **TRANSFERS OF FUNDS FOR CERTAIN INTEL-**  
3 **LIGENCE ACTIVITIES.**

4 (a) LIMITATION.—Except as provided in subsection  
5 (b), none of the funds authorized to be appropriated by  
6 this Act or otherwise made available for the intelligence  
7 community for fiscal year 2016 may be used to initiate  
8 a transfer of funds from the Joint Improvised Explosive  
9 Device Defeat Fund or the Counterterrorism Partnerships  
10 Fund to be used for intelligence activities unless the Direc-  
11 tor of National Intelligence or the Secretary of Defense,  
12 as appropriate, submits to the congressional intelligence  
13 committees, by not later than 30 days before initiating  
14 such a transfer, written notice of the transfer.

15 (b) WAIVER.—

16 (1) IN GENERAL.—The Director of National In-  
17 telligence or the Secretary of Defense, as appro-  
18 priate, may waive subsection (a) with respect to the  
19 initiation of a transfer of funds if the Director or  
20 Secretary, as the case may be, determines that an  
21 emergency situation makes it impossible or imprac-  
22 tical to provide the notice required under such sub-  
23 section by the date that is 30 days before such initi-  
24 ation.

25 (2) NOTICE.—If the Director or Secretary  
26 issues a waiver under paragraph (1), the Director or

1 Secretary, as the case may be, shall submit to the  
2 congressional intelligence committees, by not later  
3 than 48 hours after the initiation of the transfer of  
4 funds covered by the waiver, written notice of the  
5 waiver and a justification for the waiver, including  
6 a description of the emergency situation that neces-  
7 sitated the waiver.

8 **SEC. 305. DESIGNATION OF LEAD INTELLIGENCE OFFICER**  
9 **FOR TUNNELS.**

10 (a) IN GENERAL.—The Director of National Intel-  
11 ligence shall designate an official to manage the collection  
12 and analysis of intelligence regarding the tactical use of  
13 tunnels by state and nonstate actors.

14 (b) ANNUAL REPORT.—Not later than the date that  
15 is 10 months after the date of the enactment of this Act,  
16 and biennially thereafter until the date that is 4 years  
17 after the date of the enactment of this Act, the Director  
18 of National Intelligence shall submit to the congressional  
19 intelligence committees and the congressional defense  
20 committees (as such term is defined in section 101(a)(16)  
21 of title 10, United States Code) a report describing—

22 (1) trends in the use of tunnels by foreign state  
23 and nonstate actors; and

1           (2) collaboration efforts between the United  
2       States and partner countries to address the use of  
3       tunnels by adversaries.

4   **SEC. 306. CLARIFICATION OF AUTHORITY OF PRIVACY AND**  
5                   **CIVIL LIBERTIES OVERSIGHT BOARD.**

6       Section 1061(g) of the Intelligence Reform and Ter-  
7   rorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is  
8   amended by adding at the end the following new para-  
9   graph:

10           “(5) LIMITATIONS.—Nothing in this section  
11       shall be construed to authorize the Board, or any  
12       agent thereof, to gain access to information that an  
13       executive branch agency deems related to covert ac-  
14       tion, as such term is defined in section 503(e) of the  
15       National Security Act of 1947 (50 U.S.C.  
16       3093(e)).”.

17   **SEC. 307. REPORTING PROCESS REQUIRED FOR TRACKING**  
18                   **CERTAIN REQUESTS FOR COUNTRY CLEAR-**  
19                   **ANCE.**

20       (a) IN GENERAL.—By not later than September 30,  
21   2016, the Director of National Intelligence shall establish  
22   a formal internal reporting process for tracking requests  
23   for country clearance submitted to overseas Director of  
24   National Intelligence representatives by departments and  
25   agencies of the United States. Such reporting process shall

1 include a mechanism for tracking the department or agen-  
2 cy that submits each such request and the date on which  
3 each such request is submitted.

4 (b) CONGRESSIONAL BRIEFING.—By not later than  
5 December 31, 2016, the Director of National Intelligence  
6 shall brief the congressional intelligence committees on the  
7 progress of the Director in establishing the process re-  
8 quired under subsection (a).

9 **SEC. 308. PROHIBITION ON SHARING OF CERTAIN INFOR-**  
10 **MATION IN RESPONSE TO FOREIGN GOVERN-**  
11 **MENT INQUIRIES.**

12 (a) PROHIBITION.—None of the funds authorized to  
13 be appropriated by this Act for any element of the intel-  
14 ligence community may be used to respond to, share, or  
15 authorize the sharing of any non-public information re-  
16 lated to intelligence activities carried out by the United  
17 States in response to a legislative or judicial inquiry from  
18 a foreign government into the intelligence activities of the  
19 United States.

20 (b) CONGRESSIONAL NOTIFICATION.—Not later than  
21 30 days after an element of the intelligence community  
22 receives a legislative or judicial inquiry from a foreign gov-  
23 ernment related to intelligence activities carried out by the  
24 United States, the element shall submit to the congres-

1 sional intelligence committees written notification of the  
2 inquiry.

3 (c) CLARIFICATION REGARDING COLLABORATION  
4 WITH FOREIGN PARTNERS.—The prohibition under sub-  
5 section (a) shall not be construed as limiting routine intel-  
6 ligence activities with foreign partners, except in any case  
7 in which the central focus of the collaboration with the  
8 foreign partner is to obtain information for, or solicit a  
9 response to, a legislative or judicial inquiry from a foreign  
10 government related to intelligence activities carried out by  
11 the United States.

12 **SEC. 309. NATIONAL CYBER THREAT INTELLIGENCE INTE-**  
13 **GRATION CENTER.**

14 (a) ESTABLISHMENT.—Title I of the National Secu-  
15 rity Act of 1947 (50 U.S.C. 3021 et seq.) is amended—

16 (1) by redesignating section 119B as section  
17 119C; and

18 (2) by inserting after section 119A the fol-  
19 lowing new section:

20 **“SEC. 119B. CYBER THREAT INTELLIGENCE INTEGRATION**  
21 **CENTER.**

22 “(a) ESTABLISHMENT.—There is within the Office of  
23 the Director of National Intelligence a Cyber Threat Intel-  
24 ligence Integration Center.



1       “(b) DIRECTOR.—There is a Director of the Cyber  
2 Threat Intelligence Integration Center, who shall be the  
3 head of the Cyber Threat Intelligence Integration Center,  
4 and who shall be appointed by the Director of National  
5 Intelligence.

6       “(c) PRIMARY MISSIONS.—The Cyber Threat Intel-  
7 ligence Integration Center shall—

8               “(1) serve as the primary organization within  
9 the Federal Government for analyzing and inte-  
10 grating all intelligence possessed or acquired by the  
11 United States pertaining to cyber threats;

12              “(2) ensure that appropriate departments and  
13 agencies of the Federal Government have full access  
14 to and receive all-source intelligence support needed  
15 to execute the cyber threat intelligence activities of  
16 such agencies and to perform independent, alter-  
17 native analyses;

18              “(3) disseminate cyber threat analysis to the  
19 President, the appropriate departments and agencies  
20 of the Federal Government, and the appropriate  
21 committees of Congress;

22              “(4) coordinate cyber threat intelligence activi-  
23 ties of the departments and agencies of the Federal  
24 Government; and

1           “(5) conduct strategic cyber threat intelligence  
2           planning for the Federal Government.

3           “(d) LIMITATIONS.—The Cyber Threat Intelligence  
4           Integration Center—

5           “(1) may not have more than 50 permanent po-  
6           sitions;

7           “(2) in carrying out the primary missions of the  
8           Center described in subsection (c), may not augment  
9           staffing through detailees, assignees, or core con-  
10          tractor personnel or enter into any personal services  
11          contracts to exceed the limitation under paragraph  
12          (1); and

13          “(3) shall be located in a building owned or op-  
14          erated by an element of the intelligence community  
15          as of the date of the enactment of this section.

16          “(e) REPORTS.—Not later than 10 months after the  
17          date of the enactment of this subsection, and annually  
18          thereafter for 3 years, the Director of the Cyber Threat  
19          Intelligence Integration Center shall submit a report to  
20          Congress that includes the following:

21               “(1) With respect to the year covered by the re-  
22               port, a detailed description of cyber threat trends, as  
23               compiled by the Cyber Threat Intelligence Integra-  
24               tion Center.

1           “(2) With respect to the year covered by the re-  
 2       port, a detailed description of the coordination ef-  
 3       forts by the Cyber Threat Intelligence Integration  
 4       Center between departments and agencies of the  
 5       Federal Government, including the Department of  
 6       Defense, the Department of Justice, and the De-  
 7       partment of Homeland Security.

8           “(3) Recommendations for better collaboration  
 9       between such departments and agencies of the Fed-  
 10      eral Government.”.

11       (b) TABLE OF CONTENTS AMENDMENTS.—The table  
 12      of contents in the first section of the National Security  
 13      Act of 1947, as amended by section 102 of this title, is  
 14      further amended by striking the item relating to section  
 15      119B and inserting the following new items:

“Sec. 119B. Cyber Threat Intelligence Integration Center.  
 “Sec. 119C. National intelligence centers.”.

16   **SEC. 310. INTELLIGENCE COMMUNITY BUSINESS SYSTEM**  
 17                           **TRANSFORMATION.**

18       Section 506D of the National Security Act of 1947  
 19      (50 U.S.C. 3100) is amended to read as follows:

20       “INTELLIGENCE COMMUNITY BUSINESS SYSTEM  
 21                           TRANSFORMATION

22       “SEC. 506D. (a) LIMITATION ON OBLIGATION OF  
 23      FUNDS.—(1) Subject to paragraph (3), no funds appro-  
 24      priated to any element of the intelligence community may

1 be obligated for an intelligence community business sys-  
2 tem transformation that will have a total cost in excess  
3 of \$3,000,000 unless the Chief Information Officer of the  
4 Intelligence Community makes a certification described in  
5 paragraph (2) with respect to such intelligence community  
6 business system transformation.

7 “(2) The certification described in this paragraph for  
8 an intelligence community business system transformation  
9 is a certification made by the Chief Information Officer  
10 of the Intelligence Community that the intelligence com-  
11 munity business system transformation—

12 “(A) complies with the enterprise architecture  
13 under subsection (b) and such other policies and  
14 standards that the Chief Information Officer of the  
15 Intelligence Community considers appropriate; or

16 “(B) is necessary—

17 “(i) to achieve a critical national security  
18 capability or address a critical requirement; or

19 “(ii) to prevent a significant adverse effect  
20 on a project that is needed to achieve an essen-  
21 tial capability, taking into consideration any al-  
22 ternative solutions for preventing such adverse  
23 effect.

24 “(3) With respect to a fiscal year after fiscal year  
25 2010, the amount referred to in paragraph (1) in the mat-

1 ter preceding subparagraph (A) shall be equal to the sum  
2 of—

3 “(A) the amount in effect under such para-  
4 graph (1) for the preceding fiscal year (determined  
5 after application of this paragraph), plus

6 “(B) such amount multiplied by the annual per-  
7 centage increase in the Consumer Price Index (all  
8 items; U.S. city average) as of September of the pre-  
9 vious fiscal year.

10 “(b) ENTERPRISE ARCHITECTURE FOR INTEL-  
11 LIGENCE COMMUNITY BUSINESS SYSTEMS.—(1) The Di-  
12 rector of National Intelligence shall develop and imple-  
13 ment an enterprise architecture to cover all intelligence  
14 community business systems, and the functions and activi-  
15 ties supported by such business systems. The enterprise  
16 architecture shall be sufficiently defined to effectively  
17 guide, constrain, and permit implementation of interoper-  
18 able intelligence community business system solutions,  
19 consistent with applicable policies and procedures estab-  
20 lished by the Director of the Office of Management and  
21 Budget.

22 “(2) The enterprise architecture under paragraph (1)  
23 shall include the following:

24 “(A) An information infrastructure that will en-  
25 able the intelligence community to—

1 “(i) comply with all Federal accounting, fi-  
2 nancial management, and reporting require-  
3 ments;

4 “(ii) routinely produce timely, accurate,  
5 and reliable financial information for manage-  
6 ment purposes;

7 “(iii) integrate budget, accounting, and  
8 program information and systems; and

9 “(iv) provide for the measurement of per-  
10 formance, including the ability to produce time-  
11 ly, relevant, and reliable cost information.

12 “(B) Policies, procedures, data standards, and  
13 system interface requirements that apply uniformly  
14 throughout the intelligence community.

15 “(c) RESPONSIBILITIES FOR INTELLIGENCE COMMU-  
16 NITY BUSINESS SYSTEM TRANSFORMATION.—The Direc-  
17 tor of National Intelligence shall be responsible for the en-  
18 tire life cycle of an intelligence community business system  
19 transformation, including review, approval, and oversight  
20 of the planning, design, acquisition, deployment, oper-  
21 ation, and maintenance of the business system trans-  
22 formation.

23 “(d) INTELLIGENCE COMMUNITY BUSINESS SYSTEM  
24 INVESTMENT REVIEW.—(1) The Chief Information Offi-  
25 cer of the Intelligence Community shall establish and im-

1 plement, not later than 60 days after October 7, 2010,  
2 an investment review process for the intelligence commu-  
3 nity business systems for which the Chief Information Of-  
4 ficer of the Intelligence Community is responsible.

5 “(2) The investment review process under paragraph  
6 (1) shall—

7 “(A) meet the requirements of section 11312 of  
8 title 40, United States Code; and

9 “(B) specifically set forth the responsibilities of  
10 the Chief Information Office of the Intelligence  
11 Community under such review process.

12 “(3) The investment review process under paragraph  
13 (1) shall include the following elements:

14 “(A) Review and approval by an investment re-  
15 view board (consisting of appropriate representatives  
16 of the intelligence community) of each intelligence  
17 community business system as an investment before  
18 the obligation of funds for such system.

19 “(B) Periodic review, but not less often than  
20 annually, of every intelligence community business  
21 system investment.

22 “(C) Thresholds for levels of review to ensure  
23 appropriate review of intelligence community busi-  
24 ness system investments depending on the scope,  
25 complexity, and cost of the system involved.

1           “(D) Procedures for making certifications in  
2           accordance with the requirements of subsection  
3           (a)(2).

4           “(e) RELATION TO ANNUAL REGISTRATION RE-  
5           QUIREMENTS.—Nothing in this section shall be construed  
6           to alter the requirements of section 8083 of the Depart-  
7           ment of Defense Appropriations Act, 2005 (Public Law  
8           108–287; 118 Stat. 989), with regard to information tech-  
9           nology systems (as defined in subsection (d) of such sec-  
10          tion).

11          “(f) RELATIONSHIP TO DEFENSE BUSINESS ENTER-  
12          PRISE ARCHITECTURE.—Intelligence community business  
13          system transformations certified under this section shall  
14          be deemed to be in compliance with section 2222 of title  
15          10, United States Code. Nothing in this section shall be  
16          construed to exempt funds authorized to be appropriated  
17          to the Department of Defense for activities other than an  
18          intelligence community business system transformation  
19          from the requirements of such section 2222, to the extent  
20          that such requirements are otherwise applicable.

21          “(g) RELATION TO CLINGER-COHEN ACT.—(1) Exec-  
22          utive agency responsibilities in chapter 113 of title 40,  
23          United States Code, for any intelligence community busi-  
24          ness system transformation shall be exercised jointly by—



1           “(A) the Director of National Intelligence and  
2           the Chief Information Officer of the Intelligence  
3           Community; and

4           “(B) the head of the executive agency that con-  
5           tains the element of the intelligence community in-  
6           volved and the chief information officer of that exec-  
7           utive agency.

8           “(2) The Director of National Intelligence and the  
9           head of the executive agency referred to in paragraph  
10          (1)(B) shall enter into a memorandum of understanding  
11          to carry out the requirements of this section in a manner  
12          that best meets the needs of the intelligence community  
13          and the executive agency.

14          “(h) DEFINITIONS.—In this section:

15               “(1) The term ‘enterprise architecture’ has the  
16               meaning given that term in section 3601(4) of title  
17               44, United States Code.

18               “(2) The terms ‘information system’ and ‘infor-  
19               mation technology’ have the meanings given those  
20               terms in section 11101 of title 40, United States  
21               Code.

22               “(3) The term ‘intelligence community business  
23               system’ means an information system, including a  
24               national security system, that is operated by, for, or  
25               on behalf of an element of the intelligence commu-

1 nity, including a financial system, mixed system, fi-  
2 nancial data feeder system, and the business infra-  
3 structure capabilities shared by the systems of the  
4 business enterprise architecture, including people,  
5 process, and technology, that build upon the core in-  
6 frastructure used to support business activities, such  
7 as acquisition, financial management, logistics, stra-  
8 tegic planning and budgeting, installations and envi-  
9 ronment, and human resource management.

10 “(4) The term ‘intelligence community business  
11 system transformation’ means—

12 “(A) the acquisition or development of a  
13 new intelligence community business system; or

14 “(B) any significant modification or en-  
15 hancement of an existing intelligence commu-  
16 nity business system (other than necessary to  
17 maintain current services).

18 “(5) The term ‘national security system’ has  
19 the meaning given that term in section 3552(b) of  
20 title 44, United States Code.”.

1 **SEC. 311. INCLUSION OF INSPECTOR GENERAL OF INTEL-**  
2 **LIGENCE COMMUNITY IN COUNCIL OF IN-**  
3 **SPECTORS GENERAL ON INTEGRITY AND EF-**  
4 **FICIENCY.**

5 Section 11(b)(1)(B) of the Inspector General Act of  
6 1978 (Public Law 95–452; 5 U.S.C. App.) is amended by  
7 striking “the Office of the Director of National Intel-  
8 ligence” and inserting “the Intelligence Community”.

9 **SEC. 312. AUTHORITIES OF THE INSPECTOR GENERAL FOR**  
10 **THE CENTRAL INTELLIGENCE AGENCY.**

11 (a) INFORMATION AND ASSISTANCE.—Paragraph (9)  
12 of section 17(e) of the Central Intelligence Agency Act of  
13 1949 (50 U.S.C. 3517(e)(9)) is amended to read as fol-  
14 lows:

15 “(9)(A) The Inspector General may request such in-  
16 formation or assistance as may be necessary for carrying  
17 out the duties and responsibilities of the Inspector General  
18 provided by this section from any Federal, State, or local  
19 governmental agency or unit thereof.

20 “(B) Upon request of the Inspector General for infor-  
21 mation or assistance from a department or agency of the  
22 Federal Government, the head of the department or agen-  
23 cy involved, insofar as practicable and not in contravention  
24 of any existing statutory restriction or regulation of such  
25 department or agency, shall furnish to the Inspector Gen-

1 eral, or to an authorized designee, such information or as-  
2 sistance.

3 “(C) Nothing in this paragraph may be construed to  
4 provide any new authority to the Central Intelligence  
5 Agency to conduct intelligence activity in the United  
6 States.

7 “(D) In this paragraph, the term ‘State’ means each  
8 of the several States, the District of Columbia, the Com-  
9 monwealth of Puerto Rico, the Commonwealth of the  
10 Northern Mariana Islands, and any territory or possession  
11 of the United States.”.

12 (b) TECHNICAL AMENDMENTS RELATING TO SELEC-  
13 TION OF EMPLOYEES.—Paragraph (7) of such section (50  
14 U.S.C. 3517(e)(7)) is amended—

15 (1) by inserting “(A)” before “Subject to appli-  
16 cable law”; and

17 (2) by adding at the end the following new sub-  
18 paragraph:

19 “(B) Consistent with budgetary and personnel re-  
20 sources allocated by the Director, the Inspector General  
21 has final approval of—

22 “(i) the selection of internal and external can-  
23 didates for employment with the Office of Inspector  
24 General; and

1           “(ii) all other personnel decisions concerning  
2           personnel permanently assigned to the Office of In-  
3           specter General, including selection and appointment  
4           to the Senior Intelligence Service, but excluding all  
5           security-based determinations that are not within  
6           the authority of a head of other Central Intelligence  
7           Agency offices.”.

8   **SEC. 313. PROVISION OF INFORMATION AND ASSISTANCE**  
9                           **TO INSPECTOR GENERAL OF THE INTEL-**  
10                          **LIGENCE COMMUNITY.**

11       Section 103H(j)(4) of the National Security Act of  
12   1947 (50 U.S.C. 3033) is amended—

13           (1) in subparagraph (A), by striking “any de-  
14       partment, agency, or other element of the United  
15       States Government” and inserting “any Federal,  
16       State (as defined in section 804), or local govern-  
17       mental agency or unit thereof”; and

18           (2) in subparagraph (B), by inserting “from a  
19       department, agency, or element of the Federal Gov-  
20       ernment” before “under subparagraph (A)”.

21   **SEC. 314. CLARIFICATION RELATING TO INFORMATION AC-**  
22                           **CESS BY COMPTROLLER GENERAL.**

23       Section 348(a) of the Intelligence Authorization Act  
24   for Fiscal Year 2010 (Public Law 111–259; 124 Stat.

1 2700; 50 U.S.C. 3308) is amended by adding at the end  
2 the following new paragraph:

3 “(4) REQUESTS BY CERTAIN CONGRESSIONAL  
4 COMMITTEES.—Consistent with the protection of  
5 classified information, the directive issued under  
6 paragraph (1) shall not prohibit the Comptroller  
7 General from obtaining information necessary to  
8 carry out the following audits or reviews:

9 “(A) An audit or review carried out—

10 “(i) at the request of the congressional intelligence committees; or  
11

12 “(ii) pursuant to—

13 “(I) an intelligence authorization  
14 Act;

15 “(II) a committee report or joint  
16 explanatory statement accompanying  
17 an intelligence authorization Act; or

18 “(III) a classified annex to a  
19 committee report or joint explanatory  
20 statement accompanying an intelligence authorization Act.  
21

22 “(B) An audit or review pertaining to intelligence activities of the Department of Defense carried out—  
23  
24

1 “(i) at the request of the congres-  
2 sional defense committees (as defined in  
3 section 101(a)(16) of title 10, United  
4 States Code); or  
5 “(ii) pursuant to a national defense  
6 authorization Act.”.

7 **SEC. 315. USE OF HOMELAND SECURITY GRANT FUNDS IN**  
8 **CONJUNCTION WITH DEPARTMENT OF EN-**  
9 **ERGY NATIONAL LABORATORIES.**

10 Section 2008(a) of the Homeland Security Act of  
11 2002 (6 U.S.C. 609(a)) is amended in the matter pre-  
12 ceding paragraph (1) by inserting “including by working  
13 in conjunction with a National Laboratory (as defined in  
14 section 2(3) of the Energy Policy Act of 2005 (42 U.S.C.  
15 15801(3)),” after “plans,”.

16 **SEC. 316. TECHNICAL AMENDMENTS RELATING TO PAY**  
17 **UNDER TITLE 5, UNITED STATES CODE.**

18 Section 5102(a)(1) of title 5, United States Code, is  
19 amended—

20 (1) in clause (vii), by striking “or”;  
21 (2) by inserting after clause (vii) the following  
22 new clause:

23 “(viii) the Office of the Director of Na-  
24 tional Intelligence;”; and

1 (3) in clause (x), by striking the period and in-  
 2 serting a semicolon.

3 **SEC. 317. INCLUSION OF HISPANIC-SERVING INSTITUTIONS**  
 4 **IN GRANT PROGRAM TO ENHANCE RECRUIT-**  
 5 **ING OF INTELLIGENCE COMMUNITY WORK-**  
 6 **FORCE.**

7 Section 1024 of the National Security Act of 1947  
 8 (50 U.S.C. ) is amended—

9 (1) in subsection (c)—

10 (A) in paragraph (1), by inserting “, His-  
 11 panic-serving institutions, and” after “univer-  
 12 sities”; and

13 (B) in the subsection heading for such sub-  
 14 section, by striking “HISTORICALLY BLACK”  
 15 and inserting “CERTAIN MINORITY-SERVING”;  
 16 and

17 (2) in subsection (g)—

18 (A) by redesignating paragraph (5) as  
 19 paragraph (6); and

20 (B) by inserting after paragraph (4) the  
 21 following new paragraph (5):

22 “(5) HISPANIC-SERVING INSTITUTION.—The  
 23 term ‘Hispanic-serving institution’ has the meaning  
 24 given that term in section 502(a)(5) of the Higher  
 25 Education Act of 1965 (20 U.S.C. 1101a(a)(5)).”.



1 **Subtitle B—Matters Relating to**  
2 **United States Naval Station,**  
3 **Guantanamo Bay, Cuba**

4 **SEC. 321. PROHIBITION ON USE OF FUNDS FOR TRANSFER**  
5 **OR RELEASE OF INDIVIDUALS DETAINED AT**  
6 **UNITED STATES NAVAL STATION, GUANTA-**  
7 **NAMO BAY, CUBA.**

8 No amounts authorized to be appropriated or other-  
9 wise made available to an element of the intelligence com-  
10 munity may be used during the period beginning on the  
11 date of the enactment of this Act and ending on December  
12 31, 2016, to transfer, release, or assist in the transfer or  
13 release, to or within the United States, its territories, or  
14 possessions, Khalid Sheikh Mohammed or any other indi-  
15 vidual detained at Guantanamo (as such term is defined  
16 in section 322(c)).

17 **SEC. 322. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**  
18 **OR MODIFY FACILITIES IN UNITED STATES**  
19 **TO HOUSE DETAINEES TRANSFERRED FROM**  
20 **UNITED STATES NAVAL STATION, GUANTA-**  
21 **NAMO BAY, CUBA.**

22 (a) IN GENERAL.—No amounts authorized to be ap-  
23 propriated or otherwise made available to an element of  
24 the intelligence community may be used during the period  
25 beginning on the date of the enactment of this Act and

1 ending on December 31, 2016, to construct or modify any  
2 facility in the United States, its territories, or possessions  
3 to house any individual detained at Guantanamo for the  
4 purposes of detention or imprisonment in the custody or  
5 under the control of the Department of Defense.

6 (b) EXCEPTION.—The prohibition in subsection (a)  
7 shall not apply to any modification of facilities at United  
8 States Naval Station, Guantanamo Bay, Cuba.

9 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-  
10 FINED.—In this section, the term “individual detained at  
11 Guantanamo” means any individual located at United  
12 States Naval Station, Guantanamo Bay, Cuba, as of Octo-  
13 ber 1, 2009, who—

14 (1) is not a citizen of the United States or a  
15 member of the Armed Forces of the United States;  
16 and

17 (2) is—

18 (A) in the custody or under the control of  
19 the Department of Defense; or

20 (B) otherwise under detention at United  
21 States Naval Station, Guantanamo Bay, Cuba.

1 **SEC. 323. PROHIBITION ON USE OF FUNDS TO TRANSFER**  
2 **OR RELEASE INDIVIDUALS DETAINED AT**  
3 **UNITED STATES NAVAL STATION, GUANTA-**  
4 **NAMO BAY, CUBA, TO COMBAT ZONES.**

5 (a) IN GENERAL.—No amounts authorized to be ap-  
6 propriated or otherwise made available to an element of  
7 the intelligence community may be used during the period  
8 beginning on the date of the enactment of this Act and  
9 ending on December 31, 2016, to transfer, release, or as-  
10 sist in the transfer or release of any individual detained  
11 in the custody or under the control of the Department of  
12 Defense at United States Naval Station, Guantanamo  
13 Bay, Cuba, to a combat zone.

14 (b) COMBAT ZONE DEFINED.—In this section, the  
15 term “combat zone” means any area designated as a com-  
16 bat zone for purposes of section 112 of the Internal Rev-  
17 enue Code of 1986 for which the income of a member of  
18 the Armed Forces was excluded during 2014, 2015, or  
19 2016 by reason of the member’s service on active duty  
20 in such area.

21 **Subtitle C—Reports**

22 **SEC. 331. REPORTS TO CONGRESS ON INDIVIDUALS FOR-**  
23 **MERLY DETAINED AT UNITED STATES NAVAL**  
24 **STATION, GUANTANAMO BAY, CUBA.**

25 (a) ADDITIONAL MATTERS FOR INCLUSION IN RE-  
26 PORTS.—Subsection (c) of section 319 of the Supple-

1 mental Appropriations Act, 2009 (Public Law 111–32;  
2 123 Stat. 1874; 10 U.S.C. 801 note) is amended by add-  
3 ing after paragraph (5) the following new paragraphs:

4           “(6) A summary of all contact by any means of  
5           communication, including telecommunications, elec-  
6           tronic or technical means, in person, written commu-  
7           nications, or any other means of communication, re-  
8           gardless of content, between any individual formerly  
9           detained at Naval Station, Guantanamo Bay, Cuba,  
10          and any individual known or suspected to be associ-  
11          ated with a foreign terrorist group.

12          “(7) A description of whether any of the con-  
13          tact described in the summary required by para-  
14          graph (6) included any information or discussion  
15          about hostilities against the United States or its al-  
16          lies or partners.

17          “(8) For each individual described in paragraph  
18          (4), the period of time between the date on which  
19          the individual was released or transferred from  
20          Naval Station, Guantanamo Bay, Cuba, and the  
21          date on which it is confirmed that the individual is  
22          suspected or confirmed of reengaging in terrorist ac-  
23          tivities.

1           “(9) The average period of time described in  
2           paragraph (8) for all the individuals described in  
3           paragraph (4).”.

4           (b) FORM.—Subsection (a) of such section is amend-  
5   ed by adding at the end the following: “The reports may  
6   be submitted in classified form.”.

7           (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
8   tion or the amendments made by this section shall be con-  
9   strued to terminate, alter, modify, override, or otherwise  
10   affect any reporting of information required under section  
11   319(c) of the Supplemental Appropriations Act, 2009  
12   (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801  
13   note), as in effect immediately before the enactment of  
14   this section.

15   **SEC. 332. REPORTS ON FOREIGN FIGHTERS.**

16           (a) REPORTS REQUIRED.—Not later than 60 days  
17   after the date of the enactment of this Act, and every 60  
18   days thereafter, the Director of National Intelligence shall  
19   submit to the congressional intelligence committees a re-  
20   port on foreign fighter flows to and from Syria and to  
21   and from Iraq. The Director shall define the term “foreign  
22   fighter” in such reports.

23           (b) MATTERS TO BE INCLUDED.—Each report sub-  
24   mitted under subsection (a) shall include each of the fol-  
25   lowing:

1           (1) The total number of foreign fighters who  
2       have traveled to Syria or Iraq since January 1,  
3       2011, the total number of foreign fighters in Syria  
4       or Iraq as of the date of the submittal of the report,  
5       the total number of foreign fighters whose countries  
6       of origin have a visa waiver program described in  
7       section 217 of the Immigration and Nationality Act  
8       (8 U.S.C. 1187), the total number of foreign fight-  
9       ers who have left Syria or Iraq, the total number of  
10      female foreign fighters, and the total number of de-  
11      ceased foreign fighters.

12           (2) The total number of United States persons  
13      who have traveled or attempted to travel to Syria or  
14      Iraq since January 1, 2011, the total number of  
15      such persons who have arrived in Syria or Iraq since  
16      such date, and the total number of such persons who  
17      have returned to the United States from Syria or  
18      Iraq since such date.

19           (3) The total number of foreign fighters in Ter-  
20      rorist Identities Datamart Environment and the sta-  
21      tus of each such foreign fighter in that database, the  
22      number of such foreign fighters who are on a  
23      watchlist, and the number of such foreign fighters  
24      who are not on a watchlist.

1           (4) The total number of foreign fighters who  
2       have been processed with biometrics, including face  
3       images, fingerprints, and iris scans.

4           (5) Any programmatic updates to the foreign  
5       fighter report since the last report was issued, in-  
6       cluding updated analysis on foreign country coopera-  
7       tion, as well as actions taken, such as denying or re-  
8       voking visas.

9           (6) A worldwide graphic that describes foreign  
10      fighters flows to and from Syria, with points of ori-  
11      gin by country.

12      (c) ADDITIONAL REPORT.—Not later than 180 days  
13   after the date of the enactment of this Act, the Director  
14   of National Intelligence shall submit to the congressional  
15   intelligence committees a report that includes—

16           (1) with respect to the travel of foreign fighters  
17      to and from Iraq and Syria, a description of the in-  
18      telligence sharing relationships between the United  
19      States and member states of the European Union  
20      and member states of the North Atlantic Treaty Or-  
21      ganization; and

22           (2) an analysis of the challenges impeding such  
23      intelligence sharing relationships.

24      (d) FORM.—The reports submitted under subsections  
25   (a) and (c) may be submitted in classified form.

1 (e) TERMINATION.—The requirement to submit re-  
2 ports under subsection (a) shall terminate on the date that  
3 is three years after the date of the enactment of this Act.

4 **SEC. 333. REPORTS ON PRISONER POPULATION AT UNITED**  
5 **STATES NAVAL STATION, GUANTANAMO BAY,**  
6 **CUBA.**

7 (a) REPORTS REQUIRED.—Not later than 60 days  
8 after the date of the enactment of this Act, and every 30  
9 days thereafter, the Director of the Defense Intelligence  
10 Agency, in coordination with the Director of National In-  
11 telligence, shall submit to the Members of Congress speci-  
12 fied in subsection (b) a report on the prisoner population  
13 at the detention facility at United States Naval Station,  
14 Guantanamo Bay, Cuba.

15 (b) SPECIFIED MEMBERS AND COMMITTEES OF CON-  
16 GRESS.—The Members of Congress specified in this sub-  
17 section are the following:

18 (1) The majority leader and minority leader of  
19 the Senate.

20 (2) The Chairman and Ranking Member of the  
21 Committee on Armed Services of the Senate.

22 (3) The Chairman and Vice Chairman of the  
23 Select Committee on Intelligence of the Senate.

24 (4) The Chairman and Vice Chairman of the  
25 Committee on Appropriations of the Senate.



1           (5) The Speaker of the House of Representa-  
2       tives.

3           (6) The minority leader of the House of Rep-  
4       representatives.

5           (7) The Chairman and Ranking Member of the  
6       Committee on Armed Services of the House of Rep-  
7       representatives.

8           (8) The Chairman and Ranking Member of the  
9       Permanent Select Committee on Intelligence of the  
10      House of Representatives.

11          (9) The Chairman and Ranking Member of the  
12      Committee on Appropriations of the House of Rep-  
13      representatives.

14      (c) MATTERS TO BE INCLUDED.—Each report sub-  
15      mitted under subsection (a) shall include each of the fol-  
16      lowing:

17          (1) The name and country of origin of each  
18      prisoner detained at the detention facility at United  
19      States Naval Station Guantanamo Bay, Cuba, as of  
20      the date of such report.

21          (2) A current summary of the evidence, intel-  
22      ligence, and information used to justify the detention  
23      of each prisoner listed under paragraph (1) at  
24      United States Naval Station, Guantanamo Bay,  
25      Cuba.

1           (3) A current accounting of all the measures  
2       taken to transfer each prisoner listed under para-  
3       graph (1) to the individual's country of citizenship  
4       or another country.

5           (4) A current description of the number of indi-  
6       viduals released or transferred from detention at  
7       United States Naval Station, Guantanamo Bay,  
8       Cuba, who are confirmed or suspected of returning  
9       to terrorist activities after such release or transfer.

10          (5) An assessment of any efforts by foreign ter-  
11       rorist organizations to recruit individuals released  
12       from detention at United States Naval Station,  
13       Guantanamo Bay, Cuba.

14          (6) A summary of all contact by any means of  
15       communication, including telecommunications, elec-  
16       tronic or technical means, in person, written commu-  
17       nications, or any other means of communication, re-  
18       gardless of content, between any individual formerly  
19       detained at United States Naval Station, Guanta-  
20       namo Bay, Cuba, and any individual known or sus-  
21       pected to be associated with a foreign terrorist  
22       group.

23          (7) A description of whether any of the contact  
24       described in the summary required by paragraph (6)  
25       included any information or discussion about hos-

1       tilities against the United States or its allies or part-  
2       ners.

3           (8) For each individual described in paragraph  
4       (4), the period of time between the date on which  
5       the individual was released or transferred from  
6       United States Naval Station, Guantanamo Bay,  
7       Cuba, and the date on which it is confirmed that the  
8       individual is suspected or confirmed of reengaging in  
9       terrorist activities.

10          (9) The average period of time described in  
11       paragraph (8) for all the individuals described in  
12       paragraph (4).

13   **SEC. 334. REPORT ON USE OF CERTAIN BUSINESS CON-**  
14                   **CERNS.**

15       (a) IN GENERAL.—Not later than 90 days after the  
16       date of the enactment of this Act, the Director of National  
17       Intelligence shall submit to the congressional intelligence  
18       communities a report on the representation, as of the date  
19       of the report, of covered business concerns among the con-  
20       tractors that are awarded contracts by elements of the in-  
21       telligence community for goods, equipment, tools, and  
22       services.

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

1           (1) The representation of covered business con-  
2           cerns as described in subsection (a), including such  
3           representation by—

4                   (A) each type of covered business concern;  
5           and

6                   (B) each element of the intelligence com-  
7           munity.

8           (2) If, as of the date of the enactment of this  
9           Act, the Director does not record and monitor the  
10          statistics required to carry out this section, a de-  
11          scription of the actions taken by the Director to en-  
12          sure that such statistics are recorded and monitored  
13          beginning in fiscal year 2016.

14          (3) The actions the Director plans to take dur-  
15          ing fiscal year 2016 to enhance the awarding of con-  
16          tracts to covered business concerns by elements of  
17          the intelligence community.

18          (c) COVERED BUSINESS CONCERNS DEFINED.—In  
19          this section, the term “covered business concerns” means  
20          the following:

21                  (1) Minority-owned businesses.

22                  (2) Women-owned businesses.

23                  (3) Small disadvantaged businesses.

24                  (4) Service-disabled veteran-owned businesses.

25                  (5) Veteran-owned small businesses.

1 **SEC. 335. REPEAL OF CERTAIN REPORTING REQUIRE-**  
2 **MENTS.**

3 (a) QUADRENNIAL AUDIT OF POSITIONS REQUIRING  
4 SECURITY CLEARANCES.—Section 506H of the National  
5 Security Act of 1947 (50 U.S.C. 3104) is amended—

6 (1) by striking subsection (a); and

7 (2) by redesignating subsections (b) and (c) as  
8 subsections (a) and (b), respectively.

9 (b) REPORTS ON ROLE OF ANALYSTS AT FBI AND  
10 FBI INFORMATION SHARING.—Section 2001(g) of the In-  
11 telligence Reform and Terrorism Prevention Act of 2004  
12 (Public Law 108–458; 118 Stat. 3700; 28 U.S.C. 532  
13 note) is amended by striking paragraph (3) and redesign-  
14 ating paragraph (4) as paragraph (3).

15 (c) REPORT ON OUTSIDE EMPLOYMENT BY OFFI-  
16 CERS AND EMPLOYEES OF INTELLIGENCE COMMUNITY.—

17 (1) IN GENERAL.—Section 102A(u) of the Na-  
18 tional Security Act of 1947 (50 U.S.C. 3024) is  
19 amended—

20 (A) by striking “(1) The Director” and in-  
21 serting “The Director”; and

22 (B) by striking paragraph (2).

23 (2) CONFORMING AMENDMENT.—Subsection (a)  
24 of section 507 of such Act (50 U.S.C. 3106(a)) is  
25 amended—

26 (A) by striking paragraph (5); and

1 (B) by redesignating paragraph (6) as  
2 paragraph (5).

3 (3) TECHNICAL AMENDMENT.—Subsection  
4 (c)(1) of such section 507 is amended by striking  
5 “subsection (a)(1)” and inserting “subsection (a)”.

6 (d) REPORTS ON NUCLEAR ASPIRATIONS OF NON-  
7 STATE ENTITIES.—Section 1055 of the National Defense  
8 Authorization Act for Fiscal Year 2010 (50 U.S.C. 2371)  
9 is repealed.

10 (e) REPORTS ON ESPIONAGE BY PEOPLE’S REPUBLIC  
11 OF CHINA.—Section 3151 of the National Defense Au-  
12 thorization Act for Fiscal Year 2000 (42 U.S.C. 7383e)  
13 is repealed.

14 (f) REPORTS ON SECURITY VULNERABILITIES OF  
15 NATIONAL LABORATORY COMPUTERS.—Section 4508 of  
16 the Atomic Energy Defense Act (50 U.S.C. 2659) is re-  
17 pealed.

18 **SEC. 336. REPORT ON HIRING OF GRADUATES OF CYBER**  
19 **CORPS SCHOLARSHIP PROGRAM BY INTEL-**  
20 **LIGENCE COMMUNITY.**

21 (a) IN GENERAL.—Not later than 90 days after the  
22 date of the enactment of this Act, the Director of National  
23 Intelligence, in coordination with the Director of the Na-  
24 tional Science Foundation, shall submit to the congres-  
25 sional intelligence committees a report on the employment

1 by the intelligence community of graduates of the Cyber  
2 Corps Scholarship Program. The report shall include the  
3 following:

4 (1) The number of graduates of the Cyber  
5 Corps Scholarship Program hired by each element of  
6 the intelligence community.

7 (2) A description of how each element of the in-  
8 telligence community recruits graduates of the Cyber  
9 Corps Scholar Program.

10 (3) A description of any processes available to  
11 the intelligence community to expedite the hiring or  
12 processing of security clearances for graduates of  
13 the Cyber Corps Scholar Program.

14 (4) Recommendations by the Director to im-  
15 prove the hiring by the intelligence community of  
16 graduates of the Cyber Corps Scholarship Program,  
17 including any recommendations for legislative action  
18 to carry out such improvements.

19 (b) CYBER CORPS SCHOLARSHIP PROGRAM DE-  
20 FINED.—In this section, the term “Cyber Corps Scholar-  
21 ship Program” means the Federal Cyber Scholarship-for-  
22 Service Program under section 302 of the Cybersecurity  
23 Enhancement Act of 2014 (15 U.S.C. 7442).

1 **SEC. 337. REPORT ON EFFECTS OF DATA BREACH OF OF-**  
2 **FICE OF PERSONNEL MANAGEMENT.**

3 (a) REPORT.—Not later than 120 days after the date  
4 of the enactment of this Act, the President shall transmit  
5 to the congressional intelligence committees a report on  
6 the data breach of the Office of Personnel Management  
7 disclosed in June 2015.

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

10 (1) The effects, if any, of the data breach on  
11 the operations of the intelligence community abroad,  
12 including the types of operations, if any, that have  
13 been negatively affected or entirely suspended or ter-  
14 minated as a result of the data breach.

15 (2) An assessment of the effects of the data  
16 breach to each element of the intelligence commu-  
17 nity.

18 (3) An assessment of how foreign persons,  
19 groups, or countries may use the data collected by  
20 the data breach (particularly regarding information  
21 included in background investigations for security  
22 clearances), including with respect to—

23 (A) recruiting intelligence assets;

24 (B) influencing decision-making processes  
25 within the Federal Government, including re-  
26 garding foreign policy decisions; and



1                   (C) compromising employees of the Fed-  
2                   eral Government and friends and families of  
3                   such employees for the purpose of gaining ac-  
4                   cess to sensitive national security and economic  
5                   information.

6                   (4) An assessment of which departments or  
7                   agencies of the Federal Government use the best  
8                   practices to protect sensitive data, including a sum-  
9                   mary of any such best practices that were not used  
10                  by the Office of Personnel Management.

11                  (5) An assessment of the best practices used by  
12                  the departments or agencies identified under para-  
13                  graph (4) to identify and fix potential vulnerabilities  
14                  in the systems of the department or agency.

15                  (c) BRIEFING.—The Director of National Intelligence  
16                  shall provide to the congressional intelligence committees  
17                  an interim briefing on the report under subsection (a), in-  
18                  cluding a discussion of proposals and options for respond-  
19                  ing to cyber attacks.

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

1 **SEC. 338. ASSESSMENT ON FUNDING OF POLITICAL PAR-**  
2 **TIES AND NONGOVERNMENTAL ORGANIZA-**  
3 **TIONS BY THE RUSSIAN FEDERATION.**

4 (a) IN GENERAL.—Not later than 180 days after the  
5 date of the enactment of this Act, the Director of National  
6 Intelligence shall submit to the appropriate congressional  
7 committees an intelligence community assessment on the  
8 funding of political parties and nongovernmental organiza-  
9 tions in former Soviet states and countries in Europe by  
10 the Russian Federation and the security and intelligence  
11 services of the Russian Federation since January 1, 2006.  
12 Such assessment shall include the following:

13 (1) The country involved, the entity funded, the  
14 security service involved, and the intended effect of  
15 the funding.

16 (2) An evaluation of such intended effects, in-  
17 cluding with respect to—

18 (A) undermining the political cohesion of  
19 the country involved;

20 (B) undermining the missile defense of the  
21 United States and the North Atlantic Treaty  
22 Organization; and

23 (C) undermining energy projects that could  
24 provide an alternative to Russian energy.

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

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
5 FINED.—In this section, the term “appropriate congres-  
6 sional committees” means the following:

7 (1) The congressional intelligence communities.

8 (2) The Committees on Armed Services of the  
9 House of Representatives and the Senate.

10 (3) The Committee on Foreign Affairs of the  
11 House of Representatives and the Committee on  
12 Foreign Relations of the Senate.

13 **SEC. 339. REPORT ON CONTINUOUS EVALUATION OF SECU-**  
14 **RITY CLEARANCES.**

15 Not later than 120 days after the date of the enact-  
16 ment of this Act, the Director of National Intelligence  
17 shall submit to the congressional intelligence committees  
18 and the congressional defense committees (as defined in  
19 section 101(a)(16) of title 10, United States Code) a re-  
20 port on the continuous evaluation of security clearances  
21 of employees, officers, and contractors of the intelligence  
22 community. The report shall include the following:

23 (1) The status of the continuous evaluation pro-  
24 gram of the intelligence community, including a  
25 timeline for the implementation of such program.

1           (2) A comparison of such program to the auto-  
2           mated continuous evaluation system of the Depart-  
3           ment of Defense.

4           (3) Identification of any possible efficiencies  
5           that could be achieved by the intelligence community  
6           leveraging the automated continuous evaluation sys-  
7           tem of the Department of Defense.

8   **SEC. 340. REPORT ON STRATEGY, EFFORTS, AND RE-**  
9                   **SOURCES TO DETECT, DETER, AND DEGRADE**  
10                  **ISLAMIC STATE REVENUE MECHANISMS.**

11       (a) SENSE OF CONGRESS.—It is the sense of Con-  
12       gress that the intelligence community should dedicate nec-  
13       essary resources to defeating the revenue mechanisms of  
14       the Islamic State.

15       (b) REPORT.—Not later than 90 days after the date  
16       of the enactment of this Act, the Director of National In-  
17       telligence shall submit to the intelligence committees a re-  
18       port on the strategy, efforts, and resources of the intel-  
19       ligence community that are necessary to detect, deter, and  
20       degrade the revenue mechanisms of the Islamic State.

21   **SEC. 341. REPORT ON NATIONAL SECURITY COOPERATION**  
22                   **BETWEEN UNITED STATES, INDIA, AND**  
23                   **ISRAEL.**

24       Not later than 180 days after the date of the enact-  
25       ment of this Act, the Director of National Intelligence

1 shall submit to the congressional intelligence committees  
2 a report on possibilities for growing national security co-  
3 operation between the United States, India, and Israel.

4 **SEC. 342. CYBER ATTACK STANDARDS OF MEASUREMENT**  
5 **STUDY.**

6 (a) **STUDY REQUIRED.**—The Director of National In-  
7 telligence, in consultation with the Secretary of Homeland  
8 Security, the Director of the Federal Bureau of Investiga-  
9 tion, and the Secretary of Defense, shall carry out a study  
10 to determine appropriate standards that—

11 (1) can be used to measure the damage of cyber  
12 incidents for the purposes of determining the re-  
13 sponse to such incidents; and

14 (2) include a method for quantifying the dam-  
15 age caused to affected computers, systems, and de-  
16 vices.

17 (b) **REPORTS TO CONGRESS.**—

18 (1) **PRELIMINARY FINDINGS.**—Not later than  
19 180 days after the date of the enactment of this Act,  
20 the Director of National Intelligence shall provide to  
21 the Committee on Armed Services, the Committee  
22 on Homeland Security and Governmental Affairs,  
23 and the Select Committee on Intelligence of the Sen-  
24 ate and the Committee on Armed Services, the Com-  
25 mittee on Homeland Security, and the Permanent

1       Select Committee on Intelligence of the House of  
2       Representatives the initial findings of the study re-  
3       quired under subsection (a).

4           (2) REPORT.—Not later than 360 days after  
5       the date of the enactment of this Act, the Director  
6       of National Intelligence shall submit to the Com-  
7       mittee on Armed Services, the Committee on Home-  
8       land Security and Governmental Affairs, and the Se-  
9       lect Committee on Intelligence of the Senate and the  
10      Committee on Armed Services, the Committee on  
11      Homeland Security, and the Permanent Select Com-  
12      mittee on Intelligence of the House of Representa-  
13      tives a report containing the complete findings of  
14      such study.

15          (3) FORM OF REPORT.—The report required by  
16      paragraph (2) shall be submitted in unclassified  
17      form, but may contain a classified annex.

18   **SEC. 343. REPORT ON WILDLIFE TRAFFICKING.**

19          (a) REPORTS REQUIRED.—Not later than 365 days  
20      after the date of the enactment of this Act, the Director  
21      of National Intelligence shall submit to the congressional  
22      committees specified in subsection (b) a report on wildlife  
23      trafficking.

1 (b) SPECIFIED MEMBERS AND COMMITTEES OF CON-  
2 GRESS.—The congressional committees specified in this  
3 subsection are the following:

4 (1) Select Committee on Intelligence of the Sen-  
5 ate.

6 (2) Committee on Foreign Relations of the Sen-  
7 ate.

8 (3) Committee on Environment and Public  
9 Works of the Senate.

10 (4) Permanent Select Committee on Intelligence  
11 of the House of Representatives.

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

14 (6) Committee on Natural Resources of the  
15 House of Representatives.

16 (c) MATTERS TO BE INCLUDED.—The report sub-  
17 mitted under subsection (a) shall include each of the fol-  
18 lowing:

19 (1) An assessment of the major source, transit,  
20 and destination countries for wildlife trafficking  
21 products or their derivatives and how such products  
22 or derivatives are trafficked.

23 (2) An assessment of the efforts of those coun-  
24 tries identified as major source, transit, and destina-  
25 tion countries to counter wildlife trafficking and to

1       adhere to their international treaty obligations relat-  
2       ing to endangered or threatened species.

3               (3) An assessment of critical vulnerabilities that  
4       can be used to counter wildlife trafficking.

5               (4) An assessment of the extent of involvement  
6       of designated foreign terrorist organizations and  
7       transnational criminal organizations in wildlife traf-  
8       ficking.

9               (5) An assessment of key actors and  
10       facilitators, including government officials, that are  
11       supporting wildlife trafficking.

12              (6) An assessment of the annual net worth of  
13       wildlife trafficking globally and the financial flows  
14       that enables wildlife trafficking.

15              (7) An assessment of the impact of wildlife traf-  
16       ficking on key wildlife populations.

17              (8) An assessment of the effectiveness of efforts  
18       taken to date to counter wildlife trafficking.

19              (9) An assessment of the effectiveness of capac-  
20       ity-building efforts by the United States Govern-  
21       ment.

22              (10) An assessment of the impact of wildlife  
23       trafficking on the national security of the United  
24       States.



1           (11) An assessment of the level of coordination  
2           between United States intelligence and law enforce-  
3           ment agencies on intelligence related to wildlife traf-  
4           ficking, the capacity of those agencies to process and  
5           act on that intelligence effectively, existing barriers  
6           to effective coordination, and the degree to which  
7           relevant intelligence is shared with and acted upon  
8           by bilateral and multilateral law enforcement part-  
9           ners.

10          (12) An assessment of the gaps in intelligence  
11          capabilities to assess transnational wildlife traf-  
12          ficking networks and steps currently being taken, in  
13          line with the Implementation Plan to the National  
14          Strategy for Combating Wildlife Trafficking, to rem-  
15          edy such information gaps.

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

19      **SEC. 344. REPORT ON TERRORIST USE OF SOCIAL MEDIA.**

20          (a) REPORT REQUIRED.—Not later than 180 days  
21          after the date of the enactment of this Act, the Director  
22          of National Intelligence shall submit to the congressional  
23          committees specified in subsection (b) a report that rep-  
24          resents the coordinated assessment of the intelligence  
25          community on terrorist use of social media.

1 (b) SPECIFIED MEMBERS AND COMMITTEES OF CON-  
2 GRESS.—The congressional committees specified in this  
3 subsection are the following:

4 (1) Select Committee on Intelligence of the Sen-  
5 ate.

6 (2) Committee on Foreign Relations of the Sen-  
7 ate.

8 (3) Committee on Judiciary of the Senate.

9 (4) Committee on Homeland and Government  
10 Affairs of the Senate.

11 (5) Permanent Select Committee on Intelligence  
12 of the House of Representatives.

13 (6) Committee on Foreign Affairs of the House  
14 of Representatives.

15 (7) Committee on Judiciary of the House of  
16 Representatives.

17 (8) Committee on Homeland Security of the  
18 House of Representatives.

19 (c) MATTERS TO BE INCLUDED.—The report sub-  
20 mitted under subsection (a) shall include each of the fol-  
21 lowing:

22 (1) An assessment of what role social media  
23 plays in radicalization in the United States and else-  
24 where.

1           (2) An assessment of how terrorists and ter-  
 2           rorist organizations are using social media, including  
 3           trends.

4           (3) An assessment of the intelligence value of  
 5           social media posts by terrorists and terrorist organi-  
 6           zations.

7           (4) An assessment of the impact on the na-  
 8           tional security of the United States of the public  
 9           availability of terrorist content on social media for  
 10          fundraising, radicalization, and recruitment.

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

14      **SEC. 345. REPORT ON UNITED STATES COUNTERTER-**  
 15                              **RORISM STRATEGY TO DISRUPT, DISMANTLE,**  
 16                              **AND DEFEAT ISIL, AL-QAEDA, AND THEIR AF-**  
 17                              **FILIATED GROUPS, ASSOCIATED GROUPS,**  
 18                              **AND ADHERENTS.**

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 the Islamic

1 State of Iraq and the Levant (ISIL), al-Qaeda, and  
2 their affiliated groups, associated groups, and adher-  
3 ents.

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

13 (3) ELEMENTS.—The report required by para-  
14 graph (1) shall include each of the following:

15 (A) A definition of—

16 (i) al-Qaeda core, including a list of  
17 which known individuals constitute al-  
18 Qaeda core;

19 (ii) ISIL, including a list of which  
20 known individuals constitute ISIL leader-  
21 ship;

22 (iii) an affiliated group of ISIL or al-  
23 Qaeda, including a list of which known  
24 groups constitute an affiliate group of  
25 ISIL or al-Qaeda;

1 (iv) an associated group of ISIL or al-  
2 Qaeda, including a list of which known  
3 groups constitute an associated group of  
4 ISIL or al-Qaeda;

5 (v) an adherent of ISIL or al-Qaeda,  
6 including a list of which known groups  
7 constitute an adherent of ISIL or al-  
8 Qaeda; and

9 (vi) a group aligned with ISIL or al-  
10 Qaeda, including a description of what ac-  
11 tions a group takes or statements it makes  
12 that qualify it as a group aligned with  
13 ISIL or al-Qaeda.

14 (B) An assessment of the relationship be-  
15 tween all identified ISIL or al-Qaeda affiliated  
16 groups, associated groups, and adherents with  
17 ISIL leadership or al-Qaeda core.

18 (C) An assessment of the strengthening or  
19 weakening of ISIL or al-Qaeda, its affiliated  
20 groups, associated groups, and adherents, from  
21 January 1, 2010, to the present, including a de-  
22 scription of the metrics that are used to assess  
23 strengthening or weakening and an assessment  
24 of the relative increase or decrease in violent at-  
25 tacks attributed to such entities.

1           (D) An assessment of whether or not an  
2 individual can be a member of al-Qaeda core if  
3 such individual is not located in Afghanistan or  
4 Pakistan.

5           (E) An assessment of whether or not an  
6 individual can be a member of al-Qaeda core as  
7 well as a member of an al-Qaeda affiliated  
8 group, associated group, or adherent.

9           (F) A definition of defeat of ISIL or core  
10 al-Qaeda.

11          (G) An assessment of the extent or coordi-  
12 nation, command, and control between ISIL or  
13 core al-Qaeda and their affiliated groups, asso-  
14 ciated groups, and adherents, specifically ad-  
15 dressing each such entity.

16          (H) An assessment of the effectiveness of  
17 counterterrorism operations against ISIL or  
18 core al-Qaeda, their affiliated groups, associated  
19 groups, and adherents, and whether such oper-  
20 ations have had a sustained impact on the ca-  
21 pabilities and effectiveness of ISIL or core al-  
22 Qaeda, their affiliated groups, associated  
23 groups, and adherents.

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

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

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

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

Passed the House of Representatives June 16, 2015.

Attest:

*Clerk.*

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2596

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## AN ACT

To authorize appropriations for fiscal year 2016 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.