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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2015

Mr. NUNES introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select), and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 9, 2015

Reported from the Select Committee on Intelligence (Permanent Select) with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 9, 2015

The Committee on the Budget discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 1, 2015]
2

A BILL

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.
Be it enacted by the Senate and House of Representa-
tives 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 “Int-
elligence Authorization Act for Fiscal Year 2016”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Budgetary effects.

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 ac-
cess 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 In-
telligence Community.
Sec. 314. Clarification relating to information access by Comptroller General.
Sec. 315. Use of homeland security grant funds in conjunction with Department of Energy national laboratories.
Sec. 316. Technical amendments relating to pay under title 5, United States Code.

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. 2. DEFINITIONS.

In this Act:

(a) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” means—

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

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

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

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Budget Committee of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 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 as of September 30, 2016, 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 H.R. 2596 of the One Hundred Fourteenth Congress.

(b) Availability of Classified Schedule of Authorizations.—

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

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

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

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

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2016 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number
of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) Treatment of Certain Personnel.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

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

(2) a reserve corps or as a reemployed annuitant; or

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

(c) Notice to Congressional Intelligence Committees.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).
SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) Authorization of Appropriations.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2016 the sum of $501,850,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2017.

(b) Authorized Personnel Levels.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 785 positions as of September 30, 2016. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) Classified Authorizations.—

(1) Authorization of Appropriations.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2016 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts
10

1 for advanced research and development shall remain
2 available until September 30, 2017.
3
4    (2) AUTHORIZATION OF PERSONNEL.—In addi-
5 tion to the personnel authorized by subsection (b) for
6 elements of the Intelligence Community Management
7 Account as of September 30, 2016, there are author-
8 ized such additional personnel for the Community
9 Management Account as of that date as are specified
10 in the classified Schedule of Authorizations referred to
11 in section 102(a).

TITLE II—CENTRAL INTEL-
LIGENCE AGENCY RETIRE-
MENT AND DISABILITY SYS-
TEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central
Intelligence Agency Retirement and Disability Fund for fis-
cal year 2016 the sum of $514,000,000.

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

•HR 2596 RH
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. PRIOR CONGRESSIONAL NOTIFICATION OF INITI-
ATIONS OF CERTAIN NEW SPECIAL ACCESS
PROGRAMS.

(a) LIMITATION.—Except as provided in subsection
(b), none of the funds authorized to be appropriated by this
Act or otherwise made available for the intelligence commu-
nity for fiscal year 2016 may be used to initiate any new
special access program pertaining to any intelligence or in-
telligence-related activity or covert action unless the Direc-
tor of National Intelligence or the Secretary of Defense, as
appropriate, submits to the congressional intelligence com-
mittees and the Committees on Armed Services of the House
of Representatives and the Senate, by not later than 30 days
before initiating such a program, written notification of the
intention to initiate the program.

(b) WAIVER.—
(1) IN GENERAL.—The Director of National Intelligence or the Secretary of Defense, as appropriate, may waive subsection (a) with respect to the initiation of a new special access program if the Director or Secretary, as the case may be, determines that an emergency situation makes it impossible or impractical to provide the notice required under such subsection by the date that is 30 days before such initiation.

(2) NOTICE.—If the Director or Secretary issues a waiver under paragraph (1), the Director or Secretary, as the case may be, shall submit to the congressional intelligence committees and the Committees on Armed Services of the House of Representatives and the Senate, by not later than 48 hours after the initiation of the new special access program covered by the waiver, written notice of the waiver and a justification for the waiver, including a description of the emergency situation that necessitated the waiver.

(c) SPECIAL ACCESS PROGRAM DEFINED.—In this section, the term “special access program” has the meaning given such term in Executive Order 13526 as in effect on the date of the enactment of this Act.
SEC. 304. PRIOR CONGRESSIONAL NOTIFICATION OF
TRANSFERS OF FUNDS FOR CERTAIN INTELLIGENCE ACTIVITIES.

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

(b) WAIVER.—

(1) IN GENERAL.—The Director of National Intelligence or the Secretary of Defense, as appropriate, may waive subsection (a) with respect to the initiation of a transfer of funds if the Director or Secretary, as the case may be, determines that an emergency situation makes it impossible or impractical to provide the notice required under such subsection by the date that is 30 days before such initiation.

(2) NOTICE.—If the Director or Secretary issues a waiver under paragraph (1), the Director or Secretary, as the case may be, shall submit to the con-
gressional intelligence committees, by not later than 48 hours after the initiation of the transfer of funds covered by the waiver, written notice of the waiver and a justification for the waiver, including a description of the emergency situation that necessitated the waiver.

SEC. 305. DESIGNATION OF LEAD INTELLIGENCE OFFICER FOR TUNNELS.

The Director of National Intelligence shall designate an official to manage the collection and analysis of intelligence regarding the tactical use of tunnels by state and nonstate actors.

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

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended by adding at the end the following new paragraph:

“(5) LIMITATIONS.—Nothing in this section shall be construed to authorize the Board, or any agent thereof, to gain access to information that an executive branch agency deems related to covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 3093(e)).”.
SEC. 307. REPORTING PROCESS REQUIRED FOR TRACKING CERTAIN REQUESTS FOR COUNTRY CLEARANCE.

(a) In General.—By not later than September 30, 2016, the Director of National Intelligence shall establish a formal internal reporting process for tracking requests for country clearance submitted to overseas Director of National Intelligence representatives by departments and agencies of the United States. Such reporting process shall include a mechanism for tracking the department or agency that submits each such request and the date on which each such request is submitted.

(b) Congressional Briefing.—By not later than December 31, 2016, the Director of National Intelligence shall brief the congressional intelligence committees on the progress of the Director in establishing the process required under subsection (a).

SEC. 308. PROHIBITION ON SHARING OF CERTAIN INFORMATION IN RESPONSE TO FOREIGN GOVERNMENT INQUIRIES.

(a) Prohibition.—None of the funds authorized to be appropriated by this Act for any element of the intelligence community may be used to respond to, share, or authorize the sharing of any non-public information related to intelligence activities carried out by the United States in response to a legislative or judicial inquiry from a foreign...
government into the intelligence activities of the United States.

(b) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after an element of the intelligence community receives a legislative or judicial inquiry from a foreign government related to intelligence activities carried out by the United States, the element shall submit to the congressional intelligence committees written notification of the inquiry.

(c) CLARIFICATION REGARDING COLLABORATION WITH FOREIGN PARTNERS.—The prohibition under subsection (a) shall not be construed as limiting routine intelligence activities with foreign partners, except in any case in which the central focus of the collaboration with the foreign partner is to obtain information for, or solicit a response to, a legislative or judicial inquiry from a foreign government related to intelligence activities carried out by the United States.

SEC. 309. NATIONAL CYBER THREAT INTELLIGENCE INTEGRATION CENTER.

(a) ESTABLISHMENT.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended—

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

(2) by inserting after section 119A the following new section:
SEC. 119B. CYBER THREAT INTELLIGENCE INTEGRATION CENTER.

“(a) Establishment.—There is within the Office of the Director of National Intelligence a Cyber Threat Intelligence Integration Center.

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

“(c) Primary Missions.—The Cyber Threat Intelligence Integration Center shall—

“(1) serve as the primary organization within the Federal Government for analyzing and integrating all intelligence possessed or acquired by the United States pertaining to cyber threats;

“(2) ensure that appropriate departments and agencies of the Federal Government have full access to and receive all-source intelligence support needed to execute the cyber threat intelligence activities of such agencies and to perform independent, alternative analyses;

“(3) disseminate cyber threat analysis to the President, the appropriate departments and agencies of the Federal Government, and the appropriate committees of Congress;
“(4) coordinate cyber threat intelligence activities of the departments and agencies of the Federal Government; and

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

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

“(1) may not have more than 50 permanent positions;

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

“(3) shall be located in a building owned or operated by an element of the intelligence community as of the date of the enactment of this section.”.

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

“Sec. 119B. Cyber Threat Intelligence Integration Center.
“Sec. 119C. National intelligence centers.”.
SEC. 310. INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.

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

“INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION

“SEC. 506D. (a) LIMITATION ON OBLIGATION OF FUNDS.—(1) Subject to paragraph (3), no funds appropriated to any element of the intelligence community may be obligated for an intelligence community business system transformation that will have a total cost in excess of $3,000,000 unless the Chief Information Officer of the Intelligence Community makes a certification described in paragraph (2) with respect to such intelligence community business system transformation.

“(2) The certification described in this paragraph for an intelligence community business system transformation is a certification made by the Chief Information Officer of the Intelligence Community that the intelligence community business system transformation—

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

“(B) is necessary—
“(i) to achieve a critical national security capability or address a critical requirement; or
“(ii) to prevent a significant adverse effect on a project that is needed to achieve an essential capability, taking into consideration any alternative solutions for preventing such adverse effect.

“(3) With respect to a fiscal year after fiscal year 2010, the amount referred to in paragraph (1) in the matter preceding subparagraph (A) shall be equal to the sum of—

“(A) the amount in effect under such paragraph (1) for the preceding fiscal year (determined after application of this paragraph), plus

“(B) such amount multiplied by the annual percentage increase in the Consumer Price Index (all items; U.S. city average) as of September of the previous fiscal year.

“(b) ENTERPRISE ARCHITECTURE FOR INTELLIGENCE COMMUNITY BUSINESS SYSTEMS.—(1) The Director of National Intelligence shall develop and implement an enterprise architecture to cover all intelligence community business systems, and the functions and activities supported by such business systems. The enterprise architecture shall be sufficiently defined to effectively guide, constrain, and permit implementation of interoperable intelligence commu-
nity business system solutions, consistent with applicable policies and procedures established by the Director of the Office of Management and Budget.

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

“(A) An information infrastructure that will enable the intelligence community to—

“(i) comply with all Federal accounting, financial management, and reporting requirements;

“(ii) routinely produce timely, accurate, and reliable financial information for management purposes;

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

“(iv) provide for the measurement of performance, including the ability to produce timely, relevant, and reliable cost information.

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

“(c) RESPONSIBILITIES FOR INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.—The Director of National Intelligence shall be responsible for the entire life cycle of an intelligence community business system
transformation, including review, approval, and oversight of the planning, design, acquisition, deployment, operation, and maintenance of the business system transformation.

“(d) INTELLIGENCE COMMUNITY BUSINESS SYSTEM INVESTMENT REVIEW.—(1) The Chief Information Officer of the Intelligence Community shall establish and implement, not later than 60 days after October 7, 2010, an investment review process for the intelligence community business systems for which the Chief Information Officer of the Intelligence Community is responsible.

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

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

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

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

“(A) Review and approval by an investment review board (consisting of appropriate representatives of the intelligence community) of each intelligence community business system as an investment before the obligation of funds for such system.
“(B) Periodic review, but not less often than annually, of every intelligence community business system investment.

“(C) Thresholds for levels of review to ensure appropriate review of intelligence community business system investments depending on the scope, complexity, and cost of the system involved.

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

“(e) Relation to Annual Registration Requirements.—Nothing in this section shall be construed to alter the requirements of section 8083 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 989), with regard to information technology systems (as defined in subsection (d) of such section).

“(f) Relationship to Defense Business Enterprise Architecture.—Intelligence community business system transformations certified under this section shall be deemed to be in compliance with section 2222 of title 10, United States Code. Nothing in this section shall be construed to exempt funds authorized to be appropriated to the Department of Defense for activities other than an intelligence community business system transformation from the requirements of such section 2222, to the extent that such requirements are otherwise applicable.
“(g) Relation to Clinger-Cohen Act.—(1) Executive agency responsibilities in chapter 113 of title 40, United States Code, for any intelligence community business system transformation shall be exercised jointly by—

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

“(B) the head of the executive agency that contains the element of the intelligence community involved and the chief information officer of that executive agency.

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

“(h) Definitions.—In this section:

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

“(2) The terms ‘information system’ and ‘information technology’ have the meanings given those terms in section 11101 of title 40, United States Code.
“(3) The term ‘intelligence community business system’ means an information system, including a national security system, that is operated by, for, or on behalf of an element of the intelligence community, including a financial system, mixed system, financial data feeder system, and the business infrastructure capabilities shared by the systems of the business enterprise architecture, including people, process, and technology, that build upon the core infrastructure used to support business activities, such as acquisition, financial management, logistics, strategic planning and budgeting, installations and environment, and human resource management.

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

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

“(B) any significant modification or enhancement of an existing intelligence community business system (other than necessary to maintain current services).

“(5) The term ‘national security system’ has the meaning given that term in section 3552(b) of title 44, United States Code.”.
SEC. 311. INCLUSION OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY IN COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EF-
FICIENCY.

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

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

(a) INFORMATION AND ASSISTANCE.—Paragraph (9) of section 17(e) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(9)) is amended to read as follows:

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

“(B) Upon request of the Inspector General for information or assistance from a department or agency of the Federal Government, the head of the department or agency involved, insofar as practicable and not in contravention of any existing statutory restriction or regulation of such department or agency, shall furnish to the Inspector General, or to an authorized designee, such information or ass-

•HR 2596 RH
“(C) Nothing in this paragraph may be construed to provide any new authority to the Central Intelligence Agency to conduct intelligence activity in the United States.

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

(b) Technical Amendments Relating to Selection of Employees.—Paragraph (7) of such section (50 U.S.C. 3517(e)(7)) is amended—

(1) by inserting “(A)” before “Subject to applicable law”; and

(2) by adding at the end the following new subparagraph:

“(B) Consistent with budgetary and personnel resources allocated by the Director, the Inspector General has final approval of—

“(i) the selection of internal and external candidates for employment with the Office of Inspector General; and

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

SEC. 313. PROVISION OF INFORMATION AND ASSISTANCE
TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

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

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

(2) in subparagraph (B), by inserting “from a
department, agency, or element of the Federal Govern-
ment” before “under subparagraph (A)”.

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

Section 348(a) of the Intelligence Authorization Act for
Fiscal Year 2010 (Public Law 111–259; 124 Stat. 2700;
50 U.S.C. 3308) is amended by adding at the end the fol-
lowing new paragraph:

“(4) REQUESTS BY CERTAIN CONGRESSIONAL
COMMITTEES.—Consistent with the protection of clas-
sified information, the directive issued under para-
graph (1) shall not prohibit the Comptroller General
from obtaining information necessary to carry out the
following audits or reviews:

“(A) An audit or review carried out—

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

“(ii) pursuant to—

“(I) an intelligence authorization
Act;

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

“(III) a classified annex to a com-
mittee report or joint explanatory
statement accompanying an intel-
ligence authorization Act.

“(B) An audit or review pertaining to intel-
ligence activities of the Department of Defense
carried out—

“(i) at the request of the congressional
defense committees (as defined in section
101(a)(16) of title 10, United States Code); or

“(ii) pursuant to a national defense
authorization Act.”.
SEC. 315. USE OF HOMELAND SECURITY GRANT FUNDS IN CONJUNCTION WITH DEPARTMENT OF ENERGY NATIONAL LABORATORIES.

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

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

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

(1) in clause (vii), by striking “or”;

(2) by inserting after clause (vii) the following new clause:

“(viii) the Office of the Director of National Intelligence;”; and

(3) in clause (x), by striking the period and inserting a semicolon.
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.

No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release, to or within the United States, its territories, or possessions, Khalid Sheikh Mohammed or any other individual detained at Guantanamo (as such term is defined in section 322(c)).

SEC. 322. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN UNITED STATES TO HOUSE DETAINES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) In General.—No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to construct or modify any facility
in the United States, its territories, or possessions to house
any individual detained at Guantanamo for the purposes
of detention or imprisonment in the custody or under the
control of the Department of Defense.

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

(c) Individual Detained at Guantanamo Defined.—In this section, the term “individual detained at
Guantanamo” means any individual located at United
States Naval Station, Guantanamo Bay, Cuba, as of Octo-
ber 1, 2009, who—

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

(2) is—

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

(B) otherwise under detention at 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, GUANTA-
NAMO BAY, CUBA, TO COMBAT ZONES.

(a) In General.—No amounts authorized to be ap-
propriated or otherwise made available to an element of the
intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to a combat zone.

(b) Combat Zone Defined.—In this section, the term “combat zone” means any area designated as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986 for which the income of a member of the Armed Forces was excluded during 2014, 2015, or 2016 by reason of the member’s service on active duty in such area.

Subtitle C—Reports

Sec. 331. Reports to Congress on Individuals Formerly Detained at United States Naval Station, Guantanamo Bay, Cuba.

(a) Additional Matters for Inclusion in Reports.—Subsection (c) of section 319 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note) is amended by adding after paragraph (5) the following new paragraphs:

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

“(7) A description of whether any of the contact
described in the summary required by paragraph (6)
included any information or discussion about hos-
tilities against the United States or its allies or part-
ners.

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

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

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

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

SEC. 332. REPORTS ON FOREIGN FIGHTERS.

(a) Reports Required.—Not later than 60 days after the date of the enactment of this Act, and every 60 days thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on foreign fighter flows to and from Syria and to and from Iraq. The Director shall define the term “foreign fighter” in such reports.

(b) Matters To Be Included.—Each report submitted under subsection (a) shall include each of the following:

(1) The total number of foreign fighters who have traveled to Syria or Iraq since January 1, 2011, the total number of foreign fighters in Syria or Iraq as of the date of the submittal of the report, the total number of foreign fighters whose countries of origin have a visa waiver program described in section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), the total number of foreign fighters who have left Syria or Iraq, the total number of female foreign fighters.
•The total number of United States persons who have traveled or attempted to travel to Syria or Iraq since January 1, 2011, the total number of such persons who have arrived in Syria or Iraq since such date, and the total number of such persons who have returned to the United States from Syria or Iraq since such date.

•The total number of foreign fighters in Terrorist Identities Datamart Environment and the status of each such foreign fighter in that database, the number of such foreign fighters who are on a watchlist, and the number of such foreign fighters who are not on a watchlist.

•The total number of foreign fighters who have been processed with biometrics, including face images, fingerprints, and iris scans.

•Any programmatic updates to the foreign fighter report since the last report was issued, including updated analysis on foreign country cooperation, as well as actions taken, such as denying or revoking visas.
(6) A worldwide graphic that describes foreign fighters flows to and from Syria, with points of origin by country.

(c) FORM.—The reports submitted under subsection (a) may be submitted in classified form.

(d) TERMINATION.—The requirement to submit reports under subsection (a) shall terminate on the date that is three years after the date of the enactment of this Act.

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

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 30 days thereafter, the Director of the Defense Intelligence Agency, in coordination with the Director of National Intelligence, shall submit to the Members of Congress specified in subsection (b) a report on the prisoner population at the detention facility at United States Naval Station, Guantanamo Bay, Cuba.

(b) SPECIFIED MEMBERS AND COMMITTEES OF CONGRESS.—The Members of Congress specified in this subsection are the following:

(1) The majority leader and minority leader of the Senate.
(2) The Chairman and Ranking Member of the Committee on Armed Services of the Senate.

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

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

(5) The Speaker of the House of Representatives.

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

(7) The Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives.

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

(9) The Chairman and Ranking Member of the Committee on Appropriations of the House of Representatives.

(c) MATTERS TO BE INCLUDED.—Each report submitted under subsection (a) shall include each of the following:

(1) The name and country of origin of each prisoner detained at the detention facility at United States Naval Station Guantanamo Bay, Cuba, as of the date of such report.
(2) A current summary of the evidence, intelligence, and information used to justify the detention of each prisoner listed under paragraph (1) at United States Naval Station, Guantanamo Bay, Cuba.

(3) A current accounting of all the measures taken to transfer each prisoner listed under paragraph (1) to the individual’s country of citizenship or another country.

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

(5) An assessment of any efforts by foreign terrorist organizations to recruit individuals released from detention at United States Naval Station, Guantanamo Bay, Cuba.

(6) A summary of all contact by any means of communication, including telecommunications, electronic or technical means, in person, written communications, or any other means of communication, regardless of content, between any individual formerly detained at United States Naval Station, Guantanamo Bay, Cuba, and any individual known or suspected to be associated with a foreign terrorist group.
(7) A description of whether any of the contact described in the summary required by paragraph (6) included any information or discussion about hostilities against the United States or its allies or partners.

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

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

SEC. 334. REPORT ON USE OF CERTAIN BUSINESS CONCERNS.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence communities a report on the representation, as of the date of the report, of covered business concerns among the contractors that are awarded contracts by elements of the intelligence community for goods, equipment, tools, and services.
(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The representation of covered business concerns as described in subsection (a), including such representation by—

(A) each type of covered business concern;

and

(B) each element of the intelligence community.

(2) If, as of the date of the enactment of this Act, the Director does not record and monitor the statistics required to carry out this section, a description of the actions taken by the Director to ensure that such statistics are recorded and monitored beginning in fiscal year 2016.

(3) The actions the Director plans to take during fiscal year 2016 to enhance the awarding of contracts to covered business concerns by elements of the intelligence community.

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

(1) Minority-owned businesses.

(2) Women-owned businesses.

(3) Small disadvantaged businesses.
Service-disabled veteran-owned businesses.

Veteran-owned small businesses.

SEC. 335. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) Quadrennial Audit of Positions Requiring Security Clearances.—Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) by striking subsection (a); and

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

(b) Reports on Role of Analysts at FBI and FBI Information Sharing.—Section 2001(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3700; 28 U.S.C. 532 note) is amended by striking paragraphs (3) and (4).

(c) Report on Outside Employment by Officers and Employees of Intelligence Community.—

(1) In General.—Section 102A(u) of the National Security Act of 1947 (50 U.S.C. 3024) is amended—

(A) by striking “(1) The Director” and inserting “The Director”; and

(B) by striking paragraph (2).
(2) **CONFORMING AMENDMENT.**—Subsection (a) of section 507 of such Act (50 U.S.C. 3106(a)) is amended—

(A) by striking paragraph (5); and

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

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

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

(e) **REPORTS ON ESPIONAGE BY PEOPLE’S REPUBLIC OF CHINA.**—Section 3151 of the National Defense Authorization Act for Fiscal Year 2000 (42 U.S.C. 7383e) is repealed.

(f) **REPORTS ON SECURITY VULNERABILITIES OF NATIONAL LABORATORY COMPUTERS.**—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is repealed.
A BILL

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.

JUNE 9, 2015
Reported from the Select Committee on Intelligence (Permanent Select) with an amendment.

JUNE 9, 2015
The Committee on the Budget discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed.