

114TH CONGRESS
1ST SESSION

H. R. 4127

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

NOVEMBER 30, 2015

Mr. NUNES (for himself and Mr. SCHIFF) 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

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

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

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 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.
- Sec. 105. Clarification regarding authority for flexible personnel management among elements of intelligence community.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Provision of information and assistance to Inspector General of the Intelligence Community.
- Sec. 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency.
- Sec. 305. Clarification of authority of Privacy and Civil Liberties Oversight Board.
- Sec. 306. Enhancing government personnel security programs.
- Sec. 307. Notification of changes to retention of call detail record policies.
- Sec. 308. Personnel information notification policy by the Director of National Intelligence.
- Sec. 309. Designation of lead intelligence officer for tunnels.
- Sec. 310. Reporting process required for tracking certain requests for country clearance.
- Sec. 311. Study on reduction of analytic duplication.
- Sec. 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture.
- Sec. 313. Cyber attack standards of measurement study.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Appointment and confirmation of the National Counterintelligence Executive.
- Sec. 402. Technical amendments relating to pay under title 5, United States Code.
- Sec. 403. Analytic objectivity review.

Subtitle B—Central Intelligence Agency and Other Elements

- Sec. 411. Authorities of the Inspector General for the Central Intelligence Agency.
- Sec. 412. Prior congressional notification of transfers of funds for certain intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Matters Relating to Russia

- Sec. 501. Notice of deployment or transfer of Club–K container missile system by the Russian Federation.
- Sec. 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.
- Sec. 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation.

Subtitle B—Matters Relating to Other Countries

- Sec. 511. Report on resources and collection posture with regard to the South China Sea and East China Sea.
- Sec. 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba.
- Sec. 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba.
- Sec. 514. Report on use by Iran of funds made available through sanctions relief.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

- Sec. 601. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
- Sec. 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Reports

- Sec. 701. Repeal of certain reporting requirements.
- Sec. 702. Reports on foreign fighters.
- Sec. 703. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms.
- Sec. 704. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.
- Sec. 705. Report on effects of data breach of Office of Personnel Management.
- Sec. 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community.
- Sec. 707. Report on use of certain business concerns.

Subtitle B—Other Matters

Sec. 711. Use of homeland security grant funds in conjunction with Department of Energy national laboratories.

Sec. 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce.

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

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

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

14 **SEC. 3. BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go-Act of 2010,
17 shall be determined by reference to the latest statement
18 titled “Budgetary Effects of PAYGO Legislation” for this
19 Act, submitted for printing in the Congressional Record
20 by the Chairman of the Senate Budget Committee, pro-
21 vided that such statement has been submitted prior to the
22 vote on passage.

1 **TITLE I—INTELLIGENCE**
2 **ACTIVITIES**

3 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2016 for the conduct of the intelligence and
6 intelligence-related activities of the following elements of
7 the United States Government:

8 (1) The Office of the Director of National Intel-
9 ligence.

10 (2) The Central Intelligence Agency.

11 (3) The Department of Defense.

12 (4) The Defense Intelligence Agency.

13 (5) The National Security Agency.

14 (6) The Department of the Army, the Depart-
15 ment of the Navy, and the Department of the Air
16 Force.

17 (7) The Coast Guard.

18 (8) The Department of State.

19 (9) The Department of the Treasury.

20 (10) The Department of Energy.

21 (11) The Department of Justice.

22 (12) The Federal Bureau of Investigation.

23 (13) The Drug Enforcement Administration.

24 (14) The National Reconnaissance Office.

1 (15) The National Geospatial-Intelligence Agen-
2 cy.

3 (16) The Department of Homeland Security.

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

5 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
6 LEVELS.—The amounts authorized to be appropriated
7 under section 101 and, subject to section 103, the author-
8 ized personnel ceilings as of September 30, 2016, for the
9 conduct of the intelligence activities of the elements listed
10 in paragraphs (1) through (16) of section 101, are those
11 specified in the classified Schedule of Authorizations pre-
12 pared to accompany this bill.

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

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

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

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

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

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

10 (C) as otherwise required by law.

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

12 (a) AUTHORITY FOR INCREASES.—The Director of
13 National Intelligence may authorize employment of civil-
14 ian personnel in excess of the number authorized for fiscal
15 year 2016 by the classified Schedule of Authorizations re-
16 ferred to in section 102(a) if the Director of National In-
17 telligence determines that such action is necessary to the
18 performance of important intelligence functions, except
19 that the number of personnel employed in excess of the
20 number authorized under such section may not, for any
21 element of the intelligence community, exceed 3 percent
22 of the number of civilian personnel authorized under such
23 schedule for such element.

24 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
25 rector of National Intelligence shall establish guidelines

1 that govern, for each element of the intelligence commu-
2 nity, the treatment under the personnel levels authorized
3 under section 102(a), including any exemption from such
4 personnel levels, of employment or assignment in—

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

7 (2) a reserve corps or as a reemployed annu-
8 itant; or

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

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

16 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
17 **COUNT.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated for the Intelligence Commu-
20 nity Management Account of the Director of National In-
21 telligence for fiscal year 2016 the sum of \$516,306,000.
22 Within such amount, funds identified in the classified
23 Schedule of Authorizations referred to in section 102(a)
24 for advanced research and development shall remain avail-
25 able until September 30, 2017.

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

9 (c) CLASSIFIED AUTHORIZATIONS.—

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

21 (2) AUTHORIZATION OF PERSONNEL.—In addi-
22 tion to the personnel authorized by subsection (b)
23 for elements of the Intelligence Community Manage-
24 ment Account as of September 30, 2016, there are
25 authorized such additional personnel for the Com-

1 munity Management Account as of that date as are
2 specified in the classified Schedule of Authorizations
3 referred to in section 102(a).

4 **SEC. 105. CLARIFICATION REGARDING AUTHORITY FOR**
5 **FLEXIBLE PERSONNEL MANAGEMENT**
6 **AMONG ELEMENTS OF INTELLIGENCE COM-**
7 **MUNITY.**

8 (a) CLARIFICATION.—Section 102A(v) of the Na-
9 tional Security Act of 1947 (50 U.S.C. 3024(v)) is amend-
10 ed—

11 (1) by redesignating paragraph (3) as para-
12 graph (4); and

13 (2) by inserting after paragraph (2) the fol-
14 lowing new paragraph (3):

15 “(3) A covered department may appoint an in-
16 dividual to a position converted or established pursu-
17 ant to this subsection without regard to the civil-
18 service laws, including parts II and III of title 5,
19 United States Code.”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall apply with respect to an appointment
22 under section 102A(v) of the National Security Act of
23 1947 (50 U.S.C. 3024(v)) made on or after the date of
24 the enactment of the Intelligence Authorization Act for
25 Fiscal Year 2012 (Public Law 112–87) and to any pro-

1 ceeding pending on or filed after the date of the enactment
2 of this section that relates to such an appointment.

3 **TITLE II—CENTRAL INTEL-**
4 **LIGENCE AGENCY RETIRE-**
5 **MENT AND DISABILITY SYS-**
6 **TEM**

7 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

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

11 **TITLE III—GENERAL**
12 **PROVISIONS**

13 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
14 **BENEFITS AUTHORIZED BY LAW.**

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

20 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
21 **ACTIVITIES.**

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

1 **SEC. 303. PROVISION OF INFORMATION AND ASSISTANCE**
2 **TO INSPECTOR GENERAL OF THE INTEL-**
3 **LIGENCE COMMUNITY.**

4 Section 103H(j)(4) of the National Security Act of
5 1947 (50 U.S.C. 3033(j)(4)) is amended—

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

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

14 **SEC. 304. INCLUSION OF INSPECTOR GENERAL OF INTEL-**
15 **LIGENCE COMMUNITY IN COUNCIL OF IN-**
16 **SPECTORS GENERAL ON INTEGRITY AND EF-**
17 **FICIENCY.**

18 Section 11(b)(1)(B) of the Inspector General Act of
19 1978 (Public Law 95–452; 5 U.S.C. App.) is amended by
20 striking “the Office of the Director of National Intel-
21 ligence” and inserting “the Intelligence Community”.

22 **SEC. 305. CLARIFICATION OF AUTHORITY OF PRIVACY AND**
23 **CIVIL LIBERTIES OVERSIGHT BOARD.**

24 Section 1061(g) of the Intelligence Reform and Ter-
25 rorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is

1 amended by adding at the end the following new para-
2 graph:

3 “(5) ACCESS.—Nothing in this section shall be
4 construed to authorize the Board, or any agent
5 thereof, to gain access to information regarding an
6 activity covered by section 503(a) of the National
7 Security Act of 1947 (50 U.S.C. 3093(a)).”.

8 **SEC. 306. ENHANCING GOVERNMENT PERSONNEL SECUR-**
9 **RITY PROGRAMS.**

10 (a) ENHANCED SECURITY CLEARANCE PROGRAMS.—

11 (1) IN GENERAL.—Part III of title 5, United
12 States Code, is amended by adding at the end the
13 following:

14 **“Subpart J—Enhanced Personnel Security Programs**

15 **“CHAPTER 110—ENHANCED PERSONNEL**

16 **SECURITY PROGRAMS**

“Sec.

“11001. Enhanced personnel security programs.

17 **“SEC. 11001. ENHANCED PERSONNEL SECURITY PRO-**
18 **GRAMS.**

19 “(a) ENHANCED PERSONNEL SECURITY PRO-
20 GRAM.—The Director of National Intelligence shall direct
21 each agency to implement a program to provide enhanced
22 security review of covered individuals—

23 “(1) in accordance with this section; and

24 “(2) not later than the earlier of—

1 “(A) the date that is 5 years after the date
2 of the enactment of the Intelligence Authoriza-
3 tion Act for Fiscal Year 2016; or

4 “(B) the date on which the backlog of
5 overdue periodic reinvestigations of covered in-
6 dividuals is eliminated, as determined by the
7 Director of National Intelligence.

8 “(b) COMPREHENSIVENESS.—

9 “(1) SOURCES OF INFORMATION.—The en-
10 hanced personnel security program of an agency
11 shall integrate relevant and appropriate information
12 from various sources, including government, publicly
13 available, and commercial data sources, consumer
14 reporting agencies, social media, and such other
15 sources as determined by the Director of National
16 Intelligence.

17 “(2) TYPES OF INFORMATION.—Information
18 obtained and integrated from sources described in
19 paragraph (1) may include—

20 “(A) information relating to any criminal
21 or civil legal proceeding;

22 “(B) financial information relating to the
23 covered individual, including the credit worthi-
24 ness of the covered individual;

1 “(C) publicly available information, wheth-
2 er electronic, printed, or other form, including
3 relevant security or counterintelligence informa-
4 tion about the covered individual or information
5 that may suggest ill intent, vulnerability to
6 blackmail, compulsive behavior, allegiance to
7 another country, change in ideology, or that the
8 covered individual lacks good judgment, reli-
9 ability, or trustworthiness; and

10 “(D) data maintained on any terrorist or
11 criminal watch list maintained by any agency,
12 State or local government, or international or-
13 ganization.

14 “(c) REVIEWS OF COVERED INDIVIDUALS.—

15 “(1) REVIEWS.—

16 “(A) IN GENERAL.—The enhanced per-
17 sonnel security program of an agency shall re-
18 quire that, not less than 2 times every 5 years,
19 the head of the agency shall conduct or request
20 the conduct of automated record checks and
21 checks of information from sources under sub-
22 section (b) to ensure the continued eligibility of
23 each covered individual to access classified in-
24 formation and hold a sensitive position unless
25 more frequent reviews of automated record

1 checks and checks of information from sources
2 under subsection (b) are conducted on the cov-
3 ered individual.

4 “(B) SCOPE OF REVIEWS.—Except for a
5 covered individual who is subject to more fre-
6 quent reviews to ensure the continued eligibility
7 of the covered individual to access classified in-
8 formation and hold a sensitive position, the re-
9 views under subparagraph (A) shall consist of
10 random or aperiodic checks of covered individ-
11 uals, such that each covered individual is sub-
12 ject to at least 2 reviews during the 5-year pe-
13 riod beginning on the date on which the agency
14 implements the enhanced personnel security
15 program of an agency, and during each 5-year
16 period thereafter.

17 “(C) INDIVIDUAL REVIEWS.—A review of
18 the information relating to the continued eligi-
19 bility of a covered individual to access classified
20 information and hold a sensitive position under
21 subparagraph (A) may not be conducted until
22 after the end of the 120-day period beginning
23 on the date the covered individual receives the
24 notification required under paragraph (3).

1 “(2) RESULTS.—The head of an agency shall
2 take appropriate action if a review under paragraph
3 (1) finds relevant information that may affect the
4 continued eligibility of a covered individual to access
5 classified information and hold a sensitive position.

6 “(3) INFORMATION FOR COVERED INDIVID-
7 UALS.—The head of an agency shall ensure that
8 each covered individual is adequately advised of the
9 types of relevant security or counterintelligence in-
10 formation the covered individual is required to re-
11 port to the head of the agency.

12 “(4) LIMITATION.—Nothing in this subsection
13 shall be construed to affect the authority of an agen-
14 cy to determine the appropriate weight to be given
15 to information relating to a covered individual in
16 evaluating the continued eligibility of the covered in-
17 dividual.

18 “(5) AUTHORITY OF THE PRESIDENT.—Noth-
19 ing in this subsection shall be construed as limiting
20 the authority of the President to direct or perpet-
21 uate periodic reinvestigations of a more comprehen-
22 sive nature or to delegate the authority to direct or
23 perpetuate such reinvestigations.

24 “(6) EFFECT ON OTHER REVIEWS.—Reviews
25 conducted under paragraph (1) are in addition to in-

1 investigations and reinvestigations conducted pursuant
2 to section 3001 of the Intelligence Reform and Ter-
3 rorism Prevention Act of 2004 (50 U.S.C. 3341).

4 “(d) AUDIT.—

5 “(1) IN GENERAL.—Beginning 2 years after the
6 date of the implementation of the enhanced per-
7 sonnel security program of an agency under sub-
8 section (a), the Inspector General of the agency shall
9 conduct at least 1 audit to assess the effectiveness
10 and fairness, which shall be determined in accord-
11 ance with performance measures and standards es-
12 tablished by the Director of National Intelligence, to
13 covered individuals of the enhanced personnel secu-
14 rity program of the agency.

15 “(2) SUBMISSIONS TO DNI.—The results of
16 each audit conducted under paragraph (1) shall be
17 submitted to the Director of National Intelligence to
18 assess the effectiveness and fairness of the enhanced
19 personnel security programs across the Federal Gov-
20 ernment.

21 “(e) DEFINITIONS.—In this section—

22 “(1) the term ‘agency’ has the meaning given
23 that term in section 3001 of the Intelligence Reform
24 and Terrorism Prevention Act of 2004 (50 U.S.C.
25 3341);

1 “(2) the term ‘consumer reporting agency’ has
2 the meaning given that term in section 603 of the
3 Fair Credit Reporting Act (15 U.S.C. 1681a);

4 “(3) the term ‘covered individual’ means an in-
5 dividual employed by an agency or a contractor of
6 an agency who has been determined eligible for ac-
7 cess to classified information or eligible to hold a
8 sensitive position;

9 “(4) the term ‘enhanced personnel security pro-
10 gram’ means a program implemented by an agency
11 at the direction of the Director of National Intel-
12 ligence under subsection (a); and”.

13 (2) TECHNICAL AND CONFORMING AMEND-
14 MENT.—The table of chapters for part III of title 5,
15 United States Code, is amended by adding at the
16 end following:

 “Subpart J—Enhanced Personnel Security Programs

 “110. Enhanced personnel security programs 11001”.

17 (b) RESOLUTION OF BACKLOG OF OVERDUE PERI-
18 ODIC REINVESTIGATIONS.—

19 (1) IN GENERAL.—The Director of National In-
20 telligence shall develop and implement a plan to
21 eliminate the backlog of overdue periodic reinvestiga-
22 tions of covered individuals.

23 (2) REQUIREMENTS.—The plan developed
24 under paragraph (1) shall—

- 1 (A) use a risk-based approach to—
- 2 (i) identify high-risk populations; and
- 3 (ii) prioritize reinvestigations that are
- 4 due or overdue to be conducted; and
- 5 (B) use random automated record checks
- 6 of covered individuals that shall include all cov-
- 7 ered individuals in the pool of individuals sub-
- 8 ject to a one-time check.

9 (3) DEFINITIONS.—In this subsection:

10 (A) The term “covered individual” means

11 an individual who has been determined eligible

12 for access to classified information or eligible to

13 hold a sensitive position.

14 (B) The term “periodic reinvestigations”

15 has the meaning given such term in section

16 3001(a)(7) of the Intelligence Reform and Ter-

17 rorism Prevention Act of 2004 (50 U.S.C.

18 3341(a)(7)).

19 **SEC. 307. NOTIFICATION OF CHANGES TO RETENTION OF**

20 **CALL DETAIL RECORD POLICIES.**

21 (a) REQUIREMENT TO RETAIN.—

22 (1) IN GENERAL.—Not later than 15 days after

23 learning that an electronic communication service

24 provider that generates call detail records in the or-

25 dinary course of business has changed the policy of

1 the provider on the retention of such call detail
2 records to result in a retention period of less than
3 18 months, the Director of National Intelligence
4 shall notify, in writing, the congressional intelligence
5 committees of such change.

6 (2) REPORT.—Not later than 30 days after the
7 date of the enactment of this Act, the Director shall
8 submit to the congressional intelligence committees a
9 report identifying each electronic communication
10 service provider that has, as of the date of the re-
11 port, a policy to retain call detail records for a pe-
12 riod of 18 months or less.

13 (b) DEFINITIONS.—In this section:

14 (1) CALL DETAIL RECORD.—The term “call de-
15 tail record” has the meaning given that term in sec-
16 tion 501(k) of the Foreign Intelligence Surveillance
17 Act of 1978 (50 U.S.C. 1861(k)).

18 (2) ELECTRONIC COMMUNICATION SERVICE
19 PROVIDER.—The term “electronic communication
20 service provider” has the meaning given that term in
21 section 701(b)(4) of the Foreign Intelligence Surveil-
22 lance Act of 1978 (50 U.S.C. 1881(b)(4)).

1 **SEC. 308. PERSONNEL INFORMATION NOTIFICATION POL-**
2 **ICY BY THE DIRECTOR OF NATIONAL INTEL-**
3 **LIGENCE.**

4 (a) **DIRECTIVE REQUIRED.**—The Director of Na-
5 tional Intelligence shall issue a directive containing a writ-
6 ten policy for the timely notification to the congressional
7 intelligence committees of the identities of individuals oc-
8 cupying senior level positions within the intelligence com-
9 munity.

10 (b) **SENIOR LEVEL POSITION.**—In identifying posi-
11 tions that are senior level positions in the intelligence com-
12 munity for purposes of the directive required under sub-
13 section (a), the Director of National Intelligence shall con-
14 sider whether a position—

15 (1) constitutes the head of an entity or a sig-
16 nificant component within an agency;

17 (2) is involved in the management or oversight
18 of matters of significant import to the leadership of
19 an entity of the intelligence community;

20 (3) provides significant responsibility on behalf
21 of the intelligence community;

22 (4) requires the management of a significant
23 number of personnel or funds;

24 (5) requires responsibility management or over-
25 sight of sensitive intelligence activities; and

1 (6) is held by an individual designated as a sen-
2 ior intelligence management official as such term is
3 defined in section 368(a)(6) of the Intelligence Au-
4 thorization Act for Fiscal Year 2010 (Public Law
5 111–259; 50 U.S.C. 404i–1 note).

6 (c) NOTIFICATION.—The Director shall ensure that
7 each notification under the directive issued under sub-
8 section (a) includes each of the following:

9 (1) The name of the individual occupying the
10 position.

11 (2) Any previous senior level position held by
12 the individual, if applicable, or the position held by
13 the individual immediately prior to the appointment.

14 (3) The position to be occupied by the indi-
15 vidual.

16 (4) Any other information the Director deter-
17 mines appropriate.

18 (d) RELATIONSHIP TO OTHER LAWS.—The directive
19 issued under subsection (a) and any amendment to such
20 directive shall be consistent with the provisions of the Na-
21 tional Security Act of 1947 (50 U.S.C. 401 et seq.).

22 (e) SUBMISSION.—Not later than 90 days after the
23 date of the enactment of this Act, the Director shall sub-
24 mit to the congressional intelligence committees the direc-
25 tive issued under subsection (a).

1 **SEC. 309. DESIGNATION OF LEAD INTELLIGENCE OFFICER**
2 **FOR TUNNELS.**

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

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

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

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

20 **SEC. 310. REPORTING PROCESS REQUIRED FOR TRACKING**
21 **CERTAIN REQUESTS FOR COUNTRY CLEAR-**
22 **ANCE.**

23 (a) IN GENERAL.—By not later than September 30,
24 2016, the Director of National Intelligence shall establish
25 a formal internal reporting process for tracking requests
26 for country clearance submitted to overseas Director of

1 National Intelligence representatives by departments and
2 agencies of the United States. Such reporting process shall
3 include a mechanism for tracking the department or agen-
4 cy that submits each such request and the date on which
5 each such request is submitted.

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

11 **SEC. 311. STUDY ON REDUCTION OF ANALYTIC DUPLICA-**
12 **TION.**

13 (a) STUDY AND REPORT.—

14 (1) IN GENERAL.—Not later than January 31,
15 2016, the Director of National Intelligence shall—

16 (A) carry out a study to evaluate and
17 measure the incidence of duplication in finished
18 intelligence analysis products; and

19 (B) submit to the congressional intelligence
20 committees a report on the findings of such
21 study.

22 (2) METHODOLOGY REQUIREMENTS.—The
23 methodology used to carry out the study required by
24 this subsection shall be able to be repeated for use
25 in other subsequent studies.

1 (b) ELEMENTS.—The report required by subsection
2 (a)(1)(B) shall include—

3 (1) detailed information—

4 (A) relating to the frequency of duplication
5 of finished intelligence analysis products; and

6 (B) that describes the types of, and the
7 reasons for, any such duplication; and

8 (2) a determination as to whether to make the
9 production of such information a routine part of the
10 mission of the Analytic Integrity and Standards
11 Group.

12 (c) CUSTOMER IMPACT PLAN.—Not later than 180
13 days after the date of the enactment of this Act, the Direc-
14 tor of National Intelligence shall submit to the congres-
15 sional intelligence committees a plan for revising analytic
16 practice, tradecraft, and standards to ensure customers
17 are able to clearly identify—

18 (1) the manner in which intelligence products
19 written on similar topics and that are produced con-
20 temporaneously differ from one another in terms of
21 methodology, sourcing, or other distinguishing ana-
22 lytic characteristics; and

23 (2) the significance of that difference.

24 (d) CONSTRUCTION.—Nothing in this section may be
25 construed to impose any requirement that would interfere

1 with the production of an operationally urgent or other-
2 wise time-sensitive current intelligence product.

3 **SEC. 312. STRATEGY FOR COMPREHENSIVE INTERAGENCY**
4 **REVIEW OF THE UNITED STATES NATIONAL**
5 **SECURITY OVERHEAD SATELLITE ARCHITEC-**
6 **TURE.**

7 (a) REQUIREMENT FOR STRATEGY.—The Director of
8 National Intelligence shall collaborate with the Secretary
9 of Defense and the Chairman of the Joint Chiefs of Staff
10 to develop a strategy, with milestones and benchmarks,
11 to ensure that there is a comprehensive interagency review
12 of policies and practices for planning and acquiring na-
13 tional security satellite systems and architectures, includ-
14 ing the capabilities of commercial systems and partner
15 countries, consistent with the National Space Policy issued
16 on June 28, 2010. Such strategy shall, where applicable,
17 account for the unique missions and authorities vested in
18 the Department of Defense and the intelligence commu-
19 nity.

20 (b) ELEMENTS.—The strategy required by subsection
21 (a) shall ensure that the United States national security
22 overhead satellite architecture—

23 (1) meets the needs of the United States in
24 peace time and is resilient in war time;

25 (2) is fiscally responsible;

1 (3) accurately takes into account cost and per-
2 formance tradeoffs;

3 (4) meets realistic requirements;

4 (5) produces excellence, innovation, competition,
5 and a robust industrial base;

6 (6) aims to produce in less than 5 years innova-
7 tive satellite systems that are able to leverage com-
8 mon, standardized design elements and commercially
9 available technologies;

10 (7) takes advantage of rapid advances in com-
11 mercial technology, innovation, and commercial-like
12 acquisition practices;

13 (8) is open to innovative concepts, such as dis-
14 tributed, disaggregated architectures, that could
15 allow for better resiliency, reconstitution, replenish-
16 ment, and rapid technological refresh; and

17 (9) emphasizes deterrence and recognizes the
18 importance of offensive and defensive space control
19 capabilities.

20 (c) REPORT ON STRATEGY.—Not later than Feb-
21 ruary 28, 2016, the Director of National Intelligence, the
22 Secretary of Defense, and the Chairman of the Joint
23 Chiefs of Staff shall jointly submit to the congressional
24 intelligence committees, the Committee on Armed Services
25 of the Senate, and the Committee on Armed Services of

1 the House of Representatives a report on the strategy re-
2 quired by subsection (a).

3 **SEC. 313. CYBER ATTACK STANDARDS OF MEASUREMENT**
4 **STUDY.**

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

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

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

16 (b) **REPORTS TO CONGRESS.**—

17 (1) **PRELIMINARY FINDINGS.**—Not later than
18 180 days after the date of the enactment of this Act,
19 the Director of National Intelligence shall submit to
20 the appropriate congressional committees the initial
21 findings of the study required under subsection (a).

22 (2) **REPORT.**—Not later than 360 days after
23 the date of the enactment of this Act, the Director
24 of National Intelligence shall submit to the appro-

1 appropriate congressional committees a report containing
2 the complete findings of such study.

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

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

9 (1) The congressional intelligence committees.

10 (2) The Committees on Armed Services of the
11 House of Representatives and the Senate.

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

15 (4) The Committee on Homeland Security of
16 the House of Representatives and the Committee on
17 Homeland Security and Governmental Affairs of the
18 Senate.

1 **TITLE IV—MATTERS RELATING**
2 **TO ELEMENTS OF THE INTEL-**
3 **LIGENCE COMMUNITY**

4 **Subtitle A—Office of the Director**
5 **of National Intelligence**

6 **SEC. 401. APPOINTMENT AND CONFIRMATION OF THE NA-**
7 **TIONAL COUNTERINTELLIGENCE EXECUTIVE.**

8 (a) IN GENERAL.—Section 902(a) of the Counter-
9 intelligence Enhancement Act of 2002 (50 U.S.C. 3382)
10 is amended to read as follows:

11 “(a) ESTABLISHMENT.—There shall be a National
12 Counterintelligence Executive who shall be appointed by
13 the President, by and with the advice and consent of the
14 Senate.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall take effect on the date that is one
17 year after the date of the enactment of this Act.

18 **SEC. 402. TECHNICAL AMENDMENTS RELATING TO PAY**
19 **UNDER TITLE 5, UNITED STATES CODE.**

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

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

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

1 “(viii) the Office of the Director of Na-
2 tional Intelligence;” and

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

5 **SEC. 403. ANALYTIC OBJECTIVITY REVIEW.**

6 (a) ASSESSMENT.—The Director of National Intel-
7 ligence shall assign the Chief of the Analytic Integrity and
8 Standards Group to conduct a review of finished intel-
9 ligence products produced by the Central Intelligence
10 Agency to assess whether the reorganization of the Agen-
11 cy, announced publicly on March 6, 2015, has resulted in
12 any loss of analytic objectivity.

13 (b) SUBMISSION.—Not later than March 6, 2017, the
14 Director of National Intelligence shall submit to the con-
15 gressional intelligence committees, in writing, the results
16 of the review required under subsection (a), including—

17 (1) an assessment comparing the analytic objec-
18 tivity of a representative sample of finished intel-
19 ligence products produced by the Central Intelligence
20 Agency before the reorganization and a representa-
21 tive sample of such finished intelligence products
22 produced after the reorganization, predicated on the
23 products’ communication of uncertainty, expression
24 of alternative analysis, and other underlying evalua-

1 tive criteria referenced in the Strategic Evaluation of
2 All-Source Analysis directed by the Director;

3 (2) an assessment comparing the historical re-
4 sults of anonymous surveys of Central Intelligence
5 Agency and customers conducted before the reorga-
6 nization and the results of such anonymous surveys
7 conducted after the reorganization, with a focus on
8 the analytic standard of objectivity;

9 (3) a metrics-based evaluation measuring the
10 effect that the reorganization’s integration of oper-
11 ational, analytic, support, technical, and digital per-
12 sonnel and capabilities into Mission Centers has had
13 on analytic objectivity; and

14 (4) any recommendations for ensuring that ana-
15 lysts of the Central Intelligence Agency perform
16 their functions with objectivity, are not unduly con-
17 strained, and are not influenced by the force of pref-
18 erence for a particular policy.

19 **Subtitle B—Central Intelligence** 20 **Agency and Other Elements**

21 **SEC. 411. AUTHORITIES OF THE INSPECTOR GENERAL FOR** 22 **THE CENTRAL INTELLIGENCE AGENCY.**

23 (a) INFORMATION AND ASSISTANCE.—Paragraph (9)
24 of section 17(e) of the Central Intelligence Agency Act of

1 1949 (50 U.S.C. 3517(e)(9)) is amended to read as fol-
2 lows:

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

8 “(B) Upon request of the Inspector General for infor-
9 mation or assistance from a department or agency of the
10 Federal Government, the head of the department or agen-
11 cy involved, insofar as practicable and not in contravention
12 of any existing statutory restriction or regulation of such
13 department or agency, shall furnish to the Inspector Gen-
14 eral, or to an authorized designee, such information or as-
15 sistance.

16 “(C) Nothing in this paragraph may be construed to
17 provide any new authority to the Central Intelligence
18 Agency to conduct intelligence activity in the United
19 States.

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

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

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

6 (2) by adding at the end the following new sub-
7 paragraph:

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

11 “(i) the selection of internal and external can-
12 didates for employment with the Office of Inspector
13 General; and

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

21 **SEC. 412. PRIOR CONGRESSIONAL NOTIFICATION OF**
22 **TRANSFERS OF FUNDS FOR CERTAIN INTEL-**
23 **LIGENCE ACTIVITIES.**

24 (a) LIMITATION.—Except as provided in subsection
25 (b), none of the funds authorized to be appropriated by

1 this Act or otherwise made available for the intelligence
2 community for fiscal year 2016 may be used to initiate
3 a transfer of funds from the Joint Improvised Explosive
4 Device Defeat Fund or the Counterterrorism Partnerships
5 Fund to be used for intelligence activities unless the Direc-
6 tor of National Intelligence or the Secretary of Defense,
7 as appropriate, submits to the congressional intelligence
8 committees, by not later than 30 days before initiating
9 such a transfer, written notice of the transfer.

10 (b) WAIVER.—

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

20 (2) NOTICE.—If the Director or Secretary
21 issues a waiver under paragraph (1), the Director or
22 Secretary, as the case may be, shall submit to the
23 congressional intelligence committees, by not later
24 than 48 hours after the initiation of the transfer of
25 funds covered by the waiver, written notice of the

1 waiver and a justification for the waiver, including
2 a description of the emergency situation that neces-
3 sitated the waiver.

4 **TITLE V—MATTERS RELATING**
5 **TO FOREIGN COUNTRIES**
6 **Subtitle A—Matters Relating to**
7 **Russia**

8 **SEC. 501. NOTICE OF DEPLOYMENT OR TRANSFER OF**
9 **CLUB-K CONTAINER MISSILE SYSTEM BY THE**
10 **RUSSIAN FEDERATION.**

11 (a) NOTICE TO CONGRESS.—The Director of Na-
12 tional Intelligence shall submit to the appropriate congres-
13 sional committees written notice if the intelligence commu-
14 nity receives intelligence that the Russian Federation
15 has—

16 (1) deployed, or is about to deploy, the Club-
17 K container missile system through the Russian
18 military; or

19 (2) transferred or sold, or intends to transfer or
20 sell, the Club-K container missile system to another
21 state or non-state actor.

22 (b) NOTICE TO CONGRESSIONAL INTELLIGENCE
23 COMMITTEES.—Not later than 30 days after the date on
24 which the Director submits a notice under subsection (a),
25 the Director shall submit to the congressional intelligence

1 committees a written update regarding any intelligence
2 community engagement with a foreign partner on the de-
3 ployment and impacts of a deployment of the Club-K con-
4 tainer missile system to any potentially impacted nation.

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

8 (1) The congressional intelligence committees.

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

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

14 **SEC. 502. ASSESSMENT ON FUNDING OF POLITICAL PAR-**
15 **TIES AND NONGOVERNMENTAL ORGANIZA-**
16 **TIONS BY THE RUSSIAN FEDERATION.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Director of National
19 Intelligence shall submit to the appropriate congressional
20 committees an intelligence community assessment on the
21 funding of political parties and nongovernmental organiza-
22 tions in former Soviet states and countries in Europe by
23 the Russian Security Services since January 1, 2006.
24 Such assessment shall include the following:

1 (1) The country involved, the entity funded, the
2 security service involved, and the intended effect of
3 the funding.

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

6 (A) undermining the political cohesion of
7 the country involved;

8 (B) undermining the missile defense of the
9 United States and the North Atlantic Treaty
10 Organization; and

11 (C) undermining energy projects that could
12 provide an alternative to Russian energy.

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

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

19 (1) The congressional intelligence committees.

20 (2) The Committees on Armed Services of the
21 House of Representatives and the Senate.

22 (3) The Committee on Foreign Affairs of the
23 House of Representatives and the Committee on
24 Foreign Relations of the Senate.

1 **SEC. 503. ASSESSMENT ON THE USE OF POLITICAL ASSAS-**
2 **SINATIONS AS A FORM OF STATECRAFT BY**
3 **THE RUSSIAN FEDERATION.**

4 (a) **REQUIREMENT FOR ASSESSMENT.**—Not later
5 than 180 days after the date of the enactment of this Act,
6 the Director of National Intelligence shall submit to the
7 appropriate congressional committees an intelligence com-
8 munity assessment on the use of political assassinations
9 as a form of statecraft by the Russian Federation since
10 January 1, 2000.

11 (b) **CONTENT.**—The assessment required by sub-
12 section (a) shall include—

13 (1) a list of Russian politicians, businessmen,
14 dissidents, journalists, current or former government
15 officials, foreign heads-of-state, foreign political lead-
16 ers, foreign journalists, members of nongovern-
17 mental organizations, and other relevant individuals
18 that the intelligence community assesses were assas-
19 sinated by Russian Security Services, or agents of
20 such services, since January 1, 2000; and

21 (2) for each individual described in paragraph
22 (1), the country in which the assassination took
23 place, the means used, associated individuals and or-
24 ganizations, and other background information re-
25 lated to the assassination of the individual.

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

4 (1) The congressional intelligence committees.

5 (2) The Committees on Armed Services of the
6 House of Representatives and the Senate.

7 (3) The Committee on Foreign Affairs of the
8 House of Representatives and the Committee on
9 Foreign Relations of the Senate.

10 **Subtitle B—Matters Relating to**
11 **Other Countries**

12 **SEC. 511. REPORT ON RESOURCES AND COLLECTION POS-**
13 **TURE WITH REGARD TO THE SOUTH CHINA**
14 **SEA AND EAST CHINA SEA.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, the Director of National
17 Intelligence shall submit to the congressional intelligence
18 committees an intelligence community assessment on the
19 resources used for collection efforts and the collection pos-
20 ture of the intelligence community with regard to the
21 South China Sea and East China Sea.

22 (b) ELEMENTS.—The intelligence community assess-
23 ment required by subsection (a) shall provide detailed in-
24 formation related to intelligence collection by the United

1 States with regard to the South China Sea and East
2 China Sea, including—

3 (1) a review of intelligence community collection
4 activities and a description of these activities, includ-
5 ing the lead agency, key partners, purpose of collec-
6 tion activity, annual funding and personnel, the
7 manner in which the collection is conducted, and
8 types of information collected;

9 (2) an explanation of how the intelligence com-
10 munity prioritizes and coordinates collection activi-
11 ties focused on such region; and

12 (3) a description of any collection and
13 resourcing gaps and efforts being made to address
14 such gaps.

15 **SEC. 512. USE OF LOCALLY EMPLOYED STAFF SERVING AT**
16 **A UNITED STATES DIPLOMATIC FACILITY IN**
17 **CUBA.**

18 (a) SUPERVISORY REQUIREMENT.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), not later than one year after the date of
21 the enactment of this Act, the Secretary of State
22 shall ensure that each key supervisory position at a
23 United States diplomatic facility in Cuba is occupied
24 by a citizen of the United States.

1 (2) EXTENSION.—The Secretary of State may
2 extend the deadline to carry out paragraph (1) by
3 not more than one year if the Secretary submits to
4 the appropriate congressional committees written no-
5 tification and justification of such extension before
6 making such extension.

7 (b) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary of State, in
9 coordination with the heads of other appropriate depart-
10 ments or agencies of the Federal Government, shall sub-
11 mit to the appropriate congressional committees a report
12 on—

13 (1) the progress made by the Secretary with re-
14 spect to carrying out subsection (a)(1); and

15 (2) the use of locally employed staff in United
16 States diplomatic facilities, including—

17 (A) the number of such staff;

18 (B) the responsibilities of such staff;

19 (C) the manner in which such staff are se-
20 lected, including efforts to mitigate counter-
21 intelligence threats to the United States; and

22 (D) the potential cost and effect on the
23 operational capacity of the diplomatic facility if
24 the number of such staff was reduced.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

- 4 (1) the congressional intelligence committees;
- 5 (2) the Committee on Foreign Relations and
6 the Committee on Appropriations of the Senate; and
- 7 (3) the Committee on Foreign Affairs and the
8 Committee on Appropriations of the House of Rep-
9 resentatives.

10 **SEC. 513. INCLUSION OF SENSITIVE COMPARTMENTED IN-**
11 **FORMATION FACILITIES IN UNITED STATES**
12 **DIPLOMATIC FACILITIES IN CUBA.**

13 (a) RESTRICTED ACCESS SPACE REQUIREMENT.—
14 The Secretary of State shall ensure that each United
15 States diplomatic facility in Cuba that, after the date of
16 the enactment of this Act, is constructed or undergoes a
17 construction upgrade includes a sensitive compartmented
18 information facility.

19 (b) NATIONAL SECURITY WAIVER.—The Secretary of
20 State may waive the requirement under subsection (a) if
21 the Secretary—

- 22 (1) determines that such waiver is in the na-
23 tional security interest of the United States;
- 24 (2) submits to the appropriate congressional
25 committees written justification for such waiver; and

1 (3) a period of 90 days elapses following the
2 date of such submission.

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

6 (1) the congressional intelligence committees;

7 (2) the Committee on Foreign Relations and
8 the Committee on Appropriations of the Senate; and

9 (3) the Committee on Foreign Affairs and the
10 Committee on Appropriations of the House of Rep-
11 resentatives.

12 **SEC. 514. REPORT ON USE BY IRAN OF FUNDS MADE AVAIL-**
13 **ABLE THROUGH SANCTIONS RELIEF.**

14 (a) IN GENERAL.—At the times specified in sub-
15 section (b), the Director of National Intelligence, in con-
16 sultation with the Secretary of the Treasury, shall submit
17 to the appropriate congressional committees a report as-
18 sessing the following:

19 (1) The monetary value of any direct or indirect
20 forms of sanctions relief that Iran has received since
21 the Joint Plan of Action first entered into effect.

22 (2) How Iran has used funds made available
23 through sanctions relief, including the extent to
24 which any such funds have facilitated the ability of
25 Iran—

1 (A) to provide support for—

2 (i) any individual or entity designated
3 for the imposition of sanctions for activi-
4 ties relating to international terrorism pur-
5 suant to an executive order or by the Of-
6 fice of Foreign Assets Control of the De-
7 partment of the Treasury as of the date of
8 the enactment of this Act;

9 (ii) any organization designated by
10 the Secretary of State as a foreign ter-
11 rorist organization under section 219(a) of
12 the Immigration and Nationality Act (8
13 U.S.C. 1189(a)) as of the date of the en-
14 actment of this Act;

15 (iii) any other terrorist organization;

16 or

17 (iv) the regime of Bashar al Assad in
18 Syria;

19 (B) to advance the efforts of Iran or any
20 other country to develop nuclear weapons or
21 ballistic missiles overtly or covertly; or

22 (C) to commit any violation of the human
23 rights of the people of Iran.

24 (3) The extent to which any senior official of
25 the Government of Iran has diverted any funds

1 made available through sanctions relief to be used by
2 the official for personal use.

3 (b) SUBMISSION TO CONGRESS.—

4 (1) IN GENERAL.—The Director shall submit
5 the report required by subsection (a) to the appro-
6 priate congressional committees—

7 (A) not later than 180 days after the date
8 of the enactment of this Act and every 180
9 days thereafter during the period that the Joint
10 Plan of Action is in effect; and

11 (B) not later than 1 year after a subse-
12 quent agreement with Iran relating to the nu-
13 clear program of Iran takes effect and annually
14 thereafter during the period that such agree-
15 ment remains in effect.

16 (2) NONDUPLICATION.—The Director may sub-
17 mit the information required by subsection (a) with
18 a report required to be submitted to Congress under
19 another provision of law if—

20 (A) the Director notifies the appropriate
21 congressional committees of the intention of
22 making such submission before submitting that
23 report; and

24 (B) all matters required to be covered by
25 subsection (a) are included in that report.

1 (c) FORM OF REPORTS.—Each report required by
2 subsection (a) shall be submitted in unclassified form, but
3 may include a classified annex.

4 (d) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Banking, Housing,
9 and Urban Affairs, the Committee on Finance,
10 the Committee on Foreign Relations, and the
11 Select Committee on Intelligence of the Senate;
12 and

13 (B) the Committee on Financial Services,
14 the Committee on Foreign Affairs, the Com-
15 mittee on Ways and Means, and the Permanent
16 Select Committee on Intelligence of the House
17 of Representatives.

18 (2) JOINT PLAN OF ACTION.—The term “Joint
19 Plan of Action” means the Joint Plan of Action,
20 signed at Geneva November 24, 2013, by Iran and
21 by France, Germany, the Russian Federation, the
22 People’s Republic of China, the United Kingdom,
23 and the United States, and all implementing mate-
24 rials and agreements related to the Joint Plan of
25 Action, including the technical understandings

1 reached on January 12, 2014, the extension thereto
2 agreed to on July 18, 2014, and the extension there-
3 to agreed to on November 24, 2014.

4 **TITLE VI—MATTERS RELATING**
5 **TO UNITED STATES NAVAL**
6 **STATION, GUANTANAMO BAY,**
7 **CUBA**

8 **SEC. 601. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
9 **OR RELEASE OF INDIVIDUALS DETAINED AT**
10 **UNITED STATES NAVAL STATION, GUANTA-**
11 **NAMO BAY, CUBA, TO THE UNITED STATES.**

12 No amounts authorized to be appropriated or other-
13 wise made available to an element of the intelligence com-
14 munity may be used during the period beginning on the
15 date of the enactment of this Act and ending on December
16 31, 2016, to transfer, release, or assist in the transfer or
17 release, to or within the United States, its territories, or
18 possessions, Khalid Sheikh Mohammed or any other de-
19 tainee who—

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

22 (2) is or was held on or after January 20,
23 2009, at United States Naval Station, Guantanamo
24 Bay, Cuba, by the Department of Defense.

1 **SEC. 602. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
2 **OR MODIFY FACILITIES IN THE UNITED**
3 **STATES TO HOUSE DETAINEES TRANS-**
4 **FERRED FROM UNITED STATES NAVAL STA-**
5 **TION, GUANTANAMO BAY, CUBA.**

6 (a) **IN GENERAL.**—No amounts authorized to be ap-
7 propriated or otherwise made available to an element of
8 the intelligence community may be used during the period
9 beginning on the date of the enactment of this Act and
10 ending on December 31, 2016, to construct or modify any
11 facility in the United States, its territories, or possessions
12 to house any individual detained at Guantanamo for the
13 purposes of detention or imprisonment in the custody or
14 under the control of the Department of Defense unless
15 authorized by Congress.

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

19 (c) **INDIVIDUAL DETAINED AT GUANTANAMO DE-**
20 **FINED.**—In this section, the term “individual detained at
21 Guantanamo” means any individual located at United
22 States Naval Station, Guantanamo Bay, Cuba, as of Octo-
23 ber 1, 2009, who—

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

1 (2) is—

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

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

6 **SEC. 603. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
7 **OR RELEASE TO CERTAIN COUNTRIES OF IN-**
8 **DIVIDUALS DETAINED AT UNITED STATES**
9 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

10 No amounts authorized to be appropriated or other-
11 wise made available to an element of the intelligence com-
12 munity may be used during the period beginning on the
13 date of the enactment of this Act and ending on December
14 31, 2016, to transfer, release, or assist in the transfer or
15 release of any individual detained in the custody or under
16 the control of the Department of Defense at United States
17 Naval Station, Guantanamo Bay, Cuba, to the custody or
18 control of any country, or any entity within such country,
19 as follows:

20 (1) Libya.

21 (2) Somalia.

22 (3) Syria.

23 (4) Yemen.

1 **TITLE VII—REPORTS AND**
2 **OTHER MATTERS**
3 **Subtitle A—Reports**

4 **SEC. 701. REPEAL OF CERTAIN REPORTING REQUIRE-**
5 **MENTS.**

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

9 (1) by striking subsection (a);

10 (2) by redesignating subsections (b) and (c) as
11 subsections (a) and (b), respectively; and

12 (3) in subsection (b), as so redesignated, by
13 striking “The results required under subsection
14 (a)(2) and the reports required under subsection
15 (b)(1)” and inserting “The reports required under
16 subsection (a)(1)”.

17 (b) REPORTS ON ROLE OF ANALYSTS AT FBI.—Sec-
18 tion 2001(g) of the Intelligence Reform and Terrorism
19 Prevention Act of 2004 (Public Law 108–458; 118 Stat.
20 3700; 28 U.S.C. 532 note) is amended by striking para-
21 graph (3) and redesignating paragraph (4) as paragraph
22 (3).

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

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

4 (A) by striking “(1) The Director” and in-
5 serting “The Director”; and

6 (B) by striking paragraph (2).

7 (2) CONFORMING AMENDMENT.—Subsection (a)
8 of section 507 of such Act (50 U.S.C. 3106) is
9 amended—

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

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

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

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

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

24 (f) REPORTS ON SECURITY VULNERABILITIES OF
25 NATIONAL LABORATORY COMPUTERS.—Section 4508 of

1 the Atomic Energy Defense Act (50 U.S.C. 2659) is re-
2 pealed.

3 **SEC. 702. REPORTS ON FOREIGN FIGHTERS.**

4 (a) REPORTS REQUIRED.—Not later than 60 days
5 after the date of the enactment of this Act, and every 60
6 days thereafter, the Director of National Intelligence shall
7 submit to the congressional intelligence committees a re-
8 port on foreign fighter flows to and from Syria and to
9 and from Iraq. The Director shall define the term “foreign
10 fighter” in such reports.

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

14 (1) The total number of foreign fighters who
15 have traveled to Syria or Iraq since January 1,
16 2011, the total number of foreign fighters in Syria
17 or Iraq as of the date of the submittal of the report,
18 the total number of foreign fighters whose countries
19 of origin have a visa waiver program described in
20 section 217 of the Immigration and Nationality Act
21 (8 U.S.C. 1187), the total number of foreign fight-
22 ers who have left Syria or Iraq, the total number of
23 female foreign fighters, and the total number of de-
24 ceased foreign fighters.

1 (2) The total number of United States persons
2 who have traveled or attempted to travel to Syria or
3 Iraq since January 1, 2011, the total number of
4 such persons who have arrived in Syria or Iraq since
5 such date, and the total number of such persons who
6 have returned to the United States from Syria or
7 Iraq since such date.

8 (3) The total number of foreign fighters in the
9 Terrorist Identities Datamart Environment and the
10 status of each such foreign fighter in that database,
11 the number of such foreign fighters who are on a
12 watchlist, and the number of such foreign fighters
13 who are not on a watchlist.

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

17 (5) Any programmatic updates to the foreign
18 fighter report since the last report was submitted,
19 including updated analysis on foreign country co-
20 operation, as well as actions taken, such as denying
21 or revoking visas.

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

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

5 (1) with respect to the travel of foreign fighters
6 to and from Iraq and Syria, a description of the in-
7 telligence sharing relationships between the United
8 States and member states of the European Union
9 and member states of the North Atlantic Treaty Or-
10 ganization; and

11 (2) an analysis of the challenges impeding such
12 intelligence sharing relationships.

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

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

18 **SEC. 703. REPORT ON STRATEGY, EFFORTS, AND RE-**
19 **SOURCES TO DETECT, DETER, AND DEGRADE**
20 **ISLAMIC STATE REVENUE MECHANISMS.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the intelligence community should dedicate nec-
23 essary resources to defeating the revenue mechanisms of
24 the Islamic State.

1 (b) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Director of National In-
3 telligence shall submit to the congressional intelligence
4 committees a report on the strategy, efforts, and resources
5 of the intelligence community that are necessary to detect,
6 deter, and degrade the revenue mechanisms of the Islamic
7 State.

8 **SEC. 704. REPORT ON UNITED STATES COUNTERTER-**
9 **RORISM STRATEGY TO DISRUPT, DISMANTLE,**
10 **AND DEFEAT THE ISLAMIC STATE, AL-QA'IDA,**
11 **AND THEIR AFFILIATED GROUPS, ASSOCI-**
12 **ATED GROUPS, AND ADHERENTS.**

13 (a) REPORT.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act, the
16 President shall transmit to the appropriate congress-
17 sional committees a comprehensive report on the
18 counterterrorism strategy of the United States to
19 disrupt, dismantle, and defeat the Islamic State, al-
20 Qa'ida, and their affiliated groups, associated
21 groups, and adherents.

22 (2) COORDINATION.—The report under para-
23 graph (1) shall be prepared in coordination with the
24 Director of National Intelligence, the Secretary of
25 State, the Secretary of the Treasury, the Attorney

1 General, and the Secretary of Defense, and the head
2 of any other department or agency of the Federal
3 Government that has responsibility for activities di-
4 rected at combating the Islamic State, al-Qa'ida,
5 and their affiliated groups, associated groups, and
6 adherents.

7 (3) ELEMENTS.—The report under by para-
8 graph (1) shall include each of the following:

9 (A) A definition of—

10 (i) core al-Qa'ida, including a list of
11 which known individuals constitute core al-
12 Qa'ida;

13 (ii) the Islamic State, including a list
14 of which known individuals constitute Is-
15 lamic State leadership;

16 (iii) an affiliated group of the Islamic
17 State or al-Qa'ida, including a list of which
18 known groups constitute an affiliate group
19 of the Islamic State or al-Qa'ida;

20 (iv) an associated group of the Islamic
21 State or al-Qa'ida, including a list of which
22 known groups constitute an associated
23 group of the Islamic State or al-Qa'ida;

24 (v) an adherent of the Islamic State
25 or al-Qa'ida, including a list of which

1 known groups constitute an adherent of
2 the Islamic State or al-Qa'ida; and

3 (vi) a group aligned with the Islamic
4 State or al-Qa'ida, including a description
5 of what actions a group takes or state-
6 ments it makes that qualify it as a group
7 aligned with the Islamic State or al-Qa'ida.

8 (B) An assessment of the relationship be-
9 tween all identified Islamic State or al-Qa'ida
10 affiliated groups, associated groups, and adher-
11 ents with Islamic State leadership or core al-
12 Qa'ida.

13 (C) An assessment of the strengthening or
14 weakening of the Islamic State or al-Qa'ida, its
15 affiliated groups, associated groups, and adher-
16 ents, from January 1, 2010, to the present, in-
17 cluding a description of the metrics that are
18 used to assess strengthening or weakening and
19 an assessment of the relative increase or de-
20 crease in violent attacks attributed to such enti-
21 ties.

22 (D) An assessment of whether an indi-
23 vidual can be a member of core al-Qa'ida if
24 such individual is not located in Afghanistan or
25 Pakistan.

1 (E) An assessment of whether an indi-
2 vidual can be a member of core al-Qa'ida as
3 well as a member of an al-Qa'ida affiliated
4 group, associated group, or adherent.

5 (F) A definition of defeat of the Islamic
6 State or core al-Qa'ida.

7 (G) An assessment of the extent or coordi-
8 nation, command, and control between the Is-
9 lamic State or core al-Qa'ida and their affiliated
10 groups, associated groups, and adherents, spe-
11 cifically addressing each such entity.

12 (H) An assessment of the effectiveness of
13 counterterrorism operations against the Islamic
14 State or core al-Qa'ida, their affiliated groups,
15 associated groups, and adherents, and whether
16 such operations have had a sustained impact on
17 the capabilities and effectiveness of the Islamic
18 State or core al-Qa'ida, their affiliated groups,
19 associated groups, and adherents.

20 (4) FORM.—The report under paragraph (1)
21 shall be submitted in unclassified form, but may in-
22 clude a classified annex.

23 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means the following:

1 (1) The congressional intelligence committees.

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

4 (3) The Committee on Foreign Affairs of the
5 House of Representatives and the Committee on
6 Foreign Relations of the Senate.

7 **SEC. 705. REPORT ON EFFECTS OF DATA BREACH OF OF-**
8 **OFFICE OF PERSONNEL MANAGEMENT.**

9 (a) REPORT.—Not later than 120 days after the date
10 of the enactment of this Act, the President shall transmit
11 to the congressional intelligence committees a report on
12 the data breach of the Office of Personnel Management
13 disclosed in June 2015.

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

16 (1) The effects, if any, of the data breach on
17 the operations of the intelligence community abroad,
18 including the types of operations, if any, that have
19 been negatively affected or entirely suspended or ter-
20 minated as a result of the data breach.

21 (2) An assessment of the effects of the data
22 breach on each element of the intelligence commu-
23 nity.

24 (3) An assessment of how foreign persons,
25 groups, or countries may use the data collected by

1 the data breach (particularly regarding information
2 included in background investigations for security
3 clearances), including with respect to—

4 (A) recruiting intelligence assets;

5 (B) influencing decisionmaking processes
6 within the Federal Government, including re-
7 garding foreign policy decisions; and

8 (C) compromising employees of the Fed-
9 eral Government and friends and families of
10 such employees for the purpose of gaining ac-
11 cess to sensitive national security and economic
12 information.

13 (4) An assessment of which departments or
14 agencies of the Federal Government use the best
15 practices to protect sensitive data, including a sum-
16 mary of any such best practices that were not used
17 by the Office of Personnel Management.

18 (5) An assessment of the best practices used by
19 the departments or agencies identified under para-
20 graph (4) to identify and fix potential vulnerabilities
21 in the systems of the department or agency.

22 (c) BRIEFING.—The Director of National Intelligence
23 shall provide to the congressional intelligence committees
24 an interim briefing on the report under subsection (a), in-

1 cluding a discussion of proposals and options for respond-
2 ing to cyber attacks.

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

6 **SEC. 706. REPORT ON HIRING OF GRADUATES OF CYBER**
7 **CORPS SCHOLARSHIP PROGRAM BY INTEL-**
8 **LIGENCE COMMUNITY.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of the enactment of this Act, the Director of National
11 Intelligence, in coordination with the Director of the Na-
12 tional Science Foundation, shall submit to the congres-
13 sional intelligence committees a report on the employment
14 by the intelligence community of graduates of the Cyber
15 Corps Scholarship Program. The report shall include the
16 following:

17 (1) The number of graduates of the Cyber
18 Corps Scholarship Program hired by each element of
19 the intelligence community.

20 (2) A description of how each element of the in-
21 telligence community recruits graduates of the Cyber
22 Corps Scholar Program.

23 (3) A description of any processes available to
24 the intelligence community to expedite the hiring or

1 processing of security clearances for graduates of
2 the Cyber Corps Scholar Program.

3 (4) Recommendations by the Director of Na-
4 tional Intelligence to improve the hiring by the intel-
5 ligence community of graduates of the Cyber Corps
6 Scholarship Program, including any recommenda-
7 tions for legislative action to carry out such improve-
8 ments.

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

14 **SEC. 707. REPORT ON USE OF CERTAIN BUSINESS CON-**
15 **CERNS.**

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

24 (b) MATTERS INCLUDED.—The report under sub-
25 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 **Subtitle B—Other Matters**

2 **SEC. 711. USE OF HOMELAND SECURITY GRANT FUNDS IN** 3 **CONJUNCTION WITH DEPARTMENT OF EN-** 4 **ERGY NATIONAL LABORATORIES.**

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

11 **SEC. 712. INCLUSION OF CERTAIN MINORITY-SERVING IN-** 12 **STITUTIONS IN GRANT PROGRAM TO EN-** 13 **HANCE RECRUITING OF INTELLIGENCE COM-** 14 **MUNITY WORKFORCE.**

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

17 (1) in subsection (c)—

18 (A) in paragraph (1), by striking “histori-
19 cally black colleges and universities and Pre-
20 dominantly Black Institutions” and inserting
21 “historically black colleges and universities,
22 Predominantly Black Institutions, Hispanic-
23 serving institutions, and Asian American and
24 Native American Pacific Islander-serving insti-
25 tutions”; and

1 (B) in the subsection heading, by striking
2 “HISTORICALLY BLACK” and inserting “CERTAIN
3 MINORITY-SERVING”; and
4 (2) in subsection (g)—

5 (A) by redesignating paragraph (5) as
6 paragraph (7); and

7 (B) by inserting after paragraph (4) the
8 following new paragraphs (5) and (6):

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

13 “(6) ASIAN AMERICAN AND NATIVE AMERICAN
14 PACIFIC ISLANDER-SERVING INSTITUTION.—The
15 term ‘Asian American and Native American Pacific
16 Islander-serving institution’ has the meaning given
17 that term in section 320(b)(2) of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1059g(b)(2)).”.

○